

OFFERED BY COUNCILORS BENJAMIN J. WEBER, BRIAN WORRELL, JULIA MEJIA, BREADON, COLETTA ZAPATA, DURKAN, FITZGERALF, FLYNN, MURPHY, PEPEN, SANTANA AND LOUIJEUNE



CITY OF BOSTON IN CITY COUNCIL

ORDINANCE ESTABLISHING THE OFFICE OF LABOR COMPLIANCE AND WORKER PROTECTIONS

- WHEREAS**, Enforcing worker protections, including requiring the payment of earned wages, is a matter of public health and safety for workers in Boston; *and*
- WHEREAS**, In addition to protecting workers, the City should level the playing field so that law-abiding employers are able to thrive in Boston by having equitable access to opportunities through the procurement, licensing, and permitting processes; *and*
- WHEREAS**, The City, therefore, has an obligation to ensure that labor standards, such as the payment of wages and workplace safety requirements, are upheld in Boston; *and*
- WHEREAS**, To that end, Boston should have an office dedicated to upholding labor standards through both enforcement and educational outreach to both workers and employers; *and*
- WHEREAS**, In 2022, Mayor Michelle Wu announced the creation of the Worker Empowerment Cabinet to advance the well-being of all working Bostonians in both the public and private sectors and to serve as the cabinet charged with enhancing and strengthening Boston's workforce and economy; *and*
- WHEREAS**, The creation of the Worker Empowerment Cabinet created the position of deputy chief whose focus is on improving oversight of labor standards and strengthening and building a culture of workplace safety and health across the City; *and*
- WHEREAS**, Codifying an Office of Labor Compliance and Worker Protections will further promote worker's rights and allow for continued enforcement of labor standards in Boston going forward. **NOW, THEREFORE**

Be it ordained by the City Council of Boston, as follows:

SECTION 1. The City of Boston Code, Ordinances, is hereby amended in Chapter **XXIV** by inserting the following new section after existing Section 24-14:

24-15. OFFICE OF LABOR COMPLIANCE AND WORKER PROTECTIONS

24-15.1 Purpose

There shall be established in the City of Boston an Office of Labor Compliance and Worker Protections (hereafter known as the Office) which shall serve to protect and promote labor standards and policies that create fair workplaces for all workers in the City of Boston. The Office shall be under the charge of an Officer, who shall be appointed by the Mayor, known as the Deputy Chief of Labor Compliance and Worker Protection (hereafter called the Deputy Chief).

24-15.2 Duties of the Office

The Office shall serve to promote equitable treatment of workers in the City of Boston by enhancing the accessibility of City programs, benefits, and services to workers and establishing outreach programs in conjunction with other City agencies to inform and educate employers and their workers of relevant City programs, benefits, services, and labor standards. The Office shall have the following divisions with the respective duties below to further its Purpose and oversight of the following offices and commissions:

- a. *The Fair Wage Division:* To ensure that workers are paid according to the law, including under the City of Boston's Living Wage and Prevailing Wage Ordinance. This Division will work with the Boston Licensing Board to facilitate complaint investigations and advise potential victims of legal grounds they can pursue and/or refer the case to the Massachusetts Attorney General's Office.
- b. *The Boston Residents Jobs Policy Office:* To be responsible for the planning, implementation, and overall coordination of compliance monitoring related to all projects covered by the Boston Residents Jobs Policy pursuant to 8-9.2 in the Boston Municipal Code.
- c. *The Boston Employment Commission:* See 8-9.4 in the Boston Municipal Code which defines the duties, responsibilities, and makeup of the Commission.

24-15.3 Deputy Chief Responsibilities.

The Deputy Chief, or designee, of the Office shall have the power and duty to:

1. Monitor and conduct research and analysis on local, state, and federal laws, policies, and enforcement tactics as applied to local challenges faced by workers.
2. Advise and assist the Mayor in developing and implementing policies designed to assist workers in the City, in consultation with the Supervisor of Labor Relations;
3. Make recommendations and provide coordination and support to City departments and agencies concerning public policies, programs, services and regulations, including sections of the charter and the administrative code, as they affect or may affect workers;
4. Ensure all related reporting requirements are adhered to;
5. Perform such other duties and functions as may be appropriate to pursue the policies set forth in this section.

SECTION 2.

Severability. The provisions of this ordinance are severable, and if any provision, or portion thereof, should be held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such unconstitutionality or invalidity will not affect the remaining provisions, which will remain in full force and effect.

SECTION 3.

Effective Date. This ordinance shall be effective within six months of passage.