DEPARTMENT OF LABOR AND INDUSTRY

Minutes: Nursing Home Workforce Standards Board

Date: Thursday, Oct. 8, 2026
Minutes prepared by: Linnea Pignatello
Location: Hybrid – Minnesota Room at the Department of Labor and Industry and via Teams

Attendance

Members present

Jason Anderson (remotely)
Michelle Armstrong
Commissioner Kate Perushek
Kim Brenne (remotely)
Jamie Gulley
Sarah Grebenc (remotely)
Paula Rocheleau (remotely)
Mary Swanson

Visitors present

Todd Bergstrom
Jeff Bostic
Kyle Ingram
Jon Lips
Paige Mead
Dylan Young
Jerome Balsimo
Dial-in user ending in 8093

DLI staff members present

Linnea Pignatello
Paul Enger
Pete Engler (Department of Human Services)
Ken McGurran
Leah Solo

Agenda items

1. **Call to order** – The meeting was called to order by Chair Jamie Gulley at 11:02 a.m. Roll call was taken and a quorum was declared.

2. **Approval of agenda and previous meeting minutes** – A motion to approve the agenda and the draft Sept. 10, 2026, minutes as presented was made by Commissioner Kate Perushek and seconded by Michelle Armstrong. A roll call vote was taken and the motion passed unanimously.
3. **Approval of drafted meeting minutes** – A motion to approve the Sept. 22, 2026, drafted meeting minutes as presented was made by Mary Swanson and seconded by Armstrong. A roll call vote was taken and the motion passed unanimously.
4. **Board updates** –
    a) It was noted by Executive Director Leah Solo that the minimum-wage standards have been active for the past month and that email notices were sent to mailing lists.
    b) Solo updated the board on review of current standards, as well as consideration of new standards. The next steps will be to review the survey data, while seeking more data about retirement. The board can review the retirement proposals and inquire about a fiscal analysis from Department of Human Services (DHS). Solo made a call out for additional proposals, possibly minimum wages for registered nurses or to revise rules regarding certified worker organizations (CWOs).
    c) Kim Brenne noted DHS needs to move forward setting rates for Jan. 1, 2027, and rate notices are typically released in mid-November. Not all the applications have been received and all applications are needed to make rate adjustments. Due to delays in the most recent State Plan Amendment, some employers implemented the minimum-wage standards Jan. 1, 2026, while some did not. As a result, DHS is observing inconsistent wage reporting, which disrupts rate calculations. DHS proposes applying a wage-floor equivalent to the required 2026 minimum wage for purposes of rate-setting. This preserves the legislative intent of sequential reimbursement for each mandated wage increase. Providers that already paid wages above the standard will have actual wages used. This adjustment may affect some provider reimbursement totals and DHS will communicate this individually.
    d) Workgroup updates:
        i. Certification, Training and Public Engagement
            - There was a complaint against a CWO. Issues raised by that complaint and following investigation, the workgroup wanted to bring this to the full board. Solo explained the process, that the executive director of the Nursing Home Workforce Standards Board receives complaints, investigates and makes a recommendation about whether the certification should be revoked. Solo read from Minnesota Administrative Rules 5200.2040, subpart 2, that outlines the reasons for revoking a certification. She then reviewed the investigatory memo that included initial complaints, clarified with the parties involved, asked follow-up questions and clarified timeliness. One item in particular stood out to the executive director and the workgroup: Staff members who are deemed to not fall under the definition of a nursing home workers have been asked to leave the training; how are the CWOs deciding who is a nursing home worker and who is not? There was also concern with a presenter who came in to inform and recruit workers to an organization called “Nursing Home Workers United.” The complainant also said the training was too long, yet it did not last the full hour. Solo noted in the memo the applicable rules she believed could have been broken based on the complaint. Solo reviewed her findings in the memo, ultimately recommending to not revoke certification of the Minnesota AFL-CIO, based on the lack of evidence that the CWO’s actions rose to the level outlined for revoking certification. Gulley recused himself from the discussion because he sits on the board of the Minnesota AFL-CIO.

Commissioner Perushek reported from the workgroup that they did not reach a recommendation for the board to use and said she agrees with the executive director's recommendation not to revoke the certification of the organization. Paula Rocheleau and Brenne also added they did not recommend revoking certification, but do think there should be more discussion around the CWOs.

- In light of the discussion thus far about the CWO complaint, Solo reviewed a memo outlining the issues to still consider that are not currently addressed in statute or rules, including management/employer presence in training, discussion of unions and promotion of outside organizations during training. Regarding who can attend a training, statute defines who must be trained, but is unclear who may attend. There was discussion about worker openness during training if supervisors are present, while the administrators feel their presence may be necessary for transparency, especially when certifying staff training compliance. For the union discussion, it was noted existing training materials approved by the board include union-related content and the board would like to determine acceptable boundaries without violating speech protections or omitting material. For recruitment and promotion of outside organizations, it was noted these issues require further development and should be returned to the Certification, Training and Public Engagement Workgroup for policy recommendations.

ii. Data and Waiver

- Solo reviewed initial results of the standards review survey (192 total responses, including 74 administrators/owners, 95 workers and 23 members of the public). As far as the team at the Department of Labor and Industry can tell, there appear to be no red flags indicating fraudulent responses. There will be future analysis that will segment data by demographics, retirement expectations, wage implementation status, etc.
- No new waiver applications were received.

e) Public forum reflections:

i. Common themes

- Wage compression – a widely raised concern, especially affecting long-tenured staff members whose wages now closely match new hires.
- Provider financial concerns – some facilities noted they are struggling with affordability under new wage standards.
- Retirement and health care – a widely raised concern especially for long-term staff members and their possible coming retirement situations.

5. New business –

a) The board revisited a retirement proposal to require:

i. a 3% employer contribution to either a qualifying retirement plan or an annual lump-sum bonus (with retirement education materials);

ii. an updated implementation date proposed for Jan. 1, 2029, to reflect federal approval delays; and

iii. clarifications added regarding contracted workers, shutdown/closure obligations and removal of the Secure Choice reference pending legal certainty.

The board discussed the proposal in tandem with a memo from the employers regarding the retirement standards in general. Discussion included: a desire for legal analysis (though counsel

cautioned that litigation-related analysis cannot be given publicly due to open meeting law and strategic implications); tax considerations; multistate employers; and the administrative burden. There was agreement this is a complex issue requiring more information. The next step is to submit a proposal to DHS for fiscal analysis and revisit the subject at coming meetings.

6. **Next meeting** – The next meeting is at 11 a.m., Nov. 10, in the Minnesota Room and online via Teams.

Adjournment

No motion was made to adjourn the meeting because the board lost quorum at approximately 1 p.m.