



Online but INACCESSIBLE

There are 56.7 million people in the U.S. with disabilities, but brands ignore many of them by failing to provide accessible web experiences

By Sarah Steimer

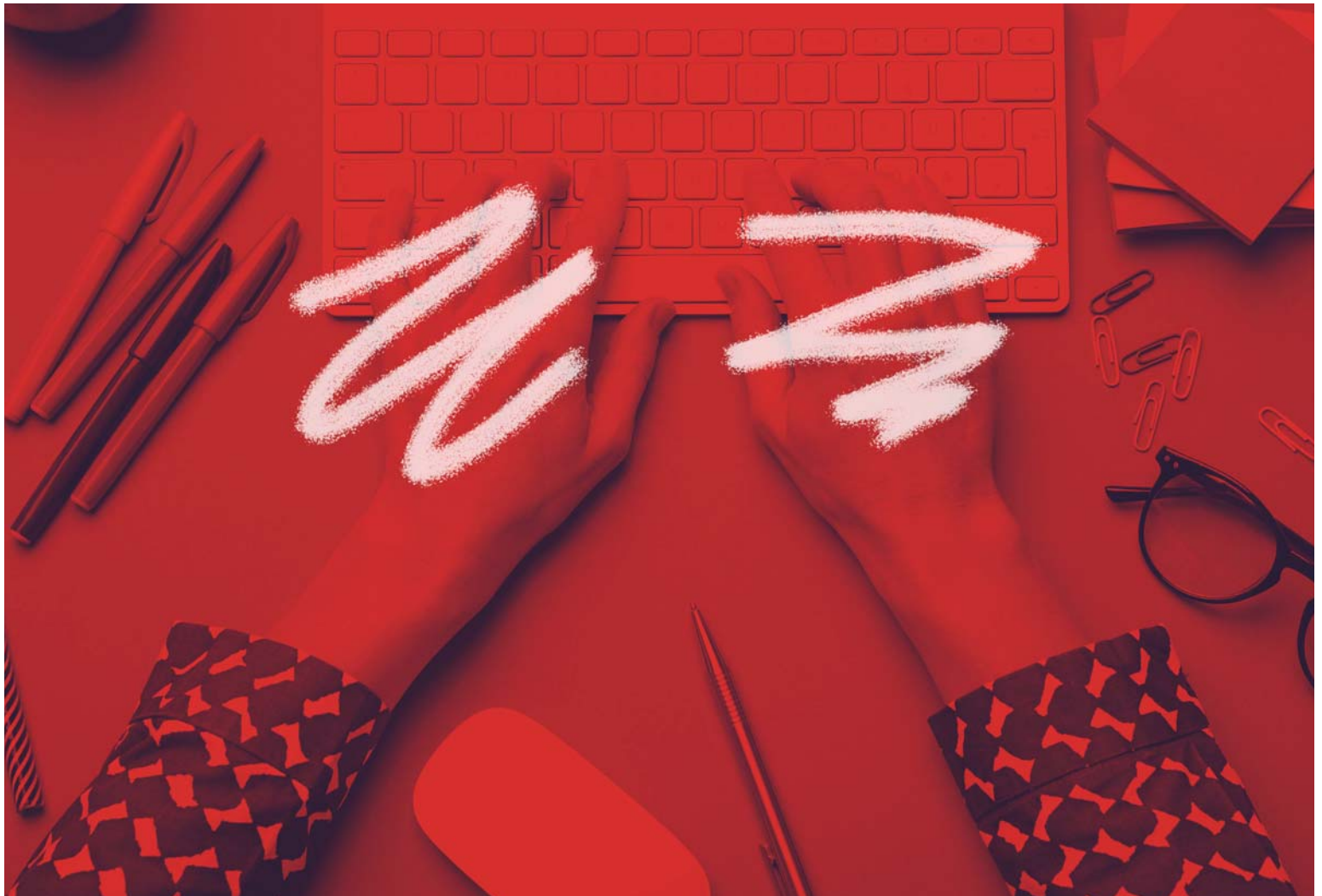
The internet was supposed to be the great equalizer, a place where any person—regardless of race, sex, color or creed—could access a wealth of knowledge. But as technology advanced and competition grew, online gatekeepers—marketers included—were smitten with the opportunity to make their websites more dynamic and exciting. They’ve chased after the latest design trends and taken back-end shortcuts to push out more content at a faster pace. But as organizations barreled forward, they unintentionally left a swath of consumers behind: people with disabilities.

