ADA Compliance Pros
proactive accessibility solutions

WEBSITE ACCESSIBILITY USER GUIDE

THE WHO, WHAT, WHEN & WHY of WEBSITE ACCESSIBILITY

THE WHO: The World Wide Consortium of Accessibility Guidelines and Section 508 Guidelines of the Department of Justice have set the parameters of what an accessible website should attain.

THE WHAT: any commercial website must be accessible to any person with a disability.

THE WHY: The World Wide Consortium of Accessibility Guidelines and Section 508 Guidelines of the Department of Justice have set the parameters of what an accessible website should attain.

THE WHEN: Now! The DOJ's September 25, 2018 letter is unequivocal in describing the application of the ADA to websites:

"The Department first articulated its interpretation that the ADA applies to public accommodations' websites over 20 years ago. This interpretation is consistent with the ADA's title III requirement that the goods, services, privileges, or activities provided by places of public accommodation be equally accessible to people with disabilities."

-September 25, 2018 letter from Assistant Attorney General, US Department of Justice

A non-compliant website can lead to an ADA lawsuit that can cost you thousands in lawsuits and possibly bankrupt your business. Accessibility is the law and there are serial litigants suing thousands of businesses every day. And the threat is only getting worse as more law firms are realizing the big money to be made by suing businesses' websites

So what exactly is an accessible website?

Websites need to provide "reasonable accessibility" to people with disabilities.

There are four benchmarks of accessibility that every commercial website must successfully reach:
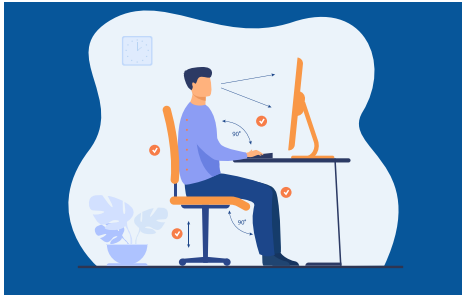
Perceivable: website can be accessed and processed easily—no piece is available to only one sense, like vision or sight.

Operable: when your website is operable, it means your users can navigate their way without missing out on anything.

Understandable: If a website is understandable, users can identify the language and easily read the content.
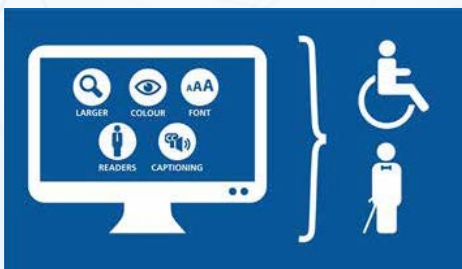
Robust: when a website is robust, it works with all browsers, assistive technologies, and other ways to access web content, including mobile phones such as iPhones and Android. As technology changes, your site needs to change as well.

Websites that meet these standards are accessible to everyone, so they are ADA compliant.

So...how do I get my website accessible?

Just about every existing website was not built with proper accessibility in mind. Therefore, work must be done to verify what is and isn't adequately accessible prior to a qualified web developer fix the issues.

The best way to do this is by hiring a company to conduct a manual audit of a website. By doing so, a skilled technician tests each page for every requirement and drafts a detailed audit report with the findings. That report becomes the web developer's blueprint to address the required corrections.

WHY MANUAL AUDITS MATTER: It's unfortunate that many companies, keen to get into the ADA market as lawsuit threats continue to grow, tout automated website scanning software as a comprehensive solution, when the AI (Artificial Intelligence) is only capable of catching approximately 40% of non-compliant issues. In fact, your complimentary free website scan utilized similar technology that some company's charge for.

BEWARE OF ARTIFICIAL INTELLIGENCE "SOLUTIONS!"
More than 250 lawsuits were filed in 2020 against companies using widgets or overlays as an accessibility solution for their websites. The last 6 months of 2020 shows a significant increase in cases filed with the rate eclipsing more than one a day.