Everyone Ready®

An online volunteer management staff development plan

FROM ENERGIZE

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# Risk Management Issues and Insurance for Involving Volunteers

By William R. Henry, Jr.

## Self-Instruction Guide

for Individuals and Teams

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# Risk Management Issues and Insurance for Involving Volunteers

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## IDEAL AUDIENCE FOR THIS GUIDE

- *Directors of volunteers* – Those responsible for assigning, training, and supervising volunteers.
- *Executive directors and other senior staff* – Those who have overall responsibility for making sure volunteers are trained to perform their work safely and setting policies to managing risk.
- *Insurance buyers* – Those involved with the purchase of insurance for a nonprofit organization. Although this topic does not address comprehensively all the insurance coverages a nonprofit organization might need, it does focus on insurance protection for volunteers, summarizes other kinds of coverage for nonprofits, and suggests resources for additional information.

## LEARNING OBJECTIVES

By reading this Guide and discussing its content, participants will be able to:

- Recognize some of the common risks that arise out of volunteer activities;
- Identify risk exposures for the organization's specific volunteer positions and develop policies and procedures to help minimize those risks;
- Perceive risk management for volunteer involvement as part of a comprehensive risk management program for the entire organization; and
- Know some basics about insurance designed specifically to address volunteer involvement.

## HOW TO USE THESE SELF-INSTRUCTION GUIDES

- *Everyone Ready*® selects a several-page chapter, excerpt, or article from a respected source, often fresh material just published or newly revised, to become the Featured Reading on the chosen topic for each Self-Instruction Guide.
- Read or complete each section of the Guide *in the sequence presented* – the order of the elements matters to the success of the learning experience. First, you will find preparatory information that sets the topic into context and a pre-reading self-assessment. Then the Featured Reading(s) are presented.
- The material following the Featured Reading(s) updates and expands the original writing and has been developed specifically for *Everyone Ready* participants. It includes further resources, ways to test your understanding, and a post-reading self-assessment.

**Recommendation:**

Consider forming a study group or learning team so that you benefit from the synergy of discussing the material with others in your program. Sharing your ideas aloud reinforces the learning and lays the groundwork for actually implementing many of the ideas developed.

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## PRE-READING ASSESSMENT

Answer the following questions to assess your current knowledge and level of managing risks in your organization's volunteer program.

1. Have you analyzed tasks volunteers perform from the standpoint of safety considerations for volunteers and for others around them? ___ Yes ___ No

   If so, how?

2. Have you analyzed those tasks from the standpoint of what skills that might be required of volunteers? ___ Yes ___ No

3. Do you interview potential and current volunteers to learn what skills they do or do not have and match them to assignments accordingly? ___ Yes ___ No

4. Do some or all volunteers drive either their own vehicles or vehicles belonging to the organization during the course of their duty? ___ Yes ___ No

   If so, do they transport other volunteers, staff, or clients? ____ Yes ____ No

5. Have you inspected the locations where volunteers are assigned for potential hazards such as:

   - Slip and fall hazards ___ Yes ___ No
   - Potential fire hazards ___ Yes ___ No
   - Poor security ___ Yes ___ No
   - Poor lighting ___ Yes ___ No

6. Do you use, or have you identified the need for, any special equipment or tools required to enable volunteers to work safely? ___ Yes ___ No

   Do you provide these? ___ Yes ___ No

   Do you train volunteers in the safest ways to use these? ___ Yes ___ No

7. Do you interview volunteers about any medical conditions they have, such as allergies, that might pose a risk for certain tasks or even rule out the volunteer's participation in those tasks?

   ___ Yes ___ No

8. Do you have a formal or informal training program for volunteers, to ensure that they can perform their tasks skillfully and safely and know how to report any problems that they encounter?

   ___ Yes ___ No

9. Are supervisors accountable for making sure volunteers perform their duties in the way they have been trained? ___ Yes ___ No

10. For volunteers who interact with children, the elderly or others who might be vulnerable to abuse, do you conduct criminal background checks? ___ Yes ___ No

11. Do you have a plan of action in the event a volunteer is injured, injures someone, or damages someone's property? ___ Yes ___ No

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12. Do you have a process to investigate complaints against volunteers and take appropriate action?
    ___ Yes ___ No

13. Do you provide insurance protection for your volunteers ___ Yes ___ No

    If so, what kind?

# UNDERLYING PRINCIPLES

## Risks in Volunteer Activities: One Part of the Overall Risk Management Picture

There are risk exposures in virtually every endeavor, including volunteer activities. Those exposures must be addressed so that volunteers can support the organization's mission. They can be prepared for successfully by any volunteer-involving organization that commits to doing it systematically and continually.

The ideal approach involves a combination of identifying risks, evaluating their severity, reducing or eliminating the most serious ones, and transferring certain risks to one or more insurance companies.

Addressing risks in volunteer Involvement should be undertaken as part of a comprehensive risk management program for the organization. Although this Self-Instruction Guide focuses on the most common volunteer risks, I will also allude to other risk exposures affecting the organization, its staff and board members, and suggest additional resources that might be helpful in addressing those exposures. While my primary examples will be American, the issues and approach in this Guide are relevant everywhere. However, if you are located outside of the United States, you will of course need to refer to the laws and insurance options in your own country.

## Volunteers Don't Come with Safety Features Preinstalled

It is likely that your volunteers are motivated primarily by their support of the organization's mission and not by the fact that they possess particular skills. They might or might not have those skills or the judgment required to make good decisions while on duty. In order for them to perform effectively, you need to make certain that they are prepared to work safely and make the right call when judgment is required. It is the organization's responsibility to create an environment where volunteers are carefully selected and trained, where they can work without unnecessary risk to themselves or others, and where they understand their responsibilities in the event problems arise that threaten their own safety or the safety of others.

## Volunteers Know They Have Risks

Volunteers know that, with some activities they are called upon to perform, there is a risk that they will be injured, or potentially sued by someone claiming that the volunteer injured them, damaged their property, or caused them some other harm. State and federal volunteer "immunity" statutes offer very limited protection. The organization or agency hoping to attract and retain volunteers can help its cause by assuring current and potential volunteers that potential risks are addressed in appropriate ways – both in operations and in the insurance protection that the organization or agency provides.

According to the U.S. Bureau of Labor Statistics, 69% of volunteers work for only one nonprofit during a typical year, so the market is competitive. For a volunteer who's considering serving in your organization but also considering others, your risk management and insurance program might tip the decision in your favor.

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## THINGS TO THINK ABOUT AS YOU READ

In the Featured Reading below, we will learn about:

- The most common kinds of risks involving volunteers
- How to analyze the volunteer's work in terms of potential injury to the volunteer, and potential injury to others
- Problem-solving about how to minimize or eliminate hazards through:
  - Physical inspection and modification of the work environment
  - Volunteer screening and training
  - Tools and other special equipment
  - Accountability: supervision, the proper chain of command for reporting actual and potential problems, and correcting those problems.

As you read, ask yourself…

- What are we asking volunteers to do?
- What are the hazards involved?
- What can we do to eliminate or reduce those hazards?
- What can we do to match a volunteer's skills with the requirements of the task, and to teach skills the volunteer doesn't have currently?
- If a volunteer is injured, injures someone else (physically or otherwise), or damages someone's property, what are the volunteer's responsibilities, and those of his or her supervisor, to address the issue?

