

# ADA Basics for Business

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# Americans with Disabilities Act History

Benefits of Compliance

Who is impacted

Accessible Routes

Accessible Features

Legal Liabilities



## Why the ADA?

Disability rights are civil rights

Law protects people with disabilities in public life

Provides people with disabilities opportunities everyone else enjoys, accessing goods and services, and social participation in the community

More access means more engagement by all



# Brief History

1988 first ADA law introduced after years of struggle

July 26, 1990, signed into law

January 26, 1992 revised for Public Accommodations State and Local

2010 ADA standards clarified minimum requirements for scope and technicality for new construction, or altered commercial facilities

March 15, 2011, businesses must comply with general nondiscrimination requirements, including procedures/communication.



# Who Qualifies for Protection

A person who:

Has physical or mental impairment substantially limiting one or more life's major activities

Has history of impairment

Is perceived by others as having an impairment

ADA is a law, and not a benefit program, you do not need to apply for coverage.



# Examples of Protected Disabilities

Mobility requiring wheelchair, walker, cane

Deafness/hearing loss

Blindness/low vision

Cancer

Diabetes

PTSD

HIV

Autism

Multiple Sclerosis

Cerebral palsy

Epilepsy

Intellectual disabilities

Major depressive disorder

Traumatic brain injury

Many others not listed



# Who are your customers?

More than **60 million** Americans – **18% of population** – have disabilities

Each is a potential customer

They and their families patronize businesses that welcome them

**71.5 million** baby boomers are over 65 by 2030 and wanting products, services, and environments that meet their needs

Once people with disabilities find a business where they are welcome, they become repeat customers

**COMPLIANCE IS GOOD FOR BUSINESS**

# Why should your business be compliant?

Builds goodwill and a positive reputation within community

Expands your appeal to a significant segment of population

Makes life easier for everyone

Protects against legal action

Provides a tax incentive

<https://www.ada.gov/archive/taxpack.pdf>

It's the right thing to do





# Which businesses must comply?

Almost every business that serves public must comply, regardless of age of building. Buildings erected prior to ADA's passage are not "grandfathered".

There are exceptions

Private clubs and religious organizations are exempt from compliance

Commercial buildings (such as office buildings, factories, and others that don't provide goods or services directly to the public) are only subject to requirements for new construction and alterations



# ADA has 5 Titles (Sections)

**Title I** Employers with 15 or more employees, including state/local governments, employment agencies, and unions.

**Title II** State/local governments equal opportunity program services

**Title III** Businesses and nonprofit public accommodations

**Title IV** Telephone/television access for hearing/speech disabilities

**Title V** Miscellaneous Provisions including relationship to other laws, immunity, insurance provider concerns/benefits, prohibition against retaliation and illegal drug use



## Other Disability Rights Laws

**Fair Housing Act**- applies to housing, both public and private

[https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/online-complaint](https://www.hud.gov/program_offices/fair_housing_equal_opp/online-complaint)

**Air Carriers Access Act**- Disability discrimination during air travel.

<https://www.transportation.gov/airconsumer/complaints-alleging-discriminatory-treatment-against-disabled-travelers>



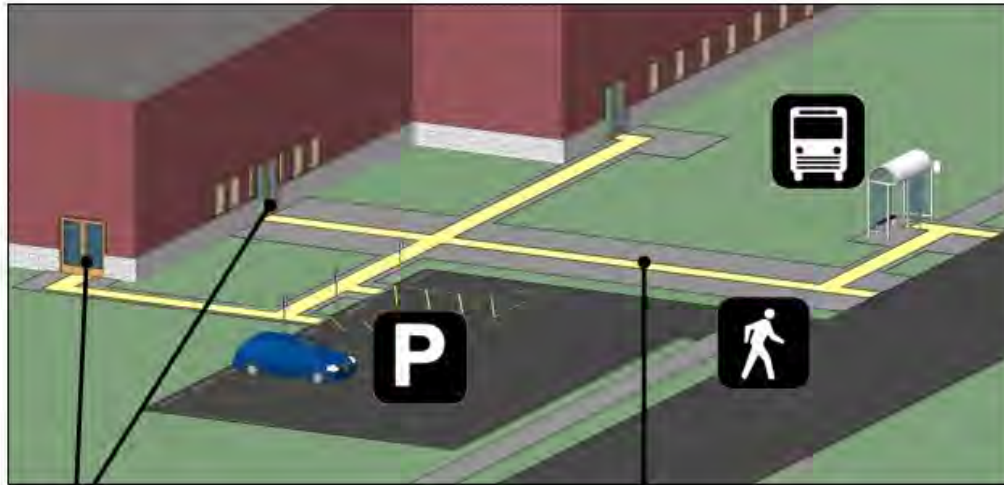
## Accessible Route Site - First you have to get there

Connects public from street and parking to building functions.

At least one accessible route required within boundary of site

From site arrival points connecting to buildings, facilities, elements.

*Site arrival points include accessible parking spaces and accessible passenger loading zones, public transit stops located on sites, and public streets and sidewalks.*



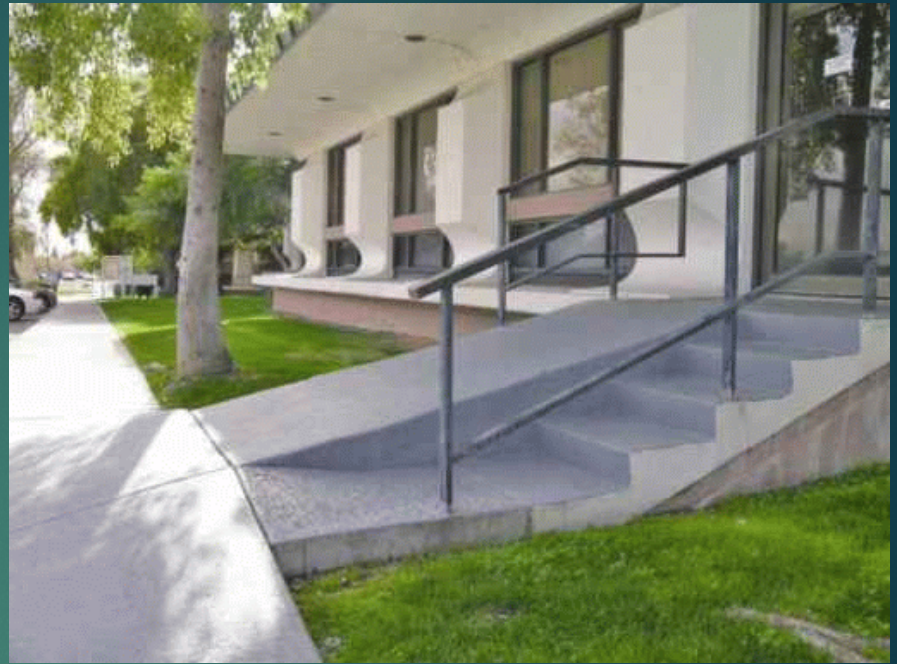
*An accessible route must connect site arrival points to each accessible entrance they serve.*

*Accessible routes must coincide with, or be in the same vicinity as, general circulation paths (§206.3).*



*If no pedestrian route onto a site is provided and site entry is by vehicle only, an accessible route from the site boundary is not required (§206.2.1, Ex. 2). Where a vehicular way does provide pedestrian access, such as a shopping center parking lot, an accessible route is required.*

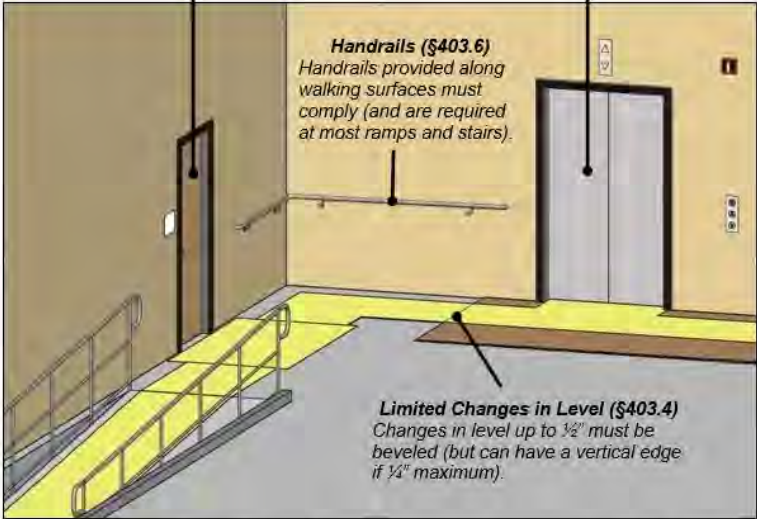
# Accessible Route Fails



# Accessible Routes to Accessible Spaces and Elements

Connects facility entrances with accessible spaces and elements

Include walking surfaces, doorways, ramps, curb ramps, elevators, lifts



**Doors, Doorways, and Gates (§404)**  
Doors, doorways, and gates along accessible routes and to accessible spaces must comply.

