



**Commission On
Human Rights**

New York City Commission on Human Rights

22 Reade Street
New York, NY 10007
212-306-7450 | 212-416-0197
www.nyc.gov/site/cchr

**Testimony of JoAnn Kamuf Ward
Deputy Commissioner of Policy & External Affairs
New York City Commission on Human Rights
Before the Committees on Civil and Human Rights & Small Businesses
May 9, 2025**

Introduction

Good afternoon Chair Feliz, Chair Williams, and members of the City Council Committees on Small Businesses and Civil and Human Rights. Thank you for convening today's hearing. I am JoAnn Kamuf Ward, Deputy Commissioner for Policy and External Affairs at the Commission on Human Rights. Joining me for Q & A from CCHR is Policy Counsel, Michael Griffin. Also here for Q & A is my colleague Haris Khan from Small Business Services

The NYC Commission on Human Rights is dedicated to advancing accessibility and ensuring all New Yorkers are able to live, work, and thrive in our city. The Commission welcomes the opportunity to speak about the NYC Human Rights Law's protections against disability discrimination and the ways that the Commission on Human Rights educates New Yorkers about their rights and obligations under the Law.

The NYC Commission on Human Rights' Dual Mandate

The Commission has a dual mandate: civil law enforcement and fostering intergroup collaboration. The Commission's Law Enforcement Bureau investigates complaints of discrimination from the public, initiates investigations on behalf of the city, and uses testing to identify potential violations of the Law. The Community Relations Bureau offers workshops and trainings on the rights and responsibilities of New Yorkers under the Law. The Community Relations Bureau also prevents discrimination through education and works closely with community partners, businesses, housing providers, and sibling agencies to achieve this goal.

Importance of an NYC that is Inclusive and Accessible

The New York City Human Rights Law protects persons with disabilities from discrimination at work, in their homes, and in public spaces. The Law aims to achieve independent and equal access to all aspects of city life, and requires employers, housing providers, and public accommodations to provide reasonable accommodations unless doing so creates an undue hardship.

According to the American Community Survey, approximately one million New York City residents live with a disability.¹ Prioritizing accessible and inclusive spaces across New York City enables people

¹See United States Census Bureau, American Community Survey Data (2023), <https://data.census.gov/table?t=Disability&g=160XX00US3651000&y=2023&d=ACS+1-Year+Estimates+Selected+Population+Profiles>.

with disabilities to participate more fully in our country's largest city, ensuring all individuals can engage with their communities, access services, find and maintain employment, and secure housing that best meets their needs.

Preventing discrimination is a principal focus of the Commission. This means engaging in targeted education, outreach, and collaboration with persons with disabilities. The Commission's most prevalent training, Human Rights Law 101, covers the Law's disability protections in all areas of our jurisdiction. The agency also has a more in-depth training on accessibility in public places and housing.

In FY 24, CCHR provided 375 trainings covering disability protections, reaching over 10,000 people. This was an increase over the 260 trainings that include disability protections the prior year. During those two years, training recipients included workforce development centers, chambers of commerce, non-profits and union members.

Our collaborations with organizations serving persons with disabilities also continue to expand. In FY 24, the Commission partnered with Project Access for All to hold a Disability Unite Festival, which engaged over 5,000 participants, including sessions on the robust protections under the Human Rights Law. The Commission also participated in the Disability Pride Parade, supporting the right of New Yorkers living with disabilities to thrive in New York City.

CCHR's business corridor outreaches span across all five boroughs, and include being in the field in Jackson Heights, Jerome Avenue, Little Yemen, City Island, and other locations. The Commission's tabling and workshops also reach Chambers of Commerce, Merchant Associations, and Business Improvement Districts.

The Commission also work directly with Small Business Services (SBS) in a number of ways, which recently included training SBS staff on the Human Rights Law, joining SBS's AAPI Small Business Task Force Meetings, and outreach with SBS's mobile van. Joint street outreach this year included sharing information with food cart vendors and small businesses on the Upper East Side. Additionally, CCHR was a participant in SBS's Small Business Month Expo on May 29th, and SBS joined the Disability Unite Festival that I mentioned earlier.

Disability Protections in the New York City Human Rights Law: Employment and Public Accommodations

The NYC Human Rights Law (NYCHRL) has a broad and inclusive definition of disability, which covers any "physical, medical, mental, or psychological" impairments, whether or not they are apparent.

Right to Be Free from Discrimination

The Human Rights Law prohibits public accommodations, housing providers, and employers from discriminating against anyone because of any actual or perceived disability, and prohibits retaliation against an individual for opposing discrimination. Public accommodations, like businesses, must ensure full and equal enjoyment of their facilities and services, regardless of disability, and employers are prohibited from treating employees less well on the basis of disability.

