

Protection for Appalachian Trail Volunteers under Federal Volunteers in Parks and Volunteers in Forests Programs

Volunteers working on the Appalachian Trail under the auspices of either the U.S. Forest Service (USFS) or the National Park Service (NPS) are entitled to certain protections as authorized by two separate laws:

- Volunteers in the National Parks Act of 1969, known as VIP;
- Volunteers in the National Forests Act of 1972, known as VIF.

Under the VIP and VIF acts, volunteers are considered to be federal employees for the purposes of:

- 1) Compensation for work-related injuries or illnesses under the Federal Employees Compensation Act, relating primarily to costs for medical care in case of injury or illness;
- 2) Protection from tort claims under the Federal Tort Claims Act that may be filed by anyone claiming to have sustained personal injury or property damage due to the actions of a volunteer;
- 3) Claims relating to damage or loss of personal property of the volunteer while performing volunteer service.

Volunteers are not considered to be federal employees for purposes of pay, benefits, retirement, or unemployment compensation.

Most A.T. volunteers are covered by a group agreement (Form 1800-8) with either the National Park Service or the U.S. Forest Service. Volunteers working on the A.T. on lands administered by the National Park Service, by a state agency, or any other non-USFS lands fall under VIP. A group agreement between ATC and the NPS-Appalachian Trail Park Office, under which the Appalachian Trail clubs are subgroups, covers those volunteers. Trail clubs with assigned sections on USFS lands each need a separate group agreement to be covered for work on USFS lands. Contact your ATC regional office or district ranger for more information.

To be covered under the VIP and VIF group agreements, a worker must be listed in Trail club records as a member or be listed on a roster as a participant in a club work party. This roster should be completed prior to the beginning of the work trip and should be retained—it is considered to be an extension of the group agreement. Clubs need to be diligent about maintaining these records, which will be needed in case of a claim.

Individual volunteers who are not affiliated as a member or work-group participant with a local A.T. club must have a completed individual agreement (Form 1800-7) between themselves and either the NPS or USFS.

For protection under either VIP or VIF, volunteers must be working within the scope of their volunteer agreement and must follow basic safety practices, including a daily pre-work safety briefing (tailgate safety session), use of all required personal protective equipment, and obtaining required training and certifications for specific tasks (for example, operating a chain saw or crosscut saw).

Coverage

For injuries and illnesses resulting from work on the Appalachian Trail, VIF and VIP volunteers *are entitled* to compensation for:

- First-aid and medical care (including hospital care when necessary);
- Incidental transportation expenses (when travel is necessary to receive medical care); and
- Certain burial and funeral expenses if death occurs.

VIF and VIP volunteers *are not entitled* to:

- Continuation of pay (compensation for time lost from their regular job);
- Reimbursement for injuries sustained during law-enforcement or fire-suppression activities;
- Reimbursement for injuries suffered as a result of motor-vehicle accidents on the way to or from volunteer activities.

This volunteer coverage is provided through the federal Office of Workers Compensation Programs (OWCP) of the U.S. Department of Labor. It is not considered to be insurance. The coverage process requires timely and specific reporting through the appropriate USFS or NPS personnel and can involve significant time delays between submission of claims and actually payment to service providers.

Regardless of whether pays a volunteer's treatment is paid for by personal insurance or the federal government, a report of injury form ([CA-1](#)) or report of illness form (CA-2) should always be completed and submitted to the appropriate agency. In the event that future treatment becomes necessary, that form serves as proper documentation of the incident.

Injuries

Injuries may require immediate response when they occur. Specific instructions in case of injury are available on ATC's website at www.appalachiantrail.org/volunteerprotection or in paper form from ATC regional offices. *Club leaders and volunteers should be familiar with the contents of the Volunteer Injury Packet and ensure that it is complete, including specific local information, before an accident resulting in injury occurs.*

If an injury occurs, volunteers should be prepared to:

- 1) Provide immediate care and first-aid.
- 2) Seek emergency treatment by a medical provider if needed.
- 3) Report the injury to the appropriate agency authorities (ideally before medical care is sought, or as soon thereafter as possible). All injuries should be reported within 24 hours of occurrence.
- 4) Document using the report of injury form [CA-1](#) *even if medical treatment is not sought*. Be sure to include witness statements. This form serves as documentation of the injury and must be completed. In the event that future treatment becomes necessary, this form serves as proper documentation of the incident.
- 5) Follow up with agency and ATC staff.

Illnesses

Work-related illnesses such as heat stress and Lyme disease can occur. The procedure to follow is the same as with injuries, except that form CA-2 (report of illness) is used instead of Form CA-1. Form CA-2 is available by contacting the appropriate agency or ATC regional office.

Tort Claims and Damage Claims

In case of a potential tort claim or personal property damage claim, volunteers should contact both the appropriate agency and ATC regional office.

Responsibilities

Both the National Park Service and the U.S. Forest Service require basic safety training of workers and satisfactory supervision for volunteers. These are shared responsibilities of volunteers, Trail clubs, and ATC and federal-agency partners under the VIP and VIF programs.

Volunteers have the responsibility:

- To make sure they have sufficient training and equipment to do the work safely. Appalachian Trail club and ATC representatives have information on safety training and supervision.
- To make sure Trail club work records include them by name and that they report their work and work hours to their club supervisor or record-keeper.
- To promptly report any injury or illness that occurs while they're working on the A.T. and to fill out accident ([CA-1](#)) or illness (CA-2) report forms as soon as possible. Safety training will include direction for completing forms and for reporting.
- To know where to seek medical care if they need emergency treatment.

Appalachian Trail maintaining clubs have the responsibility:

- To provide work and safety training and supervision in cooperation with ATC, NPS, and USFS.
- To keep accurate records of work groups, dates, tasks, and names of participants.
- To be familiar with the U.S. Department of Labor's Office of Workers' Compensation Programs (OWCP) reporting forms and procedures.
- To maintain contact with the federal agency personnel and to supervise individual volunteers.
- To work with the federal agencies to determine future work plans.

ATC and the federal agencies have the responsibility:

- To provide work and safety training and supervision in cooperation with A.T. clubs.
- To make sure Trail club work records are complete and the agreement reflects as covered participants those who are on club records as members.
- To ensure that anyone who is working with the Trail club who is not a club member is included on rosters for club work trips or is covered under an Agreement for Individual Voluntary Services or another Agreement for Sponsored Voluntary Services.
- To assure adequate administration of OWCP claims and documentation to that end.
- To work with maintainers and Trail clubs to assure safe and effective operations, development, maintenance, and monitoring of the A.T.