



Legislation Details (With Text)

File #: 21-0039 **Version:** 0 **Name:** Local Hiring - Employment Plan
Type: Ordinance **Status:** Enacted
File created: 2/8/2021 **In control:** Baltimore City Council
On agenda: **Final action:** 10/18/2021
Enactment date: **Enactment #:** 21-045

Title: Local Hiring - Employment Plan
For the purpose of requiring certain contractors to create and submit to the Director of the Department of Finance initial employment plans to bid on government-assisted construction projects or contracts that receive government assistance totaling \$5 million or more; requiring the Director of the Department of Finance to score the bids using the Director’s evaluation of the employment plan as 10% of a bidder’s score; requiring the winning bidder to submit a revised employment plan to the Director of the Department of Finance with certain criteria; and conforming related provisions.

Sponsors: Robert Stokes, Sr., President Nicholas J. Mosby, Isaac "Yitzy" Schleifer, Mark Conway, Eric T. Costello, Antonio Glover, Sharon Green Middleton, Phylicia Porter, James Torrence, Odette Ramos, Zeke Cohen, John T. Bullock

Indexes: Local Hiring

Code sections:

Attachments: 1. 21-0039~1st Reader, 2. Law 21-0039, 3. Finance 21-0039, 4. MOED Bill 21-0039, 5. Final Synopsis 21-0039, 6. XX Hearing Notes 21-0039 4 15 21, 7. xxFinal Synopsis - WORK SESSION 5 6 21, 8. XX Hearing Notes 21-0039 WORK SESSION 5 6 21, 9. XX Final Synopsis 21-0039 Work Session 6 24 21, 10. XX Final Hearing Notes Work Session 21-0039 6 24 21, 11. 2nd Reader Amendments 21-0039, 12. 2nd Reader Floor Amendments 21-0039, 13. 21-0039 Signed, 14. Complete Ordinance 21-0039

Date	Ver.	Action By	Action	Result
11/1/2021	0	Mayor	Signed by Mayor	
8/16/2021	0	Baltimore City Council	Approved and Sent to the Mayor	
7/19/2021	0	Baltimore City Council	3rd Reader, for final passage	
7/19/2021	0	Education Workforce and Youth	Recommended Favorably with Amendment	
6/24/2021	0	Education Workforce and Youth	Recommended Favorably with Amendment	Pass
6/8/2021	0	Education Workforce and Youth	Worksession	
5/6/2021	0	Education Workforce and Youth		
4/19/2021	0	Education Workforce and Youth	Worksession	
4/15/2021	0	Education Workforce and Youth		
4/5/2021	0	Education Workforce and Youth	Scheduled for a Public Hearing	
3/22/2021	0	Education Workforce and Youth	Scheduled for a Public Hearing	
2/11/2021	0	Baltimore City Council	Refer to Dept. of Finance	
2/11/2021	0	Baltimore City Council	Refer to City Solicitor	
2/11/2021	0	Baltimore City Council	Refer to Mayor's Office of Employee Development	

2/8/2021	0	Baltimore City Council	Assigned
2/8/2021	0	Baltimore City Council	Introduced

Explanation: Capitals indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* **Warning:** This is an unofficial, introductory copy of the bill.
The official copy considered by the City Council is the first reader copy.

Introductory*

City of Baltimore Council Bill

Introduced by: Councilmember Stokes and President Mosby
A Bill Entitled

An Ordinance concerning

Local Hiring - Employment Plan

For the purpose of requiring certain contractors to create and submit to the Director of the Department of Finance initial employment plans to bid on government-assisted construction projects or contracts that receive government assistance totaling \$5 million or more; requiring the Director of the Department of Finance to score the bids using the Director's evaluation of the employment plan as 10% of a bidder's score; requiring the winning bidder to submit a revised employment plan to the Director of the Department of Finance with certain criteria; and conforming related provisions.

By re-numbering current

Article 5 - Finance, Property, and Procurement
Section 27-8, 27-9, and 27-10 to 27-9, 27-10, and 27-11, respectively
Baltimore City Code
(Edition 2000)

By adding

Article 5 - Finance, Property, and Procurement
Section 27-8
Baltimore City Code
(Edition 2000)

Section 1. Be it ordained by the Mayor and City Council of Baltimore, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 5. Finance, Property, and Procurement

Subtitle 27. Local Hiring

§ 27-8. Employment plans.

(a) *Definitions.*

(1) *In general.*

In this section, the following terms have the meanings indicated.

(2) *Director*.

“Director” means the Director of the Department of Finance or the Director’s designee.

