

# Guides for certification of worker organizations and worker training

For the Nursing Home Workforce Standards Board,  
for worker organizations and for nursing home employers





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## Section 1. Guide for the Nursing Home Workforce Standards Board

### Board review process for certification – applications

The following steps will be taken to check the certification application.

1. Are all parts of the application filled in?
2. Under “Establishing eligibility,” examine the following items. Failure to complete these can result in noncertification.
  - a. All items agreed to.
  - b. The organization is listed as a 501(c)(3), 501(c)(4) or 501 (c)(5). It can be checked on the Internal Revenue Services website at [Tax Exempt Organization Search](https://apps.irs.gov/app/eos) (apps.irs.gov/app/eos).
  - c. Check the board of directors list to ensure it does not contain leaders from a nursing home employer or employer organization. Definition of dominated or interfered by is found in U.S. Code, Title 29, section 158a(2): “to dominate or interfere with the formation or administration of any labor organization or contribute financial or other support to it: Provided, that subject to rules and regulations made and published by the board pursuant to section 156 of this title, an employer shall not be prohibited from permitting employees to confer with him during working hours without loss of time or pay.”
  - d. Look for public information confirming their evidence of work engaging with or advocating for nursing home workers.
    - a) They should be in existence for more than five years.
    - b) Advocating for could include lobbying or bargaining.
    - c) Seeing feedback from workers and delivering feedback to decision makers.
    - d) Working with senior organizations and nursing homes could be a plus.
3. Under “Data policies”:
  - a. Agreed to all policies.
4. Under “Curriculum details,” if they fail to meet any of these items, certification can be denied.
  - a. Evidence was provided in the allowed timeframe.
  - b. The materials meet the curriculum provided.
    - a) Any specific language requirements were met.
    - b) The standards set by the board are addressed.
    - c) Everything the board laid out in the curriculum is addressed.

- c. The applicant has a reasonable plan for making their training interactive with a minimum of one visual or digital material (such as a handout, PowerPoint presentation or poster) and one participatory period (such as a question-and-answer period or a breakout).
  - d. The applicant provided materials for all languages in which they will train.
5. Under “Statements of agreements”:
    - a. Applicant has agreed to all items.
  6. Under “Assessing capacity,” if there are significant questions to this section, organizations may be asked for clarification or it could result in noncertification. Though we are not establishing a minimum capacity to receive a certification, asserting unreasonable capacity would need explanation or could be grounds to deny certification.
    - a. The plan to staff the training seems to reasonably match with the applicant’s estimated capacity.
  7. The acknowledgement is signed.

## Board documentation requirements for training of nursing home workers

Minnesota Statutes 181.214, subdivision 6, states “A nursing home employer must submit written documentation to the board to certify that every two years each of its nursing home workers completes one hour of training that meets the requirements of this section and is provided by a certified worker organization.” Below is the board’s part in accomplishing this.

### Codes

The board has put into rules that the certified worker organizations will have a unique identification code from the board and the certified worker organizations will give a unique identifier to a worker after they have been trained.

The board will provide a code to the organization. The codes will be letters that correspond to their order in being certified. The board will maintain a full list of what letter corresponds to which worker organization.

Example: The first worker organization to be certified would be given the code “A.”

### Code for training

The worker organization will provide a code to the worker after they have been trained. The code will need the date and geographic location in it. The date will be important to include to easily identify if a worker has been trained in the past two years and the location will be important to help distinguish the training.

The board may wish to be more prescriptive about how the code will be given to the worker.

Here is the recommended formula:

Organization’s code + date of training + [county code](https://mn.gov/mnit/government/policies/geo/mn-county-identification-codes.jsp) (mn.gov/mnit/government/policies/geo/mn-county-identification-codes.jsp) of the location of the training.

For example, if the first certified worker organization had a training session Sept. 9, 2024, in St. Peter, Minnesota, which is located in Nicollet County, the code for the training would be:

A20240909103 (A – the organization’s code + 2024/09/09 – the date of the training + 103 – the Nicollet County code).

These codes would be decipherable to the board, employer and certified worker organization, but are long enough that they may be difficult to fraudulently produce.

### Requirements

The board has instructed worker organizations to keep records of the training sessions they have done and the workers who attended, for five years to allow for the possibility that the board selects a nursing home’s training to be verified. The board and a nursing home employer should be able to ask the worker organization to provide a check on legitimacy of a code and that a particular worker attended that meeting.

Worker organizations will send the list of worker attendees to the nursing homes that had workers at the training. In return, the nursing home will return the sign-in sheet with contact information for those workers who have not opted out of sharing their contact information with the worker organization. This is done independently of the board.

## Documentation process

The nursing home will have to submit an attestation that “We certify that every two years, each of our nursing home workers completed one hour of training that meets the requirements of this section and is provided by a certified worker organization.”

The board will make a form available for nursing home employers to complete this attestation.

## Board verification process

The Nursing Home Workforce Standards Board (NHWSB) will need to have some sort of process for confirming the documentation is accurate. The nursing homes will need to be able to produce a list of all employees who have been employed at the nursing home for more than two years and the code for the training each person attended.

Each year, starting in 2027, the board will direct the board’s executive director to randomly pick a certain percentage of nursing homes in the state to verify the workers have been trained. The board’s executive director would request the nursing home to produce the list of all employees who have been employed at the nursing home for more than two years and the codes for the training for each person. The executive director would then check through the codes to ensure they are legitimate and check with the worker organizations to ensure the workers attended those training sessions.

### Example: Sign-in sheet

The expectation would be this sheet is what is retained for five years.

<i>This column is filled in at the sign-in or pre-filled if the sign-in is in advance</i>	<i>This is the same for every attendee of an event, but different for each event</i>	<i>This can be filled in, verified or edited by the attendee</i>	<i>The staff of the certified worker organization would fill this in; a “no” or blank would indicate they signed up, but didn’t attend</i>
Name	Training code	Nursing home employer(s)	Attended
Jan Jansen	A20240909103	ACME Mankato	Yes
John Smith	A20240909103	ACME Springfield	No
Maria Gonzalez	A20240909103	ACME Mankato, ACME Springfield	Yes

**Example: What would be emailed to each employer**

These email messages or the codes in these email messages could be used to verify compliance with the rules.

Dear ACME Mankato administrator,

Attached is the list of who attended our training from your nursing home. This training was Sept. 9, 2024, in St. Peter, Minnesota. Send back the contact information of these workers and ensure they are compensated for their one hour of time spent in this training.

Sincerely,

First certified worker organization

Name	Training code	Nursing home employer(s)	Attended
Jan Jansen	A20240909103	ACME Mankato	Yes
Maria Gonzalez	A20240909103	ACME Mankato	Yes

Dear ACME Springfield administrator,

Attached is the list of who attended our training from your nursing home. This training was Sept. 9, 2024, in St. Peter, Minnesota. Send back the contact information of these workers and ensure they are compensated for their one hour of time spent in this training.

