

## Appendix A: Step-by-Step Documents

- Step-by-Step Approach to ADA Compliant Programs, Services and Activities Provided
- Step-by-Step Approach to an ADA Compliant Human Resources Process
- Step-by-Step Approach to ADA Compliant Job Descriptions
- Step-by-Step Approach to an ADA Compliant Evacuation Plan
- Step-by-Step Approach to an ADA Compliant Website

## STEP-BY-STEP APPROACH TO ADA COMPLIANT PROGRAMS, SERVICES AND ACTIVITIES PROVIDED

Title II of the Americans with Disabilities Act of 1990 (ADA) applies to state and local governments, including Cities, Towns, and Departments of Transportation. The ADA prohibits discrimination on the basis of disability in all programs, services, and activities provided by that entity. Thus, people with disabilities must have an equal opportunity to participate in and benefit from any program, services, and/or activity that is provided. To accomplish this, the ADA sets requirements for facilities, communications with the public, and policies and procedures governing any and all programs, services, and activities.

The following steps may assist entities in providing ADA compliant programs, services and activities:

### STEP ONE: FACILITIES – PROGRAM ACCESSIBILITY

When programs, services, or activities are located in facilities that existed prior to January 26, 1992, the effective date of Title II of the ADA, state and local government entities must make sure that they are also available to persons with disabilities, unless to do so would fundamentally alter a program, service, or activity or result in undue financial or administrative burdens. When a program, service, or activity is located in a building that is not accessible, the entity can achieve program accessibility in several ways. It can:

- relocate the program or activity to an accessible facility;
- provide the activity, service, or benefit in another manner that meets ADA requirements; or
- make modifications to the building or facility itself to provide accessibility.

Thus, to achieve program accessibility, the entity need not make every existing facility accessible. It can relocate some programs to accessible facilities and modify other facilities, avoiding expensive physical modifications. Some of these modifications could include providing accessible parking spaces, accessible public toilet facility, and an accessible route into the facility.

### STEP TWO: MAINTENANCE OF ACCESSIBLE FEATURES

State and local government entities must maintain in operable working condition those features that are necessary to provide access to programs, services, and activities including elevators and lifts, curb ramps at intersections, accessible parking spaces, ramps to building or facility entrances, door hardware, and accessible toilet facilities. Isolated or temporary interruptions in service or access are permitted for maintenance or repairs.

### STEP THREE: EFFECTIVE COMMUNICATION

Entities must take appropriate steps to ensure that communications with members of the public, job applicants, and employees with disabilities are as effective as communications with others unless it is an undue financial or administrative burden to do so or it would result in a fundamental alteration in the nature of its program, service, or activity.

Achieving effective communication often requires that the entity provide auxiliary aids and services. Examples of auxiliary aids and services include qualified sign language interpreters, assistive listening devices, open and closed captioning, note takers, written materials, telephone handset devices, qualified readers, taped texts, audio recordings, Braille materials, materials on computer disk, and large print materials. The entity must provide appropriate auxiliary aids and services where they are necessary to achieve an equal opportunity to participate in, and enjoy the benefits of, a program, service, or activity conducted by simply joint involvement. Primary consideration must be given to the type of auxiliary aid requested by a person with a disability. However, a different type of aid can be provided if it is just as effective as the one requested.

If the entity communicates with applicants and beneficiaries by telephone, it should ensure that an effective telecommunication system such as communication using the relay system or a TeleTYpewriter (TTY) or Telecommunications Device for the Deaf (TDD) be used to communicate with individuals who are deaf, hard-of-hearing, or who have speech disabilities. A TTY has a keyboard and visual display for non-verbal communication with another TTY user or a relay system operator. The relay system is provided in each state and permits telephone communication between voice handsets and individuals using a TTY.

Determination of an undue financial burden or a fundamental alteration can only be made by the head of the state or local government or his or her designee and must be accompanied by a written statement of the reasons for reaching that conclusion. The determination of an undue burden must be based on all resources available for use in the program, service, or activity. When it is not possible to provide a particular type of auxiliary aid to achieve effective communication due to an undue burden or fundamental alteration, the entity must take any other action that would not result in such burdens or fundamental alteration, but would nevertheless ensure that individuals with disabilities receive the benefits and services of the program or activity.

