STATE OF MINNESOTA
IN COURT OF APPEALS
A18-1981

Kristina Greene, et al.,
Respondents,

vs.

Minnesota Bureau of Mediation Services, et al.,
Appellants.

Filed August 12, 2019
Affirmed
Rodenberg, Judge

Ramsey County District Court
File No. 62-CV-16-5981

Douglas P. Seaton, Thomas R. Revnew, Seaton, Peters & Revnew, P.A., Minneapolis, Minnesota (for respondents)

Keith Ellison, Attorney General, Liz Kramer, Solicitor General, Jacob Campion, Assistant Attorney General, St. Paul, Minnesota (for appellants)

Considered and decided by Rodenberg, Presiding Judge; Bjorkman, Judge; and Reyes, Judge.

U N P U B L I S H E D O P I N I O N

RODENBERG, Judge

Appellant-agencies Minnesota Department of Human Services (DHS) and Minnesota Management and Budget (MMB) appeal from the district court's grant of summary judgment in favor of respondents. We affirm.

FACTS

Respondents are a group of individual personal care attendants (PCAs) who are hired by, and provide direct care to, participants in state programs that subsidize the cost of home-based services for individuals with disabilities.[1] Respondents seek to decertify Service Employees International Union Healthcare Minnesota (SEIU) as the representative of their bargaining unit. This is the fourth appeal related to respondents' effort to decertify SEIU.[2] The factual background is summarized in our earlier opinions, so we limit our recitation of the facts here to those directly relevant to this summary-judgment appeal.

In May 2016, to gather support for their decertification petition, respondents submitted requests to DHS and BMS, seeking the most-recent list of all PCAs compiled

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[1] DHS operates numerous programs for elderly individuals or persons with disabilities that allow individuals to receive in-home care from individual providers. *See* Minn. Stat. § 256B.0711 (2018). The persons receiving the assistance are "[p]articipant[s]" and the services they receive are "[d]irect support services." *Id.*, subd. 1(c), (e). Participants may employ "[i]ndividual provider[s]" to provide assistance with daily living needs. *Id.*, subd. 1(d). Individual providers are commonly referred to as either personal care attendants (PCAs) or personal care providers. Those terms appear to be interchangeable. We refer to individual providers as PCAs for purposes of this opinion.

[2] *See Greene v. Minn. Bureau of Mediation Servs.*, No. A16-1863, 2017 WL 3122343, at *1 (Minn. App. July 24, 2017) (affirming district court's grant of temporary injunctive relief requiring appellants to disclose requested names, addresses, and telephone numbers of PCAs). Respondents have separately pursued efforts to seek decertification with Minnesota Bureau of Mediation Services (BMS) through the administrative process. *See In re Petition for Decertification of an Exclusive Representative*, No. A18-0661, 2019 WL 661660, at *1 (Minn. App. Feb. 19, 2019) (affirming BMS's dismissal of respondents' untimely decertification petition); *In re Petition for Decertification of an Exclusive Representative for Certain Employees of the State*, No. A17-0798, 2018 WL 414363, at *1 (Minn. App. Jan. 16, 2018) (affirming BMS's denial of respondents' decertification petition on grounds that respondents had not made a sufficient showing of interest in decertification), *review denied* (Minn. Apr. 17, 2018).

under Minn. Stat. § 256B.0711, subd. 4(f), which directs the commissioner to maintain a list of the names and addresses of all PCAs who have been paid for providing direct support services to participants within the previous six months.[3] Respondents' first request to DHS identified the Minnesota Government Data Practices Act (MGDPA) and Minn. Stat. § 179A.54, subd. 9 (2018), as authorizing the requested disclosure. DHS responded by informing respondents that they must direct their request to BMS because the BMS commissioner "is the official responsible for providing access to the list." Respondents did so. In May 2016, BMS provided respondents with a 2014 list of PCAs compiled pursuant to section 256B.0711, subd. 4(f).

In August 2016, respondents began gathering signatures for their decertification effort, but encountered difficulties. The 2014 list was no longer accurate. Respondents claim that 30% to 40% of the information on the list was inaccurate, which frustrated their efforts to obtain the number of signatures required for a decertification petition. Respondents explained that some addresses included on the list did not exist, that some listed individuals had not been PCAs for some time, that some addresses were incomplete, and that some listed PCAs no longer resided at listed addresses.