Sincerely,

First certified worker organization

Name	Training code	Nursing home employer(s)	Attended
Maria Gonzalez	A20240909103	ACME Springfield	Yes

**Example: What the employer would send back**

Dear First certified worker organization,

The attached are the names and contact information from your training Sept. 9, 2024, in St. Peter, Minnesota.

Sincerely,

ACME Mankato

Name	Training code	Nursing home employer(s)	Attended	Contact information
Jan Jansen	A20240909103	ACME Mankato	Yes	Contact information filled in here
██████████	██████████	██████████	█	Employee opted out of sharing contact information

## Board timeline for oversight of certification of organizations

Applications will be accepted on a rolling basis and reviewed at least quarterly. Our draft rules dictate we must certify or deny certification within 90 days of receiving the initial application in the form prescribed by the board. This timeline is drafted to accommodate for room for the board to examine the applications, while also completing its work within the 90-day timeline.

- Jan. 1, 2025: Tentative date for certification rules to go into effect.
- Jan. 1 through Feb. 1, 2025: Application prepared and curriculum finalized.
- Feb. 13, 2025: Board meeting; application and curriculum presented to board for final approval.
- Feb. 17, 2025: Applications for certification of worker organizations opens.
  - Send a message via Gov Delivery.
  - Offer a webinar or have one recorded and available.
- March 13, 2025: Board meeting; updates about applications.
- April 10, 2025: Board meeting; updates about applications.
- May 8, 2025: Board meeting; updates about applications.
- May 17, 2025: Ninety days since applications opened.
- June 12, 2025: Ensure NHWSB webpage is updated with list of any certified worker organizations, as prescribed by statute.
- July 2025: Examining certification requests becomes a regular standing item on board meeting agendas.

\*As organizations are certified, they must, according to draft rules, be issued a unique identification number. This should be done in accordance with the board's documentation plan approved July 18, 2024.

- July 2025 through December 2026: Periodic communication with organizations and nursing home employers. Communications should remind employers of their obligations and of the resources available to find worker organizations. Communications to organizations can remind them of the resources on curriculum, obligations to share documentation of attendance at training and any updates that need to be incorporated.
- September 2026: Annual review of curriculum and public hearing.
- November 2026: Ensure worker organizations have received updates and are using new curriculum.
- Jan. 1, 2027: First deadline for nursing homes to document that any workers who have been there for two years or more have had at least one hour of training.
- January 2027: Board meeting; board directs executive director to randomly pick a percentage of nursing homes in the state to verify the workers have been trained.
- February through April 2027: Executive director works with nursing homes to verify their documentation of training of the workers.
- 2026 through 2027: Would likely see first review and, potentially, adoption of new standards (Minn. Stat. 181.213, subd. 3). Within 30 days of the adoption of new standards, the board would need to open the application process for renewal of certification. The application period for renewal would last 60 days.

## **Section 2. Guide for nursing home employers**

### **Nursing home employer documentation requirements for worker training**

Minnesota Statutes 181.214, subd. 6, states “A nursing home employer must submit written documentation to the board to certify that every two years each of its nursing home workers completes one hour of training that meets the requirements of this section and is provided by a certified worker organization.”

Below is the process that employers can follow to meet this obligation.

#### **Codes for organizations and training**

The board will provide a code to the organization. In turn, the organization will provide training codes to the workers who attend their trainings. The board recommends to worker organizations that the codes include ways to identify the date and location of the training.

These codes would be decipherable to the board, employer and certified worker organization, but long enough that they may be difficult to fraudulently produce.

#### **Requirements**

Worker organizations would need to keep records of the training sessions they have done and the workers who attended, for five years to allow for the possibility the board selects a nursing home’s trainings to be verified.

Worker organizations will send the list of worker attendees to the nursing homes that had workers at the training.

The nursing home will return the sign-in sheet with contact information for those workers who have not opted out of sharing their contact information with the worker organization (see Minn. Stat. 181.214, subd. 6b-c).

#### **Documentation process**

The nursing home will have to submit an attestation stating, “We certify that that every two years each of our nursing home workers completed one hour of training that meets the requirements of this section and is provided by a certified worker organization.”

The board will make a form available for nursing home employers to complete this attestation.

### Board verification process

NHWSB will have a process for confirming the documentation is accurate. Nursing homes will need to be able to produce a list of all employees who have been employed at the nursing home for more than two years and the code for the training each person attended.

### Examples of sign-in sheets, information sharing process

#### Example: Sign-in sheet

The expectation would be this sheet is what is retained for five years.

<i>This column is filled in at the sign-in or pre-filled if the sign-in is in advance</i>	<i>This is the same for every attendee of an event, but different for each event</i>	<i>This can be filled in, verified or edited by the attendee</i>	<i>The staff of the certified worker organization would fill this in; a “no” or blank would indicate they signed up, but didn’t attend</i>
<b>Name</b>	<b>Training code</b>	<b>Nursing home employer(s)</b>	<b>Attended</b>
Jan Jansen	A20240909103	ACME Mankato	Yes
John Smith	A20240909103	ACME Springfield	No
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#### Example: What would be emailed to each employer

These email messages or the codes in these email messages could be used to verify compliance with the rules.

Dear ACME Mankato administrator,

Attached is the list of who attended our training from your nursing home. This training was Sept. 9, 2024, in St. Peter, Minnesota. Send back the contact information of these workers and ensure they are compensated for their one hour of time spent in this training.

Sincerely,

First certified worker organization

<b>Name</b>	<b>Training code</b>	<b>Nursing home employer(s)</b>	<b>Attended</b>
Jan Jansen	A20240909103	ACME Mankato	Yes
Maria Gonzalez	A20240909103	ACME Mankato	Yes

Dear ACME Springfield administrator,

Attached is the list of who attended our training from your nursing home. This training was Sept. 9, 2024, in St. Peter, Minnesota. Send back the contact information of these workers and ensure they are compensated for their one hour of time spent in this training.

Sincerely,

First certified worker organization

Name	Training code	Nursing home employer(s)	Attended
Maria Gonzalez	A20240909103	ACME Springfield	Yes

**Example: What the employer would send back**

Dear First certified worker organization,

Attached are the names and contact information from your training Sept. 9, 2024, in St. Peter, Minnesota.

Sincerely,

ACME Mankato

Name	Training code	Nursing home employer(s)	Attended	Contact information
Jan Jansen	A20240909103	ACME Mankato	Yes	Contact information filled in here
██████████	██████████	██████████	█	Employee opted out of sharing contact information

## Employer timeline for training obligations

- Spring 2025: First organizations are certified.
- June 12, 2025: NHWSB webpage is updated with list of any certified worker organizations, as prescribed by statute.
- Jan. 1, 2027: First deadline for nursing homes to document that any workers who have been there for two years or more have had at least one hour of training.
- February through April 2027: The executive director works with nursing homes to verify their documentation of training of the workers.
- 2026 through 2027: Likely to see the first review of and, potentially, adoption of new standards (Minn. Stat. 181.213, subd. 3). Within 30 days of the adoption of new standards, the board would need to open the application process for renewal of certification. The application period for renewal would last 60 days. Nursing home employers may want to verify any organization they have been working with continues to be certified.

