**Information from Alice Price regarding how workers compensation coverage is working for MVS Alamosa in 2021.**

**From:** Alice Price
**Sent:** Friday, May 28, 2021 5:00 PM

All of our agencies were very open to providing the WC coverage. However, they ran into issues with their WC providers as to how to categorize this coverage - since the individual volunteers are not direct employees or contractors or even really directly paid volunteers. Here's what we came up with: Our placement contract with the agencies, which is a contract between Alamosa MVS and the placement site,  states specifically that the placement site will provide WC coverage. Based on this language, the WC provider (we have just one central provider in CO used by all our agencies) was comfortable stating that Alamosa MVS is a covered contracting entity in relation to a particular agency. They provided us with a Certificate of Coverage and an endorsement that "waives subrogation"  (insurance jargon not seek to collect from us if one of our volunteers gets injured at work). I will forward you by separate email a sample of the paperwork we got from one of our placement sites recently, as this might be helpful to show folks there in Chicago. Based on this, our own insurance agent said she saw no reason for Alamosa MVS itself to also carry WC coverage for volunteers. So that's how we are handling it currently.

**From:** aliceprice1950@gmail.com <aliceprice1950@gmail.com>
**Sent:** Wednesday, October 6, 2021 5:44 PM

Hi Lisa - here in Alamosa we juggled between employment and contractor status. We’ve landed on employment as that is how MMN did it and their finance person recommended and also a cpa in our fellowship thought that was probably best.  So we have had our volunteers fill out W-4’s and we will issue W-2s at the end of the tax year. We consider them what are called “bona fide volunteer” employees, which is apparently a tax status that takes them out of minimum wage status. We have our placement sites give us a certificate of Workers’ Comp coverage for our MVS program whenever we have a volunteer with them, and include this requirement in the placement contract. Our church insurance agent said we didn’t need to get our own coverage for this as long as we had the certificates in place.

1099’s are tax reports for contractors, not employees, and have to be issued if paying any one contractor $600 or more in a tax year. So that’s what we will use for me for my small LPC stipend, as I am not an employee.

**Information shared by Joanna Lawrence Shenk regarding how they worked with non-U.S. citizens in San Francisco 2021.**

**From:** Joanna Lawrence Shenk <joanna@menno.org>
**Sent:** Friday, October 29, 2021 4:17 PM

We have figured out how to classify our Canadian volunteer. Serendipitously one of our Support Committee members met an immigrant lawyer while on vacation. So great, right?!

The lawyer shared the government document with the legal parameters regarding voluntary service workers. I have attached it. You’ll see that there’s a note about stipend for incidental expenses, which is basically referring to the monthly stipend of $60/$80. So receiving these funds does not conflict with the MVSer being on the B1 visa, which is what our Canadian MVSer received at the border. So we are giving her $60 in cash each month, rather than running it through payroll which we are doing for our US citizen MVSers. We were also able to get her enrolled on our health insurance plan using her Canadian passport number rather than a SSN since she doesn’t have a SSN.

I am very relieved to have found this solution and grateful that it ended up being pretty simple. Glad to chat more if that’s helpful!

9 FAM 402.2-5(C)(2) (U) Participants in Voluntary Service

Programs

# (CT: VISA-193; 09-28-2016)

1. (U) Aliens participating in a voluntary service program benefiting U.S. local communities, who establish that they are members of, and have a commitment to, a particular recognized religious or nonprofit charitable organization. No salary or remuneration should be paid from a U.S. source, other than an allowance or other reimbursement for expenses incidental to the volunteers' stay in the United States.
2. (U) A "voluntary service program" is an organized project conducted by a recognized religious or nonprofit charitable organization to assist the poor or the needy or to further a religious or charitable cause. The program may not, however, involve the selling of articles and/or the solicitation and acceptance of donations. The burden that the voluntary program meets the DHS definition of "voluntary service program" is placed upon the recognized religious or nonprofit charitable organization, which must also meet other criteria set out in the DHS Operating Instructions with regard to voluntary workers.
3. (U) You must assure that the written statement issued by the sponsoring organization is attached to the passport containing the visa for presentation to the DHS officer at the port of entry. The written statement will be furnished by the alien participating in a service program sponsored by the religious or nonprofit charitable organization and must contain DHS required information such as the:
	* (U) Volunteer's name and date and place of birth;
	* (U) Volunteer's foreign permanent residence address;
	* (U) Name and address of initial destination in the United States; and
	* (U) Volunteer's anticipated duration of assignment.