#### **STEP FOUR: PUBLIC NOTICE**

Any public entity must provide notice to the public about its ADA obligations and about accessible facilities and services. The notice must inform the public about the ADA's nondiscrimination requirements. It may also describe how the public or employees may contact specific officials about problems with accessibility and the need for effective communication. The information must be accessible to the public, including people who have disabilities that affect communication, such as blindness, low vision, deafness, and hearing loss. Although no specific method is required to reach the public, notice can be provided in more than one format and by using more than one type of media, such as the entity's website, print, radio, or television.

#### **STEP FIVE: DESIGNATION OF AN ADA COORDINATOR**

State and local governments with 50 or more employees must designate an individual to coordinate ADA compliance. Responsibilities for the ADA Coordinator may include conducting the self-evaluation and developing the transition plan (see below), handling requests for auxiliary aids and services, providing information about accessible programs and services, and serving as a local resource to the entity, as well as municipalities throughout the state (for Departments of Transportation). In some communities, this individual also receives complaints from the public and works to resolve them.

#### **STEP SIX: CONDUCT SELF-EVALUATION AND DEVELOP A TRANSITION PLAN**

State and local governments with 50 or more employees must evaluate all programs, services and activities for ADA compliance. Once this evaluation has been completed, a written plan must identify modifications to be made in order to achieve compliance. The plan should include timelines for completing these modifications. Interested parties, including people with disabilities and organizations representing people with disabilities must, at a minimum, have an opportunity to participate in the development of the plan by submitting comments. A copy of the self-evaluation and the plan must be available for public inspection for three years after completion.

#### **STEP SEVEN: TEMPORARY EVENT COMPLIANCE**

The ADA applies to both temporary and permanent programs, services, and activities. Facilities and structures that are built or altered for temporary use must comply with the ADA Standards. In addition, the policies and operations for the event must meet the nondiscrimination requirements of the ADA. When planning temporary events such as a ribbon cutting, grass events, and public meetings. The entity should review ADA Title II requirements and the ADA Standards. The Standards can provide guidance to help event planners place temporary accessible parking spaces in appropriate locations, provide an accessible route throughout the site, and provide other accessible features for food service, toilet facilities (including accessible portable toilets), assembly area seating, public telephones, and interpreters where such elements or facilities are provided for the public. It is very important to consider accessibility requirements when the event is in the planning stage so that accessible facilities can be identified and incorporated in a manner that does not require extensive construction or last-minute modifications.

Effective communication requirements also apply to temporary events. It may be necessary to provide qualified sign language interpreters or other auxiliary aids and services as requested, such as print material in a large-print format or on computer disk. An entity may choose when to provide interpreters and publicize a schedule for interpreters and other auxiliary aids and services. It should also provide auxiliary aids or services in response to individual requests, unless to do so would result in undue financial and administrative burdens. Promotional material for a temporary event should explain how the public can request a particular auxiliary aid or service and be informed of when specific auxiliary aids and services may be available.

## STEP-BY-STEP APPROACH TO AN ADA COMPLIANT HUMAN RESOURCES PROCESS

Human Resource (HR) professionals are key players in organizations' implementation of the employment provisions of the Americans with Disabilities Act of 1990 (ADA), which prohibits, among other things, discrimination based on disability in the workplace. HR professionals are involved with recruitment, pre-employment screening and testing, benefits, performance management, disability leave, and other parts of the employment process. Because of this broad involvement, they are in a key position to help their organization realize the intent of the ADA and minimize disability employment discrimination.

Many of individuals that have a disability are unemployed or underemployed, compared to their non-disabled peers, and represent a significant and untapped U.S. labor pool. In order to examine barriers to employment for people with disabilities, this step-by-step approach was created to offer suggestions for maximizing ADA compliance.

Implementation of the ADA program within your HR process will take time and effort. But taking a proactive approach to outline your plan is much more effective than reacting later to specific issues or problems.

The following steps may assist employers in developing and maintaining an ADA compliant HR processes:

### **STEP ONE: ENCOURAGE APPLICANTS WITH DISABILITIES AND MINIMIZE NEEDLESS DISCRIMINATION IN THE APPLICATION, PRE-EMPLOYMENT SCREENING AND TESTING PROCESSES.**

- Encourage and facilitate applications by individuals with disabilities for open positions by making sure that local agencies that provide rehabilitation services are aware of job openings.
- Minimize pre-employment screening and testing. Job applications and job interviews should not include medical or disability-related inquiries, nor inquiries about prior workers' compensation claims. The ADA bans such inquiries before a conditional job offer is made. Any pre-employment medical screening must occur post-offer, and other pre-employment screening that does occur should be consistent with actual job needs and business necessity. In addition, the recruitment, application, and interview processes must be made accessible to candidates with mobility, visual, and hearing disabilities. Having recruitment materials and application forms in alternate formats and knowing where to access sign language interpreters in your community are examples of good preparation for access.

