

July 2014

VOLUME 10 ISSUE 7

Trainings & Events

(Central Standard Time)

Accessibility Online Webinar Series

Accessible Toilet and Bathing Facilities - Advanced session
July 10th, 2014 1:30-3:00 CT.

If you are familiar with the basic requirements for toilet and bathing facilities and are ready for a more "advanced" discussion of these provisions, this is the session for you! Participants interested in this session are encouraged to review an archived session on this topic for a review of the basic provisions. (see <http://www.accessibilityonline.org/Archives/index.php?app=4&type=transcript&id=2010-03-04>). Presenters will highlight some of the more frequently asked questions and respond to your questions submitted in advance.

Speakers:

Jim Pecht –
Accessibility Specialist/Librarian,
US Access Board.

Marsha K. Mazz –
Director, Office of Technical and
Information Services, US Access
Board.

For more information
visit [AccessibilityOnline](http://www.accessibilityonline.org) at
<http://www.accessibilityonline.org>
or call (877) 232-1990.

ADA Audio Conference Series

ADA Anniversary Update: 24 Years
Later
July 15th, 2014 1:00-2:30 CT.

Mark the 24th anniversary of the
ADA by joining this annual session
where we invite representatives of
the Federal Agencies present an
update on their litigation, technical
assistance and enforcement efforts
over the past year. Participants will
have an opportunity to pose
questions to the presenters regarding

News from the Federal Agencies

U.S. Access Board

Board Issues Guidelines for Emergency Transportable Housing - United States Access Board

The U.S. Access Board has issued guidelines that address access to temporary housing provided by the government in emergencies and natural disasters. The new requirements supplement the Board's accessibility guidelines for facilities covered by the Americans with Disabilities Act (ADA) and the Architectural Barriers Act (ABA).

Read more at = <http://www.access-board.gov/guidelines-and-standards/buildings-and-sites/emergency-transportable-housing/final-guidelines-for-emergency-transportable-housing>

U.S. Equal Employment Opportunity Commission (EEOC)

EEOC Sues Wal-Mart for Disability Discrimination

The U.S. Equal Employment Opportunity Commission (EEOC) filed a lawsuit against Wal-Mart Stores, Inc., alleging that the giant retailer fired an intellectually disabled employee at a Rockford Walmart store after it rescinded his workplace accommodation.

Read more at = <http://eeoc.gov/eeoc/newsroom/release/7-2-14.cfm>

Disability Network Sued by EEOC for Disability Discrimination

A Detroit nonprofit formed to assist people with disabilities violated federal law by discriminating against a deaf employee, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit it recently filed. According to the EEOC lawsuit, Disability Network denied a deaf independent living specialist reasonable accommodations and then fired him. The nonprofit refused the employee his requests for TTY equipment, a video phone and the ability to use text messaging, and refused to provide him with alternate accommodations according to the lawsuit.

Read more at = <http://www.eeoc.gov/eeoc/newsroom/release/6-5-14a.cfm>

issues in their own workplace or community.

Speakers:

Sharon Rennert - Senior Attorney Advisory, ADA/GINA Division, U.S. Equal Employment Opportunity Commission (EEOC).
Katie Wolfe - Attorney, Civil Rights Division, Disability Rights Section, U.S. Department of Justice (DOJ).
Sally Conway - Deputy Chief of the Civil Rights Division, Disability Rights Section, U.S. Department of Justice (DOJ).

For more information visit **ADA Audio Conference** site at <http://www.ada-audio.org/> or call (877) 232-1990.

Accessible Technology Webinar Series

High Quality Apps for Accessibility
July 24, 2014 1-2:30 CT

Both Apple's App Store for iOS and Google's Google Play Store for Android have over a million apps available to download for their various devices. That's a lot of choices! In this session Jonathan Campbell will talk about and share some of the best apps for accessibility. You'll learn about high quality apps for reading, writing, communication, and more. We'll explore apps that can be used to magnify print documents for low vision, read books out loud for individuals with dyslexia, and identify objects for the blind. With over a million apps available we'll look at some of the best needles in that giant haystack.

Learning Objectives:

- Learn about standout accessibility apps in the Apple iOS App Store and Android Google Play Store
- Learn about apps that can assist with access to digital materials
- Learn about apps for accessing the world around you

Presenters:

Jonathan Campbell- Assistive Technology Specialist.

House of Raeford Farms to Pay \$52,000 to Settle EEOC Disability Discrimination Suit

House of Raeford Farms, Inc., a poultry processor, will pay \$52,000 and provide other relief to settle a disability discrimination lawsuit brought by the U.S. Equal Employment Opportunity Commission (EEOC). The EEOC had charged that House of Raeford violated federal law by discriminating against an employee because of her disability.

