

Board of Education Retirement System's (BERS) Accessibility Policies Prohibiting Discrimination Against People with Disabilities in Access to Services

It is NYCBERS' policy 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. NYCBERS does not discriminate on the basis of disability in the provision of its benefits and services and strives to be welcoming to and inclusive of people with disabilities.

Employment-related complaints for employees and applicants for employment seeking a reasonable accommodation are covered under the City's EEO Policy which can be found at nyc.gov/assets/dcas/downloads/pdf/agencies/nyc_eeo_policy.pdf

Any member, retiree and beneficiary who requires an auxiliary aid or service for effective communication, or a reasonable modification of policies or procedures in order to receive benefits or services (involving matters other than employment) is invited to direct their needs and preferences to NYCBERS' Disability Service Facilitator by email or mail:

Disability Service Facilitator
Board of Education Retirement System
55 Water Street, 50th Floor, New York, NY 10041
Srich4@bers.nyc.gov

Requests should be made as soon as possible but no later than five (5) business days before the scheduled service. Questions, concerns or requests for additional information may be directed to NYCBERS' Disability Service Facilitator.

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

NYCBERS Grievance Procedure for Members, Retirees and Beneficiaries of the Public Alleging Discrimination Based on Disability

The grievant alleging discrimination on the basis of disability in the provision of services or benefits by NYCBERS may file a grievance with NYCBERS which should contain:

- The name, address, telephone number and/or email of the grievant and
- Information about the alleged discrimination, such as the location, date, and description of the incident or alleged violation of the ADA, Rehabilitation Act, NY State Human Rights Law, or NYC Human Rights Law.

“Grievance” is the term for the allegation filed with Board of Education’s Retirement System by a member, retiree and beneficiary.

“Grievant” is the term for the person alleging discrimination in the grievance.

When and How to File a Grievance

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

Disability Service Facilitator
Board of Education Retirement System
55 Water Street, 50th Floor, New York, NY 10041
brespon@bers.gov (Please include “Grievance” in subject line.)

The grievance should be in writing by mail or email using the above address and contain the following information about the alleged discrimination:

- The name, address, and telephone number of the grievant; and
- The location, date, and description of the complaint or alleged violation of the ADA, the Rehabilitation Act, the New York State Human Rights Law or the New York City Human Rights Law.

Should a grievant be unable to file a grievance in writing because of a disability, they should reach out to the Disability Service Facilitator to discuss other options.

Timeline Following Filing of Grievance

When and How to File an Appeal

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

The appeal should be mailed to:

Executive Director
Board of Education Retirement System
55 Water Street, 50th Floor,
New York, NY 10041

The appeal may be filed in one of two ways:

1. By submitting the appeal in writing and by mail using the above address; or

2. Upon request, by an alternative means, such as an in-person interview or an audio recording, describing the incident or alleged violation of the ADA, Rehabilitation Act, NY State Human Rights Law, or NYC Human Rights Law. A request for an alternative means of filing may be granted as an accommodation for a grievant with a disability.

Timeline Following Filing of Appeal

- NYCBERS' response to the appeal will be provided to the grievant in writing within sixty (60) days following receipt of the appeal.
- Should a grievant be unable to file an appeal in writing because of a disability, they should reach out to the Disability Service Facilitator to discuss other options.
- This response will address the appeal, describe NYCBERS' decision, and offer options for substantive resolution of the appeal, where applicable.
- All written grievances, appeals, and responses in connection with a grievance made to NYCBERS will be retained for at least three (3) years.

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

NYCBERS Website Accessibility Statement

The Board of Education Retirement System (NYCBERS) 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. NYCBERS' Disability Service Facilitator will be responsible for ensuring that the agency's five-year accessibility plan is completed on time. Questions regarding the five-year accessibility plan can be sent to brespon@bers.gov.

Conformance Status

The Web Content Accessibility Guidelines (WCAG) define requirements for designers and developers to improve accessibility for people with disabilities. They define 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 NYCBERS' digital content. Please use this [Website Accessibility Feedback Form](#) to report any accessibility issues you encounter while using nycbers.org or NYCBERS Member Self-Service Portal.

If you need assistance accessing a particular program or service, please reach out to NYCBERS' Disability Service Facilitator at brespon@bers.gov.

Assessment Approach

The Board of Education Retirement System assesses the accessibility of its digital content through independent third-party evaluations and self-evaluation against WCAG 2.1 Level AA accessibility standards.

Five-Year Accessibility Plan

[Local Law 12 of 2023](#) requires agencies to develop and implement a five-year accessibility plan. NYCBERS' Five-Year Accessibility Plan is linked below.

NYCBERS Five-Year Accessibility Plan: [here](#)

Date

This statement was created on June 6, 2024.