### **STEP TWO: REVIEW ALL EMPLOYMENT PROCESS POLICIES, PROCEDURES AND FORMS FOR DISABILITY DISCRIMINATION AND ACCESS CONSIDERATIONS**

- The recruitment and application process is a good first place to start your assessment of the organization's policies and procedures in regard to effective outreach to people with disabilities, and minimizing barriers in the application and screening processes. However, the ADA applies to the employment process as a whole. Therefore, HR professionals must screen the entire employment process with disability nondiscrimination in mind. All benefit programs that the agency offers should be examined to assure equity for persons with disabilities in these employee benefit plans. Although employers can use actuarial data as approved by their state insurance boards, disability specific exclusions, or limitations are prohibited.
- Equitable access to other benefits of employment, such as use of the work out facilities for employee use and other periodic recreational and social activities should also be examined for accessibility to employees with disabilities. It should be determined whether facilities are accessible to individuals who are mobility-impaired, and whether appropriate signage is in place for persons with visual impairment.
- Employee training and other career development opportunities must be equitably available to the organization's employees with disabilities. Opportunities for advancement should be made available to all employees, and facilities and training approaches must be examined to ensure accessibility for employees with disabilities. This would include any training material purchased from an outside entity or having an outside entity come onsite to provide training. Consider if the training material is accessible to persons with disabilities such as visual and hearing impairments. In addition, consider the facility for accessibility to persons who may have a mobile impairment.

- Grievance, lay-off, termination, and discharge processes should be examined to ensure that individuals with disabilities are not disparately treated in these processes.

### **STEP THREE: HAVE GOOD COMMUNICATION WITH YOUR ADA COORDINATOR**

- Your ADA Coordinator is your key to your ADA compliance. The ADA Coordinator is ultimately responsible for your overall compliance. Having a good working relationship and communication will help to ensure that all HR functions, policies, and procedures are created and maintained in ADA compliance.
- Meet with your ADA Coordinator to review all other ADA policies, including reasonable accommodations. Even if the process does not reside with HR, staying involved with your ADA Coordinator not only keeps HR in the loop but will provide a better product towards compliance.
- Utilize your internal and/or external diversity programs. The internal Civil Rights Division can provide an abundance of assistance including training, resources, and support to aide in removing attitudinal barriers in the workplace resulting in a discrimination.

### **STEP FOUR: TOP MANAGEMENT COMMITMENT TO DISABILITY NONDISCRIMINATION**

- No significant changes can be made without top-down commitment from agency leadership. To ensure effective recruitment, hiring, integration, and accommodation of individuals with disabilities, top management must affirm and effectively communicate the importance of recruiting and retaining individuals with disabilities. Conveying that top leadership sees this as not only a compliance issue but will send the right message to valued employees.

### **STEP FIVE: TRAINING FOR CONTINUING COMMUNICATION ON ADA REQUIREMENTS**

- Training is important at all levels of the agency. Not just interviewers. Not just hiring supervisors or administrators, but all employees. The ADA is not just a law to provide equal access to individuals with disabilities. It is also about sensitivity, and looking at our behaviors and attitudes to determine whether we may be part of the problem in ensuring equal access. This allows employees to make sure they are part of the solution in providing equal employment opportunity. As previously stated, utilize your organization's internal and/or external diversity programs. These programs can provide an abundance of assistance including training, resources, and support to aide in removing attitudinal barriers in the workplace resulting in a discrimination.

## STEP-BY-STEP APPROACH TO ADA COMPLIANT JOB DESCRIPTIONS

The ADA does not require an employer to develop or maintain job descriptions. But, employers can certainly benefit from having well-written job descriptions that set out the “essential functions” for each employment position. When job descriptions are written, however, they must be non-discriminatory.

A written job description can help employers identify whether an applicant will be able to perform the essential tasks required of a particular position. During the interview process, employers are not allowed to ask whether a person has a disability that would prevent them from performing certain job tasks. But, employers may ask applicants whether they are able to perform the “essential functions” of a position, such as the ability to meet attendance or to operate a particular machine. If an applicant notifies the employer that he or she is unable to perform an essential job function because of a disability, the employer must then consider whether it is possible to reasonably accommodate the disability.