Read more at = <http://www.eeoc.gov/eeoc/newsroom/release/6-10-14a.cfm>

U.S. Department of Justice (DOJ)

Settlement Agreement with FSU Announced

The Justice Department has reached a settlement agreement with Florida State University (FSU), Tallahassee, FL under title I of the Americans with Disabilities Act. FSU under the settlement agrees not to conduct any medical examination or make any disability-related inquiry of job applicants before a conditional offer of employment is made, and to make its employment opportunities website and its mobile applications, conform to, at a minimum, the Web Content Accessibility Guidelines 2.0 Level AA Success Criteria and other Conformance Requirements ("WCAG 2.0 AA").

Read more at = <http://www.ada.gov/floridastate-t1-sa.htm>

DOJ Reaches Settlement with Campus Inn and Bell Tower Hotels

The U.S. Department of Justice has reached an agreement with Campus Inn and Bell Tower Hotels resolving a complaint filed under title III of the Americans with Disabilities Act (ADA). Following the complaint and receipt of architectural drawings from the hotel operators, DOJ conducted a site visit. As a result of its investigation DOJ determined that the hotels had failed its obligations to remove existing barriers where readily achievable to do so. As part of the agreement the hotels will provide wheelchair accessible rooms, complying with the 2010 ADA standards for accessible design, among other requirements.

Read more at = <http://www.ada.gov/campusinn-belltower-sa.htm>

New Jersey School District to Adopt Service Animal Policies and Pay Fine to Resolve Justice Department Investigation

The Justice Department announced that it reached a settlement with the Delran Township School District in New Jersey under Title II of the Americans with Disabilities Act (ADA). The agreement resolves allegations that the school district

For more information please call 800-949-4232 (Voice/TTY) or Online via [Contact Us form](#).

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University of Illinois at Chicago
Department of Disability and Human Development (MC 728)
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Chicago, Illinois 60608-6904

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Accessibility Online Webinar Series

Accessible Routes - Advanced Session

August 7th, 2014 1:30-3:00 CT.

Special attention is sometimes needed when applying certain accessible route provisions in the 2010 ADA Accessibility Standard and the Architectural Barriers Act Standard. This session will include an advance level discussion of the accessible route provisions and focus on issues such as overlapping clear space requirements and door maneuvering clearances, exterior routes, among other issues. Presenters will highlight some of the more frequently asked questions and also respond to your questions submitted in advance. Participants interested in this session are encouraged to review archived sessions on this topic for a review of the basic provisions .

Presenters:

[Jim Pecht](#) - Accessibility Specialist/Librarian, US Access Board

[Dave Yanchulis](#) - Coordinator of Public Affairs, Office of Technical and Information Services, US Access Board

For more information visit

[AccessibilityOnline Webinar Series](http://www.accessibilityonline.org) at <http://www.accessibilityonline.org> (877) 232-1990

violated the ADA by refusing to allow a student with autism and encephalopathy to have his service dog in school or at school-related activities. The service dog alerts to the student's seizures, provides mobility and body support and mitigates the symptoms of his autism.

Read more at = <http://www.ada.gov/delran-sa.htm>

Hospital for Special Care and Justice Department Reach Settlement Agreement

The settlement with the Hospital for Special Care resolves a complaint that the hospital refused to accommodate a child in its summer camp program in 2013 because the child had juvenile diabetes and required the use of an insulin pump. Pursuant to the settlement agreement, the Hospital for Special Care agreed to implement policies and procedures to ensure that children with disabilities are afforded full and equal opportunities to participate in and benefit from all of its summer camp programs. The Hospital also agreed to publish on its website a statement of policy on prohibition of discrimination on the basis of disability.

Read more at = http://www.ada.gov/hospital_specialcare-sa.htm

Great Lakes In Focus

Federal Communications Commission Seeks Comment on Emergency Alert System (EAS)

On June 26, 2014, the Federal Communications Commission (FCC) released proposed rules to change the way that alerts are provided to the public under the Emergency Alert System (EAS). These proposals address problems that were encountered during the first nationwide test of the EAS (which took place on November 7, 2011). Included within these revisions is a proposal for standards to ensure that EAS alerts are accessible to all members of the public, including people who are deaf or hard of hearing or blind or visually impaired. This proposal specifically seeks comment on quality standards for visual crawls and audio access to EAS messages. For the accessibility section, please go to paragraphs 31-40 on pages 16-21 in one of the links to the document below.