**Vertical Access (§405 - §410)**  
Changes in level great than  $\frac{1}{2}$ " must be spanned by ramps, curb ramps, or elevators. Platform lifts are allowed only in certain specified locations and in alterations.

**Handrails (§403.6)**  
Handrails provided along walking surfaces must comply (and are required at most ramps and stairs).

**Limited Changes in Level (§403.4)**  
Changes in level up to  $\frac{1}{2}$ " must be beveled (but can have a vertical edge if  $\frac{1}{4}$ " maximum).

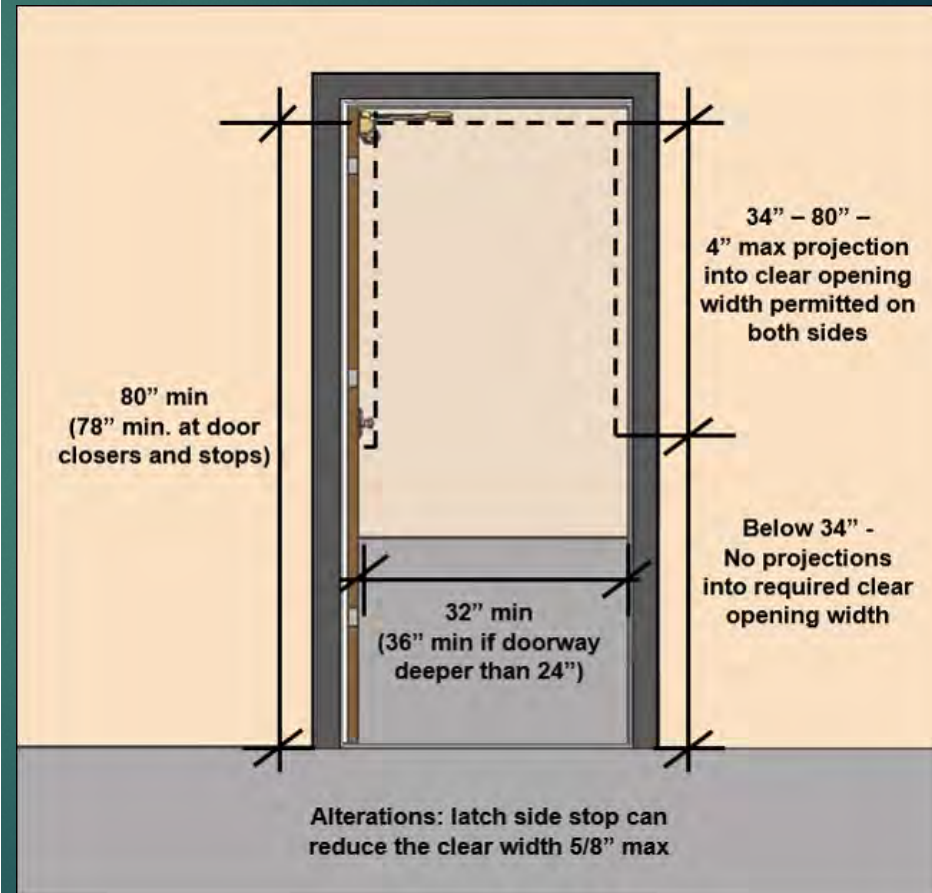
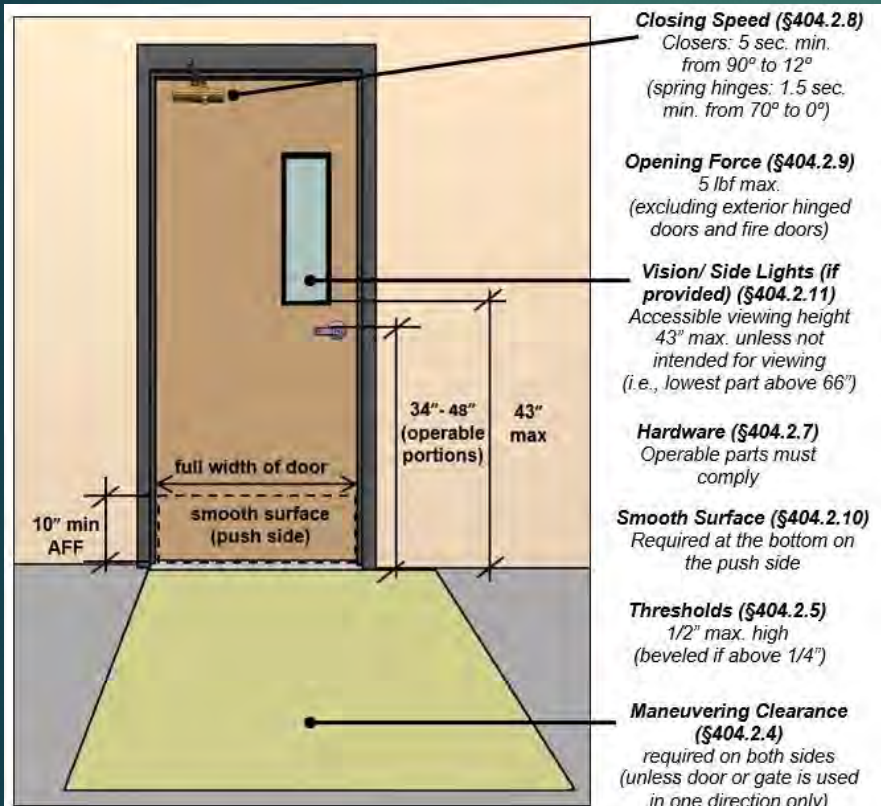
**Walking Surface Slope (§403.3)**  
The running slope of walking surfaces cannot exceed 1:20 (5%), but other components of accessible routes, such as ramps and curb ramps, can be more steeply sloped. Cross slopes must be 1:48 max.

**Clearances (§403.5)**  
The continuous clear width must be at least 36" (32" min. for short distances, such as doorways), and additional clearances are required for passing space and 180° turns around narrow obstructions.

**Surfaces (§403.2)**  
All surfaces of accessible routes must be firm, stable, and slip resistant. Carpeting and surface openings, where provided, must comply.

# Doors, Doorways

Required for doors, doorways, and gates on accessible routes. At least one accessible door(way) serving each accessible element must comply.



## Double-Leaf Doors (§404.2.2)

One active leaf of double-leaf doors is required to meet criteria for clear width and maneuvering clearance. Other door requirements apply to both leaves.

