

# VIS® CONNECTIONS

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We are happy to provide you our publication for nonprofit risk managers, as part of our service to you. The titles in the contents section link directly to their articles. If you need to change the email address to which this is sent, please [contact us](#). Be sure to include your name, organization and address. You also are welcome to call us at 800.222.8920 for assistance.

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**“Mutual” volunteer experiences – a way to prevent misunderstandings and build success**

Has a good volunteer ever quit your organization, with an explanation such as this?

*When I started, I liked what I was doing because I was using my skills. But then people on the staff kept getting me to do other work. I don’t mind helping out in a pinch, but I felt like I was being pulled in too many different directions. I felt like community property, not a colleague.*

Or this?

*I like to work hard, and I want others around me to work hard, too. For the life of me, I can't tell what Julie does that supports this organization's mission. And I'm pretty sure she doesn't know what I did, either.*

Or have you ever discovered that a volunteer has been working outside the scope of his or her responsibilities, impairing organizational performance or even jeopardizing the mission?

It is a frequent topic at nonprofit conferences, and it can be a risk for any organization...losing good volunteers, or staff receptivity to working with volunteers, because of poor communication about goals, roles and responsibilities, and how each person supports the mission of the organization and the purpose of the volunteer position. Practicing "mutual" volunteer position planning, and performance evaluation, can help minimize the risk.

Paula J. Beugen is a Minnesota-based leader in volunteerism, with extensive experience in training, consultation and technical assistance to community and volunteerism leaders. She has mobilized, trained and supported thousands of volunteers during the course of her career, and is a strong believer in the "mutual" approach.

"This a valuable volunteer evaluation process, based on my experience," she says. "All involved partners participate in evaluating success towards the goal of the volunteer position or initiative, based on criteria for success agreed upon by those parties prior to the volunteer's start-date." Partners, she explains, can include the volunteer, the staff member who works directly with the volunteer, other staff members, board members, and community partners. "Remember to include the person or people served through the volunteer's work. That perspective is an essential piece of the success equation."

### **Training is key to mutual evaluation**

Paula emphasizes that training is essential, in order for staff to be prepared to work effectively with volunteers. Here is how one organization she worked with implemented mutual evaluation, beginning with a training program:

- Just as volunteers participated in required overall and specialized training sessions, staff members who worked in all types of roles and levels of responsibility were required to participate in training on working with volunteers.
- Staff training was required in order to qualify for volunteer referrals from the central volunteer program.
- This training counted towards staff development hours.
- Among other topics, the process of defining the potential volunteer position and preliminary development of corresponding evaluation criteria were a part of the session. (The volunteer would need to be identified and involved before finalizing these ideas.)
- Staff members did much of their own pre-planning during the session so they were doing their real work to prepare for volunteers, rather than going through hypothetical exercises. Much of their initial work was completed by the end of the session and they

had their next steps planned, including how they would apply their approach with each potential volunteer.

- The process for working with a volunteer included having a pre-service conference (planning session) with the potential volunteer and then carrying out a “mutual” mid-year and an end-of-year evaluation, based on the initially established criteria for success. (Additional communication, logs, etc. were completed between these formal evaluations, as applicable.)
- Key parties other than the volunteer and the direct supervisor participated in the evaluation process, either during the in-person meetings or in other ways, depending on the nature of the position.
- Written results of the evaluations were retained for future volunteer and staff references, placements, recognition, information about needed training, new volunteer program ideas, etc.
- Staff and volunteers adhered to the organization’s human-resources policies and other related policies, as did the overall volunteer program.

### **Questions to discuss at performance evaluation**

When it is time to evaluate volunteer and staff performance, discussion topics among the parties involved can include:

- What have we accomplished, in relation to our original criteria for success?
- What is working well?
- What do we need to do to improve results?
- What changes might lead to greater future success?
- What other specific evaluation indicators and instruments do we need to measure success?
- What will lead to the greatest level of satisfaction with the volunteer experience, for all parties?

