

## Elevator Safety and Standards Advisory Board

**DATE: May 6, 2024**

### **Written Procedures Governing the Ability of the Elevator Safety and Standards Advisory Board Members to Attend Meetings by Videoconference from Private Locations Under Extraordinary Circumstances in Compliance with Public Officers Law § 103-a**

**###**

Pursuant to a resolution adopted by the Elevator Safety and Standards Advisory Board (“the Board”) on May 6<sup>th</sup>, 2024 and Public Officers Law (“POL”) § 103, the Board may allow members to attend meetings by videoconference from a remote location that is not open to in-person physical attendance by the public (i.e., a private location) under extraordinary circumstances.

This Board recognizes that POL § 103-a(2)(b) provides that any public body that adopts such a resolution must also establish written procedures governing member and public attendance under extraordinary circumstances. The following procedures are hereby established for such purpose:

1. Board members shall be physically present at any meeting of the Board unless a member is unable to be physically present at one of the designated public meeting locations due to extraordinary circumstances.
2. For purposes of these procedures, the term “extraordinary circumstances” includes:
  - a. disability;
  - b. illness;
  - c. the hospitalization, death or illness of a relative;
  - d. caregiving responsibilities;
  - e. obligations of member's place of employment;
  - f. public emergency;
  - g. natural disaster;
  - h. accident;
  - i. vehicular malfunction;
  - j. travel delay;
  - k. religious observance;



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8. The Board shall provide that each open portion of any meeting conducted using extraordinary circumstances videoconferencing shall be recorded and such recordings posted or linked on the Board or Department of Labor website.
9. If members of the Board are authorized to participate by videoconferencing from a private location due to extraordinary circumstances, the public shall be given the opportunity to view the meeting by video.
10. Open meetings of the Board with videoconferencing for extraordinary circumstances, shall be broadcast pursuant to the requirements of POL § 103(f) and shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines. For the purposes of this guideline, “disability” shall have the meaning defined in Executive Law § 292.
11. The in-person participation requirements of POL § 103-a(2)(c) shall not apply during a state disaster emergency declared by the Governor pursuant to Executive Law § 28 if the Board determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the Board to hold an in-person meeting.
12. Upon adoption, these procedures shall be conspicuously posted on the Board or Department of Labor website.