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# FEATURED READING

## Volunteers' Most Common Accidents – and How to Avoid Them

*William R. Henry, Jr. is director of Communications of The CIMA Companies, Inc., an insurance and risk management firm with headquarters in Woodbridge, Virginia, USA. This is a 2010 update of the article he wrote for* e-Volunteerism: The Electronic Journal of the Volunteer Community*, Vol IV, Issue 1, Oct.-Dec. 2003.*

Once in a while, a volunteer is injured, or injures someone else, in the course of his or her work. Sometimes, it is just an allegation that the volunteer injured someone else; whether or not the allegation is true, a legal defense still is required. In many cases, the cost of the incident is greater than the volunteer's own ability to pay, which is why insurance protection for volunteers should be part of every nonprofit organization's risk strategy. Even so, prevention is better than cure, and there is a lot you can do to prevent accidents from happening in the first place.

In this article, I will describe the circumstances involved in the claims often seen in the Volunteers Insurance Service (VIS®)[1] program offered by The CIMA Companies, Inc. (CIMA), and offer guidance to help you minimize the chance that such circumstances might happen to your own volunteers. For readers outside of the United States, there may be different laws, requirements, insurance options, and liability terminology in your own country that you will need to research, but the *principles* I discuss here are good practice anywhere in the world.

I will arrange these claims scenarios by the three types of volunteer insurance coverage that respond:

1. Injuries to the volunteer, addressed by accident medical reimbursement
2. Allegations against a volunteer, needing volunteer liability coverage
3. Driving accidents, needing excess automobile liability coverage

Whether your organization has such specialized volunteer coverage, insures volunteers under your organization's commercial general liability and/or workers' compensation policies or is covered by government-provided insurance, the same risk management principles still apply.

It is, however, worthwhile to note that including volunteers under commercial general liability or workers compensation policies exposes your organization's own claims "experience" to any claims your volunteers might have. This can affect the cost or even availability of your organization's own coverage. Also, there often are exclusions in those policies for accidents occurring during the volunteer's travel to and from work, and for claims by one volunteer against another. For these reasons, separate volunteer insurance is advisable in most cases.

### Injuries to the Volunteer (Accident Medical Reimbursement)

These are claims involving an injury to the volunteer himself or herself. Many such injuries can be prevented by removing known hazards from the work area, providing job-specific training, and using appropriate tools or personal protective equipment.

The most common kind of claim involves volunteers who fall and injure themselves. Sometimes there is nothing, as the volunteers' manager, you could do to prevent those falls. The person simply slips or

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[1] The VIS ® brochure, which you can download from the CIMA Web site, is arranged by type of coverage. It provides a good way for volunteers to understand what coverage is provided and at what limits – whether it is all three types, just one, or a combination. The brochure is at http://www.cimaworld.com/files/brochure.pdf . You also can download coverage details at http://www.cimaworld.com/files/volunteerinsuranceterms.pdf .

trips and, if a hazard caused the fall, it was nothing you could have foreseen. Other times, though, the fall was more predictable.

Weather-related conditions such as ice often are a contributing factor. Is there anything you can do to clear walkways, building entrances, or steps (including steps on vans and other such vehicles) that isn't being done already? If a volunteer is assigned to an off-site location, what are the people responsible for those premises doing to keep the area free of hazards that might cause a fall? When you visit those locations, look around for possible fall hazards.

Volunteers working with children sometimes are tripped accidentally, either by the children themselves or by toys. One volunteer fell and broke her shoulder when she tripped over a child who was getting settled in on the floor for story time. In your training program, do you caution volunteers assigned to children (or to any site with items not normally in use, such as wheelchairs and assistive tools) that they might need to use more care as they walk around than they would need to use in their own homes?

Have the volunteer's tasks been analyzed for potential risk of bodily injury? One volunteer was helping pick up furniture to distribute to low-income families when the load in the truck became unbalanced, knocking him out of the truck and breaking his leg. The injury might have been avoided with a little more preparation devoted to the project. What furniture is being picked up? Is the truck big enough? Are there enough volunteers to load it without risk of injury? Is a dolly needed to transport heavier items? Do volunteers have the right kind of rope and padding to secure the furniture and know how to use it? Do they know how to lift properly – keeping the back straight and lifting with the legs? Do they understand that it's better to make more trips with smaller loads than to pack the truck to the point where the load isn't stable?

Many of our participating organizations find that it is very effective to have their experienced volunteers train the newer ones. Not only does the new volunteer receive the training that might prevent a serious injury or damage to property, but the experienced volunteer "relearns" and reinforces what he or she already has been taught, as well.

Volunteers working with animals sometimes are bitten or scratched. That might not be avoidable, but the effects can be controlled. Depending on the work involved, long sleeves and a pair of leather gloves might be all that is required to prevent a serious wound. If the volunteers are motivated to help the animals, they most likely will be motivated enough to provide their own gloves – once they understand why they might need them.

Gloves also might have prevented the injury that occurred when a volunteer was refilling a bird feeder at a nursing home. A loose wire punctured her hand.

These kinds of injuries often can be prevented if the volunteer work is analyzed in terms of possible hazards, and personal protective equipment is required, whether the organization or the volunteer provides it.

If the work will require the use of tools, don't just take the volunteer's word that he or she knows how to use them – have the volunteer demonstrate his or her skill level. One volunteer hit herself in the mouth with a hammer during her first experience, ever, pulling a nail out of a board. If training is needed, have a qualified person provide it.

We have also had volunteer claims resulting from allergic reactions. One case involved the use of a solvent for cleaning graffiti from concrete. Several cases involved bee stings during landscaping work or trash pickup. You might want to ask about allergies or special medical needs when you engage volunteers, and keep those factors in mind when you make assignments.

Although most injuries are minor, occasionally a very serious one does occur. Recently a volunteer lost a leg below the knee when he was struck by a drunk driver. In situations such as this, the accident medical reimbursement policy can be vital in making sure medical bills can be paid – particularly if the volunteer has no other insurance (which may not be a concern in a country with universal health coverage). Where there is no other insurance, the VIS® accident policy becomes primary insurance. Find out in advance if this is the procedure with your insurance provider, too.

In the event of a serious injury, it is extremely important to make sure you are familiar with the coverage terms and limits of the policy that applies because you can expect to be asked, by the family or others, about how the policy will respond. If you keep current copies of your insurance policy and coverage details handy, you will be sure to have the correct information for each type of coverage.

## Allegations against a Volunteer (Volunteer Liability)

Claims are less common in this area of volunteer protection than in the accident medical or the excess automobile liability areas. But, because plaintiffs can seek very large awards or settlements, and sometimes get them, the coverage can be crucial. Most volunteers have no other insurance to protect themselves against this liability, except for what their homeowner's policy might provide. (In general, it is a good idea for homeowners to have a "personal umbrella" policy, in addition to the underlying limits on the homeowner's and automobile insurance itself. The insurance agent for your homeowner coverage can provide more information about that.)

Sexual molestation is a risk exposure that sometimes results in a claim under the volunteer liability policy. The VIS ® policy (and hopefully yours) provides defense in civil cases unless the volunteer admits guilt, or until the volunteer is adjudged guilty. Careful volunteer screening and selection, and proper supervision and accountability, are the most important risk management tools to reduce this risk exposure.

Sometimes the organization that engaged the volunteer is named in the suit, on the basis of negligent hiring and retention. In those circumstances, it is important to be able to demonstrate that you had formal procedures in place, and followed them (see Resources at the end of this reading). It also is critical to make certain the organization's own commercial general liability policy is properly written at appropriate limits. (You can review your coverage with the insurance agent who provides your commercial general liability.)

One claim a few years ago involved a volunteer who was alleged to have slapped a small child at a Christmas party. According to the police report, the volunteer was upset that the child was making too much noise. Damages sought by the child's guardian included a sizeable sum for "intentional infliction of emotional distress," because the child refused to go back into the building where the incident took place. To make matters worse, the attorney for the guardian was able to establish evidence that the volunteer had struck children before, in an effort to discipline them on the playground.

As a manager of volunteers, and the person responsible for their behavior, it is unwise to overlook any incidents that might be signs of an emotional problem. To do so makes it more likely that there will be other incidents in the future. Just because volunteers are unpaid does not mean that they shouldn't be held accountable, or even dismissed, when they violate the rules.

A small number of claims have been made alleging that the volunteer defamed someone else by reporting that he or she saw evidence that a parent or foster parent was abusing a child, or perhaps a family member was abusing an elderly relative. On the other side of the coin, a few claims have alleged that the volunteer knew, but did not report, that abuse was taking place and therefore was negligent.

Make certain your volunteers understand the chain of command for reporting any problems they might encounter during the course of their work. As a practical matter, you or another designated person within your organization should be the point of contact; volunteers should not have to decide for themselves whether to report an incident to social services personnel, police, or other authorities. Encourage them to report to you, or the person you designate, and you take it from there. It reduces the risk exposure for the volunteer.

Other personal liability claims involve accidental injury to someone, such as dropping a hot meal on someone, or accidentally damaging someone's property. As we noted earlier, understanding the nature of the task and the risks that might be encountered, and providing proper training and equipment, are the keys to reducing this kind of risk.

One claim resulted when a volunteer was pushing an elderly person in a wheelchair. The elderly person thought the wheelchair was going too fast, put his feet out to slow the motion, and was thrown out and injured.

If a person your volunteer is helping is infirm, that person might also be fearful. Train the volunteer to communicate well. "Are you comfortable? All right, let's go." "Is this about the right speed? Tell me if I'm going too fast." Communication like that might have prevented an injury, and a claim.

## The Most Common Automobile Liability Issues

If the organization owns vehicles and your volunteers drive them, you should obtain motor vehicle records on those volunteers and keep copies of their drivers' licenses on file. Whether your volunteers are driving their own vehicles, or those belonging to the organization, training them to be aware of common hazards and accidents is an important element of risk management.

The most frequent kind of auto liability claim we see involves accidents at intersections - running a red light or stop sign, failure to yield right-of-way, turning from the wrong lane, following a turning vehicle too closely, etc. Backing into other vehicles, objects, or pedestrians is another leading cause of accidents involving volunteers who drive.

Poor visibility in inclement weather often is a contributing factor. Remind your volunteers to take extra care, and time, to allow for seasonal hazards.[2]

### *The Dementia Factor in Older Drivers*

In 2002, Hartford Insurance Group, the Massachusetts Institute of Technology Age Lab, and Connecticut Community Care, Inc. conducted research and developed recommendations on how to resolve the difficult issue of phasing out a person's driving when dementia creates unnecessary risk.

The researchers noted that, although most people can compensate for slower reaction times and eyesight problems by consciously modifying their driving as they age, those with dementia "are especially likely to minimize the complexity of driving and overestimate their abilities." A typical defense: "I've been driving since before you were born, and haven't had an accident yet."

Of course, you might not be in a position to know that dementia has begun with a particular volunteer. This is a good reason to get to know younger family members of your elderly volunteers, if any live nearby. You might be able to enlist their help in implementing the following safety suggestions. Otherwise, you might consider partnering your elderly volunteers with younger ones, who will be asked to help implement the suggestions. In either case, the idea is to monitor volunteers' driving, discuss it

[2] For a free copy of "Cold Weather Driving Conditions," which provides further guidance on minimizing this risk, send an e-mail request to CIMA's Communication Department at bhenry@cimaworld.com , or call (800) 468-4200.

with them when you see them make mistakes that might be the result of dementia, and try to find alternative transportation for them when their driving becomes a safety issue. Here is a basic list of suggestions:

- Take opportunities to observe the volunteer's driving. Take notes of instances of poor judgment, unsafe movements, lack of anticipation, etc. Write down specific times and places these instances occur.
- Share your observations with the driver and, if possible, family members. (Family members also should share the observations with their loved one's medical providers.) Ask the driver how he or she feels about the situation and listen. Imagine yourself in the same position. The earlier these conversations begin, the easier it will be for you, for the volunteer driver, and family members to reach agreement on whether and how driving should be limited and, eventually, stopped. The idea is to have these discussions while the volunteer still is able to drive – not when driving must be restricted. The timing can be important for the person's sense of independence.
- Have someone else gradually assume more of the driving for the elderly volunteer. If it is daytime, the weather is good and the road familiar, let the elderly volunteer drive. Continue to observe, but resist the urge to "co-pilot." If driving conditions aren't so good, a family member or a capable volunteer should assume more of the driving (and be ready to tolerate some "co-piloting").
- As the person's ability to drive safely is reduced, have the family tell medical providers. A trusted doctor can help reinforce a reality that the person with dementia often has difficulty accepting.

### *The Importance of Sleep*

Researchers have learned more recently about a serious personal-safety problem: driving while drowsy. Researchers at Virginia Commonwealth University concluded that drowsiness was the primary cause of 12% of 2,700 crashes in Virginia where some kind of distraction was involved. That was second only to rubbernecking at accident sites (16%). The National Highway Traffic Safety Administration (NHTSA) estimates that 4% of all fatal crashes are caused when the driver falls asleep.

"Your Guide To Healthy Sleep," published by the National Institutes of Health's National Heart, Lung and Blood Institute, points out that losing even an hour of sleep a night (most adults need 7-9 hours of uninterrupted sleep) can cause chronic drowsiness. The guide is available at www.nhlbi.nih.gov/health/public/sleep/healthy_sleep.pdf. According to the National Sleep Foundation, elderly people often are more susceptible to losing sleep than are younger people - increasing the risk that they might have a "driving while drowsy" accident. Common ailments such as arthritis, heartburn, osteoporosis, heart and lung disease, and weak bladder also can contribute to sleep interruption among the elderly. Even the medications used to treat those conditions often interfere with sleep.

With your volunteers, you might address "drowsy driving" as part of your safety training program, and provide resources to allow those who have the problem to find help. (See Resources below.)

For the benefit of volunteer drivers of any age, continual safety training is important. There are a variety of publications at the Nonprofit Risk Management Center (http://www.nonprofitrisk.org) you might consider. CIMA offers a variety of safety-related "Preventer Papers," free of charge. (See Resources below.)

## Inform Volunteers about Their Liability and Their Insurance Protection

If you do not include volunteers on your commercial general liability policy, make sure they understand that the organization's own insurance will not protect them if they injure someone else while driving, and are sued. It is also possible to purchase excess automobile liability insurance. If you insure through VIS®, for example, your volunteers would have a $500,000 limit of liability, in excess of their personal automobile insurance limits, as long as they maintain the state-required minimum limits, or at least a $50,000 limit, whichever is greater. (Of course, such regulations and limits will vary from country to country.)

