

Boston Employment Commission Hearing Minutes

A monthly hearing of the Boston Employment Commission (**BEC**) was held virtually on Zoom, April 17, 2024.

Present: Commissioner Travis Watson, Commissioner Chaton Green, Commissioner Priscilla Flint, and Commissioner Donald Alexis.

Absent: Commissioner/Chair JocCole "JC" Burton, Commissioner Kenell Broomstein and Commissioner Darrin Howell

Hearing Began: 1:05 PM

Commissioner Watson chaired this hearing in Chair Burton's absence.

Meeting Minutes for February 21, 2024 motioned to approve by Commissioner Alexis and 2nd by Commissioner Green. All Commissioners approved. The March 20, 2024 motioned to approve by Commissioner Green and 2nd by Commissioner Flint. All Commissioners approved.

I. ANNOUNCEMENTS

Jodi Sugerman-Brozan (Deputy Chief, Office of Worker Empowerment): The Office of Worker Empowerment is hosting a series of worker resource fairs (wage theft, discrimination, and safety). Information provided in the chat. There will be five 1 hour webinars on safety for contractors to be in compliance with recent safety ordinance. In addition, free Osha 30 training. Also, Citizens Day will be on 4/27 and free legal help for naturalization process will be available. **Commissioner Watson:** Commended Jodi and Office of Worker Empowerment (*Chief Trinh Nguyen*) for their approach with the various resourceful events benefiting workers.

II. SPECIAL PRESENTATIONS

A. 150 River Street Village

Duration: 15 mins.

Commissioner Alexis disclosed that he is a co-developer (Caribbean Integration Community Development/CICD) on this project.

Present: Andre Barbour (NEI General Contracting), and Robert Woodson (BRJP Construction Monitor).

The project is located in Mattapan and is New Construction of 30 mixed-income affordable rental units. The Estimated construction completion is 15 months (*renderings were presented*). **Project Team:** Planning Office of Urban Affairs - Shaina Korman-Houston, Director of Real Estate; Caribbean Integration Community Development - Donald Alexis, President; NEI General Contracting -Terrance Stretch, Project Manager, Andre' Barbour, Diversity & Inclusion Director and Jordan Pomare, Compliance Administrator. **Construction Schedule:** New England Construction Services (Sitework) and T&Y Concrete (Concrete) - First subs to mobilize onsite. Just began last week and payrolls should come in this week. Erected fencing and some surveying and vibration mitigation is being done as we are in close proximity to neighbors. Actual digging and excavating will take place this week. **Subcontractor Engagement:** Prior to Mobilization - Internal Pre-construction kick-off meetings; Attendance to subcontractor weekly coordination meeting; Building relationships with individuals responsible for hiring workforce and Internal Compliance Reporting workshop. **Walk-on Application and Training:** On-site Application & Online - Each of NEI's construction sites has at least one per entrance to site; Applicants can visit www.NEIGC.com to apply online or scan our QR Code; Additionally QR Code to training calendar for WORC2 registration for courses and availability. **Commissioner Watson:** Is the New England Construction on site different from NER? **Andre:** Yes. **Commissioner Watson:** I've seen over the last few years in both union and noni-union a challenge with resident hiring. What are your insights as a General Contractor to what these challenges/obstacles are in getting Boston residents on Boston

construction projects? **Andre:** I see an overabundance of laborers. Training and development are key because the ordinance is written as a trade by trade basis. When working with skilled based contractors that are either open-shop or merit-based, it requires us to identify needs in advance. It doesn't fix the problem tomorrow, but if we are diligent with intentional outreach/engagement with both skilled and unskilled, as we are doing at the Workforce Opportunity Resource Center with Katrina (Katrina Conrad, WORC²). **Commissioner Green:** How are you being creative in tracking training of residents, minorities and women as it relates to investing in a long-term work situation? **Andre:** Introduction to opportunities is the beginning and we work to build relationship project to project that stimulates growth and development. Contractors are looking for workers who show up, are reliable and willing to learn. **Commissioner Green:** I was looking for you to mention apprenticeship to journeymen training which is where the safety lies. **Commissioner Flint:** Are you getting workers from the WORC² training, do you work with the city's/BRJP Jobs Bank Coordinator and do you do Job Fairs? **Andre:** It's blend of those seeking work and career advancement. We have placed roughly 70 local workers since the training began. We also use a supply-based referral strategy. We do work with Janine and are on her email list and we forward information to GC's as applicable. We do 1 job fair annually and partner with others throughout the year. Collaboration is a stronger effort. Next Saturday we will join the Office of Black Male Advancement's job fair and in May we will join a job fair with Youth Build. **Commissioner Flint:** Are you getting students from Madison Park High School? **Andre:** The vocational school has been in a bit of transition and we've been in long talks with the co-ops (*last 2-3 years*) to get students eligible when out on sites. **Commissioner Watson:** Thank you for your presentation. We look forward to the project coming back for a future BEC hearing.

