

Boston Employment Commission Hearing Minutes

A monthly hearing of the Boston Employment Commission (**BEC**) was held virtually on Zoom, June 15, 2022.

Commissioners Present: Commissioner, Travis Watson, Commissioner Espinoza-Toro and Commissioner Dr. Aisha Francis.

Hearing Begins: 1:05 PM

Commissioner Watson chaired in Commissioner Burton's absence. Commissioner Watson commented on an unfortunate racist remark regarding the upcoming holiday, Juneteenth (Monday, June 19, 2022) sent to Local 12 union members in a group text, a member thought it was funny to call the holiday "Melon Monday" aka "Watermelon Monday" and said that any member who wanted to take that Monday off to observe the holiday could do so. Commissioner Watson further read an article by William R. Black on how watermelons became a racist trope and raised the awareness of this insensitive stereotype and expressed how unacceptable this comment is in an All-Inclusive Boston.

I. MINUTES

Due to lack of quorum, May 18, 2022, BEC Hearing Minutes will be approved in July.

II. SPECIAL PRESENTATIONS

A. 34 East Springfield Street

Duration: 16 mins.

Present: Matthew Zahler (MPZ Development), Bethany Townsend (ZVI Construction), Chad Griller (ZVI Construction), John Feuerbach (MOH/Mayor's Office of Housing) and Robert Woodson (BRJP Monitor)

Overview:

Chad Griller (ZVI Construction): This project has been under development for a year. It is the Developer's first project under the BRJP requirements and is in partnership with the Boston Housing Authority (BHA), and Mayor's Office of Housing (MOH). The redevelopment will create five (5) One-Bedroom apartments. Funding sources include Federal and State Historic Tax Credits; Funding from BHA, MOH, Developer, Historic Tax Credit Investor and Dedham Savings Bank. There are 17 subcontractors employed on this project (14 are referenced on the chart shown in the PowerPoint). **Commissioner Watson:** Are the numbers referenced on the chart showing the number of expected employees to reach the BRJP goals and what does unknown mean? **Chad:** Yes. Unknowns are the subcontractors that have not met with Robert yet and whose scope of work is further in the construction schedule. **Commissioner Watson:** Robert, what are the concerns, if any? **Robert (BRJP Monitor):** This is my first time working with this General Contractor. They are doing their due diligence to adhere to the BRJP process and address conversations we have had about challenges with meeting Boston Resident and Female goals. **Commissioner Watson:** Bethany, what is your role and would you like to add anything? **Bethany Townsend (ZVI Construction):** I am the Project Manager. As Robert stated, there is a challenge with Boston Resident and Women, and I've shared with my staff the resources (non-union list and job fair information) Robert has passed along. **Commissioner Watson:** During the awarding process, how was the subcontractors past performance taken into consideration? **Bethany:** I'm not sure how to answer that. **Chad:** Many of the subcontractors on the list shown have worked under the BRJP employment goals with previous General Contractors (65/70%). We take this opportunity very seriously. **Commissioner Espinoza-Toro:** If you are as serious as you say, please reach out to the Commission for resources, if necessary. **John Feuerbach (MOH/Mayor's Office of Housing):** This development is supported by the Mayor's Office of Housing and is important to us. We work closely with Robert and make sure compliance is met regarding payments. **Commissioner Watson:** Thank you for your time. We look forward to your review.

B. 525 Lincoln Street

Duration: 22 mins.

