

Great Lakes Chronicle

ILLINOIS*INDIANA*MICHIGAN*MINNESOTA*OHIO*WISCONSIN

February 2006

Volume 2, Issue 5

In The Headlines

National ADA Symposium

The ten ADA & Accessible IT Centers are hosting the [National ADA Symposium](#) on the Americans with Disabilities Act and related disability issues. The Symposium will be held from April 10 – 12, 2006 at the America's Center in Downtown St. Louis, Missouri. You may visit the Symposium web site for registration information, a list of sessions and other general information about the event. The National ADA Symposium is the most comprehensive conference available on the Americans with Disabilities Act and related disability laws.

This premiere event offers:

- A session schedule offering a wide range of topics
- Training by nationally recognized presenters who are key representatives from the agencies involved with the ADA including the U.S. Dept of Justice, EEOC, U.S. Access Board, U.S. Dept. of Labor and the U.S. Dept. of Education.
- A Pre-Conference offering both introductory and advanced sessions.
- Conference activities in a relaxed environment that emphasizes networking and group problem-solving.
- An EXPO Hall filled with the latest disability-related products and services.

If you have additional questions about the National ADA Symposium please contact the Great Lakes Center by calling 800-949-4232 (Voice/TTY) or by visiting our on-line [Contact us](#) form.

National Organization on Disability (N.O.D.): Interactive Map of Disability & Emergency Preparedness Resources

As part of their new "12 Months of Preparedness Outreach, Awareness, and Education Series, "N.O.D.'s Emergency Preparedness Initiative has released the new "[Interactive Map of Disability & Emergency Preparedness Resources](#)." This unique tool provides an accessible, interactive clearinghouse directory of regional, state, and local disability-related emergency management resources. It is a valuable resource to first responders, emergency managers, and people with disabilities. Resources are currently accessible by state, but will soon be posted regionally as well.

NCD Announces Notice of Intent for Upcoming Research Opportunity

The National Council on Disability is currently [conducting research](#) that will have the end result of data accurately describing the states of people with disabilities living in the United States. The goal is to develop a tool that can be used to effectively monitor and eventually evaluate programs and supports for people with Disabilities. The end product will be known as the "Americans with Disabilities: Key Indicators of Quality Lives."

New Training Program Offered by DOT

The model [training program](#) will highlight some of the practices that airlines have used to serve their customers with disabilities. The Air Carrier Access Act (ACAA), which prohibits discriminatory treatment of persons with disabilities in air transportation and the Department aims to increase awareness of these obligations and enhance the travel experience for people with disabilities.

DOL issues opinion letter clarifying leave-tracking requirements

The Wage and Hour Division of the U.S. Department of Labor has [issued an FMLA opinion letter](#) clarifying a prior opinion letter regarding the tracking of leave balances for intermittent leave by employers who utilize a "rolling" 12-month leave period.

ADA Audio Conference

The ADA Audio Conference Series is a collaborative project of the ADA and IT Technical Assistance Centers. The sessions provide continuous education on regulations and trends under the Americans with Disabilities Act.

Each sessions is scheduled from 1:00 to 2:30 pm Central Time (90 minutes). A written transcript and digital recording of each session is archived on the Great Lakes ADA Center web site.

Participation in the program is available in three formats: Teleconference, real-time captioning and a NEW Service: Real-time Streaming Audio via the Internet. Real-time streaming audio allows you to hear the session using Windows Media Player with a web interface to allow participation during the

question and answer portion of the session.

This year the program offers series in an effort to provide participants with a concentration in one or more special topic areas. They include Employment and the ADA (4) and Issues Associated with the Built Environment (2).

**Second Session of the 4-Part Employment and the ADA Series
February 21, 2006» Hot Topics in Employment: Pre-employment
Testing and Leave as an Accommodation, Speaker: Adele Rapport
Attorney, U.S. Equal Employment Opportunity Commission**

There are many topics which are of interest to employers but the current trends in the courts and issues which have been raised through technical assistance calls indicate that "Leave as an accommodation" and "Pre-Employment Testing" are of particular interest to many. Recently courts are beginning to address this issue and employers are beginning to re-examine their testing practices.

