



March 12, 2025

Mr./Mrs./Ms./They
Disability Services Facilitator
New York City Office of Labor Relations
22 Cortland Street,
New York, New York 10007
Email address: ContactAccessibility@olr.nyc.gov
Filed At: <https://accessibilityplans.cityofnewyork.us/olr/>

Re: Draft of the New York City Office of Labor Relations'
Proposed Five-Year Accessibility Plan, Posted On Or
About February 7, 2025

Dear Disability Services Facilitator,

Disabled In Action of Metropolitan New York, Inc. ("DIA") submits these comments in response to the New York City Office of Labor Relations' ("OLR") request for comments concerning its proposed 5-year Accessibility Plan ("Accessibility Plan" or "Plan"), posted online on or about February 7th, 2025.

DIA is a fifty-four (54) year old, 501(c) (3), grassroots, civil rights organization run by people with disabilities for people with disabilities. DIA's mission is to eliminate discrimination for people with all kinds of disabilities.

Significantly the OLR does not provide any reason for its Accessibility Plan being a year late. The OLR needs to explain to the public and the City Council what the excuse is for not filing this Accessibility Plan last year as required by Local Law No. 12 for the year 2023.

With respect to its website, the website states that it is partially conformant to level AA of the accessibility standard. Please state a definite date by which the OLR's website will be fully compliant with the accessibility standards.

Both on its website and in its Accessibility Plan, the OLR only gives an email address for the Disability Services Facilitator and does not provide the most basic information, that is, the name of the current Disability Services Facilitator (Accessibility Plan at p. 4). We are concerned that the failure to provide a name means no one person is responsible and that emails to the email address provided in this Accessibility Plan will remain unanswered since apparently there is no named Disability Services Facilitator provided here. Further, the OLR has not provided any other way to contact the alleged Disability Services Facilitator either by postal mail or by a direct telephone number. An email address is not sufficient since many people do not have email and some people who do have email may have difficulty using it.

Please provide other ways to contact the Disability Services Facilitator besides email. Everyone needs to have an actual number that they can reach and be able to talk to the Disability Services Facilitator for the OLR as well as be able to leave a message which will be answered in a reasonable time. This is a major flaw in the Accessibility Plan that needs to be rectified immediately. Further, immediately the OLR needs to provide a TTY and New York relay service number for people to be able to contact the Disability Services Facilitator.

Agency Links

When we clicked on the link provided to OLR's website, we noticed that the video for DeCap and HCFSA - Summary of Programs has background music. We understand that having background music while someone is talking might be fashionable, it is distracting and does not make the videos accessible to people with hearing loss. Thus, if you can remove the music track, please do it. Additionally, we suggest that in the future there be no background noise to these videos.

We also noticed that the video on submitting a document that is already signed and saved on your computer does not provide audio descriptions as to what is happening on the screen; such descriptions are needed for those with visual disabilities, especially since this video is very detailed. We note that all the videos on OLR's website need to have audio descriptions.

Physical Access

It is great that you are having a once a month walk-through of your offices at 22 Cortlandt Street (Accessibility Plan at p. 5). However, nowhere do you state what is the accessibility at this location presently nor do you state when you find something not accessible who will be responsible for making sure that it is made accessible and what is the timeline for making an inaccessible feature accessible. We need actual dates by which these access issues will be resolved.

Additionally, when the once a month walk-throughs occur at your offices at 22 Cortlandt Street, (Accessibility Plan at p. 5), all the bathroom doors force to open the doors should be checked to make sure it takes a person less than five pounds force to open these doors and all the other doors in the offices. Further, during the walk-throughs the toilet heights should be measured to make sure that they are at the height required by the American With Disabilities Act and its regulations. The handles on all doors should be operable with one hand and not require a tight grasp, pinching or twisting of the wrist and be able to be moved with less than five pound force. In sum, only lever door handles, and no doorknobs, should be used on all doors in the offices.

In employee areas, the walk-throughs should also include checking employee restrooms, employee lounges, lunch areas and lockers to make sure they are accessible to employees with disabilities.

Digital Access

Terms such as "within the next year" stated in "[w]ithin the next year, we will identify and prioritize a list of digital assets from our websites and social media that require accessibility enhancements..." are amorphous and contain too much wiggle room to slip and never be made accessible (Accessibility Plan at p. 5). Significantly, you do not state when after being identified these inaccessible features on your website and social media will be made accessible nor do you state how this list of priorities will be determined and who will make these decisions.

