



Office of Administrative Trials and Hearings (OATH)

Five-Year Accessibility Plan
(2024-2028)

March 28, 2024

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General

Contact Information

Pursuant to Local Law 27 of 2016, OATH's designated Disability Services Facilitator (DSF), is Sharina DeRoberts. Ms. DeRoberts can be reached at sderoberts@oath.nyc.gov or 212-436-0524. Ms. DeRoberts' s mailing address is 66 John Steet, 10th Floor, NY, NY 10038.

OATH's EEO Office is responsible for preparing and updating the Agency's Accessibility Plan. Sharina DeRoberts is the Agency's EEO Officer. Ms. DeRoberts can be reached at sderoberts@oath.nyc.gov or (212-436-0524).

Online Resources

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

1. Non-discrimination Policy and Notice of Rights
2. Grievance Procedure
3. Website Accessibility Statement
4. Five-Year Accessibility Plan

To access OATH's online accessibility resources, please visit

[Accessibility Policy - OATH \(nyc.gov\)](#)

[Website Accessibility Statement - OATH \(nyc.gov\)](#)

Copies of these webpages are appended to this plan as Appendix A and B.

Accommodations 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 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 OATH’s DSF Sharina DeRoberts at (212) 436-0524 or DSF-OATH@oath.nyc.gov

Background

Local Law 12 of 2023 (“Local Law 12”), codified as section 23-1004 of the NYC Administrative Code, requires every New York City agency to develop and implement a 5-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 workplaces, services, programs and activities are accessible to and accommodating and inclusive of persons with disabilities”¹ by improving physical, digital, and programmatic access, and providing effective communications for persons with disabilities. 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 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.

¹ Local Law of 2023, available at: <https://intro.nyc/0682-2022>

Agency Mission

The Office of Administrative Trials and Hearings (OATH) is the City's central, independent administrative law court. OATH has three divisions that are responsible for adjudicating City matters:

OATH's Trial Division

The mission of OATH's Trials Division is to provide fair and neutral administrative proceedings, which protect the due process rights of all litigants. Matters adjudicated at the Trials Division are akin to civil trials without a jury. The procedural rules are streamlined but pre-trial discovery is available. While Administrative trials do not mandate strict applications of the rules of evidence or the rules of civil procedure, OATH relies upon both to ensure the essential elements of a fair trial are afforded to all litigants.

As a separate and independent Administrative Law tribunal, OATH's Administrative Law Judges are appointed to five-year terms by OATH's Commissioner and Chief Administrative Law Judge. The five-year appointment of the OATH's Judges ensures absolute independence and impartiality in the judicial decision-making process and provides parties with a fair and impartial forum where complex administrative matters are adjudicated.

OATH's Hearings Division

In the OATH Hearings Division, hearings are conducted on summonses issued by 25 different City enforcement agencies for alleged violations of law or City rules. These summonses are issued by the Departments of Buildings, Sanitation, Environmental Protection, Consumer and Worker Protection, Health and Mental Hygiene, and the Taxi and Limousine Commission, among others. OATH hearings are conducted by Judicial Hearing Officers. The OATH Help Center assists self-represented litigants to understand the law, the hearing process, and other processes to correctly respond and resolve summonses.

Clerks in the Hearings Division Clerk's Office are responsible for assisting respondents by processing requests for hearings and scheduling cases, sending out decisions, processing payments, and providing other information to those who have received summonses. OATH Clerks manage the OATH Call Center, manage requests to reschedule upcoming hearings, schedule hearings by phone and send out PIN numbers and instructions for hearings, check-in respondents who have requested and pre-scheduled a hearing in person, mail out decisions and other notices, process penalties and payments, process refund requests, process requests for documents and hearing recordings, fields complaints about registered representatives that appear on behalf of the respondents, and liaise with the NYC Department of Finance (DOF) regarding payments to DOF. DOF is the agency responsibility for collecting monies owed to the City of New York.

