

## MEMBER SERVICE AGREEMENT OUTLINE

This outline is a training tool designed to help new AmeriCorps program staff create a member service agreement. It will be most helpful when used alongside the Grant Terms and Conditions, AmeriCorps Regulations, and other CNCS-specific guidance. The outline is for reference only; it does not contain citations for all AmeriCorps grant or program requirements. Additional information on member service agreements may be found on the National Service Knowledge Network: <http://www.nationalservice.gov/resources>.

Guidance documents referenced in this outline (available at <http://www.nationalservice.gov/build-your-capacity/grants/managing-ameri-corps-grants>):

- AC = Terms and Conditions for AmeriCorps State and National Grants
- CNCS = General Terms and Conditions for CNCS Grants
- 45 CFR = AmeriCorps Regulations
- FAQ = AmeriCorps State and National Policy Frequently Asked Questions

The AmeriCorps member service agreement thoroughly describes the relationship between an individual (an AmeriCorps member) and the AmeriCorps program, and it is a requirement in the AmeriCorps Grant Terms and Conditions. AmeriCorps members should receive, read, and agree to all elements of the service agreement before they begin service.

| SECTION                                      | REQUIREMENTS | RECOMMENDATIONS/<br>BEST PRACTICES  |
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| <b>TITLE</b>                                 | N/A          | <ul style="list-style-type: none"> <li>• The member service agreement may also be called a member contract; determine which document title is most appropriate for your program.</li> </ul>   |
| <b>INTRODUCTION AND PURPOSE OF AGREEMENT</b> | N/A          | <ul style="list-style-type: none"> <li>• Clearly state the parties involved in the agreement (the member name and the grant recipient organization name) and specify that the agreement is regarding an AmeriCorps term of service with [insert program name].</li> </ul> |
| <b>MEMBER ELIGIBILITY REQUIREMENTS</b>       | N/A          | <ul style="list-style-type: none"> <li>• Include the full list of member eligibility requirements in <a href="#">45 CFR §2522.200(a)</a>.</li> <li>• Include a statement that, by signing the member service</li> </ul>   |

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|                                    |  | <p>agreement, the individual certifies under penalty of law that he or she meets the eligibility requirements as stated above in 45 CFR §2522.200(a). <i>(Note: the member's signature is not sufficient to verify age, citizenship, or criminal history, but it is sufficient to verify high school education.)</i></p> <ul style="list-style-type: none"> <li>• Consider the additional eligibility requirements for tutoring programs, if applicable (45 CFR §§ 2522.900-.940), and ensure that those requirements are clearly stated.</li> </ul>   |
| <b>MEMBER POSITION DESCRIPTION</b> | <ul style="list-style-type: none"> <li>• Full text of the member position description (AC V.B.1)</li> </ul>  | <ul style="list-style-type: none"> <li>• Reference the member position description briefly in the body of the agreement and include the full text of the position description as an appendix.</li> <li>• For guidance on creating the member position description, see the Member Position Description Outline located at (insert URL).</li> </ul>   |
| <b>TERMS OF SERVICE</b>            | <ul style="list-style-type: none"> <li>• Requirements to successfully complete the term of service and be eligible for the education award (AC V.B.2): <ul style="list-style-type: none"> <li>○ Minimum number of service hours</li> <li>○ Other requirements as developed by the recipient (see Recommendations/ Best Practices)</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>• Specify the type of service term (full-time, half-time, etc.) and the required number of service hours associated with that term.</li> <li>• Specify the start and end dates for the term of service, ensuring that the total duration of the term is 12 months or less.</li> <li>• Other requirements to successfully complete the term of service may include: <ul style="list-style-type: none"> <li>○ Completing the full duration of the service term (for example, some programs require members to serve until the specified end date on the contract even if they complete their required hours earlier);</li> <li>○ Satisfactorily completing all assignments, tasks, or projects;</li> <li>○ Submitting all required timesheets and data collection reports.</li> </ul> </li> </ul> |
| <b>BENEFITS OF SERVICE</b>         | <ul style="list-style-type: none"> <li>• Amount of the Segal AmeriCorps Education Award being offered for successful completion of the term of service in which the</li> </ul>   | <ul style="list-style-type: none"> <li>• For the Segal AmeriCorps Education Award: <ul style="list-style-type: none"> <li>○ Specify the exact dollar amount of the award.</li> <li>○ If desired, include additional information from <a href="http://www.nationalservice.gov/programs/amicorps/segal-amicorps-education-award">http://www.nationalservice.gov/programs/amicorps/segal-amicorps-education-award</a> about the use and</li> </ul> </li> </ul>  |

