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Opportunities to Promote Diversity, Equity, and Inclusion with Thoughtful Facilities

November 19, 2020

Courtesy of STUDIOS Architecture, Photography by Tom Minieri

FAQ AND WEBINAR-RELATED RESOURCES

VERA'S COMMITMENT TO RACE, EQUITY, AND INCLUSION.

At the Vera Institute of Justice, we envision a society that respects the dignity of every person and safeguards justice for all. At this critical moment for justice reform, we are standing up and driving change on a variety of fronts—by eliminating money bail, ending mass incarceration, vastly improving life behind bars, ensuring that immigrants get due process, and centering our work on principles of racial equity.

Importantly, our work occurs in the context of a dynamic, rapidly changing, and increasingly high-profile organization and field. Vera has more than 250 staff members who work across four offices—in Brooklyn, New Orleans, Washington, DC, and Los Angeles—as well as remotely. Each year, we are launching new and more complex initiatives, cultivating new constituents, and deploying new tools and tactics to create a justice system that lives up to its name.

As an employer of choice in our field, supporting Vera staff—both personally and professionally—is a priority. To do this, we invest in the well-being of our employees through above market rate compensation, student loan repayment benefits, generous assisted reproductive technology coverage through our comprehensive medical insurance plan, paid leave time including Paid Family Leave, employer retirement savings contributions, and on-site mindfulness meditation sessions and other wellness initiatives throughout the year.

We are taking the steps necessary to become an antiracist institution. This means we are committed to dismantling racism both within our institution and the wider community and to transforming our professional relationships and activities to align with this vision. Through our Racial Equity and Inclusion Initiative, we offer trainings to build organizational capacity and create formal and informal channels for discussion. We have created a Racial Equity Action Plan that spells out some of our key goals and commitments.

Learn more by visiting www.vera.org

FAQ AND WEBINAR-RELATED RESOURCES

IS A DEI COMMITMENT THE SAME AS AFFIRMATIVE ACTION OR THE EQUAL EMPLOYMENT OPPORTUNITY LAW?

“Equal employment opportunity (EEO) means freedom from discrimination on the basis of protected classes such as race, color, sex, national origin, religion, age, disability or genetic information. EEO rights are guaranteed by federal and state fair employment laws and are enforced by the Equal Employment Opportunity Commission (EEOC) and its state counterparts.

“Affirmative action plans (AAPs) define an employer’s standard for proactively recruiting, hiring and promoting women, minorities, disabled individuals and veterans. Affirmative action is deemed a moral and social obligation to amend historical wrongs and eliminate the present effects of past discrimination. AAPs include numerical measures with the intent of increasing the representation of minorities. Federal contractors above certain dollar limits are required to institute AAPs, and the Office of Federal Contract Compliance Programs is charged with enforcing contractor affirmative action mandates. Without violating Title VII of the Civil Rights Act of 1964, other employers may institute voluntary AAPs to remedy past discrimination if certain conditions are met.

“Diversity initiatives are goals devised to measure acceptance of minorities by embracing cultural differences within the workplace. Diversity initiatives are twofold: valuing diversity and managing diversity. The value of diversity is achieved through awareness, education and positive recognition of the qualities, experiences and work styles that make individuals unique (e.g., age, race, religion, disability, ethnicity) within the workplace. The management of diversity expounds upon the experience and establishes the business case for diversity that is closely aligned with an employer’s organizational goals.

“The combination of required or voluntary AAPs and diversity initiatives create opportunities for cultural inclusion, respect for differences, acceptance and respect for all workers.”

Source: www.shrm.org/resourcesandtools/tools-and-samples/hr-qa/pages/eo-affirmative-action-diversity.aspx

FAQ AND WEBINAR-RELATED RESOURCES

ALIGNMENT BETWEEN LOCATION AND MISSION.

In 1999, the Vera Institute of Justice entered into a lease at the Woolworth Building at 233 Broadway, placing Vera in close proximity to City Hall and several court houses. Vera's programs were initially focused on New York City and closely linked to sentencing and detention, starting with the pioneering Manhattan Bail Project in 1961. As a result, Lower Manhattan was historically an ideal location. As program reach expanded, both in geography and in vision, Vera's locational priorities changed.

In deciding to relocate to Sunset Park in 2019, staff needs were at the forefront of decision-making. Increasing diversity in staff workstyles, ability, caregiver status, and other characteristics necessitated a more flexible space. Industry City's open floor plans, on-site green space, and extra-large passenger elevators simply did not exist in Lower Manhattan. In addition, staff zip codes, bike lanes, and other commuting considerations were mapped and served as key factors in determining possible sites.

