

<http://www.accessangels.eu>

How to identify the local legal framework and how it affects the implementation of the project Guardian Angels of Accessible Travelers in Rural Areas

In general, the impact of Access Angels project results should be implemented and delivered to the target groups of disabled visitors in two possible ways – either with help of regular employees, or with the help of volunteers.

The first way – employment and training of „access angels assistants “ directly by relevant local public administration or by some another executive structures founded and supported by public administration brings no problems at all. In every partner country is implemented relevant labour law and in such case „access angels assistants “ will work in position of regular employees with regular work contract, regardless of whether it will be a permanent or short-term employment contract. Nor the cost of training assistants will not be a problem in such a case, as the employer will include them in the usual costs of the staff development.

The second way - providing „access angels“ assistance with help of volunteers, can bring some questions or differences given by the possible differences in legal frameworks in each partner country. In general, the legal framework is the crucial part of the social and institutional context that shape volunteering in every country. The level of volunteering also depends on such factors as the economic and political situation, the stage of development of the third sector and its image, the culture of volunteering, and the labour markets.

The legal framework becomes important if it creates obstacles and impedes volunteering, as the experience of individual countries in Europe show. Therefore, most of the EU countries in particular have moved beyond publicly recognizing volunteering to creating a legal environment that will promote volunteering and help to find its place aside usual labour market and labour law.

The legal framework issues become especially important for those volunteer arrangements that require an engagement on a daily bases for a longer period of time. Longterm volunteers are affected by a variety of laws, such as labor laws, tax laws, and liability laws, both directly and indirectly. Possible problems include the misapplication of labor laws, the taxation of volunteer time, the loss of unemployment benefits, liability issues, and volunteers performing under dangerous conditions and being unaware of their rights and obligations.

The possible problem which can mostly occur when using voluntary work for ensuring any tasks is a different approach to volunteer work in terms of tax laws. The main problem is the taxation of necessary expenses and their compensation that is provided to volunteers by organizations that provide them with work. In many cases, tax authorities try not to make the difference between reimbursement and remuneration. The difference between reimbursement and remuneration is that reimbursement is the payment for expenses related to the performance of the volunteering activity whereas remuneration is the payment for a requested service representing a reward, therefore it cannot be considered as a “work without compensation” which is an essential attribute of volunteer work.

For a closer understanding of the legislation in the individual European countries, we bring down various links to English language content related to volunteering laws and regulations in each country of the project partnership and volunteering in general, and a below two links to these information in the context of the whole European Union.

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Belgium - Flemish community

<https://eacea.ec.europa.eu/national-policies/en/content/youthwiki/24-laws-and-regulations-youth-volunteering-belgium-flemish-community>

Belgium - French speaking community

<https://eacea.ec.europa.eu/national-policies/en/content/youthwiki/24-laws-and-regulations-youth-volunteering-belgium-french-community>

Belgium - German speaking community

<https://eacea.ec.europa.eu/national-policies/en/content/youthwiki/24-laws-and-regulations-youth-volunteering-belgium-german-speaking-community>

Bulgaria

http://ec.europa.eu/citizenship/pdf/national_report_bg_en.pdf

Cyprus

<https://eacea.ec.europa.eu/national-policies/en/content/youthwiki/24-laws-and-regulations-youth-volunteering-cyprus-0>

Czech Republic

<https://eacea.ec.europa.eu/national-policies/en/content/youthwiki/24-laws-and-regulations-youth-volunteering-czech-republic>

Italy

http://ec.europa.eu/citizenship/pdf/national_report_it_en.pdf

Poland

<https://eacea.ec.europa.eu/national-policies/en/content/youthwiki/24-laws-and-regulations-youth-volunteering-poland>

Slovenia

<https://eacea.ec.europa.eu/national-policies/en/content/youthwiki/24-laws-and-regulations-youth-volunteering-slovenia>

Spain

<https://eacea.ec.europa.eu/national-policies/en/content/youthwiki/24-laws-and-regulations-youth-volunteering-spain>

European Union

Country reports on volunteering

http://ec.europa.eu/citizenship/europe-for-citizens-programme/studies/index_en.htm

Laws and regulations on youth volunteering

<https://eacea.ec.europa.eu/national-policies/en/content/youthwiki/2-voluntary-activities-overview>

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