



Environmental Protection

**Department of Environmental Protection
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 following plan outlines the steps that are being taken and will be taken by the New York City Department of Environmental Protection (“DEP”) to “ensure that the agency’s workplace, services, programs, and activities are accessible to and accommodating and inclusive of persons with disabilities.” The enclosed provides information related to improving physical, digital, and programmatic access, as well as effective communications for persons with disabilities, including, but not limited to:

- any alterations or structural changes to facilities or premises that are owned and operated by the agency, 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 accessibility within the agency or access to such agency’s services and programs; and
- any additional steps the agency is taking or plans to take to make its programs and services accessible to and inclusive of persons with disabilities.

Statement of Commitment

Fairness and equity are fundamental to the culture of DEP. Every New Yorker relies on the services provided by DEP, and our mission is intrinsically tied to our success in partnering with our workforce of nearly 6,000 employees – our greatest asset – toward a more diverse, equitable, and inclusive future for all. Providing a work environment that values all people and encourages them to excel unimpeded by race, gender, age, social identity, forms of expressions, or the intersectionality between them is not only our legal requirement, but our commitment. We strive to root out all forms of discrimination and hateful bias in every aspect of our workplace

and to create a culture that embraces different voices, perspectives, and ideas. Only through this intentional pursuit of diversity and inclusivity do we ensure our collective growth and advancement. As such, DEP recognizes the importance and power of diversity, equality, and inclusion in overcoming legacies of inequality and remains steadfast in supporting and partnering with our Office of Equal Employment Opportunity and Diversity (“EEO&D”). DEP ensures that diversity, equity, and inclusion (“DEI”) values are central to our work and embedded in how we do our work.

DEP is committed to:

- Fostering collaboration between DEP’s internal people management offices, including our EEO&D Office and DEP’s Bureau of Organizational Development & Human Resources (“OD&HR”), to help identify, measure, and impact relevant equal employment opportunity (“EEO”) and DEI indicators;
- Pursuing innovative strategies that seek to attract diverse talent and ensure a sustainable talent pipeline, as well as ensure our capacity for high-quality workforce development, training, and retention;
- Leveraging a curriculum of EEO and DEI training to build and sustain a discrimination free workplace and a culturally competent workforce; and
- Modeling and promoting EEO and DEI values to ensure equitable and transparent decision making, as well as hold senior leaders, managers, supervisors, and frontline/non-supervisory employees accountable for upholding and implementing DEP’s DEI-EEO values.

We are committed to these goals and values because we know that a diverse and inclusive workplace allows us to foster innovation, improve decision making, and better serve New Yorkers as we deliver our agency’s mission.

Mission and Background of Agency

DEP holds the critical mission of enriching the environment and protecting public health for all New Yorkers by providing high-quality drinking water, managing wastewater and stormwater, and reducing air, noise, and hazardous materials pollution. DEP's vision is to be a world class water and wastewater utility, while building a sustainable future for all New Yorkers. DEP has nearly 6,000 employees throughout the City and in upstate New York. The agency manages 19 reservoirs and 3 controlled lakes that have a capacity of 550 billion gallons of water, and it delivers approximately 1 billion gallons of water to the City daily. DEP's Water and Sewer Operations staff manage water distribution and collection across the City, and DEP's Wastewater Treatment staff work at 14 plants across the City to treat wastewater and protect the receiving waters around the City. Environmental Compliance staff enforce air and noise regulations in the City to limit pollution and enrich public health for New York City residents.

General

Local Law 27 of 2016 requires 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 for 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 DEP's DSF Tanika Thomas at EEOffice@dep.nyc.gov or (718) 595-3400. Mailing address: 59-17 Junction Blvd, Queens, NY 11368.

The Office of Equal Employment Opportunity and Diversity is responsible for preparing and updating the agency's 5-year plan. More information on Local Law 12 and DEP's website accessibility statement can be found here:

<https://www.nyc.gov/assets/dep/downloads/pdf/about/website-accessibility-statement.pdf>.