## Door and Gate Hardware

Allow one-hand operation

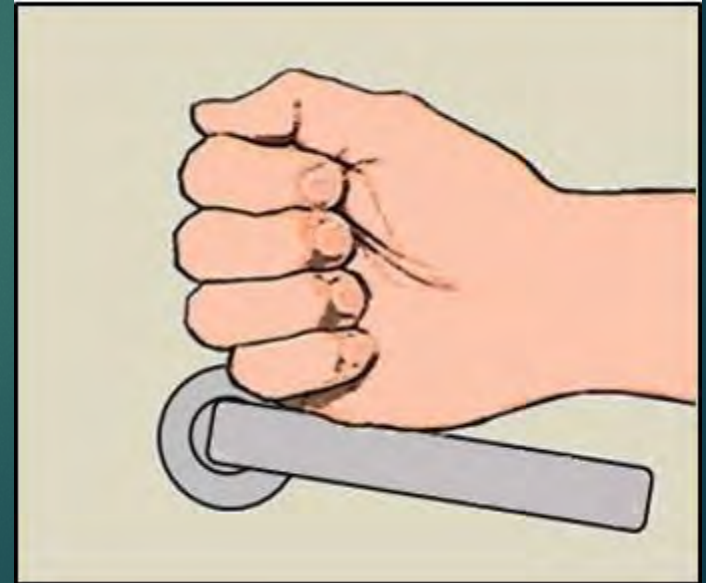
Can not need tight grasping, pinching, or twisting wrist

Operate with 5 lb maximum force

Be located 34" to 48" above floor or ground

Maximum opening force is not specified for exterior hinged doors.

Automation of exterior doors is recommended





# Door Accessibility Fails



## Ramps and Curb Ramps

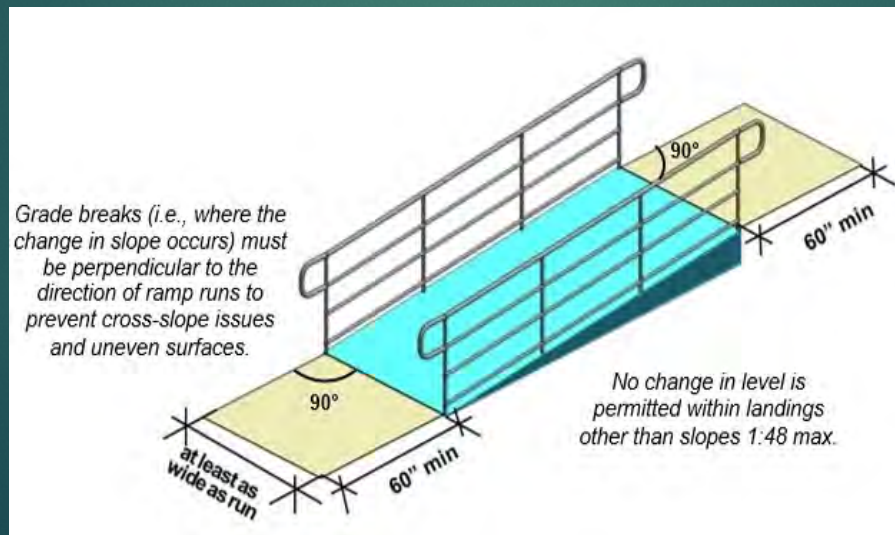
Required along accessible routes at changes in level greater than  $\frac{1}{2}$ "

Slopes steeper than 5% must be treated as ramps

Provide least possible slope less than 1:12 (8.33%)

Clear width 36" minimum (measured between handrails)

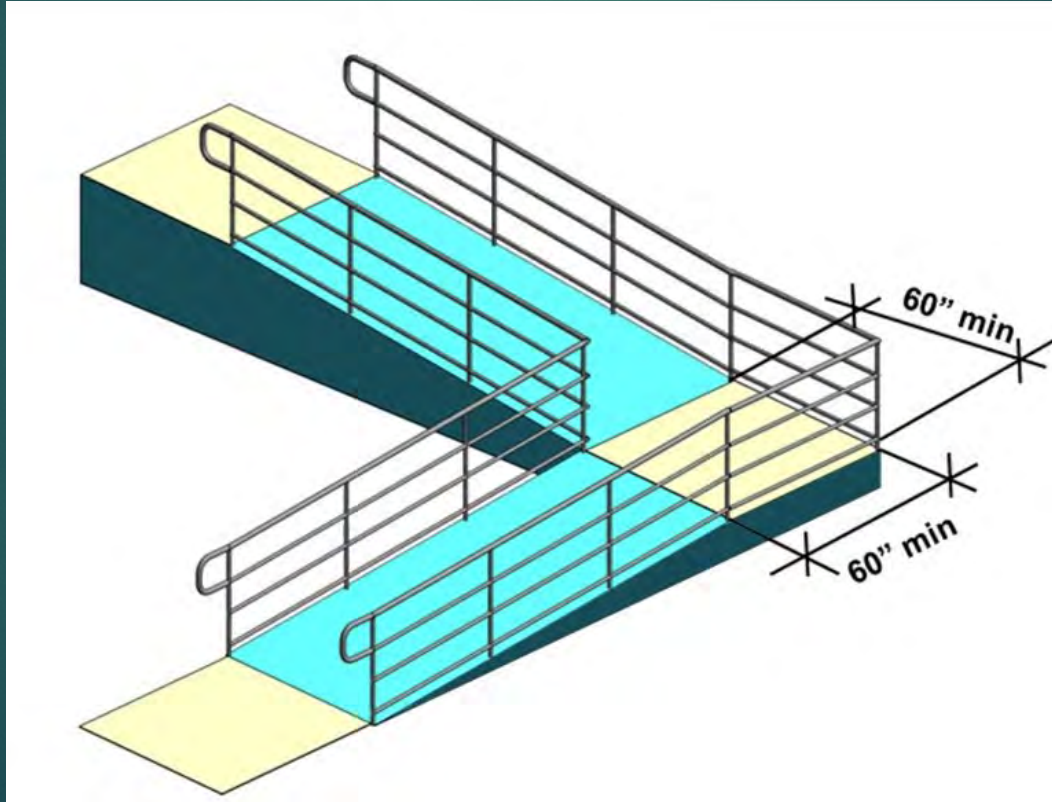
Level landings are required at the top and bottom of each run



## Intermediate Landings

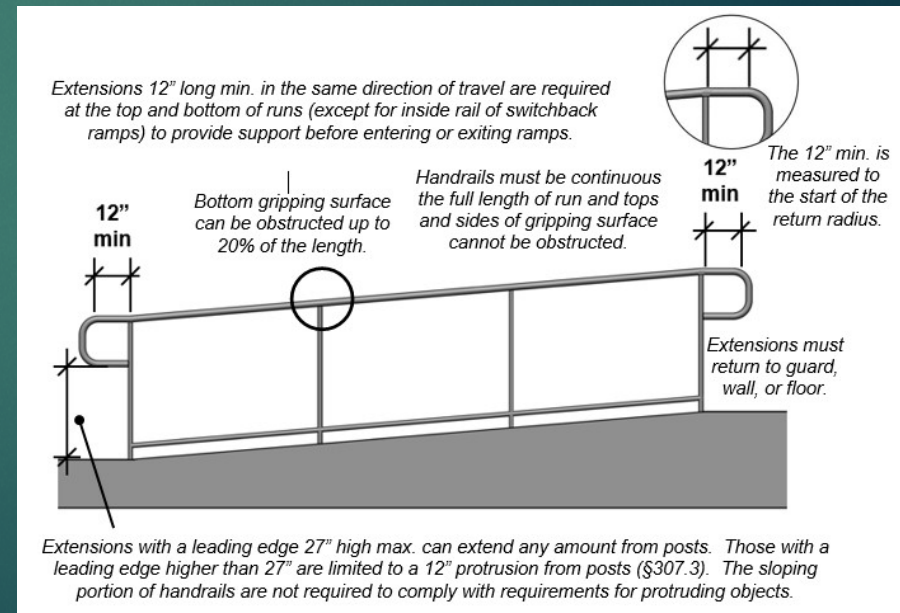
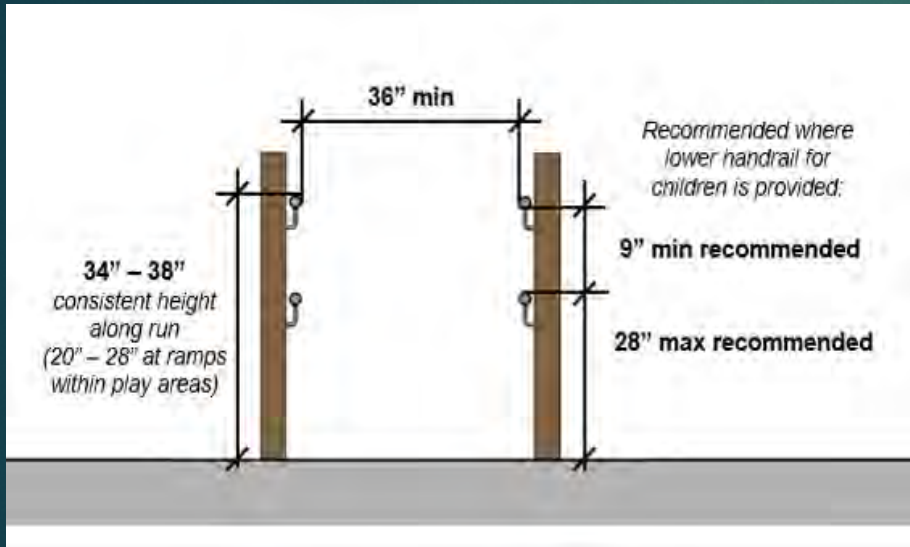
At least 60" wide and 60" long where ramps change direction