Right to Reasonable Accommodations

Under the NYCHRL, employers, housing providers, and public accommodations are covered entities that must provide reasonable accommodations. In public places, reasonable accommodations enable

people to fully and independently enjoy the rights in question. In the employment context, this means providing a reasonable accommodation to allow individuals to fulfill the essential requisites of the job. A reasonable accommodation must be provided unless a covered entity can establish that doing so would cause an undue hardship.

Public Accommodations

Reasonable accommodations in public places and spaces ensure that patrons can fully access services. This includes having tables where a wheelchair can be accommodated in a restaurant; alterations to the existing physical space and structures, such as the installation of ramps or lifts inside both and outside the business; and the use of assistive technology, such as providing assistive listening devices in a movie theater. In the absence of an undue hardship, business owners that fail to take steps to meet the needs of patrons with disabilities may be engaging in unlawful discrimination because they are denying the patron the ability to use and enjoy the premises equally to patrons that do not need such accommodation.

Employment

In employment, the NYCHRL requires covered employers to provide reasonable accommodations for an individual's disability that allow the individual to perform the essential requisites of the job. As already noted, an accommodation is reasonable if it can be made without causing undue hardship to the covered entity's business.

Reasonable accommodations in the workplace may include obtaining equipment or technology, adjusting schedules, or altering methods of communication for certain materials and information. In existing facilities, structural changes may be necessary to the extent that they will allow an employee with a disability to perform the essential requisites of the job, including access to work stations, and support facilities such as restrooms and cafeterias.

Enforcement

Enforcement of disability protections is a significant part of the Commission's work. In FY 24, the Law Enforcement Bureau received 665 inquiries related to disability and filed complaints that included 116 disability claims. The Law Enforcement Bureau also does proactive testing in this area, and completed 285 tests regarding disability in FY 24, with the majority in places of public accommodation. Issues of accessibility can be good candidates for resolution without filing a complaint. Where physical accessibility is at issue, the Law Enforcement Bureau has a small Project Equal Access Team that works with covered entities to identify ways to make spaces – primarily housing - accessible to people with disabilities without a formal complaint-filing process. In FY 24, CCHR facilitated 85 modifications for persons with disability and filed complaints that included 116 disability claims.

In addition to affirmative relief, disability case remedies can include damages for individuals and civil penalties. The Commission is committed to ensuring that the Human Rights Law enables full access to job opportunities and public accommodations and New Yorkers can live free from discrimination.

Conclusion

In closing, the Commission aims to address discriminatory policies and practices that prevent a fully inclusive and accessible New York and is excited to work with stakeholders to advance this objective collectively. We appreciate the Council's time and attention and welcome your questions.



MANHATTAN | 1010 Avenue of the Americas, Suite 301, New York, NY 10018
tel: 212.674.2300 fax: 212.254.5953 vp: 646.350.2681

QUEENS | 80-02 Kew Gardens Road, Suite 400, Kew Gardens, NY 11415
tel: 646.442.1520 fax: 357.561.4883
www.cidny.org

In Support of Improving the Accessibility of Small Businesses

May 12, 2025

To the Committees on Civil and Human Rights and Small Business:

My name is Molly Senack, and I am submitting testimony today on behalf of the Center for Independence of the Disabled, New York (CIDNY) as their Education and Employment Community Organizer. This testimony is supported by Sharon McLennon Wier, Ph.D., MEd., CRC, LMHC, Executive Director of CIDNY.

The Council is currently considering legislation that will contribute to efforts to improve and expand employment opportunities for people with disabilities in an area where they are still significantly underrepresented: in NYC small businesses (wherein a “small business” is defined as “a for-profit or not-for-profit entity, excluding government entities, that is not a chain business and that employs no more than 100 employees”).

- **Int 0282-2024** would require NYC to establish a fund to aid small businesses in making their storefronts physically accessible.
- **Int 0639-2024** would ensure that small businesses receive necessary training, information, and resources for making their businesses more accessible and inclusive for employees with disabilities.
- **Int 1260-2025** would provide small businesses with free legal assistance regarding certain ADA compliance issues.

In 2020, the US Department of Labor [published a report](#) that only 12% of small companies (5–14 employees) and 29% of medium sized companies (15–249 employees) employ people with disabilities, compared with 68% of large companies (over 250 employees).

While people with disabilities are underemployed across the board (in 2022, only 34.8% of disabled people between the ages of 16-64 were employed in the United States and in NYS are also almost twice as likely as people without disabilities to live below the poverty line [30% vs 17%]), smaller businesses are a source of one of the largest gaps.

The legislation the Council is now considering will help close those gaps. People with disabilities can experience disproportionate difficulty obtaining and retaining well-paying jobs, in part because many of the practices involved in applying, hiring, and training for jobs and subsequent promotions are implicitly discriminatory. Employees who request accommodations that they are legally entitled to can be met with discouragement and even hostility in the workplace, often leaving those employees with a difficult decision: either struggle to work without necessary resources and supports or endure further marginalization by soliciting them. **Int 0639** will

provide employers with training and resources to ensure that more people with disabilities are not only hired, but are supported throughout their employment.