Join us for this session as we explore the issues around pre-employment testing and exactly what constitutes a permissible "test" and what the "gray" areas of testing are under the ADA. In addition, this session will explore "leave as an accommodation" and clarify how "leave" applies under the ADA for qualified employees. The interplay between FMLA and the ADA will be discussed.

CEU Credits: CRC, SHRM

Great Lakes ADA Center – In Depth

Scholarships Available to Attend National ADA Symposium

In support of participation at the National ADA Symposium (www.adasymposium.org) the Great Lakes ADA and Accessible IT Center is making a limited number of \$600.00 scholarships available to assist with offsetting the cost of attendance. Applications will only be accepted from individuals who reside in the Great Lakes Region (IL, IN, MI, MN, OH, WI).

The scholarship will pay the Symposium registration fee plus the optional pre-conference and apply the remaining funds toward the cost of airfare, hotel or food. Awarding of the scholarships will be based on need and distributed on a first come first serve basis. Governmental entities are not eligible to apply for the scholarships.

We will accept applications through **March 1, 2006** but cannot guarantee that all applications will be awarded the scholarship. Notification will be made no later than March 15, 2006 to enable finalization of travel plans.

If you are planning to attend the Symposium we would recommend that

you make your hotel reservations early, they can be cancelled if you are unable to attend. This is especially important because of several other major events are happening at the same time.

Applications for the scholarships can be obtained from and also completed on-line at www.adagreatlakes.org. Individuals may contact the Center to receive a paper copy of the application and fax it back to our office at 312-413-1856. Additional information regarding the Scholarship or the Symposium can be found on the Great Lakes website or by contacting the Center at 800-949-4232 (Voice/TTY.)

Federal Agency Update

U.S. Access Board

New Accessibility Standards Adopted for Federal Facilities

New accessibility standards have been adopted by the General Services Administration (GSA) for projects receiving federal funding. The standards are based on revisions published by the U.S. Access Board in July of 2004. The standards apply to newly constructed or altered buildings covered by the Architectural Barriers Act (ABA). The ABA requires access to projects designed, constructed, altered or leased with federal funds. Any projects begun after November 8, 2005 which are covered by the ABA must comply with the new standards.

Voting System Guidelines Adopted

New guidelines have been released under the Help America Vote Act (HAVA) that will assist states in ensuring access to all voters, including those with disabilities. The voluntary guidelines were created by the Election Assistance Commission (EAC), as part of the HAVA legislation. The guidelines address access for voters as well as privacy and security concerns.

U.S. Department of Justice

Disability Rights Online News

The latest issue of the Department's newsletter is available on-line. The newsletter is a monthly update on the Civil Rights Divisions activities in the area of disability rights. The on-line newsletter covers discrimination based on disability in employment, housing, access to businesses serving the public, access to government programs and services including voting and public transportation, and unconstitutional conditions in institutions of confinement.

Justice Department Announces Agreement with the City of Waukegan, Illinois

The Justice Department announced a settlement agreement with the City of Waukegan, Illinois to improve access to all aspects of civic life for persons with disabilities. The agreement is part of "Project Civic Access," a wide-ranging effort to ensure that cities, towns, and villages comply with the ADA.

Under the agreement, the City of Waukegan has agreed to:

- Make physical modifications to its facilities so that parking, routes into the buildings, entrances, the city's sidewalks, public telephones, restrooms, service counters, and drinking fountains are accessible to people with disabilities;
- Post, publish, and distribute a notice to inform members of the public of the provisions of the ADA and their applicability to the City of Waukegan's programs, services, and activities;
- Install additional text telephones (TTYs), officially recognize the State of Illinois telephone relay service, publicize the TTY numbers on the same basis as their voice numbers, and train staff in using a TTY and the telephone relay service;
- Develop a method for providing information for interested persons with disabilities concerning the existence and location of the City of Waukegan's accessible services, activities, and programs;
- Install signs at any inaccessible entrance to a facility directing users to an accessible entrance or to information about other accessible facilities;

The settlement agreement will remain in effect for four years or until the parties agree that full compliance has been achieved.

