

# Boston Employment Commission Hearing Minutes

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A monthly hearing of the Boston Employment Commission (**BEC**) was held virtually on Zoom, November 20, 2024.

**Present: Commissioner/Chair JocCole “JC” Burton, Commissioner Travis Watson, Commissioner Donald Alexis and Commissioner Chaton Green.**

**Hearing Began: 1:05 PM**

**Commissioner Burton began with acknowledging Native Americans Heritage Month - their contributions to the Commonwealth and how the inclusivity of cultural celebrations is important to this Boston Employment Commission. In addition, Commissioner Burton referenced the signing of a House Bill, H.5100 (section 279 included) by Governor Healey, today. The bill was a result of a White Paper written 3 years ago by Commissioner Burton and supported by other stakeholders (*referenced Commissioner Watson, Contractors and Elected Officials*) for a State-funded Bond program that would help small contractors, veteran-owned and minority-own contractors achieve larger contracts/projects. Commissioner Burton also wrote a White Paper for the City of Boston to do the same.**

**Commissioner Watson:** Acknowledged the passing of two giants in Boston Commercial Real Estate, Greg Bialecki (Redgate) and Tom Alperin (National Development) and his tremendous respect for their leadership.

**October 16, 2024 Minutes approved (motioned by Commissioner Watson and 2<sup>nd</sup> by Commissioner Green). Approved by all.**

## I. ANNOUNCEMENTS

**Jodi Sugerman-Brozan (Deputy Chief, Office of Worker Empowerment):** Huge success - over 400 people registered. Many of the building trades (IBEW, plumbers, Sheet Metal, Workers, Operators, Laborers, Bricklayers, Building Pathways and more). Workers Rights and Safety Initiative for 2025 with clinics and webinars . OSHA 10 and OSHA 30 classes to be provided in multi-languages (English, Haitian, Spanish, Portuguese). **Information also on our website [boston.gov/labor-policy](https://boston.gov/labor-policy).**

## II. SPECIAL PRESENTATIONS

### A. Fan Pier Parcel H

**Duration: 10 mins.**

**Present: Chris Brunelli (The Fallon Company), Carrie Borges-Patricio (Turner Construction Company), Anthony Giordano (Turner Construction Company), Glenda Nestor (Turner Construction Company), Amanda DiLando and Pamela Ruffo (BRJP Construction Monitor)**

**Chris Brunelli (The Fallon Company):** The Fan Pier Parcel H Project is located on Harbor Shore Drive, Boston, MA. The project is a 268,000 SF, 122-unit condominium building, and the last parcel for The Fallon Company as part of the Fan Pier Development. We are building a new 16-story slab on deck structure on top of an existing 3-story garage built by Turner in 2016. **Carrie Borges-Patricio (Turner Construction Company):** Approximately 28 months of construction (25% Complete: 04/2025; 50% Complete: 09/2025; 75% Complete: 1/2026; **100% Complete: 08/2026. Trade Partners are partially bought out (*shared list of 32 subcontractors – 6 are M/WBEs*). Boston Residents Jobs Policy (BRJP) Compliance is treated as a team effort and includes the following:** Workforce goals are included in all trade partner contracts; After award, an onboarding/kick off meeting is held; Union Business Agents are invited to an onsite meeting to discuss the project; BRJP topics are included in the weekly Owner-Architect-Contractor meetings; BRJP Preconstruction meeting status is discussed in the weekly staff

meeting; Resident verification is included in the site safety orientation. **Community & Citizenship Engagement/Outreach:** ACE Mentor Program; Building Pathways; Build a Life That Works; Mass Girls in Trades; Policy Group on Tradeswomen's Issues; Wentworth RAMP; Youth Force Program to raise students' awareness of career opportunities in the construction industry. In- Person Engagement through various Drives held through month of Sept. 2024 – Nov. 2024 (Boot, Mack Attack and Toys). **Job Application Process:** Via signage on the project, Applicants can scan a QR code to fill out the Applicant Form. Applicant Forms are also available at the jobsite office. The collected information is then sent to Subcontractors depending on the trade experience specified by applicant. We follow up with the Subcontractors to see if interviews were held and if the worker was able to be employed. These results will be noted and shared with our BJRP Monitor. If the Applicant was not hired, this information will be sent to the Jobs Bank so they can complete the Jobs Bank referral form and be entered into their database. **Commissioner Burton:** Seeing there are no questions, we thank you for your presentation. I'd like to note that while the City of Boston/BJRP does not track M/WBEs, we appreciate the focus you have made to hone in on that with this project because we see that there is a direct correlation with increase of diverse workforce when M/WBE firms are involved.