Int 0282 will ensure that physical inaccessibility does not remain an additional barrier to employment in locations where it is not economically feasible for the business owner (who may or may not own the building itself) to make the often complicated and expensive updates needed to make the city's older structures accessible. Additionally, when combined with intro 0639-2024, which will provide resources (we assume that means money) for storeowners, the legal advice provided will be followed up with modifications funded in whole or in part by the City.

And while **Int 1260** is touted as legislation that will help protect small businesses against sham ADA lawsuits, it is also something that will make ADA compliance easier to understand and discuss. In doing so, this might make a subject that employers have been taught to think of as a little more than a scare tactic more approachable and therefore, more addressable.

This legislation will also encourage the economic participation of people with disabilities from the other side: together, they will make it easier for the approximately 20% of New Yorkers who have at least one disability to act as consumers of NYC's small businesses.

We thank the Council for your time and effort, and support the passage of these pieces of legislation, which help ensure that people with disabilities have equitable access to full participation in NYC's economic landscape: both as employees and as consumers.

Sincerely,

Molly Senack (She/Her)
Education and Employment Community Organizer
Center for Independence of the Disabled, New York
Email: msenack@cidny.org Phone: [REDACTED]



25 Elm Place, 5th floor
Brooklyn, New York 11201-5826
718 998 3000
718 998 3743 FAX
www.bcid.org

May 12, 2025

Council Member Oswald J. Feliz
Chair, New York City Council on Small Business

Council Member Nantasha M. Williams
Chair, New York City Council on Civil and Human Rights

Via email and City Council portal

Dear Council Members Feliz and Williams:

We write to strongly oppose the current versions of Intro. 282 (2024) and Intro. 1260 until the Council fully consults with the disability community about their potential impact and revises them to reflect the needs of all New Yorkers.

The Brooklyn Center for Independence of the Disabled (BCID) is a disability-led independent living center, one of five in New York City. Founded in 1956, we provide services and advocate on behalf of disabled people in Brooklyn and across the city. In the past, we operated a non-publicly funded campaign, Open Doors, intended to educate business owners about how to make businesses accessible, especially to people with mobility disabilities.

In spite of our past experience promoting accessibility in businesses, and similar advocacy by many other New York City disability advocacy groups, these bills have appeared with little, if any, consultation with our groups. Instead, the bills seem to reflect only the concerns of business owners who are already legally obligated to make their establishments accessible, not the hundreds of thousands of New Yorkers who cannot get into them because of steps or other barriers. We note as well that the Council's Committee on Mental Health, Disabilities and Addiction did not sponsor the May 9 hearing.

BCID does not object to the potential use of City funding or loans to help make retail establishments accessible, but Intro. 1260 and the committees' report do not answer many questions about the use of this funding, including whether the Small Business Administration is the appropriate agency to run such a program, who would qualify, and

what role other agencies, including the Mayor's Office on People with Disabilities, would have, if any.

Intro. 1260 is also flawed: it would focus on providing legal advice to businesses rather than the kind of technical advice they actually need to make their establishments accessible. After all, the law since 1990 has been clear: Barring extreme circumstances, all public places must be made accessible under the Americans with Disabilities Act.

We are eager to work with you to create legislation that will actually increase accessibility in New York City. Only that way can our city truly be accessible to all.

Yours truly,

Joseph G. Rappaport
Executive Director



In support of Intros 282, 639, and 1260

Good afternoon. My name is Kathleen Reilly Irwin, and I am the NYC Government Affairs Manager for the New York State Restaurant Association (NYSRA). We are a trade association representing food and beverage establishments in New York City and State. We are the largest hospitality trade association in the State, and we have advocated on behalf of our members for 90 years.

Thank you to the Committees on Small Business and Civil and Human Rights for holding today's hearing, and to Public Advocate Williams and Council Members Menin and Narcisse for introducing the important legislation we are discussing today. NYSRA is supportive of Intros 282, 639, and 1260. NYSRA strongly values ADA compliance and accessibility for people with disabilities, and helping businesses meet that standard through education, financial support, and legal resources would be a meaningful way for the city to support these goals.

Intro 282 provides for some combination of grants, loans, and in-kind materials and services to assist small businesses with storefront upgrades to improve their accessibility for people with disabilities. From the restaurant industry's perspective, grants and in-kind services or materials would be highly preferable to loans in the current economic environment. Between inflation, the threat of tariffs, and sinking consumer confidence, restaurants see a bleak and unpredictable business landscape ahead. Of course, pursuing accessibility upgrades is an important goal regardless of the daunting outlook, and providing restaurants with grants and in-kind materials or services would be the best way to meet that goal. With that in mind, we hope this program could be funded in such a way that grants and in-kind offerings are widely available.