A written job description is also useful in defending a claim of disability discrimination. When a charge of discrimination is brought under the ADA, an initial issue will be whether the disabled individual could perform the essential functions of the position, with or without a reasonable accommodation. Employers will have an effective defense to such a charge if they can readily establish that the disabled individual could not perform one or more of the position’s essential functions, even with a reasonable accommodation. A well-written job description that was prepared before advertising or interviewing applicants is evidence of what a position’s essential functions actually are, and thus is helpful in establishing the defense.

The following steps may assist employers in developing and writing ADA-compliant job descriptions:

### STEP ONE: UNDERSTAND ESSENTIAL JOB FUNCTIONS

The essential functions of a job are not synonymous with all the functions of that job. A disabled person’s inability to perform a nonessential function is not a valid basis for disqualifying that person from employment. It is important that essential functions be defined and job descriptions be prepared before advertising or interviewing applicants. A description written at a later time will not be considered as evidence of essential functions in the case of a discrimination charge.

Essential functions “are those functions that the individual who holds or desires the position must be able to perform unaided or with the assistance of a reasonable accommodation”. A job function may be considered essential if:

1. The position exists for performance of the function;
2. A limited number of employees can perform the function, and it, therefore cannot be reassigned; or
3. The function is specialized and requires certain expertise to perform it.

In determining essential functions, consider whether removal or redistribution of certain tasks is possible. Would removal of the task fundamentally alter the position? What about reassignment of the task? If an employer has a small number of employees, each employee may be required to perform many different tasks that cannot be distributed, and thus would be essential functions. But, with a larger staff where work can be distributed, some of those same tasks might not be essential. Seasonal and fluctuating workloads might make the same function essential when volume is low and the workforce is low, but nonessential when volume is high and thus the workforce is high.

Time spent performing a function is another consideration. For example, the ability to operate a cash register might be an essential function for a cashier at a supermarket but a non-essential function for an individual working in the bakery.

On the other hand, a function that is not required very often may still be essential depending upon the consequences of failing to perform that function. A firefighter, for instance, may not regularly have to carry an unconscious adult from a burning building, but that function is still essential.

Qualitative and quantitative standards for essential functions are permissible under the ADA, and will not be “second-guessed” as long as they are actually necessary and required for a particular position. If an employer requires a typist to type 75 words per minute, for example, the employer is not required to explain the basis for that requirement. The employer may, however, be required to show that the 75-word-per minute requirement is not just “on paper,” but is actually imposed on its employees. Further, if it is alleged that an employer intentionally selected a particular level of production to exclude individuals with disabilities, the employer may have to offer a legitimate non-discriminatory reason for its selection.

## **STEP TWO: IDENTIFY JOB REQUIREMENTS**

A job compliant job description should include the following:

1. Job Title

2. Job Summary

A job summary should explain the reason for and/or the function of the position. It must demonstrate the intended purpose and place within the organization. You must consider what an employee is paid for achieving in a particular position and/or what would fail to get done if the position did not exist.

3. Essential Functions

The essential functions state what is done or required of that position. To determine whether specific tasks are essential, an employer must ask themselves:

- o Is the task critical to job success?
- o If the task occurs infrequently, is it critical to successful job performance?

Performance standards may be based on a number of criteria including process, time, quantity and/or quality.

- o Process: Standards based on process include the methods, techniques, procedures, and/or tools that are required to complete a job. For instance, a task defined by a process standard might state that specific physical exertion, such as lifting, standing, bending, or reaching, is required. Remember to consider whether a process is truly an essential part of a task.
- o Time: This type of standard states how much time is allowed to perform a function. The standard should identify whether the pace is consistent or fluctuating.
- o Quantity: Identifies how often a function is performed and/or is required to be performed.
- o Quality: A standard based on quality should identify how success is measured.

4. Non-Essential Job Functions

The non-essential functions are not considered to be what is required of that position to hold employment. These functions are additional duties that are considered to be incidental or a minimal part of the job. Non-essential job functions can be redistributed among other staff.

5. Job Specifications, including education, physical and mental demands, and working conditions.

Most employers list educational criteria and/or necessary certification/licensure requirements. However, it is also important to consider other special considerations and prerequisites.

For example, if there are environmental, psychological, and or physiological requirements applicants must meet, these should be included in the job description. Other specifications might include necessary specialized knowledge and/or the ability to work without supervision.

## **STEP THREE: WRITING THE JOB DESCRIPTION**

Job descriptions must use clear, concise, non-technical language. The descriptions must focus on the required outcome rather than the process, unless this process is essential to that job function.

