

Other Factors to Consider

Insurance

Workers' compensation insurance covers employees, however, in general volunteers are not covered. Insurance policies vary from provider to provider therefore, organisations should speak with their insurance companies to determine if volunteers (even volunteer board members) are covered for:

1. Public liability
2. Protector/association insurance
3. Property insurance
4. Motor vehicle insurance

Source: Volunteering Australia

Privacy

Similar to employees, a volunteer is protected under the requirements of the Privacy Act 1998. The Privacy Act governs collection, protection and disclosure of information provided to a volunteer involving organisation.



Risk Management

Handled in a professional manner, a comprehensive risk management plan gives both employees and volunteers the confidence to undertake their duties without fear of harm or legal action. Exposure to potential liabilities should be regularly and strategically identified, assessed, managed and evaluated.

Also see:
Resource 1 - Employees and Volunteers: Understanding the Difference
Resource 2 - Employees and Volunteers: Management of Roles

Intellectual Property

In an employment relationship, it is generally implied that the employer owns the intellectual property (IP) created by employees during the course of their employment. IP ownership is commonly detailed within an employment contract. Conversely, the law considers that IP created by a volunteer belongs to the individual unless an understanding has been reached prior to its creation (e.g: within a volunteer agreement).

Work, Health and Safety

Organisations are required by law to ensure the safety for everyone who is involved with the activities of the organisation whether it be a volunteer, paid employee or contractor. Two laws govern safety:

1. Common law
2. Work health and safety legislation

Source: Volunteering Australia

Payments and Reimbursements

Payments can be made to volunteers as honoraria and allowances, however, these payments cannot be in direct exchange for time contributed to the organisation. Both volunteers and employees are entitled to reimbursement for authorised out of pocket expenses. As a general rule, volunteers are not required to pay tax on reimbursements, although, honoraria and allowances can be subject to tax dependent on the recipients' circumstances.

This fact sheet is a summary of the issues paper - Understanding the differences between your volunteering and employee workforce created by Volunteering Tasmania 2018. For more information visit www.volunteeringtasmania.org.au

Disclaimer:
Volunteering Tasmania has prepared this Issues Paper in good faith to create an awareness of the issues that may impact on volunteer involving organisations who engage both volunteers and paid staff. Changes in circumstances, such as advancements in legislation, may impact on the accuracy of the information contained within. This Paper should not be used as a substitute for professional advice from a registered, practising professional.