

Boston Employment Commission Hearing Minutes

A monthly hearing of the Boston Employment Commission (**BEC**) was held virtually on Zoom, September 15, 2021.

Commissioners Present: Commissioner Travis Watson, Commissioner JocCole “JC” Burton, Commissioner Kenell Broomstein, Commissioner Charles Cofield, Commissioner Espinoza-Toro, Commissioner Priscilla Flint-Banks and Commissioner Aisha Francis.

Hearing Begins: 1:02 PM

I. MINUTES

August 18, 2021 minutes accepted and approved (motioned by Commissioner Burton, second by Commissioner Broomstein and approved by all).

II. SPECIAL PRESENTATIONS

A. Orient Heights Phase 3

Duration: 18 mins.

Present: Kevin McCarthy (Trinity Financial), Matt Pelczar (Dimeo Construction), Sandy Paben (Dimeo Construction), Nelson Cunha (BRJP Construction Monitor)

Matt Pelczar (Dimeo Construction): 6 bldgs. coming down on Northern side, 7 bldgs. renovated on Southern side, 4 new structures on Northern side (3 Townhouses, 1 Midrise), 120 New apartments in total. Demo just began. Expected completion, January/February 2023. Contractors onsite now and coming on: Cavalieri Construction (Sitework), Vinagro (Demolition), Cruz Electric (Electrical), DJ Plumbing (Plumbing), Tara Construction (Rough Framing/Carpentry), NER Construction (Masonry). **Sandy Paben (Dimeo Construction):** This project is 100% union. DJ Plumbing (Plumbing), Tara Construction (Rough Framing and other carpentry work), NER Construction (Masonry). Neighborhood outreach through Zoom (4/14 and 4/21/21). In-person outreach tonight, 9/15/21 outside the Orient Heights Community room. Onsite signage job application with QR code. Partnership with YouthBuild, Building Pathways and the City of Boston Jobs Bank. **Commissioner Watson:** Dimeo’s numbers on previous Old Colony project (43/44% POC). Are there anticipated challenges and what will you do differently? **Sandy:** Make an effort to engage unions and young people towards apprentice programs. As a former high school principal, I’d outreach to schools. **Commissioner Watson:** Kudos to Dimeo. Your high school connection is valuable. **Commissioner Burton:** How are women factored in this project? **Sandy:** Women are important. We follow a model to help get women in the workforce. **Commissioner Cofield:** Any outreach to BA’s to participate in Jobs fair outreach (Section 3). **Matt:** Yes, we have had them at the job fairs. **Commissioner Cofield:** Boston Resident piece is the hardest right now. We can’t let 30% be a settled goal. Access to opportunity is key. We have to get to a place where we exceed the goals. **Matt:** We will push as hard as we can. Agree we should surpass the goal. **Commissioner Cofield:** You’ve done well on previous jobs, and we want that to continue. Thank you.

A. Fenway Parcel 7A

Duration: 19 mins.

Present: John Rosenthal (Meredith Management), Paul McDonald (JF White), Justin Goodheart, Suzanne Flaherty (JF White), Linda Sivieri (JF White), Dean Lane (IQHQ), and Pamela Ruffo (BRJP Construction Monitor)

John Rosenthal (Meredith Management): Fenway Center Phase 2 Life science building (built over 8 lanes of highway and 2 railroad tracks). JFW’s contract is for Deck and Foundations. 100% union. This is an air rights

project and is expected to house roughly 3,000 people/jobs every day. **Paul McDonald (JF White):** Construction schedule is 30 months – October 2023 expected completion.

Construction Buyout – Awarded Subcontractors:

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|-------------------------|--|
| Driven Piles: | JF White Contracting Co. |
| Drilled Mini Piles: | Phoenix Foundation Company |
| Structural Steel: | Cives Steel Company (Fabrication) F Stearns Co. (Install) |
| Precast Concrete: | JP Carrara & Sons, Inc. (Fabrication) |
| Paint: | John W. Egan Co., Inc |
| Fire Protection: | Carlisle Engineering Co. |
| Plumbing: | William M. Collins Company Inc. |
| Demolition: | JR Vinagro Corporation |
| Cast-in-place Concrete: | S&F Concrete Inc. |
| Sawcut: | Axiom Concrete Sawing LLC |
| Traffic Management: | JF White Contracting Co. |
| Electrical: | JF White Contracting Co. |

