

# **TOWN OF WYTHEVILLE VOLUNTEER RESOURCES PROGRAM AND BACKGROUND CHECK POLICY**

## **Introduction**

Citizens who offer their time and labor to benefit the Town of Wytheville and the Chamber of Commerce are greatly appreciated by the Town of Wytheville and its associated departments and agencies. In order to effectively utilize the resources of volunteers, the Town has established the Volunteer Resources Program which will help to ensure that volunteers achieve a high level of satisfaction for their efforts and services and that specific departments or agencies receive valuable assistance in carrying out their policies, procedures, and programs. This Volunteer Resources Program outlines the framework within which the Town will strive to utilize those volunteer contributions of its citizens.

### **I. Purpose of the Volunteer Program**

The Volunteer Resources Program seeks to aid in the accomplishment of the missions of the Town of Wytheville and its associated departments and agencies with the following goals:

1. To provide volunteers who will enhance the work of the staff by performing the tasks necessary for the operation of the Town of Wytheville.
2. To help create and promote in the community an understanding of all aspects of the Town of Wytheville, its departments, its agencies, and its services.
3. To help meet the community's needs for service through addressing the individual's needs for serving by providing programs with responsibility and challenge for those qualified and by providing career exploration where this will serve the requirements of the Town of Wytheville and its various agencies and departments.

### **II. Volunteer Program Policies, Procedures, and Standards and Ethics**

Volunteer participation within the Town of Wytheville and the Chamber of Commerce is a strong and vital tradition. Many departments within these agencies are dependent upon the contributions and personal involvement of devoted volunteers. While volunteers participate in a wide range of activities, many are involved in activities that provide access to sensitive information. This requires that volunteers are subject to the same standards of professional conduct that apply to paid staff and must abide by applicable provisions of the Personnel Ordinance. Because of the nature and extent of volunteer involvement, these standards of conduct are set forth for the protection of the volunteers and of the host organization or Town. These standards reflect the standards of ethical conduct commonly endorsed by professional, governmental, and business membership associations. The volunteer agrees to adhere to the following standards, and it is, therefore, understood that the volunteer:

- understands and supports the purpose, structure, and policies of the specific departments within the administrative bodies of the Town of Wytheville and the Wytheville-Wythe-Bland Chamber of Commerce
- conducts himself or herself in accordance with the standards of conduct and ethics of the Town of Wytheville and the specific department where he or she works as a volunteer

- completes any orientation, training course, or on-the-job training required
- endeavors to be flexible in accepting assignments, performs assigned responsibility willingly and courteously to the best of his or her ability, and accepts the guidance of his or her manager or supervisors
- complies with time schedules and time sheet requirements
- complies with dress requirements
- obeys all security and safety rules
- respects the confidentiality of sensitive or proprietary information
- provides timely notification to his or her supervisor or manager of absence or resignation
- serves as goodwill ambassador and a communicator of the role of his or her assigned department or agency
- acknowledges that property, materials, and supplies are not for his or her personal use
- eliminates the possibility of conflict of interest by disclosing to his or her supervisor any outside activities in which the volunteer or a member of his or her family is personally or commercially engaged that is related to the volunteer's area of activity within the host department
- may not accept compensation for performance of departmental tasks as a volunteer. Personal compensation includes gifts, fees, gratuities, or other dispensations to the volunteer or to members of the volunteer's immediate family or household. Specific situations involving volunteer appreciation activities that are accepted practice within a particular department must be approved in advance by the department supervisor
- understands that as a volunteer, he or she is not an employee and is not covered by Workers' Compensation benefits

### **III. Background Check Policy for Town Volunteers**

All volunteer positions will require that the volunteer submit to background checks and, in these cases, the volunteer must agree to and sign a background check release prior to being accepted into the Volunteer Program.

#### **I. Purpose**

The purpose of this policy is to require background checks on all volunteers for Town departments who will provide services to juveniles in order to preserve the safety and well-being of children served by the Town. The Town will not permit individuals to work with children if they have ever demonstrated criminal conduct incompatible with service to or care of children.