Present: Daniel “Danny” Moll (Allbright Realty LLC), Michael Hartnett (Plumb House), Ray Bauters (Plumb House, Inc.), Spencer Guerschuny (Plumb House, Inc.), Jasmine VanBrunt (Renaissance Groups) and Takara Hamilton (BPDA Monitor)

Overview:

Daniel “Danny” Moll (Allbright Realty LLC): Property located in Alston, MA. and is a residential co-living development (6 Story, 80 Units, 279 Bedrooms). Co-living is purpose-built suites where individuals rent private spaces and share common amenities. **Commissioner Watson:** Going forward, if you can provide information on M/WBEs and how you address the racial gender gap and racial wage gap in your contractor buyout process. You list logos of community partnerships and I notice YouthBuild which is near and dear to me. I’m a board member of YouthBuild. What has your engagement process been? Daniel asked Janine from the Job’s bank to speak to the community partnership. It seems there was a misunderstanding on his part as to what Commissioner Watson was speaking to which was a misleading presentation of the logos as community partners. **Commissioner Francis:** It’s the misleading of the framing of partnerships. **Daniel “Danny” Moll (Allbright Realty LLC):** I apologize if it was misleading. We have been promoting our June 22nd Opportunity Fair in collaboration with the Job’s Bank. There is definitely opportunities for those we did outreach to. **Commissioner Watson:** It’s super misleading. There’s a more rigorous process in outreach to YouthBuild and as a board member I hadn’t heard of any outreach regarding this project as I checked in preparation for this hearing. **Janine MacLaren (BRJP Job’s Bank):** The event is a hiring event and all the subcontractors participating are aware they must come prepared to hire. **Michael Hartnett (Plumb House Inc.):** Plumb House has been established for 50 years. We are not only a General Manager, but we have a labor force of 80 – 100 carpenters and are 30 – 40 short in our staffing needs (immediate and long-term). As Danny stated, there are genuine hiring opportunities. **Commissioner Watson:** Now having some clarification, It is good to see the community outreach to YouthBuild, Building Pathways, Ace Mentor Program, Builders of Color and Crew Boston to promote hiring opportunities. **Angela Williams-Mitchell (Boston Jobs Coalition):** Is the QR code accessible to all the community partners? **Danny:** The QR code is accessible to applicants at the job site and is connected to our hiring database and distributed to subcontractors. **Commissioner Watson:** Janine, my comments regarding YouthBuild was specific to this project and how it was portrayed by the Developer and not in any way to discredit the work you have done with the Job’s Bank in building relationships with YouthBuild and other community partners. Thank you to the presenters. We look forward to the review.

III. PROJECT REVIEWS

A. Northeastern EXP

Duration: 27 mins.

Present: Jacqueline Valencia (Northeastern), Catherine Walsh (Northeastern), Brooke Woodson (Suffolk), Lisa Kochilaris (Suffolk), Ronaldo Cheeks (Diversity Development), Dakota Jones (InOrder Business Development), Amy Cannistraro (J.C. Cannistraro), Brian Gentile (J.C. Cannistraro) and Manuel Barbosa (BRJP Monitor)

Project Overview:

153,545 wkhrs, 764 workers, 32 Contractors, 29%BR, 41%POC, 10%F

Manuel Barbosa (BRJP Monitor): Northeastern EXP is at 65% complete (report had 55%). 208 Boston residents have been reported and are 100% successfully verified. The current payroll submission time is 6 days. **Between the December review & the current overall participation,** the overall number of work hours increased by 161,436 hours (from 135,769 to 297,205); number of workers increased by 456 workers (from 649 to 1,105); Boston Residents performance decreased from 26% to 25%; People of Color performance decreased from 40% to 37% and Female performance increased from 8% to 9%. **Carpenters Trade improved from last BEC Meeting, December BEC to June BEC:** 23% to 29 % Boston Residents (6% increase); 50% to 52% People of Color (2% increase) and 8% to 10 % Females (2% Increase). A Corrective Action meeting was held with J.C Cannistraro in April 2022. (Letters have been attached), also McDonald Electrical Co. will be in for a corrective action meeting within the next week to discuss Boston Residency numbers. **Commissioner Watson** acknowledged the presence of Amy Cannistraro and Brian Gentile. He asked Amy if she was related to a John Cannistraro. Amy expressed that