In addition, the Department has posted to its web site the following settlement agreements involving these covered entities:

- [Huntsville Speedway](#) (Posted 01/10/06)
- [Ticketmaster](#) (Posted 01/03/06)
- [Anne Arundel County](#) (Posted 12/12/05)
- [Easter Seals-Michigan, Inc.](#) (Posted 12/12/05)
- [Sunoco, Inc.; and Sunoco, Inc. \(R&M\)](#) (Posted 12/12/05)
- [Limo Economy Cab](#) (Posted 12/12/05)

U.S. Equal Employment Opportunity Commission (EEOC)

Americall Reaches Settlement with EEOC

The EEOC alleged in its lawsuit against Americall Group that it had violated the Americans with Disabilities Act (ADA) when it refused to hire a qualified applicant because she was blind and used a guide dog.

Americall will pay \$200,000 to the individual and have its employees complete training on the requirements of the ADA regarding employment.

The EEOC filed the lawsuit on August 24, 2004, on behalf of an applicant who had applied for a position at Americall as a telemarketing service representative. She had come to the interview at Americall's Lansing, Illinois, facility with her guide dog. After the interview, the company sent her a letter telling her that they could not accommodate her guide dog.

Agency TO IMPLEMENT PLAN TO ENHANCE AGENCY PRESENCE Jan. 1

The EEOC began implementing a plan to reorganize its field structure by reducing the number of managers and administrators. The number of frontline staff is being increased to provide greater access and better customer service. New offices are being opened in Mobile, AL and in Las Vegas, NV.

The increased number of frontline staff will allow for more investigations, mediation and litigation by the EEOC.

National Council on Disability (NCD) Conducting Employment Survey

The National Council on Disability is currently conducting a study that will gather information from a wide range of sources and stakeholders regarding the issues that persons with disabilities encounter in seeking and maintaining employment. Rutgers University Program for Disability Research is facilitating this discussion for NCD via an online bulletin board.

Accessible IT

How can I make web page navigation accessible?

All web documents should be divided into short sections for readability and should be organized using a clear hierarchy of headings and subheadings. This is true regardless of whether the document is delivered using HTML, Microsoft Word, Adobe PDF, or another document format.

In all formats, it's important that headings be explicitly defined as headings, rather than simply formatted as larger or bolder, in which case they may look like headings but they aren't actually headings. In HTML, headings should be defined using valid HTML heading elements such as H1, H2, and H3. In Microsoft Word, headings should be defined by selecting appropriate heading styles from the Formatting Toolbar. When a PDF is created from Microsoft Word, these heading styles can be passed on to the PDF as bookmark which facilitates navigation within the PDF document.

Using a clear, explicitly-defined heading structure helps all users to

understand the document contents, but it especially helps users of assistive technologies such as screen readers. Most screen readers include functionality that allows users to jump between headings with a single keystroke, so blind users can effectively scan the document looking for sections that particularly interest them, just as sighted users typically do.

Another technique for facilitating navigation within a web page is to include a same-page link that allows users to jump from the top of a document to a particular anchor within the document. This technique is most commonly used for allowing users to skip past a redundant navigational menu and go straight to the main contents of the page.

For additional information about this topic, contact the Great Lakes Center Accessible IT staff at 800-949-4232 (Voice/TTY) or via our on-line [Contact Us](#) form.

You may also view these additional articles, [What is a "skip navigation" link?](#)

And [Is it a good idea to make "skip navigation" links invisible?](#) to get further information.

Disability Law Update

Harkin's Bill for Emergency Preparedness and Response for People with Disabilities

Senator Tom Harkin (D-IA) has introduced S. 2124, the [Emergency Preparedness and Response for Individuals with Disabilities Act of 2005](#). This legislation will address the needs of individuals with disabilities in emergency planning and relief efforts.