Runs limited to 30" rise between landings

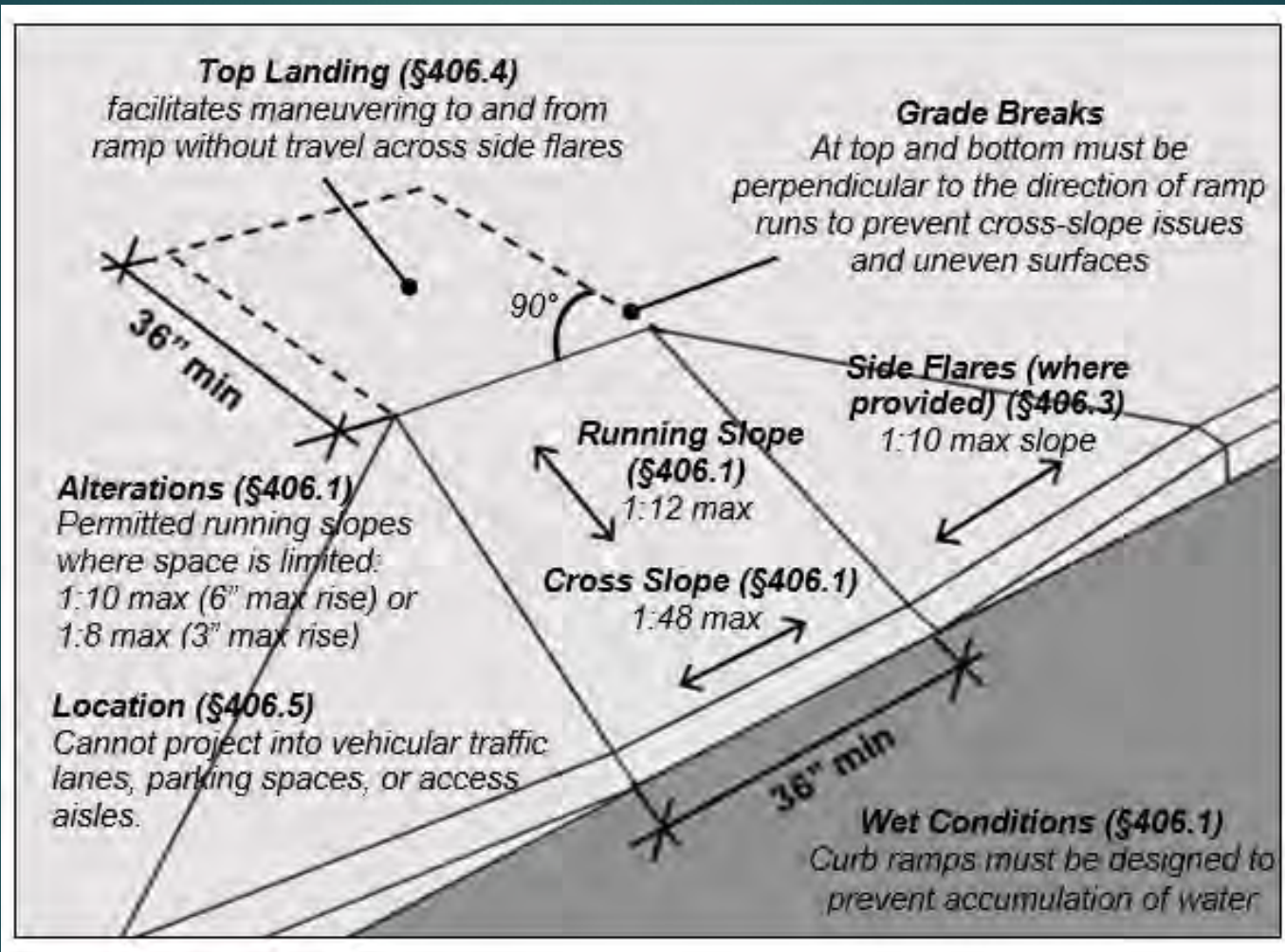


# Handrails

Required on both sides of ramps with a rise greater than 6"



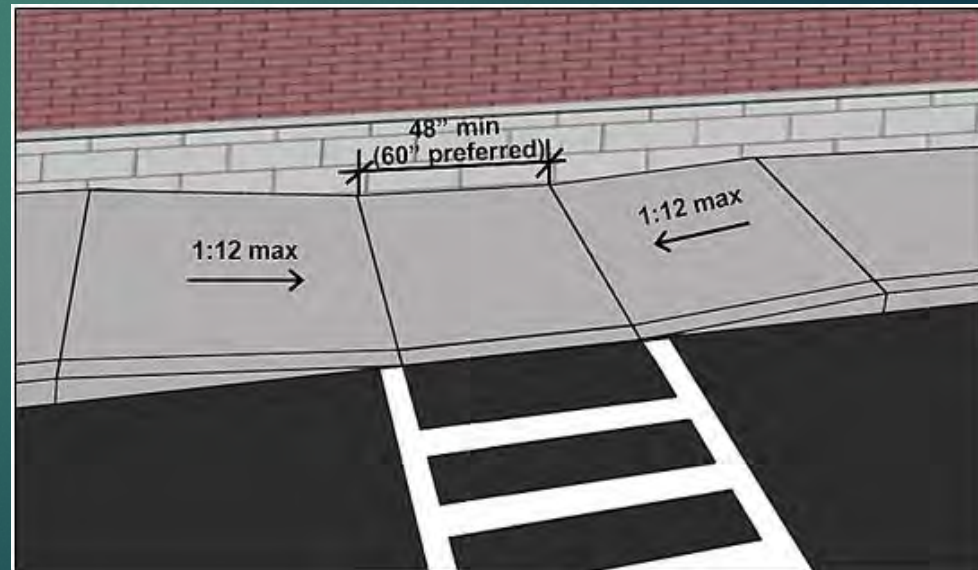
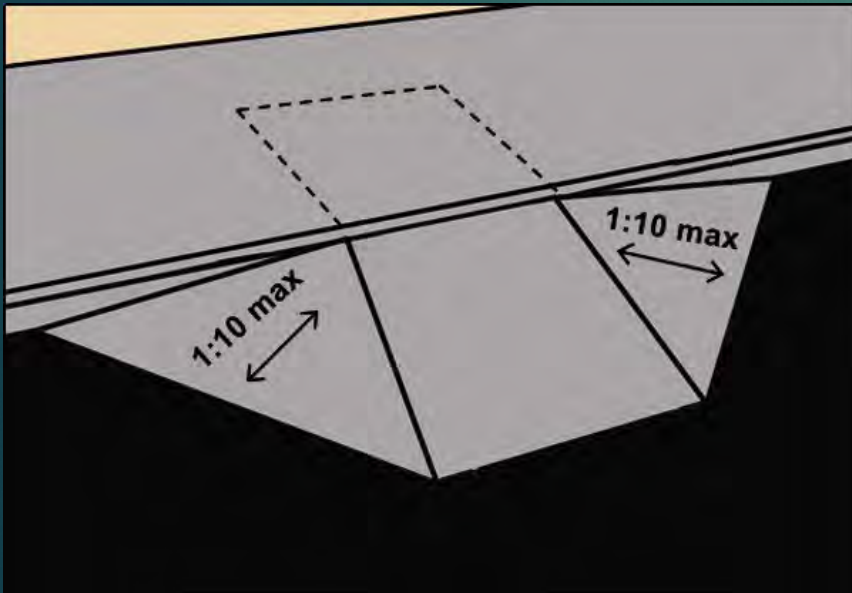
## Curb Ramps cut through curbs or are built up to them



