

A low-angle, upward-looking photograph of a modern architectural structure, likely a transit hub or airport terminal. The image features a complex network of glass panels and steel beams, creating a sense of height and depth. The lighting is bright, suggesting a sunny day, with some lens flare visible. The overall color palette is dominated by blues and greys.

Legal Trends in Website Accessibility

Trip Rems, Aurora Design and Consulting (2017)

Website Accessibility and ADA Law

Law firms are increasingly filing class action suits on behalf of disabled individuals throughout the United States who use the Internet to facilitate their access to goods and services.

A close-up photograph of a person's hands using a Braille keyboard. The keyboard is black with white and orange Braille keys. The person is wearing a brown shirt. The keyboard is on a light-colored wooden desk. In the background, a laptop keyboard is visible.

\$6,000,000

Settlement cost for Target corporation in Aug 2008 (Target vs National Federation of the Blind)

Retailers who have been sued over the accessibility of their websites

- ▶ Amazon
- ▶ CVS
- ▶ eBay
- ▶ Staples
- ▶ Target
- ▶ Ticketmaster

Americans with Disabilities Act (ADA) - Title III

Title III of the Americans with Disabilities Act (ADA) prohibits discrimination on the basis of disability in the activities of places of public accommodations.

A close-up photograph of a person's hands using a specialized keyboard. The keyboard is black with white and orange buttons, designed for accessibility. The person is wearing a brown shirt. The keyboard is on a light-colored wooden desk. In the background, a standard black keyboard is visible.

6601

ADA Title III Lawsuits in 2016

37% increase over 2015

Section 508 and ICT Refresh

Section 508 requires that all federal agencies and companies doing business with the federal government provide equal access to information technology. The latest rule (issued Jan 2017) requires agency websites and contractors to meet WCAG Priority level AA compliance.

What Services are Impacted?

- ▶ Public Facing Websites
- ▶ HR Systems
- ▶ Intranets
- ▶ Job Application Systems

What Guidelines apply?

The W3C's Web Content Accessibility Guidelines (WCAG 2.0) are the defacto standard for website and application accessibility.

What Can I do to Protect my Business?

Ensure that all online systems including public facing websites, documents, job application systems, etc. are fully accessible to persons with disabilities. This means making systems that work seamlessly with assistive technology devices including screen readers, braille displays, screen magnifiers, etc.

Benefits of Accessibility Compliance

- ▶ Reduce exposure to legal liability. A website that works well with assistive technology devices is not a prime target for a Title III ADA lawsuit.
- ▶ Maintain compliance with state and federal accessibility guidelines (i.e. Section 508).
- ▶ Improve performance in search engines. Accessible websites provide additional semantic information (alternate text, captions, etc.) that can be used by search engines to index and rank web pages.
- ▶ Reach a wider audience.

A close-up photograph of a person's hands using a specialized keyboard. The keyboard is black with white and orange buttons, designed for accessibility. The person is wearing a brown shirt. The background is slightly blurred, showing a wooden desk and another person's hands in the distance.

56.7 Million

People in the United States report having some type of disability

\$200 Billion Dollars of Discretionary spending

Aurora Design and Consulting - Services

- ▶ Policy Development and Implementation
- ▶ Accessibility Assessment and Reporting
- ▶ Website and Document Accessibility Repair and Remediation
- ▶ Accessibility Training and Supports
- ▶ Section 508 and WCAG Compliance Certification
- ▶ Website Conformance Monitoring

AURORA
Design and Consulting

References

- ▶ [Nearly 1 in 5 People Have a Disability in the U.S., Census Bureau Reports](#)
- ▶ [ADA Title III Lawsuits Increase by 37 Percent in 2016](#)
- ▶ [A Cautionary Tale of Inaccessibility: Target Corporation](#)
- ▶ [ADA and the Web - What Retailers Need to Know](#)
- ▶ [Americans with Disabilities Act \(ADA\) - Title III](#)
- ▶ [United States Access Board: Section 508 Refresh](#)
- ▶ [Web Content Accessibility Guidelines \(WCAG 2.0\)](#)

Questions

???

AURORA
Design and Consulting