

**For:** FSA and RMA Employees

**FSA/RMA Volunteer Program Guidance**

**Approved by:** Deputy Administrator, Management



**1 Overview**

**A Background**

Food and Agricultural Act of 1981, Section 1526 and 7 U.S.C. 2272 permit establishing programs to use volunteers to carry out programs of, or supported by, the Department. 5 U.S.C. 3111, as implemented by 5 CFR Part 308, grants agencies the authority to establish programs designed to provide educationally related work assignments for students in an uncompensated status.

**B Purpose**

This notice provides FSA/RMA volunteer program guidance.

**Note:** The notice will assist FSA/RMA offices in the volunteer on-boarding process. Using this notice will ensure that the volunteer program is being administered appropriately and effectively. If additional help or information is required for a particular subject, see paragraph 9.

**2 Definitions and Requirements**

**A Definitions and Requirements Used in FSA/RMA Volunteer Programs**

Adjudicator is an individual responsible for:

- determining suitability based on background investigation results to include a fingerprint-based criminal record check
- attempting to mitigate investigation issues
- granting the applicant access to FSA/RMA government systems and facilities.

<b>Disposal Date</b>	<b>Distribution</b>
October 1, 2018	All FSA and RMA employees; State Offices relay to County Offices

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### 2 Definitions and Requirements (Continued)

#### A Definitions and Requirements Used in FSA/RMA Volunteer Programs (Continued)

**Note:** This includes eligibility for the Personal Identity Verification card, such as LincPass, or site badge issuance. The adjudicator will be an employee of EPD.

HR representative is the individual designated by the selecting official to perform the HR employment services, including HR specialists, assistants, and/or administrative officers. The HR representative schedules and coordinates background investigation activities, provides sponsorship to the applicant, and ensures that all required forms are completed. This individual will serve as the point of contact for the volunteer and volunteer program manager.

Identity source documents are documents that establish identity and/or employment authorization.

Inherently governmental is defined as an activity that is so intimately related to the public interest as to mandate performance by government personnel. These activities require the exercise of substantial discretion in applying government authority and/or in making decisions for the government. These activities normally fall into 2 categories: the exercise of sovereign government authority or the establishment of procedures and processes related to the oversight of monetary transactions or entitlements. Inherently governmental activity involves:

- binding the U.S. to take or not to take some action by contract, policy, regulation, authorization, order, or otherwise
- determining, protecting, and advancing economic, political, territorial, property, or other interests by military or diplomatic action, civil or criminal judicial proceedings, contract management, or otherwise
- significantly affecting the life, liberty, or property of private persons
- exerting ultimate control over the acquisition, use, or disposition of U.S. property (real or personal, tangible or intangible), including establishing policies or procedures for the collection, control, or disbursement of appropriated and other Federal funds.

Selecting official is an individual who requests and substantiates the need for a volunteer.

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### 2 Definitions and Requirements (Continued)

#### A Definitions and Requirements Used in FSA/RMA Volunteer Programs (Continued)

Student volunteer is an individual who is:

- enrolled not less than half-time in a high school, trade school, technical or vocational institute, junior college, college, university, or other accredited educational institution
- deemed not to have ceased to be a student during an interim between school years if the interim is not more than 5 months and if such individual shows to the satisfaction of the agency that the individual has a bona fide intention of continuing to pursue a course of study or training in the same or different educational institution during the school semester (or other period into which the school year is divided) immediately after the interim. (5 CFR 308.101)

Volunteer is an individual who willingly (without duress or intimidation) offers or agrees to provide his or her time or services without compensation, and who actually performs those services in a manner that contributes to the furtherance of the programs of USDA agencies. (7 U.S.C. 2272)

Volunteer program manager serves as the subject matter expert on volunteer program activities. The FSA/RMA volunteer program manager must:

- develop policies and procedures for reviewing and implementing the mission area volunteer program
- provide technical assistance to HR representatives in FSA/RMA
- work closely with HR representatives in FSA/RMA to promote compliance with the provisions of this notice, related regulations, and technical guidance to foster an environment to promote the volunteer program
- review and evaluate volunteer documentation and service agreements
- maintain data on all volunteers requested, and supporting documentation for annual reporting purposes
- compile annual reports
- at the conclusion of each FY, evaluate the volunteer program to determine the relevance of the program, what impact the program has had on the mission area, and what the mission area has accomplished as a result of the program.

