

Business Integrity Commission

Local Law 12 Five-Year
Accessibility Plan (2024-2028)

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Background

Local Law 12 of 2023 requires every New York City agency to develop and implement a five-year accessibility plan, in consultation with the Mayor’s Office for People with Disabilities (“MOPD”). The legislation mandates that the accessibility plans outline the steps agencies are taking to “ensure that the agency’s workplace, services, programs and activities are accessible to and accommodating and inclusive of persons with disabilities” by improving physical, digital, and programmatic access, and providing effective communications for persons with disabilities.¹ These efforts include, but are not limited to: any alterations or structural changes to facilities or premises that are owned and operated by the agency or contracted for use by the agency or otherwise under the agency’s jurisdiction; any planned upgrades or investments in technology or tools that will improve the accessibility within the agency or access to such agency’s services and programs; and additional steps to make the agency’s programs and services more accessible to and inclusive of persons with disabilities.

Statement of Commitment

The New York City Business Integrity Commission (“BIC” or the “Commission”) believes in an equitable, diverse, and inclusive environment. BIC is committed to providing persons with disabilities with access to BIC’s services; to identifying, preventing and removing barriers to accessibility; and to meeting accessibility requirements in a manner that respects the dignity and independence of persons with disabilities.

Consistent with the purpose of the legislation, BIC strives to use reasonable efforts to ensure that its policies, practices and procedures are consistent with the following principles:

- Receipt of complaints, investigations and other Commission services are provided in a manner that respects the dignity and independence of persons with disabilities to enable them to obtain, use or benefit from Commission resources and/or services;

¹ Local Law 12 of 2023, available at: [intro.nyc/0682-2022](https://www.nyc.gov/intro/nyc/0682-2022)

- Persons with disabilities are given an opportunity equal to that given to others to obtain, use and benefit from Commission resources and/or services;
- When communicating with a person with a disability, the Commission will do so in a manner that considers the person's disability and preferred method of communication;
- Planned installation of assistive listening devices so that persons with disabilities may use assistive devices to support access to Commission resources and services; and
- Persons with disabilities and their service animals are accommodated in all aspects of service provision unless the animal is otherwise excluded by law.

Agency Mission

BIC's mission is to ensure that organized crime and other forms of corruption do not return to the industries BIC oversees. To achieve its mission, BIC is charged with investigating, licensing, and regulating the private carting industry throughout the five boroughs of New York City, the businesses in the city's public wholesale food markets, and the shipboard gaming industry. Among other things, BIC is empowered to investigate applicants, issue licenses and registrations, conduct criminal and regulatory investigations, enforce applicable laws, and promulgate rules and regulations that govern the conduct of the businesses it oversees.

Contact Information

BIC's Special Operations Department is responsible for preparing and updating BIC's Accessibility Plan.

Online Resources

BIC's website contains useful information for individuals with disabilities, including:

1. Policies Prohibiting Discrimination against People with Disabilities in Access to City Services;

2. Grievance Procedure;
3. Website Accessibility Statement; and
4. Five-Year Accessibility Plan

To access BIC’s online accessibility resources, please visit:

<https://www.nyc.gov/site/bic/about/accessibility-policy.page>. A copy of this webpage is appended to this plan as Appendix “A.”

Accommodation Requests

Under Local Law 27 of 2016, every City agency is required to appoint a Disability Service Facilitator (“DSF”). The DSF coordinates agency efforts to comply with and carry out the agency’s responsibilities under the Americans with Disabilities Act (“ADA”) and other federal, state and local laws and regulations concerning access to agency programs and services by persons with disabilities. These individuals are liaisons to New Yorkers with disabilities, connecting people with disabilities to City government. Employees and/or members of the public who need assistance accessing a particular program or service, should contact BIC’s DSF, at DSF-BIC@bic.nyc.gov.

Availability

BIC’s accessibility plan will be publicly posted on BIC’s website.

Individuals may request a copy of this document in an accessible alternative format by contacting the DSF at DSF-BIC@bic.nyc.gov

Executive Summary

BIC is committed to equity both in its workforce and in its service to the public. To comply with the ADA and Local Law 12 of 2023, BIC has designed this accessibility plan to identify priority areas to remove barriers to accessing BIC’s services and to empower its workforce to better serve New Yorkers. This plan addresses access in the following areas: (1) Physical Access; (2) Digital Access; (3) Programmatic Access; (4) Communications; and (5) Workplace Inclusion.