This legislation would require the creation of a Disability Coordinator in the U.S. Department of Homeland Security. The Coordinator would be responsible for:

- Working with local, state and federal authorities to identify the needs of individuals with disabilities in emergency planning and relief
- Development of a curriculum for first responder training on the needs of individuals with disabilities
- Ensuring the accessibility and usability of telephone hotlines and websites containing information about evacuations by individuals with disabilities
- Provide guidance about the rights of individuals with disabilities regarding post evacuation residence and relocation

The legislation would also require that 30 percent of temporary housing for disaster victims be accessible, and usable by individuals with disabilities. It

would also provide incentives to create more accessible housing during the reconstruction of impacted regions.

The Docket

Goodman V. Georgia

The U.S. Supreme Court unanimously ruled that states are not immune from lawsuits seeking monetary damages when the suits allege violations of the U.S. Constitution and are permitted under the ADA. In the opinion, Justice Scalia wrote that the Court accepted the 11th Circuit's ruling that the plaintiff had alleged a violation of the Eighth Amendment ban on cruel and unusual punishment.

In the case, Tony Goodman alleged that prison officials kept him for 23 hours a day in a cell so small that he could not turn his wheelchair. The Court remanded the case to allow Goodman to pursue his Title II claims.

TAYLOR V. FEDERAL EXPRESS CORP

The 4th Circuit Court has affirmed summary judgment for the defendant in case where the employee had claimed that he was not accommodated in accordance with the ADA. In the claim by the employee/plaintiff for his employer's failure to accommodate, summary judgment for defendant was affirmed where it was determined that the employee/plaintiff is not disabled under the ADA since he retains the ability to engage in a wide range of daily activities and to work in numerous jobs.

Federal Court Orders AMC Movie Theater Chain to Improve Wheelchair Seating at AMC Theaters Nationwide

The Department of Justice has reached resolution in their lawsuit against American Multi-Cinema, Inc. and AMC Entertainment Inc., operators of one of the nation's largest chains of movie theaters. The U.S. District Court for the Central District of California ordered AMC to remedy violations at all AMC movie theaters that do not provide equal wheel chair access.

"Providing the same movie going experience for individuals in wheelchairs that other patrons enjoy delivers on the promise of the ADA," said Wan J. Kim, Assistant Attorney General for the Civil Rights Division. "These improvements will make the goals of the ADA a reality for thousands of Americans who want to enjoy this popular form of entertainment."

This resolution affirms the requirements of the ADA for places of public accommodation, such as movie theaters, to provide equal access to persons with disabilities and prevents them from providing persons with

disabilities a lower quality of goods and services than they provide other members of the general public. This decision will impact approximately 1,200 of AMC's 1,933 stadium style auditoriums, which includes providing ramps in over 360 auditoriums. Further, this decision will have a significant impact on future AMC theaters. In addition, AMC is ordered to pay \$200,000 in damages to the complainants and a \$100,000 civil penalty for violation of the ADA.

This case adds to a string of successes that the Department of Justice has had related to making stadium-style movie theaters more accessible. Previous theatre entities that have been found to be in violation of the ADA include Cinemark USA, Inc., Regal Entertainment Group, which includes Hoyt's Cinemas and National Amusements Inc., a movie theater chain based in Massachusetts.

Events

National

2006 Disability Policy Seminar – February 6-8, 2006, Washington, DC

The Annual Disability Policy Seminar brings national, state and local disability organizations as well as self-advocates, families and providers to our nation's capital for three days of intense public policy discussions and meetings focused on issues affecting people with disabilities.

The 2006 Disability Policy Seminar is an opportunity for the disability community to educate the U.S. Congress and their constituents on how to preserve and strengthen federal policies and programs important to people with disabilities.

National Association of ADA Coordinators (rescheduled Fall 2005 conference) – March 6-9, 2006, Miami, FL

The fall 2005 conference was rescheduled due to hurricane Wilma. It has been rescheduled and will be comprised of four tracks: Accessibility, Higher Education, Employment, and Transit. The conference covers new and updated issues for ADA Coordinators, Section 501/504 Compliance Officers, Human Resources and Risk Management Professionals, Transit/Transportation Professionals, Architects, and others working with these issues.

