

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, DECLARING THAT ALL AUTHORIZED AND REGISTERED VOLUNTEERS SHALL BE DEEMED TO BE EMPLOYEES OF THE CITY FOR THE SOLE PURPOSE OF PROVIDING WORKERS' COMPENSATION COVERAGE WHILE PERFORMING SUCH VOLUNTEER SERVICE, AND REPEALING RESOLUTION NO. 22348.

WHEREAS, the City of Riverside utilizes the services of unpaid volunteers within a number of its offices and departments, and in a variety of capacities including work-study and intern positions; and

WHEREAS, Section 3363.5 of the California Labor Code provides that a person who performs voluntary service without pay for a public agency, as designated and authorized by the governing body of the agency, shall, upon adoption of a resolution by the governing body of the agency so declaring, be deemed to be an employee of the agency for the purpose of Division 4 (Workers' Compensation and Insurance beginning at §§3300 et seq.), of said Labor Code while performing such volunteer service; and

WHEREAS, Section 3363.5 of the Labor Code defines "voluntary service without pay" to include those services performed by any person, who receives no remuneration other than meals, transportation, lodging or reimbursement for incidental expenses; and

WHEREAS, the City Council wishes to extend workers' compensation coverage as provided by state law to those persons providing voluntary service without pay to the City as hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside, California, as follows:

Section 1: That persons who perform voluntary service without pay as authorized and registered pursuant to Section 2 of this Resolution shall be deemed to be employees of the City of Riverside for the sole purpose of providing workers' compensation coverage as set forth in Division 4 of this Labor Code while performing such voluntary service. This Section does not make a

1 volunteer an employee of the City of Riverside for any other purpose nor enlarge upon any other
2 right, duty or responsibility of a volunteer or of the City.

3 Section 2: Workers' compensation benefits shall be extended to all persons designated as
4 City of Riverside volunteers who have:

- 5 1. met all of the following requirements: (a) submitted a City volunteer application form to
6 serve as a volunteer; (b) been selected by a department or office to perform City service; (c)
7 passed a City administered live scan background screening; and (d) received approval in
8 writing to commence volunteer service granted by either the Human Resources Director or
9 designee, or Chief of Police or designee, or
- 10 2. met all of the following requirements: (a) submitted an application to serve as a Board or
11 Commissioner member as appointed by the City Council and/or Mayor; (b) been appointed
12 by a City Council member and/or Mayor to a City Board or Commission; (c) passed a City
13 administered live scan background screening or a police background check; and (d) and have
14 been sworn in by the City Clerk as a Board Member or Commissioner.

15 Section 3: The workers' compensation benefits to be provided to the volunteers as herein
16 above stated shall be limited to those benefits required by state law and shall not include any
17 additional benefits as may be provided by the City to its employees.

18 Section 4: Resolution No. 22348 adopted by the City Council is hereby repealed.

19 ADOPTED by the City Council this _____ day of _____, 2016.

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22 _____
23 RUSTY BAILEY
24 Mayor of the City of Riverside

25 Attest:

26 _____
27 COLLEEN J. NICOL
28 City Clerk of the City of Riverside

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1 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the
2 foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City at
3 its meeting held on the _____ day of _____, 2016, by the following vote, to wit:

4 Ayes:

5 Noes:

6 Absent:

7 Abstain:

8
9 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
10 City of Riverside, California, this _____ day of _____, 2016.

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12 _____
13 COLLEEN J. NICOL
14 City Clerk of the City of Riverside
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