



Massachusetts Disability Quarterly

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Massachusetts Office On Disability



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Massachusetts Office on Disability Quarterly Updates

2019 Disability Summit

Written By Moss Lynch

The Massachusetts Office on Disability annual Summit began in 2015. This event is designed to bring together and inspire leaders, advocates, and persons with disabilities by focusing on issues that impact the disability community. This year's topic is, "**Improving Access in Our Communities.**" This year's Summit is an opportunity for attendees to learn about the ongoing initiatives and resources offered by state and private organizations that relate to increasing accessibility throughout the Commonwealth.

Learn more about our 2019 Summit at the following link: www.mass.gov/mod/summit19.



Fifth Annual Disability Summit

Municipal ADA Improvement Grant Program

Written By Karl Bryan and Jeffrey Dougan

The Municipal Americans with Disabilities Act (ADA) Improvement Grant Program is an innovative and competitive grant program that provides both Planning Grants and Project Grants to Massachusetts Communities to increase accessibility. With the combined efforts of local communities in the Commonwealth and the Massachusetts Office on Disability, major accessibility improvements have been made across the state. On August 1, 2019 the FY20 application cycle of the grant program opened, allowing Massachusetts municipalities to apply for funding.

Read full article at: blog.mass.gov/mod/access/municipal-ada-improvement-grant-program/

Introducing Evan George

Written By Evan George

The Massachusetts Office on Disability is excited to introduce our newest staff member, Evan George. Evan has a long history of program management and public service and is now serving as the MOD Emergency Preparedness Training Coordinator.

Read full article at: blog.mass.gov/mod/uncategorized/introducing-evan-george/

State Employment Career Fair 2019

Written By Moss Lynch

The Massachusetts Department of Transportation partnered with the Massachusetts Office on Disability, The Massachusetts Commission for the Blind, and The Human Resources Division to host the 2019 State Employment Career Fair April 5, 2019. The fair was held at the Massachusetts Department of Transportation Building in Boston, MA. The Career Fair was an opportunity to meet Massachusetts State Government recruitment and human resources representatives in an informative and engaging setting where jobseekers could explore a career field of their interest.

Read full article at: blog.mass.gov/mod/uncategorized/state-employment-career-fair-2019/

Employment and Business Updates Regarding the Americans with Disabilities Act

Back to the Basics

Written By Inez Canada

This article raises more questions than it attempts to answer. Its purpose is to start a conversation that we hope will cause vocational rehabilitation (VR) and other stakeholders to develop and implement solutions for people with intellectual and developmental disabilities (IDD) who want to make their unique contribution to society. VR does not have to reinvent the wheel. What follows is a brief overview of four proactive approaches: job carving, apprenticeships, person-centered planning, and self-employment. VR has used each of these in the past with proven results for placing people with IDD in permanent employment. Read more to find out why we suggest that VR should go, *Back to the Basics*.

Read full article at: blog.mass.gov/mod/uncategorized/back-to-the-basics/

Vocational Rehabilitation: Key Stepping Stones

Written By Alexander Scarlis

This article provides a brief overview of the basic steps that usually apply to all vocational rehabilitation (VR) applicants and consumers of the MA Rehabilitation Commission (MRC) and MA Commission for the Blind (MCB). Vocational Rehabilitation (VR) is a process that is composed of different services to help a qualified person with a disability achieve competitive integrated employment and economic self-sufficiency. Services almost always include counseling and guidance from trained VR counselors and job-related services.

Read full article at: blog.mass.gov/mod/uncategorized/vocational-rehabilitation-key-stepping-stones/

In The News

ADA Compliance in Retail is a Win for All

Written By Thrive Global

Under the Americans with Disabilities Act, business establishments must accommodate persons with disabilities and are required to comply with various ADA standards, some of which include handicapped parking, automatic doors, ramped entrances, accessible kiosks, and grab bars in restrooms. Fortunately, companies going the extra mile is becoming more of a growing trend. Where compliance used to be something you just had to do, many are now looking for new ways to help their customers with a disability.

Read full article at: www.thriveglobal.com/stories/ada-compliance-in-retail-is-a-win-for-all/

People with Disabilities Find Purpose through New Employment Opportunities

Written By Kirkland Reporter

People with disabilities are employed in the same types of industries of those without disabilities. About 32 percent of people with disabilities work in management, business, science and arts; 22.2 percent work in sales and office occupations; 21.2 percent work in service occupations; 13.5 percent work in production, transportation and material moving; 11.1 percent work in natural resources, construction and maintenance. “Employers are beginning to recognize that it’s not like charity,” said AtWork! CEO Chris Brandt. “People with disabilities really can contribute.”

Read full article at: www.kirklandreporter.com/business/people-with-disabilities-find-purpose-through-new-employment-opportunities/

Best Practices for Tackling Absence, Disability Management

Written By HR Dive

“Employment laws - particularly the Family and Medical Leave Act (FMLA) and the Americans with Disabilities Act (ADA) - grant both employees and employers protections surrounding absence and disability. The FMLA is designed to allow people not to be at work, while the ADA is designed to help people to be at work.” If any employee is not able to return to work yet after being on leave, employers must take appropriate steps that include reinstating and accommodating the employee and discuss a potential extended leave circumstance.