On the final provision of Intro 282, which may require a landlord and tenant to agree to a rent decrease as a condition for receiving assistance from the city, we can see the intent and rationale. The city would be paying for a permanent upgrade to the storefront, which presumably raises the value of the storefront for the property owner. That said, if the lease agreement places the onus on the tenant to make these kinds of changes, the incentives might not play out as intended. Landlords may resist lowering the rent, and that may then prevent the improvement from taking place if all parties cannot reach an agreement. Lower rent would benefit restaurant tenants, but we are concerned about this provision as a potential practical impediment.

NYSRA is extremely supportive of Intro 1260, which would expand the legal assistance available from the Department of Small Business Services (SBS) to include compliance with federal, state, and local accessibility laws. This is a much-needed area of support for small businesses, and due to the private right of action within the ADA, lawsuits targeting small businesses including nuisance suits are extremely common, and expensive to manage. Furthermore, we are aware of certain "cutting edge" or mostly untested areas of ADA litigation, for instance, businesses being sued if their gift cards do not have braille. While we do not expect SBS to necessarily be able to

give authoritative answers about these frontiers of ADA litigation, we would ask that they stay current on these developments so they can best educate restaurants about their obligations and potential risks and provide legal support as needed.

NYSRA also supports Intro 639, which would require the Department of Small Business Services (SBS) to provide more training and resources surrounding accessibility in the workplace, with a focus on how to hire, include, and provide accessibility for workers with disabilities.

In conclusion, the New York State Restaurant Association is grateful to City Council, and the Committees on Small Business and Civil and Human Rights, for providing the opportunity to discuss these important proposals. We share the goal of improving accessibility in New York City, and we applaud these proposals to provide the support that small businesses need to be compliant. We look forward to working on this issue in collaboration with all of you in the future. Thank you.

Respectfully Submitted,

Kathleen Reilly Irwin
NYC Government Affairs Manager
New York State Restaurant Association
401 New Karner Road
Albany, New York 12205

Friday, May 9, 2025

Testimony of the NYC Hospitality Alliance to the NYC Council on Int. 282, Int. 639 and Int. 1260,

NYC Council:

The NYC Hospitality Alliance is a not-for-profit association representing thousands of restaurants, bars, and nightclubs across the five boroughs. We SUPPORT Int. [282](#), Int. [639](#), and Int. [1260](#), which provide critical resources and training to help small businesses improve accessibility for individuals with disabilities.

Small businesses want to be accessible to all but some face major challenges. Many operate in older or landmarked buildings with narrow entrances or stairs that make modifications costly or even structurally impossible. Permanent ramps or lifts can be prohibitively expensive.

We support Int. **282**, which offers financial support for accessibility improvements. We strongly recommend that these funds be distributed as **grants rather than loans**, as many small businesses don't have the resources to take on additional debt.

We also support Int. **639**, which would require the city to provide training on workplace accessibility and inclusion of workers with disabilities—it's another important step toward building a more inclusive city.

We also support Int. **1260**, legal services program to include individualized, free-of-charge legal assistance through a designated organization for small business tenants on compliance with federal, New York State, and New York City laws on making their businesses accessible to people with disabilities

Beyond these bills, we urge the Council to consider a **"notice and cure" provision** under the NYC Human Rights Law. While the federal Americans with Disabilities Act allows only attorneys' fees, the NYC law permits compensatory damages. As a result, some lawyers use local laws to increase pressure on small businesses to settle for what are still hefty payouts. Requiring notice and a chance to fix issues before a lawsuit is filed would protect both accessibility rights and small businesses from unnecessary litigation. In fact, businesses would have more money to contribute to compliance with accessibility standards, instead of using that money for legal and settlement fees.

We thank the Council for addressing these important issues and urge the passage of both bills with these considerations in mind.

If you have comments or questions, please contact the NYC Hospitality Alliance's Executive Director Andrew Rigie at arigie@thenycalliance.org.



**New York Lawyers
For The Public Interest, Inc.**
151 West 30th Street, 11th Floor
New York, NY 10001-4017
Tel 212-244-4664 Fax 212-244-4570
www.nylpi.org

**Testimony of
Ruo Yang, Social Work Intern, and Maureen Belluscio, Managing Attorney,
Disability Justice Program
New York Lawyers for the Public Interest**

to the

**New York City Council
Committee on Civil and Human Rights**

jointly with the

**New York City Council
Committee on Small Business**

regarding

**Oversight: Small Business Services and Commission on Human Rights Coordination for
Human Rights Law Awareness and Compliance**

We are grateful to the New York City Council Committee on Civil and Human Rights and Committee on Small Business for holding this hearing on Proposed Local Laws 282 and 638, concerning accessibility in small businesses.

NYLPI's Disability Justice Program represents people in disability rights and anti-discrimination matters. The proposed amendments to the Administrative Code align directly with our mission by strengthening the New York City Human Rights Law ("NYCHRL") and safeguarding the rights of over a million New Yorkers with disabilities to receive reasonable accommodations in the communities where they live. These protections are critical to ensuring that all people with disabilities can thrive in a city that values dignity, access, and justice for all.

