

Volunteering and Mandatory Community Service:

Choice – Incentive – Coercion – Obligation

*Implications for Volunteer Program
Management*

Acknowledgments

Volunteer Canada would like to acknowledge the lead writer and researcher on this project, Linda Graff of Linda Graff and Associates, whose hard work, perspective and passion have enabled the development of a comprehensive series of resources on this issue.

Volunteer Canada and Linda Graff also wish to thank Steve McCurley for his generous assistance in providing references and resources on the topic.

In addition, the following people are acknowledged for their contributions:

Ruth MacKenzie, Volunteer Canada
Brian Stratton, Volunteer Canada
Kim Turner, Imagine Canada

For more information, please contact Volunteer Canada at 1 800 670-0401 or visit our Web site at www.volunteer.ca.



We acknowledge the financial support of the Government of Canada through the Department of Canadian Heritage. The opinions expressed in this publication do not necessarily reflect those of the Department of Canadian Heritage.

Canada

For further information on this subject or others relating to volunteering and volunteer management, please visit www.volunteer.ca/resource.

© Volunteer Canada, 2006

Version française également disponible.

ISBN 1-897135-76-9

Copyright for Volunteer Canada material is waived for charitable and voluntary organizations for non-commercial use. All charitable and voluntary organizations are encouraged to copy and distribute this material.

TABLE OF CONTENTS

1. INTRODUCTION	2
Background .....	.2
Volunteering and Mandatory Community Service: Choice – Incentive – Coercion – Obligation .....	.3
A matter of importance .....	.3
The locus of volunteer motivation .....	.4
Program differences and stereotypes .....	.4
Engagement through volunteer programs .....	.5
2. ADJUSTING BEST PRACTICE FOR EFFECTIVE INVOLVEMENT OF MANDATORY SERVICE PARTICIPANTS	7
The volunteer involvement cycle .....	.7
<i>Program planning</i> .....	.7
<i>Position design</i> .....	.9
<i>Recruitment</i> .....	.9
<i>Screening</i> .....	.10
<i>Orientation and training</i> .....	.10
<i>Placement</i> .....	.11
<i>Supervision, recognition and corrective action</i> .....	.11
<i>Systems development</i> .....	.13
Unpaid is not “free”: The costs of engaging unpaid labour .....	.14
Mandatory community service: The non-profit sector does the government’s work .....	.15
Assumptions and open minds .....	.16
3. THE NEED FOR FURTHER RESEARCH	18
Evolving best practice: What we do not know about adjusting volunteer coordination practices and systems ..	.18
Engagement costs, program design and the expense of mandate fulfilment .....	.18
The ongoing dialogue and consultation process .....	.19
4. REFERENCES AND FURTHER READINGS	20

1. INTRODUCTION

Background

The systems and best practice that have evolved over many decades to effectively engage volunteers in a wide range of organizations and agencies have all been predicated on the fundamental assumption that volunteers volunteer because they want to. When volunteers cease to receive whatever it is that has motivated them to become involved, they move on. Sometimes they seek a different position. Sometimes they move on to another organization. Some leave off volunteering completely. In any case, the freely chosen, voluntary nature of volunteering has shaped and informed a good deal of what has become known as *best practice* in the field of volunteer program management.

Volunteering in the traditional sense is no longer the only format through which individuals can become involved without pay in supporting individuals and organizations in the community. Community service exists in many formats, including, for example,

- traditional volunteering
- employer-supported programs
- loaned executives
- pro bono legal work
- stipended service
- service-learning
- civic service overseas

. . . and a series of more (rather than less) coerced varieties including, for example,

- court-mandated community service
- community service required in schools
- community participation as part of workfare schemes
- work in the community as part of rehabilitation and work-hardening programs
- parents pressured or required to provide service as a condition of children's enrolment in community or educational programs

These many forms of community engagement vary along a number of dimensions, including voluntariness, nature and extent of remuneration, and target beneficiary. Of greatest interest here is the first variable – degree of voluntariness or degree of coercion at play.

Because the ways in which the non-profit sector has learned to effectively engage volunteers are based on volunteers *wanting* to volunteer in the first place, the expansion, evolution and ever-greater prevalence of the more-coerced varieties of community service raise important new questions such as:

- Do the systems and practices developed over time to coordinate volunteer efforts work as well with mandatory community service participants?
- Do traditional methods need to be adjusted in light of the less-than voluntary involvement of mandatory program participants?

The specific mandatory community service programs considered in this discussion are:

- court-mandated community service (alternative sentencing)
- mandatory community service as punishment for truancy
- mandatory community service in schools
- workfare
- mandatory community service for rehabilitation and insurance benefits
- mandatory community service by parents as condition of child's enrolment in school/programs
- coerced community service by parents as condition of child's enrolment in community programming

Volunteering and Mandatory Community Service: Choice – Incentive – Coercion – Obligation

Volunteer Canada has produced four documents in this series on mandatory community service:

Exploring the Theme is the first paper in the series. This document is an overview that highlights the central concepts connecting mandatory community service and volunteering.

A Discussion Paper is the second part of the series. This document takes an in-depth look at mandatory community service, the evolving definition of volunteering, and the importance of language to how citizens understand volunteering and subsequently act – or do not act – toward it. It includes a lengthy reference list.

Implications for Volunteer Program Management, the third paper, suggests adjustments that may need to be made to best practices in volunteer coordination and to organizational management systems to effectively engage mandatory community service participants.

A fourth paper, *Views and Opinions*, presents some of the current thinking about mandatory community service from the Canadian volunteerism sector. It is based on input elicited through an informal scan of the current experience of volunteer centres and the networks across the country established to support the Canada Volunteerism Initiative.

A matter of importance

As the non-profit sector is pressed to take on more with less, volunteers become an evermore important resource. Attention to shifts in volunteering and the volunteer labour pool are particularly critical at this juncture since evidence suggests that a decline in the available volunteer labour pool may be taking place: two researchers from Statistics Canada

suggest that the “civic core” – those now older volunteers who have built and sustained the massive system of volunteer involvement and citizen participation in this country – is aging out of service and almost certainly will not be replaced by generations of Canadians who follow (Reed and Selbee, 2001). Add to this the fact that 77% of all formal volunteer work in this country already rests on the shoulders of only 11% of the Canadian population over 15 years of age, and the picture takes on urgent dimensions. The non-profit system needs all the help it can get if anything close to the community life upon which we have all come to rely is to be preserved into the future. There is no room for inefficiencies, ineffectiveness or mandatory community service system failures that might drive even more traditional volunteers out of the sector.