OATH's Special Education Hearings Division

OATH's Special Education Hearings Division's (SEHD) provides fair and impartial hearings to resolve disputes between parents of students with disabilities and the New York City Department of Education (DOE). Due process claims filed by parents are adjudicated by OATH's SEHD Independent Hearing Officers, who are certified by New York State and serve four-year terms.

Separate from the three adjudicative divisions noted above, OATH also houses the Center for Creative Conflict Resolution (CCCR). Since 2016, the Center has provided mediation and restorative justice support to City government agencies and the public. The Center provides creative, collaborative, flexible, cost efficient and "breathable" options to effectively manage conflicts within and across New York City government. The Center provides a wide range of free services to City government employees and agencies. Through these efforts, the Center seeks to transform the harmful potential of conflict into opportunities for improved communication, enhanced relationships, greater public trust, and positive change.

OATH also houses the Administrative Judicial Institute, a resource center that provides training, continuing education, research and support services for the various administrative law judges and tribunals throughout New York City.

Agency Plan

Physical Access

OATH's leased office spaces are located at:

1. 100 Church Street, New York NY 10007, 12th Floor
2. 66 John Street, New York, NY 10038, 9th, 10th, and 11th Floors
3. 9 Bond Street, Brooklyn, NY 11201, 6th, and 7th Floors
4. 260 E 161st Street, Bronx, NY 10451, 6th Floor
5. 31-00 47th Avenue, Queens, NY 11101, 3rd, and 4th Floors
6. 350 St. Mark's Place, Staten Island, NY 10301, Main Floor

- All OATH office locations are wheelchair accessible
- All OATH bathroom facilities include an accessible stall
- OATH's Bronx location has 18 hearing rooms equipped with audio induction loop assistive listening systems

OATH will take appropriate steps to prevent service disruptions to accessible parts of its public spaces. In the event of service disruptions, OATH will notify the public of the service disruptions and alternatives available.

Digital Access

OATH 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.

In 2023, OATH relaunched its website to be more accessible. OATH has been working closely with OTI to ensure that we meet higher than average Accessibility IMPact (AIM) scores by following the latest ADA and WCAG accessibility best practices. Over the next five years we are committed to ensuring that the new website stays up to date with those standards and best practices, should they evolve.

In 2023, OATH designated a Digital Inclusion Officer (DIO) who has received specific training on digital accessibility and is responsible for web content.

Programmatic Access

OATH is committed to ensuring that members of the public have the opportunity for a full and fair hearing. The back of all summonses contain language which outlines the procedure for individuals with disabilities to request a Reasonable Accommodation to participate in a hearing. A request for a Reasonable Accommodation can be made by visiting the website or contacting the Agency via a direct telephone number listed on the summons. Additionally, the back of the summons contains information for respondents who do not have a lawyer or other representative, to contact OATH's Help Center prior to their hearing for a free consultation.

For all other services and programs, people with disabilities needing an accommodation, are encouraged to make their needs and preferences known to OATH by reaching out to the event contact as listed on event fliers or OATH's DSF.

Whenever new initiatives are launched, or changes are made to new existing programs or services, OATH will ensure that all aspects of accessibility are considered.

Additionally, the goal of our Language Access Plan (LAP) is to provide free language access services so that persons with limited English proficiency (LEP) have meaningful access to OATH's direct public services.

To access OATH's Language Access Plan, please visit:

[Language Access Plan - OATH \(nyc.gov\)](https://www.nyc.gov/language-access-plan)

Effective Communications

OATH's Help Center currently offers remote help sessions that can be done by telephone, zoom, text message, email or in person. The Help Center also provides online or telephone-based community service, to eligible respondents. OATH will continue to offer these various remote sessions which may be more accessible to persons with disabilities.

OATH currently has and will continue to maintain contracts with interpretation vendors to provide sign language interpretation at hearings, trials and help sessions.

Upon request, OATH will provide or arrange for the provision of accessible formats and communication supports for persons with disabilities in a timely manner.

