

Springfield construction hiring rules go beyond 'lip service' on diversity, union leader says

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SPRINGFIELD — The City Council and Mayor Domenic J. Sarno approved a newly revised ordinance this week that requires contractors on public construction projects to meet minimum hiring requirements for women, minorities, veterans and city residents.

The Responsible Employer Ordinance was approved by unanimous vote of the council and signed by the mayor after years of discussion and the city's decision to hire a two-person compliance unit to help ensure the ordinance is enforced.

"I'm very excited," said Councilor Melvin Edwards, who chaired the council's REO Committee. "I'm appreciative of the mayor and his administration. This has been a long, long journey."

The ordinance is for public construction projects in excess of \$500,000, including such taxpayer-funded projects as new schools and major road reconstruction. There were discussions of having the project cost limit set lower or higher, but the council and mayor agreed on the \$500,000 figure, Edwards said.

Under the ordinance, contractors are required to provide employment of at least 35 percent of total project hours to Springfield residents. The contractors must provide employment of at least 20 percent to minorities, at least 6.9 percent to women, and at least 5 percent to veterans, the ordinance states.

A Responsible Employer Ordinance Monitoring Committee, consisting of three mayoral appointees and two council appointees, will monitor compliance with the hiring requirements.

Contractors will be responsible for maintaining a monthly compliance log and providing related documentation, the ordinance states. Each contractor must track all of its subcontractors.

If the contractor "has failed to comply with the compliance thresholds, and has failed to show or document satisfactory efforts to the Monitoring Committee," the city can impose penalties or a combination of penalties, the ordinance states. The penalties include a cease-and-desist order to stop the project, withholding payment until there is compliance and permanent removal from any work on the project, the ordinance states.

Jason Garand, business manager for Local 336 of the New England Regional Council of Carpenters, said he is excited that “possibly for the first time, the city has a real Responsible Employer Ordinance.” The ordinance was strengthened as waivers were removed and the focus was placed on the general contractor for compliance, he said.

A key to its success is that the city will have two people in the compliance department "that will ensure that the contractors who bid on city projects no longer just give lip service to the requirements," Garand said.

A second key is the city’s ability to enforce the ordinance through strong sanctions, Garand said.

The union was a regular participant in the REO discussions, officials said. The development of the ordinance was a “team effort” including the support of the mayor, council, and city department officials, Garand said.

There was a diversity study led by researchers from the University of Massachusetts Boston that backs the enforcement powers, city officials said. The study described deficiencies in the hiring of women, minorities, and residents working on city-owned projects, including that “qualified and interested women are extremely underutilized.”