

Boston Employment Commission Hearing Minutes

A monthly hearing of the Boston Employment Commission (**BEC**) was held on Wednesday, January 16, 2019 at One City Hall Plaza, Conference Room 801, Boston, MA 02201.

Commissioners Present:

Chair, Commissioner Travis Watson, Commissioner Charles Cofield, Commissioner Deborah Wright and Commissioner Stephanie Everett.

Hearing Begins: 1:02 PM

I. MINUTES

Commissioner Watson called the hearing to order and lead with a quote from the Mayor's State of the City Address from the previous evening, *"Our city's success is our motivation to aim higher, work harder and make sure every single person in our city gets a full, fair shot at these opportunities that we are creating. That's how we will truly succeed. That's how we are determined to lead."* Commissioner Watson said that's the same motivation for this Commission.

Due to lack of Quorum, September, October and December minutes were not approved.

II. SPECIAL PRESENTATION

A. Mass Marine Terminal Parcel 6 Boston Sword & Tuna

Duration: 9 mins.

Present: Eden Milroy (Pilot Development), Jonathan Hirst (Commodore Builders), Karen Murphy (Commodore Builders), Jeff Martin (Commodore Builders), PK Nelson (Commodore Builders) and Stacey Watson (BPDA Monitor).

Project Overview

Per presentation handout, Boston Sword & Tuna is constructing a 49,000 square foot seafood processing facility on Boston Harbor in South Boston. Estimated completion is December 2019. Boston Sword & Tuna has been working in Boston for five generations.

Commissioner Watson: Are you familiar with the New BRJP Ordinance? **Jeff Martin (Commodore Builders):** Yes, we have previously worked under BRJP on the 8 Seafood Way project at Harbor Seafood with Ricky Johnson.

Commissioner Watson: Good to hear this isn't the first project. Who will be the contacts that will work with the BRJP office? **Jeff Martin:** PK Nelson and Karen Murphy (Commodore Builders) will be the liaisons to BRJP.

Commissioner Watson: Stacey, has there been conversation with this team on the New BRJP Ordinance? **Stacey Watson (BPDA Monitor):** Yes. There shouldn't be any problems with Commodore. We've worked well together before. **Commissioner Watson:** Document everything. More information tells a more thorough story.

Commissioner Cofield: Commodore has done well and hasn't had any problems. These are aggressive goals. I would suggest you reach out to all trades, the need for new people on jobs has grown. We're strong believers that if you have a strong core crew from the beginning it's a win. **Commissioner Wright:** If not familiar, get familiar. I would suggest taking advantage of resources. Start strong and finish strong. **Commissioner Watson:** Look forward to first quarterly review.

III. PROJECT REVIEWS

A. Pipefitters Association Local 537 Training and Office Facility

Duration: 33 mins.

Present: Tom Kerr (Pipefitters Assoc. Local 537), Kate Blessington (JMA), Karen Blessington (JMA), Bob White (Janey), Stan Dorcacher (JMA), Elissa McCarthy (Beacon Waterproofing), John Thompson (Beacon Waterproofing) and Stacey Watson (BPDA Monitor).

Project Overview:

Current overall #: 94,072 work-hours, 32%BR, 37%POC, 7%F

Stacey Watson (BPDA Monitor): This project has been completed for 2 months. **Commissioner Watson:** Do you have the 7 Compliance Efforts Determination Rubric? **The Compliance Rubric was not in the report, however, Stacey stated that** Beacon Waterproofing fell behind in payroll submissions, but corrected that issue and everything is in compliance with all concerned. **Commissioner Watson:** BEC Report really thorough. Appreciate that you're a sponsor to Building Pathways. I'd like to hear more. **Karen Blessington (JMA):** We had them come for a day-tour. TG Gallagher sponsored a graduate. **Stan Dorcacher (JMA):** In depth tour consisted of showing the process of the steel being put up and the concrete poured. **Karen:** We also had them at the Boston Garden project. **Commissioner Watson:** Please keep that up. I noticed in the report, Xquisite is listed as an MBE. I believe they are now considered a Portuguese enterprise and not MBE. **Karen:** This must have happened before our files could be updated. **Commissioner Watson:** In regards to S&F, there's a poorly written letter dated 10/24/18 I was hoping to get an explanation on. Do you know what they were saying? **Karen:** I believe they were trying to say that the type of work (Place and Finish Flat Work) being done, they couldn't get females. **Commissioner Cofield:** None of the Flat Work companies meet compliance. We need to take a closer look at that. **Commissioner Watson:** Would like to sit down with S&F for a problem solving session and get a better sense of their challenges in employing women. **Karen:** JMA will send Tony's information to BEC Coordinator (Kim Odom). Regarding Beacon Waterproofing's payroll submission issue, we held pay checks and conducted many corrective action meetings, eventually the issue was resolved. **Commissioner Watson:** What were the challenges? **John Thompson (Beacon Waterproofing):** The way the project was running in and out. It was our mistake. **Commissioner Watson:** On future projects, do you foresee this happening again? **John:** This will not happen again. **Commissioner Cofield:** Bob, you see day to day activity, were there major challenges? **Bob White (Janey):** We're Joint Venture. Janey is 30% manpower. It's standard that some trades are harder to get women. **Commissioner Wright:** Are numbers in the report the same as you stated? **Stacey:** 31.9%BR, 36.8%POC, 7.0% F (in the report these numbers are rounded up 32%BR, 37%POC, 7%F). **Commissioner Watson:** Aldon Electric – appreciate the documentation on process of outreach. **Commissioner Cofield:** The Carpenters Union put together a new team (Liz Skidmore, Grady Eason and myself). If there are any issues with manpower, supply and demand and sustainability, contact us. If we know what's going on with work ethics, etc. the unions can assess and resolve. **Karen:** What about showing up? **Commissioner Cofield:** Work ethics is a problem all over not just Boston residents. All trades are making an effort to address this without discarding people. We're trying to promote excellence. **Commissioner Watson:** Anytime projects can create inclusivity and joint venture partnership with MBEs, I commend you on that. **Stan:** I'd like to see it highlighted in the totals (70/30). **Commissioner Watson:** It's rear to see GC's self-performed work with good numbers and your numbers are solid. **Bob:** We're joint ventured on this project and on Omni - it's an ongoing and good partnership. Two young men were sponsored. **Commissioner Watson:** You walk the walk and performing the goal.

Public:

Janet Jones (Boston Jobs Coalition): Don't want to rain on the parade, but S&F Concrete has 5 trades on this project and their percentages aren't nearly what they should be. They need to improve percentages. **Commissioner Watson:** We did recognize that and it will be addressed. **Chuck Turner (Boston Jobs Coalition):** I see a trend that people of color numbers are going up but we see Boston resident numbers are below, even for people of color, which says people of color in Boston are at the lower end, and I raise this to ask, have you raised questions about this problem with contractors? **Commissioner Watson:** Great question and comment. It is something we do address. **Chuck Turner:** Is there any way to bring a dialogue with GC/subcontractors to the Boston Employment Commission? **Commissioner Watson:** My gut tells me that in between BEC hearing, there should be internal discussion on how to do this and I will look to you to help with that. **Commissioner Cofield:** On that note, I had fears when numbers rose, it would come from minorities outside the city. Also, once folks start working in the city, they move out of the city because housing cost is expensive. **Chuck Turner:** It's true people move out. **Commissioner Watson:** Chuck, think about whether a City Hall BEC session is appropriate space or to

do it in a community neighborhood setting with BEC Commissioners in attendance. **Commissioner Wright:** It's important to have good data for this meeting we're looking to have.

Karen: Commissioner Cofield, can you assist with helping expedite a Boston resident worker for contractors that are calling and making that request? **Commissioner Cofield:** The Carpenters Union tries to provide what's asked for. Each union is different when trying to fill requests for referrals. **Karen:** Do you have a lot of Boston residents now? **Commissioner Cofield:** No one has a lot, but we do have Boston residents and females on the bench right now.

B. 7085-B Boston Arts Academy

Duration: 19 mins.

Present: Adriane Pina (Lee Kennedy), Joe Berry (Lee Kennedy), Albert Batrakoff (Lee Kennedy) and Claudette Austin (BRJP Monitor).