(3) *Economically disadvantaged individual*.

“Economically disadvantaged individual” has the meaning stated in State Finance and Procurement Article _ 14-301.

(4) *Socially and economically disadvantaged individual*.

“Socially and economically disadvantaged individual” has the meaning stated in State Finance and Procurement Article _ 14-301.

(5) *Socially disadvantaged individual*.

“Socially disadvantaged individual” has the meaning stated in State Finance and Procurement Article _ 14-301.

(b) *Initial employment plan*.

(1) Bids and proposals responding to a solicitation to be a beneficiary under this subtitle must include an initial employment plan outlining the bidder’s strategy to:

- (i) meet the local hiring requirements of this subtitle; and
- (ii) hire economically disadvantaged, socially disadvantaged, and socially and economically disadvantaged individuals.

(2) An initial employment plan submitted under this section must be evaluated and scored by the Director based on the criteria listed in paragraph (3) of this subsection, and the evaluation will be worth 10% of the overall score of the bid or proposal.

(3) An initial employment plan must include the following:

- (i) descriptions of the health and retirement benefits provided to employees who worked on any of the bidder’s past 3 completed projects or contracts;
- (ii) a description of the bidder’s efforts to provide City residents with ongoing employment and training opportunities after they complete work on the job for which they were initially hired;
- (iii) a detailed description of the bidder’s efforts to hire and retain at least 50% of its total workforce those who constitute economically disadvantaged, socially disadvantaged, and socially and economically disadvantaged individuals.

(c) *Revised employment plan*.

The winning bidder must submit a revised employment plan that includes the following information to the Director for approval prior to beginning work associated with the relevant government project or contract:

- (1) a projection of the total number of hours to be worked on the project or contract by trade;

- (2) a projection of the total number of hours of work by journeymen, by trade, to be worked over the course of the project or contract and the total number of hours of work by journeymen, by trade, to be worked by City residents;
- (3) a projection of the total number of hours by apprentices, by trade, to be worked over the course of the project or contract and the total number of hours by apprentices, by trade, to be worked by City residents;
- (4) a projection of the total number of hours by skilled laborers, by trade, to be worked over the course of the project or contract and the total number of hours by skilled laborers, by trade, to be worked by City residents;
- (5) a projection of the total number of hours by non-skilled laborers to be worked over the course of the project or contract and the total number of hours of non-skilled laborers to be worked by City residents;
- (6) a projection of the total number of hours to be worked over the course of the project or contract by:
 - (i) employees who constitute economically disadvantaged, socially disadvantaged, and socially and economically disadvantaged individuals; and
 - (ii) City residents who constitute economically disadvantaged, socially disadvantaged, and socially and economically disadvantaged individuals;
- (7) a timetable outlining the total hours worked by trade over the entire project or contract and an associated hiring schedule;
- (8) descriptions of the skill requirements by job title or position, including industry-recognized certifications required for the different positions;
- (9) a strategy to fill the hours required to be worked by City residents pursuant to this subtitle, including informing contractors and subcontractors about these requirements and creating outreach partnerships with the University of Baltimore, Baltimore City Community College, the Mayor's Office of Employment Development, or other government-approved, community-based job training providers;
- (10) a remediation strategy to resolve any problems associated with meeting these hiring requirements, including any problems encountered with contractors and subcontractors;
- (11) the designation of a senior official from the general contractor who will be responsible for implementing the hiring and reporting requirements;
- (12) descriptions of the health and retirement benefits that will be provided to City residents working on the project or contract;
- (13) a strategy to ensure that City residents who work on the project or contract receive ongoing employment and training opportunities after they complete work on the job for which they were initially hired and a review of past practices in continuing to employ City residents from one project or contract to the next;
- (14) a strategy to hire graduates of the Baltimore City Public School System, Baltimore City public charter schools, community-based job training providers, and hard-to-employ residents; and

(15) the bidder's general City-resident hiring practices on projects or contracts completed within the last 2 years.

(d) *Other projects and contracts.*

The Director must require any beneficiaries of government-assisted projects or contracts under this subtitle that are not awarded through the contracting process to develop and submit to the Director the employment plan required in subsection (c) of this section.

(e) *Approval required for amendments.*

Once approved, the employment plan required by subsection (c) of this section may not be amended except with the approval of the Director.

§ 27-9 [27-8]. Required reports.

....

§ 27-10 [27-9]. Reserved.

....

§ 27-11 [27-10]. Penalties.

....

Section 2. And be it further ordained, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

Section 3. And be it further ordained, That this Ordinance takes effect on the 30th day after the date it is enacted.