



CMHA-CEI Policies and Procedure Manual

Title:	3.6.19, Resident Labor (Residential)		
Subject:	Recipient Rights		
Section:	Clinical		
Policy: <input type="checkbox"/> Procedure: <input checked="" type="checkbox"/>	Issued by: Director of Quality, Customer Service and Recipient Rights (QCSRR)	Effective Date: 04/12/84	Applies to: <input checked="" type="checkbox"/> All CMHA-CEI staff <input checked="" type="checkbox"/> Contract Providers
Page: 1 of 2	Approved by: N/A	Review Date: 02/13/17	<input type="checkbox"/> Other:

I. Purpose:

To establish guidelines for recipients in residential treatment programs to perform labor.

II. Procedures:

- A. A resident of a center, facility, or hospital operated by or under contract with the CMHA-CEI Network and providers may perform labor that contributes to the operation and maintenance of the provider, for which the provider would employ someone else.
- B. This policy does not apply to labor of a personal housekeeping nature or performed as a condition of residence in a small group living arrangement.
- C. A resident shall only perform labor described in (II)(A)
 1. Voluntarily.
 2. If the labor is consistent with his/her plan of services, and
 3. The amount of time or effort to perform the labor is not excessive.
- D. Discharge and privileges of a resident are not conditional upon the performance of such labor.
- E. A resident who performs labor that contributes to the operation and maintenance of the provider, for which the provider would employ someone else, shall be compensated appropriately and in accordance with applicable federal and state labor laws, including minimum wage and minimum wage reduction provisions.
- F. A resident who performs labor other than described in (II) (B) shall be compensated an appropriate amount if an economic benefit to another individual or agency results from the labor.
- G. The governing body of the facility may provide for compensation of a resident for labor not governed by (II) (A) or (B).
- H. One-half of any compensation for labor paid to a resident is exempt from collection as payment for services rendered.

III. Definitions:

- A. The Director of Quality Customer Service and Recipient Rights is responsible for ensuring that procedures to implement the intent of this policy are developed, reviewed, and revised as necessary.
- B. Residential service providers are responsible for establishing, posting, and enforcing program policies and procedures regarding the performance of labor, consistent with this policy.
- C. The staff person in charge of the written plan of service shall ensure that a recipient's performance of labor is consistent with the recipient's plan of service.
- D. Staff are responsible for implementing program policies and procedures, and treatment plans.

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IV. Monitor and Review:

This procedure is reviewed annually by the Director of Quality, Customer Service, and Recipient Rights. This procedure is monitored by accrediting bodies and regulatory agencies as applicable.

V. References:

- A. PA 258 of 1974, "Michigan's Mental Health Code", as amended
 - 1. 330.1100a--Definitions; A to E
 - 2. 330.1100b--Definitions; F to N
 - 3. 330.1736--Performance of labor by resident
 - 4. 330.1752--Policies and procedures

VI. Related Policies and Procedures:

CMHA-CEI Policy 3.6.19

VII. Review Log:

Review Date	Reviewed By	Changes (if any)
08/31/01	-	-
03/16/04	-	-
06/10/05	-	-
02/01/07	-	-
06/15/10	-	-
02/06/12	-	-
03/10/13	-	-
02/13/17	QCSRR Director	Updated to new format

VIII. Attachments:

N/A