



**BOSTON RESIDENCY COMPLIANCE COMMISSION**  
**OFFICE OF HUMAN RESOURCES**  
Boston City Hall, Room 612  
Boston, MA 02201  
Kim Janey, Mayor  
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BOSTON, MA

**MEETING MINUTES**  
**MEETING DATE:** *Wednesday, March 10, 2021*  
**MEETING LOCATION:** Virtual Zoom Link  
**MEETING TIME:** *9:00AM (9:05-9:57a)*

**MEMBERS PRESENT:**

Frank Doyle – Chair, Eileen Boyle, Councilor Anissa Essaibi George, Denise Williams Harris, Vivian Leonard, Kenneth Ryan

**MEMBERS ABSENT:**

Blanca Tosado, Denise Williams Harris (was a call -in; not able to participate via webinar feature)

**OTHERS PRESENT:** Michael Kerr – OHR, Ellen Ferry & – OHR Staff, Chief Emme Handy, City of Boston Chief Financial Officer, members of public

**ISSUES DISCUSSED:**

**Review and Approval of Minutes from Previous Meeting**

Minutes were reviewed and approved as presented.

**Discussion of Residency Commission Business Forms, Documentation & Procedures**

2020 Compliance – closure. Hearings were slated for February; however, they did provide the documentation. With those now compliant, 2021 Compliance may launch.

There was a question from the board regarding the processes and steps taken to have employees comply. OHR Staff provided clarification on the process: Reaching out to the departments, working with employees and managers, and working with Union leaders in order for them to comply. HR Managers and Personnel Officers also travelled to various worksites around the city in order for employees in the field to submit the appropriate documents.

Commission then asked questions regarding if those employees will comply going forward, if it was communicated to them, and if they were informed about potential removal from payroll for non-compliance. OHR Staff noted that yes, communications with employees were clear, and they did indicate they would comply. With launch of 2021 Compliance, and considering how quickly employees were able to comply from home, notes how staff are hopeful for more and faster compliance. Employees were also notified and informed about removal from payroll due to non-compliance.

The Commission is requesting staff investigate with Office of Labor Relations and Law Department for addition of language with specific attention to removal from payroll. Commission is fine to check into legal on language on forms employees submit. And the length of time Staff/Commission spend on trying to obtain compliance.

2020 Annual Compliance Report – Commission wants to take note of the current environment with specific note to the pandemic, the departure of Mayor Walsh, and the incoming Mayor Janey. The Commission would like to make the report more robust due to the transitions. Either creating a transition document, or making the current format a bit more robust.

One request from the Commission - Would like to include the numbers of employees living outside the city (after reaching the 10-year marker)

Second support for robust, with a secondary report to the transition team/mayor with a current landscape including number of union employees meeting the 10-year rule. Taking note to include contract language per union.

Third support for robust for incoming interim and newly elected mayor in November.

Would like to have the annual report drafted/filed and would like to have a robust transition document revisited in another session to review contents.

**Investigator's Report: 2020-184: (To clarify – no names should be listed and the name will be redacted from the final version of the minutes).**

Discussion at the last meeting regarding employees teleworking and the difficulty on tracking these teleworking employees.

Summary of the case: OHR received an anonymous letter indicating employee lived in Weymouth, despite employee providing valid documents showing Boston address. Investigation showed some ties to Weymouth, however nothing formal. Another letter was sent to OHR showing the employee's name on a deed to an address in Weymouth.

This was revisited at last month's meeting, however due to the pandemic with employees teleworking, the Commission tabled this until there was more of a reason for employees to return to work.

Due to more members being present today vs the last meeting, this is being revisited.

OHR Staff indicated as a reference point the cost for hiring an external investigator was about \$5,000.

Two questions from the Commission:

1 - As the Commission recommends employees be terminated based on evidence, why aren't we able to move with investigation?

2 - Discussion on employees becoming vaccinated. Is there a timeline on when employees can return?

Answer – from Emme Handy (CFO) on vaccinations and employee return to work dates. The City is working with various state/city health groups, and there are active conversations with BPHC now. Notes more of the public safety employees being vaccinated, as majority of city employees are working from home are not eligible under state guidelines for vaccination.

Employees who are working from home do know they may be called to return to work at any time; this has been clearly reported to employees. Employees who do not adhere to this are doing so outside the guidance of the City. The Chair notes the State does not have a return to work date for their employees.

The Commission decided to continue to table this investigation until there is more guidance on Returning to Work.

**Data Requests:** Chair notes that any Commission members request data from the Staff through the body of the commission so Staff have clarification on how to proceed.

Commission member Boyle requested more demographics on employees, salary, if employees moved, as it pertains to costs. While OHR Staff does not have information as to why employees move, OHR Staff may provide some of the data to the Commission.

**New Business:** Councilor Janey is requesting information via Chief Financial Officer Emme Handy ratifying a Residency Waiver for a potential staff member for Somerville's COVID Response Manager to work for

Councilor Janey. Chief Handy provides reasoning and justification to the new staff member as it pertains to the City's COVID Response.

The Chair is requesting the Waiver request to be in writing. The Waiver would last until December 31, 2021. The Waivers are issued to those with nuanced/niche backgrounds, and notes the skillset is valuable. The Waivers are granted upon serious review and discussion. The reasoning is sound; however, the question is being raised; why not have them join as a temporary employee as opposed to a formal employee. Answer may have to do with access to benefits, however Chief Handy can obtain clarification. The Chair would like to know the employee's intention should they join. Chief Handy notes the intention is they would seek a position that could be long term; if the role becomes a long-term role, they would seek permanent residence within Boston.

Question from the Commission – why isn't anyone from the current COVID team able to take the role?

Chief Handy notes The City's COVID team is mostly comprised from the BPHC/HHS and Mayor Walsh's team. This team will transition as Mayor Walsh departs and the reason for the new team member is to establish continuity.

Commissioner Boyle is not in approval for the waiver, as the Interim Mayor is only an interim, and should work with current staff on COVID until a Mayor is elected in November.

The Commission will schedule a public meeting to revisit this matter pending on when the written request is received, and when Mayor Walsh departs, which may be at any moment.

**DECISIONS/NEXT STEPS/VOTES:**

- Vote to approve Minutes from February 2021 as presented: Moved by Vivian Leonard, seconded by Councilor Anissa Essaibi George. Approved 4-0.
- Adjourn Moved by Councilor Anissa Essaibi George, seconded by Vivian Leonard. Approved 4-0.

**DOCUMENT LIST:**

Documents prepared: February 2021 Minutes, Agenda & Meeting Notice

Documents received: None

*Next meeting – April 1, 2021 - Virtually*

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**Prepared By**  
**COMMISSION STAFF:**

**Reviewed and Approved By**  
**CHAIR:**

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**DATE:** \_\_\_\_\_

NOTE: These minutes are to be considered draft unless signed by the Commission Chair and Staff.