## **Section 3. Guide for worker organizations**

### **Application for certification as a worker organization to train nursing home workers under Minn. Stat. 181.214**

[See fillable application next page.]

# **Application for certification as a worker organization to train nursing home workers under Minn. Stat. 181.214**

**Your application will not be processed or will be delayed until you complete all sections of this application. If you require additional space, use a separate piece of paper and attach it.**

Initial certifications are valid for two years, with the opportunity for two-year renewals. Initial applications are taken on a rolling basis and evaluated quarterly. The renewal period opens after updated standards take effect and will last 60 days, during which certified worker organizations must apply for renewal if they wish to continue providing training.

Note: In seeking approval, the worker organization shall submit all required information, and other information the worker organization believes relevant, to the Nursing Home Workforce Standards Board (NHWSB) in the form or manner required by the board. NHWSB may request additional information necessary to determine an applicant's eligibility for approval or schedule interviews to clarify information submitted.

NHWSB may withdraw its certification of a worker organization if the worker organization fails to enforce those representations made to NHWSB in obtaining certification. If you have questions about this application, contact the NHWSB executive director. The executive director may examine parts of the application and answer questions related to eligibility.

## **Applicant information (write in ink or type) – write legibly**

Federal employer tax number (FEIN) or Minnesota tax I.D. (if applicable)

Legal business name

Telephone

Website

Physical business address (P.O. box not acceptable), city, state, ZIP code

Public mailing address (P.O. box acceptable), city, state, ZIP code

Contact person, phone number, email address for person completing the form

Contact person, phone number, email address for the training schedules moving forward

## **Establishing eligibility**

This section establishes the organization's ability to become a certified worker organization. Without meeting these criteria, the organization cannot be certified.

I, \_\_\_\_\_ (contact name), certify \_\_\_\_\_ (organization name) meets the following criteria:

Application for certification as a worker organization to train nursing home workers under Minn. Stat. 181.214 1

- Organization is exempt from federal income taxation under IRS code (check box) 501(c)(3), 501(c)(4) or 501 (c)(5).
- Organization is not dominated or interfered with by any nursing home employer with the meaning of U.S. Code, Title 29, section 158a (2). **Provide a list of the board of directors.**
- Organization has at least five years of demonstrated experience engaging with and advocating for nursing home workers. **Specify evidence of this experience and advocacy.**

## Data policies

I am aware our organization has responsibilities with the data obtained through this process. I affirm:

- Our organization is responsible to ensure the data we collect will be kept securely in accordance with applicable data security law.
- Any data shared with us by the employer will be kept securely and used only in accordance with Minn. Stat. 181.214, subd. 5.
- We will share the names of the people who attend our training with the employer and their unique identification number, along with the length of the training to ensure the employee is paid for their time up to one hour and the employer can certify their employee has been trained.
- We will provide the attendees with a unique identifier that they completed the training, including the time, date and location of the training.
- We will notify NHWSB if there is a data breach of any significant kind. Though as a worker organization, you are not necessarily subject to the Data Practices Act, for reference, more information about the definitions of a data breach and notification can be found online in [Data Breach Notification Definitions](https://mn.gov/admin/data-practices/data/warnings/breaches) (mn.gov/admin/data-practices/data/warnings/breaches) and [Data Breach Security Assessment](https://mn.gov/admin/data-practices/data/warnings/breaches/assessment) (mn.gov/admin/data-practices/data/warnings/breaches/assessment).
- We will accept P.O. box addresses from the Safe at Home program as legitimate addresses.
- We will share the lists of people who attended our training, as needed, with NHWSB for the purpose of confirming their attendance and maintain records of who attended a training, including the date of that training for five years.

## Curriculum details

- Our organization has reviewed the curriculum established by the board and will adhere to it.
- I have attached a copy of the materials we will use to conduct our training and they meet the curriculum.
- I have attached a copy of the materials we will use that meet the follow-up requirements, including a template certificate of completion.
- Our training will be interactive and the materials we provide will demonstrate this. This should include one visual or digital item (such as a handout or PowerPoint presentation) and one participatory period (such as question and answer or breakout groups).
- Attached are details for how trainees will be able to contact us with follow-up questions.
- We will ensure all trainers are trained about and skilled on the curriculum and background of NHWSB.

- Attached are copies of our plan to ensure training is performed in languages the nursing home workers are proficient in and that our follow-up materials can be translated as needed.
- Our organization understands there will be annual updates to the curriculum and we will update our materials to be in compliance.

## Statements of agreement

If approved, the applicant for approval as a certified worker organization by the Nursing Home Workforce Standards Board hereby agrees to the following:

- Appropriately train staff to be effective and interactive on the established curriculum.
- Provide certification of the training in a manner prescribed by the board for the individuals completing the training.
- Provide a list of workers who completed the training to the nursing home employer and NHWSB, if requested.
- Our organization and availability will be shared with nursing home employers to schedule training on site or in the geographic area.
- Self-report to NHWSB any violations of rules or breaches of data.
- Be subject to immediate rescission of certification to train nursing home workers about NHWSB standards in the state of Minnesota upon a determination the organization was in noncompliance with these criteria and other criteria without limitation.
- Enable a NHWSB representative to visit, attend, investigate and audit, as NHWSB deems necessary, any training and any activity related hereto without limitation.
- Notify NHWSB in writing of any changes, revisions or updates to the organizations rules, policies and procedures affecting the trainings.

Notify NHWSB if your organization will no longer provide worker training. Such notification must include any currently scheduled training your organization will no longer provide. Additionally, the organization must send certifications to each worker who has already been trained and send any remaining attendee lists not already shared to the nursing home employer and NHWSB.

## Assessing capacity

The Nursing Home Workforce Standards Board needs to know the organization's capacity to assist nursing home employers in knowing who to contact to schedule training and also to assess the ability to train all workers. This information will also allow NHWSB to keep an updated list on its webpage. There is no minimum capacity an organization must meet to be certified, but NHWSB expects and will evaluate the organization's capacity to carry out the number and type of training sessions that are committed to below. Deliberately falsifying capacity can result in revocation of certification.

Organizations must be available for follow-up questions and be able to provide instruction in languages that workers speak. Indicate the following:

The number of staff hours your organization can dedicate to training and/or any plans for how to provide training: \_\_\_\_\_.

The capacity of your organization to have the following trainings each month:

- the number of buildings, assuming each building will need one to three training sessions – \_\_\_\_\_;
- the number of in-person meetings and training sessions – \_\_\_\_\_; and
- the number of virtual training sessions – \_\_\_\_\_.

