

6.16.16 Michigan Department of Health & Human Services Division of Child Welfare Licensing Court Operated Facility Employee File Review		Staff / Volunteer Name						
Facility								
Consultant	Date							
<p>Sample Size</p> <p>1. All employees hired since last evaluation</p> <p>2. # Over Sample 1 year Size</p> <p> 1-3 All 4-30 3 31-60 6 61-90 8</p> <p># of Employees < 1 Year _____ # of Employees > 1 Year _____</p>	<p style="text-align: center;">Hire Date</p> <hr/> <p style="text-align: center;">Position</p>							
R 400.10113 Employee records. RI.113 Employee records shall be maintained for each employee and shall include all of the following information: (a) Name.								
(b) Verification of education where minimum education requirements are specified by rule.								
(c) Work history.								
(d) Three references which are obtained before employment from persons unrelated to the employee.								
(e) A record of any convictions other than minor traffic violations.								
(f) A written evaluation of the employee's performance within the first 6 months of each position designated by these rules and annually thereafter.								
(g) Verification of freedom from communicable disease at the time of employment.								
R 400.10115 RI.115 Tuberculosis screening for employees and volunteers. A facility shall document that each employee and each volunteer who has contact with residents 4 or more hours per week for more than 2 consecutive weeks is free from communicable tuberculosis. Freedom from communicable tuberculosis shall be verified within the 3-year period before employment and shall be verified every 3 years after the last verification.								
R 400.10121 RI.121 Direct care worker; qualifications. (1) A direct care worker shall have completed 30 semester hours of college or equivalent quarter hours. (2) In place of meeting the requirement specified in subrule (1) of this rule, a direct care worker shall have a minimum of a high school diploma or its equivalent and 2 years of work experience in a facility or child caring institution.								
R 400.10128 RI.128 Initial staff orientation and ongoing staff training. (1) A facility shall provide an orientation program for all direct care workers.								
(2) A facility shall document that each direct care worker participated in 40 hours of planned orientation preceding independent assignment to direct care functions. The orientation shall include the following:								
(a) The facility's purpose, policies, and procedures, including those related to discipline, crisis intervention, emergency, and safety.								
(b) The role of the staff members in service delivery and the protection of the residents.								
(3) In addition to the orientation training, a facility shall document that each direct care worker received 24 clock hours of planned training annually.								

R 400.4113 Employee records.

Interpretation

Maintain employee records for each employee means all positions within the facility. Any person who has unsupervised contact with children is required to have an employee record. This includes student interns and volunteers.

Electronic personnel records are acceptable as long as they are readily available for review by the consultant.

(a) A true copy is defined as:

A document received by the facility directly from the college or university.

A notarized copy of a document from the college or university.

A copy of the original that was viewed by a designated representative of the facility and noted as a true copy of the original.

Items (a) – (k) must be present for all new employees or volunteers prior to assignment to regular tasks.

The consultant is to confirm:

(1) A record exists for each employee.

(2) All required elements of an employee record exist.

(c) See individual rules covering position education requirements.

(e) References may be in the form of written documentation of conversations or letters of reference. Written documentation of conversations should be signed and dated by the person who completed the documentation. When a person is changing jobs within an agency, annual evaluations related to job function may be accepted as a reference.

References must be written and dated within the 12 months preceding hire. The name of the person giving the reference and this person's relationship to the employee must be documented.

(f) A statement should appear on the employment application that asks the employee if he or she has been convicted of an offense other than a minor traffic violation.

MCL 722.119 Section 9 (1) states, "A licensee or registrant, adult household member, licensee designee, chief administrator, or program director of a child care organization shall not be present in a child care organization if he or she has been convicted of either of the following:

(a) Child abuse or child neglect.

(b) A felony involving harm or threatened harm to an individual within 10 years immediately preceding the date of hire or appointment.

(2) A staff member or unsupervised volunteer shall not have contact with children who are in the care of a child care organization if he or she has been convicted of either of the following:

(a) Child abuse or child neglect.

(b) A felony involving harm or threatened harm to an individual within the 10 years immediately preceding the date of hire or appointment.

The agency must post how the agency determines if an employee or volunteer has a criminal record. The agency must provide documentation of criminal history checks for all states or provinces where the person has lived in the preceding 5 years in the employee's record.

(g) When a record of convictions exists, the institution is to take the following into consideration when documenting assessment of the conviction record:

R 400.4115 First aid; CPR.

Interpretation

Certification in first aid and CPR provided by organizations other than those identified in the rule must be pre-approved by the department.

This rule is to be cited when a person with CPR and First Aid certification is not on duty. When first aid training is not provided to all staff, R400.4128(4)(h) is to be cited.

PA 116 [MCL 722.112(a)] says that there needs to be a staff person on duty that has been certified in CPR within the previous twelve months by The American Red Cross, The American Heart Association, or an equivalent organization. Neither The American Red Cross nor The American Heart Association will sign a CPR certification until the person demonstrates competency. DCWL will not recognize an on-line CPR certification as equivalent to The American Red Cross or The American Heart Association because there is no demonstration of competence.

R 400.4121 Direct care worker; qualifications.

Interpretation

Diplomas or transcripts that identify the specific degree or diploma granted must be available for review.

Diploma from Home Schooling – Unless the home schooled person passed a GED or has a diploma is from a nationally accredited Home School Association that does standardized testing to prove competence, the diploma may not be recognized. It is the responsibility of the CCI to get appropriate documentation, including proof of accreditation, for the file. If documentation noted above is not there, there is a violation of this rule.

R 400.4128 Initial staff orientation and ongoing staff training.

Interpretation

Orientation is required for all staff of an organization including students and volunteers.

If the function of a volunteer or student is as a direct care worker, subparts (2), (3), and (4) also apply.

The orientation must be formalized with written documentation regarding the information covered and the amount of time spent on orientation.

All required elements of the orientation must be documented. This includes emergency procedures. Training as identified in subpart (3) is required for all staff functioning in a regulated position, including administrators, direct care supervisors, direct care staff, social service workers and social service supervisors.

Training topics identified in subpart (4) must be delivered to all direct care staff.