“Mutual evaluation plays a huge role in relationship-building and learning,” Paula says. “It is important not only for immediate success, but also for volunteer retention, which can grow success for the longer term.”

### **Five keys to a *smooth* VIS renewal**

Thank you to all those who have already renewed your volunteer insurance coverage for the July 1, 2013 to July 1, 2014 policy period. If you have not yet paid the renewal premium, please keep in mind:

1. We must have full payment no later than the July 1 expiration date. Coverage cannot be backdated.

2. Please be sure to provide your current email address, in the space provided on the copy of the invoice you are returning with your payment.
3. Please note your client code (same as invoice number) somewhere on your check, so payment can be applied to your account.
4. We now offer a PayPal payment option, if that would be more convenient for you than issuing a check.
5. If your organization does not already purchase all three types of coverage we offer – accident medical reimbursement, volunteer liability and excess automobile liability – the renewal is a good time to add needed coverages. Just email us your client code (same as invoice number), the type of coverage to add, and the number of volunteers. We will issue a new invoice. Our email address is [volunteers@cimaworld.com](mailto:volunteers@cimaworld.com). Or you can just call Vicki Brooks or Joan Wankmiller at 800.222.8920. (NOTE: Any time you need to contact us for any reason, please provide your client code. Many organizations have similar names, and having your client code helps us be sure we have the right account.)

It's our privilege to have you participating in our Volunteers Insurance Service program.

#### **...and five keys to smooth claims-handling**

1. When reporting an accident medical claim, please make certain you are using the current QBE Proof of Loss form, which is on our website at <http://www.cimaworld.com/nonprofits/claims-what-to-do/>. Or just [email](#) Vicki Brooks or Joan Wankmiller or call them at 800.222.8920 and they can email you the current form.
2. Page 1 of the form MUST be completed and signed by the organization. Please do not give the form to the volunteer to complete and submit. The volunteer will complete page two of the form at the organization's request. It is then the responsibility of the organization, not the volunteer, to report the claim.
3. The Proof of Loss form MUST contain the organization's client code at the end of the first line on the form, after the sponsoring organization's name. Otherwise we might not be able to identify the organization, and the claim cannot be processed.
4. It is important to submit the proof of loss form as soon as an injury is reported, even if there are no medical bills at that time. Please fax the form, or scan it and [email](#) it to us.
5. For volunteer liability and excess automobile liability claims or potential claims, call Vicki or Joan right away, and they will take the information. Remember, the insurance policy requires "timely" reporting of claims, so it is important to contact us as soon as you know there *might* be a claim. Don't wait to see if the situation will resolve itself. Don't let your attorney decide whether to report the claim. Call us right away, so the insurance company can be put on notice.

## **VIS accident medical coverage instead of workers' compensation**

Sometimes an insurance company, insurance agent or state insurance department inappropriately suggests – or even insists -- that one of the organizations participating in our Volunteers Insurance Service program purchase workers' compensation insurance for its volunteers. When we have been aware of those situations, we have gotten involved, and are happy to do so again. Usually, the problem is that the laws of a particular state were not understood, and providing the correct information is all that is needed to solve the problem...and save our customer thousands of dollars.

State laws vary with respect to whether volunteers must be covered by workers' compensation. Currently, only 21 states have that requirement. A few make the requirement dependent on the type of volunteer activity involved. The Workers Compensation Research Institute ([www.wcrinet.org](http://www.wcrinet.org)) maintains a table of each state's requirements for workers' compensation coverage, including whether or not volunteers are exempt. "Workers' Compensation Laws as of January 2012" is available for purchase from the Institute. Or if you would just like to have the information for your state, you are welcome to email or call VIS Executive Director [William Henry](#) at 800.222.8920 or directly at 703.778.7310.