When choosing words to describe the essential functions of the job, do not exclude individuals with disabilities. The following table provides examples of words that tend to be exclusionary and substitutions for these words.

<b>Physical Demand</b>	<b>ADA-Compliant Equivalent</b>	<b>Language Example</b>
Stand, Sit	Stationary position	Must be able to remain in a stationary position 50% of the specified work day.
Walk	Gait, Pace, Tread, Move, Traverse, Go, Promenade	Employee must be able to move about inside the office to access file cabinets, office machinery, etc.
Use hands/fingers to handle or feel	Operate, Work, Activate, Use, Control, Maneuver, Prepare, Inspect, Place, Detect, Position, Manage, Direct, Conduct	Constantly operating heavy machinery, such as a Motor Graders, Excavators and Backhoe Loaders.
Climb (stairs / ladders)	Ascend/Descend, Work atop, Traverse, Scale	Occasionally ascending/descending a ladder to perform building maintenance.
Stoop, Kneel, Crouch, or Crawl	Position Self (to), Move, Changing your body direction, Repositioning	Constantly repositioning self to perform roadway maintenance, including mowing, weed eating, and maintenance of heavy equipment.
Talk, Hear	Communicate, Conversate, Convey, Express oneself, Exchange information, Apprehend, Become aware	The person in this position frequently communicates with other employees within the agency regarding time sensitive projects. Must be able to exchange accurate information in these situations.
See	Notice, Examine, Identify, Observe, Detect, Recognize, Inspect, Assess	Must be able to stay aware and detect a traffic hazard when on a project site.
Taste, Smell	Detect, Distinguish, Determine	Occasionally must be able to distinguish the smell of chemicals when working in the Materials Lab.
Carry, Lift	Move, Transport, Position, Install, Remove, Hoist, Transfer	Must be able to transport computer equipment and requested supplies weighing up to 75 pounds to training events held by the agency.
Type 40 WPM	Input 40 WPM	Applicant must be able to input 40 WPM into the IOS Oracle System.

#### **STEP FOUR: ADDITIONAL LANGUAGE**

Employers should consider adding disclaimer language to job descriptions to remind employees and applicants that the description is subject to change. Examples include:

- Nothing in this job description restricts the agency the right to assign or reassign duties and responsibilities to this job at any time;
- This description reflects the agency's assignment of essential functions, it does not exclude or limit the tasks that may be assigned; or
- This job description is subject to change at any time.

Employers should also consider additional ADA compliant language to ensure that you do not discriminate based on a disability and reasonable accommodations are available upon request. For example:

- The [enter agency name] ensures that no person or groups of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, retaliation or genetic information, be excluded from participation



in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities including all employment practices. To request an accommodation, please contact [enter contact name], ADA/504/508 Coordinator at [enter phone number], by email at [enter email address] and/or Relay Service at [enter relay service phone number for your state].

## STEP-BY-STEP APPROACH TO AN ADA COMPLIANT EVACUATION PLAN

Individuals with disabilities who are self-sufficient under normal circumstances may have to rely on the help of others in an emergency. The quick, safe, and efficient evacuation of an entire agency during an emergency can only be accomplished through careful planning and preparation. When planning and implementing the building's Emergency Evacuation Plan, incorporate the following suggested procedures to address any needs of disabled individuals.

### STEP ONE: STEPS TO TAKE PRIOR TO EMERGENCY SITUATIONS

Organize Evacuation Committee for the Disabled

Identify an internal committee charged with developing the agency's site-specific emergency evacuation plan for employees and visitors with disabilities. This team must include at least one building administrator. Other suggested team members include:

- Employees with disabilities;
- Senior staff member;
- Staff members trained and/or experienced in working with individuals with disabilities;
- Building service workers; and
- Any staff members trained as an Emergency Medical Technician (EMT) or Firefighter.

### STEP TWO: CONSULT WITH EXPERTS FOR ASSISTANCE

Consult with the experts from the following agencies for assistance with developing your emergency evacuation plan for the disabled:

Public service agencies—

- Fire and Emergency Management Service (EMS) department officials;
- Emergency medical personnel (Fire & EMS Departments);
- Police department officials; and
- Office of Disability Concerns.

### STEP THREE: IDENTIFY ALL ACCESSIBLE EXITS

- Contact the Safety Division to assist in inspecting the agency's facility to determine which building exits are accessible.
- If all exits are not accessible, update the posted floor plan diagrams that identify emergency exit routes to include accessible routes to the nearest accessible exits.