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|  | <p>individual is enrolling (AC V.B.3) <i>(Note: current education award amounts can be found in the Notice of Funding Opportunity under which the AmeriCorps grant was awarded)</i></p> <ul style="list-style-type: none"> <li>• Amount of the living allowance the member will earn, if applicable (AC VIII.A). <i>(Note: minimum and maximum living allowance amounts for each type of service term can be found in the Notice of Funding Opportunity under which the AmeriCorps grant was awarded)</i></li> <li>• Healthcare coverage, if applicable (AC VIII.D) <i>(Note: healthcare coverage must be provided or made available to all full-time members (except EAP or Partnership Challenge grants), and may be provided to less-than-full-time members serving in a full-time capacity) (AC VIII.D.)</i></li> <li>• Childcare coverage, if the member qualifies (AC VIII.E and 45 CFR §</li> </ul> | <p>limitations of the education award.</p> <ul style="list-style-type: none"> <li>• For living allowance: <ul style="list-style-type: none"> <li>○ State the living allowance as a weekly/biweekly/monthly dollar amount and emphasize that payments will not fluctuate based on the number of hours served in a particular time period; if a member serves all required hours and is permitted to conclude his or her term of service before the originally agreed upon end of term, living allowance payments must cease, and the recipient may not provide a lump sum payment to the member (AC VIII.A).</li> <li>○ If desired, specify the minimum number of hours a member must serve during a pay period in order to earn a living allowance (FAQ C.26).</li> <li>○ Specify that FICA and income taxes will be withheld from the living allowance (AC VIII.C).</li> </ul> </li> <li>• For healthcare coverage: <ul style="list-style-type: none"> <li>○ Specify the nature of the healthcare coverage provided by the program (see AC VIII.D. for health insurance options that satisfy the requirement).</li> </ul> </li> <li>• For childcare coverage: <ul style="list-style-type: none"> <li>○ Specify how the member may apply for childcare benefits (see <a href="https://www.americorpschildcare.com/">https://www.americorpschildcare.com/</a>).</li> </ul> </li> <li>• For student loan forbearance and interest payments: <ul style="list-style-type: none"> <li>○ If desired, include additional information from <a href="http://www.nationalservice.gov/programs/ameriCorps/segal-ameriCorps-education-award/using-your-segal-education-award/postponing">http://www.nationalservice.gov/programs/ameriCorps/segal-ameriCorps-education-award/using-your-segal-education-award/postponing</a> about what types of loans are eligible and how to apply.</li> </ul> </li> <li>• Programs may offer additional benefits to members if desired, such as a housing allowance; however, the value of the additional benefits combined with the living allowance cannot equal more than the maximum living allowance (FAQ C.57).</li> </ul> |
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|   | <p>2522.250) (<i>Note: member eligibility criteria are described in 45 CFR § 2522.250</i>)</p> <ul style="list-style-type: none"> <li>• Student loan forbearance and interest payments, if the member qualifies (FAQ G.7)</li> </ul> |  |
| <b>STANDARDS OF CONDUCT</b>                           | <ul style="list-style-type: none"> <li>• Standards of conduct as developed by the recipient or sub recipient (AC V.B.4)</li> </ul>   | <ul style="list-style-type: none"> <li>• Provide a list of positive behaviors that will be expected for AmeriCorps members (e.g., following directions, showing respect to others).</li> <li>• Provide a list of behaviors that will not be tolerated for AmeriCorps members (e.g., tardiness or unexcused absences, stealing or lying).</li> </ul>  |
| <b>PROHIBITED ACTIVITIES</b>                          | <ul style="list-style-type: none"> <li>• List of prohibited activities, including those specified in the regulations at 45 CFR § 2520.65 (AC V.B.5)</li> </ul>   | <ul style="list-style-type: none"> <li>• To meet the requirement for this section, copy and paste the full text from AC V.C into this section of the member service agreement.</li> </ul>  |
| <b>NONDUPLICATION AND NONDISPLACEMENT</b>             | <ul style="list-style-type: none"> <li>• Text of 45 CFR §§ 2540.100(e)-(f), which relates to Nonduplication and Nondisplacement (AC V.B.6)</li> </ul>  | <ul style="list-style-type: none"> <li>• To meet the requirement for this section, copy and paste the full text from <a href="#">45 CFR §§ 2540.100(e)-(f)</a> into this section of the member service agreement; include the header "45 CFR §§ 2540.100(e)-(f)."</li> </ul>   |
| <b>FUNDRAISING BY MEMBERS</b>                         | <ul style="list-style-type: none"> <li>• Text of 45 CFR §§ 2520.40-.45, which relates to fundraising by members (AC V.B.7)</li> </ul>  | <ul style="list-style-type: none"> <li>• To meet the requirement for this section, copy and paste the full text from <a href="#">45 CFR §§ 2520.40-.45</a> into this section of the member service agreement; include the header "45 CFR §§ 2520.40-.45."</li> </ul>   |
| <b>REQUIREMENTS UNDER THE DRUG-FREE WORKPLACE ACT</b> | <ul style="list-style-type: none"> <li>• Summary of the requirements under the Drug-Free Workplace Act (41 U.S.C. § 701 et seq.) (AC V.B.8)</li> </ul>   | <ul style="list-style-type: none"> <li>• To meet the requirements for this section, include the following information: <ul style="list-style-type: none"> <li>○ The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited while serving as an AmeriCorps member.</li> <li>○ As a condition of AmeriCorps service, the member must abide by the terms of this prohibition and must notify the</li> </ul> </li> </ul> |