A relocation would also ensure that Vera continued to stay close to the communities it serves. Ultimately, Sunset Park offered that proximity in a way that Lower Manhattan could not. First occupied in 1913, Manhattan's Woolworth Building was initially home to several commercial and industrial tenants, but the majority of Lower Manhattan's manufacturing activity relocated to the South Bronx by the 1970s. Many local buildings were soon repurposed as artist lofts, and Tribeca has since gentrified at a rapid pace. In 2012, the Woolworth Building's top 30 floors were purchased and subsequently repositioned as luxury apartments; the penthouse condo hit the market with an asking price of \$110M, setting a new record in Lower Manhattan.

FAQ AND WEBINAR-RELATED RESOURCES

By contrast, Sunset Park’s socioeconomic demographics more closely reflect New York City as a whole. The NYU Furman Center’s recent State of the City reported that the poverty rate in Sunset Park was 17.1% in 2018; the citywide rate was 17.3%. Similarly, the neighborhood’s median household income was approximately 2% less than citywide median. Of the Sunset Park population, 29.0% identified as Asian, 2.4% identified as black, 39.1% identified as Hispanic, and 26.4% identified as white.

Uniquely, both Lower Manhattan and Sunset Park are home to federal correctional facilities. By relocating to Industry City, Vera’s staff is walking distance to the Metropolitan Detention Center (MCD Brooklyn) and remains a short distance from the Metropolitan Correctional Center (MCC New York).



The Woolworth Building



The view from Vera’s Industry City offices

FAQ AND WEBINAR-RELATED RESOURCES

WHAT IS AN M/WBE REQUIREMENT?

The M/WBE acronym stands for “Minority and Women-owned Business Enterprise.” The acronym is sometimes expanded to M/W/DBE, which stands for “Minority, Women-Owned, and Disadvantaged Business Enterprise.” In New York City, a business seeking M/WBE certification must be at least 51% owned, operated, and controlled by women and/or members of designated minority groups (including Black, Hispanic, Asian-Pacific, Asian-Indian, and Native American).

The M/WBE designation is typically used in procurement arenas and specifically enables government agencies, companies, and nonprofits to more readily identify and hire minority and women entrepreneurs.

The entities that oversee and/or fund capital projects sometimes require specific kinds of M/WBE participation in the project. For example, the whole project team may need to demonstrate a good faith effort to solicit bids from M/WBE certified firms or the contractor may be required to engage M/WBE certified subcontractors. Both before and throughout a capital project, nonprofits should ensure that the requirements of their funders, regulators, and other stakeholders are incorporated into the project’s procurement and requisition processes.

Whether or not a capital project has stated M/WBE requirements, nonprofits should remember that they have the opportunity to assert their own preferences or requirements when (i) selecting a new site and landlord/owner and (ii) selecting contractors or vendors for a capital project.

In addition, New York City’s digital Procurement and Sourcing Solutions Portal, or PASSPort, facilitates the direct purchase of certain goods and services from certified M/WBE certified firms.

When engaging M/WBE certified firms, be sure to refer to section 6-129 of New York City’s Administrative Code, which details the certification requirements, contract participation goals, business assistance opportunities, and administrative procedures for those that intend to use (or that are required to use) M/WBEs as contractors or subcontractors for their projects.

FAQ AND WEBINAR-RELATED RESOURCES

HOW DO I KNOW IF I HAVE M/WBE REQUIREMENTS FOR MY CAPITAL PROJECT?

Every funding source, financing source, and agency has its own goals for capital projects. As such, their requirements vary in regard to M/WBE participation and otherwise. For example, projects funded by New York City's Department of Housing Preservation & Development (HPD) and Housing Development Corporation (HDC) are required to spend no less than 25% of HPD/HDC-supported costs on M/WBE-provided goods or services.

Both before and throughout a capital project, nonprofits should ensure that M/WBE and other requirements are successfully incorporated into the project's procurement and requisition processes. Funding consultants, capital project managers, or other consultants may be helpful partners in creating a compliant approach to the project and, ultimately, in ensuring that all requirements are met.

For some capital projects, may prove necessary or helpful to establish a minimum threshold of expenses that will be paid to M/WBEs. Note that this goal will include a wide range of expenses, such as fees for an M/WBE certified architect's services or the amount due to a M/WBE certified furniture vendor. Funders, lenders, and agencies will require documentation of these expenses throughout a project's construction process. Typically, a regular schedule of progress and payment reports are necessary.