#### **II. Implementation**

- A. Each Town department head shall determine in conjunction with the Human Resource Department the positions that shall be subject to this policy.
- B. Each volunteer shall be responsible for submitting to the respective department all necessary forms required for the position. Failure to complete and/or execute the necessary forms shall disqualify the individual from volunteering in a juvenile services position.
- C. All volunteers must provide truthful, correct and complete information on the required forms. Failure to do so will result in disqualification from volunteering in a juvenile services position.
- D. Individuals may not begin participating prior to the completion of a background investigation.
- E. Any Town employee or volunteer who is subsequently charged or convicted of a felony and/or Class I misdemeanor shall notify his/her supervisor and department head within one work day of the offense. If an employee is charged with a felony or other criminal offense of such nature that the employee's continued performance of Town duties poses an immediate threat to the discipline or effective performance of other employees; has an immediate adverse effect on the reputation of the Town; or, impairs the effective performance of any Town function, the Town Manager may determine a suspension is warranted and shall notify the employee in writing of the proposed suspension. The Town Manager may suspend an employee for all or any part of the time criminal proceedings are pending. If the criminal conduct is not compatible with the nature of the employment, the employee may be terminated.

All employees are required to notify his/her supervisor and department head of any driving violations or convictions within one workday of the offense such that a determination can be made as to the appropriateness of their continuing to operate a Town vehicle.

All employees or volunteers are also required to notify his/her department head and/or Town Manager of any type of investigation by a law enforcement agency or other agency that involves the Town of Wytheville, Town Council, or Town employees.

### III. Applicable Data Bases

The Town's Human Resource Department shall process each release form received from a volunteer in order to receive information from the Central Criminal Record Exchange ("CCRE") maintained by the State Police and the Sex Offender and Crimes Against Minors Registry from the State Police.

### IV. Barrier Crimes/Dispositions:

A. The services of a volunteer shall not be accepted if the results of the background check show that the person has been convicted of any of the following crimes as set out in Title 18.2 of the Code of Virginia as may be amended or equivalent offenses in another state:

## 1. Crimes Against the Person

- a. murder and manslaughter (§ 18.2-30 et seq.)
- b. malicious wounding by mob (§ 18.2-41)
- c. abduction (§§ 18.2-47, -48)
- d. felony assault and bodily wounding (§ 18.2-51 et seq.)
- e. robbery (§ 18.2-58)
- f. carjacking (§ 18.2-58.1)
- g. extortion and other threats (§§ 18.2-59, -60)
- h. sexual assault (§ 18.2-61 et seq.)
- i. felony stalking (§ 18.2-60.3)
- j. any other felonies against the person as defined by the Code of Virginia
- k. convictions of any attempts or conspiracies to commit any of the aforesaid crimes

## 2. Crimes Against Property

- a. felony arson (§ 18.2-77)
- b. burglary (§ 18.2-89 et seq.)
- c. convictions of any attempts or conspiracies to commit any of the aforesaid crimes

## 3. Crimes Involving Health and Safety

- a. felony violation relating to the possession or distribution of drugs within five (5) years (§ 18.2-247 et seq.)
- b. drive-by shooting (§ 18.2-286.1)
- c. use of machine gun in a crime of violence (§ 18.2-289)
- d. aggressive use of machine gun (§ 18.2-290)
- e. use of sawed off shotgun in crime of violence (§ 18.2-300A)
- f. felonious discharge of firearms within or at occupied dwellings (§ 18.2-279)
- g. Convictions of any attempts or conspiracies to commit any of the aforesaid crimes