## Built-Up and Parallel Curb Ramps

Cannot project in parking spaces, access aisles, or vehicle traffic lanes

Top landing at least 36" deep is required. 1:12 max slope on route



# Toilet Rooms

Plumbing Code addresses number and type of toilet fixtures required

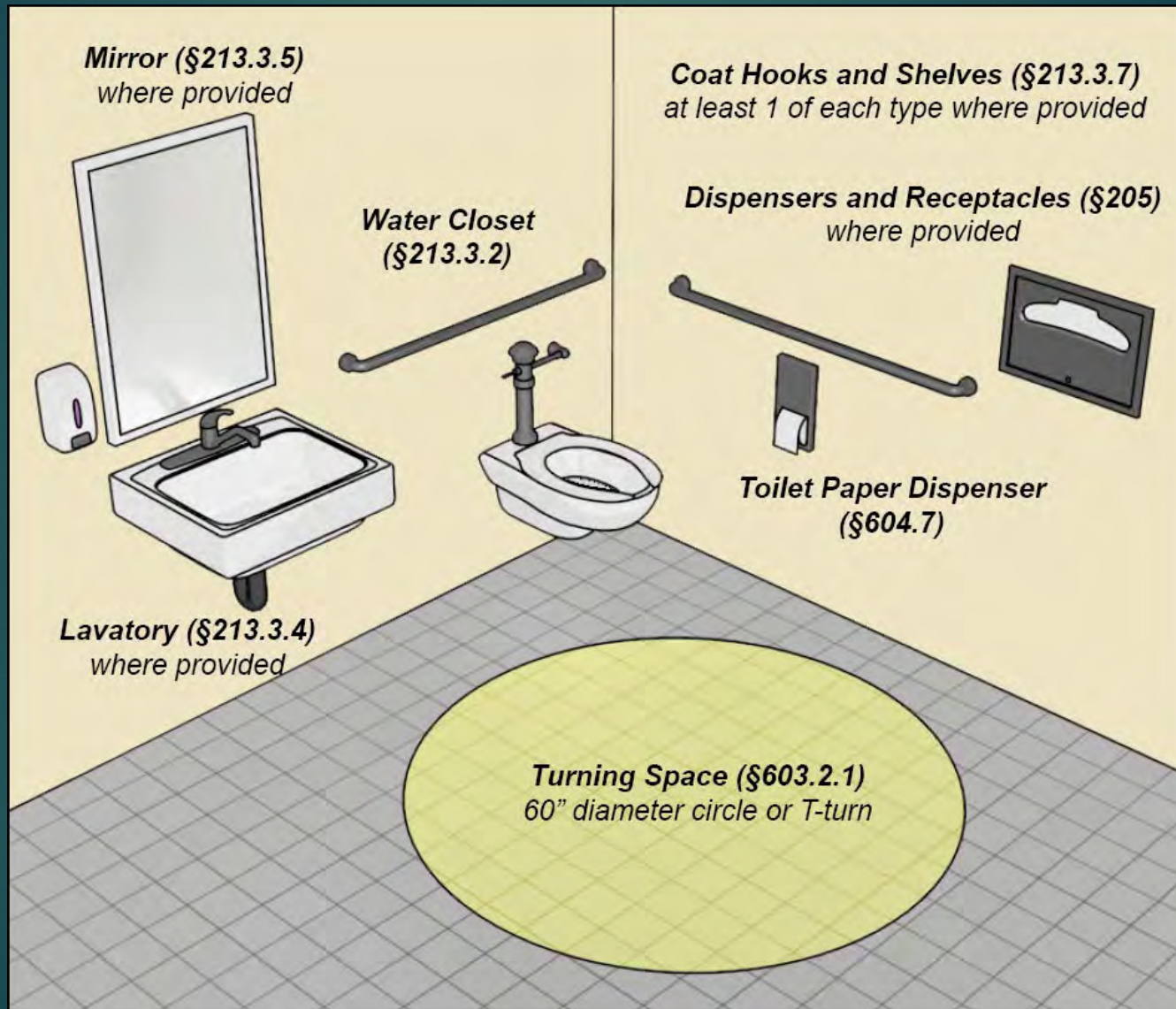
ADA specifies which fixtures must be accessible

Additions must comply with requirements in ADA for new construction

When existing toilet rooms are altered, standards apply to that room only



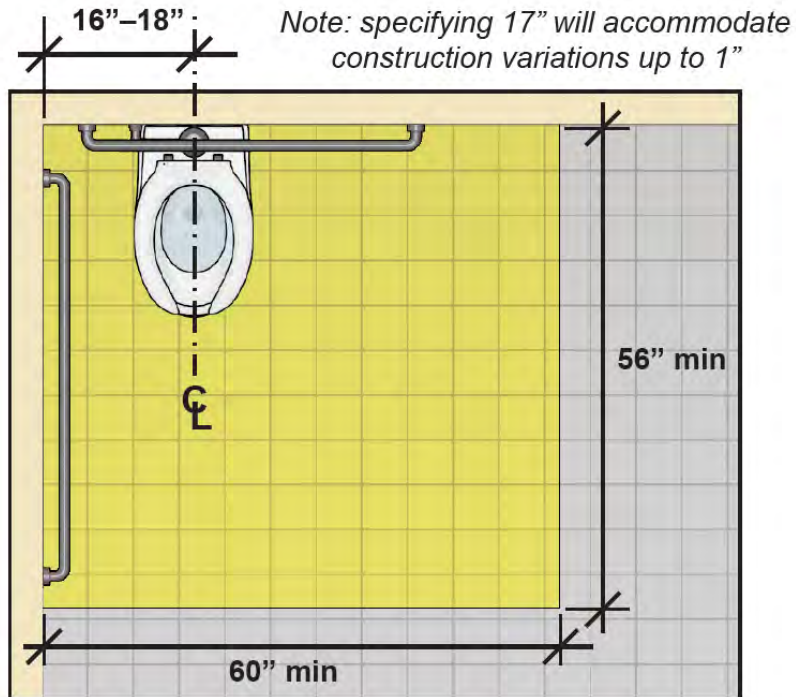
# Components of Accessible Single User Toilet Room





# Water Closets

## Location, Clearance, Seat Height and Flush Controls



Flush controls must be on the open side and, if hand-operated, comply as operable parts

The diagram shows a side view of a toilet's flush control assembly. A horizontal pipe runs across the top. Below it, a vertical pipe connects to a toilet bowl. A hand-operated flush valve is attached to the vertical pipe. A circle highlights the flush valve handle. A horizontal dimension line points from the center of the flush valve handle to the right edge of the toilet bowl.

