DEPARTMENT OF LABOR AND INDUSTRY

Minutes: NHWSB Certification, Training and Public Engagement Workgroup

Date: Monday, Sept. 28, 2026
Minutes prepared by: Linnea Pignatello
Location: Hybrid – Washington Room at the Department of Labor and Industry and via Teams

Attendance

Members present

Commissioner Kate Perushek
Paula Rocheleau (remotely)
Michelle Armstrong

Visitors present

Todd Bergstrom
Jeff Bostic
Luke Boudewyns

DLI staff members present

Paul Enger
Ken McGurran (remotely)
Linnea Pignatello
Leah Solo

Agenda items

1. **Call to order** – The meeting was called to order by Executive Director Leah Solo at 11:01 a.m. Roll call was taken and a quorum was declared.
2. **Approval of agenda** – A motion to approve the agenda as presented was made by Michelle Armstrong and seconded by Commissioner Kate Perushek. A roll call vote was taken and the motion passed unanimously.
3. **Approval of drafted meeting minutes** – A motion to approve the Aug. 31, 2026, drafted meeting minutes as presented was made by Armstrong and seconded by Commissioner Perushek. A roll call vote was taken and the motion passed unanimously.
4. **Board updates** –
   a) Solo reviewed the complaint memo that details the second complaint the board has received in its existence. The complainant was Lake Winona Manor and the formal complaint was received via

email Aug. 20, 2026, about training sessions that occurred at its facility Aug. 19, 2026. Solo conducted an investigation involving communicating with both the complainant and the respondent, collecting information and ultimately recommending not revoking certification. Paula Rocheleau asked that if the trainers deviate from the materials provided, do they need to notify the board; and Paul Enger (counsel for the board) said they did not need to. Solo clarified how the materials provided and presentation were different from the ones submitted with their application. These changes included items such as reordering slides and removing proposed federal rules that were no longer applicable, items that are consistent with the board's updated sample presentation. Rocheleau noted that while this didn't raise to the level of revocation, there were some concerns. Solo noted the attendee survey the respondent provided was referenced in their application, even if not submitted at the time of approval. Solo also raised that neither party had a recording of the training to verify disputed statements. Points A and B of Minnesota Administrative Rules 5200.2040, subpart 2, are the relevant rules for this situation and, in the end, Solo found no evidence that the respondent provided false or incomplete information to the board and the training content was consistent with required curriculum. While deviations were minor and understandable given pending rules, and communication delays should be improved, it did not rise to the level of "incompetence." Solo recommended the respondent provide links to virtual training and logistical information in a timelier manner, communicate clear attendance policies in writing and clarify who meets the statutory definition of nursing home worker.

b) Solo reviewed the further-consideration memo.
    - Management and employer presence in the training
        - Discussion ensued about items such as: "Can certified worker organizations exclude administrative staff members from attending the trainings?"; "How do the certified worker organizations determine if the administrative staff member is covered by the Nursing Home Workforce Standards Board Act?"; and "How can employers certify training completion if they cannot observe sessions?" It was noted that the board may need to create rules around these questions.
    - Discussing unions
        - Discussion took place about certified worker organizations (CWOs) presenting about union contracts versus the standards during training – the question on the survey provided by the Minnesota AFL-CIO about nursing home workers and their connection to the Minnesota Nursing Home Workers United. Members expressed concern about confusion across facilities with multiple unions and collective bargaining agreements.
    - Membership in outside organizations
        - The group talked about CWOs being the only organizations permitted to conduct training and discussed the roles of non-CWO groups referenced or in attendance. Members questioned whether disclosure requirements should be strengthened so boards understand who is being represented by trainers or listed in resources. The board grappled with questions regarding outside groups providing information, resource lists and additions to the rules.
        - In the end, the workgroup decided to hear feedback from the full board at its next meeting and to request if Minnesota AFL-CIO had its policy about who could and could not be in the training written down.

c) Solo updated the board about the survey responses. Members noted they hoped for a larger response volume and that Executive Director Solo has reached out to all of the administrators individually, as well as hundreds of workers who have contacted the board previously. It was decided there is a need for survey closing date with the suggestion being Oct. 6, 2026, to allow time for staff members to prepare results ahead of the next board meeting. Solo will prepare and send an email bulletin to all those subscribed to the Nursing Home Workforce Standards Board email list.

d) Solo also asked for feedback about the recent public forums. Members said they were glad workers and employers had a platform to be heard. Some topics raised (for example, bonuses and staffing ratios) fall outside board authority. Participants expressed interest in future standards relating to pensions and medical benefits.

5. **New business** –
6. **Next meeting** – The next meeting is Monday, Nov. 2, in the Washington room and online via Teams.

Adjournment

A motion was made by Armstrong to adjourn the meeting at 12:24 p.m. and seconded by Commissioner Perushek. A roll call vote was taken and the motion passed unanimously.