Mandatory community service is growing rapidly in Canada, the United States, Australia, and in other countries around the world. Current global interest in volunteering accelerates the spread and continuous adaptation and mutation of mandatory community service program variants.

There is virtually no research on mandatory community service participants as a group. Almost nothing is known about motivations that might underlie the compulsion. No empirical research has been undertaken to identify unique support requirements or system elements that could enhance participant experience and/or increase productivity. As with volunteer work, mandatory community service is not “free” labour. It needs to be coordinated, monitored, evaluated and adjusted. Anecdotal evidence suggests at least some forms of mandatory community service are more costly to sustain than volunteering.

In a sector already financially strapped and in such desperate need of additional resources, a phenomenon as large and as quickly evolving as mandatory community service begs for research

and understanding. The final section of this paper sets out some of the key research questions related to the volunteer program management implications of mandatory community service.

The locus of volunteer motivation

The extent to which the *involuntary* nature of mandatory community service may influence public perceptions about, and willingness to participate in, volunteering is a matter of conjecture at this point. A good deal of further investigation over time will be needed to piece together an accurate sense of whether the image of one will affect the image of the other. What is better known at this point in time is that many, if not most, participants in mandatory community service programs approach their work with different motivation than traditional volunteers. To be more precise, it is the *locus*¹ of motivation and impetus for the involvement in community work originating external to the person performing the service that is the primary distinguishing feature between *mandatory* forms of community service and any other form that could more reasonably be called volunteering.

Volunteer program management practices and systems have been constructed on the fundamental premise that volunteers volunteer *because they want to* and that they leave when volunteering no longer meets their needs or interests. Recruitment practices, screening procedures, training programs and methods of supervision and oversight have been designed and have evolved over decades to suit the engagement of traditional volunteers. These current systems presume a willing and generally satisfied workforce.

Keeping in mind that volunteers do not receive pay, it is the intrinsic rewards of volunteering and the satisfaction that volunteers take away from their volunteer work that keeps the whole enterprise going.

Remove the choice, the desire to do the work and the individual's freedom to come back time and time again of their own volition, and the equation that constitutes the essential miracle of volunteering – that people will keep giving in extraordinary ways without pay – has mutated at its most elemental level. The essence – the thing that makes volunteering “volunteering” – has been removed.

In most conversations about volunteering and volunteer program management, choice and free will as the essence of volunteering are so taken-for-granted that they rarely, if ever, surface. But it is precisely the *absence* of choice and freedom from coercion that distinguishes mandatory community service from volunteering. They are, simply put, not the same thing. They differ at such a fundamental level that adjustments to systems and practice become inescapable.

Program differences and stereotypes

It is dangerous to speak of all mandatory community service programs as if they were identical, and it is equally perilous to speak of all participants in all mandatory community service programs as if they were interchangeable. Mandatory community service programs vary a good deal, not only *between* forms, but also even within forms with respect to unique regional variants, target populations and implementation arrangements. For example, mandatory community service in schools in Ontario may differ in important ways from its British Columbia counterpart; the details of workfare programs vary between jurisdictions; and individual judges exercise their own values and perspectives when they decide to include mandatory community service as part of an alternative sentence. Still, the point of this exercise is to consider mandatory community service as a whole and to consider participants in the range of mandatory community services as a discrete population.

¹ The focus here is on the stimulus to serve originating from a source of power external to the person doing the work. Hence it is the locus, not the nature, of the motivation that is relevant to this discussion. That volunteers come into volunteering with a remarkably wide range of motivations goes without question. That pure altruism is likely mythical is also assumed. Most volunteers are well-meaning people, the greatest majority of whom seek to help others and do “good” in the community *while at the same time* filling needs of their own. In fact, it is when both sets of needs – those of the volunteer and those of the organization and the people it serves – are being met that the magic of volunteering reaches its pinnacle. It is not suggested that volunteers are selfless altruists or that participants in mandatory community service programs do not care about others or their communities. What is important to this discussion is the single feature about mandatory community service that consistently distinguishes it from volunteering: it is compelled, pressured, or more (rather than less) coerced. Managers who ignore that essential fact do so at their own peril.

The reader is cautioned to keep in mind, however, that mandatory service programs do vary a good deal, and that best practice in volunteer program management always dictates that the person warrants individual attention. A one-size-fits-all approach to working with volunteers has never been effective, and nor will it be with community service participants. The nature of this exploration demands generalizations which will, in large part, be more or less accurate.

Participants in mandatory community service programs and in the wide array of other kinds of community service involvement represent an important resource to the work of the sector and to the capacity and well-being of our human service system. As the numbers and types of mandatory and other community service programs continue to evolve and expand, it is likely that participants in these programs will become an even larger resource in the future. Regardless of the pay scale of the worker or the auspices that have brought them to the position, work is work, and if it serves the mission of the organization, and the proper outcome is achieved, motivation is important only insofar as it alters coordination and management strategies to ensure effective involvement. No judgements are made or implied about the importance of the work, the integrity of the participants, or the values and benefits that mandatory programs may generate for program sponsors and participants, and for the wider society.

Engagement through volunteer programs

Regardless of the kind of work assigned to mandatory community service participants, their unpaid status tends to make them seem more like volunteers than paid employees. Perhaps this is the reason why most mandatory community service programs are administered through the volunteer program (where there is one) and/or by the manager of volunteers (or equivalent) in organizations. This is not necessarily inappropriate.

All employees, paid and unpaid, gain from effective planning, appropriate infrastructure and ongoing support. Still, it is widely acknowledged that specialized expertise is necessary to work effectively with volunteers. So too do program systems and infrastructures need to be tailored to the unique characteristics of an unpaid work force. The same principle can now be said to apply to mandatory community service participants. While strong parallels exist, adjustments to systems and management practices are necessary.

As early as 1985, Katherine Noyes wrote about the need to be proactive in regards to court-mandated community service programs, and in 1989 Karen Hart set out some of the key management modifications and program conditions necessary for successful court-mandated community service programs. That the differences between volunteers and mandatory community service participants require adjustments to be made in methods, systems and management styles is now accepted as best practice among professional managers of volunteer programs.

