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DIRECTOR'S ORDER #7: VOLUNTEERS IN PARKS

Approved: /s/ Fran P. Mainella
Director

Effective Date: June 13, 2005

Duration: This Director's Order will remain in effect until revised or terminated.

NPS-7, "Volunteers in Parks," (Release No. 3, June 1988) is superseded and replaced by this Director's Order and Reference Manual 7 (RM-7).

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1. Background and Purpose

Volunteering is an American tradition that over the years has made an immeasurable contribution to communities, organizations and individuals throughout the country. Volunteers are vital to the success of the National Park Service (NPS). The Volunteers-In-Parks (VIP) program can accept and use voluntary help and services from the public, in a way that is mutually beneficial to the NPS and the volunteer. Each year more than 120,000 volunteers donate over 4 million hours of service in the national parks. They come from every state and many different countries to help preserve and protect America's natural and cultural heritage for the enjoyment of this and future generations.

The purpose of this Director's Order is to provide direction to NPS personnel who are responsible for, and/or involved in, implementing the VIP program.

(See RM-7, §1)

2. Authorities

Authority to issue this Director's Order is contained in the National Park Service Organic Act (16 USC 1 – 4)¹ and delegations of authority found in Part 245 of the Department of the Interior (DOI) Manual.

The NPS VIP program is authorized by the Volunteers in the Parks Act of 1969 (16 USC 18g – 18j)².

This Director's Order is intended only to improve the internal management of the NPS, and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person.

(See RM-7, §2)

3. Program Administration

3.1 The Associate Director for Partnerships, Interpretation and Education, Volunteers, and Outdoor Recreation, acting through the Interpretation and Education Division, Washington Office (WASO), will oversee the NPS VIP program, and develop necessary standards and procedures. The Associate Director will issue, review, and revise as appropriate, RM-7, which will provide more detailed procedural guidance on administering the VIP program.

3.2 The Service-wide VIP Program Coordinator will oversee the NPS VIP program, and is responsible for day-to-day administration.

3.3 The National Volunteer Advisory Council will address pertinent VIP program issues. Council members will include (1) the Service-wide VIP Program Coordinator, (2) the Program Manager, Interpretation and Education, (3) the Regional VIP Coordinators (or their designees), (4) representatives of the Associate Directors, and (5) such other Federal Government personnel as may be selected by the Service-wide VIP Program Coordinator. The Council will meet at least once a year, but may meet more frequently if so requested by the Service-wide VIP Program Coordinator, who will chair all meetings.

3.4 A Regional VIP Coordinator's duties will be assigned by the Regional Director, and included in the incumbent's position description. Such duties will include (1) monitoring the region's VIP program and providing assistance as requested; (2) serving as liaison between the parks/areas and WASO; (3) answering all public inquiries regarding the regional program; and (4) others specified in RM-7.

¹ The United States Code (USC) may be accessed on the Internet, e.g., at <<http://www4.law.cornell.edu/uscode/>>.

² The Volunteers in the Parks Act of 1969 as originally enacted was Public Law 91-357.

3.5 The Superintendent of each park or office that uses VIPs will designate a Park VIP Program Manager, who will be responsible for administering the VIP program at the park/office level. The Park VIP Program Manager's duties will be reflected in the incumbent's position description and will include (1) development of program funding requests and program reports, and submission of same to the Regional VIP Coordinator; (2) monitoring and recording use of park VIP funds; (3) providing guidance and assistance to park staff supervising VIPs; and (4) such others as are specified in RM-7.

(See RM-7, §3)

4. Definitions

4.1 VIP. A VIP is anyone who performs work for the NPS under a current, signed volunteer agreement, as evidenced by:

- Agreement for Individual Voluntary Services (NPS Form 10-85); or
- Agreement for Sponsored Voluntary Services (NPS Form 10-86);

and, if the VIP is under 18 years of age –

- Parental Approval Form (NPS Form 10-89).

All forms will designate the VIP's supervisor, and contain an accurate job description.