M/WBE Contractors currently on-site: Taibbi Equipment Corp – On-site trucking/hauling, operated equipment, MP Davids Transportation – On-site trucking/hauling, K5 Corporation – Remove & Install Line striping, Axiom Concrete Sawing, LLC. – Saw cutting

Commissioner Cofield: Restrictions with work hours? Is certification required and does JF White provide?
Paul McDonald (JF White): 3 shifts. Roadway and commuter rail restrictions. Wage different for third shift (11:00pm – 5:00am). We do provide certification in collaboration with Keolis’s process. **Commissioner Cofield:** Has JF White looked at creating a training program for people of color and women to hold hire positions in your company? **Paul:** I will reach out to Linda Sivieri the Corporate Compliance Officer. I liked Dimeo’s presentation on their community outreach (Job Fairs). The area this project is in is mostly student-oriented, but we will outreach to the community and hold a job fair. **Commissioner Cofield:** My reason for asking those questions is in relation to the pay differential and importance of incentivizing leadership opportunities for people of color and women. **Commissioner Burton:** The civil and site work has lagged woefully behind in engaging women, people of color and Boston residents in many cases. I’m glad that the spirit of this conversation is bringing that into focus and that Paul you are receptive. This project having a larger scope/schedule, more will be expected of JF White in doing a different type of outreach than previously done. Please reach out to the Commissioners for support. Commissioner Broomstein can be helpful with outreach to women in the trades. There’s not a lot of women represented in site work. **Paul:** Thank you for offering the support of the Commission. We hope to meet those goals. **John:** There are women of color on this project. This is specialty work. However, we didn’t take it lightly who we hired. JF White is intentional in their inclusivity of communities. We will make this project a great training ground. **Commissioner Cofield:** Reach out to Bill Moran & Associates. They are an Entry Apprentice/Training program.

III. Project Overview:

A. Winthrop Center

Duration: 13 mins.

Present: Kathy MacNeil (Millenium Partners), Corey Allen (Suffolk), Brooke Woodson (Suffolk), Bill Moran (Bill Moran & Associates), Pamela Ruffo (BRJP Construction Monitor)

Project Overview:

435,194 wkhrs, 1,165 workers, 25 Contractors, 35%BR, 32%POC, 9%F

Pamela Ruffo (BRJP Monitor): Reviews Highlights and Concerns: East Coast is no longer on site, but remains the highest workhours performed. **Commissioner Watson:** Pam, your report is always well summarized with substantive details and makes it easy for the Commission to absorb. There’s lots of good efforts from both ownership and GC. How do we replicate these efforts on projects that may not have this access to capital in regard to racial equity and inclusion initiatives? That perhaps is a question that cannot be answered today, but as a