Motivation is one of the most important differences between volunteers and participants in mandatory community service programs. In addition, it is now recognized that mandatory programs may compel into community service many people and many populations who probably would not have found their way into community work on their own. And some would argue that *that* is precisely the point of

some of the programs. In any event, both the locus of motivation and the types of people coming through mandatory community service programs will, in many instances, differ from previous experience with traditional volunteers.

McCurley and Ellis (2002b) point out that mandatory community service programs produce an influx into the volunteer workforce of individuals who:

- are unfamiliar with the agency or its cause
- have little knowledge of formal volunteering
- have little or no prior paid work experience
- are only required to participate for a very short time

Interestingly, acknowledgement of this fact is echoed elsewhere. For example, the Panel on Accountability and Governance in the Voluntary Sector stated:

Even volunteers are presenting new challenges. On the one hand, many recent volunteers have sophisticated expectations of finding satisfying experiences in volunteering. On the other hand, voluntary organizations have had to find ways of integrating a new kind of “volunteer” – the non-voluntary volunteer, the person on workfare or other mandated community placement program – who may have limited skills and minimal commitment to the experience.

(1999, p. 5)

A similar comment is made by the sponsors of a California-based workfare program.

This population will consist of individuals who have not been able to attain the goal of self-sufficiency within the state-specified time period. These individuals may have several and/or significant barriers to securing employment including but not limited to issues of behavioral/physical health, language/culture, education/aptitude, and social compatibility. These individuals may also have

problems because competitive, full-time unsubsidized employment may not be immediately obtainable. The individuals therefore will require intensive, ongoing support to successfully participate in community service activities.

(County of Orange Social Service Agency,
[no date])

Despite these rather ominous sounding cautions, not every aspect of the traditional volunteer program infrastructure and management system will require adjustment, far from it. Depending on the work, the setting, the client population, and the skills and experience represented among the mandatory community service participants, only minor adjustments may be called for. The majority of what is known about how to work with and support volunteers applies equally well with involuntary workers *as it also does* with paid employees. Some degree of adjustment is almost always necessary, however, and some of the important examples are outlined here.

2. ADJUSTING BEST PRACTICE FOR EFFECTIVE INVOLVEMENT OF MANDATORY SERVICE PARTICIPANTS

The volunteer involvement cycle

This discussion of the kinds of adjustments in volunteer coordination systems and practices to effectively engage mandatory community service participants follows the general outline of the volunteer involvement cycle (Graff, 2005, p. 12). The volunteer involvement cycle delineates the typical sequence of functions required in the effective planning, oversight and evaluation of volunteer participation. Designed for formal volunteer programs, the same set of functions are nonetheless important for effective and productive involvement of volunteers in smaller and even all-volunteer organizations where there may not be a formally designated or paid manager of volunteers. Hence, all that follows in this resource is intended for application wherever volunteers and mandatory community service participants are engaged.

The elements of the volunteer involvement cycle discussed here include:

- program planning
- position design
- recruitment
- screening
- orientation and training
- placement
- supervision, recognition and corrective action
- systems development

Program planning

Planning the participation of any worker(s) ought to be based on a needs assessment and review of all human resource requirements in the non-profit organization. The full range of work to be done is set out against the availability of all types of personnel (paid and unpaid and, in reference to this discussion, voluntary and mandatory), and informed decisions are then made about the most productive deployment of all human resources in service of the organization's mission.

Mandatory community service participants should not be accepted just because they are there. While the often short supply of volunteers can lead an organization to feel desperate for any assistance, accepting unsuitable workers *just because they are there* may end up costing the organization more than the participants contribute.

Beware of a sense of misplaced obligation. While the organization's sense of social responsibility may create a willingness to take on court-mandated offenders to demonstrate the organization's contribution to progressive approaches to criminal justice, engaging any worker who is not appropriate for the position or the setting does not help in the long run.

Resist pleas for involvement that do not support your mission. Students who are desperately seeking to fulfill graduation requirements can make a compelling case, but if their involvement is not in the best interests of the organization, decline the request. Organizational mission fulfillment is always the most important obligation. Never feel obligated to accept unwilling workers, students or otherwise, if they do not meet agency needs.

Investigate the mandatory community service program details and requirements. Ask about the number of hours required and over what period they must take place. When will the participants be available and does that availability match organizational requirements? As with volunteers, organizations must be willing to be flexible to engage the people willing to help, but taking on more participants than can be properly managed or than you have work for is de-motivating for the participants, wastes the time of staff supervisors, and can lead to unpleasant as well as potentially unsafe experiences for everyone. What are the recording requirements? Will the paper work end up taking more time than the help is worth?

Do mandatory community service participants come with the skills, knowledge and/or attitude required? Can they be “up-skilled” in the time available and will the time that they have to offer in their mandatory service requirement justify the preparation they will need to meet minimum standards?

In short, is this a workforce that is well matched to the work available and the nature of the setting?

Some mandatory community service programs will present special planning challenges. For example, the engagement of offenders will require consideration of risks, safety and security. Will staff, consumers and consumers’ families feel comfortable working with offenders? Might some advance education and preparation be needed to ensure both comfort and an engaging work environment?

If experience indicates that certain mandatory community service workers come to their placement in your organization with less willingness and pleasure than volunteers, might that attitude present a problem? Are there ways to accommodate that factor? Can participants be placed where the absence of enthusiasm will not get in the way? Experience and the literature both confirm that many participants in mandatory programs develop a comfort, commitment and sense of reward from their placements after they have had time to familiarize themselves with the setting, the mission and the client needs. The opportunity to see how their work can be meaningful and can make a difference will eventually lead many involuntary participants to enjoy their time in service and to extend their commitment beyond the required minimum period. If experience in your setting proves this to be a common occurrence, plan some flexibility into how these participants are initially engaged. Ask supervisors to look out for shifts in approach to work and to consider placement accommodations that take advantage of new attitudes, capacities, skills and aspirations. Participants gain and so does the organization.

Keep in mind that not all of the control rests with the referring agency. Some of the rules and conditions may be subject to change. For example, if 35 or 40 hours of student work does not meet your organization’s needs, establish a higher minimum number of hours – whatever is needed to be cost-effective and successful. Those students who really want to work in your organization will agree to the higher number of hours. Those who do not want to make that kind of commitment will go elsewhere.

