Meeting Minutes: Nursing Home Workforce Standards Board

Date: Monday, April 29, 2024

Minutes prepared by: Linnea Becerra

Location: Minnesota Room (DLI) and Hybrid

## Members Present

* Commissioner Nicole Blissenbach
* Chair Jaime Gulley
* Michelle Armstrong
* Kim Brenne
* Michele Fredrickson (remotely)
* Maria King
* Katie Lundmark
* Paula Rocheleau
* Mary Swanson

## DLI Staff

* Ali Afsharjavan (remotely)
* Linnea Becerra
* Paul Enger
* Leah Solo

## Visitors

* Alfonzo (remotely)
* Todd Bergstrom
* Teresa Brees
* Jeff Bostic
* Peter Butler – DHS
* Phillip Cryan
* Geoff Dittberner
* Brian Elliott
* TJ Hart
* Ernesta (Nessa) Higgins
* Josie Kelly
* Casey Murphy (remotely)
* Jeremy Olson (remotely)
* Toby Pearson

# Agenda items

1. **Call to order** – The meeting was called to order by Jamie Gulley at 9:10 a.m. A 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, seconded by Maria King. The item was presented for discussion; roll call was taken, and the motion passed unanimously.
3. **Approval of drafted meeting minutes –** A motion to approve the April 15,2024, drafted meeting minutes as presented was made by Michelle Armstrong, seconded by Maria King. Roll call was taken, and the motion passed unanimously.
4. **Board Updates**

* Chair Jamie Gulley spoke to the amount of work that the board has done to this point:
  + 13 full board meetings
  + 25 workgroup meetings
  + 5 public forums
  + 43 total meetings in 8 months of the board’s existence
  + Presentations from DLI, DEED, and DHS.
  + 224 people attended the public forums where 71 spoke: 28 workers, 22 employers, and 21 members of the public.
  + The questionnaires received responses from 205 people including: 101 workers, 69 employers and 35 members of the public.
* Executive Director Solo explained her memo analyzing the proposals to the board thus far. She began by reviewing the statutory language the board is obligated to follow. Director then reviewed the data sources the board has used to inform their decision-making. In addition to data, the board engaged the public in multiple ways including public forums and questionnaires, some available in multiple languages. Director Solo then went on to describe the limitations of the data set. Director Solo then presented her analysis of proposal Union 2(a) and proposal Union 2(b) concluding that, given the conservative estimates, within reason, both proposals could be argued to meet the majority benchmark and improve the health and welfare of nursing home workers. Director Solo went on to explain the Wage 1 Proposal which is divided into two parts and did not include minimum wages, so it was impossible to analyze whether it met the majority benchmark or improved the welfare of nursing home workers. Part 2 of the Wage 1 Proposal contained language around costing and funding streams for nursing homes which would require statutory changes by the legislature. Director Solo then explained the Holiday Pay Proposal and how it compares to current industry standards concluding that it would benefit a majority of workers and improve the health and welfare of nursing home workers. Chair Gulley opened the floor for discussion on the analysis memo, some discussion occurred regarding the holiday pay amendment and whom it centers- the employer or the employee.
* Peter Butler from the Aging Disability Services Administration presented the Fiscal Analysis for the Board 4.25.2024 Data Request spreadsheet. This information is a result of a request for more explanation of the data in the fiscal notes presented to the Board at the 4/11/2024 meeting. Mr. Butler walked through the narrative notes in the workbook, explaining the methodology behind the previously presented fiscal notes.
* Chair Gulley presented an amendment to the Union Holiday Pay Proposal which was discussed and presented as “*Delete Indigenous people’s day sentence and add the following: If agreed to by a majority of affected employees and determined prior to the start of the calendar year, any 4 holidays on this list and be substituted for alternate days to be paid at time and a half.*” Discussion occurred.
* A motion was made by Michelle Armstrong to approve Union Proposal 2(a) and Holiday Pay components as drafted. This motion was seconded by Nicole Blissenbach and was presented for discussion.
  + A proposal was made to approve the Amend Time and Half Proposal made by Katie Lundmark and seconded by Paula Rocheleau. The proposed amendment was presented for discussion. **Roll call was taken, and the motion failed with three votes in favor and six votes dissenting.**
  + A motion was made by Commissioner Blissenbach to amend the holiday pay proposal to read “*Delete Indigenous people’s day sentence and add the following: If agreed upon by a majority of affected employees or the exclusive representative of the effected representatives if one exists, and determined prior to the start of the calendar year, up to 4 holidays on this list can be substituted for alternate days to be paid at time and a half.*” The motion was seconded by Maria King and the motion was presented for discussion. **Roll call was taken, and the vote carried with six votes in favor and three abstaining.**
  + After discussion and amendments, the motion was restated as “...move to approve Nursing Home Workforce Standards Proposal 2(a) as amended by the previous vote and direct the staff to draft the Holiday Pay and minimum wage components of that proposal into two separate rules for action at the next meeting”. **Roll call was taken, with six votes in favor and three abstaining, the motion carried.** 
    - It was noted by Paula Rocheleau that abstaining from voting for an employee benefit did not mean the benefit was unwanted but that it is paid for by an unfunded mandate.

1. **New Business** –
   * A motion was made by Michelle Armstrong to reschedule the July 11 meeting to July 18, seconded by Kim Brenne. Roll call was taken, and the motion carried unanimously.
   * Expense report memo was included in the board packet to make sure members are reimbursed correctly.
2. **Next Meeting –** May 9, 2024 at 11 a.m.

## Adjournment:

A motion made by Michele Fredrickson to adjourn at 11:06 a.m. seconded by Paula Rocheleau. A roll call was taken, and the motion passed unanimously.