**BOSTON RESIDENCY COMPLIANCE COMMISSION**

**OFFICE OF HUMAN RESOURCES**

**Boston City Hall, Room 612**

**Boston, MA 02201**

**Martin J. Walsh, Mayor**

**(617) 635-3379 \* Fax (617) 635-2950**

**MINUTES**

**MEETING DATE: 2/04/2021**

**MEETING LOCATION: *Google Meet (Virtual Meeting due to COVID-19)***

**MEETING TIME:** *9****:15AM (9:25-10:29)***

**MEMBERS PRESENT:**

Frank Doyle – Chair (late arrival), Vivian Leonard, Kenneth Ryan, Denise Williams Harris, Blanca Tosado

Members Absent: Eileen Boyle, Councilor Anissa Essaibi George

**OTHERS PRESENT:** Michael Kerr – OHR, Ellen Ferry, & Joanne Wisniewski – OHR Staff

**Review and Approval of Minutes from Previous Meeting:**

January Minutes approved as presented.

**Discussion of Residency Commission Business Forms, Documentation & Procedures:**

**Annual Residency Compliance Update and Report:**

12 outstanding employees; 9 are within the same department.

Staff is looking to schedule hearings; proposing 2/11-2/12 or 2/17-2/18. Staff is also proposing to schedule Boston Transportation Department first as they are one union. Then moving the remaining employees to another day. Staff is proposing an hour for each meeting, since bulk are union employees, and may want representation.

2/11/2021 – hearing tentative date 9:30 start date, an hour for each employee straight through.

2/12/2021 9:30 start date - second hearing date for 3 final employees.

Both hearings dates will open at 9:00 for commission discussion with deliberations occurring either at the conclusion of the hearing, or the end of the hearing day, whichever is more efficient.

Review of basic hearing outline:

Original hearing officer – Chair, with OHR Staff acting was prosecution. Laid out case, then allowed employee with Union Representation to present their case. Then the Commission was able to ask any questions. Once questioning concluded, the Employee and Union Representation left the room, the Commission took up deliberations, then concluded with Employee and Union Representation. The Commission approves of this structure, as this is a clean process

Question from staff on recording? Hearing should be recorded, however not the deliberation. Minutes of the deliberation should be kept.
Question on termination? Does this have to be a majority or unanimous. Chair will review the ordinance to clarify, however it is believed to be a majority.

Role assignments:

Chair Doyle will be hearing officer

Michael Kerr will present evidence

Ellen Ferry will note take.

Question regarding any common reasons why people are not complying? Answer from staff: no, there is no common thread.

Chair proposes a statement from the department in terms of assistance provided. Staff has this already documented and will read this into the record during the hearings.

Question from staff – does OLR need to be present re: Union hearings? OLR does not need to appear at the hearings, however they were aware of the hearing.

Hearing is public; logistics need to be worked out. Chair recommends testing mechanics amongst staff to ensure this works.

Hearing template needs to include accommodation language and notice of recording.

2021 Residency Compliance – as there is the State Ethics requirement, we need to be cognizant of launch date. Commission is looking to close out 2020 Annual Compliance by February 26th.

Staff is planning to launch 2021 Annual Compliance in early March, 2021.

**Data/Information Requests: None**

**Investigator’s Report: 2020-184 – D. Chan**

While the Commission was looking to resume investigation into this once ‘normal’ operations resume, considering current working situations, a new letter was submitted which includes town of Weymouth property information showing the person in question owns/lives at the property.

Commission is still holding off until April, considering the current environment.

**New Business:**

The Chair recommends Staff and the Commission should be cognizant of the new Mayor, the candidates running for Mayor, COVID, etc.

**DECISIONS/NEXT STEPS/VOTES:**

* Vote to approve Minutes from January 2021 as presented: Moved by Blanca Tosado; Seconded by Denise Williams Harris - Approved 4-0
* Motion to close 2020 Annual Compliance by 2/26/21 and Launch 2021 Annual Compliance by early March: Moved by Blanca Tosado; Seconded by Vivian Leonard – Approved 4-0
* Motion to Adjourn: Moved by Denise Williams Harris; Seconded by Vivian Leonard: – Approved 4-0

**DOCUMENT LIST:**

Documents received: None

*Next meeting – March 4. 2021*

**Prepared By**

**COMMISSION STAFF:**

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**Reviewed and Approved By**

**CHAIR:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**DATE:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

NOTE: These minutes are to be considered draft unless signed by the Commission Chair and Staff.