there are 3 John Cannistraro and he is most likely referring to her father, John Cannistraro, Jr. Commissioner Watson commented that he has had some interaction with her dad via social media and is impressed by his insight into racial equity and inclusion challenges and that he has shifted the industry with JC Cannistro being racially and genderly inclusive. Amy thanked Commissioner Watson for his comments and said she would share with her father. **Ronaldo Cheeks (Diversity Development):** Amy was asked to join today's hearing to speak to JC Cannistraro's decrease in Boston Residents, People of Color and Females. **Commissioner Watson:** I want to thank Northeastern for its intentional focus to bring two diversity business consultants on (Diversity Development and In Order Business Development Solutions). I see that as a strength towards a successful outcome for this project. In regard to Cannistraro's decrease in the categories (BR, PoC, F), it's either workers not available or contractors deliberately not in compliance and is why unions need to be transparent with their workforce data. This would allow the BRJP and the BEC determine what the factors are. **Brian Gentile (J.C. Cannistraro):** The construction industry is extremely busy and labor is extremely in short supply and the lack of individuals qualifying to meet the goals is also a factor. We have been shifting individuals from other projects to try to meet the goals on this project. **Commissioner Watson:** Thank you for that insight. Workers not being available is a whole other conversation. **Amy Cannistraro (J.C. Cannistraro):** To address the limited union labor, our best faith efforts have been through our shop-hand position at our Fabrication shop in the Seaport. It is a pre-union position and a recent class of 4 shop-hand graduates was accepted into Local 17's apprenticeship program – 3 minorities and 1 female. It's a small, but significant way we are impacting the future labor pool. **Commissioner Watson:** 4 positions isn't insignificant. Appreciate those efforts. Ronaldo: Suffolk and Northeastern understand that importance as well and has instituted a number of outreach efforts. In this report we share a list of M/WBEs working on this project. **Commissioner Watson:** Brooke, can you speak to the Build with Us program Suffolk has? **Brooke Woodson (Suffolk):** It's a program that Brian McPherson started while he was at Suffolk. It is the 10th anniversary of the program and we've graduated 127 businesses to date. A cohort of 8 businesses graduated in April 2022. I'd like to give a shout out to my Alma Mater and client, Northeastern along with Ronaldo and Dakota for the coordination of those bi-weekly meetings. **Commissioner Watson:** Workforce meetings are important. I wanted to highlight the Build with Us program for others on this call who might be struggling and could benefit from utilizing Suffolk and others who are having successful outcomes. **Brooke:** Building Pathways was on site for a tour and we have another tour schedule June 27th. **Dakota:** An OSHA 10 training was held with 20 residents at WORC2. **Commissioner Watson:** As a "girl dad", I was pleased to see that a Girl Scouts Troop was brought to the site. Early exposure is important for them to see women in construction and see an opportunity for themselves (referred to earlier presentations female Project Manager, Bethany Townsend, ZVI Construction). The women participation on this project at 16% Electricians, 16% Plumbers and 10% Carpenter – 9% overall is a good reflection. **Brooke:** Our Rebuild the Ratio Initiative. 28% of Suffolk's internal workforce is women. Shout out to Lisa Kochilaris (Suffolk), Jacqueline Valencia (Northeastern) and Catherine Walsh (Northeastern). **Commissioner Watson:** Thank you for this presentation.

B. Seaport Block L5

Duration: 15 mins

Present: Mike Cusic (WS Development), Amy Prange (WS Development), Genci Leno (Turner Construction), Doug Neuschafer (Turner Construction), Amanda DiLando (Turner Construction), Julia Gagnon (Turner Construction) and Pamela Ruffo (BRJP Monitor)

Project Overview:

39,575 wkhrs, 181 workers, 9 Contractors, 35%BR, 36%POC, 12%F

Pamela Ruffo (BRJP Monitor): This project's BEC special presentation was on 11/17/21. **A. A. Will** the 1st largest subcontractor onsite had committed to improving their previous BRJP workforce history on this project and is leading with strong workforce participation of 43% Resident, 46% POC & 16% Female participation. The Equipment Operators trade is holding them back from higher Resident hours due to only 2 out of the 25 operators are resident, but they employ 4 female operators which is hard to achieve with lack of female operators employed in Local 4 Operators Union. **East Coast Slurry, Co** the 2nd largest subcontractor onsite has completed their scope of work onsite as of 10/04/2021 finished over all with only 27% Resident, 31% POC & 13% Female. Their overall low resident participation was due to Equipment Operators resident performance was 0%. However they did accomplish 53% resident performance in Piledrivers trade & 33% resident performance in Laborers trade. Their overall Female participation of 13% exceeds the 12% BRJP Female goal. **Turner Construction** the 3rd largest

subcontractor onsite is starting off slow with only 24% Resident, 4% POC & 0% Female. They are committed to achieving their previous strong BRJP history of workforce compliance on this project once they increase their crew size. And they went above & beyond last week they hired a Resident, POC Female carpenter apprentice from the Build It pre-apprenticeship training program at Minuteman Tech in Lexington. Attached is Turner Construction's list of programs that they are working with to assist in building a stronger diversified pipeline in the construction trades: ACE Mentor Program, Building Pathways, Build a Life That Works, Mass Girls in Trades, Operation Exit, Policy Group on Tradeswomen's Issues, Wentworth RAMP. **Laborers** are the #1 largest trade onsite with strong workforce diversity of 51% Resident, 36% POC & 13% Female. **Turner Construction** has created a strong working relationship with Laborers Local 223 and the Business Agents has attended the Pre Con meetings. **Piledrivers** are the 2nd Largest trade onsite with strong workforce diversity of 45% Resident, 52% POC & 14% Female, which exceeds the BRJP 12% female goal is outstanding since this trade struggles with female participation due to the type of work that is required. **Carpenters** are the 4th largest subcontractor onsite that is struggling with low workforce diversity 0% Resident, 1% POC & 0% Female due to the small crew of carpenters onsite on a given day. Turner Construction & Rile Rhodes the Business Agent for the carpenters union will be working together again to ensure that the carpenters participation improves going forward. **BRJP Recommendations:** Continue to closely monitor the newer subcontractors onsite that they are being pro-active on any workforce issues prior to increasing their work crews; Continue to encourage subcontractors deficient in any category, to take steps to make improvements by building a relationship with their Business Agent or providing information about pre-apprenticeship programs, such as Building Pathways and Youth Build. **Commissioner Watson:** I concur with your recommendations. By way of a comment, we need to move to a place when small crews of 2/3 people are 3 people of color and 2 women. AA Will's numbers are impressive (43% "BR, 46%PoC and 16%F). Any additional insight on why it worked for them? **Pam:** There was a focus. Shelley Webster (InOrder Business) was great in her commitment. BRJP also, emphasizes that we look at subcontractors' past performance history and the importance of taking that into consideration. The top 5 subcontractors will make or break a project and they were mindful of their accountability in that regard. **Commissioner Watson:** Apparently some locals do gender data. Out of 25 members 2 are women? **Pam:** Not in the union. Out of the 25 Equipment Operators employed by AA Will, 4 are women and 2 are Boston residents. **Commissioner Watson:** I'm surprised at the Carpenter numbers (1%BR, 0%PoC and 0%F). I know Rile Rhodes is an active Business Agent. Is that the case here? Do you expect those numbers to increase? **Pam:** Riles is great! He's always available and keeps me up to date. When more subs that employ carpenters are brought in that will improve the numbers. **Genci Leno (Turner Construction):** I see Riles once a week. This project started in July with numbers badly skewed with 1 foreman and 1 steward (2 white men). The project is starting to pick up. We deliberately sponsored a female apprentice, just out of school, to get into the union. **Commissioner Watson:** Most of workforce compliance is separating excuses from reasons and I appreciate your explanation. Pam thank you for your thorough report.

C. MGM Music Hall/Fenway Theater

Duration: 13 mins.

