

Boston Employment Commission Hearing Minutes

A monthly hearing of the Boston Employment Commission (**BEC**) was held virtually on Zoom, May 15, 2024.

Present: Commissioner Chaton Green and Commissioner Donald Alexis.

Absent: Commissioner/Chair JocCole “JC” Burton, Commissioner Travis Watson, Commissioner Kenell Broomstein and Commissioner Darrin Howell

Hearing Began: 1:05 PM

Due to unforeseen circumstances, Commissioner/Chair Burton was unable to attend and BRJP Director Sugerma-Brozan chaired hearing. In addition, due to lack of quorum, April 17, 2024 Minutes will be approved during June’s BEC hearing.

I. ANNOUNCEMENTS

Jodi Sugerma-Brozan (Deputy Chief, Office of Worker Empowerment): Millions of dollars are stolen from workers every year. The Wage Theft ordinance is being expanded to address this issue. The Office of Worker Empowerment is hosting 5 one hour webinar trainings on the new Construction Demolition and Safety ordinance for contractors to be in compliance. Information is provided in the chat. A new Future BOS website has been launched. Youth Summer jobs for ages 14 year olds to 18 year olds can be explored at boston.gov/futureBOS.

BPDA Economic Impact Analysis ‘2023 - Kevin Kang, BPDA Senior Research Associate:

Today’s analysis focuses primarily on the 51% Boston Resident requirement of the BRJP ordinance. Developers and contractors continue to fall short of the required BRJP thresholds. Only 21% of tracked hours were worked by Boston Residents (BR) in calendar year 2023. Among trades that worked more than 1,000 hours, no trades met 51% BR. 9.6% met 12% Women threshold and 32.7% met 40% People of Color threshold. There are 65+ trades in the BRJP database and over 10,000 workhours presented for the purpose of today’s presentation. **The conclusion of this analysis:** Because building trades in Boston are highly paid and a large gap exists between the observed hours data and the BRJP targets, the economic impacts of fully meeting targets is large. Construction workers experience the greatest impact, while increased spending within the city may generate over 480 additional indirect and induced jobs. Our preferred scenario sees a \$134.4 million dollars increase in resident incomes, merging revenues from construction hours with income generated from new jobs or local business activity, benefiting both residents and the economy. **Jodi:** Thank you Kevin. This presentation puts in context why we are here and the importance of BRJP to move towards compliance.

II. SPECIAL PRESENTATIONS

A. Norfolk Scattered Sites

Duration: 15 mins.

Present: Duane Boyce (Norfolk Design and Construction LLC), Adler Bernadin (Norfolk Design and Construction LLC), Tiera Satchebell (Mayor’s Office of Housing – MOH - invited), Antonio Leite (Mayor’s Office of Housing – MOH - invited) and Celso Ribeiro (BRJP Construction Monitor)

Duane Boyce (Norfolk Design and Construction LLC): Norfolk Scattered Sites Development (2 projects melded together) MOH Affordable Homeownership Project - 15 Units in Dorchester – All Affordable (Clarkson St., Browning and Bradley Streets, Elmont and Norwell Streets) Located across 7 sites and Consists of Single and Two Family Home (Renderings shown). We are working closely with the Mayor’s Office of Housing on this development. The project commenced in March 2024. It is a 20 Month staggered construction - Work on 5

properties in progress (2 months in with a handful of workers on site). Target Completion Nov. 2025. Construction Signage - Participation with Neighborhood Groups and Organizations - Future publications in local newspapers - Onsite outreach to residents. Job Application Process - Email office@us-norfolk.com - Initial screening - Conduct formal interview and walkthrough - Make applicable offer. **Construction Buyout (Awarded Subcontractors):** Sitework - LVMJ, Plumbing - Montrond Company (M/WBE), HVAC - Montrond Company (M/WBE), Electrical - Luciano Electrical (M/WBE). We aspire to meet the BRJP requirements.

B. Copley Sq. Park

Duration: 15 mins.

Present: Mike Christian (WES Construction Corp.), Abigail “B” Chatfield (Boston Parks & Recreation) and Patricia Maragioglio (BRJP Construction Monitor).

B Chatfield (Parks and Recreation): Copley Square Park is receiving a major renovation for the first time in over 30 years. This includes the following improvements: Renovation of the existing fountain, Relocating the lawn area for less wear and tear from events, Create a new plaza location, making a stronger connection between the Square and the Library, A paved ‘deck’ area around existing mature trees, to protect roots from compaction of foot traffic, Extensive planters with new shrubs and trees, to reduce temperatures and provide a softer greener experience, New porous pavements and storm systems, improved storm water management, Many new benches and seating opportunities, New electrical service for performances and events (Renderings shown). **Michael Christian (WES Construction Corp.): Construction Buyout (Awarded Subcontractors):** United Stone and Site, MON Landscaping (MBE), Folan Waterproofing (WBE), Dagle Electrical Construction Corp., Zone Mechanical. This projects start date was 8/2023 and completion date is estimated to be 12/2024. **Workforce Diversity Efforts / Community Partners:** For office positions, non-union Supers, Asst. Supers, and Field Surveyors, WES submits job postings to publicly-available websites including Indeed and LinkedIn, For field positions, WES submits listings to local Union halls. **Job Application Process:** WES Construction Corp. is signatory to the Laborers, Operators, Carpenters, and Iron Workers. Applicants can find job applications on site, but must be a member of a union to be employed as a field employee by WES.