Respondents made additional requests under the MGDPA for an updated list. DHS informed respondents that the information could not be released because it was private data

[3] BMS was a defendant in the district court proceedings. The district court concluded that, because BMS did not receive the required list from DHS, BMS was not liable for its failure to provide the relevant data. Appellants do not challenge this part of the district court's order on appeal.

under provisions of the MGDPA and instructed that respondents' request for information be directed to BMS under Minn. Stat. § 179A.54, subd. 9.

Respondents submitted another request to BMS and DHS in October 2016, again asking BMS to provide, or to direct DHS to provide, an updated list of names and contact information of PCAs represented by SEIU. BMS replied, again providing the 2014 list and informing respondents that they were not entitled to a more-recent list because section 179A.54, subdivision 9, "does not apply to decertification petitions" and respondents were not an employee organization currently representing PCAs or seeking to represent PCAs. Respondents also contacted SEIU directly, but SEIU denied respondents' request and a separate request from respondent Greene.

On October 20, 2016, respondents sued appellants, alleging that DHS, BMS, and MMB violated the MGDPA. Respondents requested injunctive relief under Minn. Stat. § 13.08, subd. 2 (2018), and Minn. R. Civ. P. 65, as well as statutory damages under Minn. Stat. § 13.08, subd. 1 (2018), a declaratory judgment, and mandamus relief. Respondents also moved for a temporary restraining order under Minn. Stat. § 13.08 (2018) and Minn. R. Civ. P. 65.

The district court granted, in part, respondents' motion for temporary injunctive relief. It ordered DHS to disclose to respondents, within seven days, the names, addresses, and telephone numbers of PCAs who had been paid by DHS for providing direct support services in the previous six months. At DHS's request, the district court issued two clarifying orders. The first ordered that the addresses and telephone numbers to be disclosed were the work location and work telephone number of all individual PCAs in the

bargaining unit (and not all PCAs). The second clarifying order required DHS to provide, under Minn. Stat. § 13.43, subd. 4 (2018), a current list of names and addresses compiled under section 256B.0711, subd. 4(f), and the telephone number that DHS maintains for each individual PCA.

Appellants unsuccessfully moved the district court to stay its orders and then unsuccessfully requested a stay from this court. Appellants then provided respondents with names, addresses, and telephone numbers of individual PCAs who were paid for direct support services in the six-month period from April through September 2016.

Appellants appealed the district court's grant of a temporary injunction, and we affirmed. *See Greene*, 2017 WL 3122343, at *1. The parties then filed cross-motions for summary judgment, and the district court granted summary judgment in favor of respondents. It determined that appellants violated the MGDPA, because PCAs are state employees under Minn. Stat. § 13.43, subd. 1 (2018), and therefore, under Minn. Stat. § 13.43, subd. 2 (2018), each PCA's name, work telephone number, and work location are public personnel data subject to disclosure.

The district court determined that the requested information should have been promptly provided to respondents on their request to either MMB or DHS. It concluded that, because BMS did not receive the information from DHS, BMS was not liable for its failure to provide the relevant data. The district court entered judgment for respondents, granting declaratory relief. It denied respondents' request for mandamus relief and respondents' request for a permanent injunction, and it stayed respondents' motion for fees and costs, pending the resolution of any appeal.

This appeal followed, and respondents noted a related appeal.

D E C I S I O N

Summary judgment is appropriate "if the movant shows that there is no genuine issue as to any material fact and the movant is entitled to judgment as a matter of law." Minn. R. Civ. P. 56.01. "We review a district court's summary judgment decision de novo. In doing so, we determine whether the district court properly applied the law and whether there are genuine issues of material fact that preclude summary judgment." *Riverview Muir Doran, LLC v. JADT Dev. Grp., LLC*, 790 N.W.2d 167, 170 (Minn. 2010) (citation omitted).

