

July 2013

VOLUME 9 ISSUE 8

Trainings & Events

(Central Standard Time)

Accessibility Online Webinar Series

Section 508 - Accessible Web Content

July 11th, 2013 1:30-3:00 CDT. In the 2010, the Board's Advance Notice of Proposed Rulemaking (ANPRM) on Section 508 proposed to incorporate the Web Content Accessibility Guidelines, also known as WCAG 2.0. The WCAG 2.0 is published and maintained by the World Wide Web Consortium (W3C) and are the internationally recognized standards for web accessibility. WCAG is a somewhat intimidating document, and the linked hyperlinked resources can be confusing for a first time reader. This session will provide a "walk thru" of WCAG and related materials.

Speakers:

[Bailey, Bruce](#) - Accessibility Specialist
Information Technology Specialist
US Access Board
For more information visit [Accessibility Online](#)

ADA Audio Conference Series

ADA Anniversary Update: 23 Years Later

July 16, 2013 1:00 - 2:30 CDT

Mark the 23rd anniversary of the ADA by joining this audio conference as we listen to representatives of the EEOC and DOJ 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 issues

News from the Federal Agencies

U.S. Access Board

Advisory Panels on Medical Diagnostic Equipment and Prescription Labels to Present Reports

Advisory Panels on Medical Diagnostic Equipment and Prescription Labels to Present Reports. Advisory panels the U.S. Access Board formed to address access to medical diagnostic equipment (MDE) and prescription drug container labels will present their reports at the next meeting of the Board on July 10, 2013.

Access Board Conference Room
1331 F Street NW, Suite 800
Washington, DC 20004

Call-in option (listening only):
Dial: (888) 790-2060 (toll-free)
Passcode: 6317703

*Communication Access
Realtime Translation (CART):*

Great Lakes In Focus

Great Lakes in Focus

Save the Date!

National Council on Disability

Policy Briefing & ADA Anniversary Event:

"Five Years Later -- The Americans with Disabilities Act Amendments Act of 2008: Impact on Disability Discrimination"

Tuesday, July 23, 2013

1:00 – 2:30 PM, ET

Capitol Hill Location, Room to Be Announced

In celebration of the Americans with Disabilities Act (ADA) and in the fifth year following passage of the ADA Amendments Act (ADAAA), please join us for brief remarks from congressional, civil rights, and business community champions of the ADAAA, followed by the release and summary of NCD's latest report, "The Americans with Disabilities Act Amendments Act of 2008: Impact on Disability Discrimination," which will provide an analysis of federal court cases decided under the ADAAA since it went into effect in January of 2009.

Space is limited and seating will be first-come, first-serve.

CART and a sign language interpreter will be provided.

in their own workplace or community.

Presenters:

Representatives from the EEOC and the Disability Rights Section, U.S. Department of Justice, Civil Rights Division
For more information visit [ADA Audio Conference Series](#) at <http://www.ada-audio.org> (877) 232-1990

ADA Legal Webinar Series

The anatomy and myth of the ADA drive-by lawsuit

July 17, 2013 1-2:30 CDT

Has the Americans with Disabilities Act become a tool of scam artists and unethical attorneys who seek to line their pockets instead of eliminating discrimination? The truth, as usual, is considerably different than what is often represented by the media, anti-civil rights forces and a legitimately scared but reactionary business community. Attorney J. Aaron McCullough will review recent trends in ADA litigation that have been labeled as "drive-by" lawsuits across the nation including some of the media reports documenting these events. This webinar will focus on the legal reality behind the lawsuits.

Learning Objectives:

- *Learning to distinguish ADA Title III cases from the typical "drive-by" lawsuit
- *Understanding how to enforce Title III rights through available remedies and avoid the label of "drive-by" lawsuits.
- *A review of defenses against this type of "drive-by" lawsuit for the business community
- *A review of relevant recent case

CONFIRMED SPEAKERS (others listed as confirmed)

- Congressman Jim Sensenbrenner (R-WI)
- Congressman Jerrold Nadler (D-NY)
- Chai Feldblum, Commissioner, Equal Employment Opportunity Commission
- Nancy Zirkin, Executive Vice President, Leadership Conference on Civil and Human Rights
- Wade Henderson, President and CEO, Leadership Conference on Civil and Human Rights
- Professor Robert L. Burgdorf Jr.

