

NOTICE TO LESSEE / LESSOR

City of Boston departments are required to provide an explanation of the requirements of the revised Boston Jobs, Living Wage, and Prevailing Wage Ordinance (“the Ordinance”) prior to entering into a lease, extension, renewal, amendment, or modification. As a condition of the Covered Lease, Covered Lessees and Covered Lessors are required to pay Building Service Employees employed in and around the building that the lease pertains to no less than standard compensation. All lessees/lessors covered by the Ordinance shall forward a copy of the Ordinance requirements to any person submitting a bid for a subcontract.

Under the Ordinance, the following definitions are applicable to lease agreements:

- **Covered City-Owned Property:** buildings owned by the City of Boston.
- **Covered Lease:** any agreement whereby the City of Boston contracts for, leases, or rents commercial office space or commercial office facilities from a non-governmental entity provided the City, whether through a single agreement or multiple agreements, rents no less than fifty one percent (51%) of the total square footage of the buildings to which the lease applies.
- **Covered Building Service Contract:** a contract or subcontract to provide building services to the City of Boston. *Building services* include work performed in connection with the cleaning and maintenance of buildings and security guard services in or around the building.
- **Covered Building Service Employee:** any person employed directly or indirectly to perform building service work in the performance of a *Covered Building Service Contract*, on a *Covered City-owned property*, or on premises that are the subject of a *Covered Lease*.
- **Standard compensation:** the hourly rate of pay, benefits, and paid leave that shall be provided to a *Covered Building Service Employee* as described in the Ordinance.

Depending on the lease agreement, you may be either a *Covered Lessor* or a *Covered Lessee*:

- **Covered Lessor:** any non-governmental person or entity that enters into a *Covered Lease* with the City of Boston.
- **Covered Lessee:** any non-governmental person or entity that contracts for, leases, or rents space in a *Covered City-Owned Property* from the City of Boston.

A **Covered Lessee** is required to add the following provision to any contract or subcontract for building service work, property management, or lease with any tenant:

"The wages paid on an hourly basis to any person providing building services, as defined in City of Boston Code, Ordinances, Chapter XXIV, and the amount of payment or contribution paid or payable on behalf of each such person to cover benefits and the paid leave to be provided to each such person, shall be at a rate greater or equal to the 'standard compensation' as defined in City of Boston Code, Ordinances, Chapter XXIV. A violation of this requirement shall constitute a breach of contract."

Standard Compensation

As a condition of the lease, regardless if you are a *Covered Lessee* or *Lessor*, you are required to pay *Covered Building Service Employees* employed in and around the building the lease pertains to no less than standard compensation as outlined in the Ordinance. The wage schedule (see example below) to determine standard compensation will be provided to you by the contracting department; this amount must be updated on the anniversary of the contract execution. A violation of this requirement constitutes a breach of contract.

Wage Schedule Example

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
Janitorial (Cleaning)						
Cleaner, Janitor, Porter >29 Hrs/Wk. <i>SEIU 32BJ JANITORIAL METRO BOSTON</i>	01/01/2023	\$21.75	\$6.61	\$0.60	\$0.00	\$28.96
Cleaner, Janitor, Porter 29 Hrs. or less/Wk <i>SEIU 32BJ JANITORIAL METRO BOSTON</i>	01/01/2023	\$21.75	\$6.61	\$0.60	\$0.00	\$28.96
Security Guard Services (for Mass Convention Center Authority Only) <i>SEIU 32BJ JANITORIAL METRO BOSTON</i>	01/01/2022	\$19.45	\$5.60	\$0.66	\$0.00	\$25.71
Security Guard Services Employed < 6 Mos (for Mass Convention Center Authority Only) <i>SEIU 32BJ JANITORIAL METRO BOSTON</i>	01/01/2022	\$17.55	\$5.60	\$0.66	\$0.00	\$23.81
		*Note, base wage cannot be less than current living wage			*Suggestion employers to work their way back from Total Rate. Health, Pension, etc. are credits for employer contributions only if employee takes benefit	

Covered Lessees and Covered Lessors have other obligations under the Ordinance, which include:

- Providing Covered Building Service Employees with a fact sheet and post in conspicuous location visible to all employees (Wage-4),
- the maintenance and annual reporting of certified payroll records, and
- other obligations as required by the Ordinance.

You can find the Ordinance and requirements for Covered Lessee or Covered Lessor in the [City Municipal Code](#) and at boston.gov/living-wage. To request a hard copy of the Ordinance, please reach out to the Office of Labor Compliance and Worker Protections by calling **(617) 918-5236** or emailing workers@boston.gov.

Covered Lessees or Covered Lessors shall forward a copy of the Ordinance requirements to any subcontractors.

The Office of Labor Compliance and Worker Protections of the Worker Empowerment Cabinet is the City’s Designated Department responsible for the overall implementation, compliance, and enforcement of the Ordinance. The Contracting Department is the agency awarding the lease.

Any questions concerning the Ordinance, regulations, or the current living wage hourly rate should be referred to the Office of Labor Compliance and Worker Protections. The Office of Labor Compliance and Worker Protections is located at 43 Hawkins Street, Boston, MA 02114 and can be reached at **(617) 918-5236**.