Here, whether the district court correctly granted summary judgment turns on statutory interpretation. Statutory interpretation is a question of law that we review de novo. *Cilek v. Office of Minn. Sec'y of State*, 927 N.W.2d 327, 330 (Minn. App. 2019), *review granted* (Minn. June 18, 2019). The object of statutory interpretation is to ascertain and effectuate the intention of the legislative body. Minn. Stat. § 645.16 (2018). When interpreting a statute, the first step is to examine its language to determine whether the words are clear and free from ambiguity. *Staab v. Diocese of St. Cloud*, 813 N.W.2d 68, 72 (Minn. 2012). We construe technical words and phrases according to their "special meaning," and other words and phrases according to their "common and approved usage." Minn. Stat. § 645.08(1) (2018). When the language of a statute is clear, we apply the plain language and do not explore the spirit or purpose of the law. *Caldas v. Affordable Granite & Stone, Inc.*, 820 N.W.2d 826, 836 (Minn. 2012).

I. Respondents do not meet the statutory criteria under the Public Employment Labor Relations Act (PELRA) to receive the Minn. Stat. § 256B.0711, subd. 4(f) list.

We first address respondents' contention, raised by cross-appeal, that they were entitled to access the section-256B.0711 list under section 179A.54, subdivision 9, because the list being available to a union requires that it also be available to the general public. The district court did not resolve this question. Instead, it determined that PCAs are executive branch employees under section 179A.54, subdivision 2 (2018), and therefore their information is subject to disclosure under the MGDPA.[4]

PELRA, Minn. Stat. §§ 179A.01-.60 (2018), requires BMS to disclose the list of individual PCAs compiled under Minn. Stat. § 256B.0711, subd. 4(f), in two instances before the list becomes publicly available. First, upon a showing made to the BMS commissioner by an employee organization wishing to represent the appropriate unit of individual PCAs that at least 500 individual PCAs support such representation, the BMS commissioner "shall provide to such organization within seven days the most recent list of individual providers compiled under section 256B.0711, subdivision 4, paragraph (f), and three subsequent monthly lists upon request." Minn. Stat. § 179A.54, subd. 9.

Second, and upon request, the BMS commissioner must also provide the list, "to any exclusive representative of individual providers." *Id.* The statute further provides that, "[t]o facilitate operation of this section, the commissioner of human services shall provide

[4] We recognize that respondents' cross-appeal is alternative in nature, but we nevertheless address it because, if respondents are correct, the entire discussion that follows concerning appellants' appeal would be unnecessary and the suggested interpretation of section 179A.54, subdivision 9, would have far-reaching policy consequences.

all lists to the commissioner of the Bureau of Mediation Services, upon the request of the commissioner of the Bureau of Mediation Services." *Id.* When the list is available to an employee organization under this subdivision, the list must be made publicly available. *Id.*

The definitions in Minn. Stat. § 179A.03 apply to all sections of PELRA. "Employee organization" is defined in subdivision 6, and means "any union or organization of public employees whose purpose is, in whole or part, to deal with public employers concerning grievances and terms and conditions of employment." Minn. Stat. § 179A.03, subd. 6. "Exclusive representative" is defined in subdivision 8 and means "an employee organization which has been certified by the commissioner under section 179A.12 to meet and negotiate with the employer on behalf of all employees in the appropriate unit." *Id.*, subd. 8.

Respondents argue that, because the list was "available" to SEIU or any other organization seeking to represent PCAs, the list was public as soon as the required information was compiled. Therefore, respondents argue, the most-recent list should have been disclosed upon their request.

Minn. Stat. § 179A.54, subd. 9, requires BMS to provide the section-256B.0711 list in two circumstances—upon a showing made to the commissioner of BMS by an employee organization wishing to represent the appropriate unit of PCAs that at least 500 PCAs support representation *or* when the list is requested by the PCAs' exclusive representative. Minn. Stat. § 179A.54, subd. 9. Respondents are not an employee organization, nor are they an employee organization seeking to represent PCAs. They seek to *decertify* SEIU as their exclusive representative. Therefore, respondents are not entitled to the list under

section 179A.54, subdivision 9.[5] Respondents are entitled to the 2014 list, which was already provided (but is no longer current). Because they are neither an exclusive representative nor seeking to represent the unit, they are not entitled to a *current* list under the last sentence of subdivision 9.