Additionally, DEP's Notice of Rights and Grievance Procedure can be found here:

<https://www.nyc.gov/site/dep/about/notice-of-rights-and-grievance-procedure.page>

Executive Summary

DEP is committed to equity in its workforce, in its services and programs to protect the public, and in its communications and relations with its customers. To comply with Local Law 12 of 2023, DEP has prepared this accessibility plan to allow us, over the next five years, to better assess accessibility for our services, programs and workforce and to implement programs to improve accessibility for each. The plan addresses access in the following areas: (1) Physical Access, (2) Digital Access, (3) Programmatic Access, (4) Communications, and (5) Workplace Inclusion.

The following plan outlines how DEP will assess, manage and remove barriers for persons with disability. The proposed plan was developed by a agency-wide committee consisting of representatives from Legal Affairs, Information Technology, the Chief Financial Officer's Office, the Office of Equal Employment Opportunity and Diversity, Public Affairs and Communications, Customer Services, Facilities Management and Construction, Environmental Health and Safety, Organizational Development and Human Resources, the Commissioner's Office and the three operating bureaus at DEP: Water Supply, Water and Sewer Operations and Wastewater Treatment. Each participant contributed to the instant plan, and the group met jointly several times as it was drafted.

DEP appreciates the opportunity for public comment on this proposed plan and will continue to improve accessibility and inclusion by incorporating concerns from members of the public. DEP will continuously work to make its services, workplace and communications better and more accommodating to all members of the public, including persons with disabilities.

Accessibility Statement

DEP is committed to ensuring accessibility for all individuals, including those with disabilities. As an agency dedicated to enriching the environment and public, we recognize the importance of providing equitable access to our programs, services, and resources.

We strive to maintain a website that complies with accessibility standards to ensure a seamless and inclusive online experience. Our web content is designed to be accessible to all users, including those with disabilities.

We understand the diverse needs of our city and are committed to providing information in alternative formats upon request. Individuals requiring information in a different format can contact us, and we will make reasonable efforts to accommodate their needs.

We value feedback from all individuals, including those with disabilities, as it helps us continually improve our accessibility initiatives. If you encounter any accessibility barriers or have suggestions for improvement, please contact our Disability Service Facilitator, Tanika Thomas at EEOffice@dep.nyc.gov or 718-595-3400.

For assistance or information related to accessibility, please contact our Disability Service Facilitator, Tanika Thomas at EEOffice@dep.nyc.gov or 718-595-3400. We are committed to working with individuals to address specific needs and ensure they can fully engage with our services.

DEP remains dedicated to fostering an inclusive and accessible environment, aligning with our mission to enrich the environment and protect public health for the benefit of all New Yorkers.

Agency Plan

This plan addresses access in the following areas: (1) Physical Access, (2) Digital Access, (3) Programmatic Access, (4) Communications, and (5) Workplace Inclusion. DEP will assess and track this plan's intended outcomes in regular reviews.

Physical Access

Implementation timeframe: 2024-2028

Responsible offices: Facilities Management and Construction, Water Supply, Organizational Development and Human Resources

DEP has made a concerted effort to ensure that its sites are accessible to persons with disabilities, especially where the agency interacts most with members of the public at its five customer service borough offices, which are all wheelchair accessible:

- Bronx: 1932 Arthur Avenue, 6th Floor
- Brooklyn: 250 Livingston Street, 8th Floor
- Manhattan: 55 West 125th Street, 9th Floor
- Queens: 96-05 Horace Harding Exp., 1st Floor
- Staten Island: 60 Bay Street, 6th Floor

DEP's headquarters serves as the primary facility for its office staff, where they are split between a "low-rise building" (96-05 Horace Harding Expy, Queens, NY 11373) and a "high-rise building" (59-17 Junction Blvd Queens, NY 11373). These spaces are leased from the LeFrak Property Company. DEP's remaining facility footprint spans the City and the upstate watershed, including: 14 in-city wastewater resource recovery facilities, a sewer permitting office, meter testing facility, upstate administrative offices, including in Valhalla/Sutton Park and Grahamsville, NY, in-city repair yards, several drinking water treatment facilities, pumping stations, groundwater well sites and bluebelts that store and manage stormwater in natural environments.