The languages your organization can train in: \_\_\_\_\_.

The geographic locations your organization can cover (select all that apply):

- whole state;
- Twin Cities seven-county metropolitan area;
- northern Minnesota;
- western Minnesota;
- southern Minnesota; and
- other – \_\_\_\_\_.

Are you able to provide a virtual option? \_\_ Yes \_\_ No

- If so, what applications do you use (drop-down menu with Teams, Webex, Zoom, other)

The number of people your organization can train at one time – \_\_\_\_\_.

Your organization is available to train during:

- first shift;
- second shift; or
- third shift.

The plan to staff these training sessions is: \_\_\_\_\_ (attach a separate sheet if more space is needed).

## Acknowledgement

I understand and accept that, according to Minnesota Statutes Sections 181.211 to 181.217 and the rules promulgated thereunder, the Nursing Home Workforce Standards Board may deny, revoke, suspend or limit this certification if I knowingly and willfully made a false statement or provided false documentation in this application or are unable to carry out trainings in the manner dictated by the Board. I declare that all statements and documentation provided with this application are true and correct.

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**Applicant's signature**

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**Date (month/day/year)**

Application for certification as a worker organization to train nursing home workers under Minn. Stat. 181.214 4

\_\_\_\_\_ (Organization) \_\_\_\_\_ (Job title) \_\_\_\_\_ (Contact information)

## Certified worker organization documentation requirements for worker training

Minnesota Statutes 181.214, subd. 6, states “A nursing home employer must submit written documentation to the board to certify that every two years each of its nursing home workers completes one hour of training that meets the requirements of this section and is provided by a certified worker organization.”

Part of the application process to become a certified worker organization included an agreement to provide documentation to the workers and the nursing home employers. Below is the process the board has laid out to help certified worker organizations meet these obligations.

### Code for organization

The board will provide a code to the organization. This will be provided after the organization is certified.

### Code for training

The worker organization will provide a code to the worker after they have been trained. The code will need the date and geographic location in it. The date will be important to include to easily identify if a worker has been trained in the past two years and the location will be important to help distinguish the training.

Here is the recommended formula:

Organization’s code + date of training + [county code](https://mn.gov/mnit/government/policies/geo/mn-county-identification-codes.jsp) (mn.gov/mnit/government/policies/geo/mn-county-identification-codes.jsp) of the location of the training.

For example, if an organization with the code “A” had a training session Sept. 9, 2024, in St. Peter, Minnesota, which is located in Nicollet County, the code for the training would be:

A20240909103 (A – the organization’s code + 2024/09/09 – the date of the training + 103 – Nicollet County’s code).

These codes would be decipherable to the board, employer and certified worker organization, but long enough that they may be difficult to fraudulently produce.

### Requirements

Worker organizations would need to keep records of the training sessions they have done and the workers who attended, for five years to allow for the possibility the board selects a nursing home’s training to be verified. The board and a nursing home employer should be able to ask the worker organization to provide a check about the legitimacy of a code and that a particular worker attended that meeting.

Worker organizations will send the list of worker attendees to the nursing homes that had workers at the training. The nursing home will then return the sign-in sheet with contact information for those workers who have not opted out of sharing their contact information with the worker organization. To do this, the worker organization should have a sign-in sheet that includes the worker’s name and the name of the nursing home(s) where the worker is employed.

A [template sign-in sheet](https://dli.mn.gov/sites/default/files/doc/nhwsb_sign-in_template.docx) (dli.mn.gov/sites/default/files/doc/nhwsb\_sign-in\_template.docx) is available online. The sign-in sheet would be used to pass from the worker organization to the nursing home employer to help the employer verify worker attendance and ensure their workers are compensated for their attendance. The nursing home employer would then send the sign-in sheet back to the worker organization with names and contact information of those who attended, unless a worker opts out of having their information shared as prescribed by statute.

## Board verification process

NHWSB will have a process for verifying nursing homes have trained their workers for an hour at least once every two years. During this process, worker organizations may be called upon to verify the codes and attendance at training sessions. This is why saving your sign-in sheets will be important.

## Examples of sign-in sheets, information sharing process

### Example sign-in sheet

The expectation would be this sheet is what is retained for five years.

<i>This column is filled in at the sign-in or pre-filled if the sign-in is in advance</i>	<i>This is the same for every attendee of an event, but different for each event</i>	<i>This can be filled in, verified or edited by the attendee</i>	<i>The staff of the certified worker organization would fill this in; a “no” or blank would indicate they signed up, but didn’t attend</i>
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These email messages or the codes in these email messages could be used to verify compliance with the rules.

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Attached is the list of who attended our training from your nursing home. This training was Sept. 9, 2024, in St. Peter, Minnesota. Send back the contact information of these workers and ensure they are compensated for their one hour of time spent in this training.

Sincerely,

First certified worker organization

<b>Name</b>	<b>Training code</b>	<b>Nursing home employer(s)</b>	<b>Attended</b>
Jan Jansen	A20240909103	ACME Mankato	Yes
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Sincerely,

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Name	Training code	Nursing home employer(s)	Attended
Maria Gonzalez	A20240909103	ACME Springfield	Yes

**Example: What the employer would send back**

Dear First certified worker organization,

Attached are the names and contact information from your training Sept. 9, 2024, in St. Peter, Minnesota.

Sincerely,

ACME Mankato

Name	Training code	Nursing home employer(s)	Attended	Contact information
Jan Jansen	A20240909103	ACME Mankato	Yes	Contact information filled in here
██████████	██████████	██████████	█	Employee opted out of sharing contact information

## Timeline for application for certification, ongoing obligations for worker organizations

Applications will be accepted on a rolling basis and reviewed at least quarterly. Our rules dictate we must certify or deny certification within 90 days of receiving the initial application in the form prescribed by the board.

- Jan. 1, 2025: Certification rules go into effect.
- Feb. 17, 2025: Application process for certification of worker organizations opens.
- May 17, 2025: Ninety days since applications opened; first deadline for responding to applications.

\*As organizations are certified, they must, according to draft rules, be issued a unique identification number.

- September 2026: Annual review of curriculum and public hearing.
- November 2026: Certified worker organizations should have received updates and are using new curriculum.
- Jan. 1, 2027: First deadline for nursing homes to document that any workers who have been there for two years or more have had at least one hour of training.
- February through April 2027: Executive director works with nursing homes to verify their documentation of training of the workers.
- 2026 through 2027: Likely to see the first review and, potentially, adoption of new standards (Minn. Stat. 181.213, subd. 3). Within 30 days of the adoption of new standards, the board would need to open the application process for renewal of certification. The application period for renewal would last 60 days.