II. Section 179A.54 (2018) relates to the certification process and does not apply to decertification petitions.

Respondents further argue that disclosure of the list is warranted under section 179A.54, subdivision 9, because Minn. Stat. § 179A.12 directs that the DHS commissioner share the lists with others as needed for the state to meet its obligations under chapter 179A and to facilitate the representational processes under section 179A.54.

Section 179A.12 provides that "[a]n individual employee or group of employees in a unit may obtain a decertification election upon petition to the commissioner stating the certified representative no longer represents the majority of the employees in an established unit and that at least 30 percent of the employees wish to be unrepresented." Minn. Stat. § 179A.12, subd. 3. While section 179A.12 provides guidance concerning the decertification process, section 179A.54 is specific to "individual providers of direct

[5] Appellants also argue that disclosure of the list is prohibited under Minn. Stat. § 256B.0711, subd. 4(f), because the list "shall not include the name of any participant, or indicate that an individual provider is a relative of a participant or has the same address as a participant" and access to provider information "shall not include access to private data on participants or participants' representatives." But respondents did not request participant information—they requested the names and addresses of PCAs, which does not necessarily reveal information relating to participants. We do not resolve the question of prohibition under section 256B.0711, subdivision 4(f), because, as discussed, respondents are not entitled to the list under the plain language of PELRA.

support services" and explains the requirements for representation and election. The requirements in section 179A.12 apply generally to decertification, but nothing in section 179A.54 indicates that the list requirements are the same for both certification and decertification.

Respondents also argue that, because BMS regulations and procedures do not make a distinction between petitions for certification, representation, or decertification, PCAs seeking to decertify a union should be given the same access to the list as an exclusive representative. But section 179A.54 makes no mention of the BMS regulations and procedures for decertification. The "representational processes" language applies to the processes in Minn. Stat. § 179A.54, subds. 9, 10. Neither of those provisions are applicable to respondents because, as discussed, respondents are not an employee organization. By its plain language, Minn. Stat. § 179A.54, subd. 9, applies only to a certification petition filed by an employee organization, i.e., a union. It is not for us to add language to a statute that the legislature did not include in it. *See Ullom v. Indep. Sch. Dist. No. 112*, 515 N.W.2d 615, 617 (Minn. App. 1994) (stating that courts cannot add to a statute what the legislature purposely omits or inadvertently overlooks).

Respondents also argue in summary fashion that the Equal Protection Clause of the Minnesota Constitution dictates that PCAs in the bargaining unit should have the same access to the list as any other employee organization or exclusive representative. Respondents made no such claim in their complaint. We therefore do not address the equal-protection argument. *See Roberge v. Cambridge Co-op Creamery Co.*, 67 N.W.2d 400, 403 (Minn. 1954) (stating that a party is bound by that party's pleadings unless other issues

are litigated by consent and that "relief cannot be based on issues that are neither pleaded nor voluntarily litigated").

III. Because PCAs are designated, by the unambiguous language of Minn. Stat. § 179A.54, subd. 2, as public employees, their personnel data is subject to disclosure and should have been provided to respondents upon request under Minn. Stat. § 13.43.

The district court concluded that PCAs are public employees under the MGDPA. Appellants argue that this is error because PCAs are not public employees for purposes of Minn. Stat. § 179A.54, subd. 2, and because section 13.43 "cannot be used to circumvent the directly applicable provisions of section 179A.54, subdivision 9."

Section 179A.54, subd. 2, provides that, for purposes of PELRA, "individual providers shall be considered . . . executive branch state employees employed by the commissioner of management and budget or the commissioner's representative." Minn. Stat. § 179A.54, subd. 2. The statute expressly provides that "[t]his section *does not require* the treatment of individual providers as public employees for any other purpose" and that providers "are not state employees for purposes of section 3.736," relating to tort claims. *Id.* (emphasis added); *see* Minn. Stat. § 3.736, subd. 1 (2018) (providing that the state will pay compensation for injury to or loss of property or personal injury or death caused by an act or omission of an employee of the state while acting within the scope of office or employment or a peace officer who is not acting on behalf of a private employee and who is acting in good faith).