Important terms of the program such as pre-screening, insurance, worker’s compensation, disciplinary processes, training expectations and so on should all be clarified early in the referral process and the critical ones should probably be recorded in writing. Do not assume, and recheck terms from time to time to be certain that something critical has not changed since the last participant was placed in your organization.

An ongoing or at least a regular and more or less reliable supply of mandatory community service workers may make their availability more dependable than that of other volunteers (not that one worker is more reliable than the other, but the supply from mandatory programs may be something to be counted on) and that may be factored into planning for regularly occurring special events and ongoing positions.

An additional caution is offered about stereotyping. Not only are there significant differences between the terms and conditions of various mandatory community service programs, but also each individual brings a unique set of experiences, motivations, intentions and potential contributions. Some students are much more mature than others and some mandatory community service participants will have hidden skills and talents just like volunteers. While some generalization is warranted and accurate, beware of a degree of rigidity that ignores or limits potential.

Position design

Rather than concentrating solely on existing positions, can new or custom positions be developed to better suit the talents and limitations of the available workers? For example, a group of students required to do 40 hours of community service does not represent a good fit with the usual long-term support and companionship positions usually filled by volunteers in a nursing home setting. However, engaging two dozen students to help decorate a party room at the nursing home in preparation for a special celebration might be the perfect match. Better still, if the students meet some of the residents, gather some of their history and prepare special displays that depict some of what the students have learned from the residents, important connections and understandings can develop.

For mandatory community service participants who are merely “serving time” and are not necessarily seeking a skill-building or life-changing experience, increased numbers of “low level” positions may work better for everyone. When no special skills are required, there is a greater likelihood of fit between the participant and the position, and less training and ongoing supervision are needed. Keep in mind, however, that these kinds of positions are not particularly motivating or rewarding, and they would be unsuitable for participants who are looking for meaningful involvement or learning opportunities, or for those you would hope to entice to stay on beyond minimum requirements.

As McCurley and Ellis (2002a) point out, there are special advantages that sometimes accompany mandatory community service participants. For example, many of them will be available during regular working hours when volunteers are not. This can help fill otherwise difficult-to-fill positions or allow the development of new positions in time slots when other workers simply are not available.

As with volunteers, the proper fit between worker and position is critical to success. Mandatory

community service workers bring their own capacities and limitations which may be quite different from those in the usual volunteer population. Creativity and flexibility combined with careful assessment of the special gifts and limitations of any worker are key to success. For more on volunteer position design, see *A matter of design: Job design theory and application to the voluntary sector* (Volunteer Canada, 2001).

Recruitment

Do not be content to sit back and see which mandatory community service participants find their way to your organization’s door. Based on a scan of ongoing and special project work needing to be done, consider what kinds of participants might be suited to your identified needs. Do a bit of research to find out what programs operate in your area. Ask plenty of questions about terms, expectations and conditions. Some programs have a wide geographic catchment area so expand the search to regional and county programs as well.

Specialized positions – those requiring specific or advanced skills, or those requiring longer-term involvement – may necessitate a targeted search for a mandatory community service program that can supply what you need. Developing relationships with individuals and organizations that coordinate mandatory community service programs helps them to keep your program needs in mind as they consider where they might refer their participants.

McCurley and Ellis (2002a) suggest a recruitment strategy focussed on retention and re-involvement of these kinds of mandatory participants to generate longer-term engagement. Since evidence indicates that some will develop a commitment to work beyond the minimum requirements of their compulsory service, the development of interesting positions, investment in additional support and willingness to alter placements in response to changes in participant interest or skill levels may

create a new source of excellent ongoing volunteers. Update the inventory of mandatory community service programs and participant profiles from time to time as programs change terms and new programs emerge.

Screening

Screening is the set of activities by which candidates are ruled in and ruled out of various positions. It is as much about risk management as it is about human resources management (Graff, 1999). That is, screening should be designed not only to ensure that the best candidate(s) is selected for a given position in the circumstance where there are more candidates than openings, but also to identify applicants who are not suitable either for the organization in general or, at minimum, for the position for which they have applied.

A well designed screening process should be based on an assessment of the risks and demands of each position. Volunteer Canada's Safe Steps screening program is a quick guide to risk management in the screening process (Volunteer Canada, n.d.). Include only those screening devices that generate the kind and quantity of information needed to make a good screening decision (Graff, 1999). This kind of process will work equally well for mandated community service participants.

There are a few additional considerations to keep in mind.

It has always been reasonable to assume that the greatest majority of volunteers want to volunteer or they will either not step forward to offer their services or they will leave when they no longer receive whatever they need to keep them coming back. This willingness is a hallmark of volunteering which is pivotal to other aspects of effective volunteer engagement. An obvious illustration is that how one monitors and supervises a volunteer will differ from how one supervises and monitors the work of someone who would rather be somewhere else. So when screening mandatory community service participants, it will be necessary to try to assess these dimensions of motivation.

When agreeing to take on mandatory community service participants, be clear with the referring agent about what screening or pre-screening has already been done and elicit whatever information is available and can be shared about the backgrounds of participants, including why they are in this program. For example, in some school-based programs, a degree of pre-screening may already have been done; similarly, in some employer-supported programs, pre-screening as well as criminal background checks may have been completed. The key, however, is to not assume that any screening has been completed.

The screening process may need to be altered for some mandatory community service participants. For example, students may be too young to make police checks available. Offenders obviously have some kind of record, but the details may not be available to the placement organization. Other screening devices may need to be substituted.

Some screening tools may need modification. For example, attempting to elicit information from an unwilling participant using the typical set of volunteer interview questions may be less than successful. The focus of the interview may need to be less on what the candidate wants to do or likes to do and more on what they are willing to do or are best qualified to do.

When the usual screening devices are either unavailable or simply do not suit mandatory community service participants, it may be necessary to confine their participation to positions that demand less intensive or specialized screening processes. Be cautious not to lower screening standards.

Orientation and training

Mandatory community service participants may arrive at your organization with less knowledge about your mission and programs than most volunteers, and as McCurley and Ellis (2002a) point out, orientation to the work you do and who you serve may be more important for this range of workers. Some mandatory

community service programs, by definition, send people with limited skills who have a history of difficulty finding work, or who have a limited physical or emotional capacity and are using this experience as a skill-building or work-hardening opportunity. The nature of the program and its participants will obviously affect the content and extent of orientation and training required, as of course will the placements being offered.