PROJECT REVIEWS

A. 288 Harrison Ave. Residences

Duration: 18 mins.

Present: Rachel Powers (Beacon Communities LLC), Andre Barbour (NEI General Contracting) and Robert Woodson (BRJP Construction Monitor)

Overall Numerical Compliance: 63,819 workhours, 305 workers, 17 contractors, 21% Boston Residents, 63% People of Color, 2% Women

Robert Woodson (BRJP Construction Monitor): This project first appeared before the BEC in April of 2023. There has been an increase in the overall resident and POC percentages with roughly 62,000 additional work hours. To date, the Boston resident and women workforce participation numbers fall short of the employment standards and could use improvement. The projects average payroll submission time is 5 days. The projects overall resident verification percentage is currently at 75% and could use improvement to get to the standard of 90% (**since submitting the report, the BRV is above 90%**). DA Bosworth had increases including, up to 33% Residents, 38% POC while maintaining 15% Women. Cruz Electric and EFR Mechanical added women and residents in recent months. Cruz has been referred another RES, POC, WOM from NEI this week. Cruz Electric started with 3 and now has 5 residents. EFR Mechanical started with 1 now has 3 residents, gradually continuing to increase as staffing increases. Westview is interviewing a RES, POC carpenter from union hall to add to their crew. Superior Plumbing started with 0 Res added 2 sheet metal workers to their crew. **Andre:** In regards to outreach efforts, it's been an ongoing effort. As noted in the report, we work with YouthBuild and have hired a graduate last year from a job fair who started full-time in October and continues to work with NEI on this site and helping increase the resident participation. We partnered with the city on a grassroots 5 week intensive construction program and are currently working with contractors on placement for recent graduates. We anticipate attending the upcoming job fairs at the Bolling Building in May and more from now through the summer. **Commissioner Watson:** Thank you for that context. **Commissioner Flint:** How much time left on this project? **Andre:** 6 months (October). **Commissioner Flint:** The percentages are low. The People of Color % is up there, but no women. I would think the carpenters would have women. **Andre:** We reached out for our framing crew to the carpenters, Local 723, Carlos. I believe there's a new person now. There were no women available at the time. We're working with Westview for Drywall and kudos to Cruz Electric/Nick Quincy @ 44% for residents. We are pushing all the subcontractors to maximize in these last 6 months. **Commissioner Alexis:** Is there a plan for the last six month? **Andre:** The plan has been ongoing throughout the project with weekly conversations with subcontractors and internal staff as necessary on how to maximize the needs (*moving residents and women from a site thats ramping down*). **Commissioner Alexis:** Is the pay providing a meaningful income to residents and women? **Andre:** All the major trades listed in this report are union signatory, this is not a prevailing wage job and we are not collecting pay rate

information. However, to my understanding, the rate of pay for this job is good for entry level at \$22/23. **Commissioner Watson:** Who is the person you mentioned with Cruz Electric? With only 15 employees, the numbers are impressive and rarely seen. **Andre:** Nick Quincy, Vice President of Cruz Electric. **Commissioner Watson:** On behalf of the BEC, please pass on our appreciation for those efforts. This project review is categorized as Open Shop (*Open Shop means union and non-union*). This may be something the BRJP staff can address. Is there a way to extract or create a 3rd category to describe it as, "Mixed Workforce"? Is it common to have both union and non-union on a job site? **Andre:** Yes, it's common to have a blended workforce. I notice Rachel Powers for the developer, Beacon Communities is here. Participation from the developer is a sign to the BEC that you care. You don't have to but would you like to say something? **Rachel:** I'm here to support Andre and re-emphasize all that Andre has presented, we are always looking ahead to improve efforts and increase the numbers. **Commissioner Green:** In regards to the challenge with women participation, my recommendation is stronger training. Think about ways to engage women into the construction trades by attending women-based events. When I see zero participation for women, it signals to me there is no (*zero*) efforts being made to engage/outreach to women to the construction trades. **Commissioner Watson:** Thank you for your presentation.

