

## CENTRA WELLNESS NETWORK

<b>Board Adopted Procedure</b>		
<b>Procedure</b>	03.20	<b>Policy Title: 03.00 Enrollee Rights</b>
<b>Effective Date:</b>	1/13/2011	<b>Subject: Labor – Resident Rights in Specialized Residential Settings</b>
<b>Review Cycle:</b>		
<b>Approval Validation Record</b>		
<b>Action</b>	<b>Date</b>	<b>Board Sec'y Initials</b>
<b>Full Board Vote:</b>	1/13/2011	AKH
<b>Minutes Approved:</b>	2/10/2011	AKH
<b>Accountability</b>		
<b>Board Committee:</b>	Policy Committee	
<b>Agency Function:</b>	Labor – Resident Rights in Specialized Residential Settings	
<b>Sunset Review Begins:</b>		
<b>Revised Date:</b>		
<b>Review Date:</b>	4/24/2014	AKH
	4-5-2017	AKH

**CENTRA WELLNESS NETWORK  
PROCEDURE 03.20 LABOR – RESIDENTIAL SETTINGS**

**I. APPLICATION:**

Agency Wide.

**II. POLICY:**

The Centra Wellness Network (CWN) Governing Board shall establish policies with related procedures to ensure clients are offered the rights afforded them pursuant to obligations under the Mental Health Code, Administrative Rules, contractual obligations with the Michigan Department of Health and Human Services (MDHHS), and the Inter-local agreement with Manistee and Benzie Counties, any other state and federal regulations, and pertinent accreditation criteria.

**III. DEFINITIONS:**

N/A

**IV. PROCEDURE:**

- A. A resident may perform labor which contributes to the operation and maintenance of the facility for which the agency would otherwise employ someone only if the resident voluntarily agrees to perform the labor, and engaging in the labor would not be inconsistent with the individual plan of service for the resident, and the amount of time or effort necessary to perform the labor would not be excessive and that in no event shall discharge from the agencies programs or residential setting or privileges be conditioned upon the performance of the labor.
- B. A resident who performs labor which contributes to the operation and maintenance of the facility for which the agency 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.
- C. A resident's right to compensation shall be protected by the agency when performing labor that results in an economic benefit to another person or agency other than the facility. An agency may provide for compensation of a resident when he/she performs labor not governed by the above.
- D. One-half of any compensation paid to a resident pursuant to these policies shall be exempt from collection as payment to the agency for CWN for services rendered.
- E. Labor by a resident of a personal housekeeping nature or as a condition of residence in a small group living arrangement shall not be subject to compensation. Labor of this type is to be a part of the resident's individual plan of service.

**V. DISCUSSION OF INTENT:**

The intent of this procedure is to ensure that all recipients in a residential setting served by CWN have their rights to compensation protected when performing labor that results in an economic benefit to another person, CWN, or other agency.

<b>Authority and Related Directives Trace</b>	
Federal	
State	MHC 330.1736, 330.1752; AR 330.7229
NMRE	
County	Interlocal Agreement of December 1992 Section IX(j)
CARF	CARF 2016 Behavioral Health, Section 1K.
Other	Board By-Laws, Section 7.E.