

# CITY OF DENTON

## POLICY/ADMINISTRATIVE PROCEDURE/ADMINISTRATIVE DIRECTIVE

SECTION: GENERAL POLICIES AND PROCEDURES/DIRECTIVES	REFERENCE NUMBER: 409.07
SUBJECT: PROCEDURES TO FOLLOW WHEN ENGAGING VOLUNTEERS TO ASSIST IN CITY OF DENTON BUSINESS	INITIAL EFFECTIVE DATE: 01/02/2007
TITLE: VOLUNTEER PROCEDURES	LAST REVISION DATE: 11/16/2021

### ADMINISTRATIVE DIRECTIVE:

From time to time, City of Denton departments may utilize volunteer workers, such as unpaid interns, to assist in the performance of daily operations. This Administrative Directive addresses the procedures and background checks that volunteers are required to undergo before they may begin operating in the City of Denton business environment. This Administrative Directive *only* addresses those volunteers who perform duties that assist departments in their day-to-day operations. This Administrative Directive does not apply to volunteers who provide services for a single-day City event or City-sponsored special events unless specifically noted. Volunteers working a single-day City event or single City-sponsored special event will be required to sign in and sign a Volunteer Agreement and Release form on the day of the event. However, this Administrative Directive does not apply to the Police and Fire Department reserves, who undergo background checks as administered by the Denton Police or Fire Department.

This policy does apply to those who are performing Court-ordered community service and those volunteering on their own accord in a capacity not stated above. If a volunteer has a criminally-related incident or charge on their background check, the incident or charge will be reviewed by an HR staff member on an individual basis to assess whether the incident(s) or charge(s) impacts the City and/or the person's ability to volunteer in the capacity they wish to provide services to the City. Volunteers must self-disclose all arrests and convictions before volunteering and while they are serving as a volunteer for the City of Denton.

### ADMINISTRATIVE PROCEDURES:

#### A. REQUIRED PRE-REPORTING PROCEDURES

1. VOLUNTEER AGREEMENT: All volunteer workers are required to sign a "Volunteer Agreement and Release" that is prepared by the Risk Management department and agree to abide by the statements within the Release before they may report for duty. Non-emancipated volunteer workers (minors who have not obtained Court approval to enter into contracts) under age eighteen (18) must obtain their parent's or legal guardian's signature on a "Volunteer Agreement and Release" before they may report for duty.

**POLICY/ADMINISTRATIVE PROCEDURE/ADMINISTRATIVE DIRECTIVE (Continued)**

TITLE: VOLUNTEER PROCEDURES	REFERENCE NUMBER: 409.07
-----------------------------	-----------------------------

2. **CRIMINAL HISTORY BACKGROUND CHECKS:** All volunteer workers 18 or older must pass a criminal history background check as administered by the Human Resources department if their duties will fall into one or more of the following categories:
- (a) The volunteer's duties will give them exposure to children, disabled citizens, or senior citizens;
  - (b) The volunteer's duties will require them to enter into citizen homes or residences;
  - (c) The volunteer's duties will allow them to have potential access, authorized or unauthorized, to controlled substances;
  - (d) The volunteer's duties will require them to handle cash;
  - (e) The volunteer's duties will require them to drive vehicles or work with motorized equipment such as chippers, mowers, weed eaters, chain saws, etc.;
  - (f) The volunteer's duties will allow them to work with or have access to chemicals or other hazardous substances;
  - (g) The volunteer's duties will expose them to confidential information, such as personnel records; or
  - (h) At the discretion of the volunteer's supervisors.

Although the Human Resources department has established certain criteria by which it analyzes the criminal history backgrounds of applicants for employment with the City of Denton, the City of Denton is not restricted by these standards when determining whether a candidate for volunteer work will be permitted to report for duty. For example, the City of Denton reserves the right to consider a volunteer candidate's arrest and probationary history when determining whether the volunteer will be permitted to perform volunteer work. Each review of an individual's criminal history will be done based on a case-by-case basis and determinations will be relevant to the department in which the candidate seeks to perform volunteer work and the duties that the volunteer candidate is expected to perform. In no case shall an individual who has been convicted of a crime involving violence (Misdemeanor A or above) be permitted to report for volunteer duties with the City of Denton. Additionally, in no case shall an individual who has been convicted of a crime against a child or a crime against an elderly (anyone age 60 or over) person or disabled person (as defined under the Americans with Disability Act) be permitted to volunteer in a department that coordinates or facilitates programs for children, elderly person, or disabled persons.

