



February 16, 2024

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Filed At: <https://accessibilityplans.cityofnewyork.us/ddc/>

Re: Draft of New York City Department of Design and Construction Proposed Five-Year Accessibility Plan, Posted On Or About January 16, 2024

Dear Mr. Wood,

Disabled In Action of Metropolitan New York, Inc. ("DIA") submits these comments in response to the New York City Department of Design and Construction's ("DDC") request for comments concerning its Proposed Five-Year Accessibility Plan ("Plan"), posted online on or about January 16, 2024.

DIA is a fifty-one (51) year old, 501(c) (3), grassroots, civil rights organization run by and for people with disabilities. DIA's mission is to eliminate discrimination for people with all kinds of disabilities.

In the same manner that DDC hyperlinked the DDC's Design and Construction Excellence program referred to on page six (6) of the DDC Plan, please hyperlink Chapter 11 of the New York City Building Code, ICC A117.1 and Title 8 for equal and non-discriminatory facilitation that are also referred to on page six (6) of the Plan. Further, when using an acronym such as "ICC" in this Plan, the Plan needs to state what such acronym means.

Significantly, on page seven (7) of the Plan, DDC acknowledges that the website is only partially conforms with WCAG 2.1 level AA, but does not state when DDC's website will be completely accessible. Please provide in this Plan a timeline as to when DDC expects the website to be completely accessible.

On page 9 of the DDC's Plan, the Plan refers to "mostly accessible", however, this term "mostly accessible" does not give a reader any indication as to what that means. Please amend the Plan to specify what DDC means by "mostly accessible" as well as what steps are going to be taken and when to make main entrances to all buildings and all demised areas fully accessible to people with disabilities. Further, the DDC Plan must consider not only accessibility for people who use a wheelchair or have another mobility device but also people with all disabilities. Thus, the DDC Plan needs to state how accessible are the main entrances and all demised areas are to people with all types of disabilities. To the extent that such areas are not fully accessible, these areas need to be specifically identified as well as what steps will be taken to make them fully accessible and when each step will be accomplished.

We applaud you for having a list of items that need to be made accessible, see page 10 of the DDC Plan. However, it would be helpful to know when each item listed on page 10 of this Plan is expected to be completed at each of the three locations identified. Further, those steps listed which do not indicate at what facilities they will be done, DDC needs to identify the facilities where such steps listed will be taken as well as when such steps are expected to be completed.

With respect to page 11 of the DDC Plan, we strongly recommend that all employees should receive digital accessibility training and not only employees responsible for content creation.

With respect to “live-caption solution” on page 11 of the DDC Plan, until a better live captioning solution is found, the DDC should at least use an AI captioning that is presently available.

Turning to the list of actions listed on page 11 of the DDC Plan, this Plan should not just state that it will begin to implement these steps but should state when it is expected that each step will be completed. Further, a target date of five years from now is too long.

All the time frames set forth in this Plan are very broad - four years, and five years under page 11 of the DDC Plan - and do not specifically identify specific dates by which each of the various steps will be accomplished. For example, under effective communication three steps are identified, but no date is stated for implementing each step other than a four year span. Such a period is a long time and the Plan does not let the reader know when each step will be implemented.

Under “Programmatic Access”, pages 11-12 of the DDC Plan the DDC specifically states that its “main programmatic function is to deliver capital projects on behalf of [DDC’s] sponsor agencies”. DIA submits that ensuring that these capital projects are accessible to people with disabilities is vital. Thus, the DDC needs to state in this Plan what steps it will take to ensure that all the infrastructure and public building projects are made accessible to people with all types of disabilities and when will these steps be taken. More specifically, this Plan should identify the procedures and safeguards that are currently in place and what does DDC plan to put in place in the future to promote and provide accessibility to all the public as well as when will these additional procedures and safeguards will be put in place.

Turning to page 14 of the DDC Plan, we suggest that at the very least, job opening postings should also be sent to the five independent living centers in New York City.

We are glad to see that on page 15 of DDC Plan, DDC recognizes the need to train all DDC Fire and Life Safety Staff on what to do if a disabled employee needs to evacuate in an emergency. However, we submit that all employees should learn what to do to assist a disabled person when evacuating from a facility in an emergency since there may be times when DDC Fire and Life Safety staff are not available. Further, we submit that this Plan needs to be expanded to include what to do when disabled visitors need to be evacuated in an emergency.

We suggest that you allow employees to self-identify if they require assistance and be sent an email from the Fire Safety person each day to account if they are physically in the office. That way, no one will be looking to help someone who is not there. All employees need to be trained on how to evacuate people with different disabilities in emergencies and trained on how to safely transfer a person to an evacuation chair and how to safely operate an evacuation chair.

DDC needs to have an evacuation chair in a location easily accessible and very near to the workstation/office of self-identified employees with mobility disabilities. An additional evacuation chair that could be used by other employees and visitors in an emergency evacuation should be located in a visible and easily accessible place on every floor DDC occupies.

Finally, with respect to page 16 Methodology, it refers to physical accessibility assessments and that they were done. Where can we see these years ago accessibility assessments that were relied on in creating this Plan? We submit that a hyperlink to such physical accessibility assessment should be provided in this Plan.

Thank you for the opportunity to comment on this Plan since equal access to all New York City's services, activities and programs is important to all New Yorkers. If you would like additional information or have any questions, please do not hesitate to contact DIA at info@disabledinaction.org.

Thank you for your continued work on behalf of all of us.

Very truly yours,

Jean Ryan,
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