Over the next five years, DEP will begin implementing several physical access improvements within its office space, including:

1. Accessible doors that automatically open and close

- DEP is working to ensure that the front door to each of its offices is automated.
2. Identifying appropriate locations for braille signage
 - Accessibility could be improved by identifying the appropriate locations for signage.
 3. Tailoring training locations for staff
 - With one exception, Organizational Development & Human Resources trainings are currently provided in accessible locations. For this location, DEP plans to promote accessibility by offering training to persons with mobility disabilities at an alternative location that is accessible.
 4. ADA inspections and compliance inventories
 - As mentioned above, DEP has a large physical footprint with facilities catering to a variety of operational demands. DEP will continue to conduct ADA inspections and compliance inventories for the offices and bathrooms associated with each facility over the next five years and will prioritize the improvements necessary to make these facilities accessible.

Digital Access

Implementation timeframe: 2024-2028

Responsible offices: Information Technology, Public Affairs and Communications

The profound impact of the COVID-19 pandemic has accelerated the adoption of remote work arrangements and digital communication methods across various sectors. This shift has underscored the importance of digital accessibility in ensuring that government agencies, such as DEP, can effectively serve the public, particularly when it comes to accessing agency services virtually.

Digital accessibility has become paramount for DEP in its efforts to provide equitable access to services and information for all members of the public,

including those with disabilities. As more interactions with the agency occur online, it is essential that DEP's digital platforms and content adhere to accessibility standards and guidelines, such as WCAG 2.1 Level AA, Local Law 26 of 2016, ADA, and Section 508. This ensures that individuals with disabilities can navigate, understand, and interact with DEP's digital resources without barriers.

Additionally, as the reliance on virtual communication channels continues to grow, DEP recognizes the importance of ensuring that its digital content is accessible to all users. Whether disseminating important information, facilitating public engagement, or providing online services, DEP is committed to incorporating accessibility principles into its digital strategies to foster inclusivity and equal access for everyone.

By prioritizing digital accessibility in its interactions with the public, DEP not only meets its legal and ethical obligations but also demonstrates its dedication to serving all members of the community equitably. This proactive approach not only enhances the user experience for individuals with disabilities but also strengthens DEP's overall effectiveness in fulfilling its responsibilities under applicable law.

Over the next five years, DEP will begin implementing digital access improvements, including:

1. Identify and use a live-caption solution, like AI-generated or live Communication Access Realtime Translation, on digital communications
 - EEO&D will work with DEP's Bureau of Business Information Technology and other relevant partners/contractors (e.g. sign-language interpreters or language services) to ensure that all workforce and public facing virtual engagement or digital content is fully accessible.
 - DEP will work to make internal applications Web Content Accessibility Guidelines (WCAG) 2.1 Level AA compliant through coordination with OTI to determine best practices, the development of a process for updating existing applications, and integrating accessibility into future applications.
2. Evaluate mobile applications for compliance with the W3C's Web Content Accessibility Guidelines 2.1 Level AA.
3. Designate a Digital Inclusion Officer (DIO). The DIO will serve as the main point person at DEP on digital accessibility and partner, as the liaison, with OTI and MOPD on digital accessibility matters.

Programmatic Access

Implementation timeframe: 2024-2028

Responsible offices: Organizational Development and Human Resources

Public entities must ensure that people with disabilities are not excluded from programs, activities, and services because of inaccessible facilities.

DEP has ensured that each of its customer services' borough offices are accessible to persons with disabilities, and most formal human resource-led employee trainings take place in accessible facilities.