**B. 900 Morrissey Boulevard**

**Duration: 13 mins.**

**Present: Laura Martin (The Community Builders Inc.), Karellis Rivera (Commodore Builders), Ed Whelan (Commodore Builders), Adam Lomnicki (Commodore Builders), Martha McDaniel (Commodore Builders) and Celso Ribeiro (BRJP Construction Monitor)**

**Commissioner Burton recused herself due to her company's business relationship with the project. Commissioner Watson will chair in her stead.**

**Laura Martin (The Community Builders Inc.):** 900 Morrissey Boulevard (*located in the Neponset area of Dorchester*) is being converted from a five-story hotel to residential use with facility support office space. (*Renderings were shown*). The project will provide housing for formerly homeless individuals, as well as associated amenity spaces located throughout the building, outdoor community spaces for use by residents, and a limited amount of ground-floor office space. The project will result in the creation of 99 units of permanent supportive housing, 100% of which will be affordable to individuals earning less than 30% of the Area Median Income (AMI). We are partnered with Pine Street Inn as they will provide support services. **Start of Demo: 11/18/24 and Project Completion: 6/28/25.** **Ed Whelan (Commodore Builders):** 100% Union project and all trade partners will use local union trade labor. **Awarded Subcontractors & M/WBE contractors:** Commodore is currently 35% (*this information was updated from the 25% reported*) through trade procurement and remains on track to meet the M/WBE targets (*57% of contract value has been awarded and we have exceeded the goal of 12.5% w/18% WBE and are on track at 22% MBE to reach the 35% goal*). We will continue to onboard the balance of trade partners within next 3-4 weeks. **Karellis Rivera (Commodore Builders):** Our efforts to promote workforce diversity focus on fostering inclusivity, addressing underrepresentation, and tackling the challenges posed by an aging workforce. By partnering with community organizations, we aim to create an environment where diversity thrives, inclusion is embraced, and equitable access to career advancement is prioritized across our industry (*Powerpoint provided several community partners*). **Job Application Process:** Walk-on Applications will be available on paper and through QR Code at the job site. The project superintendent will collect paper copies of applications daily. Applications will be shared with subcontractors and local unions and, if applicable, referred to pre-apprentice organizations such as YouthBuild Boston, Building Pathways, Job Corps, and the BRJP Jobs Bank Coordinator. A database will be kept, ensuring applicants receive follow-up. **Commissioner Watson:** Celso is there anything you would like to say? **Celso Ribeiro (BRJP Construction Monitor):** So far so good. They seem very dedicated to this cause and I'm looking forward to working with them. **Commissioner Watson:** Ed I'm impressed with the numbers (referenced circling back to TCB). Is the M/WBE inclusion common or new to Commodore Builders/TCB (*referenced the shortage of M/WBEs in the unions*)? **Ed:** It is not common and we've put a lot of effort in strategy (*referenced 2<sup>nd</sup> and 3<sup>rd</sup> tier subcontractors*). We learned a lot from the Holyoke Soldiers Home project (*referenced Karellis's involvement*) which laid the groundwork for this approach. **Commissioner Watson:** Anytime best practices are shared, it helps others. As Commissioner Burton noted earlier, we don't track M/WBE firms/contractors, however we value the economic impact Commodore Builders and TCB's approach has for underutilized trades. The cadence of your presentation addressed all the relevant points we as a commission look for as it relates to the BRJP goals. Thank you. Looking forward to this project's review. Chair Burton will resume her place.

### III. PROJECT REVIEWS

#### A. 100 South Campus Drive

Duration: 20 mins.

**Present:** Dave Girard (Northstar Project & Real Estate Services), Brooke Woodson (Shawmut Design and Construction), Chris Conway (Shawmut Design and Construction), Samantha Glatfelter (Shawmut Design and Construction), Katie Gibbs (Shawmut Design and Construction) and Celso Ribeiro (BRJP Construction Monitor)

**Overall Numerical Compliance:** 78,922 workhours, 395 workers, 11 contractors, 27% Boston Residents, 42% People of Color, 8% Women

**Brooke Woodson (Shawmut Design and Construction):** This project is 100% union (*correction to it being noted as open-shop*).

