

Boston Employment Commission Hearing Minutes

A monthly hearing of the Boston Employment Commission (**BEC**) was held on Wednesday, April 17, 2019 at One City Hall Plaza, Conference Room 801, Boston, MA 02201.

Commissioners Present:

Commissioner Travis Watson, Commissioner Deborah Wright, Commissioner John Redd III, Commissioner Stephanie Everett and Commissioner Charles Cofield.

Hearing Begins: 1:03 PM

I. MINUTES

March 20, 2019 minutes were approved.

There was a change in the agenda's order. Parcel K - Hotel project review was presented first.

II. PROJECT REVIEW

A. Parcel K - Hotel

Duration: 20 mins.

Present: Chad Siebel (CSL Consulting), Corey Allen (Suffolk Construction), Brooke Woodson (Suffolk Construction), Frank Craemer, Stephen Owens (Suffolk Construction), Vargas DaSilveira (BRJP Monitor).

Project Overview

Current overall #s: 37,632 work-hours, 32%BR, 29%POC, 4%F

Vargas DaSilveira (BRJP Monitor): Correction on Page 3 of report, the 7th bullet that references Bay State Concrete, should be Back Bay Concrete. **Commissioner Watson:** In future would like to coordinate getting subcontractors to attend BEC, whether they are not doing well or doing well, as in the case of Prime Steel (41%BR, 26%POC, 7%F).

Public: Vinny Coyle/BA (Ironworkers): Prime Steel reaches out to them and he supplies their request.

Commissioner Watson: Appreciate that positive feedback regarding Prime Steel.

Corey Allen (Suffolk Construction): Taking proactive approach to stay on top of payroll submissions.

Commissioner Watson: Who are the union subs? **Response:** They are all union. **Commissioner Watson:** Would they be willing to do a training with PGTI? **Brooke Woodson (Suffolk Construction):** Will check to see if any of the subs are going to the training tomorrow, April 18 hosted by BPDA. It appears there are a few major subs on the list of attendees. **Commissioner Cofield:** This is one of the worst reports from Suffolk and unacceptable. You're leading the industry in what you do. Corrective Action is hiring the right people. With all the conversation on compliance and diversity it's incomprehensible why the numbers aren't being met (JK Glass for example – 7% BR, 14% POC, 0%F). Call the halls, they have the women. Frankly, I don't see any jobs in the city in compliance, this is wrong. We have an opportunity to change things in this city. Some would rather pay a fine than be in compliance.

Commissioner Watson: Any correspondence from subs? **Vargas DaSilveira (BRJP Monitor):** Some, but nothing of substance to include in report. **Corey:** Going forward, we will be more vigilant. We will follow-up with Business Agent. **Commissioner Watson:** Given well stated comments from Commissioner Cofield, I would like to see this project back sooner rather than later. Vargas, please forward correspondence to the Commission to keep us in the loop.

Public:

Janet Jones (Boston Job's Coalition): Is this upscale? No affordability. Please be ready to hire people from the community. **Corey:** We worked with Sen. Nick Collins to identify where linkage funds would be placed in S. Boston for affordable housing.

Barry Keaty/BA (Plumbers): We do have a Boston resident female ready for hire. **Commissioner Wright:** Can you follow-up with that. **Corey:** We will follow-up. **Commissioner Everett:** How do you monitor subcontractors? **Corey:** We are in contact with project managers. **Brooke:** Each subcontractor does have pre-con meeting, so it is disappointing.

III. SPECIAL PRESENTATIONS

A. Elizabeth Stone House

Duration: 30 mins.

Present: Maryann Chaisson (Elizabeth Stone House), Nancy Hess (Elizabeth Stone House), Russell Hanson (Dellbrook JKS), Tina Gottron (Dellbrook JKS), Gabby Geller (WIHED), Beverly Estes-Smargiassi (DND), Robert Woodson (BRJP Monitor).

Commissioner Watson disclosed that his employer is providing funding on the Elizabeth Stone House project and will recuse himself when necessary.