Seats cannot be sprung to return to lifted position

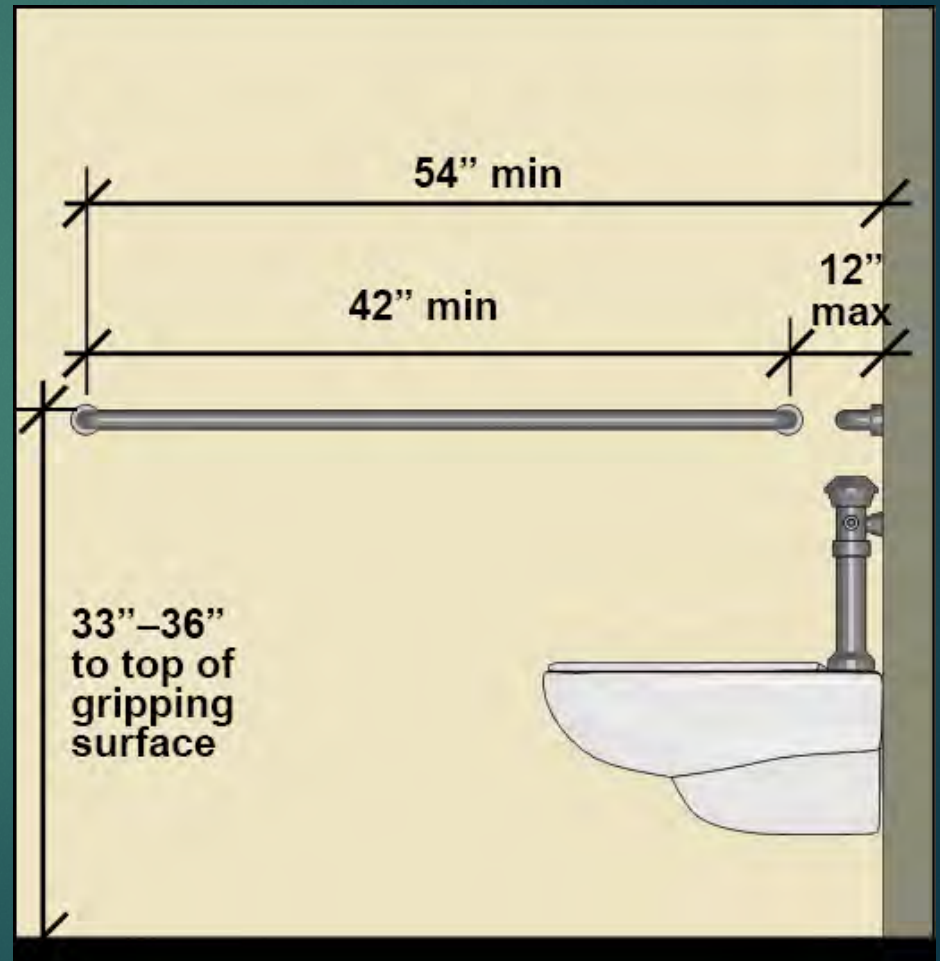
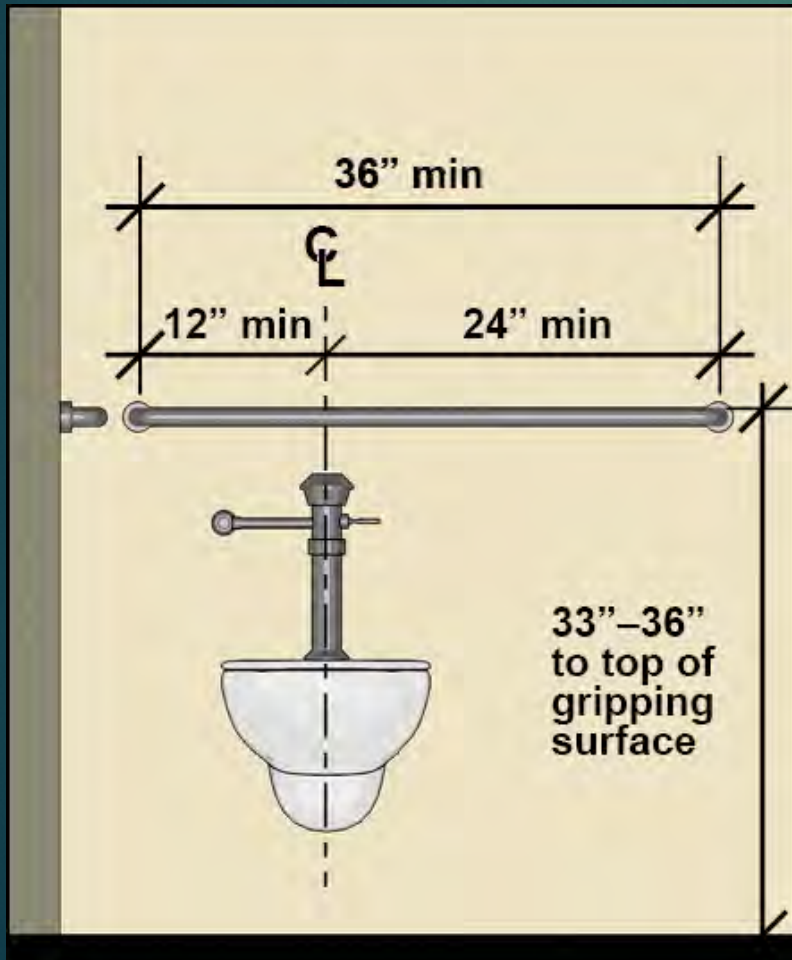
17"-19"  
(to top of seat)

The diagram shows a side view of a toilet bowl. A vertical dimension line is drawn to the left of the bowl, starting from a horizontal line at the top of the seat and extending down to the bottom of the bowl. The dimension is labeled as 17"-19" (to top of seat).

# Grab Bars

Required on walls beside and behind water closet.

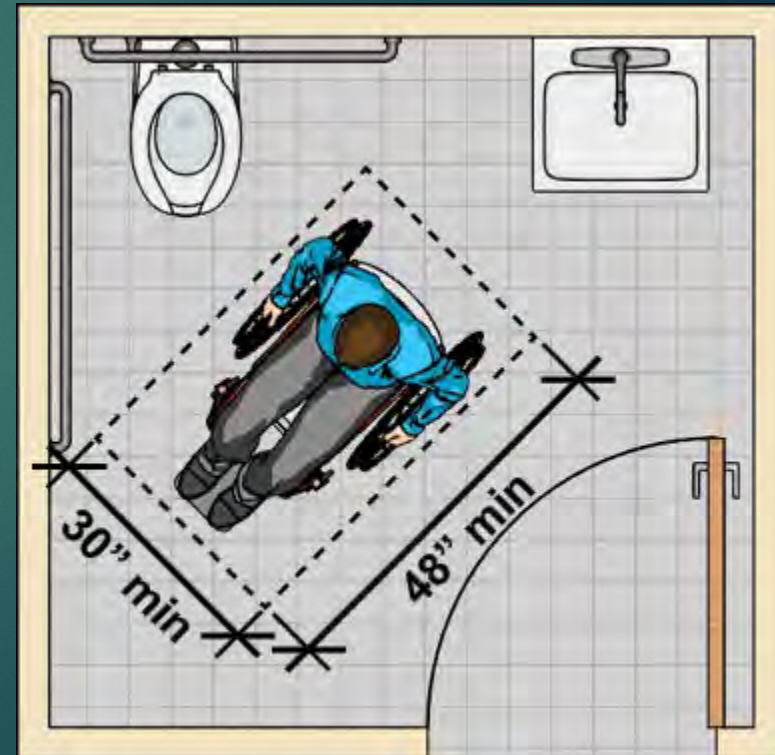
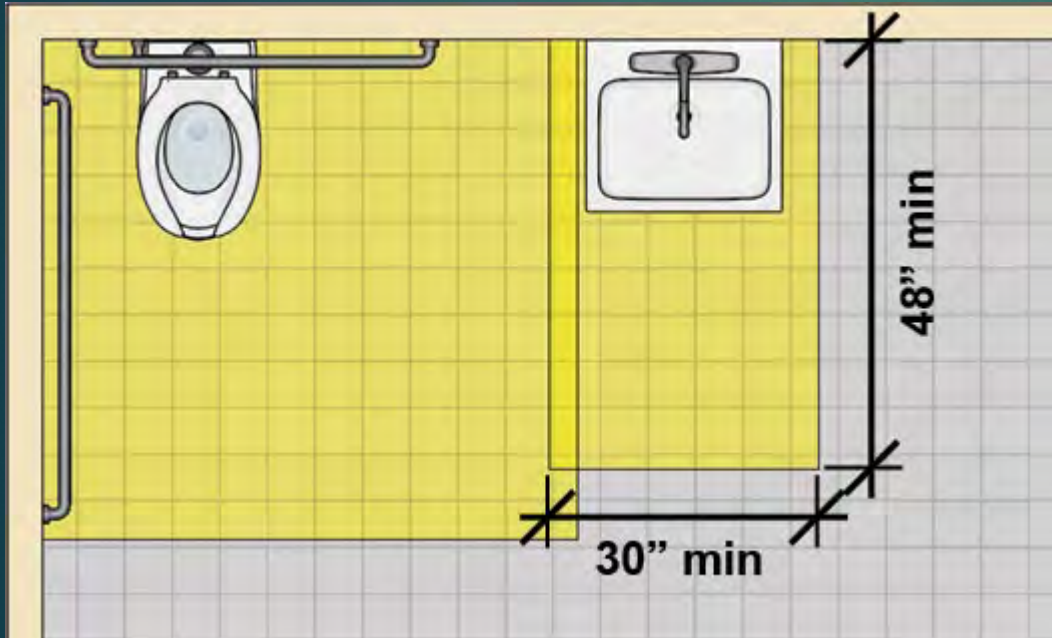
Can be separate or continuous



## Doors and Clear Floor Spaces

Doors can swing into fixture clearances where unobstructed wheelchair space is available beyond door swing

There are several options for compliance



## ADA Signage

# Identify accessible elements and spaces

## Exempted Signage

- Temporary (posted for 7 days or less)
- Building addresses and directories
- Occupant names and company names and logos
- Menus
- Seat or row designations in assembly areas
- In non-public areas of correctional facilities



Tactile requirements apply to these types of signs

Interior and exterior identifying permanent rooms and spaces

Door labels at exit stairways, exit passageways, exit discharge

Labels for floor levels, car controls, and elevator communication

Rail stations at entrances and platforms/boarding areas



**GRAND  
BALLROOM**

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## Directional and Informational Signs Must Meet Visual Requirements

Not required to be tactile

Examples; rules of conduct, hours of operation

Directional signs and signs that provide direct to spaces/facilities

Apply only where provided



## Required Accessibility Symbols

Certain spaces and elements must use International Symbols

Tactile signs- raised characters repeated in Grade 2 braille.

Non-glare finish and color contrast for visual accessibility.

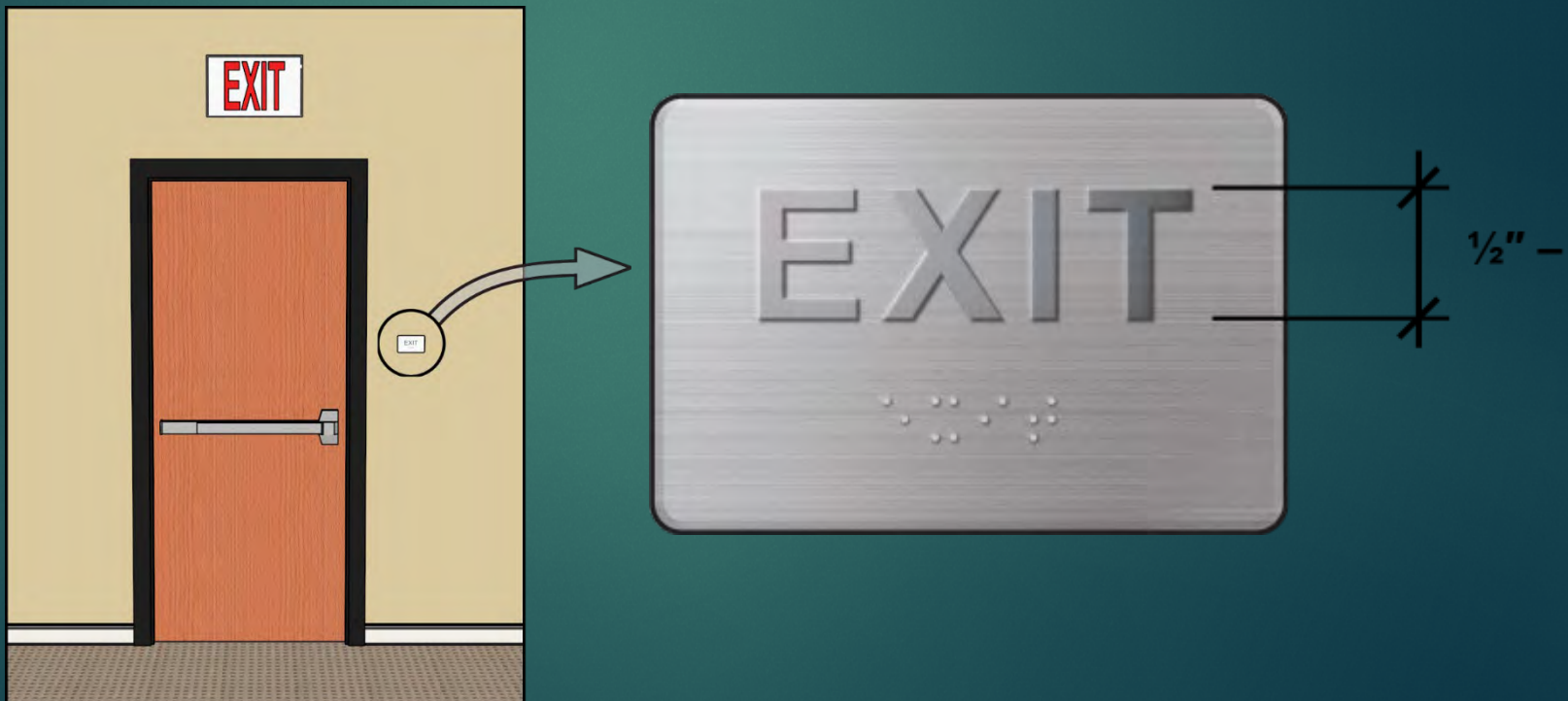
Other information not required to be raised or brailled but must meet visual criteria if informational/directional.



## Means of Egress Signage

Tactile and visual signs to identify doors at exit stairways, exit passageways, and exit discharge.

Exit labels at other locations not required to be tactile but must meet visual requirements.