**Celso Ribeiro:** The project is approx. 32% complete. Structures Derek International S.A. has the most hours worked at 24,710 total hours: 35% Boston Residents, 44% POC, and 10% Females. All the numbers across the board have gradually gone up through efforts by Shawmut. This project is currently at 8% women and I believe they will reach 12% before the project is completed. All 7 compliance efforts are in compliance. A plan has to be put into place so that at least 100% of the Boston Residents working is verified (*75% are currently verified*). GC should keep reaching out to subs that still have Boston residents lacking proof of residency files. **Commissioner Green:** It's good to hear that numbers are going up. I recently saw Shawmut at Mass Girls and Trade during Apprenticeship week. I'm interested in hearing other outreach efforts. **Brooke:** We are highly engaged in organizations to diversify the construction industry (*referenced YouthBuild Boston, Building Pathways, Mass Girls in Trade, Builders of Color Coalition*). We welcome new partnerships. Achieving Boston resident numbers is tough in this market place and we look to reach that 12% goal as Celso mentioned. **Commissioner Watson:** Brooke has been leading diversity efforts in the construction sector for decades. I'd like to unpack the resident piece and get your feedback on possible solutions (*referenced Starlite being a sister company of Shawmut*) at 4% not fair to compare Starlite to union companies that have access to 100s of workers. I know you are committed and having sat on YouthBuild's board myself, I know Scott Harrington, Youth Build's VP cares about equity and inclusion and want to make things right. While this is a loaded question, what can the industry do to increase Boston residents available in the trades (*everybody's resident numbers are low*)? **Brooke:** Starlite's full package has not started and their work has been sporadic (33 workers). They are working on the 26 Court Street project and their numbers are fantastic across the board (*Katie Gibbs will address Starlite further*). To your larger question, Commissioner Green reference Mass Girls in Trade, which we have seen an influx of young women in the construction industry (400 in Eastern Mass and more in Western Mass). That's great, however there may have only been 12 from Boston (*this was a convening of vocational schools*). **If we are going to grow the diverse pipeline of residents, we need a highly functional vocational school and we do not have that to date in Boston to the scale we need. I applaud Building Pathways and YouthBuild's curriculums and graduates as older men are aging out and while there is an influx of women, they are not for the most part residents of Boston.** Katie will address Starlite further. **Commissioner Watson:** Thank you for your thoughts Brooke. **Katie Gibbs (Shawmut Design & Construction):** We have 4 dedicated workers from Starlight (Superstructure). Other workers are in and out. There's a large Mill Work package coming in May 2025 and the next laborer (May) will be a full-time Boston resident. Shawmut has outreached to BPS and Regina Oliveri and myself expose the early learning education classes to construction through reading books to them. We have taken high school students on a tour of construction job sites. **Commissioner Burton:** Thank you Brooke and Katie for your responses. Celso noted in the report that resident verification was at 75% and has been slow in getting to the 100% mark. Is there a problem with salesforce? How can we help, if necessary? **Brooke:** There was a glitch in reporting and Samantha has been working with Celso to address. **Samantha Glatfelter (Shawmut Design & Construction):** One of our larger impact subcontractors wasn't aware that the submission process had changed (*a year ago*) from uploading to salesforce and emailing directly to the BRJP Construction monitor and we're working to get them caught up. **Celso:** They are on top of it now. I've receive lots within the week. **Commissioner Burton:** Are the subcontractors able to get clear communication about availability of workforce from their union? **Katie:** We are usually a week behind on seeing where the workforce is and we have developed a system that allows us to see who's on site daily. **Brooke:** The real-time data can be a game changer

and shout out to Katie and the IT team for this innovative approach. **Commissioner Burton:** We appreciate the owner's rep., David Girard (Northstar Project & Real Estate Services) for participating in the meeting today. We believe there are better outcomes when top leadership provides its presence. **David Girard (Northstar Project & Real Estate Services):** You're welcome and thank you. **Brooke:** Commissioner Burton, can we allow Katie to speak to Harvard's (Harvard Construction Academy) goals for M/WBEs? Katie went above and beyond to reach these goals. **Katie:** Harvard had a goal of 5% MBEs and 10% WBEs. With the contract value that amounted to \$35M. We awarded \$36.5M in contracts achieving and exceeding the goal. We are monitoring that on a monthly basis with our billing. **Commissioner Burton:** Appreciate the delineation of MBEs and WBEs as it's helpful to see what types of companies are getting what types of work (*applauded Harvard Construction Academy*). **Commissioner Green:** Congratulations Katie and Shawmut team! Those are great numbers to hear! Great work! **Brooke:** Just want to note, that took Katie working with prime tiers to merge with lower tiers; so lots of work on her part. Thank you, Katie. **Commissioner Burton:** Thank you to everyone for this presentation, we look forward to the progress in the next review.