Deadlines for comments and reply comments will be posted to AccessInfo upon publication in the Federal Register.

Links to the proposals are:

WORD: https://apps.fcc.gov/edocs_public/attachmatch/FCC-14-93A1.docx

For more information please call 800-949-4232 (Voice/TTY) or Online via [Contact Us form](#).

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Accessibility Online Webinar Series

Open Question and Answer Session
September 4th, 2014 1:30-3:00 CT

Back by popular demand! Accessibility specialists and information technology specialists from the Access Board are available to answer your burning questions during this session. Session participants are requested to submit questions in advance on the 2010 ADA Accessibility Standard, the Architectural Barriers Act Accessibility Standard, Section 508, Medical Diagnostic Equipment or other Board rulemakings or activities. Accessibility specialists will answer questions submitted in advance during the first half of the session, leaving time in the second half to answer questions in the live session.

Presenters:

[Marsha K. Mazz](#)- Director, Office of Technical and Information Services, US Access Board

[Rex Pace](#) - Senior Accessibility Specialist and Technical Assistance Coordinator, US Access Board

For more information visit [AccessibilityOnline Webinar Series](http://www.accessibilityonline.org) at <http://www.accessibilityonline.org> (877) 232-1990

ADA Legal Webinar Series

Websites and the ADA: Accessibility in the Digital Age
September 18, 2014 1-2:30 CT

When the ADA was enacted in 1990, the internet had not yet become such an important part of people's lives, including the lives of people with disabilities. Now that the internet has become such an integral tool for businesses, employers and governmental entities, courts have been grappling

ACROBAT: https://apps.fcc.gov/edocs_public/attachmatch/FCC-14-93A1.pdf

TEXT: https://apps.fcc.gov/edocs_public/attachmatch/FCC-14-93A1.txt

The Docket

JOSHUA BUNN v. KHOURY ENTERPRISES

Joshua Bunn quit his job at a Dairy Queen franchise and sued his former employer under the Americans with Disabilities Act (ADA). The employee, who has low vision, believed that the employer failed to accommodate his disability as required by the ADA and that the employer subjected him to disparate treatment when they reduced his scheduled hours during the winter months. The district court granted the employer's motion for summary judgment on all of the plaintiff's claims. Bunn appealed the District Court's decision to the 7th Circuit.

The 7th Circuit affirmed the District Courts summary judgment ruling. The Appeals Court found that Bunn's failure-to-accommodate claim fell short because the employer did reasonably accommodate Bunn's disability even though the accommodation was not the one he had wanted. The Court also found that his disparate treatment claim failed because he had not introduced sufficient evidence to create a triable issue of material fact and because the facts show that the defendant is entitled to judgment as a matter of law.

From the ADA Expert

Question: I recently took my father to one of those large "box stores" and was surprised that they didn't have any wheelchairs or electric scooters for customers to use. When I asked at the customer service desk they told me they were not required to provide them. Does the Americans with Disabilities Act ((ADA) require businesses to provide wheelchairs or electric scooters for customers with disabilities?

Answer:

The ADA prohibits businesses from discriminating on the basis of disability with regards to the goods, services, privileges or facilities being offered to the public. A business must make goods and services available in the most integrated setting appropriate to the needs of the individual.

The ADA however does not require businesses to provide its customers, clients, or participants with personal devices, such as wheelchairs, individually prescribed devices, such as prescription eyeglasses or hearing aids. Businesses are also not required to provide services of a personal nature including assistance in eating, toileting, or dressing.

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with how the ADA applies to websites. Also, the Department of Justice has announced it will be revising its regulations to address website accessibility. This webinar will review the legal theories on applying the ADA to the internet and discuss the case law analyzing this issue. Don't miss this session as accessibility moves beyond ramps and onto the world wide web.

Speakers:

[Barry Taylor](#) - Vice President of Civil Rights and Systemic Litigation

[Rachel M. Weisberg](#) - Staff Attorney, Equip for Equality

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Accessible Technology Webinar Series

Android is Accessible. Really.
September 25, 2014 1-2:30 CT

Most people in the blindness community know Apple devices are accessible, but many don't realize other mobile devices also include off-the-shelf accessibility. This presentation discusses the level of accessibility available on Android to people who are blind or have low vision. It focuses on the accessibility services, settings, and apps routinely used by the eyes-free Android community to work with their phones and tablets. The level of detail is suitable for people interested in the operating system, comparable to what is found in a quick-start guide.