4.2 Master Volunteer Ranger. A Master Volunteer Ranger is any VIP who (1) commits to and completes 500 hours per year for the National Park Service, and/or (2) participates in one or more special NPS volunteer groups (for example, Geoscientists-in-Parks, the Natural Resources Volunteer Laureate Program, and the Volunteer Senior Ranger Corps).

4.3 Presidential Volunteer Ranger. A Presidential Volunteer Ranger is any VIP who contributes at least 4,000 hours of cumulative service to the National Park Service.

(See RM-7, §4)

5. VIP Qualifications

5.1 VIPs will be selected without regard to race, creed, religion, age, sex, sexual orientation, national origin, or disability.

5.2 Individuals convicted of minor crimes who are participating in court-approved probation, work release, or alternative sentencing programs, may serve as VIPs at the discretion of the Superintendent. Generally, a person who has been convicted of a felony, violent crime, crime against persons, or crime involving use of a weapon will not be utilized in the NPS VIP program; however, the Superintendent may permit the person to volunteer based on an analysis of the nature of the crime, the date of conviction, evidence of rehabilitation, etc.

5.3 It is appropriate to conduct background checks on VIPs who are being considered for sensitive positions, for example, positions that entail supervision of youth or court-ordered volunteers.

5.4 As explicitly stated in the Volunteers in the Parks Act of 1969, VIPs will not displace NPS employees. 16 USC 18g.

5.5 VIPs under the age of 18 must have a signed Parental Approval Form (NPS Form 10-89) that includes a detailed job description.

5.6 Cooperating association employees may serve as VIPs when performing tasks normally done by NPS employees. Such volunteers' time will not be counted as VIP hours when their salary costs are reported as aid to the Service on NPS Form 10-40.

5.7 NPS employees and family members may serve as VIPs so long as the duties performed are not in violation of approved DOI ethical standards³ and/or the Fair Labor Standards Act of 1938, as amended (29 USC 201 – 219).

5.8 Any non-U.S. citizens with legal permanent resident status in the United States may be accepted as VIPs upon providing proof of resident status. All other non-U.S. citizens must meet Department of State/Bureau of Citizenship and Immigration Services (BCIS) requirements before participating as a VIP. All non-resident non-U.S. citizens who wish to volunteer for the NPS must enter the country pursuant to a J-1 visa. The BCIS considers any type of reimbursement, whether it be for housing, meals, or other types of compensation (e.g., for training), as a form of payment. It is illegal for a person traveling under a normal tourist visa to work for compensation. The J-1 visa allows non-U.S. citizens to train/study in the United States for a limited time while receiving compensation. The J-1 visa application, Form DS-2019, will be issued by the NPS Office of International Affairs.

(See RM-7, §5)

6. VIP Activities

6.1 A VIP may sell permits and collect recreation fees authorized by the Land and Water Conservation Fund Act of 1965, as amended (16 USC 460l-4 – 460l-11). However, the VIP must be bonded under a surety bond and be adequately trained in the sale of permits and collection of fees, as per guidelines set forth in Director's Order #22: Fee Collection.

6.2 A VIP may operate a government vehicle if he/she has a valid state driver's license or international driver's document for the class of vehicle being operated, and the operation of the vehicle is required, in writing, as part of the volunteer agreement.

Drivers of government vehicles must be at least 18 years of age and have a safe driving record. See Reference Manual 50B, §15, "Motor Vehicles."

³ DOI's Ethics Office maintains a webpage at <<http://www.doi.gov/ethics/index.html>>.

Each park permitting international volunteers to operate government vehicles for official purposes should contact the Department of Motor Vehicle Administration for the state in which the volunteer will be residing and/or operating the vehicle to determine what is recognized as a valid operator's license.

6.3 If a VIP is required to use his/her own personal property or equipment for official purposes and that property is lost, damaged, or destroyed, the VIP may be reimbursed for the loss. See §8, below. A statement that the VIP is required to provide and use such equipment as part of his/her official duties must be included on NPS Form 10-85 or 10-86. Moreover, the form must specifically identify and describe the personal property involved.