American Association of People with Disabilities (AAPD) Leadership Awards Gala – March 8, 2006, Washington DC

The 2006 AAPD Leadership Gala will be a celebration of the progress made for people with disabilities and the leaders who have made it possible. The

Gala will not only look back on the great strides made in the past, but also look at the goals of AAPD in the next decade as the organization strives to continue to improve the implementation and enforcement of disability nondiscrimination laws.

National Association of ADA Coordinators Spring 2006 – April 24-27, 2006, Phoenix, AZ

The conference will be comprised of 4 tracks on ADA and Rehabilitation Act 501 and 504 issues. The tracks are on: Accessibility, Employment, Higher Education, and Transit. The conference covers new, emerging, and updated issues for ADA Coordinators, Architects, Section 501/504 Compliance Officers, Human Resources and Risk Management Professionals, Transit Professionals, and others working with these issues.

National Council on Independent Living Annual Conference – May 22-25, 2006, Washington DC

The theme for this year's conference and the focus for NCIL activities in 2006 is centered around ending the institutional bias. Individuals from across the country come together to learn best practices in providing advocacy and independent living services to individuals with disabilities in their communities.

Association on Higher Education and Disability (AHEAD) Conference – June 8-22, 2006, San Diego, CA

The annual international AHEAD conference is an opportunity for professionals in the fields of higher education and disability to advance the services provided to individuals with disabilities in Post Secondary Education.

Job Accommodation Network (JAN) "Empowering Employers to Build an Inclusive Workforce" – September 18-19, 2006, Boston, MA

For over 21 years, the Job Accommodation Network (JAN) has provided focused, trusted, and informed answers to these and other questions. This annual conference unites JAN consultants with featured speakers who have expertise in employment law, innovative employment practices, and disability issues.

Regional

University of Wisconsin-Milwaukee's Center for 21st Century Studies Announces: In/Dependence: Disability, Welfare, and Age Symposium – April 7, 2006, Milwaukee, WI

In/Dependence: Disability, Welfare, and Age is a one-day interdisciplinary symposium at the Center for 21st Century Studies interrogating the

meanings and implications of dependency and independence in American life. The focus will be on ways in which issues of dependency affect the personal lives and self-understandings of individuals and groups, and on the challenges these issues pose for public policy and social justice. The theme reaches deep into some persisting and central concerns of the humanities, raising questions about the nature and boundaries of the self and, especially, about the relation between self and others. We believe that interdisciplinary discussion within the humanities along axes of age, ability, gender, race, class, and geo-political relations can play a crucial role in deepening our understanding of a set of challenges that is of increasing concern.

The symposium In/Dependence: Disability, Welfare, and Age will convene at 10 AM on Friday, April 7, in Curtin Hall, Room 175, 3243 North Downer Avenue, on the UW-Milwaukee campus. For more information, including registration materials and information about accommodations, please contact Center deputy director Kate Kramer at 414-229-5044 or kkramer@uwm.edu. Please visit the Center website for further information and updates: www.21st.uwm.edu.

Co-sponsored by the Center for 21st Century Studies, College of Letters & Science, with support from the Graduate School, and the Center on Age & Community, University of Wisconsin-Milwaukee, and funded in part by a grant from the Wisconsin Humanities Council, with funds from the National Endowment for the Humanities.

Multiple Perspective Conference – April 17-18, 2006, Columbus, OH

ADA-Ohio is participating in the annual Multiple Perspective Conference being held April 17-18, 2006, at the Pfahl Executive Education and Conference Center on the campus of Ohio State University.

The goal is to encourage presenters and participants to reflect on how personal experiences create and transform social, cultural, and legal realities - a look into what the psychologist Theodore Sarbin referred to as "the storied nature of human conduct."