The disabled community makes up about one-fifth of the U.S. population—a staggering number of potential consumers. An inaccessible website is akin to a storefront that lacks a wheelchair ramp: Someone may be interested in shopping with you, but you’ve made it virtually impossible for them to do so—at least independently.

For someone with a vision impairment, an inaccessible website may be one that can’t be easily navigated through a screen reader, software that allows users to read displayed text with a speech synthesizer or braille display. A person with auditory impairments may be unable to consume your video or podcast content if you failed to include subtitles or

a transcription. Flashing graphics on a website or in a social media post could trigger a seizure in a person with epilepsy. Anyone whose mouse has stopped working can perhaps sympathize: If you can’t easily navigate to a link using the tab key, those who rely on assistive technology can’t access that content, either.

Marketers don’t always intentionally leave these consumers out of their UX designs. But the issue has gained awareness after a recent spate of lawsuits. Those sued have included everyone from Beyoncé’s production company to Domino’s Pizza to mom-and-pop establishments. The European Union has website accessibility requirements for member states, but the U.S. rules are hazier.



As jarring as the prospect of redesigning a website may be, there are also simple, immediate steps that marketers can take. The effort—no matter the size—is worth it, as it opens the opportunity to gain new customers who will appreciate and remember the effort.

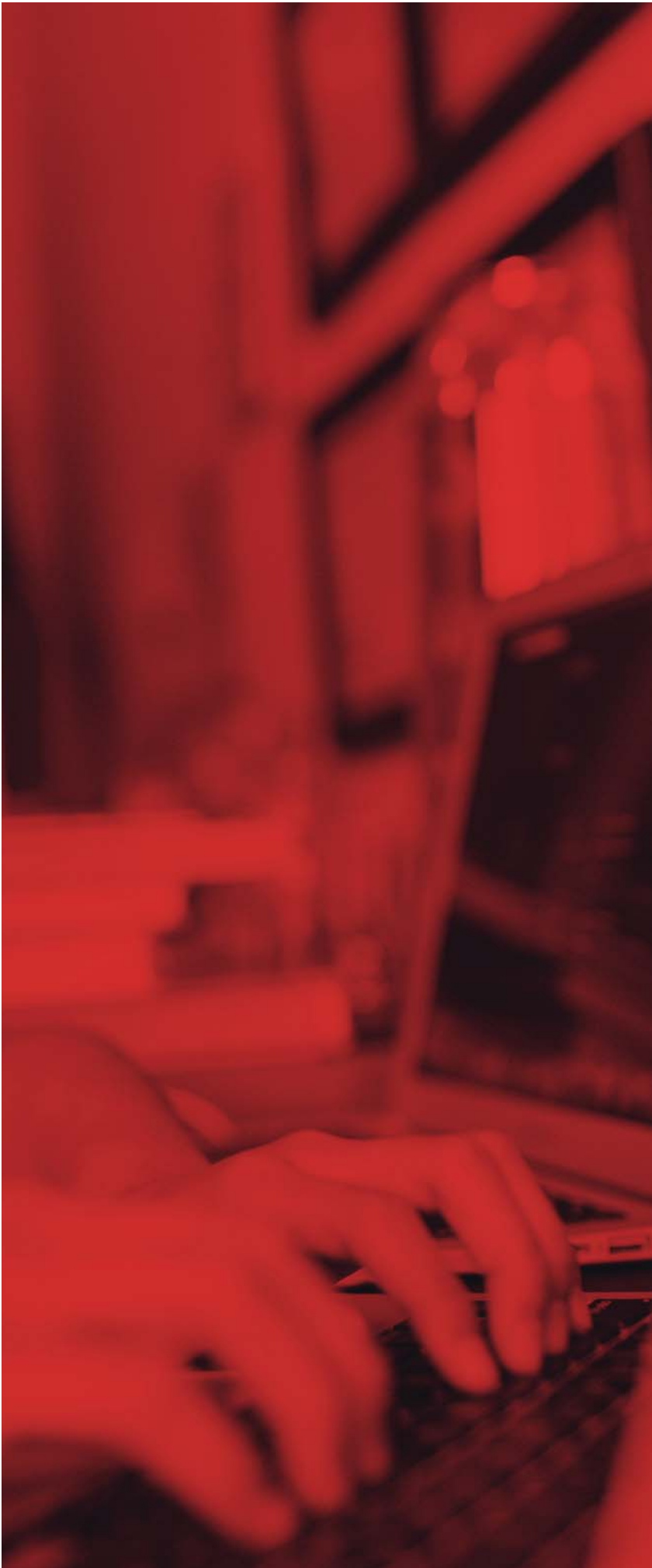
A Discriminatory Act

Failing to make a website accessible for everyone can be discriminatory. For example, if a retailer offers a discount code that is difficult for a person with a vision impairment to see, it implies vision ability determines rate.