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### 2 Definitions and Requirements (Continued)

#### B Authorization

According to USDA DR 4230-001, USDA agencies with specific statutory authority for the use of volunteers shall establish a corresponding volunteer program and operating procedures in compliance with the provisions of this DR and according to all applicable laws. USDA OHRM maintains oversight of establishing volunteer programs.

#### C Requirements

Service under FSA/RMA volunteer programs must be without compensation. Volunteer service, in general, may not displace any USDA employee nor may it be used to perform any work that is inherently governmental as defined by OMB Circular A-76. Volunteers must meet minimum age requirements within Federal, State, or local laws governing the employment of minors. All Federal, State, and local laws and standards about employment of minors must be adhered to when using volunteer service.

Volunteers should commit to a minimum of 4 weeks with the agency while providing voluntary services. Individuals considered as selecting officials may authorize or accept volunteer services. Volunteers may use government equipment at the supervisor's discretion.

**Note:** Department of Labor regulation 29 CFR Part 570 provides specific information regarding employment of minors. HR representatives and selecting officials should reference 29 CFR Part 570.

Individuals providing voluntary service under FSA/RMA volunteer programs are **not** employees, **except** for the purposes of 5 U.S.C. 81 (relating to workers' compensation program) and 28 U.S.C. 2671 through 2680 (relating to tort claims).

All Federal, State, and local laws and standards about employment of minors must be adhered to when using volunteer service. **Not** being in compliance with Department of Labor regulations may lead to a finding that an employer is indulging in oppressive child labor. Some pertinent parts of these regulations are found in 29 CFR Part 570, specifically the following:

(7) subpart E provides special conditions for apprentices plus other exceptions along with a detailed explanation of prohibitions about occupations and situations that are particularly hazardous for 16-18 year olds, such as the operation of motor vehicles, being an outside helper, logging and mill operations, the operation of power-driven woodworking machines, exposure to radiation or radioactive substances, other power-driven machinery, excavation and agriculture [i.e., farm bin inspection].

(8) 570.123 discusses the agricultural exception as it relates to the term outside of school hours. It makes the application of this term dependent on the school's hours and not on a student's schedule.

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### 2 Definitions and Requirements (Continued)

#### C Requirements (Continued)

**Note:** Agencies are expected to maintain and become familiar with 29 CFR Part 570 regulations as they apply to workers who are under 18 years of age.

Volunteers are subject to acceptability for contract employment under the volunteer program, and the ethical requirements of 5 CFR 735.203 and 5 CFR 2635.101(a) and (b).

All managers and supervisors should review and discuss ethical standards with volunteers. Additional information can be found on the USDA Office of Ethics webpage.

### 3 Information About Volunteer Service

#### A Student Volunteers

Students enrolled in the volunteer program for the purpose of obtaining academic credit and educational experiences may begin after the following are provided:

- documents required in subparagraph 4 B
- official/unofficial transcript
- AD-2022.

**Note:** Participants must be enrolled at least half-time at an educational institution. The agency may provide attendance and performance records to the institution for the experience to be properly credited. Assignments should be made according to the academic aims of the student and the institution whenever possible.

#### B Nonstudent Volunteers

Nonstudent volunteers enrolled in the volunteer program for the purposes of obtaining career experience may begin after the following are provided:

- documents required in subparagraph 4 B
- AD-2023 or AD-2024.

#### C Volunteer Recognition

Officials authorized to accept volunteers may recognize the contributions made by volunteers. Cash awards may **not** be given, but certificates of accomplishment or similar forms of nonmonetary recognition are appropriate. The HR representative must provide the volunteer program manager with the tenure end date at least **2 weeks** before the termination so a certificate of appreciation can be generated.

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### 3 Information About Volunteer Service (Continued)

#### D Separations

Appointments in the volunteer program may be terminated at any time by the agency or volunteer.

