



## Episode 3: Accessible Meetings and Events Questions and Answers

1. Our town has a crafts workshop every spring. Some presenters use big heavy extension cords to run their equipment. Do we have to do anything to cover them?
2. If I am using my facility to host a job fair, must I provide a sign language interpreter?
3. Our church is sponsoring a seminar that is open to non-church members. An attendee is sensitive to perfumes, lotions, etc. and has asked that we request that all attendees not wear any chemicals or fragrances. Do we have to do this?
4. We are providing meals at our conference. An attendee said she has food allergies. Do we need to have a special meal prepared for her?
5. I received a request from someone who will be traveling from another state to attend my workshop. She is deaf and wants to bring a sign language interpreter with her. Do I have to pay for her interpreter?
6. I am hosting an event at a hotel. Who is responsible for providing wheelchair access to the stage?
7. If we have hand-outs at our seminar do they all have to be in Braille?
8. What is audio/visual description and do I need to provide this?
9. If someone brings a service animal am I responsible for walking it so it can relieve itself?

## **1. Our town has a crafts workshop every spring. Some presenters use big heavy extension cords to run their equipment. Do we have to do anything to cover them?**

Buildings or outdoor venues designed for complete accessibility can become inaccessible without proper attention when setting up temporary events such as your crafts workshop. A poorly placed extension cord can make your crafts workshop venue unusable to people with mobility disabilities. In regards to the ADA, the extension cords need to be addressed if they are obstructing the accessible route or access to craft workshop activities for people with disabilities.

The site that serves the crafts workshop should have at least one accessible route that connects accessible parking, passenger loading zones, and sidewalks to the accessible building or outdoor venue entrance. To the maximum extent possible, this accessible route should coincide with the route for the general public.

This continuous, unobstructed accessible path of travel should continue to and within the crafts workshop setting. In addition, the accessible route should also link to accessible restrooms, drinking fountains and other amenities serving the craft workshop area.

When setting up areas where craft activities will take place, arrangements should allow enough space so that people using wheelchairs or other mobility aids can maneuver around temporary elements like booths, signs, or tents. Displays and exhibits should be designed so that people can see and/or reach items from a seated position.

## **2. If I am using my facility to host a job fair, must I provide a sign language interpreter?**

- **When is an organization or business required to provide an interpreter?**

Public entities and private businesses have responsibilities under the ADA to furnish appropriate auxiliary aids and services where necessary to ensure effective communication with individuals with disabilities. A qualified sign language interpreter is considered an auxiliary aid or service.

Promotional and registration materials for the job fair should include and explain how the public may request a particular auxiliary aid or service such as an interpreter. This information should include contact information and a deadline for requesting individualized accommodations to ensure there is enough time to hire an interpreter.

Depending on the nature of the communication involved at the job fair, the ADA allows for flexibility in determining effective communication solutions. The goal is to find practical solutions for communicating effectively. For example, if a person who is deaf is seeking a list of job openings, exchanging written notes with the employer representative may be effective. However, if that person is going to participate in an interview skills class during the job fair, effective communication would likely require a qualified sign language interpreter because of the nature, length, and complexity of the conversation.

Providing an interpreter guarantees that both parties will understand what is being said. Revised ADA regulations permit the use of new technologies including video remote interpreting (VRI), a service that allows businesses that have video conference equipment to access an interpreter at another location.

A private business should consult with individuals with disabilities whenever possible to determine what type of auxiliary aid is needed to ensure effective communication, but the ultimate decision as to what measures to take rests with the private business, provided that the method chosen results in effective communication. However, public entities must give primary consideration to the request of the individuals with disabilities.

- **Who is responsible for paying for the interpreter?**

Your job fair organizers and sponsors will need to negotiate how to cover the costs of auxiliary aids and services. All public entities and private businesses participating in the job fair have responsibilities under the ADA to provide effective communication. A common solution is to build accommodation costs into the vendor or registration fees.

**3. Our church is sponsoring a seminar that is open to non-church members. An attendee is sensitive to perfumes, lotions, etc. and has asked that we request that all attendees not wear any chemicals or fragrances. Do we have to do this?**

- **Is the church-sponsored seminar exempt from the ADA's title III requirements for places of public accommodation?**

Religious organizations, such as churches, are exempt from the ADA's title III requirements for places of public accommodation. This exemption covers all of the activities of the church, whether religious or secular. For example, a church sponsors a seminar for members and nonmembers alike. Even though the church is operating facilities that would otherwise be places of public accommodation, its operations are exempt from the ADA's title III requirements.

The requirements are different if the church rents their facility to a nonreligious business to conduct a seminar. In this case, the nonreligious business that rents the church's facilities to conduct the seminar must meet ADA's title III requirements for places of public accommodation.

- **Is the attendee with chemical sensitivity a person with a disability as defined by the ADA?**

The ADA does not have specific provisions that address multiple chemical sensitivities. In order to be viewed as a disability under the ADA, an impairment must substantially limit one or more major life activities. An individual's major life activities of respiratory or neurological functioning may be substantially limited by allergies or sensitivity to a degree that he or she is a person with a disability. When a person has this type of disability, a covered entity may have to make reasonable modifications in its policies and practices for that person. However, this determination is an individual assessment and must be made on a case-by-case basis.