We appreciate the opportunity to provide testimony to urge that New York City fund accessibility-related renovations and training to small businesses, thereby ensuring that our city remains inclusive and equitable for all New Yorkers.

Small Businesses in New York Currently Face Numerous Accessibility Challenges

According to the NYC Mayor's Office for People with Disabilities, approximately one in ten residents of New York City have a disability, making up roughly 11% of the city's total population.¹ Despite the fact that people with disabilities comprise a significant portion of the population, many small businesses across the city remain inaccessible to them. Architectural

¹ <https://www.nyc.gov/site/mopd/publications/disability-statistics-in-nyc.page>.

barriers, such as inaccessible entrances, narrow doorways, and restrooms that do not meet accessibility standards, prevent people with disabilities from enjoying the same access to goods, services, and spaces as their non-disabled peers. This not only prevents people with disabilities from obtaining services crucial to their livelihoods but also deprives them of equal participation in their communities.

In addition to their failure to offer accessible facilities, small businesses often fail to employ people with disabilities, perpetuating a long history of stigma and exclusion from the workforce. This is especially troubling given that, while the national employment rate for working-age people with disabilities was 34.7% in 2022 — already an unconscionably low percentage — New York’s employment rate for people with disabilities is only 26.1%.² Small businesses are largely responsible for the low employment rate; they account for 98% of all businesses in New York City and employ nearly half of the city’s workforce.³ Thus, their practices have a profound impact on whether people with disabilities are included or left behind in the city’s economic life.

This present state of affairs is particularly concerning, given that the federal Americans with Disabilities Act (ADA), New York State’s Human Rights Law (NYSHRL), and New York City’s Human Rights Law (NYCHRL) require reasonable accommodations in public physical spaces as well as protection against discrimination in employment. This lack of compliance can possibly be attributed to limited financial resources, as renovations can be costly for small businesses with less capital than their corporate counterparts. A 2007 Small Business Administration study concluded that typical small business renovation costs are 2.2 to 4.1 times greater per square foot than large firms cost in the same industry which use the same but larger building type.⁴ Additionally, many business owners may lack awareness about what accessibility modifications entail or how to properly support employees with disabilities. This is supported by a 2011 study conducted by the Institute for Health and Aging, which finds that the three principal barriers to employing workers with disabilities are (1) lack of awareness of disability and accommodation issues, (2) concern over costs, and (3) fear of legal liability.⁵

Proposed local laws 282 and 638 would address these alarming gaps in resources that are negatively impacting the disability community, by providing small businesses with support to build a more inclusive and equitable city.

Supporting Accessibility Efforts Benefits the Disability Community and Small Businesses

Supporting accessibility efforts benefits both the disability community and small businesses. For people with disabilities, increased accessibility means greater independence as well as the ability to fully participate in everyday life. Thus, accessibility isn’t just about physical modifications but rather it is also about affirming the dignity of individuals with disabilities and their right to equal opportunity.

Furthermore, for small businesses, increased accessibility opens the door to a broader customer base and improves community reputation and loyalty. According to the US Department of Labor,

² <https://www.osc.ny.gov/press/releases/2023/04/dinapoli-employment-recovery-new-yorkers-disabilities-lags-nation>.

³ <https://www.nyc.gov/assets/smallbizfirst/downloads/pdf/small-business-first-report.pdf>.

⁴ <https://www.govinfo.gov/content/pkg/GOVPUB-SBA-PURL-LPS96915/pdf/GOVPUB-SBA-PURL-LPS96915.pdf>.

⁵ https://pmc.ncbi.nlm.nih.gov/articles/PMC3217147/pdf/10926_2011_Article_9302.pdf.

people with disabilities have \$175 billion in discretionary spending nationally, making up a large and growing market of consumers that can help expand small businesses and their revenue.⁶

Ultimately, when small businesses invest in accessibility, they are not just complying with legal standards, they are also actively contributing to a more just, vibrant, and economically thriving city. By supporting these efforts through city-funded renovations and training, the New York City Council can ensure that accessibility becomes a collective benefit to all stakeholders involved.

About New York Lawyers for the Public Interest

For nearly 50 years, NYLPI has been a leader in advocating for New Yorkers, working to accomplish equality of opportunity for all. We utilize a community lawyering model to bridge gaps between traditional civil legal services and civil rights advocacy and to fortify capacity for both individual solutions and long-term impact.

Our work encompasses comprehensive organizing, policy campaigns, impact litigation, and individual legal services, and we are guided by the priorities of our communities as we advocate for the rights of people with disabilities, equal access to health care, immigrant opportunity, invigorated local non-profits, and environmental justice for low-income communities and communities of color.