It is a common misconception in the United States that the federal Volunteer Protection Act shields volunteers from liability if they injure someone else while driving. There is no protection for auto-related accidents under that federal law. State laws vary. In a June 2003 Florida case, as reported in *Nonprofit Issues* (http://www.nonprofitissues.com/public/features/lead/2003jun-IS-2.html), an appellate court ruled that the state's immunity law did not shield a volunteer who was at fault in an auto accident if a "reasonably prudent" person would have avoided such an accident. The appellate court ruled that the case could go to trial for application of the "reasonably prudent" test. (In all matters of law, readers are urged to consult the relevant authorities in their own states or countries.)

## If an Incident Does Happen

We have provided you with a checklist at the end of this reading that recaps the practical steps we have suggested in this article to avoid or minimize the risk of the most common kinds of accidents and claims among volunteers.

It is important that your volunteers understand that they are to report to you any incident that they reasonably believe could result in a claim - whether it is a claim by the volunteer or against him or her. In volunteer insurance, as with any other kind, timely reporting to the insurance company is a requirement. You don't want to be in the position of arguing whether your notice was "timely."

VIS® and other insurance programs will give you detailed instructions and forms for filing claims covered under those policies. If you believe your organization itself might be held liable for bodily injury, property damage or any other loss caused by a volunteer or staff member, you should contact the insurance agent or insurance carrier that provides your commercial general liability insurance, to put them on notice of the possible claim under that policy.

## Conclusion

Volunteers are not only friends and fellow human beings, they also are valuable resources of your nonprofit organization because of the time, energy, and skill they are willing to share. To protect those resources, take practical measures to reduce the risk that the volunteer will be injured, or will injure someone else.

Fortunately, the history of volunteer accidents gives you a good, basic checklist to use in risk identification. By examining the work to be done, the skills and equipment required, the physical environment, and other conditions, you can identify specific risks your volunteers face. Then, you can reduce or eliminate those risks through a combination of physical safety modifications, training, accountability, and insurance protection.

Careful application of these risk management techniques can help prevent accidents, and will express to the volunteer how much you care about them and value their selfless service to the organization.

## Checklist to Minimize the Most Common Volunteer Risks

- ☐ Ensure each and every volunteer is given a thorough orientation to his or her new role, the environment in which she or he will be working, all risks involved, and any procedures or protocol that will help minimize the risk.
- ☐ Clear walkways, building entrances, steps, etc. of anything that might cause a volunteer to slip or trip.
- ☐ When volunteers are assigned to another location, make sure those areas have also been freed of fall hazards.
- ☐ Caution volunteers that they might need to use more care walking than they do when they're in their own homes.
- ☐ If volunteers are asked to lift or carry:
  - Make sure the material light enough and compact enough to lift safely
  - Train volunteers in safe lifting techniques
  - Reduce the risk of injury by rearranging items to be lifted, assigning more (or stronger) volunteers to the task, or obtaining hand trucks, a dolly or other materials-handling equipment
- ☐ Identify what equipment or tools volunteers use.
  - Train volunteers to use all tools and equipment properly
  - Require volunteers to demonstrate that they truly can use the tools safely
- ☐ If there is a risk of cuts or scratches in the volunteer's work, require long sleeves and gloves.
- ☐ Before assigning tasks, consider any allergies or special medical needs the volunteer might have.
- ☐ Have and enforce a formal policy for screening and supervising volunteers. Require volunteers to follow your rules, and hold them accountable for doing so.
- ☐ Make sure volunteers know and follow the chain of command for reporting abuse or other problems they observe in the course of their work.
- ☐ For volunteers who are caregivers, train them in the communication aspects of their duty, so they can understand the wants, needs, and fears of the person for whom they are caring.
- ☐ Obtain motor vehicle records and copies of drivers' licenses for all of the volunteers who will drive your organization's vehicles.
- ☐ Devote adequate time to vehicle safety, particularly with respect to driving in inclement weather.
- ☐ Monitor the driving of elderly volunteers.

# ADDITIONAL PERSPECTIVES

## Getting Everybody on the Same Page

Learning as much as you can about your volunteers' skills and interests, and imparting to them all they need to know about their responsibilities as volunteers, are the keys to minimizing the risk of accidents or other incidents that could hurt the organization and its mission. The following section provides some suggestions for a proper "orientation" program, from the risk management point of view.

### Getting Volunteers Started, the Right Way

A new volunteer shows up, full of energy and enthusiasm, ready to go to work. That's great, right? Absolutely…as long as you take the time to make sure the volunteer's work will be done as safely – for them and for the organization – as possible.

*Orientation* – What kind of orientation program do you have for volunteers? (By the way, it's never too late to "orient" volunteers who have been with you for years.) Do you consciously include information related to risk management and safety? What follows is a short list of the orientation basics related to safety. You might consider incorporating these items into a packet to give to all volunteers, so everyone understands what you expect and require.

- Chain of command: To whom does the volunteer report? Whom do they see in the organization when they need something, or have a complaint or problem?
- General safety rules and emergency procedures.
- Time sheets and why it is important to complete them consistently to have a record of when everyone was on site or representing the organization.
- Photo/video release forms, for your newsletter, Web site, or other publicity.
- Information about insurance coverage, if applicable.

*Screening and training* – Conduct criminal background checks on volunteers who will be in contact with vulnerable populations such as children and the elderly. Depending on the physical demands of certain volunteer tasks, make sure the volunteer is physically capable of performing the work. (This not only reduces the risk of injury, it also reduces the risk that a volunteer might falsely contend that a pre-existing injury occurred during his or her volunteer work.) Make sure volunteers have the necessary training for each assignment. Have them *show you* – not just tell you – they know how to do the work.

*Accountability* – Just because volunteers are unpaid, that doesn't mean they are unaccountable. Require them to follow your rules, just as though they were paid employees. Also, note that violation of safety rules is as much cause for termination of a volunteer as of an employee.[3]

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[3] "Getting Volunteers Started, the Right Way" is an excerpt from *VIS Connections*, a publication by The CIMA Companies, Inc. for participants in its Volunteers Insurance Service (VIS®) program. Used with permission.

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### Orientation Is Temporary, but a Supervisor's Work Is Never Done

In the Nonprofit Risk Management Center's guide, *Coverage, Claims and Consequences: An Insurance Handbook for Nonprofits*, they quite properly say:

> *The importance of supervision cannot be overstated. It is a grave mistake to believe that individuals who have sailed through the nonprofit's screening process and/or completed the volunteer orientation require little supervision. Supervision is a safety tool that needs to be exercised with care and consistency. When an employee or volunteer violates the organization's trust or disregards an important rule or requirement, disciplinary action (up to and including termination in egregious cases) should be applied.*

## Sometimes, Risk Management Is Simple

Think creatively when you are deciding how to reduce or eliminate risks in your organization, and you might find simple and inexpensive ways to accomplish your purpose. The experience and observations of your staff and volunteers might lead you straight to a solution. Here are a few examples of risk management made simple:

- Liberty Mutual's "Workplace Safety Index" indicates that one of the most frequent causes of workplace injury is overexertion – lifting, pushing, pulling, etc. where the strain is too much for the worker. If there's lifting involved in your volunteer activities, does the task match the current volunteers' physical skills? If not, the simple solution to avoiding a disabling injury might be to use smaller packages, provide some fundamental training in how to lift properly, or provide more frequent rest breaks. You can eliminate a potentially severe risk, for little or no cost, without reassigning volunteers.
- Reducing the risk of fire damage on your premises is more than having proper wiring and fire extinguishers, and installing sprinkler systems. Take a careful look around. Are your flammable cleaning products stored in Underwriters Laboratories (UL)-approved containers or a UL-approved storage cabinet (most countries have equivalent standards)? If not, you might eliminate a primary fire risk for a few hundred dollars. Go to the U.S. Fire Administration Web site for a fact sheet on preventing electrical fires (http://www.usfa.dhs.gov/citizens/all_citizens/home_fire_prev/electrical.shtm).
- If your staff or volunteers are involved in counseling behind closed doors with clients who might be vulnerable, it is important to screen applicants for those counseling positions. But while screening can reduce your risk, it cannot eliminate it. For little expense, you can reduce the remaining risk even further by installing windows in the doors of the rooms where counseling is being done, and having staff or volunteers walk by and glance in occasionally.
- In considering ways to manage the risk that your computer systems might be hacked, or the data lost, make sure no employee or volunteer is using an easy-to-guess password or part of his or her social security number, and make sure data is being backed up daily and stored off-site. Computer systems are an area of risk management where organizations sometimes need to incur significant expense, but depending on your circumstances, you also might find that inexpensive solutions can reduce risk to an acceptable level.
- While you're thinking about risk to your computer systems, you might notice that the outside computer technician who goes wherever he pleases is not the same person the company used to send. Has anyone checked his or her ID?

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## Preventing Dishonest Acts by Volunteers (and Staff)

While most of this Guide addresses ways to protect volunteers, our presentation of various risk management topics in this section also makes it appropriate to mention a risk that volunteers sometimes pose to the organization itself, and how to reduce that risk.

Sometimes, "the enemy is us"…when someone on your staff or one of your volunteers violates a position of trust and steals from the organization, or from the organization's client.

Losses due to embezzlement, pilfering, and various kinds of fraud by an insider most often take the victim by surprise. This was someone you trusted – trusted enough that, perhaps, you didn't watch as closely as you should have, or didn't hold accountable for his or her handling of resources. Every organization is vulnerable, and it is important that every organization protect itself against losses due to employee or volunteer dishonesty.

Insurance company claims files illustrate a wide variety of schemes used to steal – padding payrolls or cash expenditures, altering inventory records or removing ledger sheets to hide theft of assets, failing to credit the full amount of cash receivables and pocketing the difference, paying bills to fictitious vendors, altering the payee name and amount payable on checks, and many more. Here are just a few case histories:

- An accounting staff person with a small nonprofit embezzled over $85,000 through cash advances and personal charges on an unauthorized organizational credit card. The employee prepared a form on which all the unauthorized charges were allocated to various legitimate program areas. The supervisor, who had to pay the credit card bill, never required documentation for the charges. Some fault also could be placed with the volunteer treasurer of the board who also did not provide proper oversight.
- Another nonprofit operated a mail-order business. An employee there secured over $75,000 in "refunds" to her personal credit card, for items falsely alleged to have been purchased then returned. Management never noticed that the refund amounts it was authorizing were for thousands of dollars, whereas most items sold through the business were valued at less than $100.

In both cases, the dishonest staff flaunted the purchases made possible by their illegal financial gains, but even that did not arouse suspicions. In a small branch or chapter office, it is even easier to hide improper financial dealings from national headquarters.

Here are some ways to prevent insider fraud:

- Always check the credit card itemized bill before payment.
- Be aware of how many cards have been issued and who has them. Verify this information with your bank on an annual basis.
- Be sure to require that your auditors, at a minimum, spot-check all credit card bills.
- The executive director and at least one board member should meet with the auditor without staff present, to discuss the quality of the financial staff and financial systems. Solicit, from the auditor, specific ways to identify fraud and steps to take to prevent it.
- Carefully screen and select employees and volunteers who will be handling money. Review background and work experience. Check references. Ask former employers, "Would you rehire this person to handle money?" Listen for any unspoken reservations. Check personal and credit references.

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- Obtain a fidelity bond (dishonesty coverage) on all employees or volunteers involved in cash or accounts receivable.
- Require all employees to take periodic vacations and volunteers to rotate assignments periodically.
- Be sure no employee or volunteer becomes indispensable. Arrange for cross-training. Make sure at least two employees (or combination of employees and volunteers) know how to do each job.
- If an employee or volunteer does embezzle, prosecute.
- Segregate accounts-receivable duties. Ideally, one person opens the mail, another prepares deposit slips, another posts payments, etc.
- Incoming mail should be opened and all checks immediately endorsed "For Deposit Only" by a person who is not responsible for posting payments into your recordkeeping system.
- List all checks received.
- Make deposits daily.
- Issue pre-numbered receipts for all cash received.
- Make one employee responsible for petty cash. Require receipts for disbursements. The amount of the receipts plus cash on hand is the total amount of the fund.
- Control who is able to sign checks. When preparing checks for signature, attach invoices and other documentation. Do not allow signature stamps. Consider requiring two signatures for checks above a certain amount. (Then, on a random basis, review any checks issued for amounts just under that threshold. An authorized check-signer who is embezzling will know the threshold for two signatures.)
- Know the vendors. The person authorized to sign checks should be able to identify payees that might not be legitimate.
- Reconcile statements immediately. The executive director, chairman, or other person authorized by the board should receive the bank statement each month and quickly review canceled checks for signature, payee, and endorsement. Notify the bank at once of any possible improprieties.
- Review your deposit agreement with your bank. In the U.S., the Uniform Commercial Code allows banks to share liability with customers for losses due to forgery. Customers must exercise "ordinary care" to prevent these losses. How does your deposit agreement interpret "ordinary care"? Your auditors can provide help in this area.

Insurance coverage addressing the risk of dishonest acts by volunteers and staff includes protection against theft by employees, volunteers, directors, committee members and others, whether they are compensated or not; forgery or alteration of checks, drafts, promissory notes, etc.; and theft, disappearance or destruction of money and securities. The insurance agent who represents your organization can provide further information, if you do not have this coverage already. Or go to http://www.cimaworld.com, and click on "Insurance for Nonprofit Organizations."[4]

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[4] "Preventing Dishonest Acts by Volunteers (and Staff)" is an excerpt from *VIS Connections*, a publication by The CIMA Companies, Inc. for participants in its Volunteers Insurance Service (VIS®) program. Used with permission.

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## Sample Risk Management Policy

If you do not already have a formal statement such as the following, consider including it in your employee manual, your volunteer orientation materials, and other publications describing your policies, after making any changes that would "customize" it for your organization. Effective risk management begins with the understanding, by everyone in the organization, that the effort is important, that the effort is supported by senior staff and the board, and that everyone is expected to uphold that effort.