“Let’s say color contrast is something that you’re challenged with,” says Mark Shapiro, president of the Bureau of Internet Accessibility, which helps organizations audit and update their websites. “If the ad shows orange text on a yellow background, a lot of people wouldn’t be able to see it at all. Those people wouldn’t see that the discount applies to them. Or an email might be sent out and the discount could be an image and the image might not have any alternate text around it. Somebody getting this image might read 123.jpg where somebody that’s sighted might see 25% off if you type in such-and-such a code.”

In 2016, Guillermo Robles, a blind man, filed a lawsuit against Domino’s, claiming the company





violated the Americans with Disabilities Act of 1990. According to the complaint, the Domino's website wasn't compatible with standard screen reading software, which kept the man from using the pizza builder feature to personalize his order. He argued that Domino's should bring the digital ordering tools into compliance with the World Wide Web Consortium's Web Content Accessibility Guidelines. This January, the 9th Circuit Court of Appeals ruled that Domino's must make its website and mobile app accessible to blind people using screen-reading software.

Last year, there was a record number of accessibility-related lawsuits filed. The National Retail Federation said 1,053 lawsuits were filed in federal court in the first six months of 2018, compared with 814 in all of 2017, 262 in 2016 and 57 in 2015. The NRF says that companies pay anywhere between \$10,000 and \$90,000 to resolve the claims.

There's confusion in how to interpret Title III of the ADA, which prohibits disability-based discrimination in "any place of public accommodation." The law, invented the same year as the World Wide Web, makes no mention of nonphysical locations such as websites. "At one point the Department of Justice attempted to issue guidance for website accessibility. But the guidance was never finalized," the NRF said in a 2018 post.

Web accessibility issues aren't limited to retail goods and services. Websites with poor accessibility can make filling out forms difficult or impossible. "The career section of corporate websites is something that we end up spending quite a bit of time on because that's a huge issue on a lot of levels," Shapiro says. "Now you're talking about employment law because people who are qualified can't apply. There's no way for them to get in contact with people because a lot of companies will push everything toward the web."

The shift toward web-based customer service has also had unintended consequences. Shapiro says one of BoIA's clients, an airline company, was sued by someone with a visual disability. "Their booking system was not accessible at all for somebody who's visually impaired," Shapiro says. "They couldn't book a ticket. And you can't [easily] book on the phone and you can't really go to an office. Online is the way that everyone's being pushed and they had some real challenges there."

Every digital asset an organization owns has the potential to be either a barrier or an invitation. A B2B client with a disability could be easily navigating a website with every intent to purchase, only to be stopped in their tracks—sale thwarted—because a PDF with the pricing breakdown wasn't enabled for accessibility.

The Website **Accessibility** Guidelines to Know

WEB CONTENT ACCESSIBILITY GUIDELINES

The WCAG is developed through the World Wide Web Consortium (W3C) process in cooperation with individuals and organizations around the world. The guidance covers how to make web content more accessible to people with disabilities. The content refers to natural information such as text, images and sounds, as well as code or markup that defines structure and presentation.

The latest update, WCAG 2.1, was published in June 2018. This iteration includes 17 additional success criteria to address mobile accessibility, people with low vision and people with cognitive and learning disabilities. The guidelines now include information on website timeouts, text spacing, responsiveness and supporting both landscape and portrait display orientations.

It also includes some guidelines on the use of GIFs: Include sufficient description in the alt text of the GIF and ensure any blinks or flashes are in the seizure-safe threshold.

SECTION 508

In 1998, Congress amended the Rehabilitation Act of 1973 to require federal agencies to make their electronic and information technology accessible to people with disabilities. In January 2017, the U.S. Access Board issued a final rule that updated accessibility requirements covered by Section 508, which went into effect in January 2018.

The rule updated and reorganized the Section 508 Standards and Section 255 Guidelines, harmonizing the requirements with other guidelines and standards in the U.S. and abroad, including standards issued by the European Commission and the W3C Web Content Accessibility Guidelines.