Project Overview:

Nancy Hess (ESH): The Elizabeth Stone House helps an overwhelming number of families in the aftermath of domestic violence and homelessness and having a newly built safe haven is much needed. **Russell Hanson (Dellbrook JKS):** There has been some buy out. We meet with subs and have had pre-con meetings. The pre-con meeting with Forma Concrete didn't go well as their workforce projection of 0% BR and 0%F raised red flag. Have had some walk-ons for laborer/carpenter trade. **Commissioner Watson:** Who's tracking workforce? **Tina Gottron (Dellbrook JKS):** stated she handles collection of payrolls and any information regarding Best Faith Efforts and hiring. **Commissioner Cofield:** We're starting out wrong already. Forma Concrete has no history in Boston. **Russ:** My fault, Forma Concrete is not yet on site. We can correct this. During buy out, BRJP goals are made crystal clear. **Commissioner Cofield:** stated he had a long conversation with Mike Fish regarding this Dellbrook project. **Russ:** stated, respectfully, what's in the history is not relevant to the future. **Commissioner Watson:** Robert we want to take into consideration Commissioner Cofield's concerns. Have you gone over sanctioning rubric? **Robert:** I do have buy out list and we had pre-con meetings, during which the rubric is explained. Forma was the only initial red flag. They will not mobilize until early May 2019. Projection shows 2 Carpenters, 3 Laborers, no Boston residents and no Females, which is not acceptable. **Russ:** They do have 1 female worker now. **Commissioner Watson:** Please do not wait to inform Robert/BRJP of any issues. **Commissioner Redd:** Do you have process for walk-on applicants? **Tina:** The walk-on access is at the entrance and they can go to the trailer and speak to supervisor. We collect applications and give to subs. There will be a mailbox put in. **Russ:** We've had 2 applicants without any advertisement. **Commissioner Everett:** Do you follow-up? How do you know the subs called? **Tina:** Yes, I send applications to all subs and we follow-up. The subs contact potential employees. **Commissioner Everett/Commissioner Watson:** Both emphasized that GC makes sure there is follow-up happening with applications. The Jobs Bank should be included so no one gets lost in the system. **Commissioner Cofield:** If you're using a sub that's not in an apprenticeship program, you're excluding people. We don't want people hired as a craftsman and paid as a laborer. We need to take a close look at this practice of misclassification and wage theft. **Commissioner Everett:** To avoid any conflicts, resources should be used as soon as possible. I encourage job fairs. Look into doing one and also placing ads in the Baystate Banner and Dorchester Reporter. **Robert Woodson (BRJP Monitor):** We are convening a meeting on Best Practices and we can invite Dellbrook. **Commissioner Watson:** I strongly encourage Dellbrook team to pay particular attention in compliance with rubric. **Robert:** Workforce development conversation changes from union to non-union. This is open shop. **Commissioner Cofield:** Same standards apply. **Commissioner Watson:** Slightly different. More difficult for out-of- state contractors coming in.

Public:

Vinny Coyle/BA (Ironworkers): Forma Concrete is out of NH and has no Boston residents and no people of color. Iron workers which concrete subs use should also get reported. **Janet Jones (Boston Jobs Coalition):** It is very clear that people should be hired from this area. Have an actual walk-on system and meet with the owner of the subs. Get with the Best Practices. **Barry Keating/BA (Plumbers):** Who is your plumber? **Reply:** Cunningham Plumbing (not local). **Barry Keating/BA (Plumbers):** They should take people from this area, we would. **Commissioner Everett:** 30 subs, only 5 MBE's . If it's updated, get that to us. **Commissioner Watson:** From procurement standpoint you're solid. I hope that carries over and we can celebrate a facility that creates equity and inclusion.

B. Talbot Commons A

Duration: 15 mins.

Present: Marica Thornhill (Codman Square NDC), Siobhan Coffey (MOCC), Walter Verela (MOCC), Robert Woodson (BRJP Monitor).

Project Overview:

Siobhan Coffey (MOCC): 35%BR, 70%POC, 7%F. **Commissioner Watson:** Buyout? **Walter Verela (MOCC):** Currently 65 -75% bought out. We will give Robert the list. We explain as we go that there will be consequences monetarily, it is also in the contract. **Robert Woodson (BRJP Monitor):** Met with 8 subs, 4 with few deficiencies. 1. Community Restoration – no females historically. 2 Cideck Construction projecting no Boston residents and no females. **Siobhan:** Not mobilizing until August 2019. **Commissioner Watson:** Generally speaking, ads in newspapers leads to 0 jobs. Why entertain a company that is already not projecting the numbers? **Walter:** Having worked with him before, I'm not concerned. **Commissioner Watson:** I'm extremely worried that you're not ready. **Robert:** I don't have all, but early projection is red flag. **Walter:** They have plenty of time to put a plan in place, since they start in August 2019. **Commissioner Wright:** Do you get concerned in July or August? When we speak to Pro-active, it's to prevent this process of having to come before the BEC to explain deficiencies. **Marcia Thornhill (CSNDC):** As developer and owner, we will make sure come June this will be rectified one way or the other. **Robert:** Hope Trucking? Emma Plumbing – 4 person, 1 Boston resident. **Commissioner Everett:** What happens if they don't meet the goal? **Siobhan:** We consider the scope of the work. They won't get paid. This is in their contract. They won't be on site if they can't meet the requirements. Project superintendent is on site every day. **Walter:** Within first 30 days we will terminate if they're not honoring contract. **Commissioner Cofield:** Shame on CSNDC, using contractors outside of the city. People of color numbers are up because they're from outside of the city. Mission statement for Codman Square is out the window. MOCC does not have history of meeting requirements. **Marcia Thornhill:** Well noted Commissioner. We will make sure they do meet our mission.