#### 4. Crimes Involving Morals and Decency

- a. failing to secure medical attention for injured child (§ 18.2-314)
- b. pandering (§ 18.2-355)
- c. crimes against nature involving children (§ 18.2-361)
- d. taking indecent liberties with children (§§ 18.2-370, -370.1)
- e. abuse and neglect of children (§ 18.2-371.1)
- f. obscenity offenses (§ 18.2-374.1)
- g. possession of child pornography or electronic facilitation of pornography (§§ 18.2-374.1:1, -374.3)
- h. incest (§ 18.2-366)
- i. abuse and neglect of incapacitated adults (§ 18.2-369)
- j. employing or permitting a minor to assist in an act constituting an obscenity offense (§ 18.2-372 et seq.)
- k. convictions of any attempts or conspiracies to commit any of the aforesaid crimes

#### 5. Crimes Against Minors

Any conviction for a crime against the person or property of a minor, felony or misdemeanor, inclusive of the crimes set forth above.

#### V. Dissemination of Results/Confidentiality

Results of the background search information by the Wytheville Human Resource Department shall be maintained in the Human Resource Office. All persons receiving background information regarding a volunteer shall maintain the confidentiality of such information in accordance with applicable law.

#### VI. Appeal

Any volunteer whose services are rejected by the Town as a result of information received from the background check may appeal such decision to the Town Manager if the volunteer believes the decision was based on inaccurate background information.

#### VII. Additional Background Check Policy Requirements

The Wytheville Town Council hereby sets forth that every employee of the Town, and every applicant for employment as hereinafter provided, shall be subject to a review of his/her criminal history record in any case in which it is necessary in the interest of public welfare and safety to determine if the past criminal conduct of a person is, or would be, compatible with employment by the Town. Such review shall be deemed to be necessary for every employment position, including volunteer positions, in which the employee's anticipated duties or responsibilities will involve (a) access to public records

or personnel information, (b) accountability for public funds, (c) access to Town supplies, (d) entry into secured areas outside of working hours, (e) activities relating to law enforcement and public safety, (f) right of entry onto private property, and (g) child care or assistance to the elderly or disabled.

Background investigations shall be conducted to include criminal records, driving records, and any other such data as allowed by law. Criminal conviction records shall be considered only as one aspect of the total assessment process except when the position, because of the nature of the work to be performed, must be limited to persons who have no past criminal records or have not been convicted of any related crime. The background investigation shall be performed in a manner as prescribed by law on all applicants who are finalists for a position (have been recommended for hire by the hiring manager). Consent to all such checks shall be a condition of employment. All finalists will be contacted and requested to complete the requisite documentation to permit criminal records to be processed. Simultaneously, finalists will be informed that they may update the criminal convictions disclosure portion of their application, and be again warned that failure to disclose all convictions will result in rejection of their application. If a finalist does not complete and return the documentation to permit criminal records checks, his/her application will no longer be considered and no offer will be made.

When deemed necessary for a particular position, applicants recommended for employment will be fingerprinted and/or bonded to determine if a criminal record exists, prior to being considered for employment.

Where other standards or requirements for a particular position are established, all applicants shall be required to meet those standards as a condition of hire and continued employment. Any standard developed must have the approval of the Town Manager before being adopted, and shall then be entered on the applicable position or class description. Any substitution for or deviation from established standards must have prior approval of the Town Council. The Human Resource Manager, at the request of the department head, may establish any tests or examinations which are developed and which are warranted to determine whether or not an applicant or employee meets established standards.

If the background, medical (subsequent to job offer), or any other subsequent investigation discloses any misrepresentation on the application form or information indicating that the individual is not suited for employment, the applicant will be refused employment or, if already employed, may be terminated.

The Town Manager has sole authority to hire all employees for the Town, including part-time, full-time, volunteer, and appointed employees

#### **IV. Volunteer Agreement Form**

Each volunteer is asked to sign the attached Volunteer Agreement Form certifying that he or she has read this information concerning the Volunteer Resources Program for the Town of Wytheville and the Wytheville-Wythe-Bland Chamber of Commerce and that he or she is familiar with the policies, procedures, and ethics requirements.

Approved by: Wayne Sutherland Jr  
Town Manager

12-04-13  
Date