The purpose of this plan is to outline how BIC will identify, remove, and prevent barriers for persons with disabilities and comply with the ADA and other legal

requirements. This plan was informed by consultations with BIC's EEO office, which, through its role in answering disability-related inquiries and processing reasonable accommodations requests, has a strong understanding of past, present, and future accessibility issues. BIC has developed this plan to address these issues, remove barriers, and prevent creation of new ones in the areas identified above. While BIC designed this plan to be comprehensive, a more thorough assessment will be required in some instances to identify effective long-term solutions and implementation strategies. As such, this plan will continue to evolve with the goal of achieving our accessibility objectives and keeping pace with changing accessibility standards and requirements.

Agency Plan

Physical Access

Implementation Timeframe 2024-2028

BIC's leased office space is located on the 20th floor at 100 Church Street, New York, New York 10007. BIC shares the 20th floor with the New York City Law Department. BIC plans to implement several physical access improvements within its office space, including:

1. Assistive listening systems.
 - BIC plans to install an assistive listening system in one of our two conference rooms.
2. Braille signage.
 - BIC plans to install braille signage in all places where there is directional signage.
 - BIC plans to coordinate with the New York City Law Department on the installation of braille signage in all elevator banks and bathrooms.

BIC also utilizes a trailer located at 800 Food Center Drive, Bronx, New York 10474. BIC plans to implement a physical access improvement to this trailer, including:

1. Ramp access to trailer.
 - BIC plans to install a ramp that will allow access into the trailer.

In addition to above, BIC will continue to establish plans to make its facilities more accessible. BIC will take appropriate steps to prevent service disruptions to accessible parts of public spaces. In the event of a service disruption, we will notify the public of the service disruptions and alternatives available.

Digital Access

Implementation Timeframe: 2024-2028

BIC will continue to strive to meet Web Content Accessibility Guidelines 2.1 Level AA for both our internal and public facing websites. BIC's Web Accessibility Statement is posted on BIC's Accessibility webpage: (<https://www.nyc.gov/site/bic/about/accessibility-policy.page>) in compliance with Local Law 12.

Programmatic Access

Implementation Timeframe: 2024-2028

Accessibility and inclusion of people with disabilities is a core value for BIC. Training is provided in a way that best suits the duties and needs of employees.

BIC is also committed to providing training on the requirements of accessibility as they apply to people with disabilities. Accessibility training for all employees will be launched in 2024.

BIC has taken or will take the following steps to ensure employees are provided with the training needed to meet current standards and legislation:

1. Provide educational or training resources in an accessible format that considers the accessibility needs of a person with a disability.
2. Ensure new employees and volunteers complete Disability Etiquette and Awareness training within 30 days of employment or placement.
3. Keep and maintain a database of the training participant's names and dates of completion.

Effective Communications

Implementation Timeframe: 2024-2028

BIC is committed to providing accessible service to people with disabilities and making our information and communications accessible to people with disabilities. BIC is similarly committed to ensuring its digital content is accessible to and usable by people with disabilities.

To achieve greater digital accessibility and remove barriers to persons with disabilities, BIC will:

1. Upon request, provide or arrange for the provision of accessible formats and communication supports to persons with disabilities in a timely manner, taking into account the person's accessibility needs.
2. Provide, upon request, accessible formats and communication supports for receiving and responding to feedback from persons with disabilities.
3. Organize professional training sessions, including those offered by the Department of Citywide Administrative Services ("DCAS").

Workplace Inclusion

Implementation Timeframe: 2024-2028

Accessibility Policies and Plans

BIC has developed and will implement and maintain a five-year accessibility plan that outlines the strategies and actions to identify, prevent and remove barriers for people with disabilities. Specifically:

1. BIC has incorporated the Citywide EEO Policy into the BIC Code of Conduct and BIC Employee Handbook. BIC's current policy requires all employees to read, review and sign the Code of Conduct and Employee Handbook, upon hire, and as part of an annual review process for all employees.
2. BIC will review, assess, and amend, where necessary, its internal policies and procedures to incorporate accessibility equity into BIC's core operations with respect to BIC employees and members of the public with whom BIC interacts.

3. BIC reviews internal policies on a regular basis and will integrate updates and/or amendments regarding accessibility to relevant laws, rules and regulations into the Code of Conduct and Employee Handbook. In conjunction with the commencement of its 5-year accessibility plan, BIC plans to do an accessibility review of agency policies to ensure they address any accessibility issues.

Employment Standard and Reasonable Accommodations

BIC is committed to ensure our recruitment, assessment and on-boarding processes are fair and accessible to all applicants and potential employees. BIC will also continue to provide reasonable accommodations to employees and applicants with disabilities.

BIC has taken the following steps to ensure compliance with this standard:

1. Specified that accommodations are available for employees and applicants with disabilities.
2. When making offers of employment, successful candidates are notified that accommodations are available upon request to BIC's EEO Office.
3. EEO arranges interviews, if applicable, for requested accommodation(s) in a timely manner, in a format/forum that is preferable to the employee requesting/requiring the accommodation.
4. EEO informs employees of policies used to support employees with disabilities and notifies employees when there is a change in policy, as soon as practicable.