### STEP FOUR: IDENTIFY AREAS OF RESCUE ASSISTANCE

Identify Areas of Rescue Assistance on each level of the building above or below the level of accessible exit discharge. Areas of Rescue Assistance may include a portion of a stairway landing within a smoke-proof enclosure, rooms protected by smoke- and flame-resistant doors, and any other fire-safe areas approved by the appropriate Fire Department officials.

- Contact Fire & EMS Department officials and the Safety Unit to inspect the agency's facility and determine the most appropriate locations for Areas of Rescue Assistance.
- Designate backup or secondary Areas of Rescue Assistance in the event that the emergency renders the first area unavailable.

- Post signs to identify each Area of Rescue Assistance within the agency's building. Post additional signs visible from the outside of the building to enable emergency responders to quickly locate Areas of Rescue Assistance.
- Update the posted floor plan diagram that identifies emergency exit routes to include routes to the nearest Areas of Rescue Assistance.
- Identify students and employees with disabilities assigned to your faculty. Note the type of impairment and the level of assistance required to safely evacuate them from the facility.

The agency may send out a voluntary survey to all employees requesting information for individuals that may require assistance in evacuating the building. Update this list at least monthly to reflect any changes that occur.

#### **STEP FIVE: DETERMINE NEEDS**

Determine what, if any, assistance each disabled individual may require to safely evacuate the agency's building. When determining the most effective methods of evacuation, consideration should be given to the size and weight of the individual, distance required to reach the assembly area, and obstacles such as steps, curbs, streets, intersections, and traffic. Listed below are some general examples of ways to assist the disabled:

##### **Assisting the visually impaired:**

- Offer to assist the visually impaired person to a safe location.
- Never grab a visually impaired person's arm. Ask him or her to hold your arm or elbow as you make your way to the nearest exit.
- Give verbal instruction or information as you travel.

##### **Assisting the hearing impaired:**

- Get the attention of the person with a hearing impairment by touch and eye contact and alert them that an emergency exists.
- Have written notes ready, if appropriate, which explain the existence and nature of the emergency.
- Offer gestures to provide information and instruction.

##### **Assisting the mobility impaired:**

Most mobility impaired persons, if on the ground floor of a building, will be able to exit safely without assistance. When mobility-impaired persons are located in portions or levels of a building without accessible exit, assist the person as directed to the nearest Area of Rescue Assistance.

- Accompany the mobility-impaired person to the nearest Area of Rescue Assistance. It may be necessary to clear the exit route of debris so that the person with the mobility impairment can move.
- Once within the Area of Rescue Assistance, wait for the fire department to evacuate the mobility impaired person.
- Key points to address before transporting mobility impaired:
  - Determine how many people are needed to move the person up or down the stairs.
  - Determine the ability of the person to extend or move his or her extremities when lifting due to pain, catheters, leg bags, spasticity, braces, respirators, etc.

- For wheelchair users:
  - Determine the ability of the person to be physically removed from the wheelchair.
  - When lifting a manual wheelchair, determine which points on the wheelchair the rescue persons should hold on to for lifting.
  - Never take an electric wheelchair up or down stairs. Abandon the chair and move the person to safety. It is recommended to use an evacuation chair.
  - Untrained persons should never attempt to move persons with mobility impairments up or down stairs.
- Determine any special medical needs that employees may require. Determine if any special equipment or apparatus must accompany the employees when evacuated from the building. Compile a list of these special needs and update it as necessary.
- Inform staff members of their responsibilities.
- Inform staff members of their responsibilities for assisting with the evacuation of disabled individuals. Consider the nature and degree of the disabling condition when determining the most appropriate assisting staff members.

Responsibility for providing evacuation assistance for a disabled employee should be assigned to the staff member who works closest to the employee. Again, this responsibility will shift as the employee works in different locations of the building throughout the day.

#### **Assisting Visitors:**

- Responsibility for providing evacuation assistance to visitors should be assigned to staff members already assigned the duty of checking areas of the building (such as lavatories) to make sure that all areas are clear during an emergency. Given unpredictable visitors, those assisting them may not be able to evacuate them on their own. In such cases, the staff member should assist the visitor to an Area of Rescue Assistance and seek assistance from other staff members or from professional rescue personnel.
- Assign an administrative staff member to inform any emergency responders (fire fighters, police, etc.) of the number, identity, and locations of any disabled individuals who could not be evacuated from the building and/or those who require special medical attention. Representatives of the agency and emergency responders should meet at a prearranged location.
- Assign backup staff members for each of these responsibilities.