Present: Jonathan Lister (Redsox Nation), Claire Durant (Redsox Nation), Michael Lamphier (JLL), Nathan Burnham (Gilbane Building Co.), Peter Oggeri (Gilbane Building Co.) Danielle Skilling (Gilbane Building Co.) and Stacey Watson (BPDA Monitor)

Project Overview:

317,221 wkhrs, 875 workers, 29 Contractors, 21%BR, 35%POC, 8%F

Stacey Watson (BPDA Monitor): A corrective action meeting was held on April 7th. We discussed making sure all residents on site were verified. We have 95% resident verified to date. We also discussed time sheet issues with Kone and they are now up to date on this project. I spoke to contractors and they are working on providing more residents and females on site. Weekly Submission Rate 7 business days. Boston Resident Verifications (95%). Workforce Request Forms (0). Best Faith Efforts were submitted by all Subcontractors that were not in compliance. **Commissioner Watson:** Given Manafort and NER did not do well on previous jobs, what was the rationale in bringing them to this project? Was price a factor? **Nathan Burnham (Gilbane Building Co.):** Manafort has an eye to identify and retain. In regards to NER, I won't say price wasn't a factor and I can't point to anything specific. Shame on me for not being aware of their past performance. Going forward, I will be more pro-active to assess past performance. **Commissioner Watson:** Thank you for the thoughtfulness of your answer.

IV. BEC Commissioners' Follow-up Requests/Concerns

- Regarding Orient Heights Phase 3 follow-up from May 18, 2022 BEC Hearing, Dimeo submitted the requested written information. Per Commissioner Watson's question regarding DJ Plumbing & Heating's outreach to Business Agent Barry Keady (Local 12 Plumbers), it was noted that their communication has been with Business Agent, Rick Carter.

V. SANCTIONS:

Duration:

- No Updates

VI. DIRECTOR'S REPORT:

Duration: 9 mins.

Christopher Brown (BRJP Manager):

The State's Moratorium on Virtual Meetings expired July 15, 2022. There is a possibility virtual meeting will be extended. We anticipate that it will be extended and will inform whether the upcoming July BEC meeting will be virtual or in-person through public notice.

Janine McLaren (BRJP Jobs Bank Coordinator): The City of Boston's Job's Banks has partnered with Mass Hire and Renaissance Groups Diversity Consulting for a Jobs Fair to be held on June 22, 2022, 4pm – 6pm at the Bolling Building in Nubian Square, Roxbury, MA. 30 Contractors have registered for the event. We are hoping for participation from YouthBuild Boston, Building Pathways, Bfit and NCTE and various locations of MassHire will be bringing job seekers. I'm hoping the event will be well attended and look forward to future events.

Commissioner Carlos Espinoza-Toro: After serving 2yrs on the Commission, I will be transitioning out and providing an opportunity for someone else to serve on this important Board. I'm grateful to all the Commissioners I have served with and all that I have learned from you and the various aspects of the BEC's oversight. Impact is difficult to measure; however, I hope that my contribution has helped strengthen the bold work of my fellow Commissioners to move the needle forward. I will bring with me that I have learned here and continue to advocate for workforce development as it relates to racial equity and inclusion. I will not be a stranger as I still live in Boston and am very involved in community. **Commissioner Watson:** It's been an honor serving with you. Your approach has been appreciated in your humility to learn and share. Your life changing work with JPND with small businesses has been impactful and I respect you. **Commissioner Dr. Francis:** I appreciate your diligence to push the Commission to think differently regarding record keeping and tracking. That impact will move and advance our work for those who come behind us. Thank you. **Christopher Brown (BRJP Manager):** The BRJP staff thanks you for your service, as well. As you said, the impact or changes may not be evident immediately, but there have been changes and we appreciate your time and service and wish you well in your future endeavors and your new job.

Commissioner Watson asked for a motion to accept the Director's report and adjourn the meeting. Commissioner Francis moved to accept the Director's report and adjourn the meeting. Commissioner Espinoza-Toro 2nd and all approved.

Meeting adjourned: 2:52pm