The following directories provide contact information and other details for local M/WBEs:

- NYC Small Business Services' Online Directory of Certified Businesses
<http://mtprawvwsbswtp1-1.nyc.gov>
- New York State's Directory of MBE and/or WBE Certified Firms
<https://ny.newnycontracts.com/FrontEnd/SearchCertifiedDirectory.asp?XID=8024&TN=ny>
- New York State's Unified Certification Program Directory (including M/WBE Certified Firms)
<https://nysucp.newnycontracts.com>

FAQ AND WEBINAR-RELATED RESOURCES

WHAT IS ADA COMPLIANCE?

Since the 1990 passage of the Americans with Disabilities Act (ADA), specifically Title III, federal and commercial buildings have been legally required to meet certain accessibility thresholds. New developments must include ramps where there might have once only been stairs, for example.

For facilities built before 1987 that do not meet these thresholds, the law requires that barrier removal and other accessibility-related upgrades be made once another major renovation project is planned. In New York City, the tipping point is based on the value of the planned changes. For example, Chapter 11 of the local Building Code dictates that if the value of the alteration exceeds 50 percent of the value of the existing building, then the entirety of the building must be made accessible.

Responsibility for a site's ADA compliance varies by property and by project. Generally speaking, when it comes to improving existing facilities to achieve compliance, a property's owners and operators are primarily responsible; in some cases, this includes tenants. For new developments, the project's design and construction professionals are typically responsible for achieving compliance.



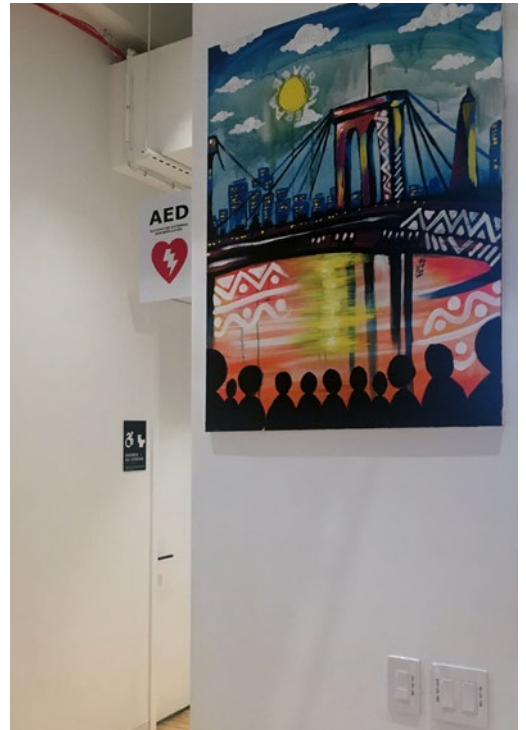
Courtesy of STUDIOS Architecture, Photography by Tom Minieri

FAQ AND WEBINAR-RELATED RESOURCES

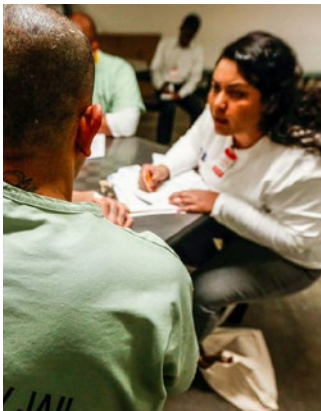
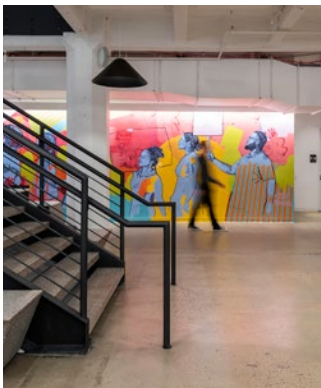
BATHROOMS AND GENDER.

Everyone has the right to use the bathroom consistent with their gender identity, regardless of their sex assignment at birth. In New York City, it is illegal to discriminate against an individual on the basis of gender identity or expression, including denying access to bathrooms. Furthermore, since 2016, signage for single-occupant bathrooms must clearly indicate that the bathroom is available to people of all genders.

As with many of the topics discussed in today’s webinar, however, there are opportunities to go above and beyond the legally required thresholds. Vera’s headquarters features a wide range of bathroom options, all of which are highly inclusive. For example, regardless of the signage on the multiple occupant bathrooms (which do indicate specific gender identities), there are menstrual care disposal options. As such, everyone can select the facilities that align with their gender identity without hesitation.



