

# Boston Employment Commission Hearing Minutes

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A monthly hearing of the Boston Employment Commission (**BEC**) was held virtually on Zoom, December 18, 2024.

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

**Hearing Began: 1:05 PM**

**Commissioner Watson:** Raised concern with the Greater Boston Building Trades unions’ unchecked racism at a recent Dept. of Labor Standard public hearing (referenced derogatory remarks made by a Bricklayer and Allied Craftsman Local 3 member concerning Chinese Americans) and the frequency of this type of behavior where nothing is said in a liberal city that boast diversity and inclusivity. **Commissioner Burton:** There is a plan for outreach to the building union trades in January 2025. Perhaps the conversation can include diversity and bias training (shared her personal experience on a job site 20 years ago). **Commissioner Howell:** Thank you for flagging this Commissioner Watson, as part of my new position with AFLCIO, I’m tasked to relaunch the racial justice committee. If I can assist with mediating outreach to Brian Doherty (Boston Building Trades), please let me know. **Commissioner Watson:** Thank you.

**November 20, 2024 Minutes approved (motioned by Commissioner Watson and 2<sup>nd</sup> by Commissioner Howell) and approved by all.**

## I. ANNOUNCEMENTS

**Jodi Sugerman-Brozan (Deputy Chief, Office of Worker Empowerment):**

Due to the holiday season, there are not many announcements. However the events shared today will begin in the New Year, January 2025. New settlement with Lyft/UBER. Workers’ Rights and Safety Initiative for 2025 with clinics and webinars . OSHA 10 and OSHA 30 classes to be provided for free in multi-languages (English, Haitian, Spanish, Portuguese). **Information also on our website [boston.gov/labor-policy](https://boston.gov/labor-policy).** **Commissioner Burton:** That’s a great investment the city is providing at no cost.

## II. SPECIAL PRESENTATIONS

### A. Boston University Warren Towers

**Duration: 30 mins.**

**Present:** David Flynn (BU/Owner’s Rep), John Emond (Shawmut Design & Construction), Brooke Woodson (Shawmut Design & Construction), Samantha Glatfelter (Shawmut Design & Construction), Andrea Pimenta (Shawmut Construction), Andrea Pimenta (Shawmut Design & Construction Team) and Patricia Maragioglio (BRJP Construction Monitor)

**David Flynn (BU):** The Boston University Warren Towers project includes the renovation of a 1,800 bed dormitories built in the mid 1960’s (*the slide stated 1,900 and the presenter corrected it as 1,800*). The Warren Towers complex comprises three 14-story residential towers that rest on a 4-story base (with a student dining facility and Residential Life offices on the 4th floor and parking garage and mechanical rooms below). The scope includes building systems and code/life-safety upgrades, student dining/residential life renovations, modernization of nine geared traction elevators and four escalators, roof and skylight replacement, new roof-top dunnage, exterior masonry restoration and window wall replacement. This is a phased, 44-month renovation in an occupied building. **John Emond (Shawmut Construction):** Went over construction schedule and construction buyout awarded contractors/trades. 200-400 Employees estimated. **Samantha Glatfelter (Shawmut Construction):** Went

through job application process and Shawmut's use of the QR Code. Applications are provided to prospective trades and the BRJP Jobs Bank Coordinator (Janine Mc Laren). **Commissioner Watson:** In regard to quality of life for the residents, how is this development addressing student noise, traffic congestion and parking for workers? **John:** In regard to students, many of us on the team have families/children and we think and act as parents would. As it relates to traffic, we limit the access for deliveries and personnel to a specific area. In terms of parking, we encourage public transportation (referenced using the model from their Data Science Building project). Not all 200-400 employees are on-site at the same time. We take every precaution to make sure the job site is safe for workers and the public. **David:** BU takes seriously the safety of students, neighborhood residents and staff/faculty. **Commissioner Burton:** This project is starting off the 250 year anniversary for the City of Boston. Are there any additional project goals aside from the BRJP goals? **Brooke Woodson (Shawmut Construction):** We are making every effort to reach the BRJP goals. Internally we are working on M/WBE participation. No specific target. We'd like to see local minority-owned and women-owned businesses on this project. **Commissioner Burton:** Thank you to the entire team. We know that when the owner/developer is involved in the project, outcomes are better.

### III. PROJECT REVIEWS

#### A. Brigham & Women's Faulkner Hospital Inpatient Tower & Garage

Duration: 22 mins.