## Curriculum: NHWSB worker training

Date: 2024

### Topic: Purpose and objectives

#### Purpose

The purpose of the training is to help fulfill the board’s obligation to “ensure nursing home workers are properly trained about and fully informed of their rights” under the NHWSB Act.<sup>1</sup>

#### Objectives

At the end of the training course, the workers should understand or know where to find:

1. The current minimum standards set by NHWSB.
2. Antiretaliation protections established by the NHWSB Act.
3. What to do if they are experiencing violations of the NHWSB Act and the rules established by the board or experiencing retaliation, including how to report such violations.
4. Additional rights, duties and obligations of the NHWSB Act and updates since the most recent training.
5. How to contact NHWSB or get information about coming NHWSB events.
6. Other information
  - a. The federal staffing mandates and earned sick and safe time have been mentioned.
  - b. Resources should be listed for Minnesota OSHA, safe patient-handling, employee right-to-know and hazard communications (HAZCOM), the National Labor Relations Act, and Minnesota Paid Leave (family and medical).

### Topic: Methodology

#### Interactive training

Certified worker organizations must provide effective and interactive training.<sup>2</sup> Therefore, online training should include a synchronous (live) portion and give workers an opportunity to ask questions and have them answered. The board can consider if there are other training features that could improve the efficacy of trainings. See a [sample curriculum presentation](https://dli.mn.gov/sites/default/files/ppt/nhwsb_sample_curriculum_presentation.pptm) (dli.mn.gov/sites/default/files/ppt/nhwsb\_sample\_curriculum\_presentation.pptm).

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<sup>1</sup>Minnesota Statutes 181.213, subd. 1(a).

<sup>2</sup>Minnesota Statutes 181.214, subd. 1(1), and 181.214, subd. 5(2).

## **Follow up**

Certified worker organizations must provide follow-up written or electronic materials that cover the topics in the training.<sup>3</sup> Training must be conducted in a language in which the workers are proficient.<sup>4</sup> Follow-up materials should also be provided in the languages in which the workers are proficient. A certified worker organization must also make itself reasonably available to answer questions during and after training sessions.<sup>5</sup>

## **Languages**

The training and follow up must be conducted in a language in which workers are proficient.

## **Topic: Pacing**

### **One to three training sessions**

The NHWSB Act dictates certified worker organizations are not required to cover all topics in a single training session. Rather, a certified worker organization may cover the required curriculum topics during up to three training sessions. However, nursing home employers are only obligated to certify their workers have been trained for one hour every two years.<sup>6</sup>

## **Topic: Evaluation**

Certified worker organizations may conduct surveys of nursing home workers who attend a training session to evaluate the effectiveness of training sessions and industry compliance with the NHWSB Act.

## **Topic: Content**

See “Training content” document.

## **Topic: Other obligations**

Certified worker organizations also have other obligations, such as giving nursing home employees a confirmation of having completed the training, communicating with the employer of the nursing home workers and keeping data securely. See “Data policy” and “Certified worker organization documentation requirements for worker training” on the application (page 10), for complete instructions.

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<sup>3</sup>Minnesota Statutes 181.214, subd. 5(3), and 181.214, subd. 1(2).

<sup>4</sup>Minnesota Statutes 181.214, subd. 5(3), and § 181.214, subd. 1(2).

<sup>5</sup>Minnesota Statutes 181.214, subd. 5(4), and 181.214, subd. 1(2).

<sup>6</sup>Minnesota Statutes 181.214, subd. 3.

## **Topic: Continuing education**

The Board of Nursing does not approve specific continuing education credits, but rather is it up to individual nurses whether a course meets the requirements for continuing education. Those requirements are on the Board of Nursing's website at [Continuing Education](#).

If a certified worker organization would like to be listed as a resource for continuing education, that information is available in [Continuing Education Resources](#).

## **Content: Certified worker organization training, Nursing Home Workforce Standards Board**

Date: 2024

### **Topic: Introduction**

#### **Objective**

By the end of this session, you will be able to:

- Explain the Nursing Home Workforce Standards Board.
- Understand your rights under the Nursing Home Workforce Standards Board Act.
- Know whom to contact with questions or for help.

#### **Nursing Home Workforce Standards Board**

The 2023 Minnesota Legislature created the Nursing Home Workforce Standards Board under the Nursing Home Workforce Standards Board Act, Minn. Stat. 181.211 through 181.217.

NHWSB was created in law to conduct investigations into working conditions in the nursing home industry and adopt rules establishing minimum employment standards reasonably necessary and appropriate to protect the health and welfare of nursing home workers.

Who the board is: The nine member board is composed of three representatives from employers appointed by the governor, three representatives from employees appointed by the governor and three representatives from three state agencies – the Department of Human Services, which oversees the state funding of nursing facilities, the Department of Health, which licenses nursing facilities, and the Department of Labor and Industry, which enforces labor laws and rules, including the NHWSB Act.

A list of [current board members](https://dli.mn.gov/sites/default/files/pdf/nhwsb_members.pdf) (dli.mn.gov/sites/default/files/pdf/nhwsb\_members.pdf) is available on the Nursing Home Workforce Standards Board webpage.

The Nursing Home Workforce Standards Board researches market conditions for nursing homes and nursing home workers to understand the existing working conditions in the nursing home industry and then, based on that information, makes rules meant to protect the health and welfare of people working in nursing homes. This includes public forums, data research and collaboration with advocates that represent nursing home employers and nursing home workers.

The board also ensures nursing home workers know their rights and obligations under the NHWSB Act. It does this by using its internal expertise and information from public engagement to set processes for certification of worker organizations, which will provide nursing home workers with training about their rights, and it sets requirements for what must be in those training sessions.

If nursing homes believe they cannot meet the standards set by the board, the board creates procedures for nursing homes to apply for waivers and variances from the standards.

The board also reports to the Legislature about its work and the cost to the state of the standards it creates for nursing home workers.

## **Topic: Wage standards and other standards**

### **Minimum wages effective Jan. 1, 2026, and Jan. 1, 2027**

If the Legislature appropriates the money to fund these wages, the following minimum wages will apply, starting Jan. 1, 2026. The Legislature must appropriate money to fund the state’s cost of these wages for them to go into effect. The Legislature convenes in January 2025 and must finish its work no later than June 30, 2025. This is when the money must be appropriated by.

The general wage is the least amount someone working in a nursing home, who meets the definition of nursing home worker, should be paid. The minimum wages for a certified nursing assistant (CNA), trained medication aide (TMA) and licensed practical nurse (LPN) are the least amount someone working in that role should be paid. There is a set of minimum wages that start Jan. 1, 2026, and then an increase to the minimum wages that begin Jan. 1, 2027.

<b>Occupation</b>	<b>Minimum wage for the occupation as of Jan. 1, 2026</b>	<b>Minimum wage for the occupation as of Jan. 1, 2027</b>
General wage	\$19.00	\$20.50
Certified nursing assistant	\$22.50	\$24.00
Trained medication aide	\$23.50	\$25.00
Licensed practical nurse	\$27.00	\$28.50

Note: The general minimum wage applies to all nursing home workers as defined by the NHWSB Act who are not otherwise noted in this chart. For further clarification about who meets the definition of nursing home worker, see Minn. Stat. 181.211, subd. 9.