(See RM-7, §6)

7. Funding and Reimbursements

7.1 Appropriated VIP funds may be used only in support of the VIP program.

7.2 Funds appropriated for the VIP program are specifically earmarked to be used to reimburse volunteers for out-of-pocket expenses incurred as a direct result of their volunteer activities. Thus, a VIP's out-of-pocket expenditures for transportation, meals, uniforms and special clothing, and non-Park Service lodging, would all be reimbursable. See §11.2, below, for Park Service housing for VIPs.

7.3 A VIP's long-distance travel expenses may be paid at the discretion of the Superintendent. See Director's Order #31: Travel Procedures.

7.4 Public Law (PL) 102-154⁴, commonly known as the Department of the Interior and Related Agencies Appropriations Act, 1992, specifically title I, §116, provides permanent authority to use any appropriated funds to defray costs incidental to utilization of VIP services.

(See RM-7, §7)

8. Benefits and Protection/Risk Management

8.1 VIPs will be treated as Federal employees for the purposes of (1) compensation for work-related injuries (see 5 USC 8101(1)(B) and 16 USC 18i(c)); (2) immunity from liability pursuant to the Federal Tort Claims Act (see 28 USC 2671 and 16 USC 18i(b)); and (3) claims for damage to or loss of personal property incident to service (see 31 USC 3721 and 16 USC 18i(d)).

In order to receive the benefits and protection outlined above, VIPs must accurately complete NPS Form 10-85 or 10-86, and, if the VIP is under 18 years of age, Form 10-89.

⁴ Public Laws enacted by the 101st or a later Congress (1989 onward) may be accessed at the Library of Congress's THOMAS website, at <<http://thomas.loc.gov/>>.

8.2 A VIP must not engage in any work which he/she

- is not qualified to perform;
- has not been adequately trained to do;
- does not feel comfortable doing; and/or
- does not willingly agree to do.

8.3 VIPs must be provided with all personal protective equipment and training required by (1) Occupational Safety and Health Administration (OSHA) regulations, and/or (2) any park-specific safety rules and procedures.

8.4 The Volunteers in the Parks Act of 1969 states that the Secretary of the Interior “shall not permit the use of volunteers in hazardous duty or law enforcement work or in policymaking processes . . . *Provided*, That the services of individuals whom the Secretary determines are skilled in performing hazardous activities may be accepted.” 16 USC 18g.

(See RM-7, §8)

9. Equal Employment Opportunity (EEO)

9.1 Because VIPs are neither employees of nor applicants for employment with the NPS, they do not have access to the employment discrimination complaint process established by the Equal Employment Opportunity Commission. However, VIPs may contact their park’s EEO counselors for assistance in resolving potential complaints based on section 504 of the Rehabilitation Act of 1973 (29 USC 794) and Executive Order 13160⁵. Section 504 prohibits discrimination based on disability in any federally conducted program, and Executive Order 13160 bars discrimination based on race, sex, color, national origin, disability, religion, age, sexual orientation, and status as a parent, in federally conducted education and training programs. The protection afforded by section 504 and Executive Order 13160 applies to all individuals, not just employees and applicants. VIPs who have spoken to an EEO counselor and intend to file a formal complaint of discrimination in connection with section 504 or Executive Order 13160 should contact the NPS’s EEO Program Manager in WASO to initiate such complaint.

9.2 VIPs will be informed of their EEO rights and responsibilities by the Park VIP Program Manager during orientation and training.

(See RM-7, §9. Also see Director’s Order #93: Conflict Resolution)

10. Uniforms

10.1 VIPs must be readily identifiable as such, in a manner appropriate for their duties. VIP uniform items include the official VIP patch (shoulder or cap), nametag, and the VIP lapel pin.

⁵ Executive Order 13160 may be accessed via the Internet, at < http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2000_register&docid=fr27jn00-119.pdf>.

VIPs must not wear any part of the official NPS uniform or be dressed in a manner that attempts to duplicate its appearance. See Director's Order #43: Uniform Program, §§5.1.1 and 5.1.3.

10.2 Pursuant to notice published in the *Federal Register* at 69 Fed. Reg. 60182, on October 7, 2004, the National Park Service adopted new official volunteer insignia. NPS sites have until January 1, 2006 to transition volunteer uniforms, publications, and any other displays to the new insignia.

