

# **Government Codes §3110 through §3119.5: California State Government Volunteers Act.**

## **Article 1**

### **GENERAL**

#### **3110. Short title**

This chapter shall be known and may be cited as the California State Government Volunteers Act.

#### **3111. Definitions**

As used in this chapter:

- (a) "Volunteer" means any person who, of his own free will, provides goods or services, without any financial gain, to any state agency, as defined in Section 11000;
- (b) "Administrative volunteer" means any person serving voluntarily on boards, commissions or other similar bodies with California state government; and
- (c) "Direct service volunteer" means any person involved in specific volunteer service that includes one to one relationships or assistance to recipients of government services.

#### **3112. Legislative findings and declarations**

The Legislature finds and declares that:

- (a) Since the spirit of volunteerism has long animated generations of Americans to give of their time and abilities to help others, the state would be wise to make use of volunteers in state service wherever practically possible.
- (b) The spirit of citizen initiative and self-reliance that has prevailed throughout the United States for over the past two centuries needs to be recognized and fostered whenever possible in meeting the basic human needs in the state.
- (c) In every community or neighborhood there are individuals who, by their personality, concern, experience, commitment, and training, can serve as citizen action leaders.
- (d) There presently exists sufficient resources to assist citizen action efforts. There are an infinite number of skilled, experienced community groups, and volunteer organizations available to help mobilize citizen initiatives. Such groups include business and fraternal organizations, churches, women's organizations, voluntary action centers, schools and other community organizations in both the public and private sectors.
- (e) Legal and market disincentives and impediments need to be eliminated in order to establish an optimum environment for citizen initiative and volunteer action.
- (f) There is a need for a clearinghouse, to provide information concerning resources and alternatives to foster self-reliance and citizen action.

(g) It is not the intent of the Legislature that volunteers replace or supplant public employees, where such employees are providing services deemed necessary for the government to perform, but that they add new dimensions to providing of governmental services.

## Article 2

### OFFICE FOR CITIZEN INITIATIVE AND VOLUNTARY ACTION

#### **3113. Office**

There is in the Office of the Governor an Office for Citizen Initiative and Voluntary Action, hereinafter referred to as "office", to advocate and encourage citizen initiative and volunteer action.

#### **3114. Administration by director; annual report**

The office shall be administered by a director who shall be appointed by and report to, the Governor.

#### **3115. Funding**

In addition to funds otherwise provided, the office shall be supported by federal funds. Initial state funding for the office for fiscal year 1978-79 shall be allocated from the Governor's Contingency Fund.

#### **3116. Recruitment, training and acceptance of volunteers to assist state departments and agencies**

In order to maximize the involvement of volunteers in state government, the office is, hereby, authorized in order to develop effective citizen involvement to assist state departments and agencies to recruit, train, and accept the services of volunteers, including direct service volunteers or administrative volunteers, to supplement the programs administered by each state department.

Specific authorization is, hereby, granted to the office to:

- (a) Take such actions as are necessary and appropriate to promote the active participation of volunteers to enhance and enrich state programs;
- (b) Take such actions as are necessary and appropriate to ensure a receptive and open climate for citizen volunteers within state government and develop meaningful opportunities for volunteers involved in state programs; and
- (c) Take such actions as are necessary to ensure that volunteers and paid staff understand their respective duties and responsibilities, their relationship to each other, and their respective roles in fulfilling the objectives of state government, including clearly established policies which specify that volunteers are not intended to supplant or replace regular public employees but are to augment regular staff functions and programs.

#### **3117. Goals**

The goals of the office shall be as follows:

- (a) To foster the spirit of citizen initiative and voluntary action among businesses, industries and individual citizens in the community;
- (b) To enable adequate communication and collaboration whereby individuals and agencies may converse with each other to initiate new programs or

improve existing programs for citizen initiative and voluntary action at the local level;

- (c) To identify untapped human, technical and material resources that can be mobilized for the public good through citizen initiative and voluntary action;
- (d) To open up the process of government and social institutions and to provide a common ground for two fundamental concepts, i.e., volunteerism and citizen initiative, to be brought together in mutually supportive relationships as a basis for better service; and
- (e) To achieve an effective and permanent expansion of citizen initiative and voluntary action in community problem solving and citizen participation in the delivery of government services.

## **Article 3**

### **VOLUNTEERS**

#### **3118. Compliance with state policy and regulations**

All volunteers shall comply with applicable department and other state policy and regulations. It shall be the responsibility of the state department in which a volunteer participates to insure this compliance.

#### **3119. Authorization to utilize volunteers; obligation to provide staff; rules; understanding of duties and responsibilities**

Each state department or division is hereby authorized to utilize the services of volunteers. Each state department or division utilizing the services of volunteers shall:

- (a) Provide sufficient staff for the effective management and development of volunteer programs.
- (b) Develop written rules governing job descriptions, recruitments, screening, training, responsibility, utilization, supervision, and insurance of volunteers.
- (c) Take such actions as are necessary to insure that volunteers understand their duties and responsibilities.

#### **3119.1. Inapplicability of article to certain use of volunteers**

The provisions of this article shall not apply to the Department of Aging's use of volunteers, pursuant to the provisions of Titles III (42 U.S.C. 3021 and following), V (42 U.S.C. 3041 and following), and VII (42 U.S.C. 3045 and following) of the Older Americans Act.

#### **3119.2 Advisory body; public employee review committee**

- (a) There is hereby created, within the Office for Citizen Initiative and Voluntary Action, an advisory body which shall be known as the Public Employee Review Committee.
- (b) Membership on the committee shall consist of nine members appointed by the Governor. The Governor shall select the members of the committee from lists or nominations prepared by recognized public employee labor unions, organizations, and associations. Membership on the committee shall be proportional to the numbers of persons in the state service represented by each union, association, or organization.
- (c) Membership on the committee is completely voluntary and no member shall be reimbursed for expenses incurred in fulfilling the obligations of the committee.
- (d) The committee shall analyze actions of the office, critique the effectiveness of the office, make relevant recommendations to the office with respect to volunteerism, and provide its determinations thereon to the office for

incorporation into the annual report required to be submitted by the office to the Legislature.

## **GOVERNMENT CODE SECTION 3119.5: Senior Volunteers**

**3119.5.** Notwithstanding Section 3118, any state or local agency that chooses to utilize volunteers shall implement a policy whereby no person aged 60 years or older may be excluded from volunteer service if the person is physically, mentally, and professionally capable of performing the services involved. A person shall be deemed professionally capable if he or she can demonstrate reasonable proficiency or relevant certification and performs his or her professional duties in accordance with laws, regulations, or technical standards governing his or her area of volunteer responsibility.