Section 179A.54, subdivision 2, unambiguously provides that PCAs are executive branch employees under PELRA, but "does not require" the treatment of individual PCAs

as public employees for any other purpose. The statute expressly prohibits treatment of PCAs as public employees in the context of tort claims.[6]

The MGDPA applies to all government entities and "regulates the collection, creation, storage, maintenance, dissemination, and access to government data in government entities." Minn. Stat. § 13.01, subds. 1, 3 (2018). A government entity is "a state agency, statewide system, or political subdivision." Minn. Stat. § 13.02, subd. 7a (2018). There is no dispute that DHS, MMB, and BMS are state agencies. The MGDPA "establishes a presumption that government data are public and are accessible by the public for both inspection and copying unless there is federal law, a state statute, or a temporary classification of data that provides that certain data are not public." Minn. Stat. § 13.01, subd. 3. The purpose of the MGDPA is to balance the rights of data subjects from having information indiscriminately disclosed with the right of the public to know what the government is doing. *Demers v. City of Minneapolis*, 468 N.W.2d 71, 72 (Minn. 1991).

The MGDPA differentiates between "data on individuals" and "data not on individuals." Minn. Stat. § 13.02, subds. 4, 5 (2018). An "individual" under the MGDPA is "a natural person." *Id.*, subd. 8 (2018). Here, PCAs are "individuals" as defined in the statute.

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[6] The statute also provides that "[n]otwithstanding section 179A.03, subdivision 14, paragraph (a), clause (5), chapter 179A shall apply to individual providers regardless of part-time or full-time employment status." Minn. Stat. § 179A.54, subd. 2. Section 179A.03, subd. 14(a)(5), provides that public employees are persons appointed or employed by a public employer except part-time employees whose service does not exceed the lesser of 14 hours per week or 35 percent of the normal work week in the employee's appropriate unit. Minn. Stat. § 179A.03, subd. 14(a)(5).

"After the initial classification as either data on individuals or not on individuals, the data is categorized as either public, private, or confidential." *Int'l Bhd. of Elec. Workers, Local No. 292 v. City of St. Cloud*, 765 N.W.2d 64, 66 (Minn. 2009). Public data on individuals is generally accessible to the public. *Id.* "Private data is data which is made not public by statute or federal law, but is accessible to the subject of the data." *Id.* (citing Minn. Stat. § 13.02, subd. 12).[7] "All data is presumed to be public unless it is classified as private or confidential." *Id.*

Under the MGDPA, personnel data on employees is public. Section 13.43 broadly allows for the release of personnel data of employees, independent contractors, and volunteers. Minn. Stat. § 13.43, subd. 2(a). Personnel data is "government data on individuals maintained because the individual is or was an employee or an applicant for employment by, performs services on a voluntary basis for, or acts as an independent contractor with a government entity." Minn. Stat. § 13.43, subd. 1. With some exceptions not relevant here, the following personnel data on current and former employees, volunteers, and independent contractors of a government entity is public:

> (1) name; employee identification number, which must not be the employee's Social Security number; actual gross salary; salary range; terms and conditions of employment relationship; contract fees; actual gross pension; the value and nature of employer paid fringe benefits; and the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary;

[7] "Confidential data is data made not public by statute or federal law applicable to the data and is not accessible to the individual subject of that data." *Id.* (quotation omitted); *see* Minn. Stat. § 13.02, subd. 3 (2018).

> (2) job title and bargaining unit; job description; education and training background; and previous work experience;
>
> (3) date of first and last employment; . . .
>
> (7) work location; a work telephone number; badge number; work-related continuing education; and honors and awards received.

Minn. Stat. § 13.43, subd. 2(a). "All other personnel data is private data on individuals but may be released pursuant to a court order." *Id.*, subd. 4.