NYLPI's Disability Justice Program has represented thousands of individuals and triumphed in numerous campaigns improving the lives of New Yorkers with disabilities. We have long fought disability-based discrimination in housing, education, public accommodations, and government services, and our landmark victories include achieving access to New York City Housing Authority housing for persons with disabilities, halting discrimination by charter schools against students with disabilities, and enabling access to the observation deck of the Empire State Building.

Ongoing Support from NYLPI

We thank the City Council for convening this important hearing. We appreciate the opportunity to provide this testimony on behalf of our clients and communities who deserve access to New York City small businesses. Please feel free to contact us at (212) 244-4664, ex. 9312, or mbelluscio@nylpi.org.

⁶ <https://archive.ada.gov/buisstat.htm>.

Downstate New York



Downstate New York
ADAPT
Website: dnyadapt.com

May 12, 2025

Council Member Nantasha M. Williams
Chair, New York City Council Committee On Civil
and Human Rights

Council Member Oswald J. Feliz
Chair, New York City Council Committee On Small
Business

Sent Online at <https://council.nyc.gov/testify/>
Emailed to: testimony@council.nyc.gov

Re: New York City Council Committee On Civil
and Human Rights Jointly With The New York City Council
Committee On Small Business – T2025-3350 & T2025-
3351 - Oversight – Small Business Services and
Commission on Human Rights Coordination for Human
Rights Law Awareness and Compliance

Dear Chair Williams and Chair Feliz:

We, the undersigned disability organizations, submit this
testimony to the New York City Council Committee On
Civil and Human Rights jointly with the New York City
Council Committee On Small Business.

We, the undersigned disability organizations, wish to make it clear to the New York City Council that our organizations' members are intersectional: our members are immigrants; first, second, third generation citizens; are small and large business owners; are consumers, taxpayers and voters; are plaintiff and defense attorneys; are Council members; as well as represent a multitude of nationalities, ethnicities, religions and social-economic backgrounds. None of the undersigned disability organizations have ever brought a frivolous lawsuit nor do we support nor condone the bringing of frivolous lawsuits. When our members' civil rights have been violated we first contact the entity and try to resolve the matter, we write letters, we testify, we demonstrate and protest and only as a very last resort do we commence litigation, after all other methods of resolution have failed. It is our constitutional right to bring a lawsuit in order to protect our civil rights, just like any other minority.

Thus, we, the undersigned organizations, fully support legislation that would make New York City more accessible to people with disabilities and support our local businesses. At first blush, it would seem that we should support the bills before the joint Committees today because they seem to promote accessibility for people with disabilities. However, on further reflection, we have some concerns regarding two of the three bills which we discuss further herein. We are mainly concerned about Int. No. 0282-2024 and Int. No. 1260-2025.

Int. No. 282-2024

Addressing Int. No. 0282-2024, our main concern is that this bill may establish a bad precedent in that in those instances where grants are given, it requires the City to totally finance a business' expenses, that is, the expense of making their premises accessible, something that the City does not do for businesses with respect to their many other legal business obligations and expenses that all businesses, including small businesses must comply with and pay. Thus, this may send a message that these accessibility expenses which ensure equal access for people with disabilities are less important than other business expenses which a business is obligated to comply with, a fact which is not true and should not be perpetuated.

Further, we are worried as to where the funding will be taken from since the City has its own obligation to be providing accessibility to people with disabilities which it has not totally fulfilled over the past few years and which has led to multiple litigation against the City by disability organizations. We fear the funding provided to small businesses would take funding away from such things as making schools, libraries, government buildings, City hospitals, police precincts and other governmental facilities accessible as well as the funding for installing and maintaining Accessible Pedestrian Signals (APS) and pedestrian curb ramps. On April 21, 2025, at another City Council hearing evaluating the current state of health care access for people with disabilities, we heard that the City hospitals are not in complete compliance with the accessibility requirements despite the fact that it is more

than 50 years since Section 504 of the Rehabilitation Act was enacted and more than thirty years since the American With Disabilities Act was enacted.

We, submit, that these funds should be spent by the City to improve services, programs, and activities provided to people with disabilities. For instance, people with disabilities, your constituents, constantly experience delays and outright no shows from Access-A-Ride (AAR), a program that could use greater funding from the City. So too, if more funds were provided by the City, the E-Hail Pilot Program could be expanded and provided to all AAR users, and all AAR customers could be able to use taxi authorization between boroughs in the same way that AAR customers can use taxi authorization within a borough now.

With respect to Int. No. 0282-2024 we have concerns regarding its implementation such as how will this program work, how soon will the accessibility improvements have to be made, by whom, who will inspect the work and, who will make the determination whether the work has been done properly and is in compliance with accessibility requirements for instance? Additionally, how will the City know that this work is actually needed in the way that it is proposed to be done and that it could not be done in a less expensive manner as well as does the recipient of such funds really not have funds to make the storefront accessible? So too, making this bill based solely on the number of employees and not also, on the actual financial position of the recipient seems misguided. Additionally, we respectfully submit that a business that can hire up to 100 employees

should be able to finance a renovation to make its storefront accessible. We submit that this bill, if it is enacted, should be limited to actual small businesses, businesses with less than 15 employees and with revenues of less than \$500,000.

