

SANILAC COUNTY COMMUNITY MENTAL HEALTH AUTHORITY

CLINICAL POLICY

NUMBER: RR014

NAME: RESIDENT LABOR

INITIAL APPROVAL DATE:	08/28/1995	BY: Sanilac CMH Board
STAKEHOLDER REVIEW:	12/12/2023	BY: Recipient Rights Advisory Committee
(LAST) REVISION DATE:	02/16/2011	BY: Recipient Rights Officer
(LAST) REVIEW DATE:	12/14/2023	BY: Policy Committee
DISCONTINUED DATE:	NA	REPLACED BY: NA

I. PURPOSE

To establish standards in relation to the performance of labor by individual receiving services.

II. APPLICATION

Populations: ALL

Programs: Direct – All
Contract – All

III. POLICY

It shall be the policy of Sanilac County Community Mental Health Authority that individuals receiving services will not be allowed nor required to perform labor as a prerequisite or as a condition of or as a part of any mental health treatment program other than duties of a personal housekeeping nature.

IV. DEFINITIONS:

None.

V. STANDARDS:

- A. An individual receiving services may perform labor which contributes to the operation and maintenance of the residence, for which the residence would otherwise employ someone, only if the individual receiving services voluntarily agrees to perform the labor, the amount of time or effort necessary to perform the labor would not be excessive and engaging in the labor would not be inconsistent with the Person Centered Plan for the individual receiving services according to the Care Manager/Clinician who is in charge of the Person Centered Plan.
- B. Discharge from the residence or privileges shall in no event be conditioned upon the performance of labor.

- C. An individual receiving services who performs labor which contributes to the operation and maintenance of the residence for which the residence would otherwise employ someone shall be compensated appropriately and in accordance with applicable federal and state labor laws including minimum wage and minimum wage reductions provisions.
- D. An individual receiving services' right to compensation shall be protected by the residence when performing labor which results in an economic benefit to another person or agency other than the residence.
- E. A residence may provide for compensation of an individual receiving services when he/she performs labor not governed by C and D above.
- F. One half of any compensation paid to an individual receiving services pursuant to these policies shall be exempt from collection as payment to the residence or Sanilac County Community Mental Health Authority for services rendered.
- G. Labor by an individual receiving services of a personal housekeeping nature or as a condition of residence in an apartment or small group living arrangement, etc. shall not be subject to compensation.
- H. The residence office shall maintain records of payments to the individual receiving services.

VI. ATTACHMENTS

None

VII. APPEALS

An individual receiving services, or another individual on behalf of an individual receiving services, has the right to appeal decisions concerning performing labor. Appeals may be made in accordance with Sanilac County Community Mental Health Authority Appeals Policy.

VIII. REFERENCES

Michigan Mental Health Code 330.1736.