

“What Tasks Can Our Earth Team Volunteers Perform?”

Here are 4 questions that will help you in determining if you have an Earth Team volunteer:

- Is the individual at least 14 years old and do they have parental or legal guardian permission if under 18?
- If they are a Natural Resources Conservation Service (NRCS) employee, conservation district (CD) employee or district board member, is the job outside of the scope of the paid or elected position?
- Is the job they are performing one that an NRCS employee can or would perform?
- Is your state conservationist (STC) willing to extend workers' compensation and tort coverage to the volunteer?

If you can answer YES to all four questions, then you have an Earth Team volunteer!

Questions Regarding District Activities

Q1. Can I count the hours from a district board member who is staffing a district/NRCS exhibit at a fair or meeting? A lot of times the two agencies put together one booth and take turns staffing it.

A1. Yes, you can sign the district board member up as an Earth Team volunteer—these duties are outside of what they were elected to perform. However, we cannot count the Legislative Fair because this can be perceived as political in nature. Think if an NRCS employee can participate in the activity.

Q2. I have 3 district board members who have signed up as Earth Team volunteers. Can I count their hours when they attend the monthly meetings, the Annual Meeting, or other CD meetings?

A2. No. As district board members, they were elected to a position and the position requires them to attend regular and special board meetings and other related meetings such as the State Conservation Commission (SCC) Spring Workshop, the Kansas Association of Conservation Districts (KACD) Fall Meeting, and the KACD and National Association of Conservation Districts (NACD) Annual Convention. Therefore, the hours should not be counted as Earth Team volunteer time. If there are other volunteers outside of the board members, the CD manager or NRCS employees that are assisting or participating in the Annual Meeting in a way that will benefit the NRCS mission, we could count their time. We can also count the hours for set up and tear down by others (NRCS employees not being paid, family members, etc.) outside of the board members.

We can still count time spent at meetings and travel time to the meetings for No-Till on the Plains, Watershed Restoration and Protection Strategy (WRAPS), Local Working Group, Soil Health Field Days, etc. that will help distribute conservation knowledge to others in the agricultural community.

Q3. I have 2 district board members who want to sign up as Earth Team volunteers so they can assist with the conservation tour this Saturday. Can I count these hours?

A3. Yes. Board members were not elected to assist with conservation tours so these hours can be counted. Conservation tours are considered outside of what they are

elected to do. Another example of tours we could count would be a Beef and Range Tour, etc.

Q4. A CD employee volunteers to assist with a mission-related outdoor classroom volunteer event on their day off. Can I count these hours?

A4. Yes, you can count these hours as long as you can verify that the outdoor classroom is NRCS mission-related and that the volunteer duties of the CD employee are not part of their paid position.

Q5. The conservation district is planning a tree sale. Can my Earth Team volunteers assist them?

A5. Yes, as long as they do not handle any money, seek out any donations, or solicit the sale. The board members' time assisting can be counted as well.

Q6. The conservation district is hosting the Envirothon and they want to sign up all of the workers as Earth Team Volunteers. Can I count these hours?

A6. Yes and No. You can count the hours of volunteers who are assisting with the Envirothon; however, you cannot count hours for individuals who are getting paid to assist with the event and they are doing an activity that they are expected to do as part of their job (i.e., U.S. Fish and Wildlife Service employee staffs a booth—hours cannot be counted. Kansas Department of Wildlife, Parks and Tourism (KDWPT) is putting on a demonstration—hours cannot be counted. A school teacher is supervising students at the event—hours cannot be counted because that is what the teacher gets paid to do/part of the job. If parents attend to help the teacher assist with the students—hours cannot be counted as the parents are asked to volunteer by the school and not NRCS. District board member staffs a booth—hours can be counted because this is not part of the elected position). **Note:** If the volunteer is being paid by a source other than NRCS and they are doing an activity that they are NOT expected to do as part of their job, we can count the hours as they are then considered a “hosted” volunteer.

Q7. Can paid district staff serve as Earth Team volunteers?

A7. Yes, but make sure the task is outside of their paid job duties. Remember that NRCS enters into agreements with the districts and pays them to do certain tasks—so their work has to be outside the scope of the NRCS/district agreement.

Questions Regarding Group Activities

Q8. Does every volunteer in either a recurring or one-time group need to sign Form OF-301A, Volunteer Service Agreement for Natural or Cultural Resources?

A8. No, only the group leader needs to sign Form OF-301A. However, for both recurring and one-time groups, each volunteer in the group must be listed on a separate sheet of paper in the file to document the members in the group.

Q9. County Extension is planning a water monitoring event for local landowners. The field office has an Earth Team Group that conducts water monitoring in the local area. Subsequently, those same Earth Team volunteers will be assisting the County Extension in the water monitoring event. Can I count the hours of my Earth Team group members?