Int. No. 1260-2025

Second, with respect Int. No. 1260-2025, it is not clear which organization will be designated to provide such free of charge legal assistance nor does it take into consideration the fact that any lawyer who will be giving advice to the small business tenant or landlord has an ethical obligation to provide the client, that is, the tenant or landlord, the best advice for the client, which of course, may not be the best advice for the public with respect to whether the business has to make it storefront accessible and how to make it accessible to the public. Here too, the funding for such a program will take money away from other equally important programs that would provide greater access to people with disabilities, such as giving a legal organization funding to assist people with disabilities who cannot afford legal counsel and representation to obtain accessible, affordable housing, home care and medical care in New York City.

Further, there are free resources available to all businesses regarding questions about the Americans with Disabilities Act's Accessibility Guidelines, just like there are free resources regarding other laws and regulations that all businesses must comply with on the federal, state and local level. More specifically, on the federal level, there is a free website, <https://www.accessibilityonline.org/ao/>, where the United States Access Board provides classes that you can watch and learn about all aspects of what is deemed accessible under the Americans with Disabilities Act's Accessibility Guidelines. Anyone can make an account and either go to these classes when they are happening online and ask questions or listen and watch them later. Also, the Access Board provides confidential technical assistance on its accessibility guidelines and standards and accessible design through its helpline at 202-272-0080, extension 3, and by email at ta@access-board.gov from 10 a.m. to 4 p.m. (ET) weekdays, see this link <https://www.access-board.gov/ta/>.

So too, as it was pointed at the hearing, there are free resources available to businesses at the City level on several websites and by the New York City Commission on Human Rights, the Mayor's Office for People With Disabilities and the New York City Department of Small Business Services.

In sum, we, the undersigned, support legislation that promotes accessibility for all such as Int. No. 0639-2024 which would have the New York City Department of Small Business Services offer training and education to small businesses regarding the accessibility of the workplace and inclusion of workers with disabilities. With respect to Int. No. 0282-2024 and Int. No. 1260-2025, we submit that there needs to be further discussion regarding what is the most efficient and effective way to promote and support small businesses in complying with the laws regarding accessibility for customers with disabilities and in using public funds for private businesses.

Res. No. 0520-2024

Finally, we support Res. No. 0520-2024, a resolution recognizing July 2nd annually as Thurgood Marshall Day in the City of New York to promote Justice Marshall's contribution and legacy as a pillar of the Civil Rights movement and look forward to the events promoting the great work of Supreme Court Justice Marshall being accessible to all New Yorkers.

We, the undersigned organizations who represent many in the largest diverse minority in New York City, view issues from many sides. We thank you for the opportunity to comment today since equal access to all New York City's services, activities, programs and facilities is important to us and we hope that you will contact us if you would like additional information or have any questions.

Thank you for your continued work on behalf of all of us.

Sincerely,

Downstate New York ADAPT

Justin Ainsworth, Marilyn Tucci, Brandon Heinrich, and
Kathleen Collins
Co-Coordiators
Accessibility Working Group

Bronx Independent Living Services, Inc.

Manuel Perez
Executive Director
Email address: manuel@bils.org

Civics League for Disability Rights

Anne-Elizabeth Straub
Representative for Civics League for Disability Rights
Email address: civicsleague@gmail.com

Disabled In Action of Metropolitan New York, Inc.

Patrick Loman
First Vice President
Email address: info@disabledinaction.org

**Greater New York Council of the Blind of the
American Council of the Blind of New York State**

Terence B. Page

President

Email address: terencebpage@gmail.com

Harlem Independent Living Center, Inc.

Yaw Appiadu

Executive Director

Email address: yappiadu@hilc.org

One Heart, One Vision

Rasheta Bunting

President

Email address: rasheta@oneheartonevision.org

Staten Island Center for Independent Living, Inc.

Carla Brodsky

Interim Executive Director

Email address: Cbrodsky@siciliving.org

Jonathan Hanon

May 9th, 2025 NY City Council Committee on Civil and Human Rights and Committee on Small Business
Small Business Services and Commission on Human Rights Coordination for Human Rights Law Awareness
and Compliance

Hello Councilmembers,

My name is Jonathan Hanon, and I am a resident of Inwood in Manhattan. I have Ehlers Danlos Syndrome, and use a rollator walker to perambulate. I am an Access-A-Ride customer, and am also a member of the MTA's Advisory Committee on Transit Accessibility.

I am testifying today with regard to accessibility in small businesses and its relation to worker's rights. In many businesses across the city, we see a disregard for accessibility. One such disregard is with respect to portable ramps, which put the onus of accessibility onto employees of a small business, adding on an additional physical task that should not be part of the employee's duties, and are likely not part of their job description, simply because the business does not want to install a permanent ramp. This is not just an accessibility issue for patrons with disabilities, but a labor rights issue for employees with disabilities, who may be discriminated against in terms of employment because they would be unable to operate such a portable ramp.