Documented Individual Accommodation Plans

Consistent with the Citywide EEO Policy and relevant laws and rules, BIC's EEO shall produce and provide documented individual accommodations based on the following practices:

1. Cooperative dialogue with the employee or applicant requesting/requiring the accommodation;

2. External medical evaluations to determine appropriate and effective accommodations that address the specific disability or condition;
3. High level of privacy;
4. Regular review and updates, where applicable;
5. Reasons for the denial, if applicable;
6. The means of providing the accommodation in a format that considers the needs of the employee; and
7. If required, include individualized workplace emergency response information.

Accessible Emergency Information

BIC created a process for documenting challenges with accessibility in addition to recording and providing accommodation for individualized accessible emergency response information. BIC has provided and will continue to provide individual emergency response plans to employees with disabilities in order to ensure such employees can be safely evacuated from BIC premises in the event of emergency. If an employee who receives individualized workplace emergency response information requires assistance, with the employee's consent, the workplace emergency response information will be given to the designated employee(s) responsible for coordinating search and evacuation of BIC employees. An individual emergency response plan shall include the employee's:

1. Location
2. Type of disability, if applicable
3. Special equipment required for safe transport and evacuation

BIC will continue to review the individualized workplace emergency response plans to ensure the plans are update and accurate.

Return to Work

BIC is committed to developing individual accommodation plans and return-to-work policies for employees who have been absent due to a disability. BIC has developed and maintained a return-to-work process for our employees who have

been absent from work due to a disability and who require disability-related accommodations in order to return to work. This process includes the steps BIC EEO and Human Resources and Facilities take to facilitate the return-to-work process which utilizes the documented individual accommodation plans.

Performance Management, Career Development and Redeployment

BIC is committed to ensuring that the accessibility needs of employees with disabilities are taken into account with regard to performance management, career development and redeployment processes.

BIC will review and update Human Resources policies and procedures taking the following elements into consideration:

1. Accessibility needs of employees with disabilities, as well as individual accommodation plans, shall be taken into account when using performance management processes.
2. Accessibility needs of employees with disabilities, as well as individual accommodation plans, shall be taken into account when providing career development and advancement opportunities.
3. Accessibility needs of employees with disabilities, as well as individual accommodation plans, shall be taken into account when redeploying employees with disabilities.

Methodology

Beyond meeting ADA compliance requirements, BIC is committed to identifying priorities to increase accessibility and inclusion. BIC has identified the following goals to remove and prevent accessibility barriers over the coming years:

1. Review existing accessibility policies and procedures and update, where necessary.
2. Gather staff demographic data to determine representation of people with disabilities and other diverse groups within BIC.
3. Increase employment and other opportunities for under-represented populations.

4. Commit to filing an accessibility report base on stated deadlines in §23-1004.

BIC consulted with its EEO Office to identify the access issues described in this plan. The EEO Office, through the reasonable accommodations process, interacts with individuals with disabilities and has both a historical and a present understanding of disability-related inquiries and needs. This information was critical to informing BIC of the issues that should be addressed as part of this plan and will further serve as a guide for future amendments and additions to the plan.

Appendix “A”

BIC Five-Year Accessibility Plan BIC Accessibility Webpage

Business Integrity Commission Policies Prohibiting Discrimination Against People with Disabilities in Access to Services

It is the policy of the Business Integrity Commission (“BIC”) to comply with all applicable laws including, but not limited to the Americans with Disabilities Act (“ADA”), Rehabilitation Act, the New York State Human Rights Law, and the New York City Human Rights Law. BIC does not discriminate on the basis of disability in the operation of its programs, services and activities and strives to be welcoming to and inclusive of people with disabilities.

Employment related complaints for employees and applicants for employment seeking a reasonable accommodation are covered under the City’s EEO Policy which can be found at:

nyc.gov/assets/dcas/downloads/pdf/agencies/nyc_eeo_policy.pdf

Any member of the public who requires an auxiliary aid or service for effective communication, or a reasonable modification of policies or procedures in order to participate in our programs, services or activities (involving matters other than employment) is invited to direct their needs and preferences to BIC’s Disability Service Facilitator by email, telephone or mail:

Disability Service Facilitator
New York City Business Integrity Commission
100 Church Street, 20th Floor
New York, NY 10007
(212) 437-0575
DSF-BIC@bic.nyc.gov

Requests should be made as soon as possible but no later than three (3) business days before the scheduled program, service or activity. Questions, concerns or requests for additional information may be directed to BIC’s Disability Service Facilitator.