VIS accident medical liability coverage provides up to \$50,000 for volunteers who are injured while performing their volunteer work, or traveling to and from their assignments. The cost is \$3.94 per volunteer per year (increasing to \$4.25 effective July 1), which is considerably less expensive than workers' compensation insurance. The specimen policies for each state are on our Website, at <http://www.cimaworld.com/mtn/resources/policies/>. If you need an "intervention" with an insurance company, state insurance department representative, etc., you are welcome to call Vicki Brooks or Joan Wankmiller at 800.222.8920.

## **Disaster preparation – Boston's life-saving drills**

All but three of the more than 170 people injured by the bomb attack at the Boston Marathon survived, and the suspects were identified quickly, thanks to those who spent many days thinking about the unthinkable. It's a lesson for nonprofits and every other organization, each of which has its own unthinkables.

Two years ago, the city's police and fire departments, volunteer emergency medical services units, and hospitals engaged in extensive drills in how to respond in the event of multiple bombings. Doctors practiced triage, using mannequins as patients. Law enforcement and emergency responders practiced the logistics involved in transporting victims as quickly as possible for treatment.

When the attacks occurred, most victims were taken to the large emergency medical tent near the finish line within five minutes, and ambulances were on their way to area hospitals. It helped that there was a large concentration of medical personnel and equipment near the site, for the routine and expected care of runners. It also helped that the disaster occurred just before the 3 p.m. shift

change at Brigham and Women's Hospital, and all the employees who were preparing to leave stayed instead. But if not for the preparation two years earlier, it is certain that more victims would have died. Trauma surgeons said several were within minutes of dying when they arrived at the hospitals.

"We moved fast," was the concise understatement of Jim Hooley, chief of Boston Emergency Medical Services. So did law enforcement at every level, identifying the suspects -- out of a crowd of thousands of spectators -- within three days, and finding them before the week was out.

In your organization, have you brainstormed the unthinkable, and how you would respond? If not loss of life, what other losses are possible? Loss of a major source of funding? Loss of volunteers who are no longer happy in their work? Loss of reputation, because of someone's action? We need to ask, "What could possibly go wrong?" and be ready to confront any answer.

## **Background screening – How to decide who, what and when**

"Background screening." "Background check." What do those terms really mean? They might mean getting information on someone's criminal history, credit history, references from previous employers, motor vehicle records, possible inclusion in a sex-offender registry...or a combination of these. The nonprofit organization needs to determine what kind of screening/checking is appropriate for each staff or volunteer position, then apply those criteria to each person applying for or filling those positions.

Some information might be vital for some positions, but superfluous for others. For example, a criminal history check would be appropriate for anyone with access to sensitive client information or to bank records, but might not be required for someone performing administrative tasks under close supervision, without access to such information. If you anticipate promoting an employee or volunteer to a more responsible position, consider whether a criminal history or credit check might be in order first.

Would the person have keys to the warehouse? Would he or she be driving for the organization, going into clients' homes, or working with vulnerable clients? Even if the employee or volunteer has a stellar record in his or her current position, what risk exposures might come with the promotion?

Tailor your screening process to answer these questions:

- Does the person being considered for this position represent an unacceptable risk to clients, staff, other volunteers, or members of the community? If so, the organization would be creating a liability risk exposure for itself by engaging the person.
- Does the position itself pose an unacceptable risk to the person being considered, because of the skill required, hazards involved, physical limitations of the person, etc.?

Keep in mind that the Fair Credit Reporting Act and other federal laws, and their state counterparts, limit the information employers may legitimately obtain on applicants and employees. And in July 2011, the Federal Trade Commission determined that, under the Fair Credit Reporting Act, volunteers or volunteer applicants have the same rights as employees or employee applicants. A number of state laws restrict employers' use of someone's credit history or arrest records, for employment decisions. You also might wish to review the Equal Employment Opportunity Commission's recent guidance on "Consideration of Arrest and Conviction Records In Employment Decisions Under Title VII of the Civil Rights Act of 1964," at [http://www.eeoc.gov/laws/guidance/arrest\\_conviction.cfm](http://www.eeoc.gov/laws/guidance/arrest_conviction.cfm).