Commission and Participants, we should think about. **Commissioner Burton:** I applaud engagement of Elevator Company (Schindler). I'd like to note, Madison only has 900 students each year. Tapping into Madison Park High as a singular go to should be expanded to other places (referenced Commissioners Broomstein and Cofield). Benjamin Franklin Institute of Technology (BFIT) is also a partner. Dr. Francis (Commissioner Aisha Francis) can speak to that. **Corey Allen (Suffolk):** The other schools we outreach to are the Dearborn, Egleston, Boston Day and Evening and Tech Boston Academy. Unfortunately, the education Benjamin Franklin students get doesn't transfer to the unions. **Commissioner Watson:** Isn't BFIT's curriculum the exact curriculum of the Department of Labor? **Commissioner Francis:** Yes, we are licensed by the same accreditors. Perhaps we can get help with the transition Corey spoke of. There are structural barriers, but we know they can be overcome. **Commissioner Cofield:** The carpenters union just started a partnership with BFIT. In addition, as mentioned in the last project (thanks Corey for his efforts), Bill Moran & Associates is another resource. They are a community mentoring team who works with inner city youth, although I don't believe there's an age limit and because they are not in a working apprenticeship program, doesn't eliminate them from access to our program (Carpenters union). **Kathy MacNeil (Millenium Partners):** We are committed to the workforce goals and if people do not want to go into the unions, there will be opportunities in the building itself. We will be looking to staff the engineering operations of the building within the year and would like to connect with you (Dr. Francis/BFIT). **Commissioner Burton:** Property Management has been established? **Kathy:** Millenium will manage the building. **Commissioner Burton:** Are there opportunities that BFIT students could benefit from now or would they have to wait for the completion of this building? **Kathy:** I will need to inquire with management and I take your point. In regard to the Schindler Elevator, I did address them on their lack of diversity and I'm glad to see they took action from our conversation. There's also a concern that was presented to me from Century Drywall regarding a foreman status issue. This is not on my job, but another. They have a woman of color who they are advancing but according to the union rules, if she is no longer swinging a hammer so to speak, she will not be accounted in payroll on the number's goals. **Commissioner Watson:** Are you saying her advancement would give her not only position in hierarchy, but also hire pay? **Kathy:** Yes, which is working against her if this is the case. **Commissioner Cofield:** That is not correct information. **Pam:** Kathy is referring to BRJP's monitoring assessment of non-working foreman. They are not accounted in the numbers. **Commissioner Watson:** It sounds like at the time this policy was written it made sense and now as it is playing out it is contradicting the very point of the program and should be fixed. **Kathy:** I brought it up because it was confusing to Century Drywall and myself but agree it can be fixed. **Commissioner Espinoza-Toro:** Thank you Suffolk for great work being done. In light of historical performance of East Coast Slurry from 2016 - 2020, their numbers have increased from 6% - 10%, which is good, but I would suggest addressing the decrease in people of color from 27% - 15% and as well Aztec Steel's downward performance in female numbers 10% - 5%. **Corey:** East Coast Slurry is no longer on site. We had Aztec explain their plan of action and will send Pam that documentation if it's not in the packet so she can forward to the Commission. **Commissioner Cofield:** Commissioner Watson, regarding the foremen conversation, it's when there are 8 or more, they are supervising, they take the tools off, but I don't see S&F would do that. **Kathy:** It's not S&F, it's the drywall company (Century Drywall) I'm concerned about. **Commissioner Cofield:** You can call me on that. **Commissioner Flint-Banks:** There's been a lot of talk about Building Pathways and Madison Park. Is there real work being done to bring those students from Madison Park in the trades? It just seems like that school is underutilized and I believe Suffolk could do more. **Corey:** Commissioner Flint-Banks, I will promise you that in my communication with Kevin McKaskill (Madison), I will include you in emails (please provide me with your email). Commissioner Cofield has been a part of the efforts and I apologize if you have not been aware of what's being done. **Commissioner Cofield:** Kevin McKaskill is no longer at Madison. **Corey:** He's not but he is still connected in BPS and is my connection to the new headmaster at Madison. **Commissioner Flint-Banks:** Does Suffolk have a training component? **Corey:** Not as a company, but we have a trade partnership and steer people through that means (made reference to JC Canistraro's support). **Bill Moran (Bill Moran & Associates):** Commissioner Flint, our program with Millenium helped us start our program with IBEW Local 103 which has 40 young people of color from the community. We are also working with Sheet metal/Carpenters and Sprinkler Fitters but we need funding to work with more young people. **Commissioner Flint-Banks:** Thank you. **Commissioner Watson:** Corey thank you for mentioning JC Canistraro. They are what I consider an unsung advocate of racial equity.

B. 70 Leo M. Birmingham Parkway

Duration

Present: Samuel Weisman (Jumbo Capital), Julia Meier (Surus DC), Nicole Ritcher (TCM), Takara Hamilton (BPDA Construction Monitor)

Project Overview:

12,276 wkhrs, 127 workers, 11 Contractors, 16%BR, 29%POC, 3%F

Takara Hamilton (BPDA Monitor): Reviews Highlights and Concerns: TCMG held a summer youth program called “Tools of the Trade: Construction 101,” which provided teens and youth of Boston with a summer job experience and exposure to the world of construction. TCMG & Surus held a job fair for their subcontractors that involved five participating Inner-City Schools: Madison Park Technical Vocational High School, Medford Vocational High School, Benjamin Franklin Institute of Technology, Rindge School of Technical Arts and Somerville High School.

This project hired their first two female minority residents with Form Up Foundation utilizing Resource Options. Form up Foundation has reached out to 5 walk-on applicants and did not receive a response.

