



## COVERED BUILDING SERVICE EMPLOYEE FACT SHEET

Covered Building Service Vendors shall provide each Covered Building Service Employee with a copy of this fact sheet, which summarizes the requirements of the Boston Jobs, Living Wage, and Prevailing Wage Ordinance. You can find the full ordinance at [boston.gov/living-wage](https://boston.gov/living-wage) or request a copy of the ordinance by calling the Living Wage team at (617) 918-5236.

1. **BUILDING SERVICE OR BUILDING SERVICE WORK:** Work performed in connection with the **cleaning and maintenance of buildings and security guard services**.
2. **COVERED BUILDING SERVICE CONTRACT:** Contract or subcontract to provide Building Services to the City of Boston.
3. **CONTRACTING DEPARTMENT:** Any City department that awards a service contract or Covered Building Service Contract.
4. **COVERED LEASE:** Any agreement where the City of Boston contracts for, leases, or rents commercial office space or commercial office facilities from a non-governmental entity provided the City, whether through a single agreement or multiple agreements, rents no less than fifty one percent (51%) of the total square footage of the buildings to which the lease applies.
5. **COVERED CITY-OWNED PROPERTY:** Buildings owned by the City of Boston.
6. **COVERED BUILDING SERVICE EMPLOYEE:** (1) Any person employed directly or indirectly to perform Building Service Work in the performance of a Covered Building Service Contract; (2) any person employed directly or indirectly to perform Building Service Work on Covered City-owned Property; and, (3) any person employed directly or indirectly to perform Building Service Work on premises that are the subject of a Covered Lease.
7. **COVERED BUILDING SERVICE VENDOR:** Any employer providing Building Services pursuant to a Covered Building Service Contract.
8. **STANDARD COMPENSATION:** Shall mean the hourly rate of pay, benefits, and paid leave that shall be provided to a Covered Building Service Employee pursuant to the formula set forth by the Contracting Department via a **wage schedule**. For multi-year contracts, the Standard Compensation rate must be updated on the anniversary of the date of the contract execution and will be provided by the Contracting Department. A violation of Standard Compensation shall constitute a breach of contract.
9. **COVERED LESSOR:** Shall mean any non-governmental person or entity that enters into a Covered Lease with the City of Boston
10. **COVERED LESSEE:** Shall mean any non-governmental person or entity that contracts for, leases, or rents in covered City-owned property from the City of Boston
11. **PAYMENT OF STANDARD COMPENSATION:** All Covered Building Service Vendors shall provide all Covered Building Service Employees with no less than Standard Compensation. All Covered Lessors shall ensure that all Covered Building Service Employees employed in or around the building to which the relevant lease pertains are provided no less than Standard Compensation for the term of the lease. All Covered Lessees that enter into a contract with a vendor to provide Building Services at a Covered City-owned Property shall ensure that all

Covered Building Service Employees are provided no less than Standard Compensation for the term of the lease.

12. **OFFICE OF LABOR COMPLIANCE AND WORKER PROTECTIONS CONTACT:** All complaints and inquiries regarding the Boston Jobs, Living Wage, and Prevailing Wage Ordinance (“the Ordinance”) shall be directed to:

Living Wage Administrator  
Office of Labor Compliance and Worker Protections  
Worker Empowerment Cabinet  
43 Hawkins Street  
Boston, MA 02114  
Phone: (617) 918-5236

13. **COVERED BUILDING SERVICE EMPLOYEE COMPLAINTS:** A person or an employee who believes that they are a Covered Building Service Employee or a person who is an applicant for a position to be filled by a Covered Building Service Employee and believes that their employer is not complying with requirements of the Ordinance, may file a complaint with the Office of Labor Compliance & Worker Protections. Complaints may also be submitted online at [boston.gov/living-wage](http://boston.gov/living-wage). Complaints by Covered Building Service Employees of alleged violations may be made at any time. Statements, written or oral, made by an employee, shall be treated as confidential and shall not be disclosed to the Covered Building Service Vendor without the consent of the employee.

14. **DISCRIMINATION AND RETALIATION AGAINST COVERED EMPLOYEES BARRED:** If a Covered Building Service Vendor (a) discharges, (b) reduces the compensation of, or (c) discriminates against any Covered Building Service Employee or any other person for

- making a complaint to the Office of Labor Compliance and Worker Protections,
- otherwise asserting their rights under the Ordinance,
- participating in any of its proceedings, or
- using any civil remedies to enforce his or her rights under the Ordinance,

the Covered Building Service Vendor shall be considered in violation of the Ordinance. The Office of Labor Compliance and Worker Protections shall investigate allegations of retaliation or discrimination.

15. **PENALTIES AND REMEDIES:** In the event the Office of Labor Compliance and Worker Protections determines, after notice and hearing, that any Covered Building Service Vendor has failed to provide Standard Compensation or has otherwise violated the Ordinance, , the Office of Labor Compliance and Worker Protections may order any or all of the following penalties and relief:

- The filing of a complaint with the pertinent state or federal agency;
- Wage restitution for each Covered Building Service Employee and the monetary value of benefits and paid leave plus interest owed;
- Suspension of ongoing contracts and subcontract payments; Ineligibility for future contracts with the City for three (3) years or until all penalties and restitution have been paid in full; and
- Any other action deemed appropriate and with the discretion and authority of the City.

None of the above remedies is intended to be exclusive or a prerequisite for asserting a claim for relief to enforce the right granted under the ordinance in a court of law. The ordinance shall not be construed to limit an employee’s right to initiate a court action for wrongful termination.