Topics such as good work habits, personal presentation, appropriate dress, position and relationship boundaries with co-workers and consumers, consequences of error or failure to meet performance standards may all take on particular significance for various mandatory community service participants.

Literacy and language capacity may be an issue for a greater proportion of certain types of mandatory community service participants, though neither can be assumed in any population of volunteers either.

Motivation has an impact on both willingness and ability to learn. Adjustments may need to be made to training design, style and methods.

Placement

Some mandatory community service participants will arrive at your organization with a good sense of what they might do or at least a sense of what they might gain from experience in your setting. Others who have had little or no choice about where they will be engaged may have no clue whatsoever about what the range of options might be.

Finding, adjusting or developing the placement to achieve the proper fit might require more effort for some mandatory community service participants. As these participants become more familiar with the setting and the work and the mission, their motivation may alter quite significantly and open up new placement opportunities. The organization's willingness and

ability to be responsive may make a big difference in whether or not the participant stays on after their required service is completed, what their interest is in taking on new or additional assignments, and/or what message they will carry into the community about your organization and its work when they leave.

Supervision, recognition and corrective action

Most volunteer supervision systems are predicated on the assumption that volunteers actually want to be doing the work they are doing, and that when they are dissatisfied or cease to want to do the work any longer, they leave. This is, for the most part, a reasonable assumption about volunteers that cannot necessarily be made about mandatory community service participants. The degree of "voluntariness" of the worker is therefore an important variable in the degree to which supervision systems and styles may need adjustment for mandatory community service participants.

A volunteer population which is unaccustomed to the demands of work to begin with and then coerced to do some is likely to demand much greater attention and supervision than we are accustomed to, and is much more likely to create unintentional difficulties simply out of ignorance of what behavior or standard of conduct are expected. Coping with this will require much more focused supervision by staff or management volunteers.

(McCurley and Ellis, 2002a)

Supervisory staff may need additional training on what to look out for and how to deal with and support mandatory community service participants. Prejudices may surface and tensions may arise between current volunteers and mandatory community service participants and require attention.

More time may be required in the supervision of some mandatory community service participants to

assess capacity and ensure compliance with performance standards than is typically needed for the same function with volunteers. Just the reverse may be true in other cases where the compulsory nature of mandatory community service represents a much greater pressure to show up and do the work than any volunteer might experience.

Recognition systems and practices, which are usually very important to the satisfaction and retention of volunteers, may be virtually meaningless to mandatory community service participants who work to satisfy externally imposed conditions and to whom pride of accomplishment, contribution to mission or time well spent on making a difference may be less important at best, and of zero consequence at worst. That does not mean, however, that their contributions are any less important or valuable to the organization or its clients/consumers/participants. It may mean, however, that different forms of feedback have more impact. There are very few people who do not appreciate a sincere offer of appreciation or compliment on a job well done. But the usual certificate, pin, pen, water bottle or luncheon may be a complete waste of time and resources with some mandatory community service participants. On the other hand, pointing out previously unrecognized abilities, providing a note of commendation or letter of reference that can be used in future searches for employment, submitting verification of completion of mandatory hours on a timely basis, or showing a willingness to adjust the working environment to accommodate a learning disability or a physical limitation may be more valuable than a thousand certificates or a seven course recognition banquet.

Corrective action policies and procedures are critical in any program where the consequence of error is significant. If the only positions offered are of the envelope-stuffing variety, then performance standards and consequences for sub-standard performance are of little import. But for any employee – paid or unpaid, voluntary or compelled – who is in a position from which they can cause harm or damage or who is

engaged in work that is important in any way, a system of performance monitoring and clear procedures for dealing with problems are essential. Participants in mandatory community service programs are not exempt from this basic principle.

The compulsory nature of mandatory community service participation does require adjustments, however. For example, a volunteer not showing up for a shift is one thing. A mandatory community service participant not showing up for a shift is something very different and typically demands a very different response, including notifying the referring agent.

The extent to which an organization is willing to work with a volunteer to help them improve to meet minimum performance standards may be greater in many cases than the equivalent for a mandatory community service participant who is exhibiting identical performance shortcomings. This would be true not because a successful outcome for one is more valuable than for the other, but because one might know or at least project that in some cases the volunteer will make a deeper and perhaps longer commitment to the organization than the mandatory community service participant. There is also the variable of what might be *felt* to be owing to volunteers in return for their contributions freely given, while a lesser sense of obligation to give back/demonstrate appreciation/return the favour by investing more time and effort to achieve success may be felt in connection with a mandatory community service participant. Whether that is fair or justifiable is another question.

The difference between mandatory community service participants and volunteers can actually work in the reverse as well. For example, if a mandatory community service participant is not meeting standards and the best intervention would be to terminate his or her placement, but the consequence of a failure to complete the placement may result in a failure to graduate, a denial of welfare benefits, incarceration or the termination of rehabilitation insurance benefits, many managers will actually try harder to make it work,

put up with more problems, and/or delay the termination action longer. Whether that is appropriate is another point to ponder, but that the tendency to “put up with more” may increase risks or decrease service quality is a distinct possibility and requires careful consideration in both practice and policy.

Systems development

The systems and processes that underpin volunteer involvement do not operate in isolation from the rest of the organization. They require administrative support, infrastructure and resources to be effective. For example, risk management, data collection and communications systems, policy development and program evaluation are all critical to the successful engagement of all kinds of volunteers (and paid staff). The systems may be more formal or more structured in larger organizations, but the basic principles contribute to success wherever volunteers are involved. Adjustments may need to be made to some of these for mandatory community service participants.

Different mandatory community service populations involve increased or distinct risks. For example, the risks associated with the youthfulness, lack of experience and perhaps the immaturity of students must be planned for when creating positions, establishing the work environment and arranging for monitoring and supervision. Offenders may present special risks depending on the work setting, the vulnerability of the client population and the nature of the offence that has compelled the participant into community service. The absence of previous work experience and/or the lack of familiarity with employment-related expectations and routines may create additional hazards in some populations, and participants required to perform community service as part of a recovery plan related to a serious injury may need work site modifications or safety aids.

The number and variety of special risk management considerations related to various mandatory community service programs are too numerous to itemize here, but those responsible for mandatory community service participant involvement are well-advised to conduct a comprehensive risk inventory for each type of participant and each position into which mandatory community service participants may be placed.²

The compulsory nature of mandatory community service programs usually demands that proof of compliance be documented and supplied to the referral agent. That may mean either different or additional record-keeping processes.