Thus, we are very concerned that as presently written, the Accessibility Plan will result in things not being made accessible in a timely manner because it does not state anywhere definitive dates by which steps, projects and tasks need to be completed. We know from past experience that when an agency does not have definitive dates and deadlines it is easy for the best of intentions to slide when things get busy and then nothing is made accessible.

Since it states in this Accessibility Plan at page six that the Web Production teams will continue to monitor and review OLR's website and implement changes, it would be helpful for this Accessibility Plan to include the name and contact information for at least one person from the Web Productions Teams that a person could contact and speak to by email, by telephone, including TTY and relay system, and by postal mail about the accessibility/inaccessibility of OLR's website.

Further, this Accessibility Plan should set forth what will the content of the official accessibility training for staff that create digital content include. So too, the Accessibility Plan should state the name and contact information for who will be doing the formal review process to ensure electronic documents are accessible before these documents are distributed to the public so that a person can contact them if a document is not accessible (Accessibility Plan at p. 6).

Programmatic Access

With respect to problematic access, OLR identifies six programs and gives a broad-based statement that "[t]he agency will make all necessary ADA and/or accessibility upgrades and adjustments to remain in compliance with the policies of the Mayor's Office for People With Disabilities (MOPD) and the City of New York", accessibility plan at page six but this Accessibility Plan does not state to which programs such upgrades and adjustments have been made nor which programs need to be upgraded and adjusted to make them accessible. Further, there is no indication that this agency has even evaluated any of its programs, activities and services and if it has, when it plans to make these programs, activities and services which are presently inaccessible, accessible.

Significantly, there is no mention in this Accessibility Plan about the fact that accessibility is a civil right and a legal requirement both under federal, state and local law and not just a policy of the Mayor's Office for People With Disabilities and the City.

With respect to the offices that OLR occupies, these offices need to be in compliance with the ADA Standards for Accessible Design as well as other federal, state, and local laws, regulations, guidelines, and standards.

Why is the Office of Labor Relations just beginning to "[c]heck in with IT [Department] to ensure [its] equipment has capabilities mentioned", (Accessibility Plan at p. 7) that is, accessible and to "[c]heck in with building engineers to ensure building is meeting necessary standards to accommodate people with disabilities" (Accessibility Plan at p. 7) since the Americans with Disabilities Act has been in effect for more than 30 years?

Effective Communication

Since under the heading Effective Communication it is stated, in the Accessibility Plan at page seven, that "OLR's EEO Officer is responsible for coordinating the Agency's efforts to comply with and carry out its responsibilities under federal, state, and local laws concerning effective communications for persons with disabilities", we strongly recommend that the name and contact information for OLR's EEO Officer needs to be included in this Accessibility Plan.

It would have to be a truly expensive and outrageous reasonable accommodation request from an employee for such a request to be deemed an undue hardship for an agency of the City of New York which City has a budget greater than many countries (Accessibility Plan at p. 7).

We recommend that OLR set forth the list of the specific spaces equipped with hearing loops and other assistive listening systems in this Accessibility Plan and not just maintain this list where no one can find it (Accessibility Plan at p. 8). It is not clear whether or not OLR has signage at its offices at 22 Cortland Street indicating that Induction Loop is available. If such signage is not presently displayed, we strongly recommend this signage be displayed immediately. What is the point of having an accessible service if no one knows about it? People need to know this Induction Loop service exists as well as who to contact (name of person to contact, email address, direct telephone number with ability to leave a message and postal address) to use it.

We are dumbfounded that it is only starting in 2025 that OLR will even begin to discuss providing such things as sign language interpretation, video remote interpretation, communication access real-time transcription, also known as CART, communication cards and mechanisms for providing documents in braille or audio recordings, since these accommodations have been required for many years (Accessibility Plan at p. 8). Significantly, here too, OLR fails to give definitive steps in this Accessibility Plan as to what OLR intends to do to make things accessible

as well as definite dates for complying with the laws, and regulations already in effect, and the name, and contact information for the person who will be responsible to make sure this gets accomplished in a reasonably timely manner.