The basic legal standard for background checks is "reasonableness under the circumstances," and you do not want a judge or jury deciding whether the information you gathered was "reasonable" for a particular position. This is why it usually makes sense to engage a professional firm to fulfill your background check requirements. A good firm will be able to match the depth of its screening to the requirements of each staff or volunteer job, while complying with the ever-shifting legal requirements. (See **Resources**, below.)

### **Social media**

Some employers now are using social media to learn what they can about applicants, or even current employees. But if obtaining the information would be illegal on an application or in an interview, it probably is illegal to use if you obtained it through social media. For example, if you learn of someone's medical condition through a Facebook posting, that information could not be used legally in an employment decision. Make sure anyone involved in hiring and supervising employees, or managing volunteers, knows this. (See **Resources**, below, for more information on the risks of using social media for employment decisions.)

### **Standards and accountability**

Do not consider background screening – however you apply it to the staff or volunteer positions in your organization – a panacea. You might have an employee or volunteer who has never been arrested or even investigated for anything, and has a perfect credit score, but still would be capable of an act that harms the organization or those you serve. That is why you should have written standards for each position, and formal procedures for how staff and volunteers carry out their work, and enforce those standards and procedures.

Hold staff and volunteers accountable. Make sure supervisors understand that just because volunteers are unpaid, that doesn't mean they can't be disciplined, or even terminated, if they fail to follow your procedures. Sometimes in a close-knit organization, people can be reluctant to criticize others. But that reluctance creates a risk that can hurt you. As long as you put the organization and its mission first, you will be able to adhere to the standards and procedures you have established.

**Resources:**

Sterling Infosystems – [www.sterlinginfosystems.com](http://www.sterlinginfosystems.com) – Background screening services (NOTE: CIMA Volunteers Insurance customers are entitled to a discount of 20%). Contact Charles Cafaro at Sterling, 212.812.1036; [ccafaro@sterlinginfosystems.com](mailto:ccafaro@sterlinginfosystems.com).

“They can’t say that! Can they?” – Lead article in the October 2011 issue of *VIS Connections*, on the National Labor Relations Board’s views regarding employees’ ability to criticize their employers in social media. You can find that issue at [www.cimaworld.com/vis-connections/index](http://www.cimaworld.com/vis-connections/index).

“Preventing acts of dishonesty” – A checklist, from Volunteers Insurance Service. Email or call [William Henry](mailto:William.Henry@volunteerinsure.org), 800.222.8920, for a free copy.

*Staff Screening Toolkit – 3<sup>rd</sup> edition* – From the Nonprofit Risk Management Center. To order, click on the “Books” tab at [www.nonprofitrisk.org](http://www.nonprofitrisk.org).

**Live in the “show me” state**

Do you have volunteers show you – not just tell you -- they are able to perform tasks safely, before you allow them to begin? It’s a great way to prevent accidents.

One volunteer insured in our program was attempting to pull a nail from a board...for the very first time. Instead of prying the nail out with her claw hammer, she pulled straight up – toward her face – and the hammer slipped. That accident was the supervisor’s fault. Taking one minute to ask the volunteer to demonstrate how to use the hammer, and providing instruction as needed, could have prevented a disruptive accident, and some expensive dental work.

Don’t worry about offending the volunteer by requiring them to demonstrate safe technique, and training them even in simple tasks. There is no task too simple to mess up! Don’t let your volunteer discover how. Actually, they will appreciate the fact that you have put so much thought into their assignment, and they might learn some new skills.

If you have experienced volunteers train new ones, it’s a great opportunity to reinforce the veterans’ own knowledge, while reminding them you appreciate their skill and experience.

