



Boston City Council
Ruthzee Louijeune
City Council President

MEMORANDUM

DATE: Monday, June 23, 2025
TO: City Councilors
FROM: City Council President Ruthzee Louijeune
SUBJECT: Boston City Council Rule 5

Question Presented

How does Rule 5 of the Boston City Council Rules apply to hearing orders or resolutions that call for a specific employment action or express support for a particular City employee?

Filings Should Have a Direct Bearing on the Business of the Council

This term, the Boston City Council has thus far considered and deliberated on two resolutions regarding individual employment matters with the City of Boston. Yet Rule 5 exists to ensure that matters brought before the Boston City Council have a direct bearing on the Council's legislative business. Rule 5 authorizes the Chair to halt further consideration of any motion, order, or resolution that "in the opinion of the presiding officer does not have a direct bearing on the business of the council." The rule is not a limitation on what a Councilor may file, but a mechanism for ensuring that the Council's agenda remains focused on matters within the Body's purview. The Rule's purpose is not to foreclose expression, but to maintain the appropriate scope of Council deliberation.

Individual Employment Disputes Shall Be Deemed Out of Order

Filings concerning individual personnel disputes (such as specific allegations of retaliation, promotions, demotions, denials of accommodations, or disciplinary actions) are outside the Council's jurisdiction and should not be further considered. Section 17G of the Charter excludes individual personnel matters from the Council's authority, as it prohibits the Council's involvement in the employment of labor, conduct of the executive or administrative business, and the appointment or removal of city employees on behalf of the City. Additional State Law also specifically excludes the Council from the employment relationship with regards to collective bargaining agreements. Public adjudication of individual personnel matters through the City Council's legislative process potentially exposes the City to litigation and can compromise employment resolution processes—without producing any enforceable result as the City Council does not bear authority over these matters.



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Rule 5 does not preclude the Council from considering general employment policy issues (e.g., labor conditions, employee benefits policies, workplace protections etc.) or acting on individual-based Home Rule Petitions concerning disability pensions, age waivers, and other matters where Council authority is clearly established by law or explicitly granted in the City Charter. The Council has meaningful and appropriate jurisdiction over general workforce policy, including but not limited to: workplace safety standards, hiring policies, disability retirement petitions, preventing all forms of discrimination, and employment protections. These are issues that affect categories of workers and can be directly addressed through the work of the Body via ordinances, home rule petitions, appropriation approvals etc.

Rule 5 does not prevent Councilors from voicing support, concern, or requesting information through other channels.

Conclusion

Rule 5 exists to ensure that the business conducted by the Boston City Council is within its jurisdiction and purpose as a legislative body. It is important that the Boston City Council asserts its authority, as demonstrated, for example, over the last few years by the use of the budgetary amendment powers. However, resolutions and/or hearing orders regarding specific employment action related to an individual's employment with the City of Boston do not advance legislation, impact policy, or lead to an outcome within the Council's control. As such, as the Chair I have determined that moving forward such filings are not appropriate for consideration and rule them out of order in accordance with Rule 5.