DEP will take the following step to improve programmatic accessibility for people with disabilities:

1. Tailoring training locations for staff while working on structural solutions
 - As previously noted under "Physical Access," Organizational Development & Human Resources trainings are currently provided in accessible locations. DEP can promote accessibility by offering training to persons with mobility disabilities at alternative locations. Structural improvements can lead to greater inclusion by making the same area accessible to everyone.

Effective Communications

Implementation timeframe: 2024-2028

Responsible offices: Bureau of Customer Service and Organizational Development and Human Resources

DEP interacts regularly with members of the public in both a customer-service capacity and an educational capacity. The agency is committed to providing its information in a clear and accessible manner to everyone, including persons with disabilities. It already has a procedure for using a cooperative dialogue to handle requests for auxiliary aids and services, a mechanism for providing in-person sign language interpretation and a mechanism for providing video remote interpretation.

DEP will take the following steps to improve communication for persons with disabilities:

1. Set up TTY phones or provide access to 711 at each borough office and have documents in Braille

- D/deaf or hard of hearing” and people who are blind or have low vision may have limited access to some in-person customer services locations
2. Explicitly state in communications publicizing workforce events that those who need accommodations to attend should contact the EEO Office
 - Accommodation options have been implicitly available in the past
 3. Procure interpretation, translation, and secondary review services
 - DEP already procures some of these services for its documents and will work to procure them for its public events as well

Workplace Inclusion

Implementation timeframe: 2024-2028

Responsible offices: Organizational Development & Human Resources, Equal Employment Opportunity and Diversity

DEP will take the following steps to improve workplace inclusion for persons with disabilities:

1. Update agency communications to advise employees that American Sign Language (ASL) interpreter and Communication Access Realtime Translation (CART) can be made available through the reasonable accommodation process for events such as, Managers Professional Development Day and Employee Recognition Day,
2. Update agency communication to advise applicants that American Sign Language (ASL) interpreter and Communication Access Realtime Translation (CART) can be made available through the reasonable accommodation process for job interviews.
3. EEO&D will work with DEP’s Bureau of Information Technology and other relevant partners/contractors to ensure that all workforce virtual engagement and digital content is fully accessible.

4. Organizational Development and Human Resources will explicitly state in communications publicizing events that those who need accommodations to attend should contact the EEO Office.
5. Share job postings with State Vocational Rehabilitation (VR) agencies and other organizations that work with people with disabilities, such as CUNY LEADS and Job Path.
6. Instruct staff who organize interviews on how to arrange accommodations when needed.

Methodology

To prepare this plan, DEP held several agency-wide committee meetings throughout the spring, summer and fall of 2023. The relevant bureaus completed self-evaluation forms provided by the Mayor's Office for People with Disabilities, which helped to uncover new opportunities to improve accessibility across the agency. Key bureaus that interface with the public and/or represent a significant part of DEP's workforce proactively provided their own suggestions for improving accessibility. DEP also held two listening sessions with employees to solicit input on the plan and accessibility issues at the Department.

Every office and bureau at DEP has a role to play in making our agency more accessible to our employees, customers and the public. DEP will review the feedback received through the public comment process to finalize its plan.

Appendix

DEP's Notice of Rights and Grievance Procedure

Available at: <https://www.nyc.gov/site/dep/about/notice-of-rights-and-grievance-procedure.page>

Notice of Rights

Department of Environmental Protection (DEP) does not discriminate on the basis of disability in the operation of its programs, services or activities and is committed to ensuring equal access for people with disabilities. Pursuant to the American with Disabilities Act and the New York State and

New York City Human Rights Laws, individuals with disabilities are entitled to reasonable accommodations to enable them to participate in programs, services and activities.

Effective Communication

DEP will, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in DEP programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision disabilities.