Policies about all aspects of a volunteer engagement are useful, and in most settings they are critical. Policies set out expectations, ensure consistency and equity of application of rules and processes, establish boundaries and contribute directly to the identification and reduction of risks. Many of the items discussed in this section so far will be the subject of policy development, and where adjustments in best practice related to the engagement and coordination of the efforts of mandatory community service participants are required, there too may be a need to modify related policies. Policy customization for mandatory community service participants can be a complex matter, beyond the scope of the present document, but following are a few questions that may help to start and guide the review process:

- Are the principles and objectives of any specific mandatory community service program in keeping with the values of the organization?
- Are participants in mandatory community service programs to be considered “volunteers” with no distinction from traditional volunteers in any way?
- To what extent will the organization allocate resources towards the engagement of mandatory community service participants?

² For help with risk management processes and tools, see the author's book, *Better Safe ... Risk Management In Volunteer Programs & Community Service* (Graff, 2003) and Cooper, 2002.

- Will specialized positions be created? Will mandatory community service participants work alongside regular volunteers and in identical positions?
- Will the organization go out of its way to engage mandatory community service participants (e.g., specialized record-keeping systems and reporting, supervision, recognition, etc.)?
- Will the involvement of participants in mandatory community service programs be kept confidential or revealed to volunteers, employees and/or service users? Should that be a matter of confidentiality, or do additional risks dictate information sharing?

The involvement of volunteers ought to be evaluated just as other program elements are evaluated to ensure service quality, appropriate expenditure of precious resources and achievement of program goals and outcomes. The involvement of mandatory community service participants ought to be evaluated for all the same reasons. It cannot be assumed that management systems are operating as well as they ought to, that participants are achieving outcomes set for their involvement or that the return on investment in mandatory community service participation is justified. Because mandatory community service programs require different management methods, systems and styles, they may also require adjustments to program evaluation methods, with return on investment figuring prominently among evaluation questions.

Unpaid is not “free”: The costs of engaging unpaid labour

Much is made in mandatory community service program descriptions, particularly those from the criminal justice sector, of how the cost savings of alternatives to incarceration are multiplied by turning so much useful labour back into the community. The costs of managing that labour in the non-profit sector on behalf of the criminal justice system are rarely noted. Whether the community service worker is coming from the criminal justice system, the welfare system or the education system, they are never “free workers” for the community placement agencies that

agree to participate in these mandatory service programs. Here is just a sampling of what the organization must do to be ready to effectively and safely engage mandatory community service participants:

- Relationships and referral systems need to be set up between the referring agent and the non-profit organization.
- Orientation and training must be developed and delivered, and staff need to be trained to work effectively with these kinds of un-voluntary or less-than-fully-voluntary workers.
- Information collection systems must be developed or modified to track, record, verify and report hours of service.
- In some cases additional screening is necessary, depending on the population being engaged and the nature of the work they will do.
- Special placements often need to be developed to match the backgrounds, program goals or learning needs of the participants *and* the government programs that refer them.
- In some cases special policies and procedures need to be developed
- The full range of volunteer coordination techniques need to be adapted to the un-voluntary, the particularly youthful, and/or the offender participant.

Where there is a good match between the capabilities and availability of the participants and the labour needs and working environment of the organization engaging them, investment in necessary system development and adjustments is worth it. Where the capabilities of the participants are ill suited to the labour needs of the organization, or where availability or duration of “sentence” does not work well for the work to be done, the net value of the labour to the community organization may be less than the costs of safely and effectively organizing and managing it.

In most cases mandatory service workers are channelled through the volunteer program or, in smaller or more informal settings, directed to the person who is usually responsible for coordinating volunteer efforts, and that person is charged with the responsibility of finding appropriate work for participants and for overseeing the safe, effective and hopefully productive contributions they make to the mission of the organization.

While the criminal justice system places thousands of their offenders in the community, the schools send tens of thousands of their students into community placements, and welfare programs and (un)employment departments look to “the community” to provide work experience, skill development, work hardening and so on to their clients, “the community” is rarely if ever consulted about whether/how these programs could be designed to be of greatest help with least cost. To have thought that the sector could actually develop 40-hour placements for thousands of high school students with virtually no advance notice *and* that 40-hour placements would provide *meaningful* work was perhaps unrealistic.³

Many managers of volunteers have questioned whether it is ever possible to create a meaningful placement that can be accomplished in 40 hours, given that meaningful work will almost certainly involve some degree of screening, along with orientation to the organization, its mission, values and work site, and some degree of job-specific training to ensure that the meaningful work achieves its goals while ensuring the safety of the student and those he or she works with. The deluge of procrastinating students desperately seeking to complete their 40 hour requirement in the last month before graduation actually represents a hardship for some managers of volunteers who feel compelled to help the students meet their graduation requirements but find it taxing to effectively place a

large number of young people all at one time. Suellen Carlson, Director of Volunteers for Lutheran Social Services in Jamestown, New York, posted this comment in a managers of volunteers Internet discussion about mandatory programs:

Spare me from surly teenagers who just have to put in their time. Whoever comes up with these ideas about “volunteering” needs to involve those of us who are actually in the trenches.... The only way we will make an impression on the folks who come up with the mandatory “volunteering” plan is to close off their avenues.
(Carlson, 2005)

The Community Services Council, Newfoundland and Labrador (2003) points out the potential consequences.

...there is a risky assumption that VCB [voluntary, community based] groups have the capacity to support the influx of thousands of school-aged volunteers and provide them with a well-structured and well-supervised volunteer experience. Those working in VCB organizations feel that this type of practical consideration is often overlooked in decision-making around these programs. If young people find themselves in ill-planned and poorly supported volunteer positions, they may be discouraged from volunteering in the future.

Mandatory community service: Is the non-profit sector doing the government’s work?

The non-profit sector rarely receives financial assistance for the government mandate it is asked to take on from time to time.

- Do non-profit organizations receive a stipend for the role they play in rehabilitating offenders?

³ See the Community Service Council, Newfoundland and Labrador’s (2003) summary of the consequences of the failure of the Ontario government to understand either volunteering or the voluntary sector and, in particular, their failure to engage the sector in the planning and delivery of the mandatory community service program in Ontario schools initiated in 1999.