PROJECT REVIEWS

A. Copley Sq. Park

Duration: 18 mins.

Present: Present: Mike Christian (WES Construction Corp.), Abigail Chatfield (Boston Parks & Recreation) and Patricia Maragioglio (BRJP Construction Monitor).

Overall Numerical Compliance: 9,881 workhours, 37 workers, 5 contractors, 13% Boston Residents, 29% People of Color, 13% Women

Patricia Maragioglio (BRJP Construction Monitor): This project is 35% complete. B. gave a comprehensive description of the project. M-O-N Landscaping is a MBE, Folan Waterproofing is a WBE, 3 of 5 subcontractors are exceeding POC goals, Overall project is exceeding women percentage goals at 13%, WES Corp., the general contractor and also self-performing subcontractor is meeting our women percentage goal at 12% while they make up 83% of total work hours for the project. Dagle Electrical and MON Landscaping are lacking diversity in their workforce. United Stone have the highest percentage for Boston residents at 19% but are still falling short of meeting the goal of 51%. My recommendation is to continue to seek out more Boston residents and consider hiring more Boston apprentices to ensure that those numbers will continue to rise over time. **Jodi:** Patricia you mentioned 3 subcontractors were exceeding People of Color goals, but I don’t see that. **Patricia:** I meant, 3 trades are exceeding goals (Equipment Operator @48% and Water Proofer @100% – POC), (Laborers – @17% Women). **Commissioner Green:** What are the strategies to improve the BR numbers? **Michael:** Because we are at the mercy of the union, it is tough to meet the requirements of the ordinance, but we are trying to be in compliance and ask for all the categories (BR, POC, W) each time we need to add a worker to the project. Local 22 is a Boston local, however the workers aren’t necessarily from Boston and we have to take who’s available. We do ask this of our subcontractors as well. I do see the numbers ticking up as we get into the landscaping portion, as the landscaper (MON Landscaping) is a MBE. **Jodi:** It is great to see the women percentage numbers being met and exceeding on this project. Thank you for your presentation.

B. 26 Court Street Full Renovation

Duration: 9 mins.

Present: Brooke Woodson (Shawmut Construction), Mark Mazza (Shawmut Construction) and Manuel “Manny” Barbosa (BRJP Construction Monitor)

Overall Numerical Compliance: 165,229 workhours, 765 workers, 29 contractors, 22% Boston Residents, 41% People of Color, 9% Women

Manuel “Manny” Barbosa (BRJP Construction Monitor): This project is 45% complete. This project is a full renovation of 26 Court Street. The scope of work includes providing design and construction administration services to support the full interior and exterior renovation. The project consists of heating ventilation and air conditioning (HVAC) upgrades, new electrical and plumbing systems, window replacements, masonry restoration, new elevators, office fit outs, accessibility upgrades, new sprinkler system, fire alarm replacement, selective demolition, waterproofing, site work. 101 Boston residents have been reported. 101 (100%) have been successfully verified (*Continue excellent procedure set in place in collecting Boston Resident Verification forms in a timely manner*). The current payroll submission time is 5 days. Payrolls that are submitted on time help monitor the project in a timely manner. Starlite Building Services has worked the 4th most hours and have met the employment standard numbers in BR (56%) and Women (21%) categories, surpassing the 51% BR and 12% Women goals. For this project to be successful there has to be more attention focused towards the hiring of Boston Residents through the union halls. Continue pro-active approach and communication with subcontractors that workforce goals have to be maintained throughout their scope of work for them to be successful in meeting employment standard. A corrective action meeting was held on May 13th Atlantic & Bridge Engineering, Marr Scaffolding, Unified Construction Group, PJ Dionne, PJ Spillane, Cheviot and Tripple J Drywall. Corrective actions letters were received by Atlantic Bridge & Engineering, Unified Construction Group and Marr Scaffolding. Other subs needed more time and a follow up will be provided in the next BEC. Marr Scaffolding has submitted outreach requests to union halls. **Please view attachment. Best Faith Efforts:** Shawmut held a fundraiser “BuildFest luncheon” for Youth Build at the Shawmut headquarters on 4/21/24. A Fundraiser which reached over \$30,000 in donations for the Youth Build organization. **Commissioner Alexis:** What’s the next steps to improve the numbers? **Manny:** We reinforce the importance of this program and ask for detailed letters, questioning whether the low Boston resident participation is a union issue. Letters were submitted and attached to this report to explain plan of action by some of the subcontractors and some needed more time. Those letters will be submitted at the next BEC. **Jodi:** Thank you for your presentation.