The sample policy is offered by CIMA (http://www.cimaworld.com), which administers the Volunteers Insurance Service (VIS®) program:

> *(Name of organization) is subject to certain risks that affect our ability to operate, serve customers and protect assets. These include risks to employees and volunteers, liability to others, and risks to property.*
>
> *Controlling these risks through a formal program is necessary for the well-being of the organization and everyone in it. The jobs and services the organization provides, the safety of the workplace and other benefits all depend to an extent on our ability to control risks.*
>
> *Management has the ultimate responsibility to control risks. Control includes making decisions regarding which risks are acceptable and how to address those that are not. Those decisions can be made only with the participation of the entire workforce, because each of us understands the risks of his or her own tasks better than anyone else in the organization. Each is responsible for reporting any unsafe conditions he or she sees. Also, each is encouraged to suggest ways in which we can operate more safely. We are committed to the careful consideration of everyone's suggestions, and to taking appropriate action to address risks.*
>
> *Accidents and other situations involving loss or near-loss will be investigated as part of the effort to manage risks.*
>
> *Every employee's and volunteer's performance will be evaluated, in part, according to how he or she complies with this policy.*

## Insurance Protecting Volunteers

Despite an organization's best efforts, it might not be able to prevent all accidents involving volunteers. Many volunteers do not have enough insurance of their own to protect themselves if they are injured or injure someone else. Therefore, providing volunteer insurance can protect these unpaid but valuable workers and also serve as a good recruiting tool. Also, insuring volunteers on policies separate from the organization's own helps protect the organization's available limits of insurance, and its claims experience. This in turn helps control the cost of insurance in the long run.

For all those reasons, the organization should consider purchasing insurance policies designed and priced for the risks volunteers typically face, to make the volunteers whole if accidents do occur.

Following is a brief description of available coverages. As with any insurance, you should be confident of the insurance carrier's ability to meet its obligations, and should read the terms and conditions of the policy to make sure that the insurance is appropriate protection for the organization's volunteers. Also, remember that volunteer insurance is just one component of the comprehensive insurance program that should be in place to protect your organization. While a thorough description of all coverages that might be appropriate for you is beyond the scope of this Self-Instruction Guide, we offer some information farther along in this section, and also in the "Resources for Further Study" section,

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that we hope will be useful. Once again, the principles here apply universally, but the type of insurance needed and available will vary from country to country, particularly if medical care costs are not an issue.

*Accident medical reimbursement* – This coverage provides reimbursement to the volunteer for uncovered medical treatment, hospitalization, and licensed nursing care; dental care or repair and replacement of dentures; and for repair and replacement of eyeglasses. It also includes benefits for accidental death, and loss of limb and sight. In the United States limits of up to $50,000 per covered accident are available. Accident policies, except those for work-release participants, are available with no deductible.

This insurance is available on an excess basis; that is, coverage is in excess of Medicare, Medicaid or any supplemental insurance the volunteer has. If there is no such insurance, the coverage becomes primary.

You also can protect volunteers under a "primary" accident insurance policy; that is, one that provides benefits whether or not the volunteer has other insurance. Such policies can cover paid employees, as well as volunteers. However, minimum premiums usually apply, and limits may be as low as $5,000 to $10,000.

Including volunteers under the organization's workers' compensation policy *can* be an option, depending on your state's laws. Some states allow volunteers to be covered under workers' compensation, some *require* that certain volunteers (such as firefighters) be covered, and others allow local governments to make the call. Workers' compensation coverage will be more costly than an excess accident medical reimbursement policy, due to the broader coverage it provides.

There are two additional disadvantages to covering volunteers under worker's compensation:

First, if the volunteer has a claim under workers' compensation, the organization's own loss experience is adversely affected. Its insurance costs might rise as a result. When volunteers are protected under a separate, accident medical reimbursement policy, a claim does not affect the organization's workers' compensation premium.

Second, workers' compensation generally would not cover injuries the volunteer suffers traveling to and from the volunteer workplace. The accident medical reimbursement policy described above protects them from the time they leave home until they return home.

*Volunteer liability insurance* – This insurance provides protection if the volunteer is liable for bodily injury or property damage arising out of the performance of his or her duties. In the U.S., limits of up to $1 million per occurrence generally are available, subject to an annual aggregate (total accumulation cap) for all volunteers of the organization. The coverage is available with no deductible.

Policies are available that provide defense against allegations of sexual abuse or sexual misconduct – as long as the allegations do not prove to be true, and as long as the volunteer does not admit wrongdoing or plead "no contest."

Volunteer liability insurance generally is written on an excess basis; that is, in excess of, and noncontributing with, any other valid and collectible insurance the volunteer has.

A nonprofit can include its volunteers as additional insureds under the commercial general liability policy, which protects the organization and its employees against a third party's allegations of bodily injury, property damage or personal injury. However, there are three limitations:

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First, if a volunteer has a claim under the commercial general liability policy, the organization's own loss experience and available limits are adversely affected. Depending on the limits that are maintained, there might not be enough remaining to respond adequately to another claim later in the policy period. The claim also might result in a premium increase or non-renewal of the policy. With the volunteer liability policy, the organization's own insurance would not be affected in any way.

Second, commercial general liability policies do not protect employees or volunteers during travel to and from work. There is no such exclusion in the volunteer liability policy.

Third, commercial general liability policies may exclude coverage for claims made by co-volunteers under the insured-versus-insured exclusion. (The situation arises if a volunteer causes injury to another volunteer.) There is no such exclusion in the volunteer liability policy.

*Excess automobile liability insurance* – Excess automobile liability insurance provides an extra layer of protection for the volunteer, after the liability limits of his or her own automobile insurance have been exhausted. (In the U.S., the policy may require that the volunteer maintain auto liability coverage at least equal to the state-required minimums.) One company's policy covers bodily injury and property damage with limits of up to $500,000 each accident.

It might not be possible to find a viable alternative to the separate, excess automobile liability policy. If an insurance carrier were willing to include volunteers as additional insureds under the organization's business automobile or a non-owned and hired automobile policy, that would protect the volunteer – *as long as the organization itself is named in a suit*. However, the carrier might charge a high premium and require proof that each volunteer has his or her own automobile liability coverage equal to or greater than the state-required minimums. This would require a lot of recordkeeping on the nonprofit's part.

If a volunteer who isn't covered by the organization's business automobile or non-owned and hired auto policy is driving during the course of his or her duty, is at fault in an accident and is sued, he or she must rely totally on personal insurance – unless you have provided the excess automobile liability policy for volunteers.

An insurance purchaser might wonder why both the volunteer liability and the excess automobile liability coverage should be obtained, since each one responds to claims of bodily injury and property damage. The reason is that the volunteer liability policy specifically excludes claims involving the ownership, use or operation of a vehicle. Therefore, the auto liability exposure needs to be addressed under a separate policy.

## "Volunteer Immunity" Laws

In the United States, sometimes nonprofit organizations are led to believe that statutes such as the Volunteer Protection Act of 1997 eliminate the need for insurance that protects volunteers. This is not true. These laws do not protect individual volunteers against acts of "gross negligence," automobile-related liability, or claims that federal civil rights laws were violated. State laws have similar limitations. Even if a volunteer is blameless (or only "merely" negligent and not grossly negligent under the federal law or a state law), that does not prevent a lawsuit, and substantial defense costs may be incurred before a court rules that the immunity protection applies.

There are similar types of legislation in countries around the world. Australian readers can find resources at http://www.ozvpm.com/resourcebank/resource_riskmgt.php. Canadian readers can find resources at http://volunteer.ca/en/resource/screening/laws or http://volunteer.ca/en/resource/screening/resources .

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## Other Insurance Coverage – an Overview

Whatever else you might need, you *do* need commercial general liability insurance, to protect the organization in case it is sued. *Every* organization has that risk, and it is severe enough to threaten the existence of the entity. Commercial liability insurance can be obtained in combination with insurance for your business personal property (such as office equipment) and, as an option, with non-owned and hired auto coverage (see description below.) Often lenders, clients, or property owners require that organizations they do business with maintain commercial general liability insurance.