**Present:** Lani Debonis (BWH Real Estate and Facilities), Janet Page (Turner Construction Company), Barrett Cybulski (Turner Construction Company) and Nelson Cunha (BRJP Construction Monitor)

**Overall Numerical Compliance:** 430,280 workhours, 1,444 workers, 40 contractors, 24% Boston Residents, 36% People of Color, 9% Women

**Nelson Cunha (BRJP Construction Monitor):** The project is 93% complete. Normally BRJP would not bring a project for review this far along, however, Turner has been a great partner and we wanted to highlight their best faith efforts as it relates to community engagement and jobs creation. We had our first review last December and at the time the total work hours were 83,529 vs today's 430,280. Workforce participation for Boston residents decreased 1% (25% vs 24%); POC participation remained at 36% – the same as a year ago; and, coincidentally women participation percentage did not change from the first review (9%). The weekly timesheet submission rate is 5 days. As a reminder, contractors have 7-business days to submit timesheets. Laborer is the largest trade on the project with over 122,000 work hours, distributed as follows: 34% Boston residents, 38% POC, and 12% Women participation. Turner Construction is the largest subcontractor onsite in terms of work hours and, as the General Contractor, is leading by example with 40% Boston residents, 42% POC, and 19% Women participation. 30 Underutilized Business Enterprise (UBE) companies have been awarded contracts on Turner's project and of the UBE awards, over \$17M was committed which represents 11% of the total direct work in place. **Commissioner Watson:** Solid report, Nelson. Turner sets the bar and it's been a consistent example with them. I'm curious about challenges Sully Mac seems to have had meeting the goals with residents and women on this project. With 42,000 work hours, their reputation with IBEW 103 to be inclusive to women and people of color isn't translating on this project. **Barrett Cybulski (Turner Construction):** Sully Mac is employed on several of our projects and for the most part meets the goals, as they pride themselves on. Unfortunately they've had challenges with access to workers getting there and employees not work ready. There was a corrective action meeting with them (confirms with Janet). **Janet Page (Turner Construction):** We had a corrective action meeting and they made efforts to address the issue by hiring a Boston resident which worked out for a while, but the numbers went back down. They also had new compliance person that had a challenge with submitting the timesheets correctly. **Commissioner Watson:** Can you unpack "not work ready"? **Barrett:** The person did not pass testing to work on site. Sully Mac has made best faith efforts to address this challenge (referenced apprentices from Building Pathways). **Commissioner Watson:** Is it fair to say this was less a Sully Mac issue and more a challenge to get appropriate workforce from the hiring hall? **Barrett:** Yes, fair statement. **Commissioner Burton:** Thank you Turner for leading the way. This is a project we should lift up (case study), as its women numbers is highest we've seen in a while. **Commissioner Watson:** Is there a representative from BWH? **Lani DeBonis (BWH Real Estate and Facilities):** Hello, I've taken over from the previous team for the hospital. **Commissioner Watson:** I just want to commend BWH for providing the space and resources for the construction workers as it relates to the cancer outreach clinic and substance misuse, particularly. **Lani:** Thank you. We will pass it along to the next group of big projects as well. **Commissioner Burton:** My apologies for not acknowledging Councilor Weber who was on earlier and had to leave (we will correct that oversight when he returns to a BEC hearing). His staff is on. **Jordan Frias (Councilor Weber's staff):** Good

afternoon, as Chair of Labor and Workforce Development, Councilor Weber was invited to attend the BEC hearing during BRJP's presentation to the City Council in November. **Commissioner Burton:** Thank you for presentation.

## **B. 26 Court Street Full Renovation**

**Duration: 20 mins.**

**Present: Gregory Rideout (City of Boston Public Facilities), Brooke Woodson (Shawmut Construction), Mark Mazza (Shawmut Construction), JR Roberts (Shawmut Construction), Samantha Glatfelter (Shawmut Construction) and Manuel "Manny" Barbosa (BRJP Construction Monitor)**

**Overall Numerical Compliance: 288,428 workhours, 1,004 workers, 29 contractors, 27% Boston Residents, 51% People of Color, 9% Women**

