

# Top 10 Questions<sup>and answers</sup> for Your Team About Web Accessibility

## 1. Is the Americans with Disabilities Act (ADA) compliance mandatory for websites?

Yes, if a business operates for the benefit of the public or is a state or local government agency (under Section 508 of the Rehabilitation Act).

In 1990 the Department of Justice published the ADA, which made it mandatory for all commercial and public entities that have "places of public accommodation," under Title III—including the internet, to comply with the law.

## 2. Based on my current website today, can I be sued under Title III of the ADA? If yes, what do I need to do to become WCAG 2.0/2.1 compliant?

The best way to determine if your website is at risk for ADA litigation is to check for any potential accessibility issues. DigiPro Media offers a free homepage scan of your website and will generate a report that you can then review with your web team. Visit [NatRest.DigiproMedia.com](http://NatRest.DigiproMedia.com) to order your report today.

## 3. Can I be sued multiple times for the same web accessibility issue?

Businesses can be sued repeatedly for multiple ADA infractions, even after one or more cases has been settled.

## 4. Is there anything I can do to make this lawsuit disappear/moot?

There have been cases where companies have had their Title III ADA web lawsuits dismissed, when the company voluntarily remediated their website to make it accessible and posted a plan on their inaccessible website to alert the public of the

upcoming changes. (Reference case: *Carroll v. New Peoples Bank, Inc.*)

## 5. How long does it take to fix my website, and how much will it cost to be ADA compliant?

The time and cost to repair a website are dependent on the site itself. Small websites with limited errors can take as little as a day to complete whereas larger sites with numerous errors could take months to remediate. Once your website is scanned for issues, get with your web team or web accessibility expert for the best resolution for your business.

## 6. I'm not sure if there are accessibility errors on my website, what should I do?

There are 3 steps you should take if you suspect or know there are accessibility issues with your website:

**Protect:** Put a web accessibility plan on your website. This will help protect your site from aggressive attorneys who may be looking to sue a business who may be unaware of their accessibility related errors.

**Evaluate:** Get a full accessibility report. Then consult with your web team or digital accessibility expert on how to resolve any issues found on the report.

**Update:** Take the necessary steps to update, or in some cases rebuild, your website using WCAG 2.0/2.1 AA standards.

## 7. What does the law require for web accessibility?

Title III of the ADA (which covers

businesses) has expanded to include websites and prohibits discrimination based on disability. To comply with the ADA, businesses must remove any barriers on their website that prohibit users with disabilities from accessing the information, goods, or services in the same or comparable manner to users without impairments.

## 8. Is my business considering a 'public accommodation' under the ADA?

According to the US Government, "a public accommodation is a private entity that owns, operates, leases, or leases to, a place of public accommodation. Places of public accommodation include a wide range of entities, such as restaurants, hotels, theaters, doctors' offices, pharmacies, retail stores, museums, libraries, parks, private schools, and day care centers."

## 9. I have my phone number on my website, isn't that enough for web accessibility?

A phone number does not guarantee compliance with the ADA. (Reference case: *Gorecki v. Dave & Buster's*)

## 10. What is WCAG?

The web content accessibility guidelines, or WCAG, are a set of technical standards that improve web accessibility. They were developed by the World Wide Web Consortium (W3C), an international organization that provides the world with standards for digital accessibility and led by the internet's founder, Tim Berners-Lee.



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