Workplace Inclusion

Implementation Timeframe: 2024-2028

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

1. On a yearly basis, OATH circulates the Citywide EEO Policy to all staff. 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. Although not mandatory, OATH will require that all employees complete DCAS's Computer Based Training (CBT) on Disability Awareness and Etiquette every 2 years.
3. The EEO Office informs employees of policies used to support employees with disabilities and notifies employees when there is a change in policy.
4. On a yearly basis and through Employee Newsletters, employees are reminded of the Reasonable Accommodation Process and the EEO Officer's contact information.
5. OATH will continue to work with NYC: ATWORK to identify potential 55-A applicants.

Consistent with the Citywide EEO Policy and relevant laws and rules, the EEO Office provides documented individual accommodations based on the following:

1. Engaging in a cooperative dialogue with the employee/applicant requesting an accommodation.
2. Evaluating medical documentation to determine appropriate and effective accommodations that address the specific disability or condition.
3. Conducting regular reviews with employee to ensure that the accommodation put in place is addressing their needs.
4. If applicable, providing a reason for a denial and the process to request an appeal.

Methodology

Beyond meeting ADA compliance requirements, OATH is committed to identifying areas where accessibility can be improved, and barriers removed for members of the public as well as all our employees. To reach these goals, during the coming years, OATH will:

- Review existing accessibility policies and procedures and update where necessary.
- Work closely with our landlords and DCAS to identify and rectify access issues in our locations.
- Improve the visibility of the 55-a program with OATH.
- Commit to filing an accessibility report based on standard deadlines as required by Local Law 12.

To prepare this report, the EEO Office consulted with members of the IT Department, Communications & Public Affairs Department, and the Security & Facilities Department. As the person responsible for receiving Reasonable Accommodation requests, the EEO Officer provided additional information as it pertains to their direct contact in assisting individuals with disabilities.

Appendix A

Accessibility Policy

OATH Policies Prohibiting Discrimination against People with Disabilities in Access to City Services

It is the policy of OATH 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. OATH does not discriminate on the basis of disability in the operation of its programs, services, and activities.

Employment related complaints for employees and applicants for employment seeking a reasonable accommodation are covered under the City's Diversity and EEO Policy which can be found on the [DCAS website](#).

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

Disability Service Facilitator

Sharina DeRoberts
66 John Street
New York, NY 10038
DSF-OATH@oath.nyc.gov
212-436-0524
(212) 504-4115- NYC 311 TTY Number
New York Relay Service 711

You can contact the Disability Service Facilitator by email by submitting the [Contact the Commissioner form](#) and choosing "Request Access Accommodations" on the Message Topic dropdown menu.

Requests should be made as soon as possible but no later than (3) business days before the scheduled program, service, or activity. Questions, concerns, or requests for additional information may be directed to Sharina DeRoberts.

If you believe you have been denied an auxiliary aide or service or a reasonable modification of policies or procedures to participate in programs, services or activities provided by OATH, please see our 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 in the provision of services, activities, or programs, by OATH. Employment related complaints for employees and applicants of employment seeking a reasonable accommodation are covered under the City's Diversity and EEO Policy which can be found at [Equal Employment Opportunity Policy \(nyc.gov\)](#).

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 computer-assisted real-time transcription (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 a grievance, such as in-person interviews or an audio recording of the grievance, may be 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 alleged date of the violation to:

Disability Service Facilitator
Sharina DeRoberts
66 John Street
New York, NY 10038
212-436-0524
DSF-OATH@oath.nyc.gov

Within **thirty (30)** calendar days after the 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 OATH'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:

Commissioner &
Chief Administrative Law Judge
Asim Rehman
100 Church Street, 12th Floor
New York, NY 10007

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.

OATH'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 OATH 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 OATH, 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.

Appendix B

Website Accessibility Statement

The Office of Administrative Trials and Hearings (OATH) 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](#).

If you need assistance accessing a particular program or service, please reach out to the OATH's Disability Services Facilitator at (212) 436-0524 or DSF-OATH@oath.nyc.gov

Assessment Approach

The Office of Administrative Trials and Hearings assesses the accessibility of its digital content through self-evaluation.

Date

This statement was created on 02/16/2023.