



# BOSTON CITY COUNCIL

Committee on Government Operations  
Gabriela Coletta Zapata, Chair

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One City Hall Square 5<sup>th</sup> Floor, Boston, MA 02201 ♦ Phone: (617) 635-3040 ♦ [city.council@boston.gov](mailto:city.council@boston.gov)

## REPORT OF COMMITTEE CHAIR

December 6, 2024

Dear Councilors,

The Committee on Government Operations was referred the following docket for consideration:

***Docket #1347 Ordinance establishing the Office of Labor Compliance and Worker Protections.***

This matter was sponsored by Councilors Benjamin Weber, Brian Worrell, and Julia Mejia and referred to the Committee on September 11, 2024.

***Summary of Legislation***

***Docket #1347*** is an Ordinance aimed at strengthening worker protections in Boston by codifying the Office of Labor Compliance and Worker Protections (OLCWP). The Office shall be responsible for enforcing labor standards, protecting and advancing workers' rights across the city, and providing oversight for labor-related programs and policies in the city. The Office shall aim to ensure equitable treatment of workers, enhance access to city programs and services, and educate employers and employees about relevant labor standards.

The Office shall be under the charge of an Officer appointed by the Mayor who shall have several key responsibilities, including researching local, state, and federal labor laws and enforcement strategies to address challenges faced by workers, advising the Mayor on policies to support workers, and coordinating public policies, programs, and services that affect workers in Boston. This Office shall also ensure adherence to reporting requirements and perform other duties to support the Office's mission.

Pursuant to this Ordinance, as filed, the Office would consist of three (3) divisions: The Fair Wage Division, to ensure compliance with wage laws including Boston's Living Wage and Prevailing Wage Ordinances, by investigating complaints and collaborating with the Massachusetts Attorney General's Office; The Boston Residents Jobs Policy Office to oversee compliance with the Boston Residents Jobs Policy for applicable projects; and the Boston Employment Commission to monitor and enforce employment-related policies as defined in the Boston Municipal Code.

***Information Received at Working Session***

The Committee held a working session on Monday, November 25, 2024. On behalf of the Administration, the Committee was joined by Jodi Sugerman Brozan, Deputy Chief of Worker Empowerment, and Monique Mitchell, Senior Program Director for Living Wage and Wage Theft within the Office of Labor Compliance and Worker Protections (OLCWP).

The Administration provided insights and guidance on the Ordinance, detailing that within the Worker Empowerment Cabinet, the OLCWP was created to uphold and promote labor standards and policies for workers. The office oversees key ordinances such as the Boston Residents Job Policy (BRJP), Living Wage and Prevailing Wage Ordinance (LWO), Boston Wage Theft Executive Order, and the Construction



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and Demolition Safety Ordinance. These policies ensure equitable hiring practices, livable wages, wage theft accountability, and safe construction practices. The Boston Residents Job Policy (BRJP) mandates that all private development projects over 50,000 square feet, as well as any public development projects, allocate 51% of work hours to Boston residents, 40% to workers of color, and 12% to women. The Boston Jobs, Living Wage, and Prevailing Wage Ordinance (LWO) was established to ensure livable wages in Boston. As of July 2024, the living wage is set at \$18.20 per hour. The Boston Wage Theft Executive Order requires contractors to disclose any previous wage or labor violations during the bidding process. Lastly, the Construction and Demolition Safety Ordinance prioritizes safe construction practices by collaborating with building inspectors to develop enforcement tools and procedures. While each ordinance has additional detailed provisions, the OLCWP's overarching goals for FY25 include ensuring compliance, conducting educational outreach, and advancing the Worker's Rights and Safety Initiative.

Councilors proposed mandating an annual comprehensive report from the entire Cabinet—not limited to the office—prior to the Council's budget hearing. This report would detail the office's monitoring efforts, compliance audits, and outreach activities, providing a thorough overview of its initiatives and impact.

The Administration expressed being in favor of the proposed Ordinance seeking to strengthen the work of the OLCWP by formally codifying the office.

## ***Summary of Amendments***

The Ordinance as filed was amended by striking language under ***Section 24-15.1 Purpose & Section 24-15.2 Duties of the Office*** related to the designated Officer of the Office as well as the Office divisions. Further, amendments were made to ***Section 24-15.2 Duties of the Office*** and ***Section 24-15.2 Office Responsibilities*** to include additional language regarding wage theft, the enforcement of other related City policies and Office responsibilities. Finally, a new section ***24-15.4 Office of Labor Compliance and Worker Protections Advisory Council*** was added to review the effectiveness of the Office of Labor Compliance and Worker Protections and provide recommendations to enhance its functions.

