


RECIPIENT RIGHTS

CHAPTER: 1	SECTION: 19	SUBJECT: RECIPIENT RIGHTS
TITLE: RESIDENT LABOR		
DATE OF ORIGIN: 12/31/1986	REVIEWED DATE: 09/13/99, 03/15/02, 06/20/05, 05/09/08, 09/26/11, 09/20/12, 09/23/13, 06/23/14, 06/15/15, 06/27/16, 07/24/17, 09/24/18, 09/23/19, 06/22/20, 07/26/21, 07/25/22, 07/24/23	
LAST REVISED/EFFECTIVE DATE: 06/22/2020		
ISSUED AND APPROVED BY:  EXECUTIVE DIRECTOR		

I. PURPOSE:

To define procedures to protect consumers' right to compensation when performing labor.

II. APPLICATION:

All Community Mental Health of Ottawa County (CMHOC) staff, volunteers, and contract agency staff as specified by contract.

III. DEFINITIONS:

None Applicable

IV. POLICY:

It is the policy of CMHOC to protect a consumer's right to compensation when performing labor which results in an economic benefit to another person, CMHOC program, or other agency.

V. PROCEDURE:

- A. A consumer may perform labor which contributes to the operation and maintenance of the program/home/apartment/facility, for which the organization would otherwise employ someone, only if:
 - 1. the consumer voluntarily agrees to perform the labor,
 - 2. engaging in the labor would not be inconsistent with the IPOS of the consumer,
 - 3. the amount of time or effort necessary to perform the labor would not be excessive, and
 - 4. in no event shall discharge of privileges be conditioned upon the performance of labor.

- B. The consumer who performs labor that contributes to the operation and maintenance of the program/home/apartment/facility for which the facility would otherwise employ someone shall be compensated appropriately and be in accordance with applicable federal and state labor laws, including minimum wage and minimum wage reduction provisions.

- C. A consumer who voluntarily performs labor other than described above will be compensated in the appropriate amount if an economic benefit to another person or agency results from his/her labor.

- D. Chores of a personal housekeeping nature or helping with daily household tasks, as permitted under licensing rules, are not covered by the above and are not eligible for payment.
- E. Labor shall not interfere with other ongoing treatment or habilitation programs suitable for the consumer.
- F. One-half of any compensation paid to a consumer for labor performed shall be exempt from collection for payment of mental health services provided.

VI. ATTACHMENT:

None Applicable

VII. REFERENCE:

Michigan Mental Health Code
Administrative Rules
MDHHS-ORR Attachment B