TITLE III

Title III of the Americans with Disabilities Act of 1990 prohibits discrimination on the basis of disability at businesses that are generally open to the public. It also requires newly constructed or altered places of public accommodation—as well as commercial facilities—to comply with the ADA Standards.

In June 2018, 103 members of the House of Representatives sent a letter to the Department of Justice asking the DOJ to either issue website accessibility regulations or “state publicly that private legal action under the ADA with respect to websites is unfair and violates basic due process principles.” In a September 2018 letter, the DOJ said it believes that Title III applies to the websites of public accommodations, even in the absence of affirmative regulations. But the DOJ stopped short of endorsing the Web Content Accessibility Guidelines as a legal standard in the absence of further regulation.



When Consumers Miss Out, Marketers Miss Out

Tyler McConville, CEO and co-founder of NAV43, a search marketing agency, learned about the challenges of inaccessible websites through friends. A family member of one friend is blind, McConville says, the result of an illness. The woman wanted to purchase a red dress for a gala and she easily searched Google to locate several options. Once she got to the ecommerce sites, however, she found limited descriptions of the dresses, nothing distinguishing one from the next.

“She actually gave up,” McConville says. “She had a friend meet with her and then help guide her to get to a store and then bought [her outfit] in the store. She doesn’t shop online anymore because of it.”

Most web users are accustomed to ads for products following them around the internet, or custom recommendations based on past purchases; it’s a whole world personalized to their wants and needs. But for people with disabilities, the internet can feel like a place designed against them.

McConville’s theory is that most marketers assume devices and browsers are advanced enough to interpret information on the web for users with disabilities. He suspects that the needle will move toward greater accessibility once marketers identify people with disabilities as an important audience. An accessible website can make for a loyal fanbase. A survey by the National Business and Disability Council in 2017 found that 78% of consumers will purchase goods and services from a business that takes steps to ensure easy access for individuals with disabilities at their physical locations. It stands to reason that accessible websites would see a similar effect. A 2016 report from Click-Away Pound found that 71% of disabled customers with access needs will leave a website they find difficult to use, and 82% of customers with access needs would spend more if websites were more accessible. Households with a member who has a disability are also more loyal to brands than other households, according to Nielsen.

“Think about the [person’s] network for a minute, because that’s where we see the biggest movements,” says Shawn Pike, vice president of User1st, a web accessibility software solutions company. “The person with a disability is now very loyal to a brand because of the accessibility capabilities they’re implementing on the site, but also their family members are [loyal] as well.”

There are also pragmatic benefits to creating

a more-accessible website. Websites with higher accessibility have a better Google ranking. “Google is essentially a visually impaired person viewing your website,” Shapiro says. “What that computer is reading is the same thing that a screen reader would read. A site that is more adaptable to work with Google is actually more accessible.” The same content structure and functionality used to optimize accessibility is the same used for SEO. An accessible website is also typically cleaner on the back end, meaning its load times will improve—another SEO benefit—and the website will also be more accessible to users with bandwidth problems.

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Ryan Commerson, campaign strategist at Communication Service for the Deaf, says that these ancillary benefits also extend to people without disabilities. “Businesses would complain about the cost of building ramps for wheelchair users, and then suddenly, who uses it the most? Delivery people, parents pushing strollers,” he says. “They use the ramp more than those in wheelchairs.”

The converse is also true: What’s designed as a convenience for people without disabilities can also benefit people with disabilities. Captions on videos are one example. “With more people demanding an audio-off NSFW (not safe for work)-type of approach so they can watch videos without alerting their colleagues or supervisors, captions are slowly becoming the norm, much to our delight,” Commerson says. But consumers with disabilities are often left to wait for the rest of the population to request the change. “We still have a hard time getting movie theaters to turn on the captions because of the complaints of the ‘regular patrons,’” he says. “[Most] movies now are digital. Turning on the subtitles is as easy as a press of a button, but theaters wouldn’t do it.”

Who Will Lead the Charge?

Lawsuits are a great motivator for change, but the movement needs leaders. McConville says that popular website platforms such as Wordpress, Wix and Squarespace have an opportunity to play a large role in website accessibility.

“The majority of the internet is made from these platforms,” McConville says. “If they enforce accessibility through their platforms, you’ll see a larger adoption where the internet becomes more accessible, rather than waiting for a large brand that makes up only a small section of the internet. The large brands will come eventually, but if we’re waiting on them, this could be a very long process.”