- Do non-profit organizations receive compensation for the record keeping and reporting they perform for the criminal justice, social services and education systems?
- Do non-profit organizations receive a training allowance for the re-training and skill development function they provide to “workfare” participants?
- Do organizations or volunteer departments (where they exist) charge the government or school boards for their role in educating students?

In theory, the non-profit sector gains “free labour” but, like volunteers, the labour of these mandated service workers is far from free and may actually “cost” the agency more in the long run than they return. There seems to be an absence of awareness of how these government mandates are being downshifted into the community without compensation to the community for the work they are taking on for the government. This fact has escaped scrutiny, probably in large part because much of the burden of managing mandatory placements is borne by coordinators of volunteers who often tend to be largely invisible to both organizations and governments. It would be interesting to estimate the cumulative value of all of this work.

The other dimension rarely discussed about mandatory community service programs is that they often place organizations and coordinators of volunteer involvement in the role of policing agents for the state. “They have to inform program officers if the ‘volunteer’ did not show up or did not do an adequate job. This, too, has an adverse effect on the spirit of volunteering.” (Kelly Crowe, 2002) Whether this is appropriate and consistent with the organization’s values in general and/or the values that guide volunteer involvement is a key policy consideration deserving of discussion.

Assumptions and open minds

This paper has raised a number of serious questions about mandatory community service programs and the potential for their confusion with volunteering to have serious, if not dire, consequences. There are, without

doubt, certain characteristics about mandatory community service that are cause for concern. Nonetheless, the work of mandated community service participants, individually and taken together, is critically important to the capacity of the non-profit sector to meet growing needs, and many, and quite possibly the majority, of the participants in the wide range of mandatory community service programs are fine, well-intended and talented individuals with a great deal to offer. Adjustments to volunteer coordination systems and infrastructures are necessary to effectively engage mandatory community service participants, but making these adjustments can dramatically increase the potential for a wide range of mandatory community service programs to become an increasingly important resource to the sector in the future.

Volunteer Centre representatives, managers of volunteers, and spokespersons for the network established to deliver the Canada Volunteerism Initiative who responded to the questions about mandatory community service distributed as part of this project⁴ offered many often passionate testimonials to the success of some mandatory community service placements. Here are three illustrations:

A CVI Network representative spoke of the experience of his/her own daughter in a mandatory community service program at school:

She has been treated with respect and adult committee members look to her for her point of view as a younger person. She has been given progressively higher responsibilities and her self-esteem and confidence have skyrocketed. She no longer needs to gain hours for College entrance but is now so committed to the work of the committee, she has become a lifetime volunteer.

An agency representative offered this example:

I have dealt with a volunteer that had to do so many hours of community service. When she first started we were a little hesitant. We had never dealt with this

⁴ For more on what volunteerism leaders in Canada have to say about mandatory community service, see the companion document Views and Opinions in this series.

problem before and weren't sure what to expect. She turned out to be a very dedicated volunteer and is still with us 6 years later.

A Volunteer Centre representative sent this story of a participant from the criminal justice system:

My example is that of a 30-something man who was referred to an agency I worked for, several years ago. The agency was in desperate need to complete a project; staff contracts had ended and regular volunteers were not available during the day to complete the task.

We were guaranteed that this individual would not be a risk to our remaining staff or volunteers....but being an all female office other than Board Members, not everyone was assured. We put into place a work schedule that would not leave anyone alone with this individual. As time passed, most achieved a comfort level that they could work with and most realized that he knew what he was doing....so he was not considered a burden but an asset and his confidence increased

... As a volunteer he was highly effective and the agency I had worked for could not have completed the project without his contribution. He felt he was giving something back, stating that he could never undo what he had done... but it gave him the ability to work his way back to his former life....he felt he would never get there...guilt ...remorse, etc but he was willing to try. In this instance [the program] was effective for both parties on several levels; it provided exposure to several services that he would not have come across thru his line of work. He also realized that organizations really utilize volunteers... that many of them would not provide the services that they do without volunteers.

“Involuntary” does not have to mean “not as good,” and the following admonitions from Ellis and McCurley (2002a) are important to keep in mind.

If you approach a mandated worker as coerced and disinterested, you are more likely to only offer minor assignments, impose many restrictions, and expect the workers to be temporary. The boring, rigid, and unchallenging setting will probably chase them away. If you see their engagement as an opportunity to open new relationships with potentially helpful workers, you are more likely to offer interesting work, pay attention to them, and offer new opportunities.

*Isn't it more important whether and why people **remain committed** to their service than what made them start in the first place? ... Large numbers of those required to do a minimum number of hours of service remain at their assignment for much longer. Do they magically transmute into a “volunteer” at that point? How are they different in their first hour of their voluntary service from the last hour of their requirement?*

....ask yourself: Under what reasoning would you turn away a source of legitimate help to your organization? ...isn't it of highest priority to meet needs and further your mission? That's why you recruit volunteers and why you should welcome whatever sources of help are available.

When done right, mandatory service holds the potential to inject a vast amount of much-needed and cost effective labour into the non-profit sector. Ill-conceived and delivered ineffectively, it has the potential to drain resources from the sector for a questionable return and damage possibly the most important human resource currently available to the sector: “true” volunteers.

3. THE NEED FOR FURTHER RESEARCH

Mandatory community service is a large, expanding and evolving phenomenon with significant implications for the non-profit sector's capacity to meet growing need with diminishing resources. It also has the potential to influence traditional volunteering and the systems that have been put in place to coordinate and support volunteer involvement.

Mandatory community service participants are not volunteers. Their motivations are different, and the presence of coercion undoubtedly generates resentment among some participants. That factor alone demands specialized approaches to engaging and supporting these workers in the community. Some of the implications for adjustments in volunteer coordination practices and systems have been outlined here.

More information is needed on mandatory community service and its emerging variants to inform and guide the continuous adjustments and accommodations necessary to volunteer coordination practices and systems to ensure safe and effective engagement of increasing numbers and types of participants. Following are some of the key areas where information and research is required.