3. **DRUG TESTING:** If requested by the department head or if approved to operate a City of Denton vehicle as described below, volunteer workers will be required to pass a drug screen before they report to the City of Denton. The drug screen that will be administered is identical to the one that new employees must pass before they begin their employment with the City of Denton. See Anti-Substance Abuse and Rehabilitation Policy, No. 108.12.

**POLICY/ADMINISTRATIVE PROCEDURE/ADMINISTRATIVE DIRECTIVE (Continued)**

TITLE: VOLUNTEER PROCEDURES	REFERENCE NUMBER: 409.07
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If, at any time, a City of Denton employee responsible for overseeing the volunteer worker's duties has a reasonable suspicion that the volunteer worker is under the influence of or incapacitated by alcohol or drugs, the volunteer worker will be required to leave City property and will not be permitted to return to their volunteer duties.

“Reasonable suspicion” with regards to a volunteer worker is not as strict as the “reasonable suspicion” standard required for the drug and alcohol testing of a City of Denton employee under Policy No. 108.12. In the case of a volunteer worker, the City of Denton employee must only establish that sufficient facts exist, which, if true, would tend to cause a reasonable person to suspect that the volunteer worker is under the influence of or incapacitated by alcohol or drugs.

If a volunteer worker disputes the City of Denton employee's reasonable suspicion, the volunteer worker may request to take an alcohol breath test and/or a drug screen. The alcohol breath test must be taken within one (1) hour of being confronted with the reasonable suspicion, and the drug screen must be taken within three (3) hours of being confronted with the reasonable suspicion. The alcohol breath test must be administered by a trained and certified breath alcohol technician; the drug screen must be administered and analyzed by a licensed laboratory. The volunteer worker will be required to pay all expenses of the breath test and drug screen. Even if the volunteer worker passes the breath test and the drug screen, they are not guaranteed a return to their volunteer position.

5. CASH HANDLING: Any volunteer who will be handling cash for the benefit of the City of Denton must be approved by the department head and receive training on the City of Denton's cash handling procedures. (See Cash Handling Regulations, Policy 403.01).

**B. MANDATORY DRIVING RECORD BACKGROUND CHECKS**

Any volunteer candidate who will be expected or permitted to drive a city vehicle or their personal vehicle on City business must first receive approval from the department head before being permitted to perform such duty. Upon approval from the department head, the volunteer candidate must agree to a review of their driving record and receive clearance from the Risk Manager before being permitted to drive a city vehicle or their personal vehicle for City business. The Risk Manager will set standards by which the volunteer candidate will or will not be approved to drive City vehicles or their personal vehicle for City business. Volunteers who are performing community service under a Court order or probation and volunteers for single-day City events or City-sponsored special events are also subject to provisions of this section.

**C. RECORD MANAGEMENT**

**POLICY/ADMINISTRATIVE PROCEDURE/ADMINISTRATIVE DIRECTIVE (Continued)**

TITLE: VOLUNTEER PROCEDURES	REFERENCE NUMBER: 409.07
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The executed Volunteer Agreement and Release must be sent to the Human Resources department. Human Resources will also maintain any documentation relating to pre-reporting tests and background checks.

**D. TERMINATION OF VOLUNTEER SERVICES**

1. The City of Denton can cease the utilization of volunteer services at any time for any or no reason, with or without notice.
2. All active volunteers must resubmit all required forms and documents listed in this Administrative Directive *at least* every three (3) years and a criminal background check and if applicable, a driving records background check will be conducted. "Active volunteers" are volunteers who have participated as a volunteer for the City at least once within the past twelve (12) months. Department heads have the discretion to require resubmission more often depending on the business needs of the department/division.
3. Any person who has not participated as a volunteer in the preceding twelve (12) months must resubmit all required forms and documentation as listed in this Administrative Directive. A criminal history background check and if applicable, a driving records background check will be done on any person who has not participated as a volunteer in the preceding twelve (12) months.