If you believe that you have been denied an auxiliary aid or service or a reasonable modification of policies or procedures that you need in order to participate in programs, services or activities provided by BIC please see BIC's grievance procedure below.

Business Integrity Commission's Grievance Procedure for Members of the Public Alleging Discrimination Based on Disability

Any member of the public alleging discrimination on the basis of disability in the provision of services by BIC may file a grievance with BIC, which should contain:

- the name, address, telephone number and/or email address of the grievant; and
- information about the alleged discrimination, such as the location, date, and description of the incident or alleged violation of the ADA, Rehabilitation Act, New York State Human Rights Law, or New York City Human Rights Law.

"Grievance" is the term for the allegation filed with BIC by a member of the public.

"Grievant" is the term for the person alleging discrimination in the grievance.

Notice: The following grievance and grievance appeal procedures are for reporting of disability-based discrimination in the provision of services by BIC only. All other complaints to BIC must be made via BIC's Complaint Unit at:

<https://www.nyc.gov/site/bic/complaints/complaint-form.page>.

When and How to File a Grievance

The grievance should be submitted as soon as possible, but no later than sixty (60) calendar days after the date of the alleged violation to:

Disability Service Facilitator
New York City Business Integrity Commission
100 Church Street, 20th Floor
New York, NY 10007
(212) 437-0575

DSF-BIC@bic.nyc.gov (Please include “Grievance” in the subject line).

The grievance may be filed in one of two ways:

1. By submitting the grievance in writing by mail or email using the above address; or
2. Upon request, by an alternative means, such as in-person interview or an audio recording describing the incident or alleged violation of the ADA, Rehabilitation Act, New York State Human Rights Law, or New York City Human Rights Law. A request for an alternative means of filing may be granted as an accommodation for a grievant with a disability.

Timeline Following Filing of Grievance

Within fifteen (15) calendar days after receipt of the grievance, the Disability Service Facilitator or designee will contact the grievant to discuss the grievance and possible resolutions.

Within fifteen (15) calendar days of this contact with the grievant, the Disability Service Facilitator or designee will provide a response in writing. A grievant may request the response in an additional format accessible to them, such as large print, Braille, or audio recording. This response will address the grievance, describe BIC’s position, and offer options for substantive resolution of the grievance, where applicable.

When and How to File and Appeal

The grievant may appeal BIC’s decision within thirty (30) calendar days of receipt of BIC’s response.

The appeal should be mailed to:

Chair Elizabeth Crotty
New York City Business Integrity Commission
100 Church Street, 20th Floor
New York, NY 10007

The appeal may be filed in one of two ways:

1. By submitting the appeal in writing and by mail using the above address; or
2. Upon request, by an alternative means, such as an in-person interview or an audio recording, describing the incident or alleged violation of the ADA, Rehabilitation Act, New York State Human Rights Law, or New York City Human Rights Law. A request for an alternative means of filing may be granted as an accommodation for a grievant with a disability.

Timeline Following Filing of Appeal

BIC's response to the appeal will be provided to the grievant in writing within sixty (60) days following the receipt of the appeal. A grievant may request the response in an additional format accessible to them, such as large print, Braille, or audio recording. This response will address the appeal, describe BIC's decision, and offer options for substantive resolution of the appeal, where applicable.

All written grievances, appeals, and responses in connection with a grievance made to BIC will be retained for at least three (3) years.

Note: Upon request to the Disability Service Facilitator, this page can be made available in an alternative format.

Website Accessibility Statement

BIC is committed to ensuring its digital content is accessible to and usable by people with disabilities. We are continually improving the user experience for everyone and applying the relevant accessibility standards.

Conformance Status

The Web Content Accessibility Guidelines (WCAG) defines requirements for designers and developers to improve accessibility for people with disabilities. It defines three levels of conformance: Level A, Level AA, and Level AAA. Our digital content is partially conformant with WCAG 2.1 Level AA. Partially conformant means that some parts of the content do not fully conform to this accessibility standard.

Feedback

We welcome your feedback on the accessibility of our digital content. Please let us know if you encounter accessibility issues by using the Website Accessibility Feedback Form: nyc.gov/nyc-resources/website-accessibility-feedback-form.page

If you need assistance accessing a particular program or service, please reach out to BIC's Disability Service Facilitator at (212) 437-0575 or DSF-BIC@bic.nyc.gov

Assessment Approach

BIC assesses the accessibility of its digital content through self-evaluation.

Five-Year Accessibility Plan

BIC has a Five-Year Accessibility Plan in accordance with Local Law 12 of 2023. BIC's Plan can be viewed at: <https://www.nyc.gov/site/bic/about/accessibility-policy.page>