

Are you a trailblazer?

By Debbi Sellers

Many WCIA Members have large open or wooded spaces that are ideal for hiking trails, but the resources to build and maintain such a trail system may not be available. Members may therefore, be considering using a volunteer group that has offered to construct the trail system. While this may seem like a good solution to the problem there are certainly risks associated with this choice.

If a Member doesn't have the staff and funds available to build its trail system and is considering using volunteers, the Member will first need to complete the planning and design for the trails. The Member may have staff with the appropriate expertise in building and constructing trails. If not, the Member should hire a contractor or possibly a landscape architect to perform these services. During the planning and design phase, the Member or contractor should address issues that include, but are not limited to, the layout of the trail system, equipment and materials required during construction, ADA and other accessibility concerns, slope and drainage.

Next, the Member should decide if it will be using its own volunteers or an outside volunteer organization. If the Member is considering using its own volunteers, the Member will have responsibility for recruiting, screening, training and most importantly supervising the volunteers during the entire project. The Member should do the following to assist in the screening and recruiting of volunteers, including but not limited to:

1. Develop position descriptions for the trail builder volunteers, including the duties and responsibilities for each position needed.
2. Create a volunteer application, if one doesn't already exist, that volunteers will be required to complete.
3. Determine the criteria volunteers must meet, which may include, but not be limited to minimum age requirements, time commitment, references, and acceptable background screening.
4. Volunteers chosen for the project should be required to sign a volunteer agreement which includes, but is not limited to, assumption of the risk, release and liability waiver, description of duties, rules of conduct and authorization for emergency medical treatment. *(For further information, please refer to WCIA's Sample Individual Volunteer Service Agreement; PER.02.01, in the Liability Resource Manual. The Liability Resource Manual is available through the Member Resources page on the WCIA website: <http://www.wciapool.org/member-resources>.)*
5. Determine the number of volunteers needed for the project, a time table for the work to be completed and what staff is available for supervision of the work and volunteers.

Once volunteers have been recruited, the Member should conduct any necessary training, which would include, but not be limited to, safe and proper use of tools and personal protective equipment, procedures for reporting injuries, copies and review of pertinent policies such as anti-harassment, code of conduct and safety and who to contact with questions. This training should be documented and include the names of the volunteers trained, the date, time and location of the training and the name of the trainer(s).

A Member that wishes to use a volunteer group or non-profit organization for the building and construction of trails should enter into a contract that includes, but is not limited to the following:

1. A statement that the group is providing all volunteers and is solely responsible for any and all training and supervision.
2. Expectations for behavior and conduct, including prohibiting volunteers from appearing for volunteer service under the influence of any drugs or alcohol.
3. Requirement for Commercial General Liability Insurance with minimum limits of \$1,000,000 per occurrence and \$2,000,000 aggregate. The Member should be listed as an additional insured and the insurance policy should be endorsed to be primary over and not contribute to coverage that the Member has with WCIA.
4. Indemnification, defense and hold harmless language in favor of the Member.
5. Requirement that any signatory to the contract has the legal authority to enter into and bind the group to the contract.

Please refer to WCIA's Sample Organizational Volunteer Service Agreement; PER.02.02, in the Liability Resource Manual for more information. *(See previous page for the link to the manual.)*

When using a separate volunteer group for the trail construction, the Member should keep in contact with the group throughout the project. In addition, Member employees should complete onsite inspections to ensure the plans are being followed, the work is being performed safely and correctly, and that there are no emerging concerns or issues with the project.

Once construction of the trail system has been completed, the Member should post signage providing information to include, for example, when the trails are open for use, warnings of any known dangerous artificial latent conditions, rules for use of the trails and a map of the entire trail system. Finally, the Member should develop a schedule for maintaining the trails. All maintenance should be documented whether it is being performed by staff or volunteers.

For more information or assistance with this topic, please contact your assigned WCIA Risk Management Representative.