Workplace Inclusion

Similarly here, OLR talks in the future such as it "will require all agency employees to complete disability etiquette and awareness eLearning training", Accessibility Plan at page eight; and "OLR will expand and improve upon its recruitment, hiring, promotion and retention efforts to ensure more visibility for individuals with disabilities" Accessibility Plan at page eight, however, the Accessibility Plan does not set forth any definitive dates when this will be accomplished nor how it will be accomplished nor who will be responsible for overseeing this, and making sure that it is accomplished. Again, this is a major problem in this Accessibility Plan, no set timelines, and no specific steps, just general statements are given here.

For example, this Accessibility Plan on page nine states "Include information for requesting accommodation in all interview confirmation letters/emails sent to candidates and offer different options for interviews". However, it does not state 1-what is the specific information that will be provided about requesting accommodations in interview confirmation letters/emails, 2-who will be responsible to make sure that this information is included in all such letters, and emails, 3-when will OLR start including this information in OLR's confirmation

letters/emails as well as 4-what are the different options for interviews that OLR intends to offer? This type of information needs to be provided throughout this Accessibility Plan.

Thus, without specifics, we fear that OLR will be submitting this same plan fifty years from now with no action.

Methodology

Under methodology, OLR refers to the fact that a physical survey was conducted, Accessibility Plan at page nine, thus we assume that there was data collected from such a survey. However, significantly, none of that data nor the survey itself has been provided in this Accessibility Plan so that the City Council, and the public can make their own conclusions. We strongly recommend that this physical survey be made a part of OLR's Accessibility Plan.

Budget and Resource Allocation

It should be understood that as an agency of New York City, OLR's resources are many, and the argument that there's not sufficient funds should not be an easy fallback to purportedly justify not making a program, activity, service or facility accessible.

Training

We submit that all training should be mandatory, and not optional. When an agency makes a training optional it is signaling to its employees that it does not think it is important. Accessibility is very important because it is a civil right to have things accessible to both employees, and the public, thus all training that concerns the accessibility of the OLR's programs, activities, services and facilities should be mandatory, and not optional.

Significantly, in its Accessibility Plan, OLR does not mention any evacuation plan for employees with disabilities if there was a fire, disaster or terrorist attack at one of its facilities.

At the very least, any such evacuation plan should allow employees to self-identify if they require assistance, and require that an email from the fire safety person be sent each day to account if employees with disabilities are physically in the office. Further, the evacuation plan should also include visitors with disabilities in the evacuation plan. Any evacuation plan should state that all OLR staff need to be trained, and what OLR staff should do if a disabled person needs to evacuate in an emergency. Additionally, such an evacuation plan should state that all employees need to be trained on how to evacuate people with different disabilities during emergencies. This evacuation plan should require all employees to be trained on how to safely transfer a person to an evacuation chair, and how to safely operate an evacuation chair in an emergency.

Further, the evacuation plan should require that OLR have an evacuation chair in a location easily accessible and very near to the workstation/office of self-identified employees with mobility disabilities. And the evacuation plan should require that 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 that OLR occupies in a building or facility.

Finally, OLR's evacuation plan should state that OLR will post signage instructing visitors on what to do in the case of an emergency evacuation, and this should be in an easily seen location, in large print, and in Braille. So too, the evacuation plan needs to state the date by which posting of this necessary signage will be accomplished. The evacuation plan should be included in OLR's Accessibility Plan.

In conclusion, under every section of OLR's Accessibility Plan, it fails to state specific steps, and deadlines for making OLR's programs, activities, services, and facilities accessible as well as who will be responsible for making sure full accessibility is attained by OLR. The public need to know in the Accessibility Plan information such as 1- who will complete the work, 2-the qualifications of the persons making the determinations as to what needs to be done to attain accessibility, and the persons doing the work for OLR, 3-who will be responsible for seeing that they are completed, and what are their qualifications to supervise the work, 4-what milestones will be required to be satisfied, and 5-most importantly, a definite deadline date for each task to be completed. Further, OLR's

Accessibility Plan needs to set forth where information on what is being planned, its progress at each stage, and its accomplishment will be posted. Finally, OLR's Accessibility Plan needs to state how the public can submit comments before this work is begun, during its progress, and when it is finalized.

Thank you for the opportunity to comment on the New York City Office of Labor Relations' Accessibility Plan since equal access to all New York City's services, activities, programs, and facilities 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,

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