The "does not require" language in section 179A.54, subd. 2, leaves open the possibility that PCAs may be regarded as public employees in contexts other than PELRA. The statute expressly excludes the treatment of PCAs as public employees in some contexts, but it did not do so for purposes of the MGDPA. *See Nelson v. Schlener*, 859 N.W.2d 288, 294 (Minn. 2015) (explaining that when the legislature uses different words in a statute, we normally presume that those words have different meanings); *see also In re Stadsvold*, 754 N.W.2d 323, 328-29 (Minn. 2008) ("[D]istinctions in [statutory] language in the same context are presumed to be intentional, and we apply the language consistent with that intent."). The language used by the legislature concerning section 3.736 evidences the legislature's ability to specifically identify contexts in which PCAs are not to be considered state employees. It used no such language concerning the MGDPA. Minn. Stat. § 179A.54 and the MGDPA provisions are not irreconcilable concerning whether PCAs are public employees.

Here, PCAs—who are paid workers statutorily defined as employees of a state agency for certain purposes—are public employees under the MGDPA. We agree with the district court that, "there is no legislation limiting what type of employee is covered by the

MGDPA." Accordingly, we also agree with the district court's conclusion that "[t]he legislature specifically made [PCAs] public employees" and therefore, "the PCAs in the bargaining unit are state employees as contemplated by the MGDPA and . . . the PCAs' contact information is public data."

Appellants argue that individual PCAs cannot be public employees because the data at issue is DHS data and DHS is not the employer of PCAs even for the limited purposes of collective bargaining. But the data is maintained by DHS because PCAs are employees of a government entity. PCAs are subject to PELRA, and data is collected under Minn. Stat. § 256B.0711, subd. 4(f), precisely because PCAs are public employees. *See* Minn. Stat. § 179A.54, subd. 2 (stating "[f]or the purposes of [PELRA], . . . individual providers shall be considered . . . executive branch state employees"). Because we conclude that PCAs are public employees for purposes of the MGDPA, their personnel data is subject to disclosure.

It is undisputed that DHS has an obligation to maintain a current list of PCAs covered under the current collective-bargaining agreement (CBA) with SEIU under section 256B.0711, subdivision 4(f). That list contains the "names and addresses of all individual providers who have been paid for providing direct support services to participants within the previous six months." Minn. Stat. § 256B.0711, subd. 4(f). Reading section 256B.0711 and section 179A.54, subd. 2, together, it is apparent that the section-256B.0711 list is maintained because, under Minn. Stat. § 179A.54, subd. 2, PCAs, "for the purposes of [PELRA]," are considered "executive branch state employees employed by the commissioner of management and budget or the commissioner's representative." It

seems to us that DHS, MMB, and BMS obtained the data on PCAs because PCAs are public employees.

Therefore, the data that respondents requested is subject to disclosure under the MGDPA, specifically Minn. Stat. § 13.43, subd. 2. That the data may have been combined with other data not subject to disclosure should not preclude respondents from obtaining the data that is public under section 13.43, subd. 2(a). We explained in a related decision that "DHS was and is the entity within state government with the statutory obligation to 'compile and maintain' a list of eligible voters," and that mistakes made with respect to the list "impeded [respondents'] attempts to garner support for their decertification effort before the applicable statutory deadline." *In re Decertification of an Exclusive Representative for Certain Employees of the State*, 2018 WL 414363, at *7. We also noted there, "[w]e trust that, now that a list has been compiled, DHS will continue to maintain it in a manner that ensures that any future requests will be satisfied promptly." *Id.*

Appellants also argue that they were not required to provide the list under section 179A.54, because "disclosure of the participants' names and addresses was expressly prohibited." But Minn. Stat. § 256B.0711, subd. 4(f), clearly provides that the list "shall not include access to private data on participants or participants' representatives." Although some PCAs provide services in their home to participants who are family members, it does not appear from the record that this is true for all PCAs. And we see no statutory basis for withholding the publicly available data concerning this group of public employees based on the fact that some of those public employees reside with recipients of

PCA services. The data at issue here included names, addresses, and telephone numbers of PCAs—nothing about that data identifies a participant.

We agree with the district court that "the accurate data relating to the PCAs as state employees should have been promptly provided to [respondents] upon request to either MMB or DHS." Appellants failed to provide the current public data respondents requested in a timely manner, and therefore violated the MGDPA.

IV. The district court did not err by entering judgment against MMB because PCAs are considered MMB employees under section 179A.54.