B. Mildred Hailey 1A

Duration: 9 mins.

Present: Matthew Martin (The Community Builders), Robert Smith (The Community Builders), Kacey-Ann Satchel (Consigli Construction), David Cullinane (Consigli Construction), Haley Hirsch (Consigli Construction), Melissa Sue Guertin (Consigli Construction), Claudia Moccia (Consigli Construction), Kyle Raposo (Consigli Construction), Oscar Baez (Consigli Construction), Rhianna Bernal (Mayor's Office of Housing) and Nelson Cunha (BRJP Construction Monitor).

Overall Numerical Compliance: 24,596 workhours, 248 workers, 15 contractors, 24% Boston Residents, 41% People of Color, 8% Women

Commissioner Watson: Out of curiosity, why was this project divided into 2 projects (start, size, funding, etc)? **Melissa Sue Guertin (Consigli Construction):** It was for funding reasons. **Commissioner Watson:** Thank you. That's helpful. **Nelson Cunha (BRJP Construction Monitor):** Both reports have most of the same contractors and highlights and concerns. I will review the numbers and highlights and concerns on 1A and then just the numbers on 1B and go into the questions from there.

Nelson Cunha (BRJP Construction Monitor): The project had a BEC Special Presentation on 05/17/23 and it is 7% complete. The team at Consigli has been very proactive from the very beginning of the project and in constant communication with all subcontractors reminding them of BRJP's requirements, but also offering assistance when needed. Consigli is committed to supporting the community and is engaged in numerous projects and outreach initiatives. The Policy Group on Tradeswomen's Issues (PGTI); Consigli has been doing a great job in collecting and sharing walk-in applications with the Jobs Bank, which in turn reaches out to the applicants to get a sense of their skills set. Jobs Bank has received 35+ applications to date from this project. J Derenzo, the subcontractor with the most hours, early on reached out to the Union requesting a worker that would check all three categories (form attached). They hired a woman, person of color and resident, and she has been working with them since February 6 of last year. Allied Pile Driving, the fifth largest subcontractor on site in terms of work hours, reached out twice to the Union Halls requesting a total of 4 workers that would check all three categories (forms attached). On the first attempt in June of 2023, they received 1 resident of color, but no Women were available; on the second attempt in July of the same year they received 1 second-year apprentice woman of color, and 1 first-year apprentice. Laborer is the largest trade onsite with resident participation at 26%, POC participation is at 41% and female participation is at 6%. **Commissioner Green:** I like the People of Color numbers (*often times that reflects out of city workforce*). Appreciate the mention of apprenticeship outreach which speaks to registered training and good wages (*reflected on his apprenticeship training and work experience*). Recommend consistent outreach for the term of the project. There may be workers on other projects (*outside the city*) that are finishing up and can land on a Boston project. I like that the women percentages are not at zero, but need improvement. Get creative with outreach to those who live or lived in that area (*Great jobs over here!*). **Melissa Sue Guertin (Consigli Construction):** We held a youth job fair at Mildred Hailey. We track Section 3 hours and neighborhood hours. Nelson is helping us track neighborhood hours to see how many workers from the neighborhood are on this project. **Commissioner Flint:** How many people do you have from Section 3? **Melissa:** Collectively over the 2 projects, the Section 3 work hours are under 2,000 and these are workers from YouthBuild and Building Pathways

(this is a union project). **Haley Hirsch (Consigli):** The neighborhood work hours for 1A is 18% and the neighborhood work hours for 1B is 20%. We gathered this information by tracking specific zip codes. **Commissioner Watson:** Nice to see improvement with J. Derenzo at 16% Women. Commissioner Watson referenced being a girl dad and his daughter's awareness of representation in construction. Appreciate Consigli's concerted effort where some peer groups are not. I know Kacey-Ann's role, out of curiosity, Claudia, Haley and Melissa what are your roles and how long have you been with Consigli? **Haley Hirsch:** Workforce Compliance Coordinator, 1 year. **Claudia Moccia:** Project Engineer, 2 years. **Melissa Sue Guertin:** Project Manager, 2 years. **Kacey-Ann Satchell:** Manager of Diversity, Equity and Inclusion, 11 years. David Cullinane: Director of Diversity, Equity and Inclusion, 14 years. **Commissioner Flint:** Glad to see increase and improvement of some of the subcontractors. It appears they are trying and I'm impressed with 16% women participation (J. Derenzo)!

