

# Boston Employment Commission Hearing Minutes

---

A monthly hearing of the Boston Employment Commission (**BEC**) was held virtually on Zoom, July 17, 2024.

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

**Absent: Commissioner Donald Alexis, Commissioner Priscilla Flint, Commissioner Kenell Broomstein.**

**Hearing Began: 1:05 PM**

**June 26, 2024 Minutes approved (motioned by Commissioner Howell and 2<sup>nd</sup> by Commissioner Watson)**

**May 15, 2024 Minutes approved (motioned by Commissioner Howell and 2<sup>nd</sup> by Commissioner Green). Commissioner Watson abstained.**

**April 17, 2024 Minutes approved with correction noted by Commissioner Watson on Page 4 regarding the monthly Payroll scan to reflect that BRJP Manager Christopher Brown was responding to his question.**

## I. ANNOUNCEMENTS

**Jodi Sugerman-Brozan (Deputy Chief, Office of Worker Empowerment): Safety in construction** - These announcements are a reiteration of last month’s information. Because we are still in a heat emergency, information has been provided by OSHA on how to keep you and your workers safe in excessive heat, how to create a Heat Illness Prevention Plan, and resources for worker training, visit [www.osha.gov/heat](http://www.osha.gov/heat) and download the National Institute of Environmental Health and Sciences new tool: Building Blocks for a Heat Stress Prevention Training Program. On July 11, 2024, the Dept. of Commerce and NOAA (National Oceanic Atmospheric Administration) announced a \$16M Climate Ready Grant of which the City of Boston’s Office of Worker Development was awarded \$9.8M (largest portion to Boston). It will be called the Greater Boston Coastal Resilience Jobs Alliance. This is employer-driven and 13 employers are committed to providing 1200 jobs relating to green infrastructure (*nature-based solutions and flood protection*) both in the public sector and building trades. Many of the jobs are constructions related. **Commissioner Burton:** Congratulations to your department in lifting up Boston’s leadership in being nationally known as a climate resilience city. As it relates to climate and construction, the two go hand and hand. We look forward to seeing what’s to come.

## II. SPECIAL PRESENTATIONS

### A. 405 Washington Street

**Duration: 12 mins.**

**Present: Kamran and Roxanna Zahedi, Tisha McNeil (Urbanica Design & Development), Christopher Rooney (MOH – Invited), Antonio Leite (MOH – Invited) and Robert Woodson (BRJP Construction Monitor).**

**Kamran Zahedi:** Project is located at Washington and Algonquin Streets, Dorchester, MA. Updated the older home to a more modern structure/design (rendering presented). Urbanica is a local developer and contractor with over 30 years of experience building in the neighborhood (10 years with the city). Urbanica is headquartered in Roxbury, MA and has direct access to the diverse community and partners. Urbanica has an in-house database that we use for all diverse subcontractor and worker networking and hiring. Urbanica has a long standing track record of high local and diverse workforce participation. The project started last month (June) and is estimated to be completed March 2025. Sitework onsite currently is Metro Equipment Corporation (WBE), who we have worked

with over 30 years. **Roxanna Zahedi:** Tisha McNeil is our Assistant PM and in charge of Workforce Diversity and BRJP compliance. As a Dorchester native, local Boston resident, person of color and business owner, she has many connections to the diverse workforce and community. She will be the liason between subcontractors and community/diverse workforce, subcontractors and GC, and ensure that the subcontractors are complying with BRJP and our diversity goals and hiring practices and in addition, assist subcontractors in their best faith efforts to meet BRJP thresholds and guidelines. **Tisha McNeil (Urbanica):** We provide a mailbox onsite and all applications received are submitted to appropriate subcontractors and followed up with. **Commissioner Burton:** The best practice of Urbanica is a case study for the City. **Commissioner Watson:** I echo Chair Burton's comments. Given the challenging issues with affordable housing in the City, it's nice to see homeownership opportunities. The rendering is beautiful. In looking at the examples of your previous work, Melnea Hotel (2018) BR @ 66%, Melnea Residences (2019) BR @ 77% and Parcel U Phase B (2021) BR @ 90%, these are the highest achieving numbers I've seen for the Boston resident workforce since I've been on the Boston Employment Commission. I appreciate your/Urbanica's efforts. **Commissioner Howell:** This is a clear example that the challenges can be met. Thank you for leading by example. **Commissioner Burton:** Thank you for your presentation.