### **Waiver and variances**

If a nursing home has a waiver or variance from the minimum wages, please note that they have a waiver and what the terms and the minimum wages are associated with those terms.

### **Holiday pay – effective Jan. 1, 2025**

If a nursing home worker works in the nursing home on one of the designated holidays, they must be paid at least time and a half of their regular hourly wage for all hours worked during the holidays.

“Holiday” means the following dates: New Year’s Day, Jan. 1; Martin Luther King’s Birthday, the third Monday in January; Washington’s and Lincoln’s Birthday, the third Monday in February; Memorial Day, the last Monday in May; Juneteenth, June 19; Independence Day, July 4; Labor Day, the first Monday in September; Indigenous Peoples Day, the second Monday in October; Veterans Day, Nov. 11; Thanksgiving Day, the fourth Thursday in November; and Christmas Day, Dec. 25.

If a nursing home worker works in the nursing home on one of these designated holidays, they must be at least paid time and a half of their regular hourly wage for all hours worked during the holidays.

This is a minimum set of holidays that must be paid at least time and a half of a worker's hourly wages. An employer may pay more than time and a half and may pay holiday pay on more days than these minimum 11 holidays. Some union contracts may have additional requirements about holidays and holiday pay, but those are always in addition to the rules set by the board.

A holiday is a 24-hour period from midnight of the date designated as a holiday to the next midnight.

There are ways to change the list and the times. Agreement between the worker and employer can allow for up to four holidays being changed. For more details, see [Minn. R. 5200.2010, subp. 2, Holiday pay](https://revisor.mn.gov/rules/5200.2010) (revisor.mn.gov/rules/5200.2010).

## **Topic: NHWSB Act – other rights and protections**

### **Training**

The NHWSB Act directs the board to certify organizations to train nursing home workers on their rights under the NHWSB Act, as well as other applicable laws and rules. Organizations that train nursing home workers about their rights must use a curriculum that meets requirements set by NHWSB.

The training should be interactive and in a language you, the worker, are proficient in.

You should receive follow-up materials either electronically or in written form and be able to ask questions during or after the training.

The certified worker organization may also follow up with you with a survey about how the training went.

A certified worker organization may ask your employer for your contact information. If you do not want your contact information shared with the certified worker organization, you have the right to opt out of your employer providing that information. To opt out, submit a request in writing to your employer.

Your employer needs to certify you have been trained for at least one hour every two years.

Finally, NHWSB Act determines you should be compensated for attending the training, "A nursing home employer must compensate its nursing home workers at their regular hourly rate of wages and benefits for each hour of training completed as required by this section and reimburse any reasonable travel expenses associated with attending training sessions not held on the premises of the nursing home." Check with your employer about travel reimbursement and communicate with your trainers about any difficulties.

Visit [Minn. Stat. 181.214, subd. 7](https://revisor.mn.gov/statutes/cite/181.214#stat.181.214.7) (revisor.mn.gov/statutes/cite/181.214#stat.181.214.7), for complete information.

### **Posting**

The nursing home employer where you work should post notice of the rights and obligations under the NHWSB Act in the same way you would typically be notified of work-related notices.

“Provision of notice must be at least as conspicuous as:

1. posting a copy of the notice at each work site where nursing home workers work and where the notice may be readily seen and reviewed by all nursing home workers working at the site; or
2. providing a paper or electronic copy of the notice to all nursing home workers and applicants for employment as a nursing home worker.”

Your employer must also notify you that you can request the notice in a language you are proficient in. The board can assist in translation.

“(b) The notice required by this subdivision must include text provided by the board that informs nursing home workers that they may request the notice to be provided in a particular language. The nursing home employer must provide the notice in the language requested by the nursing home worker. The board must assist nursing home employers in translating the notice in the languages requested by their nursing home workers.”

### **Conflicts with other laws or agreements**

The rights and protections for nursing home workers established by the NHWSB Act are meant to be the minimum protections and standards employers must follow.

If a rule set by a different state agency conflicts with a rule NHWSB sets, the rule set by NHWSB will apply to nursing home workers, unless the rule set by the different state agency was established after the rule set by NHWSB *and* that rule set by the other state agency is more protective or beneficial to nursing home workers.

If a rule set by NHWSB conflicts with requirements in federal regulations for nursing home certification or with state statutes or rules governing licensure of nursing homes, the federal regulations or state nursing home licensure statutes or rules shall take precedence, and the conflicting board standard or rule shall not apply to nursing home workers or nursing home employers. The commissioner of the Minnesota Department of Health decides if such a conflict exists, not nursing home employers.

The rights and protections of the NHWSB Act do not limit the rights of workers to engage in collective bargaining (for example, by joining a union) or, through a collective bargaining agreement (also called a CBA or a union contract), agree to nursing home employment standards *or* mean a nursing home employer does not have to comply with any contract, collective bargaining agreement, or employment benefit program or plan that meets or exceeds, and does not conflict with, the minimum standards and requirements under the NHWSB Act.

### **Anti-retaliation**

There are rules against employers retaliating against workers for exercising their rights under the NHWSB Act.

### ***Rules for nursing home employers***

A nursing home employer shall not discharge, discipline, penalize, interfere with, threaten, restrain, coerce, or otherwise retaliate or discriminate against a nursing home worker because the person has exercised or attempted to exercise rights protected under the NHWSB Act (Minn. Stat. 181.211 to 181.217), including, but not limited to:

1. exercising any right afforded to the nursing home worker under the NHWSB Act;

2. participating in any process or proceeding under the NHWSB Act, including, but not limited to, board hearings, board or department investigations, or other related proceedings; or
3. attending or participating in the training required by the NHWSB Act.

### ***Rules for all employers***

Additionally, it shall be unlawful for an employer to:

1. inform another employer that a nursing home worker or former nursing home worker has engaged in activities protected under the NHWSB Act; or
2. report or threaten to report the actual or suspected citizenship or immigration status of a nursing home worker, former nursing home worker or family member of a nursing home worker to a federal, state or local agency for exercising or attempting to exercise any right protected under the NHWSB Act.

### ***Consequences if these rules are broken***

(c) A person found to have experienced retaliation in violation of this section shall be entitled to back pay and reinstatement to the person's previous position, wages, benefits, hours and other conditions of employment.

## **Topic: What to do if you suspect there are violations of the NHWSB Act**

There are two options if you suspect you are experiencing violations of the NHWSB Act: contact the Labor Standards Division at the Minnesota Department of Labor and Industry or use what is called a private right of action.

### **Labor Standard Division, Department of Labor and Industry**

If you suspect the NHWSB Act is not being followed, you can contact the Labor Standards Division at the Minnesota Department of Labor and Industry at 651-284-5075 or [dli.laborstandards@state.mn.us](mailto:dli.laborstandards@state.mn.us).

