

COPPER COUNTRY MENTAL HEALTH SERVICES BOARD

POLICY AND PROCEDURE

DATE: June 28, 2017 Consumer Labor.P4

RESCINDS: April 24, 2013

CATEGORY: Recipient Rights

SUBJECT: Consumer Labor

POLICY: It is the policy of Copper Country Mental Health Services Board that recipients are permitted to work for the Agency under certain conditions. These conditions shall meet the therapeutic needs of the recipients and the basic human dignity to which a recipient is entitled, and be consistent with regulations and policies of the United States Department of Labor, other federal departments and rules of the Department of Health and Human Services.

PURPOSE: The purpose of this procedure is to set forth conditions under which a recipient may work for the Agency.

DEFINITIONS:

WORK: Any directed activity, or series of related activities, which result in benefit to the economy of the Agency or in a contribution to its maintenance, or in the production of a salable product.

COMPENSATION: The receipt of money for work (including work performance in an occupational training program) which is available to the recipient, to be used at his or her discretion.

PREVAILING WAGE: The wage paid to non-disabled workers in nearby industry or the surrounding community for essentially the same type, quality of work or work requiring comparable skills.

PROCEDURE:

- I. A recipient may perform personal housekeeping tasks without compensation.
 - A. Personal housekeeping tasks, performed in a group living arrangement, include, but are not limited to, such things as:
 1. meal planning, food purchasing, food preparation, table setting, serving, dishwashing, etc.;
 2. household cleaning, laundry;
 3. clothes repair;
 4. light yard and house maintenance (simple carpentry, gardening, etc);

5. general household shopping, including clothing.
 - B. No task may be performed for the convenience of staff.
 - C. Participating in housekeeping tasks must be authorized in the recipient's Individual Plan of Service.
- II. A recipient is permitted to work for Copper Country Mental Health Services under the following conditions:
- A. The work is part of the recipient's Individual Plan of Service and is approved by the Case Manager.
 1. Approval shall not be withheld unless reasons explaining how the work is inconsistent with the Individual Plan of Service are stated in the record.
 2. The work cannot interfere with other ongoing treatment or habilitation programs suitable for the recipient.
 3. Recipient work may not consume more than six (6) hours of a recipient's day unless approved by the Executive Director or the Clinical Director.
 - B. The work is performed voluntarily.
 - C. The recipient receives compensation commensurate with the economic value of work.
 1. For work performed that contributes to the operation and maintenance of the facility the recipient is paid at least the prevailing minimum wage except when an appropriate certificate has been obtained by the Agency in accordance with regulations and guidelines issued under the Fair Labor Standards Act, as needed.
 2. A recipient who performs labor other than as described in C.1. shall be compensated an appropriate amount if an economic benefit to another individual or agency results from this labor.
 - D. The work project complies with applicable law and regulation.
 - E. Under no circumstances shall work performance be used as a condition to discharge a recipient from mental health services (other than work-related services) nor to deny other privileges to the recipient.
- III. When a recipient's Individual Plan of Service includes assignment to occupational or vocational training or work, specific work objectives of anticipated progress should be included in the Individual Plan of Service along with reasons for the assignments.

- A. If this assignment involves work to be accomplished for the Agency (as defined above), the recipient must be compensated as in II.C.1. above.
- B. One half of any compensation paid to a recipient under this policy is exempt from collection under the Mental Health Code as payment for services rendered by Copper Country Mental Health.

CROSS REFERENCE: N/A