Project Overview:

Current overall #'s: 14,322 workhours, 30%BR, 69%POC, 10%F

Claudette Austin (BRJP Monitor): Correction - Construction period start date should be September 2018. This project is in its first phase and is 5% complete. Laborers are exceeding people of color at 72%, female 11%. BRJP updated that as of today 18 of the 23 Boston residents reported are verified. **Commissioner Watson:** I concur with recommendations in this report. American Environmental (Union) historically not doing well with Boston residents. Would love to have meeting with Local 1421 and American Environmental to get a sense of the issue with residency challenge. Letter dated 10/18/18 explains challenge with finding licensed asbestos workers. During this meeting we will drill down on particulars. Can you speak to challenges? **Adriane Pina (Lee Kennedy):** There's a conflict with total hours reported for Lee Kennedy and some of our payrolls will have to be revised. JDC has 1 unverified Boston resident. JDC was basically the only contractor on-site for the month of December 2018. Lee Kennedy hasn't self-performed any significant work to date and understand we have to adhere as well. Current status through abatement stage in taking building down that's the 5%. Site, Concrete and Foundation work is the next phase. **Commissioner Watson:** Please take into account previous history as you buyout and award sub-contractors. **Albert Batrakoff (Lee Kennedy):** Agree to look at subs BRJP history as part of our procurement process. **Commissioner Watson:** Self-perform substantial work? **Joe Berry (Lee Kennedy):** Lee Kennedy will be major clean up labor and some safety/handrails. We are signatory to carpenters and laborers union. **Commissioner Watson:** Any correspondence is helpful to get a sense of your approach to the BRJP goals. **Commissioner Cofield:** Buyout/Phase II? **Albert:** Sitework, piles, foundation(January-March). Design peak (May-July) and Structural Steel – 6-8wks (September-October). **Commissioner Watson:** Looks like things are trending in the right direction. Have the rubric in your view. Next review? **Claudette:** No time-frame for review right now.

Public:

Janet Jones (Boston Jobs Coalition): This is a Public Facilities project and our tax dollars! Lee Kennedy is not setting a good example. I suggest you lead by example.

C. Pier 4 Phase 3 Condo Bldg.

Duration: 26 mins.

Present: Lynne Thompson (Tishman Speyer), Jesse Prior-Hull (Turner Construction), Phil Coleman (Turner Construction), Nick Sacco (Manganaro Northeast) and Pamela Ruffo (BRJP Monitor).

Project Review:

Current overall #'s: 354,996 workhours, 28%BR, 31%POC, 6%F

Pam made a correction on D&W Construction's percentages – should be 23% not 53%. Corrective Action letters were handed out to the Commissioners for D&W, Manganaro, PJ Spillane, McCusker-Gill and Business Interiors. Turner Construction was major donor to Building Pathways. **Commissioner Watson:** Super thorough report. Building strong practice in place. Commend you on your outreach and partnership with Building Pathways. I think every single Turner project is tight. Your self-performing numbers are leading by example. **Philip Coleman (Turner**

Construction): Back in July we said it is a mindset in the company. Thank you for recognition. **Nick Sacco (Manganaro Northeast):** We have 4 BRJP jobs – Moxy and Hyatt – tend to be stretched thin. Struggle with keeping crews consistent and not shift. Reach out to hall/BAs. We try to retain Boston residents, people of color and female workers as long as we can. Peaked at 60/70 employees. **Commissioner Watson:** What’s rough approximate size of crew? On this project, it’s clear there’s communication with unions. **Nick:** peaked out at 220/300. **Commissioner Watson:** Are 25%/250 Boston resident? **Nick:** Core crew is 150. Improvements can be made with communication to union halls. **Commissioner Cofield:** Spoke to Dave Hood and had a discussion on next steps. The Carpenters Union just needs to get the phone call on what you need. **Nick:** Moving forward, we will. **Commissioner Wright:** Curious when you bid out what’s the strategy in that you mentioned 4 projects? It’s a mindset as Turner Construction mentioned. Look at changes if you’re saying you’re stretched thin. **Commissioner Everett:** Work with Building Pathways or similar organizations to help. Maybe 2 possibly 4 are women out of 25. Intentional and deliberate are the words I’d use for the process you should use going forward. **Commissioner Watson:** How much work left? **Nick:** Job finishes in March 2019. **Commissioner Watson:** Are you confident you can do better? **Nick:** We won’t be adding, but will keep the crew we have as long as we can. **Commissioner Watson:** Would love to have conversation on how to help with resources for Manganaro Northeast. **Commissioner Cofield:** Restructuring your outfit, are they on board with BRJP? **Nick:** Probably not all, but they will be brought up to speed. **Commissioner Cofield:** Even jobs not under these policies – if you get in habit it will flow. **Nick:** I will pass along information.

