



HURON BEHAVIORAL HEALTH
PROCEDURE

Procedure #: RR.2.17
Issue Date: 09/07/03
Rev. Date: 08/07/18
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Title: Recipient Rights – Residential Labor Procedure

Prepared By: Recipient Rights Officer

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Purpose:

To define the practices and guidelines for consumers to be involved in performing labor activities.

Scope:

This procedure applies to all employees (including full-time employees, part-time employees, contractual providers, volunteers, students, and/or interns), of Huron Behavioral Health (HBH) programs, both direct and contracted.

Information:

POLICY:

It is the policy of Huron Behavioral Health that consumers 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.

Procedure:

1. A consumer may perform labor which contributes to the operations and maintenance of the residence for which the residence would otherwise employ someone only if:
 - the consumer voluntarily agrees to perform the labor
 - engaging in the labor would not be inconsistent with the plan of service for the consumer
 - it is approved by the primary worker responsible for the individual's Person Centered Plan (PCP)
 - the amount of time or effort necessary to perform the labor would not be excessive
2. Discharge from the residence or privileges shall in no event be conditioned upon the performance of labor.
3. A consumer 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 reduction provisions.
4. A consumer's 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.
5. A residence may provide for compensation of a consumer when he/she performs labor not governed by 3 and 4 above.
6. One-half of any compensation paid to a consumer pursuant to these policies shall be exempt from collection as payment to the residence or HBH for services rendered.
7. Labor by a consumer (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.
8. Personal housekeeping responsibilities shall be listed in the House Rules of each residence. (See also [GL.1.01 DD Residential House Rules Policy](#).)
9. The labor of a consumer, whether deemed therapeutic or consistent with the consumer's PCP, shall require approval by the case manager/supports coordinator. Approval shall be noted in the case record.

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10. Approval shall not be withheld unless reasons explaining how the labor is inconsistent with the PCP are stated in the case record.
11. Labor shall not interfere with other on-going treatment or habilitation programs.
12. Records of payments to the consumer shall be maintained by the residence and included in the consumer's case record.
13. If a fee for service is charged to the consumer, it shall be documented, and shall not exceed one-half of the consumer's earnings.
14. A copy of the House Rules describing housekeeping expectations shall be provided to each resident and/or guardian upon admission.

Complaint Process:

A consumer or another individual on behalf of the consumer has the right to file a complaint regarding residential labor. Complaints may be filed with HBH Recipient Rights Office.

Definitions/Acronyms:*HBH* – Huron Behavioral Health*PCP* – Person Centered Plan**Forms:**

N/A

Records:

N/A

Reference(s) and/or Legal Authority

Michigan Mental Health Code, Section 330.1736, 1752,
Administrative Rule 330.7229

[GL.1.01 DD Residential House Rules Policy](#)

Change History:

Change Letter	Date of Change(s)	Changes
A	05/23/03	Documentation brought into the new procedure format and numbered for tracking, minimal changes made to content. Complaint Process added, changed client services manager to case manager/supports coordinator, update references
B	03/01/06	Added reference to MHC 330.1752 & Administrative Rule 330.7229, added references two places to GL.1.01 and RT.1.02 House Rules Policies, removed #11 (6 hours of labor max/day without Executive Director approval), on new #11 removed "suitable for the consumer" from end of sentence,
C	04/23/12	Procedure #8 removed "itemized" and added "listed" and removed "RT.1.02", #14 removed "residence's" and "personal", Reference- removed "RT.1.02" due to the home being closed. 04/23/12 approved by the Recipients Rights Advisory Committee.
D	05/15/13	Reviewed by HBH Recipient Rights Advisory Council – no content changes made
E	04/28/15	Reviewed by HBH Recipient Rights Advisory Council – no content changes made
F	02/07/17	Reviewed by the Recipient Rights Advisory Committee – removed reference to "DD Residential House Rules Policy" GL.1.01 (2 places), no other content changes made.
G	08/07/18	Reviewed by Recipient Rights Advisory Committee – No content changes.