

Minutes: Nursing Home Workforce Standards Board

Date: Thursday, Feb. 13, 2025

Minutes prepared by: Linnea Becerra

Location: Hybrid – Minnesota Room at the Department of Labor and Industry and via Webex

Attendance

Members present

Michelle Armstrong (remotely)

Commissioner Nicole Blissenbach (present at 11:04 a.m.)

Kim Brenne

Michele Fredrickson (remotely)

Jamie Gulley

Maria King

Katie Lundmark

Paula Rocheleau (remotely)

Mary Swanson (remotely)

Visitors present

Todd Bergstrom

Brian Elliott (remotely)

Kayla Revier (remotely)

DLI staff members present

Linnea Becerra

Paul Enger

Ken McGurran

Leah Solo

Agenda items

- 1. Call to order** – the meeting was called to order by Jamie Gulley at 11:01 a.m. Roll call was taken. A quorum was declared.
- 2. Approval of agenda** – a motion to approve the agenda as presented was made by Katie Lundmark and seconded by Maria King. A roll call vote was taken and the motion passed unanimously.
- 3. Approval of drafted meeting minutes** – a motion to approve the Jan. 9, 2025, drafted meeting minutes as presented was made by Kim Brenne and seconded by Paula Rocheleau. A roll call vote was taken and the motion passed unanimously.
- 4. Board updates** –
 - Executive Director Leah Solo updated the board about the implementation of the holiday pay rules, which went into effect Jan. 1. Solo said she has received email messages and questions at a similar rate as in the previous month, but the questions have switched from being from employers to being

from workers. The content has been more or less the same, clarifying what facilities are covered under the rules or who is a nursing home worker. Lundmark added about her colleagues commenting about their financials, as well as the governor's proposed budget, and the difficulty it presents in overcoming the proposed minimum-wage standards. Rocheleau and Mary Swanson agreed with Lundmark. Swanson said she has heard that some are frustrated, because some workers are getting time and a half, while some are not. Jamie Gulley encouraged all parties to take their advocacy regarding funding questions or changes to the Capitol, noting the board does not have a formal role in the budget process. Lundmark and Rocheleau discussed the 2% cap and that, even if the appropriation for the standards is approved, the cap will limit facilities' services. Michele Fredrickson reminded the group this is a proposal from the governor and members can talk with their representatives about their positions on the matter and the damage it could do to both employers and workers. Brenne asked if the waiver process can be used to address these concerns after this session and Gulley replied that yes, it is. Brenne said the waivers process is something the board does have authority over. Gulley reminded the group that there have been no applications for waivers or variances from employers. Lundmark reiterated her concern about the proposed governor's budget and that waivers were supposed to be for one-offs. Gulley shared he has heard from more than 500 workers saying this time-and-a-half pay rule is the best thing that has yet to happen in their field. Gulley has heard there were fewer call-ins and not as many working short as in previous years. The comments Gulley has heard in opposition of the rules have come from employers he works with and noted that employers may still choose to pay time and a half on their selected holidays for all employees. Swanson pointed out the additional expense it would be to pay time and a half to all employees.

- Solo explained the *Certification of Worker Organizations and Worker Training Guide* received some edits and those have been applied. A sign-in template, that was referenced in the packet, has been created and included. There was a motion to adopt the *Certification of Worker Organizations and Worker Training Guide* by Commissioner Blissenbach, seconded by Brenne. A roll call was taken and the motion passed unanimously.
- Solo presented the proposed process for canceling Waiver Review Workgroup meetings, explaining the proposed timeline for both meeting as a workgroup and canceling unnecessary meetings. Commissioner Blissenbach asked if there was a way for a special meeting to be called if an extenuating circumstance arose; it was clarified that a special meeting could be called. Brenne spoke in favor of adopting the process. A motion to adopt the process for canceling Waiver Review Workgroup meetings was made by King and seconded by Brenne. A roll call vote was taken and the motion passed unanimously.
- Solo explained the Waivers and Variances Workgroup has not met in awhile, but will need to pick up meeting again in the not so distant future. There was discussion and the group will meet in or around June.
- Updates about the Data Workgroup meeting were shared by Solo and Brenne. Lundmark requested to add fiscal data gathering and outlining some effects the provider and nursing facilities are experiencing from the standards. Brenne said a request like that would need to come from the board to the Department of Human Services. Paul Enger, Office of General Council, read from the statute what the board is charged with investigating as it relates to workplace data. Lundmark pointed out the last part of the statute, "... and any other information pertinent to the establishing of minimum nursing home employment standards" and said it would be helpful to know how the

standards are affecting the organizations. Commissioner Blissenbach asked if the department would know what is billed for reimbursement on holidays; Brenne answered no. Lundmark said it would be good to have data points the board can look at year after year. Lundmark volunteered to bring some ideas for data points via email. It was concluded members could submit requests to the Data Workgroup.

- Solo reported the Public Hearing Workgroup will not meet for awhile and has met its statutory obligations at this time.

5. New business –

6. Next meeting – the next meeting is Thursday, March 13.

Adjournment

A motion was made by King to adjourn the meeting at 11:43 a.m. and seconded by Kim Brenne. A roll call vote was taken and the motion passed unanimously.