

**OFFERED BY COUNCILORS ERIN MURPHY, FITZGERALD, FLYNN, MEJIA, PEPÉN,
WEBER, WORRELL AND LOUIJEUNE**



CITY OF BOSTON IN CITY COUNCIL

Order for a Hearing Regarding the Use of Nondisclosure, Confidentiality, and any and all Other Types of Employment Agreements

WHEREAS, Nondisclosure agreements (NDAs), confidentiality agreements, and other similar employment contracts are intended to protect sensitive information but may, in certain contexts, prove deleterious to the purpose and pursuit of transparent government and a safe, welcoming, and equitable work environment; and

WHEREAS, The use of such agreements in the public sector, including within the Boston City Council, raises significant concerns about transparency, accountability, and the public's right to know about the actions and decisions of its government; and

WHEREAS, The use of NDAs and similar agreements in municipal government is not a common practice, and their implementation may further erode public trust, particularly when their purpose and scope are not fully understood or appear to shield misconduct or lack of transparency; and

WHEREAS, The Massachusetts Legislature and other governing bodies have debated limiting the use of nondisclosure agreements, demonstrating a growing consensus on the need for reform in this area; and

WHEREAS, Recent public scrutiny and growing concerns about the use of nondisclosure agreements within municipal government have created a need for transparency and accountability to preserve public trust, particularly as residents face economic and governance challenges that demand swift and decisive action; and

WHEREAS, A comprehensive review of nondisclosure, confidentiality, and other employment agreements used in the Boston City Council is necessary to ensure that policies and practices align with principles of good governance, public trust, and the rights of employees;

NOW, THEREFORE, BE IT ORDERED, That the appropriate committee of the Boston City Council hold a public hearing to examine the use, purpose, and impact of nondisclosure, confidentiality, and other employment agreements within the Council and other city agencies, with the goal of gaining a comprehensive understanding, assessing compliance with public policy, and exploring potential reforms to ensure transparency, accountability, and workplace fairness; and

BE IT FURTHER ORDERED, That the appropriate Committee of the Boston City Council holds a hearing to discuss this and relevant parties be invited to participate in this hearing to provide testimony and recommendations.

Filed in City Council: January 8, 2025