

RESOLUTION No. 2012-11-01

**RESOLUTION OF THE GOVERNING BOARD OF
THE MUIR BEACH COMMUNITY SERVICES DISTRICT,
DECLARING THAT VOLUNTEERS, WORK-STUDY, AND INTERNS SHALL BE
DEEMED TO BE EMPLOYEES OF THE DISTRICT FOR THE PURPOSE OF
PROVIDING WORKERS' COMPENSATION COVERAGE FOR SAID
VOLUNTEERS, WORK-STUDY, AND INTERNS WHILE PROVIDING THEIR
SERVICES.**

WHEREAS, the Muir Beach Community Services District utilizes the services of unpaid volunteers, work-study, and interns in positions within a number of its departments; 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 or its designee, 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 of said Labor Code while performing such services; 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 Board of Directors wish to extend Workers' Compensation coverage as provided by State law to those persons providing voluntary services without pay, work-study, and intern services to the District.

NOW, THEREFORE, BE IT RESOLVED, that persons who perform voluntary service without pay, work-study, and interns be deemed to be employees of the Muir Beach Community Services District for the purpose of Workers' Compensation coverage as provided in Division 4 of the Labor Code while performing such service. However, said volunteer, work-study, or intern will not be considered an employee of the District for any purpose other than for such Workers' Compensation coverage, nor grant nor enlarge upon any other right, duty, or responsibility of a volunteer, work-study, and intern, nor allow said volunteer, work-study or intern to claim any other benefits or rights given to paid employees of the District.

PASSED, APPROVED AND ADOPTED this November 14, 2012 by the following vote:

AYES: Shaffer, Bender, Lambert, Rudnick, Fitzpatrick
NOES: None
ABSENT: None



Steven Shaffer, Board President
Muir Beach Community Services District

APPROVED AS TO FORM:

