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Bridging the Gap in Public Sector Accessibility

Americans with Disabilities Act (ADA) Playbook

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Understanding ADA Compliance

Disability Statistics in the United States

In the United States, a substantial part of the population is affected by disabilities, impacting numerous aspects of daily life and accessibility requirements. The following key statistics in the diagram highlight the prevalence of disabilities across the country:

Up to **1 in 4** (27%) adults in the United States have some type of disability

People with a disability
People with no disability
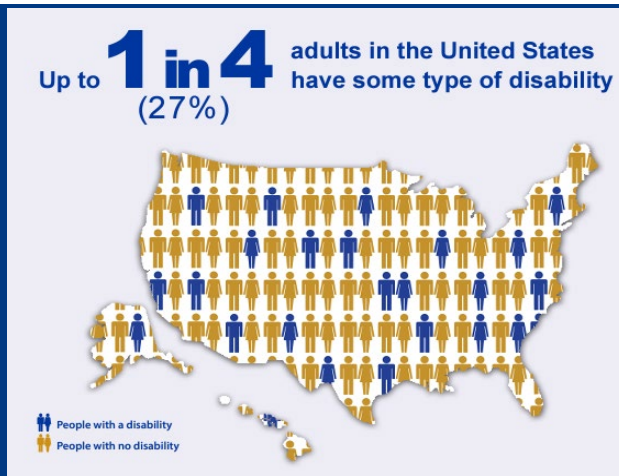
Disabilities that affect access to digital platform and technologies
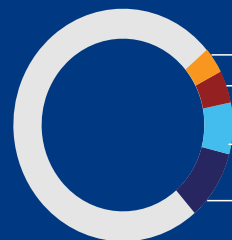
Visual: 4.9% of U.S. adults have a vision disability

Hearing: 5.7% of U.S. adults are deaf or have serious difficulty hearing

Cognitive: 10.8% of people with a disability have a cognition disability

Ambulatory 13.7% of U.S. adults have difficulties getting around, walking or climbing stairs

Understanding these statistics help in developing better policies, creating accessible environment, and providing support services to enhance the quality of life for people with disabilities.

Overview of the Americans with Disabilities Act (ADA)

The Americans with Disabilities Act (ADA) is a landmark civil rights law enacted in 1990 to prohibit discrimination against individuals with disabilities in various aspects of public life. It aims to ensure equal opportunities and access to employment, public accommodations, government services, telecommunications, and more.

The ADA mandates that organizations with 15 or more employees:

- Provide reasonable accommodations to qualified individuals with disabilities
- Prohibit discrimination in hiring and workplace practices
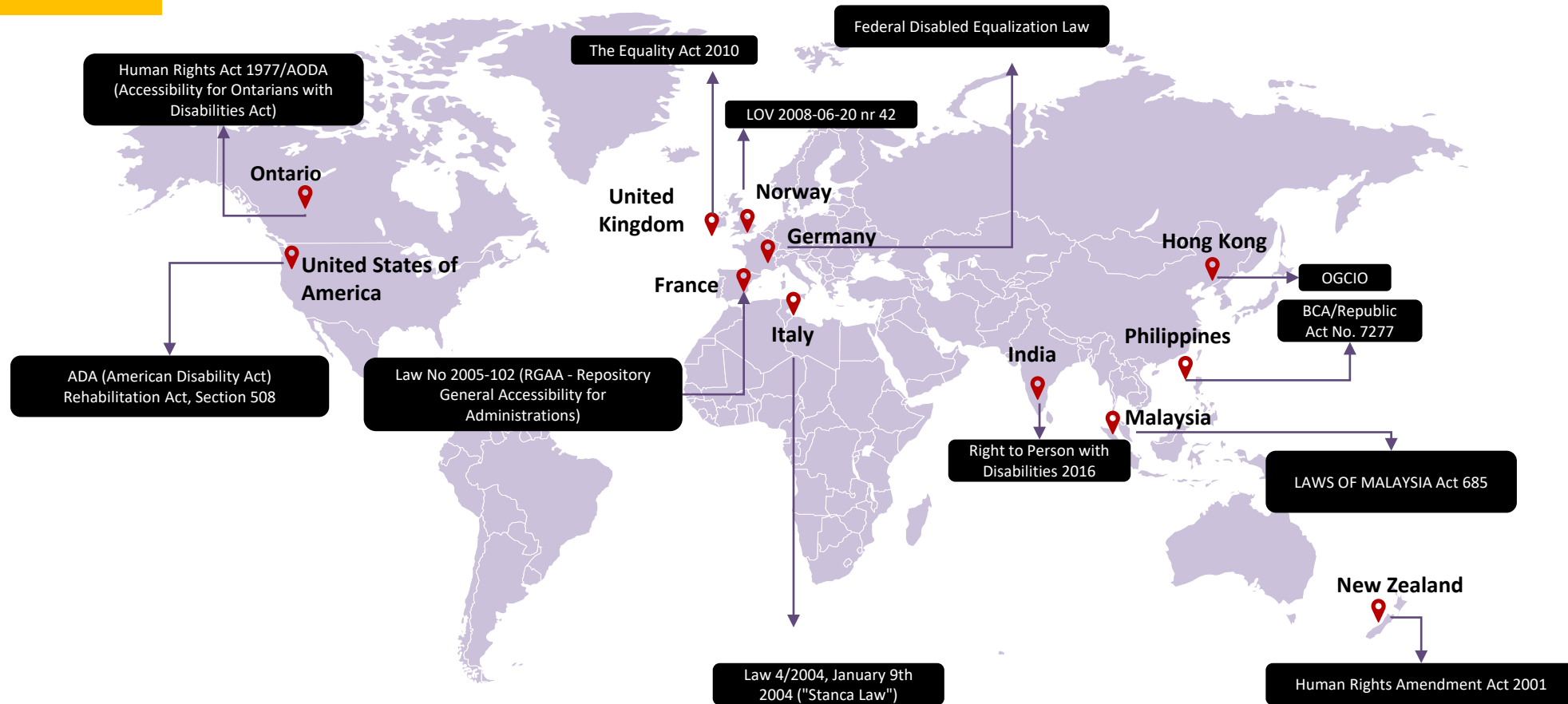- Ensure equal accessibility in public spaces and services

Enforced by federal agencies like the Equal Employment Opportunity Commission (EEOC) and Department of Justice (DOJ), the ADA continues to promote inclusion and accessibility across the American society.

"ADA is a federal law, and the U.S. Department of Justice (DOJ) is responsible for issuing regulations under Title II and Title III of the Americans with Disabilities Act (ADA) that explain the rights of people with disabilities and the obligations of those covered by the laws."

- **U.S Department of Justice Civil Rights Division**

Accessibility Law in Different Countries

Federal Disabled Equalization Law

The Equality Act 2010

Human Rights Act 1977/AODA (Accessibility for Ontarians with Disabilities Act)

LOV 2008-06-20 nr 42

Ontario

United Kingdom

Norway

Germany

Hong Kong

United States of America

OGCIO

France

BCA/Republic Act No. 7277

Italy

Philippines

ADA (American Disability Act) Rehabilitation Act, Section 508

India

Law No 2005-102 (RGAA - Repository General Accessibility for Administrations)

Malaysia

Right to Person with Disabilities 2016

LAWS OF MALAYSIA Act 685

New Zealand

Law 4/2004, January 9th 2004 ("Stanca Law")

Human Rights Amendment Act 2001

ADA vs 508 with Reference to WCAG

SUMMARY	ADA	508	WCAG
What Is It?	A civil rights law that prohibits discrimination of people with disabilities in all areas of life, including when using electronic and information technology	A federal law that requires federal agencies to maintain and use information and communications technology that people with disabilities can use	A World Wide Web Consortium (W3C) standard set of guidelines for creating an accessible website and mobile apps for people with disabilities
Who Is Affected?	Local governments, State governments, Non-profits, Businesses	Federal agencies, Federal departments, or organizations doing business with them	N/A
How Are They Different?	Applies to the public and private sector	Applies only to federal agencies and departments	Serves as a reference for ADA or 508 digital accessibility compliance

As per the recent federal mandate, organizations must achieve WCAG 2.1 Level AA compliance. However, to achieve this, they must first meet the criteria of level A, which represents the minimum baseline.

Level AAA
Optimal Compliance

Level AA
Standard Compliance

Level A
Minimal Compliance
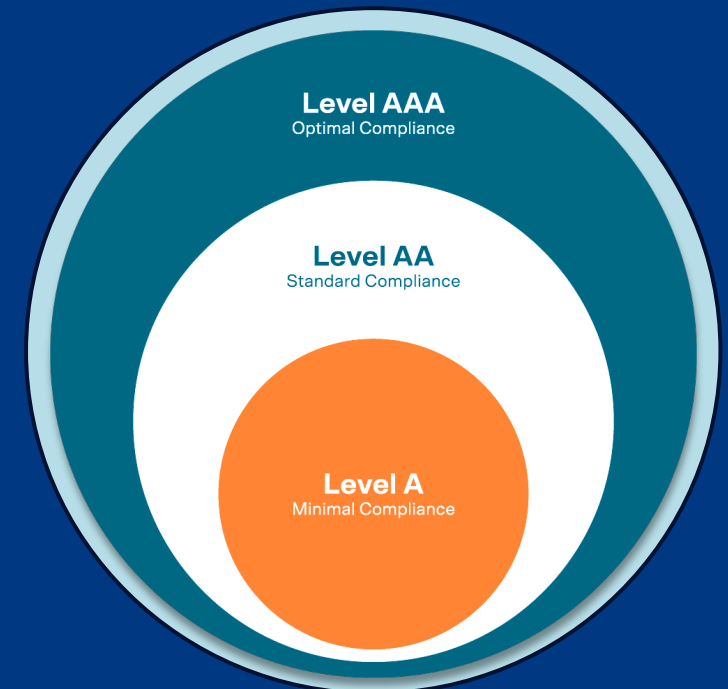
Categories of Disabilities Covered Under ADA Compliance

Where are digital platforms falling short?

96.8% of websites are inaccessible for people with disabilities

84% of webpages have low-contrast text

23% of images have missing alternative text

39% of all forms are not properly labeled

33% images on the web are not accessible for people with disabilities

92% of all federal websites fail to meet basic standards for accessibility

Visual Impairments
For visual impairments, provide image descriptions for screen readers, follow color contrast guidelines, and offer text resizing options. These practices help make digital content more inclusive for individuals with vision impairments.

Hearing Impairments
To support hearing impairments, include captions or transcripts for all audio and video content and ensure information isn't solely reliant on audio. By implementing these measures, one can create a more inclusive environment for individuals with hearing impairments.

Motor Special Needs
For motor special needs, offer keyboard shortcuts and alternative navigation options like voice commands or adaptive switches. These strategies make websites and applications more accessible for users with limited mobility or motor control.

Cognitive Impairments
For cognitive impairments, use clear, simple language, organize content logically, and minimize distractions to reduce cognitive load. These practices create a more accessible and supportive environment for individuals with cognitive disabilities.

Poll 1

POLL TIME

When was the Americans with Disabilities Act (ADA) enacted?

Click here to participate

ADA Compliance Imperative

- On April 24, 2024, the Federal Register published the Department of Justice's (Department) final rule updating its regulations for Title II of the Americans with Disabilities Act (ADA). The final rule has specific requirements about how to ensure that web content and mobile applications (apps) are accessible to people with disabilities.

- The rule requires state and local government websites and mobile apps to meet accessibility standards. This ensures equal access to government services for people with disabilities and impacts ALL public sector entities across US. Public entities with populations of more than 50,000 have two years to ensure that its web content and mobile apps meet WCAG 2.1 Level AA success criteria, while localities with less than 50,000 in population have three years to comply.
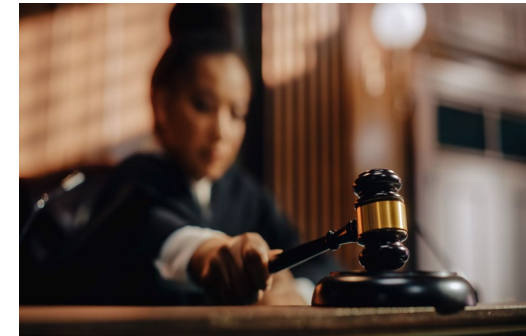
Exceptions:

In limited situations, some form of content at websites and mobile apps do not have to meet WCAG 2.1, Level AA:
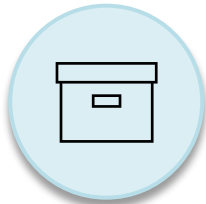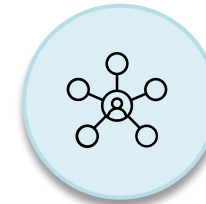
| Archived web content | Pre-existing conventional electronic documents | Content posted by a third party not under a contract, license, or arrangement with a public entity | Individualized documents that are password-protected | Pre-existing social media posts |

Public Sector Entities Mandated to Adhere to ADA Standards

The ADA applies to organizations and businesses that fit one or more of the following criteria:

- All local, country and state government agencies

- Any business that relies on the general public for its growth

- Privately run companies that currently have 15 or more employees

- Non-profit and charitable organizations which either have 15 or more employees or which operate for the benefit of the public

Timelines - How long do state / local government / agencies have

State and local government size	Compliance date
0 to 49,999 persons	April 26, 2027
Special district governments	April 26, 2027
50,000 or more persons	April 24, 2026

Who Needs to Follow ADA?

Financial Institutions

Government Websites

Banks

Insurance Providers

e-Commerce Websites

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Updates in WCAG 2.2

While WCAG 2.1 Level AA success criteria is the present compliance standard in the industry, WCAG 2.2 is the latest set of guidelines. Ensuring that digital properties are WCAG 2.2 compliant ensures long-term compliance adherence and brings in more accessibility features to the digital properties. Here are some of the updates that have come in with the release of WCAG 2.2 release.

Orientation
Content works properly in both portrait and landscape orientations without being limited to just one

Identify Input Purpose
Input fields that gather user information can be identified programmatically

Identify Purpose
UI components, icons, and regions in content are identified programmatically using markup languages

Reflow
Content remains functional and information is not lost, even when zoomed in up to 400%, without needing to scroll in two dimensions for vertical text

Non-Text Contrast
UI components and graphical objects have a contrast ratio of at least 3:1 compared to adjacent colors
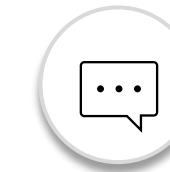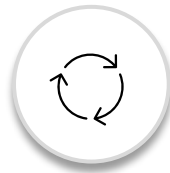
Text Spacing
Adjusting text spacing to specified requirements does not cause any loss of content or functionality

Content on Hover or Focus
Content that shows up when you hover or click on it can be closed easily and doesn't cover other information on the screen

Character Key Shortcuts
Users can disable, change, or activate a keyboard shortcut that uses letters, numbers, punctuation, or symbols, and it can be activated only when focused

Updates in WCAG 2.2 (contd…)

Timeout
Users are alerted about time limits, provided with options to extend the time, or allowed to disable time limits if they are not necessary

Animation from Interactions
Motion animations that occur due to user interaction can be turned off, unless the animation is necessary for the functionality or to convey important information
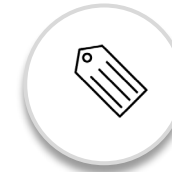
Label in Name
Labels should include the text that is visually presented for user interface components

Pointer Cancellation
No action is initiated on a pointer down event unless the action requires a second event or movement to complete

Motion Actuation
Functionality that is operated by device or user motion should also be operable using user interface components

Pointer Gestures
All features that rely on multi-point or path-based gestures should be operable using a single pointer, avoiding path-based gestures unless they are crucial

Status Messages
Status messages can be identified programmatically through roles or properties so that assistive technologies can present them to the user without needing to receive focus

Concurrent Input Mechanisms
Web content should enable the use of all available input methods on the platform without imposing unnecessary limitations

Target Size
Interactive targets should typically have a minimum size of 44x44 CSS pixels, except in specific cases where exceptions are necessary
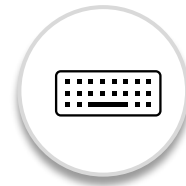
Updates in WCAG 2.2 (contd....)

Focus Appearance (Enhanced)
When users navigate a webpage with a keyboard or assistive tech, the current item (like a button or link) must be clearly visible with a high-contrast border or background to stand out

Focus Not Obscured (Enhanced)
It requires that the focused item remains visible and not hidden behind other elements, even in more complex scenarios, such as when scrolling or moving through dynamic content

Consistent Help
This ensures that helpful information, like tips or instructions, is consistently available across a website, making it easier for users to find and understand

Dragging Movements
Users with difficulty in dragging items (like on a touch screen) have alternative ways to perform the same actions. For example, instead of dragging an item, a user can use arrow keys or buttons to move it

Redundant Entry
This ensures that users do not have to re-enter information that they have already provided within the same process. For example, if you fill out your name in one part of a form, you shouldn't have to fill it out again later in the same form
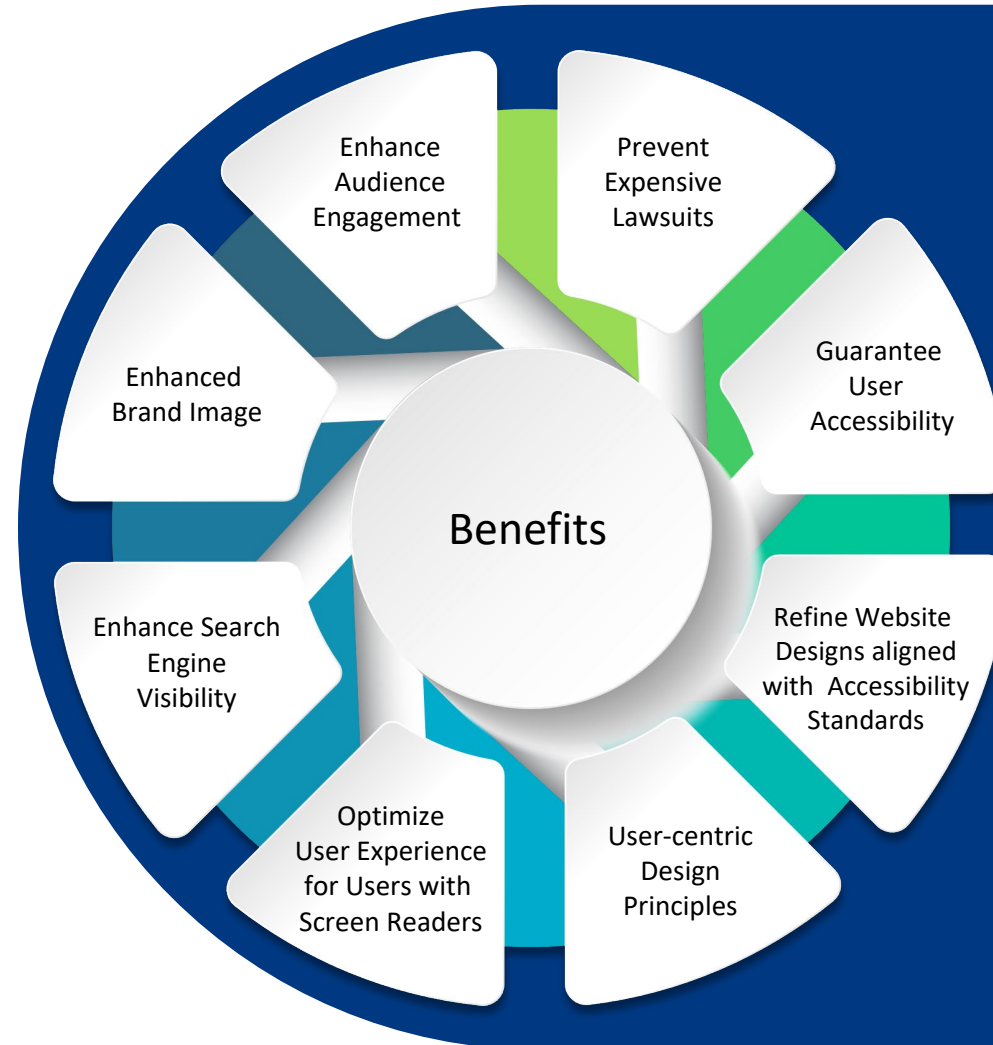
Accessible Authentication (Enhanced)
This requires even more accessible options for authentication. It includes multiple ways to log in or verify identity that cater to a wider range of disabilities, ensuring that everyone can securely access their accounts without unnecessary difficulty

Focus Not Obscured (Minimum)
When users focus on an item using a keyboard or assistive technology, the item should not be hidden or covered up by other content. This helps ensure that users can always see what they are focusing on

Accessible Authentication (Minimum)
This criterion ensures login and identity verification are accessible, offering alternatives to text passwords like biometrics (fingerprints or facial recognition) and easier methods for users with disabilities

Significance of ADA Compliance

Benefits of ADA Compliance

Benefits

- Enhance Audience Engagement
- Prevent Expensive Lawsuits
- Guarantee User Accessibility
- Refine Website Designs aligned with Accessibility Standards
- User-centric Design Principles
- Optimize User Experience for Users with Screen Readers
- Enhance Search Engine Visibility
- Enhanced Brand Image

Consequences of Violating ADA Compliance

Fines

The U.S. Department of Justice can impose fines of $55,000 for the first violation and $110,000 for repeat violations.

Lawsuits

Individuals with disabilities who have been discriminated under the ADA can file lawsuits against organizations or businesses.

Damages

Disabled employees who win lawsuits against organizations or businesses due to ADA violations receive compensation. This includes back pay, lost wages, and damages for pain, suffering, and emotional distress.

Reputation

ADA violations cause significant damage to the reputation of organizations or businesses leading to customers, employees, and investors' loss.

Poll 2

POLL TIME

Which level of WCAG Compliance represents the minimum baseline?
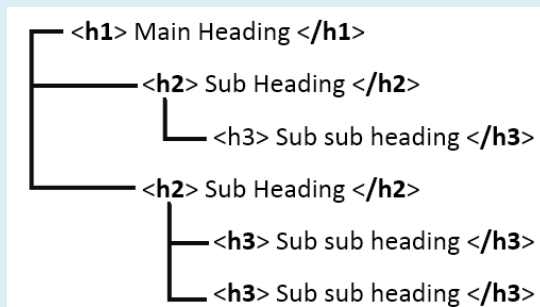
Click here to participate

Common Pitfalls

How to Avoid Common Pitfalls

Improper usage of semantic HTML elements (e.g., headings, tables) for screen readers and other assistive technologies. Using the appropriate tags helps convey the document structure and improves the overall user experience.

Insufficient contrast between text and its background can hinder readability and accessibility. To address this, it is essential to ensure the contrast ratio between text and its background is at least 4.5:1, under the WCAG guidelines. Utilizing online tools to check the contrast ratio can help achieve this standard.

Not accessbility friendly ❌   Accessbility friendly ✅

Placing <div> elements directly inside <ul> when using an <ul> based structure. Better use a <div> based structure for list items instead.

```
├── <h1> Main Heading </h1>
│
├───── <h2> Sub Heading </h2>
│         │
│         └── <h3> Sub sub heading </h3>
│
└───── <h2> Sub Heading </h2>
          │
          ├── <h3> Sub sub heading </h3>
          │
          └── <h3> Sub sub heading </h3>
```

```
<table>
  <thead>
    <tr>
       <th>Header 1</th>
       <th>Header 2</th>
    </tr>
  </thead>
  <tbody>
    <tr>
       <td>Data 1</td>
       <td>Data 2</td>
    </tr>
  </tbody>
</table>
```

Wrong Way
```
<ul>
<div>
<li></li>
</div>
</ul>l
```

Right Way
```
<ul>
<li></li>
</ul>
```

How to Avoid Common Pitfalls (contd…)

Missing Form Labels
Not ensuring that each form element has a corresponding label or not adding ARIA-label with descriptive label
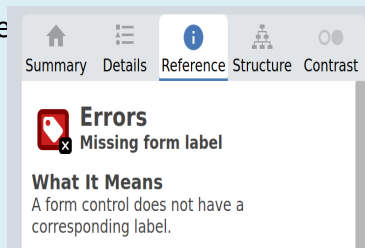
Wrong Way
```
<input id="enterFullName" class="enter-full-name"
 value="name" placeholder="enter Full Name"/>
```

Ways to fix:-
Provide an associated label
Add an aria-label

Right Way
```
<input id=" enterFullName " class="enter-full-name
aria-label ="enter your full name" value="name"
placeholder="enter Full Name"/>
```

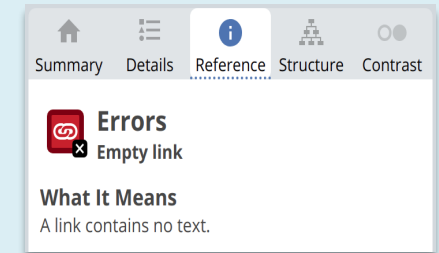Summary Details **Reference** Structure Contrast

Errors
Missing form label

What It Means
A form control does not have a corresponding label.

Empty Links Error
Not ensuring that each link has descriptive and meaningful text or label .
Wrong Way
```
<a href=" https://facebook.com ">
<i class="facebook"></i>
</a>
```

Right Way
```
<a href="https://facebook.com" aria-label="facebook link">
<i class="facebook"> </i>
</a>
```

Summary Details **Reference** Structure Contrast

Errors
Empty link

What It Means
A link contains no text.

Error Message
 Not providing clear and descriptive error messages when users submit the form with errors.

Wrong Way
```
<label for="username">Username:</label>
<input type="text" id="username" name="username" required >
<div>character length of username should be 10.</div>
```

Right Way
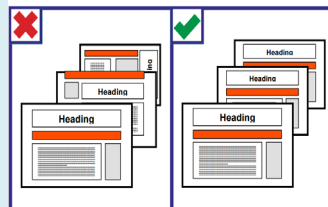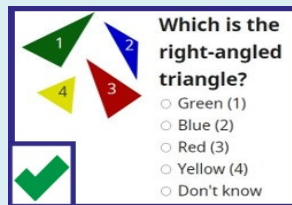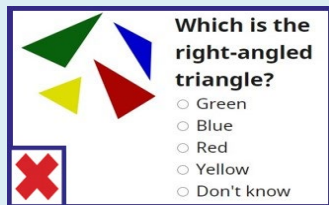```
<label for="username">Username:</label>
<input type="text" id="username" name="username" required aria-describedby="username-error">
<div id="username-error" role="alert" > character length of username should be 10.</div>
```

# How to Avoid Common Pitfalls (contd....)

Inability to ensure that instructions don't rely on color alone. It is also essential to make sure that the presentation and layout is consistent for all users.

**Missing Alt Text**
Not providing a concise and descriptive alt attribute that conveys the purpose or information conveyed by the image.
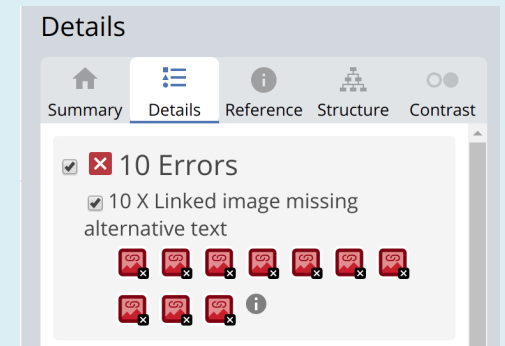
**Wrong Way**

<img src="example.png"
class="img-fluid" />

**Right Way**

<img src="example.png" class="img-fluid"
alt="example image for reference" />

### Details

Summary | Details | Reference | Structure | Contrast

☑ ❌ 10 Errors
☑ 10 X Linked image missing
alternative text

# How AgreeYa Can Support

# Our Commitment to ADA Compliance

## Accessibility Features of Our Solutions

- Videos with Transcript Support

- Screen Reader Support

- Braille Display Support

- Screen Magnifier Support

- Alt Text on Images

- Keyboard Shortcuts

- Real-time Captioning

## All our products and technology solutions are accessible to users with:

- Cognitive Disorders

- Intellectual Disabilities

- Deafness

- Hearing Loss

- Blindness

- Low Vision

- Epilepsy

# How we Enable ADA Compliance for Organizations

## Our Services

**Initial Evaluation**
Assess current accessibility issues and suggest improvements

**Accessibility Audit**
Conduct detailed page-by-page audits

**Website/ Mobile App Modernization**
Redesign for modern look, seamless user experience, and ADA compliance

**Repair & Remediation**
Address non-compliant elements in design and code

**PDF Accessibility**
Test and correct PDFs for compliance

**Monitoring**
Ensure continuous compliance with regular monitoring services

# Our Website Accessibility Solutions

## Website Solutions

### Accessibility Audits

- **Comprehensive Tools:** Use tools for automated accessibility audits, identifying WCAG 2.1 Level AA issues, and providing detailed reports.
- **Manual Testing:** Complement automated tests with manual testing by accessibility experts to uncover issues automated tools may miss.

### Accessibility Remediation

- **Fixing Issues Identified in Audits:** Address issues such as missing alt text, improper heading structures, insufficient color contrast, and more.
- **Semantic HTML:** Ensure all web pages use proper semantic HTML to improve navigation for screen readers.

### User Interface Enhancements

- **Keyboard Navigation:** Ensure all interactive elements can be accessed and operated via keyboard.
- **Focus Management:** Implement clear focus indicators and logical tab order for better keyboard navigation.

### Content Accessibility

- **Alt Text:** Add descriptive alt text to all images and non-text content.
- **Transcripts and Captions:** Provide transcripts for audio content and captions for video content.

### Document Accessibility

- **Accessible PDFs:** Ensure all downloadable PDFs are accessible, with proper tagging and logical reading order.
- **Forms:** Make sure all online forms are accessible, with proper labels, instructions, and error messages.

### Responsive Design

- **Mobile-friendly:** Ensure the website is responsive and provides a good user experience on all devices.
- **Text Resizing:** Allow users to resize text up to 200% without loss of content or functionality.

# Our Mobile Accessibility Solutions

## Mobile App Solutions

### Accessibility Audits

- **Automated Testing:** Use tools like Google's Accessibility Scanner or Apple's Accessibility Inspector to identify accessibility issues in mobile apps.
- **Manual Testing:** Perform manual testing using assistive technologies such as screen readers.

### App Remediation

- **Fix Identified Issues:** Address issues such as missing labels, non-tappable elements, and insufficient contrast.
- **Semantic Structure:** Use proper semantic elements and Accessible Rich Internet Applications (ARIA) rules to improve accessibility.

### User Interface Enhancements

- **Keypad Access:** Ensure the app is seamlessly navigable and can be easily accessed using mobile keypad.
- **Accessible Touch Targets:** Make sure touch targets are large enough and properly spaced.

### Content Accessibility

- **Alt Text:** Provide alt text for images and icons within the app.
- **Transcripts and Captions:** Include transcripts for audio content and captions for video content within the app.

### Form Accessibility

- **Proper Labeling:** Ensure all form fields are properly labeled and accessible.
- **Error Identification:** Provide clear and accessible error messages.

### Navigation and Interaction

- **Logical Navigation:** Ensure a logical and consistent navigation structure within the app.
- **Gesture Support:** Make sure essential functions can be performed without complex gestures.

### Accessibility Statement

- **In-app Accessibility Info:** Ensure a logical and consistent navigation structure within the app.

# Our Methodology for Accessibility Audits

We regularly audit and evaluate the accessibility of our website, software, or digital products to identify any barriers that may prevent individuals with disabilities from accessing and using it effectively. Here are the steps involved in AgreeYa's accessibility audit:

## AgreeYa's Accessibility Audit Approach

Assess Current State and Identify Accessibility Gaps

**Engage, Agile, Collaborative**

- Define objectives, **key success factors**, milestones, and **desired accessibility level.**
- **Review assessment and methodology.**
- Run applicable accessibility software to determine current accessibility gaps.
- Analyze gaps and identify actionable areas for improvement. Recommend technical approach for closing identified gaps.
- **Implement** approved technical recommendation **Re-test** to confirm accessibility standards during each development cycle.
- **Train development team** on usability and accessibility principle.

# Conclusion

ADA compliance extends far beyond mere legal obligation. It represents a fundamental commitment to creating an inclusive society where every citizen, regardless of ability, has equal access to services and information. By implementing accessibility standards, public entities are not just avoiding legal penalties; they're actively dismantling barriers that have long marginalized individuals with disabilities. This approach fosters a more equitable community where everyone can participate fully in civic life, access government resources, and engage with public services without hindrance.

Moreover, it sends a powerful message about the value society places on diversity and inclusion. As technology continues to play an increasingly central role in how we interact with government and public services, ensuring digital accessibility becomes crucial in upholding the principles of democracy and equal opportunity. Therefore, ADA compliance should be viewed not as a bureaucratic hurdle, but as an essential step towards building a more just, accessible, and inclusive society for all.
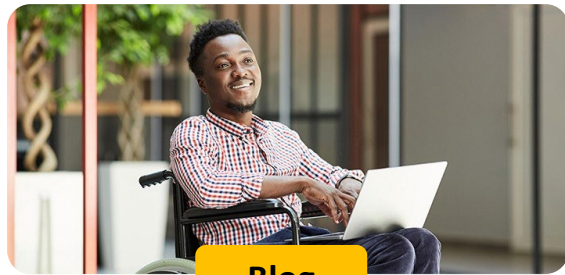
Poll 3

**POLL TIME**

Which of the following is NOT mentioned as a type of compensation for disabled employees who win ADA violation lawsuits?

**Click here to participate**

# Further Reading

**Blog**

[Empower Inclusion and Unlock Value with ADA Compliant UI/UX Design](#)

**Whitepaper**

[Empowering Inclusion: The Importance of Accessibility Testing](#)

**Case Study**

[Helping A County Manage ADA Issues Better with an Issue Tracking Application](#)

**Brochure**

**AgreeYa ADA Compliance Services**

# About AgreeYa

AgreeYa Solutions is a leading global provider of software, solutions and services to small, medium and global Fortune 100 organizations. Founded in 1999 and headquartered in Folsom, Calif., AgreeYa has over 2,500 professionals helping clients across U.S, India, Mexico, and Singapore. Leveraging a technology-enabled, consultative approach and diverse talent, AgreeYa offers modern workplace, smart analytics, intelligent automation, AI/ML, cloud transformation, mobility and talent management solutions to deliver digital transformation to its clients. AgreeYa has received considerable recognition including certifications like Microsoft Solutions Partner and Cloud Solutions Provider, AICPA SOC 2 Type 2, SEI CMMI and ISO 9001:2015; and awards including 'Dream Company to Work For' and 'Best Employer Brand'. For more information, visit www.agreeya.com and follow AgreeYa on LinkedIn, Facebook and X.

# References

- https://www.ada.gov/assets/pdfs/web-rule.pdf
- https://www.ada.gov/notices/2024/03/08/web-rule/#how-long-state-and-local-governments-have-to-comply-with-the-rule
- https://www.ada.gov/resources/web-guidance/
- https://www.ada.gov/topics/intro-to-ada/
- https://adata.org/factsheet/ADA-overview
- https://www.cdc.gov/ncbddd/disabilityandhealth/infographic-disability-impacts-all.html
- https://www.cityofmadison.com/engineering/facilities/programs-initiatives/accessibility-ada-compliance
- https://reciteme.com/us/news/ada-compliance-requirements-for-businesses/
- https://adasitecompliance.com/role-aria-enhancing-website-accessibility-comprehensive-guide/#:~:text=ARIA%20comprises%20an%20attribute%20set,technologies%20to%20read%20website%20content.
- https://www.w3.org/WAI/standards-guidelines/wcag/new-in-21/

**THANK YOU!**

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