



MINNESOTA

NURSING HOME WORKFORCE STANDARDS BOARD

Presentation: Human Services Finance and Policy Committee

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Nursing Home Workforce Standards Board

The Nursing Home Workforce Standards Board was created in law during the 2023 legislative session to conduct investigations into working conditions in the nursing home industry and adopt rules establishing minimum employment standards reasonably necessary and appropriate to protect the health and welfare of nursing home workers.

Board members

Nine members:

- three commissioners or commissioner designees –
 - commissioner of the Department of Labor and Industry,
 - commissioner of the Department of Human Services and
 - commissioner of the Minnesota Department of Health;
- three representing employers; and
- three representing workers.

Board work begins in 2023

- Bylaws
- Six workgroups
- Invitation to advocates

Results

- Forty-eight workgroup meetings
- Twenty-five full board meetings
- Inclusion of advocates from employer and employee organizations
- Sharing of data and perspectives

Research through data and public engagement

Minnesota Statutes 181.213, subdivision 2. **Investigation of market conditions**

(a) The board must investigate market conditions and the existing wages, benefits, and working conditions of nursing home workers for specific geographic areas of the state and specific nursing home occupations. Based on this information, the board must seek to ***adopt minimum nursing home employment standards that meet or exceed existing industry conditions for a majority of nursing home workers in the relevant geographic area and nursing home occupation.*** [Emphasis added.]

Note:
**Majority benchmark
framed our work.**

Public engagement

- Five public forums in Brooklyn Park, Duluth and Redwood Falls – two virtual
 - Participants in attendance: 224
 - Speakers evenly split between workers and employers
- Three questionnaires
 - Employer: 69 respondents
 - Employees: 101 respondents
 - General public: 35 respondents

Data

- **From the Minnesota Department of Employment and Economic Development, Department of Labor and Industry and Department of Human Services**, including cost of living data and unique data about worker wages
- Advocates representing employers also brought data from surveys
- Data Workgroup had healthy debate

Board deliberation

- Eight full board meetings dedicated to discussing data, what was heard and options
- Considered different occupations, geographies and more

Initial wage standards -5200.2060-.2090

Initial draft passed Board on May 9, 2024.

The notice of intent to adopt was published June 24, 2024 (includes mailing and emailing stakeholders).

It was approved by the Office of Administrative Hearings (OAH) Sept. 20, 2024.

The final vote of the board was Oct. 2, 2024.

The notice of adoption was published Oct. 28, 2024, meeting the statutory deadline for initial wage standards (Minn. Stat. 181.213, subd. 1(b)), but is contingent on an appropriation and federal approval. **The earliest the standards could go into effect is Jan. 1, 2026.**

Minimum wages

| Occupation | Jan. 1, 2026, minimum hourly wage | Jan. 1, 2027, minimum hourly wage |
|----------------------------------|-----------------------------------|-----------------------------------|
| General minimum wage | \$19.00 | \$20.50 |
| Certified nursing assistant wage | \$22.50 | \$24.00 |
| Trained medical assistant wage | \$23.50 | \$25.00 |
| Licensed practical nurse wage | \$27.00 | \$28.50 |

Standards met Majority Benchmark

Holiday pay, posting requirements and certified worker organizations rules -5200.2000-2050

- Draft passed Board May 9, 2024.
- The notice of intent to adopt was published Aug. 26, 2024 (includes mailing and emailing stakeholders).
- Approved by OAH Oct. 31, 2024.
- Notice of adoption was published Dec. 9, 2024.
- The standards became effective Jan. 1, 2025.

These rules include:

- Holiday Pay of time and one half for workers on the 11 state holidays
- Certification of Worker Organizations process including guidance on the application, denials, Board obligations.
- Requirements for nursing homes to notify workers of their rights under the act and the minimum contents.

Waiver and variance process

Statute directs the board to develop a process for temporary waivers and variances if a nursing home is at risk of closure or receivership.

Agreement on the process was unanimous.

The waiver and variance process was launched Dec. 11, 2024.

As of Feb. 25, 2025, no applications have been received.

Thank you

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