#### B. Cummins Highway Reconstruction

Duration: 17 mins.

**Present:** Kevin Cleary, Liam Fahey, Frances Alves (McCourt Construction Co.), Bob Astrella (Boston Public Works Dept. – Invited), Julia Campbell (Boston Public Works Dept. – Invited) and Nelson Cunha (BRJP Construction Monitor).

**Kevin Cleary:** The City of Boston awarded McCourt Construction the full reconstruction of Cummins Highway (3 year duration). The project began February 2024 and estimated completion, November 2026. McCourt is self-performing. The proposed work is in between Fairway Street and Harvard St. BRJP Policy is included in all the subcontracts. Foreman at worksite has applications on hand. We are a union contractor - entry to laborer's union or operator's union required prior to working for McCourt. McCourt Construction has been in contact with the BRJP/Nelson to ensure all resources are exhausted in order to meet diversity and community goals set forth on the job McCourt Construction informs all subcontractors of BRJP requirements and encourages subcontractors to meet with BRJP and plan to meet these goals. A monthly update of workforce numbers is sent from our payroll department to project executives and project managers and discussed accordingly. **Commissioner Burton:** Out of curiosity with the design lowering the ADA ramp grade to street, do you use porous pavement? **Kevin:** The bike path is porous pavement (*gave description and explanation and referenced eliminating puddles*). Since you self-perform, do you hire apprenticeship or only union labor? **Kevin:** Only union. Sometimes we are able to get applicants/candidates in the union. **Commissioner Burton:** Have you talked to the Business Agents on timing of anticipated workforce needed? **Kevin:** I talked with the laborers union and they provided a Boston resident. Right now our workforce is small (7-8 crew). We anticipate increasing through the union hall going forward. **Commissioner Burton:** Recommend putting signage on your fencing (*QR Code*). **Janine McLaren (Boston Jobs Bank Coordinator):** Is McCourt willing to train pre-apprentice graduates and what skills are needed? **Kevin:** Not sure what is meant by pre-apprentice, but we are certainly willing to train an apprentice. We have a woman apprentice on the job currently. The skills needed are concrete experience in finishing/placing sidewalk replacement and excavation. **Commissioner Burton:** Recommend look at best practices on hiring signage to raise awareness for potential applicants from the community and reach out to Business Agents for trades needed - carpenter trade seems the most needed trade to reach out to. Thank you for your presentation.

#### C. Stonley Brookley (Hybrid presentation)

Duration: 22 mins.

**Present:** Lina Jimenez (JPNDC), Dave Traggorth (Causeway), Neil Thisse and Peter Lavelle (Haycon Building LLC) and Celso Ribeiro (BRJP Construction Monitor).

**Neil Thisse (Haycon):** New construction of a four-story residential building at 10 Stonley Rd., Jamaica Plain. 45 dwelling units including 5 artist live/work units, 5 group 2 units, and 1 hearing impaired unit. All units are income restricted. All units are for home-ownership. Shared indoor amenity space + common roof deck. 19 covered parking spaces and bike storage room with 60 bike capacity. Designed and being built to super-efficient PHIUS energy standards. **Workforce Diversity Efforts/Community Partners:** Help Wanted ads placed in local, regional papers and online, Posted flyers in neighborhood low-income housing communities, Partner with community organizations including YouthBuild Boston, MassHire Boston, BHA, etc., Onsite hiring signs placed at Jobsite with

interactive QR code application, Met and strategized with Consultant Shelley Webster of InOrder Business. Subcontractors have received and hired referrals from Katrina Conrad of Conrad Builds. **Job Application Process -** Haycon has a dedicated Talent Acquisition (TA) person assisting with hiring at our project sites. Hiring signs at the Stonley Brookley site will allow interested community members to **submit electronic applications directly from their phone, using a QR code provided**. Candidates may also **download an application from our website** ([www.haycon-inc.com](http://www.haycon-inc.com)), **submit one online**, or **email us directly** at [info@haycon-inc.com](mailto:info@haycon-inc.com). Open positions will also be posted online, and our third-party sub-contractors will hire for open positions within their organizations. Any candidates identified by Haycon will also be shared with our sub-contractor base.