## **Section 24-15.1 Purpose**

The Ordinance as filed was amended to strike language naming the designated Officer of the Office "Deputy Chief."

## **Section 24-15.2 Duties of the Office**

The Ordinance as filed was amended to: strike language establishing three 3 divisions of the Office and include the following into a new draft:

*The Office shall be responsible for overseeing and coordinating the enforcement and implementation of City policies, laws, regulations, and ordinances related to working conditions, worker empowerment, worker protections, work-related benefits and rights, equitable employment opportunities, wage theft, and workplace safety. The Office shall implement and provide oversight of the City's Wage Theft Prevention activities; the Boston Residents Jobs Policy (BRJP); the Boston Jobs Living Wage and Prevailing Wage Ordinance; and the Construction and Demolition Safety Ordinance.*

## **Section 24-15.2 Office Responsibilities**



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The Ordinance as filed was amended under to include the following additional language into a new draft:

*Organize, manage, or otherwise track reporting requirements included in all City policies, laws, regulations, and ordinances that the Office is responsible for enforcing and ensure that such data is publicly available;*

*Perform community outreach to accomplish its goals;*

*Receive, address, and/or refer complaints regarding workplace issues including but not limited to wage theft, discrimination, and workplace safety;*

*The Office may take on additional responsibilities and duties related to and advancing the purposes of this Ordinance at the request of the Mayor.*

## **24-15.4 Office of Labor Compliance and Worker Protections Advisory Council**

Finally, the Ordinance as filed was amended to include the following new section that modifies the existing Living Wage Advisory Committee by replacing it with the Office of Labor Compliance and Worker Protections Advisory Council and revising its structure and duties as follows:

### ***24-15.4 Office of Labor Compliance and Worker Protections Advisory Council***

#### ***1. Repeal of the Living Wage Advisory Committee.***

*As a companion ordinance to the Boston Jobs, Living Wage and Prevailing Wage Ordinance (Chapter XXIV) and to further efficiency, the Living Wage Advisory Committee established under Chapter XXIV Section 24-8, is hereby repealed and shall be replaced by the Office of Labor Compliance and Worker Protections Advisory Council.*

#### ***2. Purpose.***

*In addition to the purpose and duties listed in Chapter XXIV 24-8, the purpose of the Office of Labor Compliance and Worker Protections Advisory Council shall be to review the effectiveness of the Office and to make recommendations from time to time in connection therewith.*

#### ***3. Composition and Term.***

*Upon the completion of the three-year term of service of the members of the Living Wage Advisory Committee, the Mayor shall appoint members of the Office of Labor Compliance and Worker Protections Advisory Council. Members of the Living Wage Advisory Committee may continue to serve on the Office of Labor Compliance and Worker Protections Advisory Council at the Mayor's discretion. The Advisory Council shall be comprised of seven (7) members who shall be appointed by the Mayor as follows:*

*A. One (1) member of the Committee shall be a labor union member*



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*appointed by the Mayor from a list of three (3) nominees recommended by the Greater Boston Labor Council;*

- B. One (1) member shall be appointed by the Mayor from a Boston Worker Center;*
- C. One (1) member shall be from the Greater Boston Chamber of Commerce appointed by the Mayor from a list of three (3) nominees recommended by the Chamber;*
- D. One (1) member shall be appointed by the Mayor from a university-based labor research or advocacy organization such as UMass Boston's Labor Resource Center or the Center for Labor and a Just Economy at Harvard Law School;*
- E. One (1) member shall be appointed from a list of three (3) nominees recommended by the Boston City Council President; and*
- F. Two (2) members shall be at-large members appointed by the Mayor.*

*Each member of this committee shall serve a three (3) year term.*

### **3. Meetings and Annual Report.**

*The Office of Labor Compliance and Worker Protections Advisory Committee shall meet biannually and issue an Annual Advisory Report to the Mayor including comments on the performance of the Office and any recommendations for fulfilling its purpose. Upon receipt of a report issued pursuant to this section, the Mayor shall promptly submit it to the City Council.*

### **Committee Chair Recommended Action**

As Chair of the Committee on Government Operations I recommend moving the listed docket from the Committee to the full Council for discussion and formal action. At this time, my recommendation to the full Council will be that this matter **OUGHT TO PASS IN A NEW DRAFT.**

Gabriela Coletta Zapata, Chair  
Committee on Government Operations