**Manuel "Manny" Barbosa (BRJP Construction Monitor):** 146 Boston residents have been reported (100%) have been successfully verified. Continue excellent procedure set in place in collecting Boston Resident Verification forms in a timely manner. The current payroll submission time is 5 days. Payrolls that are submitted on time help monitor the project in a timely manner. Shawmut self performs under the name Starlite Building Services, which has worked the 4th most hours and have met the employment standard numbers in BR (60%) and Women (20%) categories, surpassing the 51% BR and 12% Women goals. The GC is 'Driving the Bus' which shows subcontractors with effort the employment goals can be reached. The project from the 50% review has gone up from 22% to 27%, the 5% rise shows that improvements have been made. During the last 35% of work hours left on this project, more attention has to be made on hiring more Boston Residents through the union halls. Continue pro-active approach and communication with subcontractors that workforce goals have to be maintained throughout their scope of work for them to be successful in meeting employment standard. A corrective action meeting was held on December 16th for the following subcontractors: P.J Dionne, Starlite Building Services, Fisher Contracting, and Boston Fire Sprinkler. Corrective action letters have been attached to the BEC Report. **Commissioner Watson:** Commend Shawmut/Starlite. The corrective action letters are often cut and paste responses. However, this was different in that it provided a clear reason for the challenge (new to Salesforce) and shows the effect a corrective action meeting can create change. On another note, in regard to the social justice awakening around George Floyd, a number of GCs felt social pressures and many DEI departments has waned. It's great to see Shawmut has a sound DEI department in place and perhaps that is attributed to Shawmut being worker-owned. In today's climate it's important to uplift those efforts. **Brooke:** Starlite is intentional when it comes to diversity and although last month's presentation had relatively low numbers due to sporadic work which will improve as their full packages start and they mobilize on site. They are a good partner to Shawmut and are setting the bar on this project in exceeding the goals for residents and women which I have not seen a subcontractor achieve in a long time. To clarify, this project is both union and non-union and happens to be file-sub bid (lowest bid gets award). Shawmut is signatory to Laborers and Carpenters. **Commissioner Burton:** That changes things because historically file sub-bid has been more challenging to achieve the BRJP goals on projects. Perhaps this is a case study that gives an example of what to do with file-sub bid. **Brooke:** In speaking of file-sub, General Air is a minority-owned subcontractor (HVAC) Boston based and before Andre Lima left the city, we realized this MBE subcontractor may have received the largest awarded contract on a city project and Shawmut is proud of that. **Commissioner Burton:** What's the contract value? **Mark:** \$11M. **Commissioner Burton:** That's amazing and should definitely be amplified. Congratulations! **Gregory Rideout (COB/Public Facilities):** The city is excited to take the old Boston Public School Headquarters building and renovate it to a standup building suitable for municipal workers (offices on floors 2-11) with and inviting lobby and meeting spaces for public transactions on the lower floors. With the scaffolding down now, you can see the efforts made to clean the stone. We are pleased with some of the workforce contributions. **Mark Mazza (Shawmut Construction):** I appreciate everyone's efforts on the team to maintain compliance – Starlite setting the bar is a point of pride for us. **Brook:** Mark's leadership has been great! Manny has been great to work with. **Commissioner Burton:** In looking back at the concerns with the demolition of this project, you made a commitment to do better and you have. Thank you for your presentation. It's good to end the year with strong projects and we thank the BRJP staff for choosing these projects for today that shows the successful outcomes of comprehensive planning that starts before a project commences.

**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):** Reminder to folks that the BRJP Dashboard is on the website and is provided as a tool to see at a glance, real-time information by developer, contractor, subcontractor and contract/project. Compliance Monitoring Snapshot (currently monitoring 87 projects). Jodi shared a slide with the breakdown of those projects. 7 were completed this month. We are working on the corrective action process for recommendation of sanctions to the Commission. We are working on the 2025 BEC Agenda Calendar for guest speakers: Union leaders and stakeholders; Representatives from non-union training programs; With affordable housing a core issue, the City would like to present its comprehensive anti-displacement strategies; Updated economic impact analysis from the Boston Planning Department (March presentation); Representatives for other Cities with similar hiring programs, and any recommendations the BEC would like to provide. Replacement for Commissioner Broomstein is being worked on with the Mayor's office and we are hoping not to be down 1 seat too long. Thank you Commissioners and BRJP staff for your time and energy in 2024. Happy Holidays and Best Wishes for 2025. **Commissioner Burton:** Thanked the BRJP staff for the efforts to address the commission's concerns and prepare the commission with materials each month to make informed comments and for the staff's efforts toward the mission of the BRJP ordinance (referenced the construction monitors being the best and Janine McLaren's effort with the Job's Bank). The biggest success has been the demographic data provided in the BEC reports (Commissioner Watson requested last year). Commissioner Watson touched on the dismantling of DEI in some companies. As he shared his thoughts, I would add, the reality of construction, we cannot build if we are not inviting people of color in. It's not necessarily about a DEI strategy, but about how do we continue to survive in this industry. We still need more construction workers than ever because there are still great investments being made. This has been a year of tremendous progress and I'm pleased to have chaired.

**Motion to adjourn - Commissioner Watson, 2<sup>nd</sup> - Commissioner Howell and all approved.**

**Meeting adjourned 2:26 pm**

**KO/Executive Coordinator**