Beyond that, you can choose whether to insure your other risks, eliminate them, transfer them to another party, or ignore them. Limits (how much to buy) and deductibles (how much of the loss you are willing to pay yourself, before the insurance company will pay) should be determined in consultation with an agent who serves the nonprofit market and has access to a variety of insurance markets.

Listed below are two other types of insurance related to volunteer involvement that an organization ought to consider:

*Directors and officers liability insurance*, at a limit of at least $1 million occurrence/$1 million annual aggregate, to protect the organization against allegations of a wide variety of "wrongful acts."

*Employee/volunteer dishonesty coverage* – See "Preventing Dishonest Acts by Volunteers (and Staff)" above. Insurance coverage is available in the event that a loss does occur, despite your best efforts to prevent it.

Depending on its size and operations, and the country in which you are located, the organization might need a wide variety of other insurance coverages. Please see the "Resources" section.

## A Few Words about Claims

Please remember that when you buy an insurance policy, the agreement with the insurer is that you will let the insurer know whenever you are aware of a situation that *might give rise to a claim*. Time – and timely notification – is critical, if the insurer is to keep its own part of the agreement…to make you whole for any covered loss you might have. Often, particularly with liability claims where a legal defense is required, the insurer needs to begin gathering information right away.

For example, employee-practices claim situations often are slow to develop, beginning with a complaint and concluding with a court or agency proceeding many months later. If the insurer is not put on notice until the later stages, an effective legal defense might be impossible, and the carrier might exercise its right to deny the claim on the basis that the policyholder did not provide timely notification. Country and state laws vary, but in general they support the insurers in their denial of such claims.

Sometimes, an organization refers a potential claim to its own attorney for direction, without involving the insurance company. *This is always a mistake*. Insurers sometimes allow policyholders to choose their own attorney, subject to the insurer's approval, but that decision is always the insurer's call.

Do not wait to see if a problem will "blow over." As soon as you are aware of circumstances that might give rise to a claim, please review your policy language regarding covered claims, and your reporting responsibility, and take action.

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## STUDY QUESTIONS FOR INDIVIDUAL OR TEAM USE

1. What five risk exposures can you think of right away (either those described in the Featured Reading or others) that your volunteers face in the tasks you assign them?

    a.

    b.

    c.

    d.

    e.

2. What are you doing already to reduce or eliminate those exposures? What could you be doing?

3. What risk exposures do your *clients* potentially face, arising out of the activities of your volunteers, that you might reduce or eliminate through some combination of improved screening and training of volunteers?

4. What are you doing already to reduce or eliminate exposures to clients? What could you be doing?

5. If one of your volunteers were injured on the job or sued, do you provide any insurance for him or her? What insurance protects the organization, if it also is named in a lawsuit?

6. What resources do you have available, for a thorough analysis of your risk exposures? Staff? Veteran volunteers? Insurance professionals?

7. Are you aware of any incidents that have occurred that might give rise to a claim against your organization?

## TRY-THIS EXERCISES

1. Make a quick list of your organization's volunteer activities. For each kind of task, list the five top qualifications of a "perfect" volunteer. Some, like "punctual" or "always positive" might be the same for different tasks, but in some cases you might identify a skill that's specific to the position ("good with hand tools," or "careful listener," for example.) Consider including those qualifications in a set of performance standards for each volunteer position. Make sure the person who supervises each volunteer position has a chance to suggest what standards should be used. Use these positive qualifications to help your volunteers understand how you expect them to perform their work. Use them as goals, especially if a volunteer needs improvement in one area or another. Use them as the basis to commend volunteers, too, when they perform well.

    It is good risk management to make sure all your volunteers understand what you expect of them! Don't assume they already know!

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Be careful when introducing any new performance standards to current volunteers. Make sure they know the purpose is to reduce risk in the organization, and is not a backdoor criticism of their performance. Make sure to apply performance requirements uniformly, for similar volunteer positions.

2. Ask your director of volunteers or others who supervise volunteers to describe any occasions when they have felt the need to correct or discipline a volunteer, either because of the supervisor's own observation or in response to a complaint. What happened? If they let the occasion pass, why did they? Although the organization might be glad to have volunteers, that doesn't mean they are exempt from discipline. With your supervisors, talk about the best way to correct and discipline volunteers while still making them feel respected and valuable.

3. With your senior staff and a veteran volunteer or two, brainstorm some risk scenarios involving volunteer activity. Start with the question, "What bad things could happen?" No matter how remote the risk might seem, write it down.

   After you have thought of the slips and falls that result in a broken leg, the accidental fires, the traffic accidents with serious injuries (perhaps involving alcohol, or dementia), and the allergic reactions to bee stings, think about other nightmares. What if a volunteer were charged with sexual assault, or were assaulted by a client? What if a volunteer accidentally downloaded a worm or virus, and your network crashed for a day? Three days? What if he or she lost or stole your donor list? What if a volunteer violated IRS "electioneering" rules (and jeopardized your tax-exempt status) by making statements on behalf of your organization that favored a particular political candidate?

   Don't stop brainstorming until you have at least 25 scenarios.

   Then, quantify the *severity* of each identified risk by determining its likely effect on your ability to carry out your mission in the near term and long term. An "A" scenario, for example, might be a screaming disaster that threatens to doom the organization immediately, while you could get past a "D" scenario with minor inconvenience.

   Then, assess the *frequency* of each risk. The mashed finger on home-repair projects might occur a few times a year because it comes with the territory. But the more remote risks might occur only every ten or 25 years.

   Address the risks that have the most dangerous combination of severity and frequency first. Look for ways to eliminate or reduce the risks first. (Be sure to involve volunteers themselves when designing solutions.) Then, investigate how to insure the risks that can't be eliminated or ignored.

   See the "Resources" section for a document called "What Is Your Own Code Orange?", that might help with this exercise.

   *For national organizations* – It is likely that you already look for ways in which your chapters or branches can operate in a uniform manner, as a way to increase efficiency and perhaps realize cost-savings. If you do not already provide your local offices with suggested standards for volunteer safety orientation and training, and insurance coverage, make a list of the advantages and disadvantages of such a standard approach to volunteer protection. Then make a few notes as to how, and by whom, the approach would be implemented in a way that's appropriate for your organization. Discuss with any others in your organization who would be involved in that process, and decide whether to move forward.

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# RESOURCES ON THIS SUBJECT

## Books

Ellis, Susan J. "Risk, Liability, and Other Legal Issues." Chapter 9 in *From the Top Down: The Executive Role in Successful Volunteer Involvement.* Philadelphia: Energize, Inc., 2010.*

Graff, Linda L. *Best of All: The Quick Reference Guide to Effective Volunteer Involvement*. Dundas, ON: Linda Graff & Associates Inc., 2005.* http://www.lindagraff.ca/

Graff, Linda L. *Better Safe. . . Risk Management in Volunteer Programs & Community Service*. Dundas, ON: Linda Graff & Associates Inc., 2003.* http://www.lindagraff.ca/

Graff, Linda L. *Beyond Police Checks*. Dundas, ON: Linda Graff & Associates Inc., 1999.* http://www.lindagraff.ca/

Herman, Melanie Lockwood. *No Surprises: Harmonizing Risk and Reward in Volunteer Management — 5th Edition*. Leesburg, VA.: Nonprofit Risk Management Center, 2009.