A9. No. Although the activity could be one that NRCS would also perform, this is not

an NRCS function/event. Therefore, the hours should not be counted. NRCS is not a sponsor and/or is not working on the project.

Q9a. What if the County Extension specifically asked the district conservationist (DC) for NRCS involvement in the water monitoring event? Then can I count the hours?

A9a. Yes, because now NRCS has a role in the event. This would be a good opportunity to get volunteers involved. The DC's time would only be counted if they did not receive compensation from NRCS.

Q10. I have a local working group who meets to discuss local conservation needs and they provide their recommendations to the DC. Can I count these hours?

A10. Yes. This is a NRCS-related activity and NRCS requested individuals from the community to volunteer their input.

Q11. A local canoe group spends time once a month picking up litter out of the local river. They need insurance and since the activity benefits the environment can I count the hours?

A11. If cleaning the river is part of the NRCS conservation activities within the area, then check with your STC to see if they want to assume liability for the volunteers? This is not something that we will count hours for in Kansas due to liability issues. We need to be careful if there is potential for the job to be one that would put NRCS at risk for a workers' compensation claim. Another example would be if a service center decided to take on the Adopt-a-Mile highway cleanup project after hours, which is one that fringes on our conservation mission but would not be an activity where we could assume liability so we would not count the hours. This is not to say that it is a bad idea to clean up river and roadsides. Budgets are tighter and liability is becoming more of an issue.

Q12. Every year some Boy Scouts pick up garbage around the government office for the NRCS staff. If only the group leader is over 14 years old, can we claim hours for any of them?

A12. No. No one under the age of 14 should be counted as an Earth Team volunteer even if they are part of a group. Additionally, I would be hesitant to have children under the age of 14 picking up trash around the building because someone could *assume* that NRCS is liable.

If you have an NRCS sponsored event and someone under the age of 14 is assisting, there is an assumed liability whether they are signed up as an Earth Team volunteer or not. If an adult group volunteer brings a child under the age of 14 to an NRCS Earth Team event, make it very clear the child is not part of the group and we cannot assume liability and you may want to document this.

Questions Regarding Hosted Volunteer Activities

Definition of a Hosted Volunteer: Hosted volunteers may serve as Earth Team volunteers. A hosted volunteer is defined as any volunteer who receives pay from a source other than NRCS. Examples of this type of service include, but are not limited to, Green Thumb (now

called the Senior Community Service Employment Program [SCSEP]), welfare-to-work type programs, and job training programs.

Another example: a group of bankers donate their time to cook and serve a meal for a conservation field day. They are being paid by the bank but they can be signed up as a volunteer as they are doing a job that is not something they are normally paid to do.

Q13. Is it legitimate to claim hours for a **hosted** volunteer (i.e., SCSEP)?

A13. Yes, we can count seniors that are assisting us with our NRCS Mission and are paid by grant funds through the Department of Labor. Of course, we cannot count Department of Conservation (DOC) employees, Pheasants Forever (PF) employees, Ultima or Agricultural Conservation Experienced Services (ACES) employees because they are part of an NRCS agreement for funding.

Q14. Can we count paid interns from grant money as “hosted volunteers?”

A14. If the grant money comes from the U.S. Department of Agriculture (USDA) or NRCS, then no, they cannot be counted as Earth Team volunteer hours. You need to clarify the source of the funding— because if there are no USDA or NRCS funds used to pay the interns, then you may be able to count them as Earth Team volunteers if your STC is willing to take the liability for them.

Miscellaneous Questions on Volunteer Tasks

Q15. An NRCS soil conservation technician (SCT) attends a CD board meeting in the evening. Can they be signed up as an Earth Team Volunteer and the hours counted?

A15. No. Many of our employees attend meetings with the district and professional organizations and this should be considered training or possibly part of their paid position. This could potentially raise a red flag for a Fair Labor Standards Act (FLSA) issue if the NRCS employee was attending and not getting any type of compensation. If an NRCS employee is attending the function and is doing something at the meeting they should be eligible for overtime pay/compensatory time.

Q16. Can Earth Team volunteers assist with a prescribed burn?

A16. No, unfortunately, we can no longer count hours for volunteers participating in prescribed burns; this includes Burn Cooperatives and Burn Demonstrations. The liability is too great for the STC to be comfortable with this activity.

Q17. Can we count volunteer hours of students in a high school job training program if they are doing work for NRCS even though they may be paid by the school or getting class credit?

A17. Yes. If there are no NRCS or USDA dollars associated with paying them for their work you may count the hours. Example: Earth Team Apprentices.

Q18. Should volunteer hours be captured for the People’s Garden?

