

To Volunteer or Not? Volunteering During the Instructional Day

There are a number of circumstances in which ETFO members may feel they should volunteer in schools. Many members volunteer in classroom settings before beginning to teach in hopes of securing a spot in Teacher Education Programs. ETFO members working on a part-time or occasional basis may feel volunteer work will improve their chances of being hired for full-time, permanent contracts, long term occasional work or work as an educational assistant (EA), designated early childhood educator (DECE), professional support personnel (PSP) or education support personnel (ESP). Others may have been absent for various reasons and may wish to volunteer as part of a return to work, or as a way to reintroduce themselves to the school setting.

Professional Liability

Professionally, any member volunteering services must be aware of their ongoing obligations and accountability to the College to which they belong. Whether you are a member of the Ontario College of Teachers or the College of Early Childhood Educators, you could potentially be at risk if an allegation or complaint is made.

Whether your volunteer activity involves contact with students, parents, colleagues, or other members of the school community, you are at risk of being the subject of complaints about your conduct. If you are working in a school in a paid capacity and are also volunteering in that school, the distinction between your paid and unpaid work may not be understood by other members of the school community: they may see you as teacher or DECE, no matter what your arrangement is with the school board. They will expect the same level of professionalism regardless of the duties you perform: it is likely that your College will also share the same view.

It is important to remember that the *Child and Family Services Act* does not clearly distinguish between paid or volunteer activities when it comes to the duty to report suspicion of harm or risk of harm. This statutory duty rests generally with any person who performs professional or official duties with respect to children.

Ongoing Risk and Limited Protection

Members volunteering for school boards must recognize that they have ongoing risks when volunteering with limited protection.

The protections and entitlements negotiated for ETFO members generally only apply to paid positions, not to volunteer activities. An exception to this may occur where the volunteer work arises through a medical accommodation process agreed upon between the union and the employer.

The legal assistance provided by ETFO in College, CAS, civil and criminal matters is generally limited to complaints arising in the course of performing employment duties. You are not covered for issues arising during volunteer activities outside your professional obligations.

Entitlement to benefits under the *Workplace Safety and Insurance Act* may also limit your activities. Your employer only pays premiums for employees based on payroll: injuries arising from volunteer activities may not provide entitlements under the *Act*. For example, if you are working in a part time assignment and you volunteer for a skating event or a skiing trip during unpaid time, you may not be covered by Workplace Safety and Insurance Board. The injury could prevent you from working and limit your ability to secure a full time permanent contract or a long term occasional assignment.

What is your role in the school?

Confusion about your role may put you and your colleagues at risk of liability as well. If you have a partial assignment in your school and also work in a volunteer capacity, you have to be careful about your role while in that volunteer portion. For example, while in the school as a volunteer, you should not agree to cover a colleague's class or let your colleague leave the class under your supervision. It is important that your colleagues recognize that you are not acting as a teacher in the school in the time period when you are actually volunteering.

Working for no pay?

Working for no pay is not something ETFO views to be in a member's best interest. Your professional services are valuable to the employer and the education community. Work should be compensated. If work performed by volunteers is work of bargaining unit employees, then performing such work voluntarily may be depriving colleagues of paid work and may be contrary to one or more collective agreements. Other bargaining units outside ETFO may have specific language around not volunteering. Collective agreement rights may be an issue where a teacher volunteers to teach, a DECE volunteers to perform a DECE role, or a volunteer does the work of an EA or child youth worker.

Tips

If you do decide to volunteer for your employer or another school board, there are several tips that you should bear in mind:

- Volunteering in a school setting is by choice and members should not be coerced or pressured by promises of full-time work.
- There should be a formal written plan in place clarifying the scope of your volunteer role.
- The hours of the volunteer work should be formalized.
- If you are not being paid as a classroom teacher, DECE, EA, PSP or ESP, you should not be taking on the responsibilities of that position. The classroom teacher must have all responsibility for planning, supervision, discipline, assessment, communications with parents and teaching.
- All parties should be aware of the limitations you have in your volunteer capacity: this includes staff colleagues, students, and parents. It must be clear that you are attending in a volunteer capacity.
- Continue to conduct yourself professionally. Maintain boundaries. Maintain reliable, diligent, and professional work habits. Maintain positive, professional relationships with staff. Recognize that you are in an employment environment. If you would not do something as a teacher or DECE, don't do it as a volunteer.

- Minimize your involvement in activities that will expose you to risk of injury or liability for which you have no or limited coverage.
- Ensure that the volunteer placement is limited.
- Be sure to notify the school administration when participating in a field trip or event outside your paid assignment.

You can also refer to ETFO's [Policy Statement 85.0](#), *Volunteers in the Work Site*, for additional information.

For further information contact Professional Relations Staff at 416-962-3836 or 1-888-838-3836 at the provincial office. See also ETFO's website www.etfo.ca – Advice for Members.

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