Can't join in person? Join us via Twitter! NCD will live-tweet the event using the hashtag #NCDADA

(NCD extends special thanks to Congressman Sensenbrenner for his office's assistance in securing a room space.)

The Docket

< Wardia v. Department of Juvenile Justice >

The U.S. Court of Appeals for the Sixth Circuit has held in an unpublished decision the rarity with which a particular job function is performed does not render it non-essential under the Americans with Disabilities Act. The Court affirmed summary judgment for the employer, a correctional facility. The employer had safety concerns and argued the function of performing physical restraints, even though not frequently performed, is an essential job requirement. The employer also was not required to convert a temporary light duty position into a permanent job for a disabled correctional officer.

From the ADA Expert

Question: I am an administrator for a local for-profit hospital. Recently we had a patient in our emergency room whose mother was deaf. The mother requested we provide her with an interpreter so she could communicate with the doctors and nurses. Since the mother is not the patient are we obligated to provide an interpreter for her?

Answer:

Title III of the Americans with Disabilities Act requires covered businesses and organizations to insure that individuals with disabilities have the same level of access to information that individuals without disabilities have. If your hospital communicates with companions of family members without disabilities then you must insure that you communicate effectively with companions, family members with disabilities, if you regularly communicate with companions of patients. The obligation to communicate effectively applies to patients, family members and visitors with disabilities. The Department of Justice regulations implementing title III of the Americans with Disabilities (ADA) makes clear the obligation to communicate effectively with the companions of patients, customers, participants etc.

This may require the provision of auxiliary aids or services. For communicating with some one that is deaf or hard of hearing that could include Qualified interpreters, note takers, computer-aided transcription services, written materials, telephone handset amplifiers,

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

Great Lakes ADA Center
University of Illinois at Chicago
Department of Disability and Human Development (MC 728)
1640 West Roosevelt Road, Room 405
Chicago, Illinois 60608-6904

law.

Speakers:

[Aaron McCullough](#) -

Attorney, ADAConsult Services

For more information visit [ADA](#)

[Audio Conference site](#) at

<http://www.ada-audio.org/> or call

(877) 232-1990.

Accessible Technology

Webinar Series

Update on Accessible

Information and

Communication Technology

(ICT) Policy

July 25, 2013 1-2:30 CDT.

This presentation will provide an

update on US policy regarding

accessible information and

communication technology

(ICT). It will cover the current

status and activities of major

policy initiatives, largely in the

federal arena, such as Section

255, Section 508, Section 503,

Communication and Video

Accessibility Act, and the ADA.

It will include information that

will let attendees participate in

making policy through public

comment processes.

Session Objectives:

*Attendees will understand the current status of laws, regulations, and other policy initiatives that create a mandate for accessible ICT.

*Attendees will be able to improve their advocacy for themselves and their clients.

*Attendees will be able to participate in ongoing policy consultations as consumers and professionals.

Speakers:

[Jim Tobias](#) - Inclusive

Technologies

For more information visit [ADA](#)

[Audio Conference site](#)

assistive listening devices, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, telecommunications devices for deaf persons (TDD's), videotext displays, or other effective methods of making aurally delivered materials available to individuals that are deaf or hard of hearing.

This does not mean that every time you need to communicate with someone that is deaf or hard of hearing that an interpreter is needed. However, in situations where the information being provided orally is complex or the information is being provided over a long period of time it is likely an interpreter would be needed. The ADA does not require a covered business or organization to provide any auxiliary aid or services that would result in an undue burden or fundamentally alter the nature of the goods or services being offered. If a particular auxiliary aid or service poses an undue burden then you would need to insure effective communication by providing something that does not pose an undue burden.

For questions on the requirements of the ADA you may contact the DBTAC Great Lakes Center by calling (800) 949-4232 (V/TTY) or through the Center's <contact form= <http://www.adagreatlakes.org/WebForms/ContactUs/>>

Resources

[Effective Communication](#)

[Nondiscrimination on the Basis of Disability in Public Accommodations and Commercial Facilities](#)

[ADA Business Brief: Communicating with People Who Are Deaf or Hard of Hearing in Hospital Settings](#)

For additional information on the ADA contact the Great Lakes ADA Center by calling (800) 949-4232 (V/TTY) or by completing the Center's online contact form.