ABOUT VERA'S CAPITAL PROJECT



Since the success of the Manhattan Bail Project in 1961, which pioneered the bail reform movement, the Vera Institute of Justice has continued to partner with political and civil leaders to catalyze improvements to the USA's safety and justice systems. Relocation had slowly become a consideration for Vera, as the organization experienced several coinciding shifts, including an office layout that was increasingly incompatible with current workstyles, a growing staff, dynamic new leadership, and the gentrification of the office's surrounding neighborhood. Vera subsequently conducted an assessment of its real estate options, sought out and secured a more aligned location in Industry City, and transformed the raw space into a dynamic and highly inclusive headquarters.

LOCATION

Sunset Park, Brooklyn

SIZE

35,000 square feet

BROKER AND PROJECT MANAGER

Denham Wolf Real Estate Services

ARCHITECT

STUDIOS Architecture

MEET THE PROJECT TEAM



LIDIA SHELLEY
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LIDIA SHELLEY joined the Vera Institute of Justice in 2011. Lidia's past public administration experience includes United Nations Headquarters in New York and the Department of Finance of New York City. Lidia has a background in sciences and mathematics and a Bachelor's degree in Economics. She also holds a Master's degree in Public Administration from John Jay College of Criminal Justice.



SARA SCHUSTER
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Principal
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A student and educator always, **SARA SCHUSTER** seeks to inhabit both roles in work and life. She is motivated by designs that defy expectations, those that allow companies to work in new ways they couldn't imagine or that transform a 400-year-old institution's mission into tangible architectural solutions. In Sara's 17 years at STUDIOS, she has worked on a diverse range of projects from building renovations, to workplace and institutional design. Her extensive experience and holistic approach allow Sara to better direct her clients and project teams through an informed process that creates responsive designs suited to each client, community, and context. Sara holds a Bachelor of Architecture from the University of Cincinnati.



LAUREN FARRELL
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A senior member of Denham Wolf's Project Management Services practice group, **LAUREN FARRELL** serves as a liaison for clients between their project team members, vendors, and other project stakeholders. Ultimately, Lauren ensures informed decision making by all parties during a capital project. Among her clients are the Vera Institute of Justice and the Family & Children's Association. Before joining Denham Wolf in 2018, Lauren supported the renovation and construction of facilities throughout New York City for the Success Academy Charter Schools. A member of the US Green Building Council (USGBC), Lauren holds a Bachelor of Science in Urban Studies from the University of Minnesota and a Master's degree in Energy and Environmental Analysis from Boston University.



RON INNOCENT
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RON INNOCENT has been a key member of the Denham Wolf team since 2007 and currently serves as the Director of the Project Management Services practice group. Comprising all aspects of Owner's Representation, Denham Wolf's Project Management Services support nonprofits in the planning and implementation of capital projects. In the role of Director, Ron ensures the quality of these services for all clients, such as Symphony Space and Planned Parenthood of Greater New York. Ron holds a BA in Graphic Design and Communication from Northeastern University and an MS in Real Estate Development from New York University's Schack Institute of Real Estate. He also serves on the board of the Brooklyn-based Ifetayo Cultural Arts Academy.

ADDITIONAL RESOURCES (PLEASE COPY-PASTE THE FULL LINK ADDRESS)

AIA's Framework for Design for Equitable Communities – www.aia.org/showcases/6082410-design-for-equitable-communities

Institute for Human Centered Design – www.humancentereddesign.org/inclusive-design/resources

Linguistic Society of America's Guidelines for Inclusive Language – www.linguisticsociety.org/resource/guidelines-inclusive-language

National Association for Interpretation – www.interpnet.com/NAI/interp/Resources/Diversity_Equity_Inclusion_Resources/nai/_resources/DEI_Resources.aspx?hkey=c292ea6b-9ea3-49f4-8e6b-b1720f80adb

National Coalition Building Institute (NCBI) – ncbi.org

National Council of Nonprofits – www.councilofnonprofits.org/tools-resources/why-diversity-equity-and-inclusion-matter-nonprofits

New York State Council on the Arts' Racial Equity Resources – arts.ny.gov/resources/equity

New York State Network for Youth Success – networkforyouthsuccess.org/diversityequityinclusion

Nonprofit New York's Knowledge Center – thecommunity.nonprofitnewyork.org/s/topic/0TO0y000000UA2LGAW/diversity-equity-and-inclusion

NYC Cultural Affairs' Diversity Initiative – www1.nyc.gov/site/diversity/index.page

Philanthropy New York – philanthropynewyork.org/diversity-equity-and-inclusion-sector-resources

Policy Link – www.policylink.org

Society for Human Resource Management – www.shrm.org/resourcesandtools/hr-topics/pages/diversity-equity-and-inclusion.aspx

SUNY's DEI Resources – www.suny.edu/diversity/resources

United States DOJ's 2010 ADA Standards for Accessible Design – www.ada.gov/2010ADAstandards_index.htm