#### E Nondiscrimination Statement

The following is the USDA nondiscrimination statement:

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- Mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410
- Fax: (202) 690-7442
- Email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

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### 4 Non-Federal Employee/Volunteer Background Investigation, Fingerprinting Requirements, and Identity Verification

#### A Overview

Background investigation and fingerprinting requirement questions for volunteers should be directed to **RA.DCWashing2.FSA.EPD.PerSecDC@wdc.usda.gov**.

#### B Required Identity Source Documents

FSA/RMA is required to use OMB-approved forms for the process of identity proofing and registration. USDA uses the following forms as part of the identity proofing and registration process to fulfill information gathering requirements.

The following is a list of approved forms for use in the identity proofing and registration process:

- AD-2109
- nonemployee resume
- OF-306
- 2 forms of identification.

### 5 Fingerprinting and USDA Site Badge Process

#### A Fingerprinting Process

Volunteers must submit all completed, required forms and the proper ID for fingerprinting. HR representatives must ensure that the volunteer correctly completes the forms.

The volunteer must bring 2 forms of identity source documents in **original form**. These documents **must** be presented to EPD and a photocopy must be made. State and County Offices should contact the volunteer program manager for fingerprinting instructions.

**Note:** Volunteers must **not** schedule a fingerprinting appointment without approval from the HR representative authorizing fingerprinting.

#### B Initiating Request for USDA Site Badge

All volunteers must be issued site badges. See Notice SEM-33, which is now obsolete.

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### 5 Fingerprinting and USDA Site Badge Process (Continued)

#### C Contacts

If there are questions about the USDA site badge process, contact the following.

IF located in...	THEN contact...
Washington, DC	EPD by telephone at 202-720-7696.
Kansas City, MO	EPD staff by 1 of the following: <ul style="list-style-type: none"><li>• telephone at 816-926-1937</li><li>• e-mail at <b>EPD@fsa.usda.gov</b></li><li>• visit Room 196 during business hours.</li></ul>

### 6 Initiating Security Awareness Training and Obtaining Computer Access

#### A Initiating Security Awareness Training

Volunteers must be provided the mandatory USDA Information Security Awareness Training **before** receiving computer access.

**All managers and supervisors have the responsibility to** confirm that volunteers have completed their computer security awareness training and forms are filled out completely and returned to the appropriate office. All new volunteers who need computer access are **required** to submit required forms **before** being given access to computers and applications.

Additionally, requests to modify, add, or delete access to applications must be submitted using agency request forms.

All managers and supervisors are responsible for contacting the volunteer program manager when removing access privileges of volunteers because of transfer, job change, resignation, termination, or any other separation from the manager's or supervisor's organization or change in business need. This request should be submitted **before** the volunteer is no longer with the agency.

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### 6 Initiating Security Awareness Training and Obtaining Computer Access (Continued)

#### B Contacts for the Security Awareness Training for FSA and RMA

Contact the volunteer program manager or the following employees for the mandatory USDA Information Security Awareness Training for volunteers.

IF the training is with...	THEN contact...
FSA in duty station Washington, DC	Marie Hubbard by 1 of the following: <ul style="list-style-type: none"><li>• e-mail at <a href="mailto:marie.hubbard@wdc.usda.gov">marie.hubbard@wdc.usda.gov</a></li><li>• telephone at 202-401-0373</li><li>• FAX at 202-205-9048.</li></ul>
FSA in duty stations Kansas City, MO, St. Louis, MO, and Salt Lake City, UT	Mark Nelson by 1 of the following: <ul style="list-style-type: none"><li>• e-mail at <a href="mailto:mark.nelson@kcc.usda.gov">mark.nelson@kcc.usda.gov</a></li><li>• telephone at 816-926-3420</li><li>• FAX at 816-926-1825.</li></ul>
FSA State and County Offices	either of the following: <ul style="list-style-type: none"><li>• State administrative office</li><li>• State or local AgLearn administrator.</li></ul>
RMA	Eric Baer, Chief, IT Service Delivery Branch, by 1 of the following: <ul style="list-style-type: none"><li>• e-mail at <a href="mailto:eric.baer@rma.usda.gov">eric.baer@rma.usda.gov</a></li><li>• telephone at 816-823-1950</li><li>• FAX at 816-926-3888.</li></ul>

#### C Obtaining Computer Access

To receive computer access, EPD must receive the signed certificate of completion for the Information Security Awareness Training from the HR representative. EPD submits the System Access Authorization Request on behalf of the hiring manager upon receipt of the:

- signed certificate of completion (Security Awareness Training)
- approval to work determination – favorable (issued by EPD).

