


Policy and Procedure Manual Saginaw County Community Mental Health Authority		
Subject: Recipient Rights – Recipient Labor	Chapter: 02 - Customer Service and Recipient Rights	Subject No: 02.02.26
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	Supersedes: 06.02.28.00	
		

Purpose:

The purpose of this policy is to set standards for appropriate compensation for work performed by consumers of mental health services from Saginaw County Community Mental Health Authority (SCCMHA).

Policy:

It is the policy of SCCMHA to ensure appropriate payment is rendered for work completed by consumers.

Application:

This policy applies to all consumers of SCCMHA including the Service Provider Network.

Standards:

- Q1) A consumer may perform labor which contributes to the operation and maintenance of the residence for which the residential agency 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 Individual Plan of Service for the consumer
 - 3) The amount of time or effort necessary to perform the labor would not be excessive
 - 4) In no event shall discharge or privileges be conditioned upon the performance of such labor
- Q2) Consumers will be compensated appropriately for the performance of work which the agency would otherwise employ someone. This includes complying with applicable

federal and state labor laws, including minimum wage and minimum reduction provisions.

- Q3) Consumers will be compensated for performing labor which benefits another person/agency.
- Q4) A consumer need not be compensated for personal self-care and personal housekeeping.
- Q5) One-half of any compensation paid to a consumer under this section is exempt from collection under the Mental Health Code, as payment for mental health services rendered.
- Q6) Consumers with open and active cases who have vocational/employment goals as part of their treatment plan will be compensated for work performed commensurate with current applicable State and local laws.
- Q7) Work activities considered inappropriate are those which:
- a) Lack appropriate planning and supervision
 - b) Are supervisory in nature
 - c) Are hazardous either as defined under Federal, State or local law, or in light of an individual consumer's functional capacity
 - d) Are not performed in accordance with an individualized treatment plan
- Q8) Consumers who are under the legal working age as defined in applicable Federal and State Child Labor laws may not engage in work.
- Q9) More than six hours of work per day must be approved by the agency Clinical Risk Management Committee.
- Q10) The Americans with Disabilities Act, Policy #7105, will be followed for consumers with active or inactive cases who do not have vocational/employment goals as part of their treatment plan, and who seek employment or who are employed by SCCMHA.

Definitions:

Compensation: As used in this policy refers to financially compensating a consumer to perform labor. In other words, compensation is not to be considered giving consumer a token compensation such as a ticket to a concert or other event.

Support Staff: Case Manager, Supports Coordinator, or Therapist

References:

American with Disabilities Act, Policy #7105;
Michigan Mental Health Code 330.1736;
Administrative Rules 330.7229

Exhibits:

None

Procedure:

ACTION	RESPONSIBILITY
1) Participation in occupational training and/or work experience shall be documented as part of the Individual plan of Service.	1) Support Staff
2) Participation in vocational/employment training shall be clearly documented in the consumer's Individual Plan of Services.	2) Support Staff
3) SCCMHA staff will work with the employer to ensure appropriate payment for work is made to the consumer.	3) Support Staff