Appellants also argue that the district court erred by entering judgment against MMB because MMB does not "possess" the requested data. But as discussed, PCAs are considered employees of the commissioner of MMB, or the commissioner's representative, "[f]or the purposes of [PELRA] under chapter 179A." Minn. Stat. § 179A.54, subd. 2. And here, MMB had the data respondents sought, because the PCAs are public employees and MMB is the state agency charged with managing Minnesota's state finances, payroll, and human resources and provides systems for business operations and information access and analysis, including negotiations and administration of collective bargaining agreements with unions representing state employee bargaining units. The district court did not err by entering judgment against MMB.

V. Respondents were not required to join all PCAs and SEIU in this action.

Finally, appellants argue that the district court erred by entering judgment against appellants under the Uniform Declaratory Judgments Act, Minn. Stat. §§ 555.01-.16 (2018), declaring that respondents are entitled to the name, home address, and personal

telephone number of approximately 27,000 personal care PCAs represented by SEIU. Appellants argue that respondents should first have joined all of the PCAs and SEIU as parties.

As discussed, we review the interpretation of statutes and procedural rules de novo. *Cruz-Guzman v. State*, 916 N.W.2d 1, 13 (Minn. 2018) (citing *Contractors Edge Inc. v. City of Mankato*, 863 N.W.2d 765, 768 (Minn. 2015)). A declaratory judgment is a procedural device through which a party's existing legal rights may be vindicated so long as a justiciable controversy exists. *Id*. The Minnesota Declaratory Judgment Act further provides that "no declaration shall prejudice the rights of persons not parties to the proceeding." Minn. Stat. § 555.11. The Act authorizes courts to declare rights, status, and other legal relations that are affected by a statute, ordinance, contract or franchise. Minn. Stat. §§ 555.01, .02; *Conseco Loan Fin. Co. v. Boswell*, 687 N.W.2d 646, 651 (Minn. App. 2004), *review denied* (Minn. Jan. 20, 2005).

The rules of civil procedure supplement the language of Minn. Stat. § 555.11, which provides that when declaratory relief is sought, "all persons shall be made parties who have or claim any interest which would be affected by the declaration." Minn. Stat. § 555.11; *Unbank Co. v. Merwin Drug Co.*, 677 N.W.2d 105, 107 (Minn. App. 2004). This joinder requirement under section 555.11 is broader than the joinder requirement in Minn. R. Civ. P. 19.01, which requires a person shall be joined as a party in the action if:

> (a) in the person's absence complete relief cannot be accorded among those already parties, or (b) the person claims an interest relating to the subject of the action and is so situated that the disposition of the action in the person's absence may (1) as a practical matter impair or impede the person's ability

> to protect that interest or (2) leave any one already a party subject to that substantial risk or incurring double, multiple, or otherwise inconsistent obligations by reason of the person's claimed interest.

Minn. R. Civ. P. 19.01; *Unbank Co.*, 677 N.W.2d at 108.

Although appellants assert that individual PCAs have an interest in their information and that SEIU also has an interest in how information about the individuals they represent is treated, appellants provided the district court with no specific information concerning how those rights will be affected by making available to respondents information that is publicly available concerning public employees. Respondents only sought relief from appellants. And the requested data was subject to the MGDPA, was data the agencies held, and was public data under the plain language of the MGDPA. Leaving aside the question of how respondents could possibly have joined as parties PCAs whose identity was unknown to them, appellants provide no authority for the notion that a MGDPA request for data must include notification—much less afford party status—to the subject of the publicly available information. We are aware of no such authority.

It may well be, as appellants suggest, that the precise question posed by this protracted litigation was not specifically contemplated by the legislature when it enacted section 179A.54, making PCAs public employees. But when it enacted the law, the legislature did not exempt PCAs from the MGDPA provision generally providing that certain data about public employees is public information. We apply here the plain language of the statutes.

In sum, the district court correctly determined that the data sought by respondents is subject to disclosure under Minn. Stat. § 13.43, subd. 2. PCAs are public employees. Therefore, the MGDPA applies to them. We see no error in the district court's entry of judgment against MMB, and we agree with the district court that respondents were not required to join all PCAs and SEIU in this action.

Affirmed.