A18. Earth Team hours can be counted for the People’s Garden and F5 (Feds, Farmers and Friends Feed Families) if NRCS is involved. However, this does not mean you should sign up every group who is working on a community garden in your town. If NRCS is not involved, then volunteer hours should not be counted. Also, remember that

a USDA People's Garden project should be registered on the USDA website.

Q19. Can an Earth Team volunteer assist an NRCS employee that may need assistance due to medical reasons or a disability?

A19. Yes, if the STC is willing to cover the liability of the volunteer. The duties need to be outlined in the volunteer's position description.

Q20. NRCS engineering staff is doing an agriculture waste training demonstration on a poultry farm. A business owner is donating the alum and his time to apply it on the land at no cost to the producer. Since the business owner is donating his time to apply the alum, can the businessman be signed up as an Earth Team volunteer and his hours counted?

A20. No. This is part of the business owner's paid job so I wouldn't sign them up. In addition, we would not count the contractors that donate their time to demonstrate equipment, etc. for the Kansas Land Improvements Contractor (KLICA) field day where NRCS works in partnership; however, in both examples, we could count the volunteer organizers that assist with putting the field day together.

Q21. An NRCS employee is laying out a practice and the farmer assists the employee with the stakeout; can the farmer's time be counted as volunteer time?

A21. Yes, this is considered volunteer time. The planning time with the farmer is not volunteer time. If the planning and layout-checkout time overlap, the NRCS employee estimates the planning time and deducts that from the total time spent with the farmer. The difference (time used to layout or checkout the project) is recorded as volunteer hours. His/her time is added under the "Friends of Conservation" group as volunteer hours that will be recorded for the month.

Q21a An NRCS employee meets with a farmer on his/her operation and the farmer drives the employee around to look over the resource concerns. Can the farmer's time be counted as volunteer hours?

A21a. Yes, this improves efficiency by allowing the employee to take notes while the farmer is driving, and the farmer is donating the services of their vehicle and fuel

Q22. A contractor checks out a practice they built for a producer and does not charge the producer any extra for this service. Can this be counted as volunteer time?

A22. Yes, the time checking out the practice so that it meets NRCS standards and specifications can be counted as volunteer time. This can also be recorded under the "Friends of Conservation" group as well.

Q23. Members of the WRAPS Leadership Committee meet to discuss water quality projects that contribute to the NRCS conservation goals. Can this be counted as volunteer time?

A23. Yes, as long as the member is not there as part of their job, the hours can be counted. Members should be counted in their home county to prevent double entry in the tracking system.

Q24. A field office has an individual in place in the county to monitor precipitation amounts and record them in the Collaborative Rain, Hail & Snow Network (CoCoRaHS) database. Can this be counted as volunteer time?

A24. Yes, the most common scenario where this activity would be eligible for ET volunteer hours would be in the case where the CD donated the precipitation gauges to individuals within the county in exchange for daily monitoring of precipitation amounts. In order to capture the hours as volunteer time, the monitoring must be in partnership with NRCS through a conservation district or WRAPS.

Other Frequently Asked Questions

Q25. Where do we draw the line as it pertains to liability concerns? If an individual is injured or causes injury to someone else or property while conducting volunteer activities, will NRCS cover the individual regardless of the activity being performed?

A25. Yes, if the volunteer is performing the task outlined on the position description, then NRCS would be liable for worker's compensation and tort liability. Make sure to have Optional Form (OF) 301A Volunteer Agreement Form completely filled out. Make sure they are signed by the volunteer and/or the group leader and they have a written position description (PD). The PD can be on a separate sheet of paper or can be inserted on the OF-301A form.

Q26. Can volunteers replace paid NRCS employees?

A26. No. The mission of the Earth Team is to further the NRCS conservation mission with the help of volunteers.

Q27. Do Earth Team volunteers need to take security training?

A27. If volunteers have access to Personally Identifiable Information (PII) they have to take the appropriate security training (see the Volunteer Security Policy Overview section on the Earth Team SharePoint).

Q28. Where can I find the Volunteer Timesheet form?

A28. The timesheet is changing and once approved will be posted to the eForm site. The current form is on the NRCS Earth Team SharePoint and can be found in the General Manual in Section 360, Part 428 under the Exhibits. There are also timesheets developed for Kansas for both the Individuals and the Groups and we are recommending that offices use these instead of the national revision to the form. The forms can be found on the Kansas NRCS Web site under forms numbered KS-PER-47, KS- PER-48, and KS-PER-49.

Q29. Where can I find sample position descriptions for Earth Team volunteers?

A29. There are draft position descriptions for volunteers on the Earth Team SharePoint in the folder Volunteer Management Resources. You can also find these on the Kansas Web site under the Earth Team Program Section.

IMPORTANT: Remember, if there are tasks that are questionable and you are uncertain whether you can count them as volunteer time, you should first contact your area or state Earth Team volunteer coordinator.