Session Objectives:

- Android is accessible. TalkBack, BrailleBack, and Explore by touch are accessibility services available to people who are blind or low-vision
- Android is customizable. Features and settings associated with screen readers in other platforms are available to Android users through third-party apps.
- Android is original. Google's approach to things is a little wild and

Some businesses do provide mobility devices for customers as a good business practice. They recognize that some individuals may have difficulty navigating their facilities.

For additional information contact the Great Lakes ADA Center by calling (800) 949-4232 (V/TTY) or via the [online contact form](#)

Suggested Resources

[Americans with Disabilities Act Questions and Answers](#)

[ADA UPDATE: A PRIMER FOR SMALL BUSINESS](#)

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a little experimental. It's approach to accessibility is no exception.

Presenters:

[Ana G.](#)

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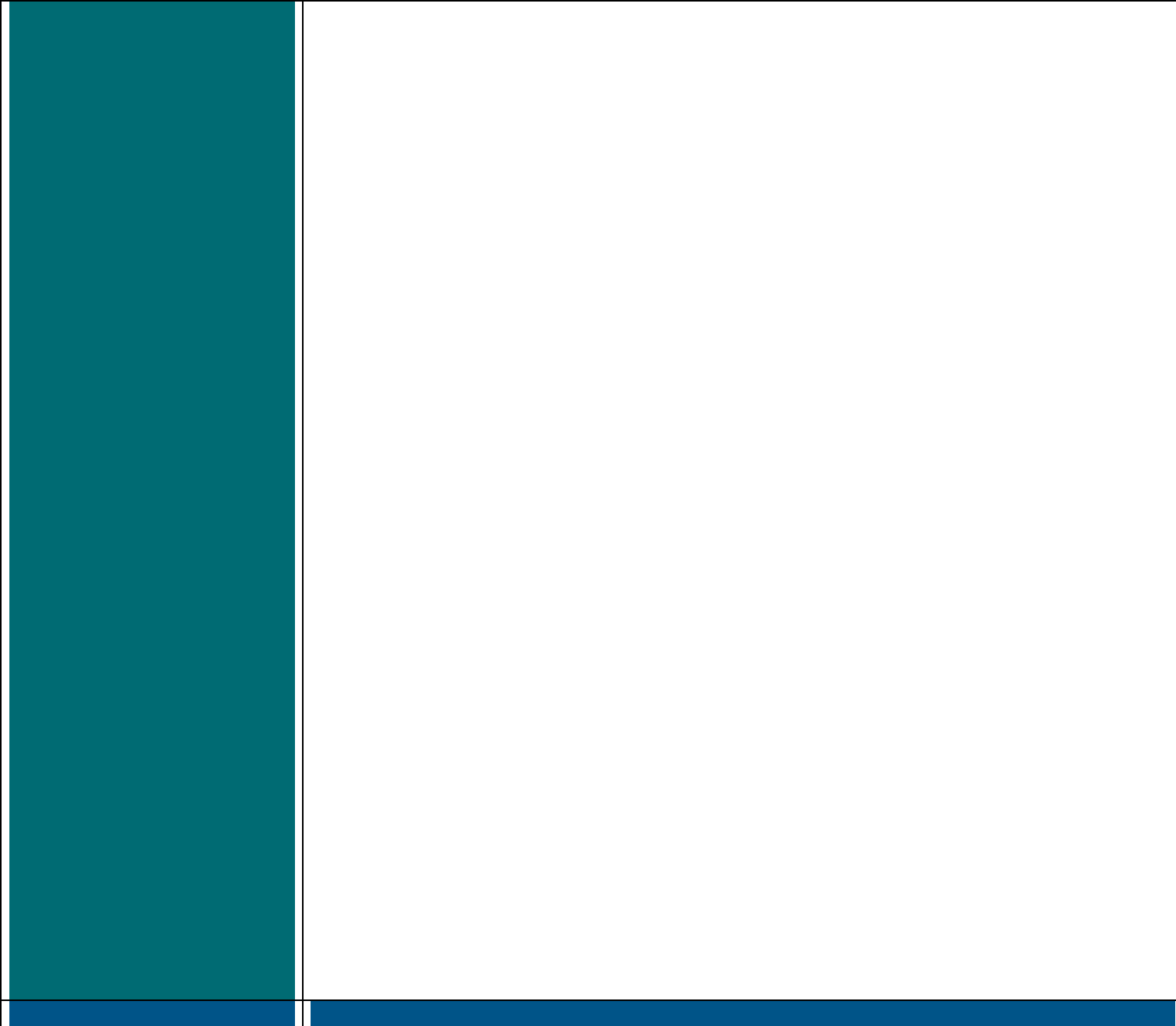
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