

**BAY-ARENAC BEHAVIORAL HEALTH AUTHORITY
POLICIES AND PROCEDURES MANUAL**

Chapter: 3	Member Rights and Responsibilities		
Section: 3	Rights of Consumers		
Topic: 5	Resident Labor		
Page: 1 of 3	Supersedes Date: Pol: 7-15-99 Proc: 6-15-09, 6-3-02, 9-22-99	Approval Date: Pol: 6-3-02 Proc: 3-30-11	<hr/> <i>Board Chairperson Signature</i> <hr/> <i>Chief Executive Officer Signature</i>
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Policy

It is the policy of Bay-Arenac Behavioral Health Authority (BABHA) that a resident may perform labor when this is done voluntarily within appropriate time frames and is incorporated in the individual’s Plan of Service and has been approved by the case manager in charge of the plan. Residents shall be compensated for work performed, commensurate with current applicable state and local laws, when said labor primarily benefits another person or agency.

A resident, as defined by the Michigan Mental Health Code, means an individual who receives services in a facility.

Purpose

This policy and procedure are established to ensure that recipients’ rights are protected when they perform labor.

Education Applies to:

- All BABHA Staff
- Selected BABHA Staff, as follows:
- All Contracted Providers: Policy Only Policy and Procedure
- Selected Contracted Providers, as follows:
 - Policy Only Policy and Procedure
- BABHA’s (Affiliates): Policy Only Policy and Procedure
- Other

Definitions

N/A

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Procedure

- I. 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 is consistent with the Individual Plan of Service for the resident, and the amount of time and 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.

- II. A resident who performs labor that contributes to the operation and maintenance of the facility, for which the facility 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 provision.

- III. A resident who performs labor other than that described in subsection two (2) shall be compensated an appropriate amount, if an economic benefit to another individual or agency results from his or her labor.

- IV. The governing body of the facility may provide for compensation of a resident when he or she performs labor not governed by subsections two (2) or three (3).

- V. Subsections one (1), two (2), and three (3) do not apply to labor of a personal housekeeping nature or labor performed as a condition of residence in a small group living arrangement.

- VI. One-half of any compensation paid to a resident under this section is exempt from collection under this act as payment for services as rendered.

- VII. If a resident performs more than six (6) hours of work per day, this must be approved by the Chief Executive Officer.

Attachment

N/A

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Related Forms

N/A

Related Materials

N/A

References/Legal Authority

Department of Community Health-Administrative Rules *Revised Edition 2002*(AR 7229)
Michigan Mental Health Code 330.1736 and 330.1752.

SUBMISSION FORM				
AUTHOR/ REVIEWER	APPROVING BODY/COMMITTEE/ SUPERVISOR	APPROVAL /REVIEW DATE	ACTION (Deletion, New, No Changes, Replacement or Revision)	REASON FOR ACTION - If replacement list policy to be replaced
Vicki Atkinson	Linda Maze	6/15/09	Revision	Grammatical corrections
Sara Heydens	Linda Maze	3/29/11	Revision	Amended to insert needed language
		12/31/12	No Changes	Triennial Review
Melissa Prusi	Christopher Pinter	06/12/2019	Revision	Triennial and Annual Review – minor grammatical change
Melissa Prusi	Christopher Pinter	11/01/2020	No changes	Annual Review
Melissa Prusi	Christopher Pinter	06/23/2021	No changes	Triennial Review
Melissa Prusi	Christopher Pinter	12/19/2024	No changes	Triennial review