<http://www.adagreatlakes.org/WebForms/ContactUs/>

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

Great Lakes ADA Center

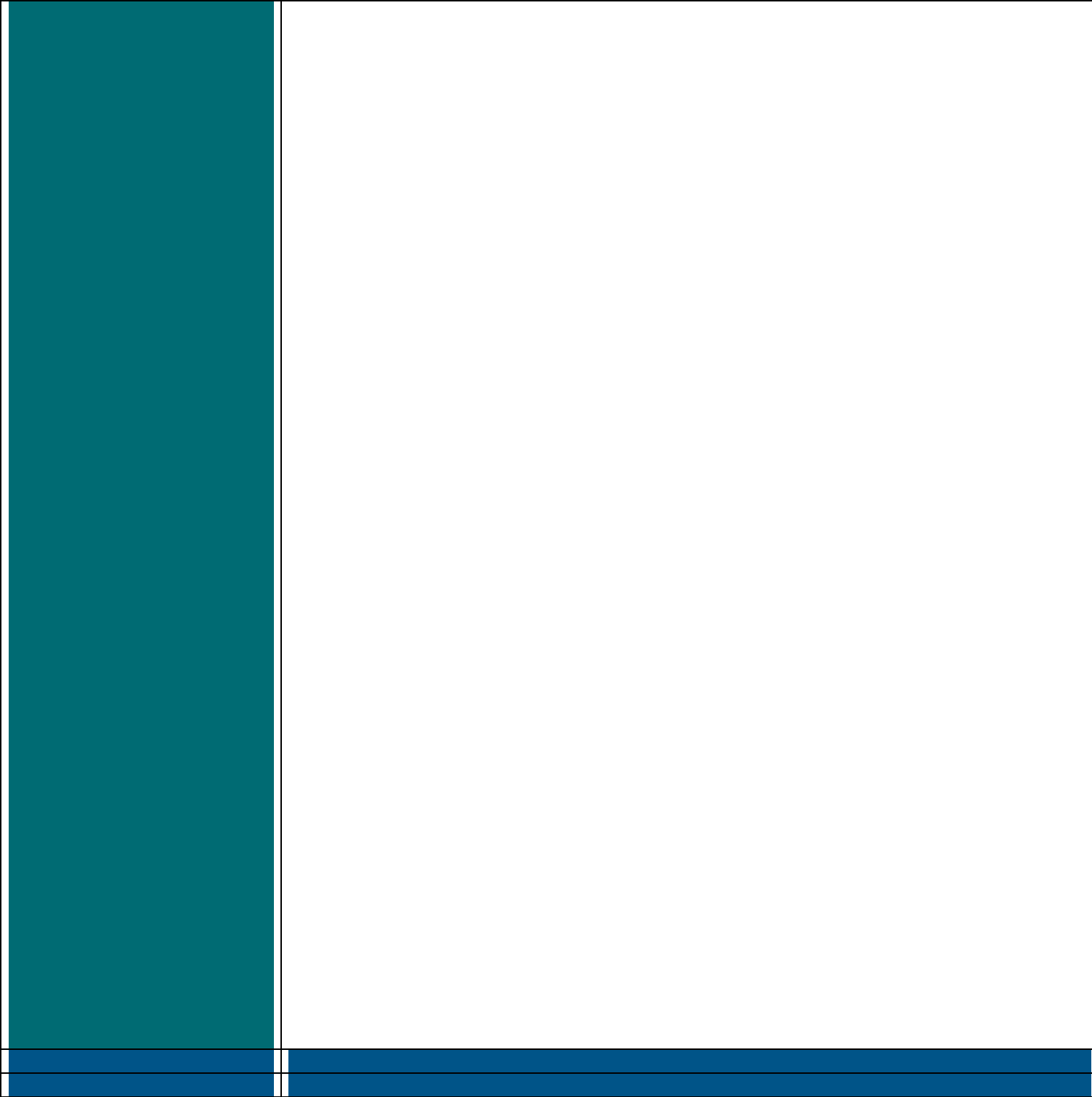
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