

## Tulare County Counsel

# School Legal Updates

September 17, 2004

### **New Exemption from Prevailing Wages for Volunteers**

Several Tulare County school districts have encountered prevailing wage problems when attempting to use volunteers on public works projects. Prior law required public agencies to pay prevailing wages to volunteers working on public works projects unless they obtained a wage determination exemption from the State Department of Industrial Relations. On August 27, 2004, the Governor signed AB 2690, which took immediate effect, repealing and re-enacting Labor Code § 1720.4, exempting volunteers and volunteer coordinators from prevailing wages. Volunteers include individuals who perform work for civic, charitable or humanitarian reasons for a public agency or a 501(c)(3) nonprofit organization. Such persons may be considered volunteers only when his or her services are unpaid and offered freely and without pressure and coercion, direct or implied, from an employer. Volunteers may receive reasonable meals, lodging, transportation, incidental expenses, or nominal nonmonetary awards without losing volunteer status so long as those benefits are not a substitute form of compensation for work performed. Read our memo: [Frequently Asked Questions About Prevailing Wages](#)

- posted by Harold W. Wood, Jr. @ Friday, September 17, 2004

(0) comments  
Comments or questions? [Post a Comment](#)

September 9, 2004

### **Annual Developer Fee Report Due**

School districts who levy developer fees are required to provide the public with an annual accounting for each separate account or fund established for developer fees, within 180



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