**New! The VIS risk management blog**

A lot can happen between quarterly issues of *VIS Connections*, that we would like to tell you about, and now we have a vehicle to deliver that information. VIS Executive Director William Henry’s blog is at [www.volunteerinsure.org](http://www.volunteerinsure.org). You can subscribe for weekly (usually), brief



(always) posts on risk management topics affecting volunteer-based organizations, and provide comments if you wish. If your organization has had experience with whatever topic is being addressed, please share what your experience has taught you, for the benefit of other readers.

## **Photos or videos from National Volunteer Week?**

If you have photos or videos from your organization's activity during National Volunteer Week in April and would like to share them with other nonprofits nationwide, let us help you. You can simply like us on Facebook ([www.facebook.com/cimaworld](http://www.facebook.com/cimaworld)) and post them there, or you can email them to VIS Executive Director [William Henry](mailto:William.Henry@vis.org) and he can post them on our YouTube channel ([www.youtube.com/volunteerinsure](http://www.youtube.com/volunteerinsure).) Please include a description of your activity, and any guidance you suggest for other organizations that might wish to plan a similar event.

### **A few suggestions for good quality in video and photos**

- If you are shooting indoors, use a well-lit room.
- For videos, get the camera as close to the subject(s) as possible, and have the subject(s) speak a little louder than normal. GOOD AUDIO is hard to get but is critical.
- Try to keep background noise to a minimum.
- Ask the subjects to start with a smile ... pause 3 seconds and then start talking – and end the same way. Ask them not to look away abruptly when they are done. A couple of extra seconds helps with editing.
- Unlike with riding a bike at night, it's best not to wear white for the camera! White bounces the light.

## **VIS members now eligible for discounts on products and services**

Volunteers Insurance Service Association now offers our members discounts from several top providers of products and services that might be useful, or even essential, to your operations. They include publications on nonprofit management; programs for scheduling and tracking volunteer activity; background checks; consulting; executive coaching; interim staffing; and training on a variety of nonprofit management topics, fundraising, social media and more.

To see what is available to you as a benefit of participation in VIS, please go to <http://www.cimaworld.com/nonprofits/vis-member-discounts/>. Instructions for identifying yourself as a VIS member are provided. If you have any questions or need help with taking advantage of the discounts, please contact VIS Executive Director [William Henry](mailto:William.Henry@vis.org) by email or at 800.222.8920.

## VIS® Commitment

Volunteers Insurance Service is committed to providing its members a complete resource for the nonprofit organization's risk management needs. Our services include:

- Publishing *VIS® Connections* as one of our information resources for members;
- Maintaining for members' use a library of information relating to management of risks in the nonprofit organization;
- Researching available and appropriate insurance relating to volunteer activities;
- Designing and administering insurance programs, and compiling underwriting information;
- Providing consultation on risk management issues at no additional charge to our members, via a toll-free line (800.222.8920 or 800.468.4200);
- Assisting members, on request, with matters relating to insurance.

Insurance and administrative services are provided to VIS® and its members by The CIMA Companies, Inc. and/or one of its affiliated companies.

VIS®'s Articles of Incorporation, Financial Information, and a list of the members of VIS®'s Board of Directors are available to VIS® Members upon request.

## CIMA licensing information

The following licensing information is being provided in order to comply with state governmental regulations:

Volunteers Insurance Service Association, Inc. is a risk purchasing group formed and operating pursuant to the Liability Risk Retention Act of 1986 (15 USC 3901 et seq.)

**Notice to Texas clients:** The insurer for the purchasing group may not be subject to all the insurance laws and regulations of your state. The insurance insolvency guaranty fund may not be available to the purchasing group.

**Notice to California clients:** License #0B01377 and #0A06046, CIMA Companies Insurance Services

**Notice to Minnesota clients:** License #009285 and #07544084, The CIMA Companies, Inc.

CIMA, one of its subsidiary companies and/or an authorized individual is licensed in all jurisdictions. Please contact CIMA at 800.468.4200 if you would like information about our licenses.