**B. 109 Brookline Ave.**

**Duration: 20 mins.**

**Present: Stephen Beck (Suffolk Construction), Devin DiManno (Suffolk Construction), Shelley Webster (InOrder Business), Taylah Webster (InOrder Business) and Patricia Maragioglio (BRJP Construction Monitor)**

**Overall Numerical Compliance: 319,416 workhours, 1,098 workers, 24 contractors, 18% Boston Residents, 31% People of Color, 6% Women**

**Patricia Maragioglio (BRJP Construction Monitor):** This project is 80% complete. Laborers are exceeding POC goals (49%), Boston Resident Verifications is currently at 90%, S & F Concrete is exceeding POC goals (56%) and also has the highest Boston resident percentage overall (36%). The concern for this project is reaching BRJP goals in regards to Boston Residents or the lack of available residents that are in the union. The overall project is reporting within 7 days of the period ending date. The BRJP Office recommends that the top five subcontractors continue to seek out more Boston residents and consider hiring more Boston apprentices to ensure that those numbers will continue to rise over time. In addition, working with the union and the jobs bank for workforce requests to increase the chance of reaching BRJP goals and taking the time to get the history reports for subs that haven't performed well on previous city projects. All 7 Enforcement Compliance Efforts are in compliance. **Commissioner Burton:** Is this project union or open shop and are the 5 major subcontractors listed in the report done with their scope of work? **Stephen Beck (Suffolk Construction):** This is a union project. Daniel Marr & Son has wrapped up. Cox Engineering still has a decent amount of work left. Liberty Construction will remain for the duration. McDonald Electric is just ramping up and S & F Concrete will be wrapping up. **Commissioner Burton:** Can you talk more about In Order Business being recently brought on the project? **Shelley Webster (In Order Business):** Commissioner Burton our transition was just last week and we are still getting up to speed on the project. For further details, the commission should reach out to Eileen Martin, Suffolk's VP of DEI. **Commissioner Burton:** Thank you Shelley. **Commissioner Watson:** Is Liberty the self-performing wing of Suffolk? **Stephen:** Yes. **Commissioner Watson:** Are the workers direct employees of Liberty? **Answer:** Yes. **Commissioner Watson:** Based on Liberty's past performance history since I've been on the commission, 6 years ago they brought on a compliance person and it seemed to help put their numbers in a positive direction over a 2 year span. These are a sizable chunk of low numbers, good amount of workers. What are the challenges of Boston resident and women employees on this project? **Stephen:** Across the board we've struggled with Boston residents (*reference he was somewhat new on this project and wasn't aware of Liberty's past history*) the crew is small compared to other projects. **Taylah Webster (In Order Business):** I can share some insight on Liberty's projects as I am on a few. Women numbers are a low across the board and that's not abnormal. Boston resident numbers are a challenge with subcontractors across the city. I speak with Kate from Liberty often and she is always reaching out to the unions with workforce requests. Liberty's resident and women numbers on the project I have are similar to this project. **Commissioner Watson:** Do the workers work for liberty but have to come from the union hall or are they direct workers of Liberty? **Shelley:** The workers come from the union hall. However, I have a plan to speak with Suffolk's VP of DEI (Eileen Martin) about getting involved with Youthbuld Boston and bringing on folks from that organization. **Commissioner Watson:** That makes a lot of sense and I think the Liberty team will find great value in In Order Business. **Commissioner Green:** Interested in hearing new innovative outreach plan. There are lots of events happening in the city and people are showing up at these job fairs. **Shelley:** Because Liberty is its own entity, they would have to address their outreach approach. However, Suffolk has some influence on Liberty. Suffolk has a job opening for a Community Engagement Director that would

be charged to handle outreach to community organizations (*lots of organizations mentioned throughout the various presentations today were highlighted*). It's not acceptable to have Boston projects and not have Boston people working on these projects. It is part of the reason I asked for follow-up on the information Director Sugarmen-Brozan shared earlier about the apprenticeship week fair (referenced sponsorship into the unions is a pathway). **Commissioner Burton:** Shelley, appreciate your pulse on what's going on. Thank you to all who was part of this presentation today, we know this project will not come back before the BEC and hope the efforts being put forth will improve the numbers for a good ending.