Wordpress, for example, does offer accessible templates, but in its vast array of user-created options, there are also plenty of inaccessible templates. “People like these [templates] that look crazy, with moving carousels and things that are flashing in and out,” Shapiro says, “They want that look and feel for their website and right out the gate they’re not accessible. You have to evaluate the costs and benefit of certain looks and feels on a website.”

The University Libraries at the University of Arizona, in partnership with the school’s Disability Resource Center, is producing content on how to design inclusive marketing. Some of the libraries’ accessibility research and queries have resulted in broad-reaching changes that marketers can take a cue from when evaluating their own tools and platforms. “One of the struggles for libraries is that we use a lot of third-party tools that we have to purchase—subscription databases and ebooks and things like that,” says Rebecca Blakiston, user experience strategist at the U of A libraries. “While we have a lot of local control over our website and have done a really good job of making that as accessible as possible, there are some third-party tools we have less control over.”

The libraries have built accessibility into the workflow for purchasing and why they select a particular vendor over another. The Disabilities Resources Center reviewed the libraries’ discovery tools for its main search, finding some issues with accessibility. “They were actually able to go back to the vendor and make recommendations that the vendor then applied, which improved the accessibility for any library using that tool,” Blakiston says. “If we can improve accessibility in one place we might be able to improve it across all the different users.”

The more marketers speak up to the software

developers who design their platforms and tools, the more normal accessibility will become. Some social media influencers have taken up the mantle of improved accessibility, such as Irish writer and broadcaster Sinéad Burke, who includes image descriptions in her posts, or “Queer Eye” star Karamo Brown, who captions his videos.

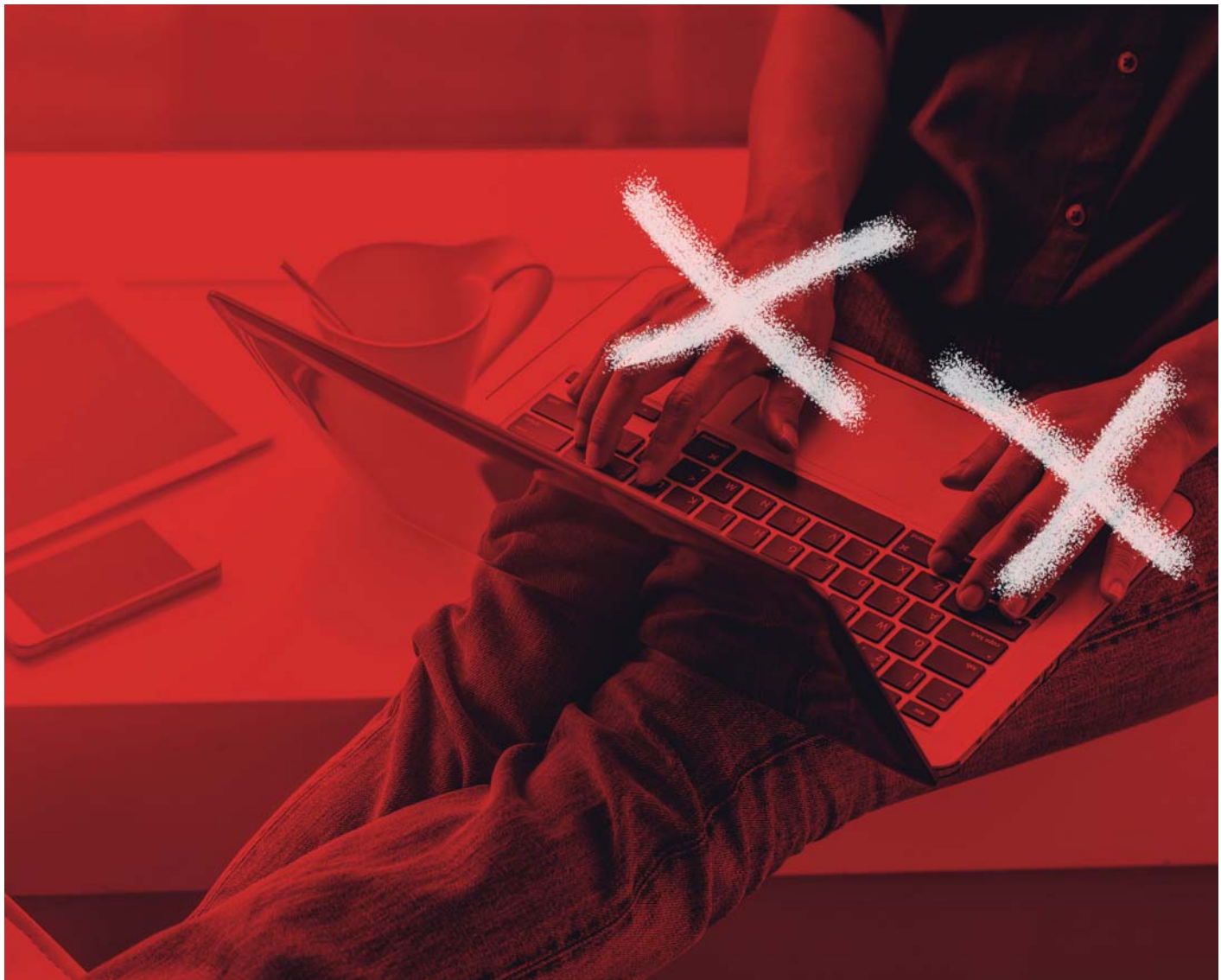
In November 2018, Instagram took steps toward greater accessibility, announcing the addition of automatic alternative text and custom alternative text to help users with screen readers. The option is in the “Advanced Settings” section in the upload flow, and if users add descriptions themselves in the feature, it will help Instagram educate its machine learning systems to identify similar objects in the future. Plus, the technology has benefits for marketers: Brands will be able to search for images based on text to find customers who frequently use their products or see what related items that person uses to target these consumers with special offers.

