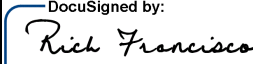




Policy Title: Recipient Labor-Residential Facilities and other locations	Policy #: 04-018	<u>Review Dates</u>	
Category: Recipient Rights Subject: To ensure that recipients who perform labor are compensated adequately.	Prepared by: The Office of Recipient Rights Approved by: DocuSigned by:  AA7FBD48AB804A3 Rich Francisco, Executive Director		
	Effective Date: 04/22/1983	Last Revised Date: 09/23/2025	

I. POLICY

- A. A recipient may perform labor only if the recipient voluntarily agrees to perform the labor.
- B. A resident may perform labor that contributes to the operation and maintenance of the facility for which the facility would otherwise employ someone only if the resident voluntarily agrees to perform the labor, engaging in the labor would not be inconsistent with the individual plan of services for the resident, and the amount of time or effort necessary to perform the labor would not be excessive. In no event shall discharge or privileges be conditioned upon the performance of such labor.
- C. A resident who performs labor shall be compensated an appropriate amount and in accordance with applicable federal and state labor laws, including minimum wage and minimum wage reduction provisions, if an economic benefit to another individual or agency results from his or her labor.
- D. Labor by a recipient of a personal housekeeping nature or as a condition of residence in a small, group-living arrangement shall not be subject to compensation.
- E. One-half of any compensation paid to a resident under this section is exempt from collection under this act as payment for services rendered.

II. APPLICATION

All mental health residential facilities operated by or under contract with HealthWest.

III. DEFINITIONS

- A. **Exploitation:** An action that involves the misappropriation or misuse of a recipient's property or funds.
- B. **Facility:** A residential or other program setting for the care or treatment of individuals with a mental illness, serious emotional disturbance, or developmental disability that is either operated by or under contract with the Agency.

C. Recipient: An individual who receives services in a facility.

IV. PROCEDURE

- A. The labor of a recipient, whether deemed therapeutic or not, inconsistent with the recipient's plan of service, shall require approval by the person in charge of the plan of service. Approval shall be noted in the case record.
- B. Approval shall not be withheld unless reasons explaining how the labor is inconsistent with the plan of service are stated in the case record.
- C. Disapproval of labor by the person in charge of the plan may be reversed by the director of the facility.
- D. In approving labor, the person in charge of the plan may set limits. Recipient labor shall not consume more than six hours of a recipient's day unless approved by the director of the facility.
- E. Labor shall not interfere with other ongoing treatment or habilitation programs suitable for the recipient.
- F. Records of payments to the recipient may be maintained by the facility.
- G. If a fee for service is charged to the recipient, it shall be documented and not exceed one-half of the recipient's earnings.

V. REFERENCES

Act 258, Public Acts of 1974, as amended, being M.C.L. 330.1736

Administrative Rule R 330.7229 as amended, December 2007

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