## PROJECT REVIEWS

### A. Stonley Brookley (Hybrid presentation cont'd)

Duration: 15 mins.

**Present:** Lina Jimenez (JPNDC), Dave Traggorth (Causeway), Neil Thisse and Peter Lavelle (Haycon Building LLC) and Celso Ribeiro (BRJP Construction Monitor).

**Overall Numerical Compliance:** 13,858 workhours, 76 workers, 7 contractors, 26% Boston Residents, 76% People of Color, 5% Women

**Celso Ribiero (BRJP Construction Monitor):** The project is approx. 50% complete. Currently at 76% people of Color, J&R Carpentry has the most hours worked at 3,854 total hours: 10% Boston Residents, 100% POC, and 0% Women, All the numbers across the board have gradually gone up through efforts by Haycon, G&G Masonry & Restoration, Inc.( 50% Boston residents, 100% POC, 22% Women). **Commissioner Burton:** It appears Mac Electric is the only subcontractor meeting the Boston Resident and mostly the women participation goal (56%BR, 56%POC, 9%W). With 6 months left and ½ way through the project, what is the plan of action to get project back on track? **Commissioner Watson:** The struggle with Boston residents and women numbers is not uncommon. I'd like to take a step back and highlight the positives. As with the presentation by Urbanica, it's good to see a focus on homeownership. The M/WBE participation is extremely high (*the BEC does not oversee M/WBE participation*). I know that Haycon is committed to social impact and has a partnership with Youthbuild. I'm encouraged on what this team has put together and look to see these numbers increase. **Commissioner Burton:** What are the efforts to increase the women and Boston residents? **Peter Lavelle (Haycon):** The short answer is to increase time focus. I was impressed with Urbanica's presentation and will be reaching out to them. **Commissioner Burton:** What is Group 2? **Neil:** Group 2 is ADA accessible units. **Commissioner Burton:** I noticed that 10/11% of the units are ADA compliant and wanted to acknowledge that inclusivity on this project.

### Public:

**Emanuel Payne (Payne Construction):** Can I meet Neil and Peter tomorrow? **Commissioner Burton:** The BEC cannot be used as a space to make meeting arrangements. Please address Neil and Peter offline. (*Mr. Payne apologized and expressed that GC's say one thing at the BEC and do something opposite after*).

**Commissioner Watson:** I noticed JPNDC listed on the Special Presentation, but not on the report. What is JPNDC's role? **Dave Traggorth (Causeway):** They are joint venture/co-developers (50/50 partnership). **Commissioner Watson:** That's cool and not surprising that Causeway has partnered with a local CDC. **Lina Jimenez (JPNDC):** Application process is open for those interested. **Commissioner Burton:** Further application information has been provided by Lina in the chat. Thank you for your presentation.

### B. Whittier Place Phase 3

Duration: 25 mins.

**Present:** Meena Jacob (POAH), Sandy Paben (Renaissance Group) and Patricia Maragioglio (BRJP Construction Monitor)

**Overall Numerical Compliance:** 139,0562 workhours, 462 workers, 14 contractors, 36%Boston Residents, 55% People of Color, 6% Women