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|   |   | <p>program director of any conviction under a criminal drug statute no later than 5 days after such a conviction.</p> <ul style="list-style-type: none"> <li>○ Specific actions will be taken against members for violations of this prohibition, including personnel actions up to and including termination, and/or the requirement to satisfactorily participate in a drug abuse assistance or rehabilitation program.</li> <li>● More specific details about the actions programs must take for drug violations can be found in 45 CFR §2522.230 and must be included in the "Consequences" section of the member service agreement.</li> </ul>  |
| <p><b>CIVIL RIGHTS REQUIREMENTS</b></p> | <ul style="list-style-type: none"> <li>● Civil rights requirements, complaint procedures, and rights of beneficiaries (AC.V.B.9)</li> </ul> | <ul style="list-style-type: none"> <li>● To meet the requirements for this section, you may use the following sample language from the General Terms and Conditions (CNCS III.H):</li> </ul> <p>This program is available to all, without regard to race, color, national origin, disability, age, sex, political affiliation, or, in most instances, religion. It is also unlawful to retaliate against any person who, or organization that, files a complaint about such discrimination. In addition to filing a complaint with local and state agencies that are responsible for resolving discrimination complaints, you may bring a complaint to the attention of the Corporation for National and Community Service. If you believe that you or others have been discriminated against, or if you want more information, contact:</p> <p>[Name, address, phone number – both voice and TTY, and preferably toll free – FAX number and email address of the recipient]</p> <p>or</p> <p>Office of Civil Rights and Inclusiveness</p> |

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|  |   | <p>Corporation for National and Community Service<br/> 250 E Street, SW<br/> Washington, DC 20024<br/> (800) 833-3722 (TTY and reasonable accommodation line)<br/> (202) 565-3465 (FAX); eo@cns.gov (email)</p>   |
| <b>CONSEQUENCES FOR VIOLATING STANDARDS OF CONDUCT</b> | <ul style="list-style-type: none"> <li>• Suspension and termination rules (AC V.B.10)</li> <li>• The specific circumstances under which a member may be released for cause (AC V.B.11)</li> </ul> | <ul style="list-style-type: none"> <li>• Include a step-by-step policy for how violations of the program's Standards of Conduct will be handled (e.g., verbal warning, written reprimand, etc.).</li> <li>• If these steps include suspension and/or release for cause, or if certain type(s) of violations would result in an immediate suspension or release for cause, describe this clearly.</li> <li>• Copy and paste the full text from <a href="#">45 CFR §2522.230</a> into this section of the member service agreement; include the header "45 CFR §2522.230."</li> </ul>   |
| <b>GRIEVANCE PROCEDURES</b>                            | <ul style="list-style-type: none"> <li>• Full text of the program's grievance procedure (AC V.B.12)</li> </ul>  | <ul style="list-style-type: none"> <li>• Reference the grievance procedure briefly in the body of the agreement (e.g., "The member understands that he/she has a right to file a grievance to resolve disputes in accordance with the grievance procedures described in Appendix X"), and include the full text of the procedure as an appendix.</li> <li>• To create a grievance procedure that meets CNCS requirements, start with the full text of <a href="#">45 CFR §2540.230</a>.</li> <li>• Edit the text to increase the clarity of the procedure or to add specific program/organizational details (such as the name/job title of the individual to whom written grievances should be submitted).</li> <li>• Do not change any of the required timeframes and steps in the procedure.</li> </ul> |
| <b>OTHER REQUIREMENTS ESTABLISHED BY THE RECIPIENT</b> | N/A   | <ul style="list-style-type: none"> <li>• Possible items to include: <ul style="list-style-type: none"> <li>○ Authorization to conduct a criminal background check (this can also be handled through a separate authorization document; see [insert link to Criminal History Check procedures outline]);</li> <li>○ Required service or training events that the member will</li> </ul> </li> </ul>  |

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|                             |   | <p>be expected to attend, such as member orientation and/or National Day of Service events;</p> <ul style="list-style-type: none"> <li>○ Vacation/sick leave policies for the program, such as the number of leave days a member may take and the process for requesting leave;</li> <li>○ Process by which members with disabilities may request reasonable accommodations (FAQ C.72);</li> <li>○ The process by which this agreement may be amended if necessary (e.g., by written consent of both parties).</li> </ul> |
| <b>SIGNATURES AND DATES</b> | <ul style="list-style-type: none"> <li>● Member signature and date (AC V.B)</li> <li>● Parental or legal guardian signature and date for members under 18 years of age (AC IV.B)</li> </ul> | <ul style="list-style-type: none"> <li>● Include program staff signature and date.</li> <li>● Member service agreements should be signed before commencement of service so that members are fully aware of their rights and responsibilities (AC V.B).</li> </ul>   |