For more information regarding the Conference, please go to web site <http://ada.osu.edu/conferences/location.htm>, or contact Scott Lissner, ADA Coordinator, Ohio State University, Phone 614-292-6207 (Voice), 614-688-8605 (TTY), 614-688-3665 (Fax) or Email ada-osu@osu.edu

2006 Rehabilitation & Transition Conference – April 19-21, 2006, Kohler, WI

This conference is co-sponsored by the [ADA WI Partnership](#) and features many sessions related to civil rights, education and employment for people with disabilities. The Keynote Address will be provided by Randy Snow, a published author, medal-winning athlete and accomplished

speaker.

The Great Lakes Vine

The Great Lakes Vine features information from Region V Affiliates. Our Affiliates help foster voluntary compliance with the provisions of the Americans with Disabilities Act (ADA) through a variety of activities and projects. Here's how...

Illinois ADA Project

The [Illinois ADA Project](#)'s next Steering Committee Meeting will be held on February 1st. The ADA Project has invited Karen McCulloh, Executive Director of Chicago's disabilityworks initiative, to join the Steering Committee as employment has been a focus of the Project. The ADA Project has been working with disabilityworks to increase ADA Awareness in the employment community and help employers recognize the benefits of ADA compliance and employing people with disabilities.

Recently, the Project met with the Chicago Jobs Council to discuss information regarding reasonable accommodations at trainings that they provide. Further collaborations were also discussed. In addition, the ADA Project is part of a recently formed Employment Leadership Group that is dedicated to taking action to improve the employment opportunities for individuals with disabilities. At the January meeting, Project representatives discussed the need for ADA training for job developers, employers, service providers, and interested individuals as part of this process, and this was recognized by the individuals at the meeting.

In collaboration with fiscal agent, Equip for Equality, the ADA Project is preparing a Fact Sheet on Personality Testing based on a recent case from the 7th Circuit Court of Appeals, *Karraker V. Rent-A-Center*. In *Karraker*, the Court held that the Minnesota Multiphasic Personality Inventory (MMPI) was a "medical examination" and therefore could not be given to job applicants prior to extending a job offer. An article about this decision will appear soon in the Chicago Chamber of Commerce Newsletter.

ADA-Indiana

Employment and the ADA Audio Conference Series in Indiana

ADA-Indiana is sponsoring the four-part Employment and the ADA Audio Conference Series in six Indiana communities in January, February, March, and April. The first session in the series was attended by 43 participants across the six sites. The site locations sponsored by ADA-Indiana are free and open to the public and no pre-registration is required. The site locations and times are available on the ADA-Indiana website

(www.adaindiana.org).

Upcoming Video Conference on Title I and Reasonable Accommodation

This spring, ADA-Indiana and Great Lakes are collaborating with East Central Opportunities, a workforce development organization, in Muncie, Indiana to provide training on Title I of the ADA. The training will utilize video conferencing technology to connect the trainers and participants in five counties in East Central Indiana. It will be promoted to employers, human resource professionals, and other employment specialists in the area.

Member Spotlight: Ric Edwards, Indiana Department of Natural Resources

Ric Edwards has been with ADA-Indiana since the organization began in 1991. He works as the ADA Compliance Director for the Indiana Department of Natural Resources and is involved in advocacy work in his hometown of Indianapolis as well.

This past December, Ric shared his knowledge and years of experience in implementing the ADA with the 2005-2006 Indiana Partners in Policymaking participants (a program sponsored by the [Indiana Governor's Council for People with Disabilities](#)). The training for the Partners was conducted during Indiana's Annual Disability Conference and focused on a general overview of the ADA and advocacy skills. Ric has performed this training for the Partners now for several years.

Visit the ADA-Indiana website at www.adaindiana.org for updates on projects and events.

Michigan ADA Steering Committee

The [Michigan ADA Steering Committee](#) will be providing half-day training about how to perform accessibility site surveys at The Disability Network in Flint, MI on Wednesday, February 1, 2006 from 10AM - 2AM. The training is FREE and lunch will be provided. Michigan ADA Steering Committee members will be discussing the basics of surveying sites, sample forms, measuring tools, advocacy strategies and programmatic accessibility. For more information, please contact Gary Kidd at 810-742-1800 ext. 315.