Public:

Janet Jones (Boston Jobs Coalition): Concerned to see this with CSNDC. Walando Homes came a few months ago. Don't understand CDC's poor numbers. Would like update on Walando Homes. **Marcia Thornhill:** We have not received funding on Walando Homes. **Commissioner Watson:** Robert, when will this project come back for review? **Robert:** By next fiscal quarter between July 2019 – September 2019.

C. Talbot Commons B

Duration: 8 mins.

Present: Marcia Thornhill (Codman Square CDC), Ted Negussie (Crosswinds Enterprises, Inc.), Robert Woodson (BRJP Monitor).

Project Overview:

Robert Woodson (BRJP Monitor): 11 subs have had pre con meetings. Female workforce is projected at 6%. **Commssioner Watson:** Does Crosswinds understand the sanctioning rubric? **Ted Negussie (Crosswinds):** We are working on it. **Commissioner Cofield:** Had a conversation with Arnold Johnson (Crosswinds). Tru Brothers does not meet BRJP goals. **Commissioner Wright:** You can get reports that will provide history. **Commissioner Watson:**

As this is under the New Ordinance, please reach out with any concerns. Looking forward to seeing your review, first quarter.

IV. PROJECT REVIEWS (CONT'D)

B. 7121-A 26 Court Street Office Space Demolition

Duration: 16 mins.

Present: Susan Rice (DND), Gregory Gagnon (Suffolk Construction), Brooke Woodson (Suffolk Construction), Kevin Chamberland (Suffolk Construction), John Cibien (NASDI), Claudette Austin (BRJP Monitor).

Project Overview:

Current overall #'s: 12,210 workhours, 23%BR, 82%POC, 8%F

Commissioner Watson: The resident piece is where I have frustration. You started out of compliance. **John Cibien (NASDI):** 5 let go, some no shows, some Boston residents were unverifiable. People didn't have proper documentation. **Commissioner Watson:** At what point were they considered unverifiable **John:** They came from the hall, eventually if we don't get an answer from our inquiry, we send referrals back to the hall. **Commissioner Watson:** As a company do you have a system in place to get Boston Residents? **John:** It boils down to union Collective Bargaining agreement. **Commissioner Cofield:** Majority of people from Union hall have to be licensed. **John:** Yes, certified asbestos workers, Local 1421. We try every day. **Commissioner Watson:** Thank you for the documentation it's one of the better documented projects. **Brooke:** Vera Addi / Suffolk Compliance Officer stayed on top of the tracking for this project. In the asbestos abatement trade, historically Boston resident participation hasn't exist. **Commissioner Everett:** I commend the communication outreach shown by Suffolk.

C. Residential Tower at Bulfinch Crossing

Duration: 25 mins.

Present: Katelyn McCarthy (Hym Investment), Eric Chiasson (AECOM), Mark Maaza (AECOM), Pamela Ruffo (BRJP Monitor).

Project Overview:

Current overall #'s: 170,238 workhours, 27%BR, 36%POC, 6%F

Pamela Ruffo (BRJP Monitor): Hub Foundation has completed their work on this project. H. Carr had a negative history and we had a one-on-one meeting and explained we will be watching. Desmond Roche is working with us to make sure it stays on track. **Commissioner Watson:** Pam, I concur with your recommendations and commend payroll submission and resident verification. Encouraged to see you working with the mentorship program. With 129,000 work hours, why wasn't more progress made on females? **Mark Mazza (AECOM):** S&F Concrete has been on-site most of the time. EM Duggan – why did they wait until this meeting? **Eric Chiasson (AECOM):** I will coordinate with Barry Keating (Plumbing) and EM Duggan. **Commissioner Watson:** Pam can you bring EM Duggan in? It's concerning to wait 5 days to put someone on. **Pam:** Two letters – Journey pipefitter and 4 years apprentice. They do not utilize the hall. They work with Building Pathways in introducing people. We have explained we need for them to build their core, instead of taking workers from one project to place on another. **Commissioner Watson:** I'm having a hard time with hearing a union contractor not reaching out to union hall. **Barry Keating/BA (Plumbers):** Duggan is one of our best plumbing contractor partners. They are very pro-active. I can't speak to the Pipefitters trade. **Commissioner Watson:** When will they come back? **Pam:** Project will be 50% in June (4 months) which would be the soonest, giving opportunity for ramping up. **Commissioner Watson:** Can you summarize relationship with The Compliance Mentor Group (TCMG)? **Nicole Richards (TCMG):** Collaborative platform, a year-long phase 3 program. Have worked with Madison Park Technical Vocational High School, Excel High School, Benjamin Franklin Institute of Technology, and Bunker Hill Community College (Handout provided). **Commissioner Watson:** Outstanding. Celina can we do a more informational session with TCMG? **Katelyn McCarthy (HYM Investments):** Our projects have been Bulfinch and Suffolk Downs in East Boston. **Commissioner Watson:** Why did you entertain this mentorship program? **Katelyn:** Tom O'Brien/HYM (managing partner). It's a big passion of his, he loves Boston and thought it would be a good fit for Nicole's mentorship program to be introduced to AECOM Tishman.

