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 who performs 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 will 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.
E. The labor of a consumer, whether deemed therapeutic or consistent with the consumer's plan of service, shall require approval by the person in charge of the plan of service. Approval shall not be withheld unless reasons explaining how the labor is inconsistent with the plan of service are stated in the case record. In approving labor, the person in charge of the plan may set limits. Such labor shall not consume more than 6 hours of a consumer's day, unless approved by the director. 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