C. Mildred Haey 1B

Duration: 17 mins.

Present: Matthew Martin (The Community Builders), Robert Smith (The Community Builders), Kacey-Ann Satchel (Consigli Construction), David Cullinane (Consigli Construction), Haley Hirsch (Consigli Construction), Melissa Sue Guertin (Consigli Construction), Claudia Moccia (Consigli Construction), Kyle Raposo (Consigli Construction), Oscar Baez (Consigli Construction), Rhianna Bernal (Mayor's Office of Housing) and Nelson Cunha (BRJP Construction Monitor).

Overall Numerical Compliance: 20,476 workhours, 186 workers, 10 contractors, 28% Boston Residents, 37% People of Color, 9% Women

Nelson Cunha (BRJP Construction Monitor): The project had a BEC Special Presentation on 05/17/23 and it is 10% complete. The team at Consigli has been very proactive from the very beginning of the project and in constant communication with all subcontractors reminding them of BRJP's requirements, but also offering assistance when needed. Consigli is committed to supporting the community, and is engaged in numerous projects and outreach initiatives. The Policy Group on Tradeswomen's Issues (PGTI); Consigli has been doing a great job in collecting and sharing walk-in applications with the Jobs Bank, which in turn reaches out to the applicants to get a sense of their skills set. Jobs Bank has received 35+ applications to date from this project. J Derenzo, the subcontractor with the most hours, early on reached out to the Union requesting a worker that would check all three categories (form attached). They hired a woman, minority and resident, and she has been working with them since February 6 of last year. Laborer is the largest trade onsite with resident participation at 28%, POC participation is at 43% and female participation is at 7%.

BEC Commissioners' Follow-up Requests/Concerns

MONTHLY PAYROLL SCAN

Duration: 12 mins.

Christopher Brown (BRJP Manager): It all starts with the payroll. In order to ensure that we are identifying all instances of late payroll submissions, the BRJP Office started conducting monthly payroll scans in August 2023. These scans will give the Boston Employment Commission a clearer picture of all payroll-related noncompliance, beyond those that come before the BEC for a special presentation or project review. Contractors have up to 7 business days after the week-ending date to submit payrolls in order for them to be considered on-time. **Commissioner Watson:** This was an overwhelming amount of information, but in a good way. How are you approaching this (4,500 payrolls a month)? **Chris:** Yes, it's an extreme amount of payroll data. We want to get a firm grip on what's being submitted to create meaningful criteria as it relates to fining in an equitable manner (referenced size and capacity of contractors). **Jodi Sugerman-Brozan (Deputy Chief, Office of Worker Empowerment):** We are specifically looking at trends that reflect repeat offenders (over a period of 3 – 6 months). Kudos to Chris and BRJP staff in working on the other 6 enforcement compliance efforts. We are working on a monthly report for the Job's Bank (Janine McLaren). We have struggled with IT support and I'm happy to announce that we will have a salesforce staff person (35/40 hours support) that we will share with the Mayor's Office of Housing. They will assist with data pulls and data analysis. **Commissioner Watson:** Very appreciative of all the work put into this. The BEC only sees 3 to 4 projects a month. The construction industry is so nuanced, it's like comparing apples to dolphins, not apples to oranges.

DIRECTOR'S REPORT**Duration: 5 mins.**

Jodi Sugerman-Brozan (Deputy Chief, Office of Worker Empowerment): The Bi-Annual City Council Hearing for BRJP is next Wednesday, April 24th at 10:00am (*link on how to access the hearing and sign up for public testimony is in the chat*). An updated Impact Analysis for 2023 from the BPDA Research team was provided in the BEC Commission packet. They have been invited to come to May's BEC Hearing to answer any questions the Commission may have. As the BPDA agency transitions to the City of Boston, BPDA monitors, Stacey Watson and Takara Hamilton will be moving to 1010 Mass Ave., Annex office to join the BRJP staff. As this transition takes place, there will be an annual update of the website to create conformity of the monitoring process. Lastly, just a reminder to the General Contractors (*and Developers*) who want to look at the history of subcontractors' ability and/or past performance on BRJP hiring goals before engaging with them. There's a public database with that information and I have provided the link in the chat. Thank you everyone.

Commissioner Watson asked for the motion to adjourn. Commissioner Flint motioned and Commissioner Green second the motion.

Meeting adjourned 2:30pm

KO/BEC Coordinator