

Volunteer Services Agreement

This form legally enrolls an individual in the NPS VIP or USFS VIF program and provides him or her with Federal protection in case of injury or tort claim. An “Agreement for Voluntary Services” form 301a for individual volunteers or 301b for groups of volunteers (see below). This form must be completed and signed by any and all participants and the appropriate NPS or USFS official, even for projects lasting only a few hours. Forms are available online or from your agency partner.

Each Volunteer Services Agreement should attach a job description or clearly describe the volunteer work on the form. This is important if questions arise as to whether a volunteer was acting within his or her assigned responsibilities. It will also assist the volunteer and the supervisor in understanding the volunteer’s exact job. Each individual or group must have a stated supervisor for their assigned work. The document can be modified at any time by mutual agreement, but it must accurately reflect VIP/VIF duties. Any hazardous or potentially dangerous duties, including driving a government vehicle, should be noted on the volunteer agreement.

Volunteer Safety and Protection

Volunteers in Parks—A 1983 agreement between ATC and the National Park Service provides protection to Trail clubs and their members while working on A.T. sections owned or administered by the National Park Service, a state agency, or on private lands with permission of the owner. It also covers workers on the six units of the national park system crossed by the A.T. and, depending on specific arrangements with individual parks, on A.T. side trails in those units. To receive VIP protection, workers must be listed in Trail-club records as members, be listed on a work trip roster, (see below), or be covered under another Volunteer Service Agreement. They must be working within the scope of the agreement to “operate, develop, maintain, and monitor the Appalachian National Scenic Trail and its side trails” and have received the necessary training and supervision to perform those duties in a safe manner.

To allow unaffiliated volunteers 18 years or older to join club work trips on NPS (VIP) segments, simply sign them up on your work trip with a “Volunteer Roster.” Include their name, emergency contact information and the date, and provide these to the club’s VIP hour-report coordinator. Procedures maybe somewhat different for working on state lands or within other jurisdictions—club leaders need to be sure to follow agency instructions to make sure your volunteers are protected. Always make sure new workers understand their tasks, any required personal protective equipment, and safety considerations, and that they receive the supervision and oversight they need to perform their duties.

VIP and Youth

If the club wants to allow volunteers under age 18 to work on the A.T., there are certain requirements for working on federal lands:

- 1) The work/task is appropriate for the age.
- 2) Parent or legal guardian permission is granted via signed volunteer agreement form.
- 3) Depending on the task and age of participants, parent/legal guardian may need to be volunteering as well.
- 4) The on-site work leader/supervisor has the appropriate background check and skills to work with youth.

If they are official volunteers and signed up under an individual Volunteer Services Agreement with parental consent if under 18, then they covered under the Federal Employees Compensation Act. For both of these scenarios, it is assumed that they are trained for the specific duties they are performing (as well as appropriately supervised). A federal background check for the group leader (direct supervisor of youth) and anyone leading the youth group when the supervisor isn’t around is required.

Volunteers in Forests—The VIF program provides similar protection to those Trail clubs with maintenance assignments on lands administered by the U.S. Forest Service, except that the program is

run by each individual forest. Each Trail club should have a "Volunteer Services Agreement for Natural Resource Agencies" (Form 301a) signed by the forest supervisor or appropriate district ranger(s). Also, workers must be listed in the Trail-club records as members and must be working within the scope of that agreement.

The USFS must approve individual VIF agreements and youth volunteers with necessary parental/guardian permissions. In all cases, the Trail club must maintain good, accurate, written records of the volunteers serving with them—including nonmember or unaffiliated volunteers—in order to ensure coverage.

Coverage—Under the VIP and VIF agreements, A.T. volunteers are considered federal employees for the purposes of medical compensation for work-related injuries or illnesses, or for tort claims arising out of their activities as volunteers. As such, they are legally protected for personal for liability from tort claims submitted by others who may have sustained personal or property injury while on the Appalachian Trail; and for injuries or illnesses resulting from their work on the Appalachian Trail. *Coverage only applies if the volunteer is performing the duties described in the volunteer agreement, has received the necessary training to safely perform those duties, and is not behaving in a negligent or unsafe manner. Travel in personal vehicles to and from the work location is not covered.*

Regarding injuries or work-related illnesses, VIP and VIF volunteers are entitled to reimbursement for:

- First aid and medical care (including hospital care when necessary);
- Incidental transportation expenses (when travel is necessary to receive medical care);
- Burial and funeral expenses (up to \$800) if death occurs.

VIP and VIF volunteers are specifically *not entitled to* "continuation of pay" (compensation for time lost from their regular jobs).

Medical Coverage—When a volunteer is injured or becomes ill as a result of their work on the A.T., the NPS or USFS should be contacted as soon as possible. The volunteer should follow the instructions of their agency contact. The injured or ill party may be asked to fill out a paper copy of a CA-1 (injury) or CA-2 (illness) form. Both the National Park Service and the U.S. Forest Service use electronic database systems to process volunteer claims. The information collected on the paper CA-1 and/or CA-2 forms can be used to populate the databases. If medical treatment is needed, the agency will generate a CA-16, Authorization for Examination and/or Treatment.