Modifications to Policies and Procedures

DEP will make reasonable modifications to policies and procedures to ensure that people with disabilities have equal access to all programs, services, and activities of DEP. For example, individuals with service animals are welcome in all DEP offices open to the public, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of DEP should contact the Disability Service Facilitator listed below by mail, email or telephone as soon as possible but no later than three (3) business days before the scheduled event or activity.

Tanika Thomas
NYC DEP Office of Equal Employment Opportunity (EEO)
59-17 Junction Blvd, 20th Floor
Flushing, N.Y. 11373

Voice Phone: 718-595-3400
New York Relay users dial 711

Email: EEOffice@dep.nyc.gov

The ADA does not require DEP to take any action that would fundamentally alter the nature of its programs or services or that would impose on it an undue financial or administrative burden.

DEP will not impose a surcharge to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, for example retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

Questions, concerns or requests for additional information may be directed to the Disability Service Facilitator listed above.

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

Grievance Procedure

This grievance procedure may be used by any member of the public who wishes to file a grievance alleging discrimination on the basis of disability by DEP's EEO Office (not related to employment). Employment related complaints for employees and applicants for employment seeking a reasonable accommodation are covered under the **City of New York's Equal Employment Opportunity (EEO) Policy**. You may reach DEP's Office of EEO & Diversity at EEOOffice@dep.nyc.gov or 718-595-3400.

The grievance should be in writing and contain information about the alleged discrimination such as the name, address, and telephone number of the grievant, as well as the location, date, and description of the complaint or alleged violation of the ADA or other anti-discrimination law. Examples of discrimination include but are not limited to refusal to provide an American Sign Language interpreter, large print or Braille documents and real time captioning (also known as CART) when requested within a reasonable timeframe or failing to provide adequate information regarding accessibility for people with disabilities at public events.

Alternative means of filing grievances, such as in-person interviews or an audio recording of the grievance, may be made available, as needed, to persons with disabilities upon request.

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:

Tanika Thomas

NYC DEP Office of Equal Employment Opportunity (EEO)

59-17 Junction Blvd, 20th Floor

Flushing, N.Y. 11373

Email: EEOOffice@dep.nyc.gov

Within thirty (30) calendar days after receipt of the grievance, the Disability Service Facilitator will contact the grievant to discuss the grievance and any possible resolutions.

Within fifteen (15) calendar days of this contact with the grievant, the Disability Service Facilitator will respond to the grievance in writing or, where appropriate, in a format accessible to the grievant, such as large print, Braille, or audio recording. This response will explain DEP's position and offer options for substantive resolution of the grievance, where applicable.

The grievant or the grievant's designee may appeal the decision by the Disability Service Facilitator within thirty (30) calendar days of receipt of the response by mail to:

Department of Environmental Protection
Office of the Commissioner
Attn: Deputy General Counsel for Business Affairs
59-17 Junction Blvd, 19th Floor
Flushing, N.Y. 11373

The appeal should be submitted in writing. Alternative means of filing an appeal, such as an in-person interview or an audio recording of the grievance, may be made available for persons with disabilities upon request.

DEP's response to the appeal will be provided to the grievant within sixty (60) days following receipt of the request for the appeal. All responses by the EEO's Office will be in writing or, where appropriate, in a format accessible to the grievant. All written grievances, appeals, and responses received in connection with a grievance made to DEP will be retained for at least three (3) years. This document is available in alternative formats, including large print, audio recording, and Braille, from the disability service facilitator upon request.

Local Law 12 information and DEP Website Accessibility Statement

Available at: <https://www.nyc.gov/assets/dep/downloads/pdf/about/website-accessibility-statement.pdf>.

DEP 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. The Office of Equal Employment Opportunity and Diversity is responsible for ensuring that the agency's five-year Local Law 12 accessibility plan is completed by the date set forth therein.

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. If you need assistance accessing a particular program or service, please reach out to the DEP's Disability Services Facilitator at 718-595-3400 or EEOffice@dep.nyc.gov.

Assessment Approach

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

Date

This statement was updated in February 2024.