

Website Accessibility



BY GREG SATER

If you have a website—and who doesn't?—take a moment to read this article and, if necessary, follow up on it. If you don't, you may soon find yourself in legal hot water.

The issue at hand? Whether your website has been coded such that it allows blind people to use the website to the same extent as sighted people.

In *National Federation of the Blind vs. Target*, the plaintiffs alleged that Target—the retail giant—was in violation of the Americans With Disabilities Act and similar state laws by operating a website that offered Target customers “goods, services, price discounts, employment opportunities and other programs,” but which had “thousands of access barriers that make it difficult if not impossible for blind customers to use the site.” As alleged, this “exclud[ed] the blind from full and equal participation in the growing Internet economy.”

At Target.com, a sighted user can, among other things, browse product descriptions and prices, find store locations, search for discounts and coupons, arrange for home delivery, have prescriptions filled, sign up for wedding and baby

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registries, learn about employment opportunities and even obtain investor information. The plaintiffs alleged that the site was not coded to allow blind people to use these functions to the same extent as sighted people. (Blind people can use screen-reading software which vocalizes the text and other displayed information, essentially reading it aloud to them. With that software, they can access a properly-coded website.)

The plaintiffs alleged that Target's website presented frustrating and, in some cases, insurmountable barriers for that kind of software, including inaccessible image maps, insufficient headings, prompts and labels that would permit easy navigation of the site, a functional requirement that all transactions be performed using a mouse and graphics that lacked an “alt-text” feature.

THE SETTLEMENT

Target recently settled the case. While denying liability, Target agreed to make changes to its website so that blind visitors and sighted visitors would have “substantially equivalent ease of use.” Target also agreed to set up a \$6 million fund for certain specified class-action claimants.

It's expected that public interest groups representing the interests of the blind will bring more lawsuits of this kind in the coming months, now that they have seen that positive and constructive change can occur through litigation. For that reason (and also because it is ethically the right thing to do) every company with a website should pay attention.

What is the takeaway? Discuss this issue with your web designer. Make sure that he or she is familiar with existing accessibility guidelines. Guidelines have been developed by the Web Accessibility Initiative of the World Wide Web Consortium (www.w3.org; search under “WAI”). There also is a certification program offered by the National Federation of the Blind with a free assessment (www.nfb.org; search under “Products and Technology,” then “Technology Center”). There also are federal accessibility standards under the Rehabilitation Act. ²⁵

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