Public:

Janet Jones (Boston Jobs Coalition): This is all condos? **Reply:** Yes. **Janet:** If you’re failing to hire from the community, what’s the mix and what is residential range for affordability. **Lynne Thompson (Tishman Speyer):** We are in compliance to meet low- income housing requirements. We are planning on seniors. **Janet:** Units are not in this building but elsewhere. **Philip:** We have extra circulars we gave to Pam (Kim will make copies and send).

D. 48 Boylston Street

Duration: 26 mins.

Present: Bill Grogan (Planning Office of Urban Affairs), Amarillys Rodriuez (Planning Office of Urban Affairs), Danielle Skilling (Gilbane Building Co.) and Robert Woodson (BRJP Monitor).

Project Review:

Current overall #'s: 54,938 workhours, 31%BR, 35%POC, 7%F

Commissioner Watson: Danielle, great to have Gilbane (GC) perform well and be an example. NASDI – really high numbers. **Danielle (Gilbane Construction):** NASDI is one of my easiest subcontractors. They have the diverse core crew. Most of their workers come out of Local 1421. On residency verification there were a few duplications – certain residents listed more than once. 5 unverified of 52 (90% verified). Had some payroll submission issues which we resolved and are current as of January 6th. **Commissioner Watson:** Is that something that will be fixed. **Danielle:** A&A administrative person in the office is technologically challenged. Boston Air and Capco – a couple of reports lost and hadn’t been submitted. That is now corrected. Eagle – Not responsive. **Commissioner Watson:** Had this been under the New Ordinance, there would be sanctions. Look at the contractor’s history to avoid these problems going forward. Have some sort of workshops. Rob, what’s your assessment? **Robert Woodson (BRJP Monitor):** I commend Gilbane as this is my first project with them. They are very pro-active which made engagement of compliance a lot easier. **Commissioner Watson:** New England Finish? **Danielle:** Low Boston resident numbers is attributed to availability issues. **Commissioner Watson:** Thomas Gallagher is also low on Boston residents. Plumbers are 48% Boston residents and 19% Females – speak to that. **Danielle:** Gallagher is fantastic to work with. Pipefitters/Sprinklers are just not there yet, all around. Plumbers are leading the way. I am Co-Chair on Employer Advisory Board for Madison Park. **Commissioner Watson:** Previous Commissioner, Mark Fortune (Local 550 BA) is an ally in this work and takes it very seriously. I’m optimistic they will trend in the right direction in the next year or so. **Danielle:** I hope so. We need to have more people involved with Madison Park. It’s still an untapped resource, even before they get to Building Pathways. Every trade should have at least one conversation with Mr. McKaskill. The Mayor’s speech was positive in that vein, but we still have to do better. **Commissioner Watson:** Next steps – Gallagher and New England Finisher Systems are less than ½ of where they need to be with Boston residents. I would like to bring them in for a conversation. **Commissioner Cofield:** New

England Finisher Systems are never where they need to be. **Danielle:** 60,000 hours (*in 10 yrs*) with the city. Maybe they shouldn't be with the city and learn a lesson. **Robert:** Danielle can you confirm the completion percentage of this project? **Danielle:** Close to 90% complete. **Commissioner Watson** commends POUA in choosing Gilbane and other GCs who leads by example regarding BRJP.

Public:

Janet Jones (Boston Jobs Coalition): It's good to see Danielle Skilling. The Dearborn school project had energy and success. It was good to see they had 2 Glacier females – 1 African American and 1 Caucasian working alongside each other.

IV. DIRECTOR'S REPORT:

Duration: 6 mins.

Celina Barrios-Millner (Equity and Inclusion Director) thanks everyone for coming and welcomes new Commissioner, Stephanie Everett officially to her post on the BEC. Celina expressed, "Great interaction today" and gave update on the State of the City address with Mayor's expectation of 20,000 new good jobs by 2022. She announced the upcoming Economic Development Center which will launch in February with the Equity and Inclusion Series to consist of workshops that will focus on: Construction Workers, Women and Minority Business Enterprises, Best Practices, Community Conversation (Equity and Policy) and Contractors and Construction Workers.

Expectation for Salesforce to be completed in April 2019.

Commissioner Cofield: As we open door for Women and Minority Business Enterprises, are we setting up training programs?

Celina: Yes, non-union and union. 20 people have signed up for Joint Venture (30 slots for the session) "Ready, Set, Bid and Succeed". Free OSHA training for workers. CSL Training (1st come 1st served). Open to the public.

Director's report accepted and approved.

Hearing adjourned at 3:06 pm.