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June 12, 2008

**REPORT OF THE COMMITTEES ON LEGISLATIVE MATTERS
AND FINANCE**

The Committee on Legislative Matters and the Committee on Finance convened in Joint Session on June 12, 2008 with Chairmen Thomas Taylor and Maryann Heuston presiding and Committee Members Aldermen John Connolly, Bruce Desmond, Walter Pero, Rebekah Gewirtz, Robert Trane and Dennis Sullivan also present and voting. Also present were Alderman William White, Chief of Staff Michael Lambert, Purchasing Director Rositha Durham, City Solicitor John Gannon, Assistant Solicitor Matthew Buckley, Assistant Solicitor Robert Collins, Stephen Mackey from the Chamber of Commerce and several labor representatives and members of the public.

Responsible Employer Ordinance:

Ms. Durham provided the information requested at the last meeting by reporting that there were 27 union contractors and 84 non-union contractors involved with the Argenziano School project. She also provided information on the caps.

Chairman Taylor stated that it's important for the Administration to adopt a policy that includes the city's Trade School in the apprenticeship program.

Alderman Connolly asked for the information he requested at the last meeting, (due to remarks by the Administration referring to irresponsible behavior of non-union contractors), regarding contractors who had skirted their contractual responsibilities and was told that the information was not available.

Alderman White made a point of information that the proposed revisions were only suggested and that the document being voted on is the original version. Chairman Taylor read the suggested revisions into the record and made a motion to accept them thereby amending the original proposed ordinance. Alderman Gewirtz stated that this is not a union/non-union issue, but more of a statement that companies doing work within the city treat their employees fairly. Chairman Heuston stated that she is opposed to the suggested revisions. Alderman Sullivan expressed his concern with possible loopholes that might be available to contractors if the suggested revisions are adopted.

Alderman Connolly pointed out that the city has the ability to make sure that city contractors are treating their workers fairly. He emphasized the fact that the purchasing department will be hiring a new staff member who will deal exclusively with construction contracts. Alderman Connolly stated that he would like to ensure that all contractors have the ability to bid on city contracts and does not want to limit the bidding process to union shops exclusively.

Chairman Heuston stated that there is no evidence that approving the REO will result in increased expenses to the city. Alderman White referred to a situation in Lynn in which an REO has resulted in increased construction costs.

Chairman Taylor's motion to accept the suggested revisions failed on a Roll Call vote of 4 in favor to 4 against and 0 absent.

Alderman Desmond inquired as to the quote "applicable craft" in paragraph b, section 3 of the proposed REO and how it impacts the health insurance plans of bidding contractors. He is concerned that this language is an attempt to limit the bidding process to union shops and he also fears that non-union shops may not have access to the information required to comply with the health insurance requirements of the "applicable craft". Chairman Taylor pointed out that if the REO is approved this evening and the Board of Aldermen is not happy with the results, it always has the power to amend it in the future. Alderman Desmond discussed the fact that the proposed REO at issue has language that is inconsistent with legislation passed by the Massachusetts House of Representatives. Mr. Gannon pointed out that the language in the proposed REO is modeled after several other cities and towns in Massachusetts and noted that the language in the proposal exceeds the state requirements. Alderman Desmond reiterated his concerns that the REO will limit the number of contractors allowed to bid. Mr. Gannon discussed further revisions to address the concerns regarding health insurance requirements.

Alderman Taylor moved to adopt the further revisions and read them into the record. Motion passed with on a Roll Call vote of 5 in favor to 3 against and 0 absent.

Motion by Alderman Taylor to approve the ordinance with the amendments made this evening by John Gannon. Motion passed with on a Roll Call vote of 6 in favor to 2 against and 0 absent.

The committee discussed matters before it and took action on the following item:

182940: Ordinance - By Ald. Roche, Sullivan, Trane, Heuston, Desmond and O'Donovan and Mayor Curtatone, Proposing the "Responsible Employers Ordinance"

RECOMMENDATION: Should be approved

VOTE: Roll Call Vote: 6 in favor, 2 against and 0 absent.

Alderman Thomas F. Taylor, Chairman
Committee on Legislative Matters

Alderman Maryann Heuston, Chairman
Committee on Finance

COMMITTEE REPORT

Report of the Committees on Legislative Matters,
and Finance meeting in Joint Session, June 12,
2008

In Board of Aldermen

Clerk