#### **STEP SIX: PROVIDE TRAINING**

- Those individuals who will carry out special duties for assisting in the evacuation of others must be trained in the assistance they will need to offer.
- When staff members are required to lift and carry others, they must be trained in proper lifting and carrying techniques. Untrained persons should never attempt to move persons with mobility impairments up or down stairs.
- With fast response times of the Fire Department and their specialized training, they will evacuate all disabled persons from the Area of Rescue Assistance.

#### **STEP SEVEN: EXECUTING EMERGENCY EVACUATION PROCEDURES**

- Never use elevators, chair lifts, or any other system requiring electrical power in an emergency.

- In most cases, delay exiting persons with disabilities until the exit route is clear of traffic. This is for the disabled person's safety as well as for the safety of others. For example, where a person will be carried down sets of stairs, it is much safer to wait until the stairs are free of quicker moving traffic.
- Ensure that appropriate staff members account for all individuals with disabilities immediately after notification that an emergency exists. Inform the appropriate administrator immediately of anyone who cannot be accounted for.
- Ensure that appropriate staff members assist individuals with disabilities in moving to their predetermined Areas of Rescue Assistance, and assist them in exiting the building.
- Ensure that appropriate staff members assisting individuals with disabilities remain with them until the emergency is over.
- Upon arrival of emergency responders, ensure that an administrative staff member meets with them at a prearranged location with information on number, identity, and locations of individuals with disabilities who are still in the building. Also, provide a copy of the list that describes any special medical needs that employees may have as well as any special equipment or apparatus that may be needed.

#### **STEP EIGHT: PRACTICING EMERGENCY EVACUATION PROCEDURES**

When conducting your monthly evacuation drills, incorporate all aspects of your evacuation plan for the disabled in at least during two drills a year.

During these drills, it may not be advisable to evacuate all disabled persons from the building. In certain cases, the potential risk of injury may outweigh the benefits of conducting the drill. Discuss these health or safety concerns with your local Fire Department representatives. Under these special circumstances, during drills you only may be able to evacuate those individuals to the appropriate designated Areas of Rescue Assistance.

- Evaluate the effectiveness of each evacuation drill. Include all staff members involved in using the disabled evacuation procedures. Make adjustments and recommend necessary changes to the established procedures in consultation with the appropriate crisis agencies.
- Discuss and review this evacuation procedure frequently with all staff members.
- Review and update the building's evacuation plan.
- Keep the plan current to reflect changes in the building that might impact on the safe evacuation of the building. At minimum, building administrators must review and update their building's evacuation plan on an annual basis.

## STEP-BY-STEP APPROACH TO AN ADA COMPLIANT WEBSITE

The internet is dramatically changing the way that government entities serve the public. Taking advantage of new technology, many state and local governments are using the web to provide important information about the programs, services, and activities that they offer.

The Americans with Disabilities Act (ADA) and, if the government entities receive Federal funding, the Rehabilitation Act of 1973, generally require that state and local governments provide qualified individuals with disabilities equal access to their programs, services, or activities unless doing so would fundamentally alter the nature of their programs, services, or activities or would impose an undue burden. One way to help meet these requirements is to ensure that government websites have accessible features for people with disabilities, using the simple steps described in this document.

Many people with disabilities use "assistive technology" to enable them to use computers and access the Internet. Blind people who cannot see computer monitors may use screen readers – devices that speak the text that would normally appear on a monitor. People who have difficulty using a computer mouse can use voice recognition software to control their computers with verbal commands. People with other types of disabilities may use still other kinds of assistive technology. New and innovative assistive technologies are being introduced every day.

Poorly designed websites can create unnecessary barriers for people with disabilities, just as poorly designed buildings prevent some from entering. Designers may not realize how simple features built into a web page will assist someone who, for instance, cannot see a computer monitor or use a mouse.

Two important resources provide guidance for web developers designing accessible web pages. One is the **Section 508 Standards**, which Federal agencies must follow for their own new web pages. To learn more about the Section 508 Standards:

- The Access Board maintains information on its website at [www.access-board.gov](http://www.access-board.gov) and has a useful guide for web developers at [www.access-board.gov/sec508/guide/1194.22.htm](http://www.access-board.gov/sec508/guide/1194.22.htm);
- The Department of Justice provided information about accessible web page design in an April 2000 report to the President. This report is available at [www.usdoj.gov/crt/508/report/content.htm](http://www.usdoj.gov/crt/508/report/content.htm); and
- The General Services Administration hosts an online course for web developers interested in accessible web design. This program was developed in conjunction with the Access Board, the Department of Justice, and the Department of Education and provides an interactive demonstration of how to build accessible web pages. This course is available at [www.section508.gov](http://www.section508.gov), which also provides information about the Federal government's initiative to make its electronic and information technology accessible to people with disabilities.