**4. We are providing meals at our conference. An attendee said she has food allergies. Do we need to have a special meal prepared for her?**

In order to be viewed as a disability under the ADA, an impairment must substantially limit one or more major life activities. An individual's major life activities of respiratory or neurological functioning may be substantially limited by allergies or sensitivity to a degree that he or she is a person with a disability. For example this may include an individual with severe nut allergies, the symptoms of which may include difficulty

swallowing and breathing.

When a person has this type of disability, a covered entity may have to make reasonable modifications to its food service policies, practices, and procedures for that individual and work with them on a case-by-case basis to address the needs for their food allergies. For example, this may include: 1) answering questions from the individual about menu item ingredients, 2) omitting or substituting certain ingredients upon request, or 3) providing a special meal upon request.

**5. I received a request from someone who will be traveling from another state to attend my workshop. She is deaf and wants to bring a sign language interpreter with her. Do I have to pay for her interpreter?**

A public entity or private business conducting a workshop cannot require an individual with a disability to bring another individual to interpret for him or her. Likewise, the public entity or private business is not required to provide for an aide to travel with the individual with a disability.

However, the ADA does require the public entity or private business to furnish appropriate auxiliary aids and services where necessary to ensure effective communication with individuals with disabilities during the workshop. This may include providing qualified sign language interpreters in person or through video remote interpreting (VRI) services.

As such, the organization conducting the workshop is financially responsible for the cost of the auxiliary aid or service provided unless it can demonstrate that it would be an undue financial burden in light of the overall financial resources of the entire entity, including any parent corporation if applicable. Even if it is determined that a particular auxiliary aid or service (such as qualified interpreter) is an undue financial burden, the entity must still provide effective communication utilizing a different auxiliary aid or service.

**6. I am hosting an event at a hotel. Who is responsible for providing wheelchair access to the stage?**

Both the hotel and the public entity or private business renting the hotel meeting space have responsibilities under the ADA to ensure that everyone regardless of disability has an equal opportunity to enjoy the services and facilities offered by your event.

If the hotel provides temporary stages or raised platforms, they must make these temporary elements accessible to people with disabilities unless doing so would result in an undue administrative or financial burden.

In your contract with the hotel, you should include a list of the accessible features (accessible stage, assistive listening devices, etc.) that the hotel will provide for your event. This list should include cost (if any) for these accessible features. You have the most power to negotiate before you sign a contract with the hotel.

If the stage is being rented from an outside company, the individual renting the stage should inquire about providing a ramp and other features to make the stage accessible. Accessible features should be addressed in the contract between the individual renting the stage/platform and the provider.

If a stage or raised platform is not accessible to all speakers, do not use it. It is insulting to ask a speaker with a mobility-related disability to be the only person to present from below stage level

### **7. If we have hand-outs at our seminar do they all have to be in Braille?**

Material in an accessible format, such as Braille, is an example of an auxiliary aid that can be provided on an as-needed basis. However, knowing your audience is key.

Promotional and registration materials for the seminar should include and explain how the public may request a particular auxiliary aid or service. This information should include contact information and a deadline for requesting individualized accommodations to ensure there is enough time to order or produce the Braille materials.

Planners should also remember to find out if participants who may not be required to register, such as presenters, performers or exhibitors, have any disability-related needs.

## **8. What is audio/visual description and do I need to provide this?**

Public entities and private businesses have responsibilities under the ADA to furnish appropriate auxiliary aids and services where necessary to ensure effective communication with individuals with disabilities. Description of visually presented materials is considered an auxiliary aid or service.

Audio/visual description is a term used to describe the descriptive narration of key visual elements in a video or multimedia product. This process allows individuals who are blind to access content that is not otherwise accessible simply by listening to the audio. In audio description, narrators typically describe actions, gestures, scene changes, and other visual information. They also describe titles, speaker names, and other text that may appear on the screen.

A meeting that is accessible to people with sensory disabilities enables them to understand the meeting's presentations and to participate in the discussions.

The type of auxiliary aid or service necessary to ensure effective communication at a meeting or event will vary in accordance with the method of communication used by the individual; the nature, length, and complexity of the communication involved; and the context in which the communication is taking place. A private business should consult with individuals with disabilities whenever possible to determine what type of auxiliary aid is needed to ensure effective communication, but the ultimate decision as to what measures to take rests with the private business, provided that the method chosen results in effective communication. However, public entities must give primary consideration to the request of the individuals with disabilities.

If providing a particular auxiliary aid or service at the meeting will result in an undue burden (i.e., will cause significant difficulty or expense) for the organizers, the organizers are not required to provide that exact service. However, they must try to find an alternative auxiliary aid or service that will not result in an undue burden but will ensure that participants with disabilities can participate fully in the session. Talk with the participant to find the best solution.

**9. If someone brings a service animal am I responsible for walking it so it can relieve itself?**

No. A public entity or private business is not responsible for the care and supervision of a service animal.