

**MILLERSBURG BOROUGH
DAUPHIN COUNTY, PENNSYLVANIA**

RESOLUTION NO. 17-16

**A RESOLUTION SETTING POLICIES FOR THE USE OF COURT-ORDERED AND
VOLUNTEER COMMUNITY SERVICE LABOR PROVIDED TO THE BOROUGH OF
MILLERSBURG, DAUPHIN COUNTY, PENNSYLVANIA**

WHEREAS, individuals and groups routinely approach the Borough of Millersburg offering volunteer labor for the betterment of the community; and

WHEREAS, the elected and appointed officials of the Borough of Millersburg recognize the value of such volunteer labor; and

WHEREAS, certain individuals are ordered by the court system to perform community service as part of a sentence for minor criminal acts; and

WHEREAS, the Millersburg Borough Council desires to set certain policies governing volunteer activities provided to the Borough.

THEREFORE BE IT RESOLVED, that the Millersburg Borough Council sets the following policies governing the use of volunteer labor performed for the benefit of the Borough of Millersburg:


1. It is expected that anyone wishing to perform community service discuss any volunteer proposals or court orders with the Borough Manager in advance. Failure to gain preapproval could result in any service hours being invalidated or otherwise not recognized as "official."
2. Excepting bona fide community service groups, school groups and special events such as "Take Our Daughters and Sons to Work Day," no individual under the age of 18 may be offered community service for the Borough of Millersburg.
3. School and community groups comprised of minors must be accompanied and supervised by at least one adult who is an official representative of the school or organization. The Borough Manager reserves the right to request proof of insurance from school or community groups engaged in formal community service activities.
4. The children, stepchildren, grandchildren, nieces, nephews and other close relatives of full-time employees are authorized to participate in "Take Our Daughters and Sons to Work Day" and similar such activities. In such cases, the employee's supervisor shall be notified in advance and the employee is responsible for overseeing the child.
5. The Borough Manager may deny any individual the opportunity to perform court-ordered community service for the Borough based on the nature of the criminal conviction and/or past work performance. When making such a determination, the Manager shall be governed by the Borough's most current statement of non-discrimination.
6. The Borough Manager shall use his/her best judgement in determining whether or not to offer community service to individuals charged with theft and/or sexually-based offenses, particularly against minors. The Manager shall balance the needs of the community against the potential threat to community and the Borough.
7. The Borough Manager may assign supervision of community service workers to the public works department or personally supervise them. The Manager shall give the public work department adequate notice of any community service workers assigned to that department.
8. Community service workers shall not operate any hand or power tools upon which they are not properly trained nor shall they drive any Borough vehicles.

9. The Borough Manager or public works crew leader may dismiss any community service worker for substandard work, safety violations, drunkenness/intoxication, disruption of the normal work flow, inappropriate representations of Millersburg Borough, harassment of Borough employees or citizens, inappropriate clothing or any other act prohibited by the Employee Manual (as amended). Community service may also be denied due to a lack of available work.
10. Borough employees shall treat all community service workers with proper respect and decorum. Harassment and discrimination policies apply to Borough employees who interact with community service and other volunteer workers.
11. Personal protective equipment shall be provided to community service workers as appropriate. The Borough Manager may require community service workers to wear appropriate apparel.
12. It is the responsibility of the community service worker to retain and submit any paperwork required by the Court. The Borough Manager shall be responsible for approving any record of hours worked. The Borough assumes no responsibility for reporting any time worked to the Court.
13. It is further the responsibility of the community service worker to track all hours assigned and make appropriate personal scheduling arrangements. It is not the responsibility of the Borough Manager or other employees or officials to make special arrangements to ensure that the court-ordered community service hours are completed.
14. Community service workers are in no way construed to be an employee. They should expect no remuneration for work performed nor are they offered worker's compensation coverage.
15. The Borough Council may elect to carry an insurance policy to cover injuries sustained by volunteer workers.
16. Any individual or group engaging in community service that has not been pre-approved by the Borough Manager does so at his/her/their own risk. The Borough assumes no liability for damages caused or injuries sustained in work that has not been pre-approved.
17. Unless another statute or rule applies, the value of any such community service labor will be calculated at the current minimum wage rate for any necessary reporting purposes.
18. The Borough Council recognizes that a legal Court Order could supersede certain elements of this policy. In such cases, the Borough Manager is authorized to make appropriate modifications to these policies for the sole purpose of complying with a legal Court Order.

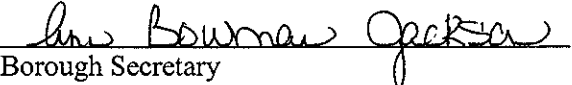
RESOLVED this 13th day of September, 2017.

BOROUGH OF MILLERSBURG

By:


President of Council

ATTEST:


Borough Secretary