

Frequently Referenced Resources about the Employment Status of AmeriCorps Members

National and Community Service Act – As Amended

http://www.nationalservice.gov/sites/default/files/page/Service_Act_09_11_13.pdf

Member status is referenced on Page 11 of the above hyperlink, 42 U.S.C. 12511 (30) (B) and pasted below:

(30) PARTICIPANT.—

(A) IN GENERAL.—The term “participant” means— (i) for purposes of subtitle C, an individual in an approved national service position; and (ii) for purposes of any other provision of this Act, an individual enrolled in a program that receives assistance under this title.

(B) RULE.—A participant shall not be considered to be an employee of the organization receiving assistance under the national service laws through which the participant is engaging in service.

AmeriCorps Regulations

http://www.nationalservice.gov/sites/default/files/page/AmeriCorps_Regulations_9_11_13.pdf

Member status and the definition of Participant begin on Page 627 and continue on page 628
45 CFR § 2510.20

Participant. (1) the term *participant* means an individual enrolled in a program that receives assistance under the Act.

(2) A participant may not be considered to be an employee of the program in which the participant is enrolled.

(3) A participant may also be referred to by the term *member*.

Department of Labor Unemployment Insurance Program Letter No. 25-95 can be located here:

http://workforcesecurity.doleta.gov/dmstree/uipl/uipl95/uipl_2595.htm