(See RM-7, §10)

11. VIP Housing

11.1 VIPs may be lodged in government housing as authorized by the Volunteers in the Parks Act of 1969, when such housing is not needed for paid employees.

11.2 A VIP may be required to work a specified number of hours per week – such number to be determined by the Superintendent – to be *eligible* for park housing or trailer pads. Housing or trailer pads will be assigned in such fashion as will best meet the needs of the park. Volunteers will not be charged rent or utility costs for such housing. Instead, the VIP's rent and utilities will be paid by the park as an incidental service that supports a park program. The Superintendent will determine which park office or benefiting account will reimburse the park housing income account for the full rent and utilities.

11.3 Any excessive cleaning costs and/or damages resulting from a VIP's tenancy will be billed directly to the VIP on a bill of collection. If the VIP is non-compliant, such costs or damages will be charged to the benefiting account. Any destruction or loss of, or injury to, a park system resource resulting from a VIP's tenancy of NPS housing is actionable pursuant to the National Park System Resource Protection Act (16 USC 19jj – 19jj-4).

(See RM-7, §11)

12. Reports and Records

12.1 The following official VIP forms will be kept on file for three years after the volunteer's termination date.

- Form 10-85 or 10-86;
- Form 10-89 if the VIP is under the age of 18;
- Form 10-67 (Claim for Reimbursement for Volunteer Expenses) if the VIP claimed reimbursement for out-of-pocket expenses; and
- VIP Position Description.

12.2 Park VIP Program Managers will use the web-based VIP Reporting System to submit their annual VIP statistics to WASO.⁶

12.3 Park VIP Program Managers will maintain an accurate and current records system in accordance with Office of Personnel Management standards and Director's Order #19: Records Management.

12.4 The Service-wide VIP Program Coordinator will produce an Annual VIP Report based on the information submitted by all Park VIP Program Managers.

(See RM-7, §12)

13. Recruitment

13.1 The Service-wide VIP Program Coordinator will help maintain a national VIP recruitment program by posting specific job announcements for VIP positions on the Internet, at <<http://www.volunteer.gov/gov>>.

13.2 Each Superintendent will ensure that public inquiries regarding volunteer opportunities are responded to in a timely manner.

(See RM-7, §13)

14. VIP Orientation and Training

Each VIP will receive appropriate orientation and job training. See §8.3, above.

(See RM-7, §14)

15. Supervisory Training

15.1 Annual volunteer program management training will be provided in each region by the regional training teams.

15.2 Anyone supervising VIPs is eligible for supervisory training. Such training is mandatory for those supervising VIPs (any number) whose combined hours of service equal or exceed 6,261 hours per year (i.e., those of three full time employees).

(See RM-7, §15)

⁶ At the time of the issuance of this Director's Order, the web address for the VIP Reporting System is <<http://www.nps.gov/volunteer/manage.htm>>. The address is subject to change, however.

16. Recognition and Awards

16.1 All VIPs should be recognized in an appropriate and timely manner.

16.2 PL 102-154, specifically title I, §115, provides permanent authority to use appropriated funds for non-monetary awards of nominal value to volunteers as tokens of appreciation for their contributions to DOI programs.

In a memorandum dated February 3, 1993, the Associate Director for Budget and Administration provided clarification on the definition of the word “nominal” as used in PL 102-154:

The consensus that has been reached regarding the definition of “nominal” is that in most cases, awards should stay within the limit of approximately \$100. This does not mean that the volunteer who contributes an unusual number of hours and/or substantially benefits the Service should not be given something beyond the \$100 value. Using good judgment and providing proper justification and documentation should allow for the flexibility needed to ensure an effective and successful volunteer program.

(See RM-7, §16)

17. Termination of Volunteer Agreement

A VIP or the NPS may terminate a volunteer agreement at any time, without cause, by so notifying the other party. The Park VIP Program Manager will note such termination on Form 10-85 or 10-86.

(See RM-7, §17)

---- *End of Director's Order* ----