Public:

Janet Jones (Boston Jobs Coalition): Requested a copy of the TCMG brochure handout and it was provided to her.

D. Orient Heights Phase Two

Duration: 15 mins.

Present: Sienna DeSantis (Trinity Financial), Margarita Polanco (Suffolk Construction), Brooke Woodson (Suffolk Construction), Derrick Chery (Suffolk Construction), Manuel Barbosa (BRJP Monitor).

Project Overview:

Current overall #'s: 10,365 workhours, 29%BR, 59%POC, 6%F

Commissioner Watson: What's the back story on Cavalieri Construction? **Derrick Chery (Suffolk Construction):** Had a conversation with Cavalieri a month ago. They have since brought on a Boston resident female. **Margarita Polanco (Suffolk Construction):** There are 3-4 laborers on site, 1 Boston resident person of color. **Commissioner Watson:** K.O. Stone? **Margarita:** Coming back full-time. **Commissioner Cofield:** How long is this job? **Derrick:** 11 more months. The first phase was 7% demo/abatement. It is now 75% complete. **Brooke Woodson (Suffolk Construction):** Tara Construction/MBE. Youth Build will get employment. **Commissioner Watson:** Celina aside from the unfortunate reporting about Tara in the news, what do we do as a City? **Brooke:** We found out after the fact and keeping our eye on too. **Commissioner Cofield:** Section 3? **Margarita:** 2 locals have been hired under Section 3. Resident, non-union and pushed them towards union. 40 walk-on applicants. Outreach on social media and Trinity Financial. **Commissioner Cofield:** Pushback on Section 3? **Margarita:** No, not at all. Section 3 hiring is mandatory on this job. **Brooke:** 40% MWBEs/Trinity. Local tenant, Food pantry drive, core values, caring about community. **Celina (BRJP/Equity and Inclusion Director):** City has program for summer meals - might want to connect with food drive. It's the Office of Food Access that coordinates it.

Public:

Janet Jones (Boston Jobs Coalition): What's going on with Liberty. I'm concerned for East Boston. **Derrick:** We have 1 laborer on site a Boston resident. Plan for Liberty is to get 4-5 person on-site. General cleanup is only work. 3rd person in line is female. It's a matter of scheduling. I've been working in Easton Boston for the past 5 years and know what you mean, understand and support it as well.

E. DIRECTOR'S REPORT:

Duration: 7 mins.

Celina Barrios-Millner (BRJP/Equity and Inclusion Director): Reviewed success of Equity and Inclusion Series, Tools of the Trade, OSHA 10 Series (25 Limited seats - over 20 on waiting list). Plan to do second round in June 2019. Construction Supervisors License session is in high demand and we're looking to secure additional funding. **Commissioner Wright:** How was this publicized? **Celina:** Community Partners. **Commissioner Cofield:** Have you created a wait list? **Celina:** Yes. CSL is more costly and not able to turnover as quickly.

Salesforce Demo on April 24 at 11:00 am, BPDA Board Room, 9th Fl, City Hall for BEC Commissioners and Community Stakeholders. There will be another opportunity to see a full Salesforce Demonstration at the upcoming BEC retreat.

We are in the process of planning a BEC retreat for May 30, 2019, 1:00pm – 4:00pm at NERCC, hosted by Commissioner Charles Cofield. The BEC Retreat is an opportunity for orientation of new members, review New BRJP Ordinance and review BRJP/BPDA monitoring process on construction projects with the City of Boston. A formal email will be sent soon regarding the retreat. Commissioner Everett expressed a scheduling conflict and will try to accommodate the May 30th date. Commissioner Cofield has requested that we confirm the date asap as he is unable to hold this date on the NERCC calendar indefinitely.

Director's report accepted and approved.

Hearing adjourned at 3:24 pm.