

Meeting minutes: Nursing Home Workforce Standards Board

Date: Thursday, March 21, 2024

Minutes prepared by: Linnea Becerra

Location: Hybrid – Minnesota Room (Department of Labor and Industry) and via Webex

Attendees

Members present

- Commissioner Nicole Blissenbach
- Chair Jaime Gulley
- Katie Lundmark
- Kim Brenne
- Maria King (joined remotely at 9:12 a.m.)
- Michele Fredrickson
- Michelle Armstrong
- Paula Rocheleau
- Mary Swanson

Visitors present

- Jeff Bostic
- Rick Varco
- Todd Bergstrom
- Casey Murphy (remotely)

DLI staff members present

- Ali Afsharjavan
- Linnea Becerra
- Paul Enger
- Leah Solo

Agenda items

1. **Call to order** – the meeting was called to order by Jamie Gulley at 9:07 a.m. A roll call was taken. A quorum was declared.
2. **Approval of agenda** – a motion to approve the agenda as presented was made by Michelle Armstrong and seconded by Michele Fredrickson. The approval of the agenda was presented for discussion, Chair Gulley called for approval and the motion passed unanimously.
3. **Approval of drafted meeting minutes** – a motion to approve the March 18, 2024, drafted meeting minutes as presented was made by Armstrong and seconded by Fredrickson. A roll call vote was taken and the motion passed unanimously.

4. Board updates –

- Paul Enger presented the memo “NHWSB Rulemaking Deadlines,” which outlined the deadlines for the board and its decision-making process. There was clarification about the rules being effective Aug. 1 or adopted by the board by Aug. 1; the conclusion was the latest the rules would go into effect would be three weeks after adoption, so possibly mid-August.
- Executive Director Leah Solo highlighted there has been much discussion of the forecast and the appropriation language written in the statute. Executive Director Solo will meet with the Department of Human Services (DHS) to specify what that language is and its implications, and will write a memo and send it to the board. There was no further discussion.

5. New business –

- Paula Rocheleau explained the “Principles for NHWSB Standards” and the background for creating them. There was clarification about the principles being used as values for decision-making. There was discussion surrounding principles versus bylaws, raised by Fredrickson. Katie Lundmark opened the floor to edits of the principles while Commissioner Nicole Blissenbach said doing so would take time from the statute-directed objective of creating minimum standards by Aug. 1. Rocheleau said that though they will not be adopted, the principles will be used as lenses for the employers to view proposals and options. This did not result in a vote.
- Gulley opened discussion about the holiday pay reflected in all three options. Rocheleau presented data about adding the amount of money it would cost to pay holidays. This data will be sent to the full board to be shared with the public. There was discussion about the pros and cons of set holidays paid time-and-a-half and flexible holidays paid time-and-a-half. The board co-created the chart below.
- The board asked Executive Director Solo to work with DHS to obtain some costing data about proposals 2(a) and 2(b), with the emphasis on 2(a) if only one set of data is possible.

Holiday pay – specific days	
Pro	Con
<ul style="list-style-type: none"> • All facilities would be the same • Setting a standard that is broadly applicable • Easier to understand • Easier to explain • Sets a benchmark • Schools are typically closed • Some employees may want to work the extra time • Matches the state’s honored holidays • Meets statutory obligation • Establishes consistency when hiring (every other weekend, every other holiday) 	<ul style="list-style-type: none"> • No decision-making at the employee level; employees don’t have a say on what days they get time-and-a-half • Employer has no flexibility in what days they consider a holiday • Some facilities will end up eliminating current holidays

Holiday pay – flexible days

Pro	Con
<ul style="list-style-type: none">• Perceived as more inclusive of different religions• Opens up communication with staff to work together to pick holidays or go above the benchmark• Easier to establish a baseline of cost• Gives employers more authority• Recruiting tool to give workers more days than the minimum	<ul style="list-style-type: none">• Scheduling issues• Different holidays at different buildings• Gives employees less authority• Competing for workers with other facilities with more paid holidays• Employers can pick some days that aren't valued as highly by workers

6. **Next meeting** – Wednesday, March 27, 9:30 a.m., in the Minnesota Room at the Department of Labor and Industry.

Adjournment

A motion was made by Lundmark to adjourn the meeting at 11:12 a.m. and seconded by Rocheleau. A roll call vote was taken and the motion passed unanimously.