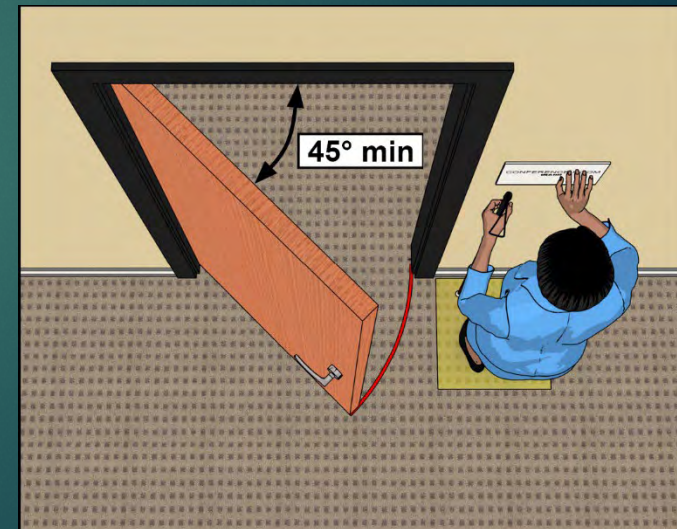
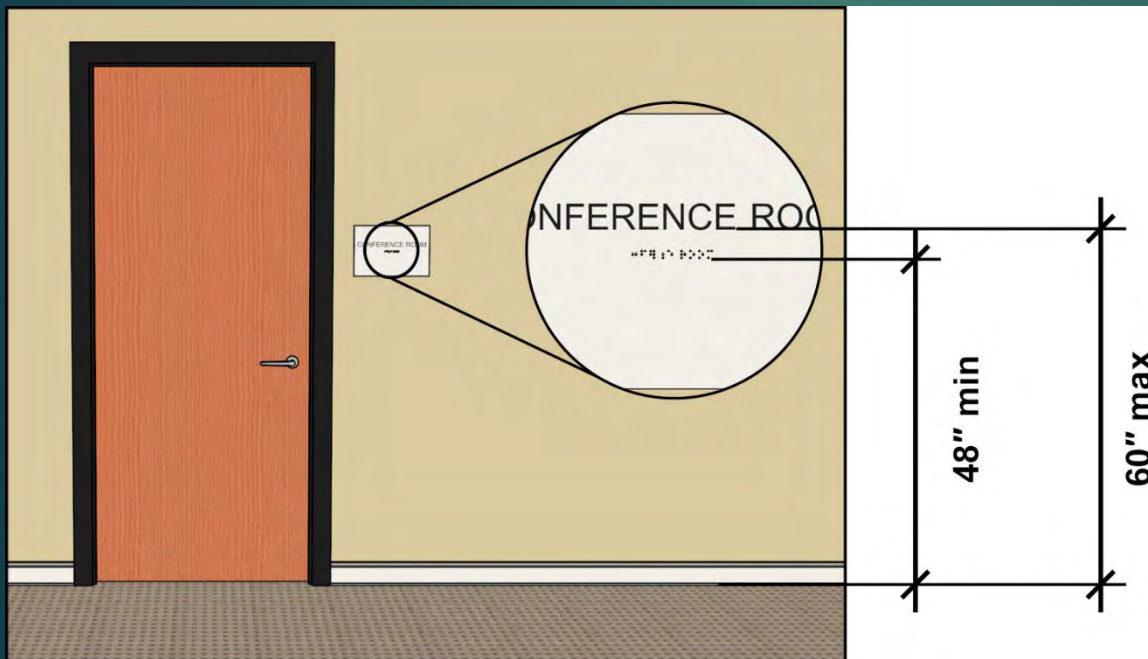




## Installation Height and Location

48" minimum and 60" maximum above finish floor or ground, from baseline of lowest to highest tactile character.

Located beyond arc of door swing to a 45° open position



# Technical Requirements for Characters

*Upper or lowercase characters (or combination of both), conventional form  
(prohibited: italic, oblique, script, highly decorative, or other unusual forms)*

*Line spacing:  
135% – 170% of  
character height*



*Characters 40"  
min. above finish  
floor or ground*

*Character height  
(based on viewing  
distance)*

*Non-glare finish*

*Light-on-dark or dark-on-light contrast between  
characters and the background*



**Characters must contrast with light-on-dark or dark-on-light**

## Accessible Toilet Rooms and Bathing Rooms

If all toilet rooms and bathing rooms are accessible, ISA (International Symbol of Accessibility) not required.

Otherwise required



# Parking Signs

Identified per ISA

Bottom edge 60" from ground surface

4 or fewer total spaces on site; accessible space must comply, but does not require sign (i.e., reserved exclusively people with disabilities).



## Service Animals

Any guide dog or animal individually trained to provide assistance to an individual with a disability.

Not required to be certified or professionally trained

Not required to wear vest or ID that indicates a service animal

Service animals are not emotional support or comfort dogs, however a dog trained to perform a task related to a person's disability, it is a service animal per ADA.

You may exclude a service animal, from your facility when that animal's behavior poses a direct threat to the health or safety of others.

You may only ask;

- Is the dog a service animal required because of a disability?
- What work or task has the dog been trained to perform?

•<https://www.ada.gov/topics/service-animals/>



## Common ADA Violations

Non-compliant accessible entrance or exit

Ramp or curb too steep

ADA signage missing or incorrect

No accessible parking spaces

No accessible restroom

Equipment or fixtures restroom accessibility (e.g., toilet handles on incorrect side, incorrect height of sinks or towel dispensers)

Not enough accessible seating in building

Staff isn't aware of accessibility policies and protocols



# Technically Infeasible

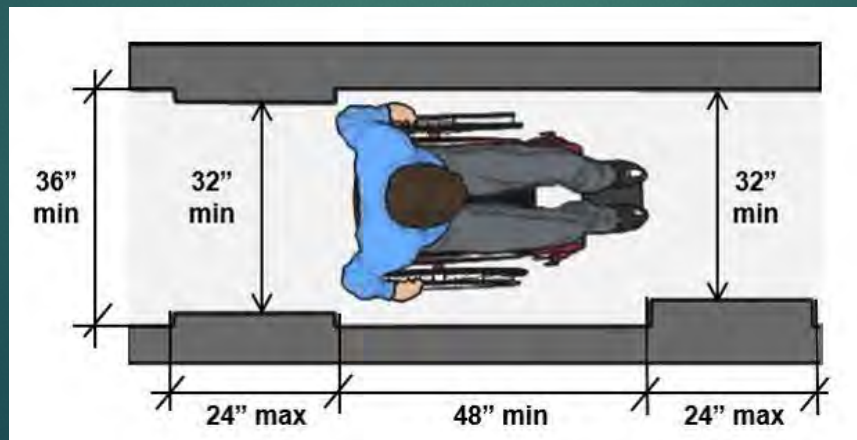
## Alteration compliance not compelled

Which means;

Not likely to be accomplished as existing structure would require altering a load-bearing member that is essential structural frame;

or other existing physical/site constraints prohibit compliance of elements, spaces, or features from strictly conforming with standards.

Compliance is still required to maximum extent feasible



## Economically Infeasible

### Alteration compliance not compelled

Which means;

It costs too much to make your space compliant

If the cost is not excessive, you're expected to do so

In an existing space you should evaluate for non-compliance and make a plan to address elements that are both technically and economically feasible

Compliance is still required to maximum extent feasible





## Legal Exposure

Employee complaints are managed by EEOC

Public complaints are managed by Department of Justice

Protecting your business requires education and vigilance

ADA is a “strict liability” law meaning damage is possible without fault.

If your business isn't ADA compliant, you may be sued. Property owners are responsible for preventing injury to those who enters the premises.

Violation may cost up to \$75,000, up to \$150,000 for subsequent violations.



## Web Resources

<https://www.ada.gov/>

Talk to ADA at 800-514-0301 | 1-833-610-1264 (TTY)  
M, W, F: 9:30am - 12pm and 3pm - 5:30pm ET  
Tu: 12:30pm - 5:30pm ET, Th: 2:30pm - 5:30pm ET

[https://civilrights.justice.gov/report?utm\\_campaign=499a0d26-884a-47aa-9afc-70094d92e6f5](https://civilrights.justice.gov/report?utm_campaign=499a0d26-884a-47aa-9afc-70094d92e6f5)

U.S. Department of Justice  
Civil Rights Division  
950 Pennsylvania Avenue, NW  
Washington, DC 20530



## Web Resources

<https://www.eeoc.gov/filing-charge-discrimination>

<https://www.eeoc.gov/fair-employment-practices-agencies-fepas-and-dual-filing>

For Deaf/Hard of Hearing callers:

[1-800-669-6820](tel:1-800-669-6820) (TTY)

[1-844-234-5122](tel:1-844-234-5122) (ASL Video Phone)

[info@eeoc.gov](mailto:info@eeoc.gov)



## Summary

Including people with disabilities brings wider clientele, creates a welcoming environment for everyone, enhancing your public image.

Success involves careful, ongoing consideration about whether the goal of including people with disabilities is being met.

It is the value of respect and equity



## Questions and Discussion?

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678-242-2547