Nonprofit Risk Management Center. *Coverage, Claims & Consequences: An Insurance Handbook For Nonprofits*. Leesburg, VA.: Nonprofit Risk Management Center, 2008.

## Articles and Newsletters

CIMA. "Preventer Papers." One-page descriptions of common workplace accidents (including vehicle accidents) and ways to avoid them. A list of "papers" is available on request from the Communication Department at bhenry@cimaworld.com or 1-800-468-4200. You can view the table of contents, select the "Preventer Papers" you want, and have them sent to you by return e-mail.

CIMA. "What Is Your Own Code Orange?" – White paper on how to develop a disaster response and recovery program. Available from the Communication Department at CIMA, bhenry@cimaworld.com, 1-800-468-4200.

Cravens, Jayne. "Communicating With Volunteers: Making the Most of Your Options." *e-Volunteerism: The Electronic Journal of the Volunteer Community,* Vol. V, Issue 3, April-June 2005. (Access this article through your Everyone Ready Main Page.)

Ellis, Susan J. and Steve McCurley. "Clearing Hurdles to the Volunteer Obstacle Course." *e-Volunteerism: The Electronic Journal of the Volunteer Community,* Vol. VII, Issue 4, July-September 2007. (Access this article through your *Everyone Ready* Main Page.)

Graff, Linda. "It's Never Over: Ongoing Screening of Volunteers and Paid Staff." *e-Volunteerism: The Electronic Journal of the Volunteer Community,* Vol. I, Issue 1, Fall 2000. (Access this article through your *Everyone Ready* Main Page.)

*Nonprofit Issues*. http://www.nonprofitissues.com
A national Web newsletter of "Nonprofit Law You Need To Know." Written for nonprofit executives and their advisors. *Nonprofit Issues* provides clear, concise, and comprehensive coverage of real issues that affect nonprofits every day.

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* Can be purchased using your *Everyone Ready* discount code in the Energize, Inc. online bookstore at www.energizeinc.com/bookstore. Your discount code, which you will need to enter upon checkout, can be found on your *Everyone Ready* Main Page.

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Usiskin, Debbie. "The Contradictions of Imposing 'Checks' on Volunteers: Questions We Need to Answer." *e-Volunteerism: The Electronic Journal of the Volunteer Community,* Vol. IV, Issue 3, April-June 2006. (Access this article through your *Everyone Ready* Main Page.)

*VIS Connections* http://www.cimaworld.com/visconnections
This newsletter on risk management and insurance topics affecting nonprofit organizations is published three times a year by The CIMA Companies, Inc., for the organizations participating in its Volunteers Insurance Service (VIS®) program. Back issues may be viewed at http://www.cimaworld.com. Click on the "Periodicals" link on the home page.

## *Everyone Ready* Self-Instruction Guides

*To request previously published Self-Instruction Guides, please check your* Everyone Ready *Archived Topics or contact your organization's Point Person for the* Everyone Ready *program.*

McCurley, Steve. *Formulating Organizational Policies that Support Volunteer Involvement*. Philadelphia: Energize, Inc. 2009.

## Web Sites

Australian sources of information on risk and liability issues involving volunteers (OzVPM):
http://www.ozvpm.com/resourcebank/resource_riskmgt.php

Canadian sources of information on risk and liability issues involving volunteers (Volunteer Canada):
http://volunteer.ca/en/resource/screening/laws and
http://volunteer.ca/en/resource/screening/resources

*ChoicePoint*
http://www.choicepoint.com
One of many providers of criminal background investigations and credit reports.

*Energize, Inc's Resource Library Page on Risk and Liability*
http://www.energizeinc.com/art/subj/risk.html
Lists a variety of resources that can help the manager of volunteers reduce the risk of accidents.

*The Federal Trade Commission's Fact Sheet for Employers*
http://www.ftc.gov/bcp/edu/pubs/business/credit/bus08.shtm
About obtaining consumer reports on employees and applicants, within the requirements of the Fair Credit Reporting Act.

*The Internet Nonprofit Center*
http://www.nonprofit-info.org

*The National Sleep Foundation*
http://www.drowsydriving.org
Offers a number of publications that can be useful in preventing "driving while drowsy" accidents.

*Nonprofit Risk Management Center*
http://www.nonprofitrisk.org
Offers publications on various aspects of volunteer risk management including *Coverage, Claims and Consequences: An Insurance Handbook for Nonprofits* provides an excellent overview of all major insurance coverages.

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*No Surprises Volunteer Risk Management Tutorial*
http://www.nonprofitrisk.org/tools/volunteer/no-surprises.shtml
A free, online tutorial on the subject of volunteer risk management from the Nonprofit Risk Management Center.

## POST READING SELF-ASSESSMENT

**Quick Quiz on the Featured Reading** *(Answers can be found below.)*

1. What is the most common accident that injures volunteers, and what are some typical causes?
2. When conducting safety training for a new volunteer, it is best to have a senior staff person work one-on-one with the volunteer. True or false?
3. Give a couple of examples of why it is a good idea to ask volunteers about medical conditions, such as allergies, they might have.
4. If a volunteer injures a client, the organization that engages the volunteer sometimes is sued. How might the organization be held liable for such an occurrence?
5. If a volunteer suspects that a child or an elderly person to whom he or she is assigned is being abused by someone, is it best for the volunteer to report the matter to the local department of social services, or to the police, or to his/her supervisor?
6. Give two examples of common vehicle accidents involving volunteers.

**Quick Quiz Answers**

1. *Slips and falls are the most common accident injuring volunteers. Icy conditions, and objects left in walkways, are often the cause.*
2. *False. Have an experienced volunteer train the new one. That reinforces the experienced volunteer's own training.*
3. *Working with chemicals, or in activities such as trash pickup where bees or other stinging insects might be present, can present a hazard to a volunteer with particular skins conditions or allergies.*
4. *Organizations might be held liable if they did not properly screen volunteers, or train them in their responsibilities.*
5. *The volunteer should be instructed to report the matter to his or her supervisor, rather than going directly to social services or the police, and risking a defamation suit. The supervisor should be responsible for investigating, and taking whatever further action might be appropriate.*
6. *Accidents at intersections; and backing into other vehicles, pedestrians, or stationary objects. Cold weather conditions often are a contributing factor.*

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## ASK THE TRAINER

Now that you've read this Guide, you can interact with the trainer! Ask questions to get advice for applying the information to your own setting.

**Discussion Board with Bill Henry when this Guide is the Featured Topic**

Access the board via your *Everyone Ready* Main Page.

Ask whatever is on your mind by posting a question on the discussion board, and the trainer will respond via the board within 48 hours. (You will be given the option to keep the exchange anonymous). You can also exchange comments, ask questions of other participants, and sign up to receive e-mail notifications of new postings to the board.

## TELL US HOW YOU LIKED THIS GUIDE

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William R. Henry, Jr., ABC, is director of Communications of The CIMA Companies, Inc., an insurance and risk management firm with headquarters in Woodbridge, Virginia, USA. The Volunteers Insurance Service (VIS®) program offered by CIMA is designed to address the accident and liability concerns that are shared by many volunteers, would-be volunteers and the nonprofit organizations that use their help. VIS® insures the volunteers of some 5,000 nonprofit organizations nationwide. More information is available from CIMA at (800) 468-4200, or at: http://www.cimaworld.com/htdocs/volunteers.cfm .

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