Steps Toward Accessibility

As more awareness of accessibility builds, more companies have helped organizations test and redesign their websites. Pike says that his company fixes the problem of inaccessibility by using technology because “without it, it’s too daunting of a task to really fix without some innovation.” User1st and other companies, such as Shapiro’s BoIA, start with an audit to find how a website may or may not be in compliance with accessibility guidelines.

“The holy grail of testability comes from the World Wide Web Consortium (W3C),” Pike says. “They put out what are called the Web Content Accessibility Guidelines, which is a framework for implementing accessibility onto any web property, whether it’s a web application, a mobile app, etc.”

The guidelines include steps that Pike says people with limited technical know-how can implement. Photos should include alternative text, which is particularly important for product photos. Alternative text is used within an HTML code to describe the appearance of an image. Marketers may be more familiar with alternative text—or alt text—as a way to improve image SEO, but these descriptions are also what appear if a photo doesn’t load or if the page is read by a screen reader. Alt text offers more than the simple descriptions from the file name, but aren’t intended to be a series of taggable terms. Think along the lines of “brown dog playing in the leaves,” versus the too-simple “dog” or the tags-heavy “dog puppy autumn fall leaves trees maple october.”



Another simple practice is the appropriate use of heading tags, or H tags. Web browsers, plugins and assistive technologies use these tags for in-page navigation, which means they won't properly read a bold font as a new heading if not tagged appropriately. "H1 are the primary things that you should be viewing, H2 are secondary and it goes in order of one through five," Shapiro says. "A lot of people are using those as design elements where they have 30 primary tags and then they'll skip Nos. 2, 3, 4 and then just jump to No. 5. It creates a lot of confusion if you are hearing what the web page sounds like instead of visually looking at it."

Shelly Black, an associate marketing specialist at the U of A Libraries, says that it helps to have a list of what accessibility barriers to look for in your daily work. Black also runs the libraries' social media accounts and on her checklist is a reminder to include captions on videos.

For the more advanced accessibility challenges—along the lines of an inaccessible pizza ordering platform—a technology company likely needs to step in. Some flashier elements may need to be scrapped

or reimagined, but more accessibility doesn't mean a boring website. "A site that is completely accessible doesn't mean that visually it's going to be just a plain site, like a text-only site," Shapiro says. "It can have the exact same look and feel, but it'll just be a little different when viewing it through a screen reader or accessing it just using your keyboard."

Partnerships can be key to building a more accessible website, whether with a specialized technology company, an accessibility resource or hiring individuals with disabilities. "We were so fortunate as a university to have a partner and collaborator in the Disability Resource Center," says Kenya Johnson, manager of marketing and communications at U of A Libraries. "They were there for consultation purposes and that's a real goldmine of information, of expertise right in our own backyard. I would encourage other organizations to identify those resources in their community so that they don't have to figure it out by themselves."

Consumers with disabilities are asking brands to make their websites more accessible; marketers shouldn't hesitate to ask for assistance to comply. **m**