Read full article at: www.hrdiver.com/news/best-practices-for-tackling-absence-disability-management/550906/

ADA and Electronic/Digital Accessibility Updates

H.R.5759 - 21st Century Integrated Digital Experience Act

United States Congress, House of Representatives

Within 180 days any executive agency that makes a new website or updates an old website intended for public use must: make the website accessible as according to the Rehabilitation Act of 1973, have a consistent appearance as well as a consistent design with other executive agency sites, not overlap with any legacy websites, contain a search function, is designed around user needs as shown in qualitative and quantitative data, and is customizable for users. Existing websites must within 1 year: review their websites and submit a report to congress that shows which websites are most used and make a prioritization for which websites need updates. In addition to these website regulations within 180 days all agency heads must determine which paper services they offer which can be made digital online.

Read full article at: www.congress.gov/bill/115th-congress/house-bill/5759/text

The Business Case for Digital Accessibility

Written By Web Accessibility Initiative

Businesses and organizations are often motivated by equity, bottom line, and brand name and think about direct Return on Investment (ROI) of increasing accessibility when the benefits can be tangible and intangible, making ROI not a great measure. Business that integrate accessibility are more likely to be innovative and inclusive enterprises that reach more people with positive brand messaging that meets emerging local, national, and global legal requirements. Accessible design considerations often lead to improvements in general customer experience and loyalty.

Typewriters, phones, email, driverless cars, and many more inventions were originally meant for people with disabilities but they have broader applications. Just like how automatic doors, ramps, low curbs, and other physical features are originally meant for people with disabilities they have broader use. Caring about accessibility can also show good Corporate Social Responsibility. “Many organisations are waking up to the fact that embracing accessibility leads to multiple benefits – reducing legal risks, strengthening brand presence, improving customer experience and colleague productivity.”

As the internet becomes more and more integrated into everyday life, laws are starting to mandate web accessibility. The earliest web accessibility case was in Australia in 2000. In the United States, the Americans with Disabilities Act ensures legal avenues for people with disabilities to have their grievances with web accessibility addressed.

Read full article at: www.w3.org/WAI/business-case/

ADA Compliance for Your Restaurant’s Website and Mobile Apps: What You Need to Know

Written By Modern Restaurant Management

There is no statute specifically for websites to be made accessible, however the Title III requirements of the Americans with Disabilities Act (ADA) state that “auxiliary aids” must be in place to ensure equal access to services provided by a public accommodation. The Web Content Accessibility Guidelines, published by the Web Consortium, focused on how to make sites accessible. They offer 3 levels of guides: A, AA, AAA, with A being the easiest to implement and AAA being more involved. The federal government adopted these guidelines for federal agencies to follow by January 2018, but there are no legal requirements for private businesses. The WCAG features four broad categories to make sure that the website is perceivable, operable, understandable, and robust. Upon designing your website or mobile app, consider undergoing a technical audit to see which WCAG areas your website is lacking.

Read full article at: www.modernrestaurantmanagement.com/ada-compliance-for-your-restaurants-website-and-mobile-apps-what-you-need-to-know/

CUs (Credit Unions) to DOJ: Provide clarity on ADA website accessibility

Written By National Association of Federally-Insured Credit Unions

The National Association of Federally Insured Credit Unions (NAFCU) and more than a dozen credit unions are urging the Department of Justice (DOJ) to provide guidance on website accessibility. Recently credit unions have been hit with lawsuits and the costs of testing and maintaining websites to avoid accessibility flaws. Due to this, they want the DOJ to provide clear guidelines on how to comply with the Americans with Disabilities Act (ADA) as they support the mission of the act. Starting in Fall of 2017, credit unions around the country started seeing what NAFCU sees as “meritless” law suits regarding their websites accessibility. The United States Court of Appeals for the Ninth Circuit held that ADA requirements apply to websites and mobile applications.

Read full article at: www.nafcu.org/newsroom/cus-doj-provide-clarity-ada-website-accessibility

Recent Cases Related to Web Access

Ninth Circuit Ruling Bolsters ADA Website Accessibility Suits

Written By Lexology

The Ninth Circuit Court of Appeals recently decided that company websites may violate the Americans with Disabilities Act (ADA) if they are inaccessible to consumers with visual, auditory, or other disabilities and recognized that the WCAG "have been widely adopted, including by federal agencies, which conform their public-facing, electronic content to WCAG 2.0 level A and level AA Success Criteria." The Ninth Circuit did not rule that failure to comply with the WCAG violates the ADA, but did hold that "the district court can order compliance with WCAG 2.0 as an equitable remedy if, after discovery, the website and app fail to satisfy the ADA."

Read full article at: www.lexology.com/library/detail.aspx?g=8bc8b1d5-fe3a-400d-9eae-493dc33915

Federal Court Decision in Gomez v. GNC Highlights Importance of Choosing an Experienced Accessibility Expert

Written By Level Access

This article focuses on a court decision out of the Southern District of Florida and discusses the importance of hiring an experienced accessibility expert in web accessibility cases under Title III of the Americans with Disabilities Act (ADA), as well as risks of not hiring an expert.

Read full article at: www.levelaccess.com/federal-court-decision-gomez-v-gnc-highlights-importance-choosing-experienced-accessibility-expert/

United States: "ADapt Your Website": Key Takeaways from the Domino's Website Litigation

Written By Proskauer Rose LLP

Companies should be mindful of the ADA when designing their websites. If the website provides a connection to a good or service offered at a physical location, then the ADA applies, and the company should ensure that persons with disabilities have sufficient and effective access to its goods and services offered through that website.

The United States Court of Appeals for the Ninth Circuit recently issued a decision holding that the Americans with Disabilities Act ("ADA") applies to websites that connect customers to goods and services offered at a physical location.

Read full article at:

www.mondaq.com/unitedstates/x/797598/IT+internet/ADapt+Your+Website+Key+Takeaways+from+the+Dominos+Website+Litigation