**Patricia Maragioglio (BRJP Construction Monitor):** Phase 3 will provide 172 mixed-income housing units and 45 parking spaces amongst the new commercial and retail spaces below. 4 out of the 5 top trades are meeting and exceeding our POC goal of 40%. Iron workers only shy of that goal by 4%. Weekly submission rate is 5 days. All 5 Major Contractors are meeting and exceeding POC goals of 40%. Electricians and Plumbers are meeting the Boston Residents of 51%. Outkast Electrical and EM Duggan are also meeting our Boston Resident goal of 51%. The Carpenters trade is meeting the goal of 12% for women; also highlight the fact that they have the most worker hours on this project. The overall project is exceeding our POC goal of 40%. They currently stand at 55%, more than half of the project is employing minorities. My concern for Whittier Place project is the percentage of verified Boston Residents, which currently stands at 52% verified. The goal for the BRJP is 90%. The women participation for the overall project is 6% (*meeting only half of the goal of 12% women*). The Laborers and Outkast Electrical has the lowest women participation for women on this project. Dimeo Construction should focus on outreach surrounding women in construction and highlight events that focus on the hiring of women in construction. In addition, compliance consultants should be working alongside subcontractors more closely to ensure the percentage of Boston residents are verified within 7 business days of being on the worksite. **Commissioner Watson:** There seems to be a discrepancy with the stat report as it relates to EM Duggan's percentage of women participation (10% or 0%). Make sure statistical report is accurate. Also, 2 of the 7 enforcement compliance efforts are not in compliance (*weekly payroll and Boston resident verification*). Why no recommendation for sanction? **Jodi:** Appreciate the question Commissioner Watson. I will work with Patricia to better understand what happened in this case. **Patricia:** 60% still need to be verified. **Sandy Paben (Renaissance Group):** In regard to the payroll, we thought we were on track with the submission being 4-5 days and the understanding is that it must be submitted within 7 days. In regard to the Boston resident verification it looks like Outkast Electrical and S & F Concrete are missing verification and we will follow-up with that. We hired 94 new hires and 40 were Boston residents, which is 42.55% and this is a union project. **Commissioner Watson:** Based on what happened with the Leland Street project last year which I was recused from, Kaplan should not have been sanctioned. It doesn't feel like we have the process in place to sanction, if this project isn't being recommended for sanction. **Jodi:** I agree. We have put in place a monthly meeting with the BRJP Construction monitors to address the sanctioning process for equity across all projects. **Commissioner Burton:** In light of the overall numbers, 36%BR, 55%POC, 6%W, 36% Boston residents is higher than what we usually see on a union project.

#### **Public:**

**Emanuel Payne (Payne Construction):** As a subcontractor, can I refer sanctions? **Commissioner Burton:** We take community comments into consideration. The city staff/Deputy Sugermanbrozan has shared the path forward to address some of the challenges presented today. Patricia and Whittier team, thank you for the presentation.

**BEC Commissioners' Follow-up Requests/Concerns** - Nothing outstanding.

#### **MONTHLY PAYROLL SCAN**

**Duration: 12 mins.**

**Nelson Cunha (BRJP Construction Monitor):** June 2024 / Overall Payrolls submitted - 5,086; Late payrolls submitted - 510 (10% of all payrolls); < 5 days late - 324 (63%); 5 to 10 days late - 141 (23%); > 10 days late - 45 (9%) and Latest payroll submitted - 24 Days. **Commissioner Burton:** What is the trending of these numbers since April and are you looking to have more conversation around the payroll scan next month? **Jodi:** The numbers are averaging 10/12/13% spread out between contractors. As shared earlier, we are looking to work with the construction monitors with monthly reports to continue to address trends. **Commissioner Burton:** POAH was represented in the space today and wanted to let us know there are efforts being put forth on the Whittier Place Phase 3 project. Apprentices have been hired and tours with Madison Park High's Vocational school. A job fair informational session with trade unions will be held in August (*I hope Janine McLaren of the city's Job's Bank will be invited*).

#### **DIRECTOR'S REPORT**

**Duration: 5 mins.**

**Jodi Sugerman-Brozan (Deputy Chief, Office of Worker Empowerment):** As of July 2024, we (BRJP) have been assigned the monitoring of State Prevailing Wage Law on public projects as to not enable wage theft. Stacey Watson will be leading the compliance efforts. We are in the process of creating a more user friendly dashboard

on the BRJP Website that will allow compliance search by year, project and GC/SC (*there's always been public data available, however not user friendly*).

**Commissioner Burton:** Mr. Payne, we appreciate your diligence to grow your business and your feedback/experience as a person of color. I hope you're able to make connections from today, and hope you understand the BEC's guidelines. **Emanuel Payne:** Thank you Chair.

**Meeting adjourned 2:57pm (Commissioner Burton motioned to adjourn and Commissioner Howell 2<sup>nd</sup>)**  
**KO/BEC Coordinator**