Oklahoma is one of several states that has its own law to improve access to electronic and information technology (EIT) by all of its residents. During the analysis, Oklahoma's law was referred to as the Oklahoma Electronic and Information Accessibility law, or EITA.

[Oklahoma's Title 62](#) has four sections that address different aspects of the EITA law in Oklahoma.

- [Section 34.28 specifies general rules;](#)
- [Section 34.29 provides definitions used throughout the legislation;](#)
- [Section 34.30 establishes the EITA Advisory Council; and](#)

- [Section 34.16 mandates submission of annual EITA one-year operations plan that includes a number of items.](#)

[Oklahoma Administrative Code Title 260, Chapter 15](#) "provides information and establishes procedures to assure state compliance regarding accessibility of information technology for individuals with disabilities".

A more comprehensive resource is the **Web Content Accessibility Guidelines** developed by the Web Accessibility Initiative. These guidelines help designers make web pages as accessible as possible to the widest range of users, including users with disabilities. The Web Accessibility Initiative is a subgroup of the World Wide Web Consortium — the same organization that standardizes the programming language followed by all web developers.

- Information for web developers interested in making their web pages as accessible as possible, including the current version of the **Web Content Accessibility Guidelines** (and associated checklists), can be found at [www.w3c.org/WAI/Resources](http://www.w3c.org/WAI/Resources), and
- Information about the Web Accessibility Initiative can be found at [www.w3c.org/WAI](http://www.w3c.org/WAI).

The following steps may assist entities in developing and maintaining an ADA-compliant website:

#### **STEP ONE: ESTABLISH ACCESSIBILITY**

Establish and maintain a policy that your web pages will be accessible and create a process for implementation.

#### **STEP TWO: CONDUCT COMPLIANCE ASSESSMENT**

Ensure that all new and modified web pages and content are accessible:

- Check the HTML of all new web pages. Make sure that accessible elements are used, including "Alt" tags, long descriptions, and captions, as needed.
- If images are used, including photos, graphics, scanned images, or image maps, make sure to include "Alt" tags and/or long descriptions for each.
- If you use online forms and tables, make those elements accessible.
- When posting documents on the website, always provide them in HTML or a text-based format (even if you are also providing them in another format, such as Portable Document Format (PDF)).

#### **STEP THREE: DEVELOP A PLAN FOR MAKING YOUR EXISTING WEB CONTENT MORE ACCESSIBLE**

Describe your plan on an accessible web page. Encourage input on improvements, including which pages should be given high priority for change. Let citizens know about the standards or guidelines that are being used. Consider making the more popular web pages a priority.

#### **STEP FOUR: ENSURE THAT IN-HOUSE STAFF AND CONTRACTORS RESPONSIBLE FOR WEB PAGE AND CONTENT DEVELOPMENT ARE PROPERLY TRAINED**

Provide a way for visitors to request accessible information or services by posting information for the ADA Coordinator on your home page. Establish procedures to assure a quick response to users with disabilities who are trying to obtain information or services in this way.

**STEP FIVE: PERIODICALLY ENLIST DISABILITY GROUPS TO TEST YOUR PAGES FOR EASE OF USE; USE THIS INFORMATION TO INCREASE ACCESSIBILITY**

Examples of accessible features for websites:

- When navigation links are used, people who use a screen reader must listen to all the links before proceeding. A skip navigation link provides a way to bypass the row of navigation links by jumping to the start of the web page content.
- All images and graphics need to have an "Alt" tag or long description.
- Use "Alt" tags for image maps and for graphics associated with the image map so that a person using a screen reader will have access to the links and information.
- Some photos and images contain content that cannot be described with the limited text of an "Alt" tag. Using a long description tag provides a way to have as much text as necessary to explain the image so it is accessible to a person using a screen reader but not visible on the web page.
- Text links do not require any additional information or description if the text clearly indicates what the link is supposed to do. Links such as "click here" may confuse a user.
- When tables with header and row identifiers are used to display information or data, the header and row information should be associated with each data cell by using HTML so a person using a screen reader can understand the information.
- A link with contact information for the ADA Coordinator provides a way for users to request accessible services or to make suggestions.