PART 428 - NATIONAL NRCS VOLUNTEER SERVICES – EARTH TEAM

SUBPART A - AUTHORIZATION

428.0 National NRCS Volunteer Services - Earth Team

A. Section 1526 of the Food and Agriculture Act of 1981 (Public Law 97-98) permits the Secretary of Agriculture to establish programs to use volunteers in carrying out programs of, or supported by, the Department.

B. Service under this program must be without compensation from NRCS and may not be used to displace any employee of the Department. Individuals providing voluntary service under this act are not Federal employees, except for the purpose of Chapter 81 of Title 5, United States Code (relating to Workers' Compensation), and Sections 2671 through 2680 of Title 28, United States Code (relating to tort claims).

C. According to USDA Departmental Regulation 4230-1, dated June 1997, individual volunteers under the Earth Team program must be 14 years of age or older. Supervisors must adhere to appropriate Federal, State, or local laws and standards regarding the employment of minors. Where there is a conflict, the most stringent of these should be applied. Volunteers can be enrolled as Earth Team Volunteers by using Forms NRCS-PER-001, Individual Volunteer Application, or NRCS-PER-003, Volunteer Group Application Form.

428.1 Student Volunteers

A. The Civil Service Reform Act of 1978 (Public Law 95-454, Section 301) authorized Federal Departments and agencies to accept student volunteer service.

B. Students may receive course credit from their school. The school and NRCS must enter into a written agreement that outlines the conditions or limitations of the student's volunteer assignment. (See Subpart J, Exhibits, Sections 428.95 and 428.96)

428.2 Authorization to Travel and Operate Government Vehicles

A. Volunteers may be authorized to perform official travel and be reimbursed accordingly.

B. Normal travel expenses are payable to volunteers by NRCS, as would be necessary for any non-Government traveler to conduct official NRCS business when authorized by Form AD-202, Travel Authorization.

C. Volunteers may be authorized by their supervisors to operate Government-owned or leased vehicles on official business, providing the following requirements are met:

(1) The volunteer has written authorization;
(2) The volunteer has a valid driver's license;
(3) The volunteer has no indications of health problems which would impair his/her ability to drive;
(4) There is no evidence that the volunteer has a driving record which indicates he/she is an unsafe driver; and
(5) When operating a Government-owned or leased vehicle, the volunteer has in his/her possession, at all times, a document identifying them as a volunteer. An Earth Team

Volunteer ID card or USDA Government ID may be used for this purpose. The USDA Government ID must be clearly marked "volunteer," indicating that the holder is not an "Official Government Employee."

428.3 Authorization for Payment of Incidental Expenses and Promotional Items

A. Public Law 97-98 provides authority to pay for volunteer promotional items and incidental expenses, such as transportation, telephone, parking, meals, and child care for volunteers, when such volunteers are engaged in work of the NRCS.

B. No incidental expenses can be paid to volunteers until Forms NRCS-PER-001, Individual Volunteer Application, or NRCS-PER-003, Volunteer Group Application Form, is completed and signed by both the volunteer and the NRCS representative.

C. Volunteers receive no salary from NRCS, but may be reimbursed for incidental expenses that include, but are not limited to, the following:

(1) Low-cost program identification materials, such as patches, pins, decals, T-shirts, caps, and other wearable items (these are considered incidental expenses rather than uniform items).
(2) Local transportation to and from the workplace (i.e., taxicab, subway, bus or privately owned vehicle). NOTE: Privately-owned vehicles will be reimbursed at the rate most advantageous to the Government.
(3) Parking fees, ferry fees, bridge, road and tunnel fees.
(4) Necessary meals and incidental expenses of the volunteer may be authorized while on official duty through either an individual negotiated fixed-rate method or an actual expense method. The negotiated fixed-rate or actual expense method shall not exceed the maximum allowed under Federal Travel Regulations for meals and incidental expenses (M&IE). Under the negotiated fixed-rate method, a rate is negotiated for each volunteer or group, depending on the expected or experienced cost of meals and other expenses. Do not construe a negotiated fixed-rate to be a flat-rate or stipend. A negotiated fixed-rate for any volunteer may only be used when arrived at through the individual negotiation process. Do not automatically apply it to any other volunteer, or use it in lieu of the required individual negotiation process that considers each volunteer's own personal needs, individual schedule and all other factors that determine what NRCS will cover and to what extent. If the negotiated fixed-rate method is used, record the negotiated rates in the remarks section of Forms NRCS-PER-001 or 003. For example, "meals-limited to $10.00 per day" or "parking limited to $7.00 per day," etc.
(5) Protective equipment, clothing, and supplies are provided in accordance with NRCS policy. All items remain the property of NRCS.
(6) Temporary duty travel in accordance with Federal Travel Regulations.

428.4 Authorization to Provide Space for Volunteers

An appropriate amount of space may be leased for use by volunteers. Space requirements for volunteers should be comparable to those of the Federal employees in the duty station.