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**Comments by New York Lawyers for the Public Interest
To the Office of the Mayor of New York City
Regarding the Proposed Five-Year Accessibility Plan
February 16, 2024**

New York Lawyers for the Public Interest (“NYLPI”) would like to thank the Office of the Mayor of New York City (“the Office”) for the opportunity to submit comments regarding the Office’s proposed five-year accessibility plan (“the Plan”). While NYLPI commends the Office’s efforts to create the Plan, it must be amended to provide more meaningful opportunities for people with disabilities to participate in the Office’s programs and services. We urge the Office to consider the recommendations outlined below.

Before turning to the recommendations, it is crucial to address the Office’s failure to publish the annual AccessibleNYC report. Executive Order No. 73 of 2021 for the Mayor’s Office for People with Disabilities (“the MOPD”) specifically mandates the MOPD to “[p]roduce an annual public AccessibleNYC report on the City’s current and planned initiatives, programs, and services for people with disabilities.” Despite this mandate, however, the MOPD has not been publishing the AccessibleNYC report since 2021. The MOPD must publish the 2022 and 2023 reports and continue to do so in the future.

A. General Comments

1. The Plan must include concrete action steps beyond 2024. Local Law 12 of 2023 mandates every New York City (“City”) agency to develop and implement five-year accessibility plans. Despite being a five-year plan, most projects in the Plan lack any discussion of future steps beyond 2024. The Office must develop plans that will be implemented throughout the next five years.
2. Most projects in the Plan lack any measurable metrics to evaluate their success. The Office must develop those metrics and conduct proper evaluations.
3. The Plan indicates that the MOPD will meet with agency disability service facilitators and the Mayoral units to provide support. We recommend specifying the MOPD’s plans beyond 2024 in these efforts. We also urge the MOPD to make these meetings open to the public to enable early public participation and input.

4. The Plan must outline the Office's efforts and procedures to ensure that all agencies comply with accessibility laws. If such procedures do not exist, the Office must develop them.
5. For all projects in the Plan, the Office must seek input from disability communities early on and adjust them accordingly.

B. Comments on the Digital Accessibility Section

1. The Plan indicates that the MOPD plans to increase knowledge about digital accessibility among city employees who produce "digital content." Elaborating on what is meant by "digital content" would be helpful. The Plan should also reference the Appendix C—Mayor's Office Website Accessibility Statement.
2. The Plan indicates that the MOPD plans to work on strategies to make all information and communication technology ("ICT") accessible to people with disabilities. Providing examples of ICT would be helpful.

C. Comments on the Workplace Inclusion Section

1. **Online Disability Etiquette and Awareness Training:** This training must be mandated for all City agencies.
2. **Disability City Network:** It is unclear whether the Disability City Network is exclusive to the Office or includes employees from other City agencies. If limited to the Office, the Network must be expanded to encompass all other City employees.
3. **Evaluation of the Office's recruitment, interviewing, and onboarding processes:** The Plan indicates that the Office has begun the process of evaluating its recruitment, interviewing, and onboarding processes. The Plan must provide additional details about this evaluation process, such as the team responsible for the evaluation; the specific aspects being assessed; the methodology; the timeline; the anticipated outcomes or changes; the strategies for implementing changes post-evaluation; and the plans to make the evaluation results and subsequent changes public.

Furthermore, this evaluation must also assess the Office's policies and practices following the onboarding processes. Specifically, it must assess whether employees with disabilities have the same opportunities for advancement, including promotions and raises, and whether they are well-represented in top-level positions. If disparities are found, the Office must investigate their causes and develop corrective plans.

4. **New York City's Plan to Advance the Career Success of People with Disabilities:** We commend the City's Plan to Advance the Career Success of People with Disabilities, which aims to assist 2,500 individuals over three years. The Office must, however, expand this effort and assist more individuals seeking employment. The initiative must also collaborate

with the State vocational rehabilitation agencies such as ACCES-VR and the New York State Commission for the Blind.

Additionally, the initiative must ensure that people with disabilities are not limited to particular industries or roles. People with disabilities must build careers aligned with their personal strengths and interests. The initiative must also guarantee that people with disabilities enjoy equal opportunities for advancement after being employed, including promotions and raises.

D. Comments on the Effective Communication Section

1. **Public Events and Meetings of the Mayor's Office:** The Plan indicates that the MOPD provides CART and ASL interpretation for all its public events. However, the Plan is silent on the provision of CART and ASL interpretation for public events hosted by all other Mayor's offices. The Office must provide these accommodations for all its public events, not just for the MOPD events. Notably, upon reviewing the Office's YouTube channel, almost all public events hosted by the Office fail to provide ASL interpretation. Deaf people must be able to participate in all City public events in their primary language.

Furthermore, effective communication for public events must not be limited to people who are deaf or hard of hearing. People who are blind or have other visual impairments must be provided accommodations, such as documents in Braille and large print. Also, the Office must provide language access for people with disabilities who are Limited English Proficient.