### **Filing a lawsuit**

You can file a lawsuit, also referred to as taking civil action or exercising a private right of action.

- a) One or more nursing home workers may bring a civil action in district court seeking redress for violations of sections [181.211](#) to [181.217](#) ([revisor.mn.gov/statutes/cite/181](http://revisor.mn.gov/statutes/cite/181)) or of any applicable minimum nursing home employment standards or local minimum nursing home employment standards. Such an action may be filed in the district court of the county where a violation or violations are alleged to have been committed or where the nursing home employer resides, or in any other court of competent jurisdiction, and may represent a class of similarly situated nursing home workers.

If it is found the NHWSB Act has been violated, the employer may be liable for damages.

- a) Upon a finding of one or more violations, a nursing home employer shall be liable to each nursing home worker for the full amount of the wages, benefits and overtime compensation, less any amount the nursing home employer is able to establish was actually paid to each nursing home worker, and for an additional equal amount as liquidated damages. In an action under this subdivision, nursing home workers may seek damages and other appropriate relief provided by section [177.27, subd. 7](#)

([revisor.mn.gov/statutes/cite/177.27#stat.177.27.7](http://revisor.mn.gov/statutes/cite/177.27#stat.177.27.7)), or otherwise provided by law, including reasonable costs, disbursements, witness fees and attorney fees. A court may also issue an order requiring compliance with sections [181.211](#) to [181.217](#) ([revisor.mn.gov/statutes/cite/181](http://revisor.mn.gov/statutes/cite/181)) or with the applicable minimum nursing home employment standards or local minimum nursing home employment standards. A nursing home worker found to have experienced retaliation in violation of section [181.216](#) ([revisor.mn.gov/statutes/cite/181.216](http://revisor.mn.gov/statutes/cite/181.216)) shall be entitled to back pay and reinstatement to the worker's previous position, wages, benefits, hours and other conditions of employment.

If you have a collective bargaining agreement (CBA, also called a union contract), and the conditions are less favorable than these standards under the NHWSB Act, that is not an excuse to be paid less than the wages and other standards under the NHWSB Act.

An agreement between a nursing home employer and nursing home worker or labor union that fails to meet the minimum standards and requirements in sections [181.211](#) to [181.217](#) ([revisor.mn.gov/statutes/cite/181](http://revisor.mn.gov/statutes/cite/181)) or established by the board is not a defense to an action brought under this subdivision.

## Resources

Talk to:

- your collective bargaining agent or union;
- the Office of Attorney General – see [Hiring an attorney](#) ([ag.state.mn.us/Consumer/Publications/HiringAnAttorney.asp](http://ag.state.mn.us/Consumer/Publications/HiringAnAttorney.asp));
- the National Employment Lawyers Association – see [Find-A-Lawyer](#) ([exchange.nela.org/memberdirectory/findalawyer](http://exchange.nela.org/memberdirectory/findalawyer)); or
- the Volunteer Lawyers Network – see [I Need Help](#) ([vlnmn.org/help](http://vlnmn.org/help)).

## Topic: Other important laws, rules, ordinances

### Federal staffing rules

Federal staffing mandates are not set by NHWSB, but we know it affects much of the nursing home workers and employers.

The mandates listed here are available online at: [Federal Register: Medicare and Medicaid Programs; Minimum Staffing Standards for Long-Term Care Facilities and Medicaid Institutional Payment Transparency Reporting](#) ([federalregister.gov/documents/2024/05/10/2024-08273/medicare-and-medicaid-programs-minimum-staffing-standards-for-long-term-care-facilities-and-medicaid](http://federalregister.gov/documents/2024/05/10/2024-08273/medicare-and-medicaid-programs-minimum-staffing-standards-for-long-term-care-facilities-and-medicaid)). A news release that summarizes the mandates is available online at: [Medicare and Medicaid Programs: Minimum Staffing Standards for Long-Term Care Facilities and Medicaid Institutional Payment Transparency Reporting Final Rule](#) ([cms.gov/newsroom/fact-sheets/medicare-and-medicaid-programs-minimum-staffing-standards-long-term-care-facilities-and-medicaid-0](https://cms.gov/newsroom/fact-sheets/medicare-and-medicaid-programs-minimum-staffing-standards-long-term-care-facilities-and-medicaid-0)).

This rule is phased in over three to five years, depending on if your facility is considered rural or nonrural.

## Earned sick and safe time

Another recent development that affects many nursing home workers is the statewide earned sick and safe time requirements. Sick and safe time is paid leave employers must provide to employees in Minnesota that can be used for certain reasons, including when an employee is sick, to care for a sick family member or to seek assistance if an employee or their family member has experienced domestic abuse, sexual assault or stalking. For more, see [Earned sick and safe time](https://dli.mn.gov/sick-leave) (dli.mn.gov/sick-leave).

To ensure your employer is meeting the minimum requirements for earned sick and safe time accumulation and usage, visit the Department of Labor and Industry's [Earned sick and safe time webpage](https://dli.mn.gov/sick-leave) (dli.mn.gov/sick-leave).

## Other

- [Minnesota OSHA](https://dli.mn.gov/about-department/our-areas-service/minnesota-osh-compliance) (dli.mn.gov/about-department/our-areas-service/minnesota-osh-compliance) – Minnesota's Occupational Safety and Health Administration state plan.
- [Safe Patient Handling Act](https://dli.mn.gov/sites/default/files/pdf/sph_long-term_care_mn_update.pdf) (dli.mn.gov/sites/default/files/pdf/sph\_long-term\_care\_mn\_update.pdf) – every licensed health care facility in the state shall adopt a written safe patient handling policy establishing the facility's plan to achieve the goal of minimizing manual lifting of patients by nurses and other direct patient care workers by utilizing safe patient handling equipment (see [Minn. Stat. 182.6551 through 182.6554](https://www.revisor.mn.gov/statutes/cite/182.6551) (revisor.mn.gov/statutes/cite/182.6551)).
- [Hazard communication \(HAZCOM\) and employee right-to-know](https://dli.mn.gov/sites/default/files/doc/hazcom_ertk_model_program.docx) (dli.mn.gov/sites/default/files/doc/hazcom\_ertk\_model\_program.docx) – employers must evaluate their workplaces for the existence of hazardous substances, harmful physical agents and infectious agents, and provide training and information to those employees covered under this act who are routinely exposed to those substances and agents.
  - See also [Minnesota Rules 5206, Hazardous substances; employee right-to-know](https://www.revisor.mn.gov/rules/5206) (revisor.mn.gov/rules/5206) and the Minnesota Department of Administration's [Employee Right to Know Policy](https://mn.gov/admin/employees/hr/employees/policies/safety/right-to-know) (mn.gov/admin/employees/hr/employees/policies/safety/right-to-know).
- [MNOSHA Compliance: Ergonomics](https://dli.mn.gov/business/workplace-safety-and-health/mn-osh-compliance-ergonomics) (dli.mn.gov/business/workplace-safety-and-health/mn-osh-compliance-ergonomics) – Minnesota employers must proactively address ergonomics issues in the workplace.
  - See also [Minnesota Statutes 182.677](https://www.revisor.mn.gov/statutes/cite/182.677) (revisor.mn.gov/statutes/cite/182.677), Ergonomics.
- [National Labor Relations Act](https://nrlb.gov/about-nrlb/rights-we-protect/your-rights/your-rights-to-discuss-wages) (nrlb.gov/about-nrlb/rights-we-protect/your-rights/your-rights-to-discuss-wages) – this federal act protects your right to discuss wages at work and encourages collective bargaining by protecting workers' full freedom of association.
- [Minnesota Paid Leave](https://info.paidleave.mn.gov) (info.paidleave.mn.gov) – this new Minnesota law will take effect Jan. 1, 2026, and will provide 12 weeks of paid family or medical leave for workers.