However, there is also the issue of businesses that either have broken ramps or no ramp at all, and additionally, even for businesses in which the facility itself is accessible, there are parts of the facility that are not - for example, a restaurant with a wheelchair accessible entrance but a restroom in the basement down a flight of stairs.

I have complained to the Commission on Human Rights about many of these issues, and most of the time, they don't follow up. Over the years, I have not seen one business repair its facility to be accessible from any of my complaints through the Commission on Human Rights.

I do want to add that just this morning, my wife and I had a meeting with the Commission relating to a grocery facility denying her access because she has a service dog, and I hope that this is something that is acted on.

In any case, I hope that this testimony will make a difference in the responsiveness and responsibility of the Commission on Human Rights in response to accessibility and disability issues across the city.

Kathleen Collins
Telephone No.: 917-576-0225
Email Address: kclawprof1@gmail.com

May 8, 2025

Council Member Oswald J. Feliz
Chair, New York City Council Committee On Small
Business

Council Member Nantasha M. Williams
Chair, New York City Council Committee On Civil
and Human Rights

Sent Online at <https://council.nyc.gov/testify/>
Emailed to: testimony@council.nyc.gov

Re: New York City Council Committee On Civil
and Human Rights Jointly With The New York City Council
Committee On Small Business – T2025-3350 & T2025-
3351 - Oversight – Small Business Services and
Commission on Human Rights Coordination for Human
Rights Law Awareness and Compliance

Dear Chair Feliz and Chair Williams;

My name is Kathleen Collins. I am a native New Yorker
who is a congenital quadruple amputee who uses a
wheelchair.

As a person with a disability, I support legislation that would improve the accessibility of New York City to people with disabilities.

I support Int. No. 0639-2024 which would require the New York City Department of Small Business Services to offer training and education to small businesses regarding accessibility of the workplace and the inclusion of workers with disabilities. Of course, this training and education should include the fact that workers with disabilities are reliable and diligent. So too, this training should show that many times it takes very little money and effort to reasonably accommodate a worker with a disability.

With respect to Int. No. 0282-2024, initially it seems like this is a good bill, however, I have several reservations regarding this bill, including how will this program be funded, who will determine who gets these loans and grants and how will it be determined that the funds were properly used to make a storefront accessible?

Second, with respect to Int. No. 0282-2024, this bill may perpetuate the erroneous message that the human rights and civil rights of New Yorkers with disabilities are less important than other New Yorkers, since the business community may perceive this to mean that their obligation to make their businesses accessible is different from all their other business obligations such as paying their taxes.

Third, this funding needs to come from some place, and I fear that it will come from funds that New York City should be using to meet its own obligations with respect to making New York City's programs, services, activities and facilities accessible to people with disabilities. For several years, the disabilities community has had to bring lawsuits just to get the bare minimum with respect to accessibility from New York City. I respectfully submit that instead of trying to take care of somebody else's obligations, that is, small businesses, with respect to accessibility, New York City needs to take care of its own obligations with respect to accessibility for people with disabilities.

Fourth, with respect to Int. No. 1260-2025, although providing free legal services to small businesses to help them know how to comply with the federal, state and local laws concerning accessibility seems a noble gesture, when you scratch the surface it may be just that, a gesture. There is no guarantee that the legal advice provided to small businesses would promote and guarantee that the business make its store accessible since a lawyer's legal obligation is to give the best advice to its client, which here would be the business and not the city. Thus, the advice given might be that the store does not need to make it storefront as accessible as the public would hope was done.

Finally, with respect to Res. No. 0520-2024, I wholeheartedly support recognizing July 2nd annually as Justice Thurman Marshall's day in the City of New York and I think it definitely would be wonderful to have the City promote his contributions and legacy with respect to

the Civil Rights movement. He was a champion for all people and the way he stood up against oppression is truly inspirational.

Thank you for this opportunity to speak. I reserve my right to submit additional comments within seventy-two (72) hours after the hearing has been closed.

Sincerely,
Kathleen Collins

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 5/9/25

(PLEASE PRINT)

Name: JOANN KAMF WARD

Address: COMMISSION on Human Rights

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 5/9/2025

(PLEASE PRINT)

Name: Michael Griffin

Address: Comm. on Human Rights

I represent: Commission on Human Rights

Address: 22 Beale St FL 2

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Kitty Chan

Address: _____

I represent: NYC Dept of Small Business Services

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ~~HA~~ HARRIS ICHAN

Address: 1 LIBERTY PLAZA, 11th FLOOR

I represent: SBS

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 5/9/25

(PLEASE PRINT)

Name: Christopher Leon Johnson

Address: [REDACTED]

I represent: SELF

Address: _____

Please complete this card and return to the Sergeant-at-Arms