2. **Social Media:** The Plan indicates that the Office is committed to providing closed-captioning for all videos posted on social media platforms. However, the Office must also provide ASL interpretation for its videos, particularly those containing important announcements related to emergencies, health, etc. Notably, almost all videos on the Office's YouTube channel lack ASL interpretation (with the exception of perhaps one video where the Mayor celebrates Deaf Awareness Month), preventing deaf individuals from equally accessing critical information.

Further, the Plan indicates that the Communications team will develop guidelines for accessibility of social media. The team must obtain public input in drafting the guidelines. The Plan must also provide additional details, such as the timeline for developing the guidelines and whether they will be publicly accessible.

3. **Plain Language:** The Plan indicates that the MOPD will continue to remind agency disability service facilitators and mayoral units that plain language is a component of accessibility. The MOPD must develop concrete plans and measurable metrics, with input from the public, for evaluating these efforts.
4. **Deaf Access:** The Plan indicates that the MOPD will explore ways to increase employment opportunities for deaf individuals. The MOPD must begin with a comprehensive

evaluation of the City government jobs that unnecessarily insist on hearing ability, even though the essential functions of the job do not demand it.

- a. **ASL Mini-Courses for Agency Staff:** We commend the Office's efforts. We suggest making the courses available to a wider audience, including the public.
 - b. **Events Exploring and Celebrating Deaf Culture:** We commend the Office's efforts. The Office must develop similar programs for all other disabilities.
5. **Assistive Listening Systems:** The Plan must indicate any plans to increase assistive listening systems in the next five years and detail the Office's efforts to publicize these systems. Additionally, we recommend specifying the number of portable assistive listening systems owned by the City and outlining the process for agencies to request them.

E. Comments on the Physical Accessibility Section

1. The Plan states that the Office will develop a plan to assess the accessibility of the spaces they occupy by no later than the first quarter of 2025. Given the decades-old antidiscrimination laws mandating physical accessibility, we are deeply concerned that no plans have been developed thus far, let alone that no assessments have been performed. The Office must expedite this process and provide additional information, including the timeline for the assessments and the detailed action plans for the next five years.

F. Comments on the Programmatic Access/Miscellaneous Section

1. **Disability Etiquette and Awareness Trainings:** The Plan must specify the target number of these trainings in the next five years and identify the intended training recipients, including which industries and organizations.
2. **Accessibility of Programs and Services Provided by City Vendors:** The Plan must specify the Office's plans beyond 2024. To be sure, antidiscrimination laws mandate that the City's services are accessible, whether provided directly or through vendors. Thus, any vendor with which the City contracts must provide accessible services.
3. **Accessible In-Person and Virtual Meetings and Events:** The materials from the Accessible In-Person and Virtual Meetings and Events trainings must be available to the public.

Furthermore, the Office must develop specific plans to ensure accessibility of all in-person and virtual meetings and events in the next five years.

Regarding the MOPD's update of its Meeting Notice Guide, the MOPD must make the Guide available to the public and develop procedures to ensure compliance with the Guide.

4. **MOPD-Hosted Community Meetings:** The MOPD must ensure that these meetings are accessible to all people with disabilities. These meetings must continue to provide a virtual meeting option in the future.
5. **Mayor's Office of Engagement, NYC Service:** The Plan only addresses AmeriCorps member recruitment and the disability etiquette and awareness training at host sites for the year 2024. It must address plans beyond 2024.
6. **Mayor's Office of Sports, Wellness and Recreation:** The Plan must provide more details on how the MOPD will be working with the office, such as specific tasks, locations, and plans beyond 2024.
7. **Mayor's Office of Engagement, Office of Public Engagement (PEU):** The Plan must specify whether the Days of Action will take place beyond spring of 2024.

G. Comments on Appendix C

1. The Plan indicates that the Office assesses the accessibility of its digital content through self-evaluation. The Office must outline the procedures for these evaluations and make them publicly accessible.

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Thank you for the opportunity to provide comments on your proposed five-year accessibility plan. We hope to continue working closely with the Mayor's Office to ensure that the City's workplace, services, programs, and activities are accessible to and accommodating of all people with disabilities.

About New York Lawyers for the Public Interest

For nearly 50 years, New York Lawyers for the Public Interest (NYLPI) has been a leading civil rights advocate for New Yorkers marginalized by race, poverty, disability, and immigration status. Through our community lawyering model, we bridge the gap between traditional civil legal services and civil rights, building strength and capacity for both individual solutions and long-term impact. Our work integrates the power of individual representation, impact litigation, and comprehensive organizing and policy campaigns. Guided by the priorities of our communities, we strive to achieve equality of opportunity and self-determination for people with disabilities, create equal access to health care, ensure immigrant opportunity, strengthen local nonprofits, and secure environmental justice for low-income communities of color.

NYLPI's Disability Justice Program works to advance the civil rights of New Yorkers with disabilities. In the past five years alone, NYLPI disability advocates have represented thousands of individuals and won campaigns improving the lives of hundreds of thousands of New Yorkers. Our landmark victories include integration into the community for people with mental illness, access to medical care and government services, increased accessibility of New York City's public hospitals, and attainment of appropriate educations for countless students with disabilities. We prioritize the accessibility of government programs and services to the entire disability community.