## Topic: Updates to the training and coming events

### Where to get information about coming board events

You can find complete board-related information on the [Nursing Home Workforce Standards Board webpage](https://dli.mn.gov/about-department/boards-and-councils/nursing-home-workforce-standards-board) (dli.mn.gov/about-department/boards-and-councils/nursing-home-workforce-standards-board). NHWSB posts public meeting notifications on this webpage, as well as information about how to get involved.

## Sample follow-up document

	Agency/department	Resource	Contact information
Federal staffing rules	Centers for Medicare and Medicaid Services ( <a href="#">CMS</a> ), Department of Health and Human Services ( <a href="#">HHS</a> )	<a href="#">Rule information</a>	
Earned sick and safe time (ESST)	Minnesota Department of Labor and Industry ( <a href="#">DLI</a> )	<a href="#">ESST</a> <a href="#">ESST FAQs</a>	<a href="mailto:esst.dli@state.mn.us">esst.dli@state.mn.us</a> 651-284-5075
Minnesota OSHA (MNOSHA) Compliance	DLI <a href="#">MNOSHA Compliance</a>	<a href="#">Standards and regulations</a>	651-284-5050 877-470-6742
Safe Patient Handling Act	DLI <a href="#">MNOSHA Compliance</a>	<a href="#">Information</a>	651-284-5050 877-470-6742
Employee right-to-know	DLI <a href="#">MNOSHA Compliance</a>	<a href="#">Employee right-to-know</a> <a href="#">Minnesota Rules 5206</a>	651-259-3700
Hazard communication (HAZCOM)	DLI <a href="#">MNOSHA Compliance</a>	<a href="#">Standards and regulations</a> <a href="#">Minnesota Rules 5206</a>	651-284-5050 877-470-6742
National Labor Relations Act (NLRA)	National Labor Relations Board (NLRB)	<a href="#">FAQs</a> <a href="#">Information</a> <a href="#">Right to discuss wages</a>	Region 18 612-348-1757
Minnesota Paid Leave (family or medical leave)	Minnesota Department of Employment and Economic Development ( <a href="#">DEED</a> )	<a href="#">Information</a>	<a href="#">Ask a question</a>
<b>[Fill in your information here]</b>			
Nursing Home Workforce Standards Board	DLI Nursing Home Workforce Standards Board ( <a href="#">NHWSB</a> )	<a href="#">About the Nursing Home Workforce Standards Board</a>	<a href="mailto:nhwsb.dli@state.mn.us">nhwsb.dli@state.mn.us</a>

### Federal staffing rules

- Federal staffing mandates are not set by NHWSB, but we know they affect nursing home workers and employers. This rule is phased in over three to five years, depending on if your facility is considered rural or nonrural. For more information, visit [Federal Register: Medicare and Medicaid Programs; Minimum Staffing Standards for Long-Term Care Facilities and Medicaid Institutional Payment Transparency Reporting](https://www.federalregister.gov/documents/2024/05/10/2024-08273/medicare-and-medicaid-programs-minimum-staffing-standards-for-long-term-care-facilities-and-medicaid) (federalregister.gov/documents/2024/05/10/2024-08273/medicare-and-medicaid-programs-minimum-staffing-standards-for-long-term-care-facilities-and-medicaid).

### Earned sick and safe time

- Another recent development that affects many nursing home workers is the statewide earned sick and safe time requirements. Sick and safe time is paid leave employers must provide to employees in Minnesota that can be used for certain reasons. To ensure your employer is meeting the minimum requirements for earned sick and safe time accumulation and usage, visit the [Earned sick and safe time webpage](https://dli.mn.gov/sick-leave) (dli.mn.gov/sick-leave).

## Minnesota OSHA

- Minnesota’s Occupational Safety and Health Administration ([MNOSHA](https://dli.mn.gov/about-department/our-areas-service/minnesota-osh-compliance) (dli.mn.gov/about-department/our-areas-service/minnesota-osh-compliance)) state plan.

## Safe Patient Handling Act

- Every licensed health care facility in the state shall adopt [a written safe patient handling policy](https://dli.mn.gov/sites/default/files/pdf/sph_long-term_care_mn_update.pdf) (dli.mn.gov/sites/default/files/pdf/sph\_long-term\_care\_mn\_update.pdf) establishing the facility’s plan to achieve the goal of minimizing manual lifting of patients by nurses and other direct patient care workers by using safe patient handling equipment. For more information, see [Minn. Stat. 182.6551 through 182.6554](https://revisor.mn.gov/statutes/cite/182.6551) (revisor.mn.gov/statutes/cite/182.6551).

## Hazard communication (HAZCOM) and employee right-to-know

- Employers must evaluate their workplaces for the existence of hazardous substances, harmful physical agents and infectious agents and provide training and information to those employees covered under this act who are routinely exposed to those substances and agents. See also:
  - [Employee right-to-know](https://mn.gov/admin/employees/hr/employees/policies/safety/right-to-know) (mn.gov/admin/employees/hr/employees/policies/safety/right-to-know);
  - [Hazard communications, employee right-to-know](https://dli.mn.gov/sites/default/files/doc/hazcom_ertk_model_program.docx) (dli.mn.gov/sites/default/files/doc/hazcom\_ertk\_model\_program.docx); and
  - [Minn. R. 5206, Hazardous substances; employee right-to-know](https://revisor.mn.gov/rules/5206) (revisor.mn.gov/rules/5206).

## National Labor Relations Act

- The [National Labor Relations Act](https://nlr.gov/about-nlr/rights-we-protect/your-rights/your-rights-to-discuss-wages) (nlrb.gov/about-nlr/rights-we-protect/your-rights/your-rights-to-discuss-wages) is a federal act that protects your right to discuss wages at work and encourages collective bargaining by protecting workers’ full freedom of association.

## Minnesota Paid Leave

- This new Minnesota law will take effect Jan. 1, 2026, and will [provide 12 weeks of paid family leave or medical leave](https://mn.gov/deed/paidleave) (mn.gov/deed/paidleave).