Mark your calendars for the next audio conference session on Tuesday, February 21st from 2-3:30 PM Eastern. The topic will be: Hot Topics in Employment: Pre-employment Testing and Leave as an Accommodation. The speaker is Adele Rapport, Attorney at the U.S. EEOC.

Audio conference host sites are available in the following cities in Michigan: Battle Creek, Flint, Kalamazoo, Marquette, Muskegon and Livonia.

Participation in the ADA Audio Conference series is available free of charge at the listed host sites.

The audio conference schedule can be found at: www.ada-audio.org
For more information on how to participate in this valuable learning opportunity or about becoming a host site, please contact Collene Dabish of the Michigan ADA Steering Committee at: 800-414-3956 or via email: cdabish@mpas.org

ADA - Minnesota

ADA Minnesota will again be awarding grants from \$500 - \$2000 per project that meet the mini-grant criteria. They have recently increased the number of grants to be awarded and encourage interested non-profit organizations to review the RFP and contact them with any questions.

The goals of these mini-grants are to increase partnerships between diverse communities, disability-related organizations, businesses, government and not-for-profit organizations across Minnesota by funding multi-organizational projects that increase and encourage involvement of individuals with disabilities.

They should also provide opportunities to create collaborative partnerships and increase public knowledge, understanding of Title I (employment), Title II (public services) and Title III (public accommodations of the ADA).

Proposal information can be viewed at: www.adaminnesota.org or by contacting cindy@mciil-mn.org. Please note that all proposals must be submitted by February 15, 2006

ADA - Ohio

ADA-Ohio is participating in the annual Multiple Perspective Conference being held April 17-18, 2006, at the Pfahl Executive Education and Conference Center on the campus of The Ohio State University.

The organizing theme for the sixth annual Conference is "Personal Perspectives & Social Impact: The Stories We Tell." The goal is to encourage presenters and participants to reflect on how personal experiences create and transform social, cultural, and legal realities - a look into what the psychologist Theodore Sarbin referred to as "the storied nature of human conduct."

Presenters will address such topics as:

- An oral history of a local disability organization and the disability rights movement in Ohio.
- Case studies that explore best practices in business, employment or education.

- How narrative and testimony are reflected in significant court cases and legislation.
- How to tell one's story effectively as an advocate when filing a complaint or presenting legal testimony.
- The use of memoir in teaching self-advocacy.

During the Conference, the annual ADA Award will be presented by ADA-Ohio to David Cameron.

For more information regarding the Conference, please go to web site <http://ada.osu.edu/conferences/location.htm>, or contact Scott Lissner, ADA Coordinator, The Ohio State University, Phone 614-292-6207 (Voice), 614-688-8605 (TTY), 614-688-3665 (Fax); Email ada-osu@osu.edu

ADA Wisconsin Partnership

The Wisconsin ADA Partnership and the Great Lakes ADA and Accessible Information Technology Center were pleased to sponsor a Professional Development Series (PDS) Seminar for Rehabilitation For Wisconsin, Inc. which took place on Tuesday, January 17 at the Howard Johnson East in Madison. Nearly 60 professionals from the field of rehabilitation participated in "Creating Access Step by Step: What Direct Service Staff Should Know", which focused on:

1. the history of laws protecting people with disabilities including the ADA;
2. disability etiquette and communication;
3. practical advice for creating physical access and the removal of barriers;
4. and ideas for supporting independence through assistive technology.

Peter Berg from the Great Lakes ADA Center presented and acted as facilitator for the day. ADA WI Partnership members Jenny Neugart and Joy Combs participated as speakers along with Bette Mentz-Powell of the Wisconsin Department of Health and Family Services to discuss etiquette and communication issues. Ken Hagmann of Opportunities, Inc. ended the day with an informative look at high and low tech assistive technology.

Partnership LINK: The ADA Wisconsin Partnership is set to launch the second edition of our new electronic newsletter, the Partnership LINK. The focus of this LINK is on access to transportation, offering federal, state and local resources. If you would like to be added to the newsletter recipient list please contact tkulow@rfw.org.