C. Four Corners Plaza

Duration: 17 mins.

Present: Chrissy Clark (Bald Hill Builders) and Robert Woodson (BRJP Construction Monitor)

Overall Numerical Compliance: 37,694 workhours, 251 workers, 15 contractors, 17% Boston Residents, 70% People of Color, 3% Women

Robert Woodson (BRJP Construction Monitor): This project is 75% complete. Four Corners Plaza is a proposed development of a multi-story, mixed-use building with affordable rental housing and ground floor commercial that has been targeted for this vacant land in the Dorchester area of Boston. The completed project will create 35 new affordable units. To date, the Boston resident and women workforce participation numbers fall short of the employment standards. The people of color workforce participation numbers do exceed the employment standards by 30%. The projects average payroll submission time is 18 days. 28 Boston residents have been reported, with 12 having residency successfully verified. The majority of the unverified residents belong to one subcontractor who is out of the country. I’ve attached a variety of Best Faith Efforts to this report. **Chrissy Clark (Bald Hill Builders):** We are working diligently to get the Boston residents verified. As Robert noted, there is one subcontractor, who is out of the country and has 11 unverified Boston residents. I was able to speak with him this morning and he is working on getting me the forms required. We have placed payment on hold. 2 additional subcontractors, one terminated 2 employees and 1 subcontractor went out of business and we need to verify all of their workers. If BRJP can assist with us getting those workers addresses, that would be helpful. Bald Hill Builders

is a WBE, committed to diversity in the workplace and on the jobsites. BHB achieved 36% MBE and 14% WBE participation of total contract value on this project. Since January 2023, BHB has hired 7 people of color and 9 women in various positions. 4 of the women work on the jobsites. 3 are Assistant Superintendents, **so their hours do not count toward the goals**. On 10/30/23 BHB hired a DEI Coordinator, who is a woman of color, to assist with workforce compliance, in recognition of a greater need for DEI efforts. Bald Hill Builders hired 2 people from a YouthBuild Boston job fair (*Action for Equity*): A woman, Section 3, Boston resident as an Assistant Field Technician and a male, person of color, and Boston resident as a Field Technician. In regard to the overdue payroll submissions, I am working with the subcontractors on Salesforce training. I realize 18 days is not acceptable and take responsibility. With the new DEI hire (Andrea Monteiro), I believe payroll submissions will improve.

Commissioner Green: I get the pressure you are applying for verification of outstanding Boston residents. Based on the intentional efforts you described, I see the project improving. What are the next steps if verification is not doable? Perhaps turning it up a notch in raising awareness to the community in highlighting “We Need Boston Residents to work on this Site”). **Chrissy:** As I shared, the subcontractor who is out of the country payments have been put on hold and that is an incentive. There is a Now Hiring Banner on the work site. **Commissioner Green:** In reflection of my time on worksites as a worker, eventually, you have to go to the office and verify your residence. **Jodi:** Thank you for this presentation.

BEC Commissioners’ Follow-up Requests/Concerns - Nothing outstanding.

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. There’s average of 4,000 payrolls monthly: **April 2024 / Overall Payrolls submitted - 4,020; Late payrolls submitted - 476 (12% of all payrolls); < 5 days late - 302 (63%); 5 to 10 days late - 119 (25%); > 10 days late - 55 (12%) and Latest payroll submitted - 20 Days**

DIRECTOR’S REPORT

Duration: 5 mins.

Jodi Sugerman-Brozan (Deputy Chief, Office of Worker Empowerment): The Bi Annual City Council Hearing for BRJP took place on April 24, 2024 and the outcome that we will address for the upcoming October 2024 report is as follows: Working on creating a dashboard to search availability of construction jobs by project, contractors, neighborhood, union, non-union, open shop. This data is available on the city of Boston’s Analyze data website. We realize it’s not as friendly to navigate and is why we are working on this dashboard. In addition, just as we’ve been presenting the payroll scan, we are working with the Job’s Bank Coordinator, Janine McLaren to also present a dashboard that looks at Labor Requests , as it relates to number of workers referred and number of workers placed to help with leverage around compliance. We hope to present this at the July-August BEC. 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, we will work on monitoring protocols to assure they are aligned as well as the pre-construction package. Lastly, after a lengthy process, we will have Salesforce Support through the Mayor’s office of Housing. BonnieWalsh will assist with 20 hours weekly IT support. Thank you all for being here today. Please note, due to the 3rd Wednesday being the Juneteenth holiday, the June BEC will be held the 4th Wednesday, June 26th. If there are no further questions or concerns, we can adjourn.

Meeting adjourned 2:33pm

KO/BEC Coordinator