Evolving best practice: What we do not know about adjusting volunteer coordination practices and systems

- Research with a wider representation of managers of volunteers would provide a reliable basis for the development of best practice tailored specifically to mandatory service participants and other community workers from the stipended and incentive ranges of mandatory community service.
- Research on the unique characteristics and support requirements of participants in each type of mandatory community support program is essential. For example, an inundation of high school students all needing to complete their mandatory short-term placement in the month or so before graduation brings a very different set of management challenges than an ongoing supply of adult offenders

from the criminal justice system. This discussion has, of necessity, been general in nature. Much more specific information is needed to guide more precise volunteer coordination accommodations.

- Where are mandatory community service participants best engaged? What kinds of positions for which program participants generate greatest likelihood of greatest return?
- Are there some settings or some client groups or some kinds of work that should not be designated as appropriate for mandatory community service participants? What are they and why are they less appropriate?

Engagement costs, program design and the expense of mandate fulfillment

- What is the fully burdened cost of engaging various types of mandatory community service? Some require more attention, more oversight and more reporting than others.
- How does that translate into program costs at the non-profit agency level?
- How might that information be communicated to and integrated by (government) program planners?
- Should variances in program management and delivery costs incurred by non-profit organizations influence negotiations between the voluntary sector and those governments who look to the sector for help with some level of fulfillment of education, justice and social service (etc.) mandates?
- What is the value of the work accomplished by participants in mandatory community service programs? How does the value compare with that of volunteer contributions? What are the relative results of cost-benefit analyses on the work of volunteers and mandatory community service participants? How do the costs and benefits of the

work compare with the larger social benefits of mandatory community service programs? For example, offenders in court-mandated community service programs confined to positions where risks and security issues are of minimal concern may return less value to the organization and its mission than traditional volunteers, but the larger social cost reduction of not having to incarcerate those offenders is significant. How do the two economies relate, and is one system picking up more costs to generate savings in the other?

The ongoing dialogue and consultation process

Volunteerism is now a deeply complex and extraordinarily important topic in societies where governments are downloading services to non-profit and community organizations, and where those organizations, in turn, are looking to volunteers to take on evermore responsible and complex roles. Where it used to be taken for granted that volunteers would step forward when needed, there is now some doubt about whether the supply of volunteers will be anywhere near sufficient to meet future needs. How to effectively attract and retain unpaid workers has become a specialized profession. It resembles human resources in some respects, but it embodies unique features and special complexities, chief among them is the remarkable feat of getting millions of people to willingly and happily do demanding work, week after week and month after month, *without pay*. While the recent research interest in volunteerism is both welcomed and overdue, it can not be assumed that academics and non-profit sector experts have expertise in volunteer program management, or that their knowledge or experience of voluntary sector matters automatically includes expertise in the effective coordination of volunteers.

- The creation of a study group of experienced managers of volunteers who would consider and process the practice implications of this research

would ensure that it is well grounded in the everyday realities of effective volunteer coordination.

- Capacity-building strategies to enhance the ability of the non-profit sector to engage the widest possible range of community service participants should be undertaken and might include, for example, resources, workshops, conferences and networking opportunities.
- The field of professional volunteer program management needs information and resources to combat prejudice about mandatory community service programs and to open minds to the new opportunities that new kinds of service might represent.

4. REFERENCES AND FURTHER READINGS

- Carlson, S. (2005). Internet posting in response to an Energize Inc. *Hot Topic* on Trends in Volunteering. Retrieved on December 3, 2005, from <http://www.energizeinc.com/hot/2005/jan05res.html>
- Community Services Council, Newfoundland and Labrador. (2003). Mandatory volunteering: panacea or oxymoron? Retrieved August 21, 2005, from <http://envision.ca/templates/blank.asp?ID==4515>
- Cooper, Reva. (2002). *Risk management by position design: A guide for community support organizations in Ontario*. Ottawa: Volunteer Canada. Retrieved February 12, 2006, from <http://www.volunteer.ca/volunteer/pdf/RiskEng.pdf>
- County of Orange Social Service Agency. (n.d.). Community service plan. Retrieved December 6, 2005, from <http://www.dss.cahwnet.gov/wtcw/pdf/orangeaddendumz.pdf>
- Crowe, K. (2002). Is mandatory volunteering a contradiction in terms?" The Volunteer Beat. Ottawa: Volunteer Canada. Retrieved December 13, 2005, from <http://www.cilt.ca/Lists/CILT%20Volunteer%20Vibes/DispForm.aspx?ID=7>
- Graff, L. L. (2005). *Best Of All: The Quick Reference Guide To Effective Volunteer Involvement*. Dundas, Ontario: Linda Graff And Associates Inc.
- Graff, L. L. (2003). *Better Safe ... Risk Management In Volunteer Programs & Community Service*. Dundas, Ontario: Linda Graff And Associates Inc.
- Graff, L. L. (1999). *Beyond Police Checks: The Definitive Volunteer & Employee Screening Guidebook*. Dundas, Ontario: Linda Graff And Associates Inc.
- Hart, K. L. (1989-1990, Winter). Court-ordered community service and the nonprofit organization. *The Journal of Volunteer Administration*, VIII (2), 24-28.
- McCurley, S. and Ellis, S. J. (2002a, July - September). Mandated service – The future of volunteering? Adapting volunteer management to fit mandated volunteering. *e-Volunteerism*, III (4).
- McCurley, S. and Ellis, S. J. (2002b, July - September). Mandated service – The future of volunteering? *e-Volunteerism*, III (4).
- Noyes, K. H. (1985-1986). A proactive response to court-ordered community service. *The Journal of Volunteer Administration*, IV (2), 1-5.
- Panel on Accountability and Governance in the Voluntary Sector. (1999). *Building on strength: Improving governance and accountability in Canada's voluntary sector. Final report*. Retrieved December 13, 2005, from <http://www.vsr-trsb.net/pagvs/Book.pdf>
- Reed, P. B. and Selbee, L. K. (2001). Canada's civic core: On the disproportionality of charitable giving, volunteering and civic participation. Retrieved December 7, 2005, from http://www.isuma.net/v02n02/reed/reed_e.shtml
- Volunteer Canada. (2001). *A matter of design: Job design theory and application to the voluntary sector*. Ottawa: Volunteer Canada. Retrieved February 12, 2006, from: <http://volunteer.ca/volcan/eng/content/vol-management/resources.php#jobdesign>
- Volunteer Canada. (no date). Screening: Volunteer Canada's Safe Steps screening program. Retrieved February 12, 2006, from <http://www.volunteer.ca/volcan/eng/content/screening/safe-steps.php?display=>