**Commissioner Burton:** Director Sugarmen-Brozan (Jodi), will we address some of the concerns from last month's hearing? **Jodi:** I do plan to address in my Director's Report a plan to bring folks from the Union in January to engage in some of the issues brought up last month.

## **BEC Commissioners' Follow-up Requests/Concerns – 2025 BEC Agenda – Union and Non-union transparency**

### **Sanction Recommendation – Nothing Outstanding**

#### **DIRECTOR'S REPORT**

**Jodi Sugerman Brozan (Deputy Chief, Worker Empowerment):** BRJP Dashboard allows real-time access to Construction Projects monitored by the City. Information can be accessed by year or multiple years, Developer, General Contractor, Subcontractor or Project name. We did not get an opportunity to go over this last month and I'd like to congratulate Janine McLaren, Jobs Bank Coordinator for the Construction Job and Info Fair held on October 3, 2024 at the Bolling Building - 182 people registered for the Construction Jobs and Information Fair using the flyer link and over 100 people signed in at the door. As a result of the Job and Information Fair over 80 people have registered for the Jobs Bank between 9-26-24 and 10-3-24. In 2024, Janine McLaren, BRJP Jobs Bank Coordinator has attended 21 job fairs and outreach opportunities, and the BRJP Jobs Bank has hosted three job and opportunity fairs, with at least one more planned. **Compliance Monitoring Snapshot of 2024** - Per monthly reports provided by Construction Monitors, BRJP is currently Monitoring **100 Projects**. **Plan for 2025 BEC Agendas:** With the BRJP now 40 years old, and the many concerns expressed by BEC members on its effectiveness and impact, staff would like to propose that we use a portion of each BEC agenda to bring stakeholders and partners to provide information and engage in discussion. **Commissioner Green:** Coming from union background, in my experience, when I've been moved around it's been to go where the work is. I would hope that there's transparency in that while we're questioning unions, we are doing the same with non-unions and get a comparison of organized and non-organized labor. **Commissioner Watson:** In favor of this effort and I too would like to see transparency around individual topics to help the BEC have informed -questions. **Strategies to Improve Outcomes and Compliance - Identify challenges and best practices,** maintain consistency in compliance: Monthly reports from Construction Monitors. **Recommendations for sanctions for late payroll:** Developing system for consistent, more transparent way of recommending sanctions for late payroll submissions that will include (1) recommendation to attend Salesforce "office hours" to provide support, (2) warnings and (3) corrective action meetings before (4) recommending sanctions if no progress made. **Communications/data sharing with City of Boston procurement/contracting:** Meeting with each of the City of Boston departments (Public Facilities, Public Works, Parks & Recreation and Mayor's Office of Housing) to share data on project compliance and hiring at least quarterly. **As of January 1, presentation of work hours in union and non-union categories.** With data for union/non-union work hours for 2024. **Non-Compliance and Late Payrolls – Where are we now?** With the recent addition of the new Salesforce IT specialist there is a more manageable way of using Salesforce directly to identify and track payroll non-compliance (project by project). **Next Steps** - In cases where a sanction and/or fine is recommended, the BRJP dashboard that's located on the BRJP website will be used to ascertain the company's history of compliance with Boston residents, POC and women. This will help in determining the sanction/fine amount. **Commissioner Burton:** Who has access to the data? How frequent are the reports run? What happens with projects that don't come before the BEC? **Christopher Brown (BRJP Construction Manager):** The BRJP Construction monitors have access o real-time data. The reports are run as often as the monitor accesses the information (daily if necessary). Projects that don't come before the BEC are still tracked on the payroll log. **Jodi:** This system will be used as a trigger for sanction recommendation for projects that haven't been to the BEC, but have late payrolls. **Commissioner Watson:** Huge thank you to the efforts for this type of system (*breakdown of union/non-union*). It's what we've been asking for and will help the BEC be better equipped. The eye test is not

reliable and payrolls don't lie. I'm big on government transparency. **Jodi:** My apologies for not sharing this during my announcements, the Bi-Annual City Council hearing is next Tuesday, 11/26 at 10am in City Hall Chambers. Kim will send out details. Thank you to Chris and the BRJP monitors/team for all the efforts that went into thinking through a transparent and process as it relates to payroll/late payroll. The group effort shows in we're we've landed. **Commissioner Burton:** Yes, it does. Thank you. That concludes this meeting.

**Motion to adjourn - Commissioner Watson, 2<sup>nd</sup> - Commissioner Green. All approved.**

**Meeting adjourned 2:43 pm**

**KO/Executive Coordinator**