



Association Meetings and the Americans With Disabilities Act

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Your Association has scheduled its annual meeting at the ABC Resort. On the opening day of your meeting, the Convention Manager reports that several members with disabilities are complaining with regard to the hotel's accessibility features. Two members in wheelchairs allege that they cannot get access to the hotel's exercise room. Another member who is deaf is complaining that there are no sign language interpreters at the general sessions. Finally, a member who has unusual allergies is complaining that the hotel is not accessible because of the fact that the new carpeting that the hotel has installed in its renovated guest rooms is causing her severe headaches. What are your responsibilities as an Association under the Americans With Disabilities Act (the ADA)?

First and foremost, you are responsible for ensuring that your meetings are accessible to persons with disabilities. Further, you are responsible for making reasonable accommodations to ensure that persons with disabilities can participate in your Association meetings. At the same time, you are not required to meet some personal needs of persons with disabilities. You are only required to act in a reasonable manner. You cannot be expected to perform miracles.

Let's put these general principles into a context of a typical Association meeting. Your Association Registration Form should have a provision requesting that the registrant advise you if he/she has any special needs. As an example, if a meetings registrant is going to request a speech language interpreter to sign during meeting presentations, the Association has to have sufficient advance notice to hire the appropriate people prior to the meeting. Similarly, if a person has certain severe allergy issues, if they notify you in advance, you may be able to work with the hotel staff in providing them with a room that meets their needs. The Association should make sure that the part of the registration form that requests this information is prominent and clearly visible on the first page of the registration form.

Your hotel and meeting contracts should include a provision whereby the hotel or meeting facility warrants to the Association that the facility fully complies with the Federal Americans With Disabilities Act requirements and with any state disability compliance provisions. Certain states have adopted their own statutes dealing with disability issues. Often the state's statutes are more restrictive than the federal statutes. You should make sure that the hotel or meeting facility warrants that it

complies with both federal and state requirements.

During your site inspection visit, your Association staff should look for obvious ADA compliance features in the property. Is there adequate handicap parking? Are there spaces for accessible vans? Is there easy access from the assembly areas into the hotel or meeting facility? Are there phones and drinking fountains that have been lowered for wheelchair patrons? Does the hotel have a policy to admit service animals? Are there TDY phones for persons who are deaf? Does the hotel have assistive listening systems available? Does the hotel have signage directing disabled persons towards accessible exits and entrances? Does the hotel staff have special training on how to deal with people with disabilities? Is there a section of the registration area where the counter is lowered so that persons with disabilities can register easily?

As you tour through the hotel, you should make sure that all the public rooms are accessible. This means not only the meeting rooms, but also rooms such as the hotel gym or exercise room. A disabled person in a wheelchair is entitled to get into any public area in the hotel.

Look at the hotel accessible sleeping rooms. These rooms are specially designed to meet the needs of disabled guests. If the hotel has various types of rooms, make sure that the accessible sleeping rooms include not only the cheaper rooms but the better rooms as well.

Make sure that your staff understands what its responsibility is

with regard to disabled persons attending your meeting. There is no requirement that your staff provide assistance to disabled persons in meeting certain personal needs. In fact, you should direct your staff not to provide assistance in certain areas because of potential liabilities. You are not required to help disabled persons toilet themselves, feed themselves, or assist them in getting into beds, getting into chairs, or washing themselves. If a disabled person cannot perform such functions, he/she should bring a caretaker with him/her to help. The Association staff and the hotel staff are not required to perform such functions. However, at the same time, you do need to be flexible and provide reasonable accommodations. If your Association is giving a test at the meeting, you may have to provide a reader for a dyslexic person, have a Braille test for a blind person, or have sign language interpreters for deaf persons. However, you are entitled to advance notice of these issues so that you can make a reasonable attempt to provide an accommodation. If your organization is giving a test and the application for the test requests information with regard to the applicant's special needs and a blind applicant does not indicate that he/she needs a Braille test, you cannot be expected to provide a Braille test on the day the test is given since you have not had advance notice. Under such circumstances, you would explain to the blind person that since they did not fill out the portion of the application indicating that there was a special need, you do not have a Braille test available. However, you would make a reasonable accommodation to give the test to the blind person in the future. Depending upon the nature of the test and the skill sets of the blind applicant, there may be

an alternative to a Braille test that is acceptable. These are issues that you should discuss with the applicant.

With regard to the person who is allergic to certain chemicals such as found in new carpets, it may be possible to accommodate that person by providing a room in a section of the hotel that has not been renovated. If all the rooms in the hotel have been renovated, and all provide the same problem with regard to this particular individual, a reasonable accommodation would be to arrange for a room in a

hotel next door to the hotel where the function has been scheduled.

Persons with disabilities are generally reasonable people who simply have special needs. If you deal with these people on a reasonable basis, you will find that you can make an accommodation that is acceptable to both the Association and the individual. Every Association Meeting Director should clearly understand the Association's responsibilities under the ADA. Your Association should be trained to deal with people who have special needs and to recognize how to solve their problems.