With the increase in cases of Lyme disease and other insect- or tick-borne illnesses, some agencies in infested areas have prepared "tick logs" for employees to record ticks found on their bodies or embedded in their skin, as a means of documenting causes and timing of subsequent illnesses. Clubs and their volunteers may wish to keep track of their exposures in a similar fashion, particularly in infested areas.

Personal Insurance—If a volunteer has personal medical insurance and chooses not to file a claim as a VIP/VIF, that insurance information should be presented to the doctor or hospital where treatment is sought. If a volunteer elects to use her own insurance but wants to be reimbursed by the federal government, USFS or NPS procedures for filing a claim must be followed. Volunteers must be aware, however, that the process to seek reimbursement can be long and cumbersome and that using personal insurance does not change the requirements that clubs and volunteers must comply with safety best management practices or job hazard analyses in effect for the work.

Regardless of how a volunteer's medical treatment is covered (personal insurance or the federal government), an accident or illness form should be completed and submitted to the appropriate agency. In the event that future treatment becomes necessary, those forms serve as proper documentation of the injury or illness.

Receiving Emergency Services—A volunteer needing immediate medical attention should go directly to the nearest doctor or hospital for treatment. Prior authorization is not needed for emergency treatment.

The appropriate agency official (and ATC regional office staff) should be notified as soon as possible after the volunteer's arrival at the medical facility. Further, a volunteer's insurance company may decide to seek reimbursement for claims from the agency (state or federal)—and the same CA-1 or CA-2 form will be required. So best practice is to fill out the forms and contact the appropriate agency regardless of whether one plans to use personal insurance.

The doctor or hospital should be told that the injury occurred while the patient was working as an Appalachian Trail volunteer and that the USFS or NPS will handle payments through the Office of Workers' Compensation Programs (OWCP). The volunteer should be prepared to provide the name and phone number of the appropriate agency official (see item #2 in Guidelines below).

If for any reason the medical facility refuses treatment because there is no written authorization (CA-16) from the agency, injured volunteers may elect to receive treatment by their own means and follow USFS or NPS procedures for reimbursement as soon as possible after treatment.

Reporting an Injury or Illness—In addition to notifying the NPS or USFS, ATC requires that all injuries or illnesses resulting work on the Trail be reported to the appropriate ATC regional office. The Trail club may also need to be notified. Club officers should be sure to familiarize themselves with their club's VIP/VIF and work-trip and incident-reporting programs.

Guidelines for reporting an injury:

- 1 Report all injuries that have possible longer-term consequences as soon as possible (within 24 hours) after the injury occurs, even if the volunteer doesn't go to a doctor or hospital.
- 2 Contact the appropriate agency-partner official (forest supervisor, APPA, etc.) as soon as possible after the injury. ATC can provide a list of appropriate contacts to each Trail club. For NPS-ANST (APPA), contact Shenandoah National Park 24/7 Dispatch 800-732-0911 and/or contact incident@appalachiantrail.org and explain that you need to be put in touch with the NP (Note that ATC staff does not regularly monitor the incident email on weekends or outside normal business hours.) S staff member responsible for VIP claims. For a USFS VIF claim, contact your local district or forest representative as soon as possible. The Forest Service contact will assist the volunteer in reporting the injury to the agency's Albuquerque Service Center (ASC) for claim processing. Volunteers may choose to contact ASC at 877-372-7248 on their own (choose Human Capital Management then Worker's Compensation from the electronic menu). Every attempt should be made to file a claim within 48 hours of the incident.
- 3 See the following links to secure the necessary forms to give to injured or ill volunteers. These links should be made available to all Trail-club trip leaders, *who should print and carry them on all work trips*:
 - CA-1 Notice of Traumatic Injury: www.dol.gov/owcp/regs/compliance/ca-1.pdf
 - CA-2 Notice of Occupational Illness: www.dol.gov/owcp/regs/compliance/ca-2.pdf
 - CA-16 Authorization for Examination and/or Treatment must be obtained from the federal land-managing agency.
- 4 The injured or ill volunteer should fill out and return completed forms to the appropriate agency within 24 hours, or no later than two working days after the accident or illness. Those forms serve as documentation of the injury and must be completed *whether the injured volunteer seeks immediate medical attention or not*. In the event that future treatment becomes necessary, this form serves as proper documentation of the incident. Be sure the appropriate ATC regional office is notified as well.

Additional forms that may apply to certain volunteers:

- **Auto decal application** (will waive park entrance fees while you are working in a National Park that hosts the A.T.)
- **Motor Vehicle D1-131** (for volunteers who will be driving government vehicles as part of their volunteer agreement)
- **10-67 Claim for Reimbursement for Volunteer Expenses** (as agreed to in advance with your supervisor)
- **Background check** (required for use of government computers, or by some clubs for volunteers who work with youth under 18 years old)

International Volunteers—All non-U.S. citizens must meet Department of State and Department of Homeland Security requirements before participating as a VIP or VIF and must meet applicable visa and other requirements.

Contact the NPS-APPA office in Harpers Ferry for questions and requirements regarding international volunteers on NPS or APPA lands.

Contact the district office of the appropriate national forest for questions and requirements regarding international volunteers on USFS lands.