### 7 Records Requirements

#### A Documentation

The case file ensures coverage under either the Worker's Compensation Program or Tort Claims Act and documents service for prospective employers. A case file must be established for each volunteer. The case file is maintained at the appropriate administrative level.

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### 7 Records Requirements (Continued)

#### A Documentation (Continued)

The following documentation is **required** in the case file:

- approval to work determination
- AD-2025
- statement of services or duties to be performed
- AD-2022, AD-2023, or AD-2024, as applicable
- resume prepared by the volunteer (official transcript, if applicable).

**Note:** AD-2025's must be maintained by the requesting office. AD-2025's should be accurately maintained so that they can be used to provide information when required.

#### B File Folders

Federal, State, and County Offices must establish file folders for the volunteer program and file documents listed in subparagraph A.

#### C Disposition Instructions

All offices must destroy the case files 15 years after termination of agreement. In the event the volunteer is injured, transfer the entire case file to the FSA/RMA volunteer program manager.

**Note:** Consult the agency records officer **before** destroying records to ensure that they are not subject to any pending litigation hold and/or record freezes.

### 8 Reporting Requirements (PE-176R)

#### A Mid-Year Reporting Requirements

A mid-year report (PE-176R) is **required** from each participating State Office, County Office, RMA regional and compliance office, and FSA/RMA division. The information required is to be accumulated from October 1 through March 31 of each FY. AD-2052 must be used to submit mid-year report (PE-176R) to the FSA/RMA volunteer program manager by April 15 of each FY. The report will include the following from each office:

- name and telephone number of person who prepared the report
- number of volunteers who provided at least 1 hour of service during the first half of each FY (group members should be counted individually)
- total number of all volunteer hours donated (include group and individual hours).

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### 8 Reporting Requirements (PE-176R) (Continued)

#### B Annual Reporting Requirements

An annual report (PE-176R) is required from each participating State Office, County Office, RMA regional and compliance office, and FSA/RMA division. The information required is to be accumulated for the entire FY. AD-2052 must be used to submit annual report (PE-176R) to the FSA/RMA volunteer program manager by October 15 of each FY. The report will include the following from each office:

- name and telephone number of person who prepared the report
- number of volunteers who provided at least 1 hour of service during each FY (group members should be counted individually)
- total number of all volunteer hours donated (include group and individual hours)
- number of offices within jurisdiction that used volunteer resources during the FY
- total number of offices within jurisdiction; for example, area, field, resource conservation and development, soil survey, etc.
- volunteer success stories and explanation of statewide volunteer management techniques that are successful.

#### C Demographic Information Reporting

The demographic information report must be submitted by April 15 and October 15 of each year.

**Note:** The demographic information should be collected by each participating State Office, County Office, RMA regional and compliance office, and FSA/RMA division volunteer's supervisor and submitted to the FSA/RMA volunteer program manager. Data should be collected from SF-181 that was submitted by the volunteer at the beginning of their service and visual inspection.

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### 9 Additional Information and Submitting Reports

#### A Contacts

The following table provides the contact for additional information and to submit reports.

<b>IF assistance is needed with...</b>	<b>THEN contact and submit reports to...</b>
<ul style="list-style-type: none"><li>• this notice</li><li>• FSA and RMA volunteers</li><li>• submitting FSA and RMA reports</li></ul>	<p>Shannon (Logan) Morrison, HR Specialist or Reda Owens, HR Specialist by 1 of the following:</p> <ul style="list-style-type: none"><li>• e-mail at <b>shannon.logan@wdc.usda.gov</b> or <b>reda.owens@wdc.usda.gov</b></li><li>• telephone at 202-401-0165 or 202-401-0524</li><li>• FAX at 202-205-9017.</li></ul>