From The Technical Assistance Desk:

Question of the Month

Question:

What is the "association provision" of the Americans with Disabilities Act (ADA) with regards to employment and to whom does it provide protection?

Answer:

The ADA covers private employers with 15 or more full or part-time employees and also state and local government employers with one or more employees. The ADA prohibits discrimination on the basis of disability in all employment practices of covered employers. A covered employer may hire, fire or promote the most qualified individual he or she chooses but that employer is prohibited from using disability in that decision making process.

The purpose of the "association provision" is to prohibit employers from taking adverse actions based on unfounded stereotypes and assumptions about individuals who associate with people who have disabilities. The ADA makes actions such as refusing to hire an individual who has a child with a disability based on an assumption that the applicant will be away from work excessively or be otherwise unreliable, firing an employee who works with people who are HIV-positive or have AIDS based on the assumption that the employee will contract the disease, or denying an employee health care coverage available to others because of the disability of an employee's dependent unlawful.

The "association provision" of the ADA prohibits employment discrimination against a person, whether or not he or she has a disability, because of his or her known relationship or association with a person with a known disability. This means that an employer is prohibited from making adverse employment decisions based on unfounded concerns about the known disability of a family member or anyone else with which the applicant or employee has a relationship or association.

The ADA does not require a family relationship for an individual to be protected by the association provision. The important factor is whether the employer is motivated by the individual's relationship or association with a person who has a disability.

Employers don't have to provide reasonable accommodations to employees who associate with individuals with disabilities. Only qualified applicants and employees with disabilities are entitled to reasonable accommodation.

For example, the ADA would not require an employer to modify its leave policy for an employee who needs time off to care for a child with a

disability. However, an employer must avoid treating an employee differently than other employees because of his or her association with a person with a disability.

For additional information regarding the employment provisions of the ADA contact the Great Lakes Center by calling 800-949-4232 (Voice/TTY).

This information is taken from the EEOC Fact Sheet titled: "Questions and Answers About the Association Provision of the Americans with Disabilities Act" available on-line at www.eeoc.gov

Resources and Publications

The Great Lakes ADA Center disseminates publications related to all aspects of the ADA to inform and raise awareness of disability issues and to foster voluntary compliance with the ADA. The Great Lakes ADA Center disseminates materials including posters, regulations and technical bulletins on various ADA topics. Materials are available in alternative formats.

Resource of the Month

The following documents provide information regarding the rights and responsibilities of individuals and employers covered by the Title I provisions of the ADA.

[Questions and Answers About the Americans with Disabilities Act's Association Provision](#)

To obtain the resource of the month or to receive hardcopy versions of the above materials contact the Great Lakes ADA and Accessible IT Center by calling 800-949-4232 (Voice/TTY).

Staff and Credits

- Robin Jones - Project Director
- Janet Peters - AIT Initiative Coordinator
- Julio Chavarria - Network Analyst
- Nilay Shah - Assistant Network Analyst
- Claudia Diaz - Project Coordinator
- Peter Berg - Technical Assistance Coordinator
- J. Anel Gonzalez - Bi-lingual Technical Assistance Specialist
- Stan Wakefield - Technical Assistance Specialist
- Annie Tan - Project Specialist

If you have questions or comments about the Great Lakes Chronicle contact:

Great Lakes Chronicle Editorial Staff: Robin Jones, Peter Berg & Claudia Diaz at 312-413-1407

(Voice/TTY) or [Great Lakes Chronicle Online](#)

Technical Editors: Nilay Shah & Julio Chavarria

[Great Lakes ADA & Accessible IT Center](#)

University of Illinois at Chicago

Department of Disability and Human Development (MC 728)

College of Applied Health Sciences

1640 W. Roosevelt Road Chicago, IL 60608

800-949-4232 (Voice/TTY)

312-413-1856 (Fax)

Email [Great Lakes ADA Center](#)

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Grant# USDEH133D010203

The contents of this newsletter were developed under a grant from the U.S. Department of Education. However the contents do not necessarily represent the policy of the Department of Education, and you should not assume endorsement by the Federal government.

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