Boustris and Sons brought 3 Boston residents onto this project, bringing the overall total up from 13% resident to 16% resident. Resident Verification is 100%. TCMG Mentor and Surus Construction have reached out to several labor force resources to increase diversity participation. Those resources include Resource options, Youth Build Boston, Boston Jobs Bank, Building Pathways, Build a Life that Works, and BEJI. The BPDA is concerned about the low interest from applicants but will continue to encourage Surus and subcontractors to reach out to all willing applicants. People are not interested in working for this project, but it’s not just this project, I’m finding that on other projects as well. In many cases they are finding better opportunities with better pay. **Commissioner Francis:** Picking up on your concerns with the mismatch between opportunities and workforce taking them up, perhaps that’s something systemic the BEC can look at in our internal work room and be able to present something to the new administration coming in November (Mayoral). **Takara:** Most of my open shop projects are small (\$30M). I work closely with Janine McLaren (Jobs Bank) and Katrina Conrad and out of 20 resumes/applications I might be able to place 3. In some cases, it’s “not interested” and some is “don’t have transportation”. Some of these jobs require ability to drive long distance. We need to start thinking about retention. **Commissioner Flint-Banks:** Are these non-union workers you are talking about? **Takara:** Not all are non-union, but most are. The Jobs bank only deals w/non-union and Katrina does a mix and I don’t think she likes to overstep her boundaries. Out of the last 40 applications, 3 were union. Higher wages is a contributing factor in decision of these workers. **Commissioner Espinoza-Toro:** Has COVID been a factor in response? **Takara:** I have not heard that reasoning. The project has lost people to being infected with COVID and were replaced. When they returned from quarantine they had to be put on another project. Once someone contracts COVID it’s a ripple effect. **Commissioner Cofield:** Just want to say, Katrina Conrad has no problem with overstepping. **Takara:** Katrina and Janine are very helpful in the workforce resources. I also noticed the mentioning of resources I hadn’t heard about during the Winthrop Center presentation and would like to get those connections. **Commissioner Watson:** Takara thank you for your detailed report. This is a case where the numbers don’t always tell the story. It’s clear that the right team is in place. **Takara:** Nicole put together a 46-page BFE packet in which her and Julia Meir did the groundwork in outreach. **Commissioner Burton:** It’s good to see Nicole on this project. **Nicole:** Thank you JC. **Commissioner Cofield:** It is good to see you, Nicole. I’d like to get that 46-page packet (the packet was emailed to all the Commissioners). **Nicole (TCMG):** Julia has been a true partner. The entire team has been instrumental meeting weekly and going over the numbers. Surus took lead in hiring a female person of color resident. **Julia (Surus):** We are looking forward to keeping her on the team.

IV. BEC Commissioners’ Follow-up Requests/Concerns

- a. JF White’s People of Color and Women in higher leadership opportunities (**Commissioner Cofield**) Paul McDonald (JF White) will follow-up with Linda Sivieri (JF White Corporate Compliance Officer)
- b. Benjamin Franklin Institute of Technology’s licensed by same accreditors as Unions/Department of Labor (**Commissioner Francis** requested help with this contradiction for the BFIT students)
- c. BFIT students benefiting from opportunities with Millenium (**Commissioner Burton**) Kathy will inquire with Millenium’s management team.
- d. Foreman status issue of conflict in promoting a person of color/female with Century Drywall (**Kathy MacNeil (Millenium Partner) and Commissioner Cofield** were going to speak offline)
- e. Aztec Steel plan of action documentation regarding downward performance (**Commissioner Espinoza-Toro**) - Corey Allen will send to Pamela Ruffo (BRJP Monitor)
- f. Madison Park High concerns (**Commissioner Flint-Banks**) - Corey Allen (Suffolk) promised to include Commissioner Flint-Banks in email correspondence with Kevin McKaskill

V. DIRECTOR'S REPORT:

Duration: 5 mins.

Celina (Chief of Equity and Inclusion):

A working group meeting for the Sanctions BEC Policy was held on 9/13/21. We will reach out for the next meeting before the next BEC Hearing. The final draft will be delivered upon readiness. Look out for an email from Kim Odom (BEC Coordinator) for next working group meeting.

Commissioner Watson: Can I get a motion to accept the Director's report? Commissioner Burton Motioned, Commissioner Francis Second and all Commissioners approved.

Commissioner Burton asked about the additional data requested by Commissioner Cofield to be noted. It was not able to be recalled and she ask to strike her comment from the notes. Kim Odom (BEC Coordinator) said she believe she captured it but was not able to recall it at the time.

Meeting adjourned: 2:38