

## Is Your Business Accessible?

### Are Your Premises Compliant with the ADA?

#### *The Continuing Obligation of Readily Achievable Barrier Removal*

The Americans with Disabilities Act (ADA) requires all public businesses to make their goods and services available to individuals with disabilities. This is required as a basic "civil right" that every American is entitled to. Under the ADA, there are two types of buildings: "existing", or those built before 1992, and "new", those built after 1992. In "existing" facilities, the law requires that architectural barriers must be removed where readily achievable and there are no "grandfathering" clauses. New facilities must fix any deficient elements and bring them into full compliance. Many businesses either still don't know that they are required to make changes to comply with the ADA, or they don't know what to do and are overwhelmed trying to figure it out. That is one of the reasons California enacted the Certified Access Specialist program (CASp).

Every Certified Access Specialist has passed a rigorous state examination, and has proven that they have the knowledge needed to help business and building owners identify their problem areas and potential solutions. Much like businesses hire tax specialists to keep their finances in order, an access specialist can help business owners create a Plan of Action to improve access to their goods and services. CASI members are dedicated to furthering accessibility and to working together to standardize interpretations of gray areas, as well as educate each other and the general public.

Hiring a Certified Access Specialist (CASp) that is a member of CASI can take the guesswork out of the process, and give business and building owners the expert guidance they need to get the project done right. When you hire a CASI member, you can get an accessibility inspection and a detailed report with information on what barriers exist at your facility, along with the standard for compliance so that you can remove barriers to provide an accessible environment. You will have documentation on what modifications may not be *readily achievable* in your situation and find alternate solutions that are achievable.

Steps toward ADA compliance should include:

- 1) A survey of your facility by a CASI CASp.
- 2) Design and documentation for compliance or alternate accommodations (In order to document which items for compliance are *not readily achievable*, a compliance plan should be considered complete only after consulting with the appropriate professional(s) which may also include an architect, engineer, a construction professional/contractor, attorney, and/or accountant.)
- 3) An estimate for correction of items not in compliance based on documentation provided by the design professional or contractor.
- 4) An annual budget for barrier removal based on the estimate(s).
- 5) A schedule for barrier removal based on the priority of the items and the established budget.

A CASI CASp can also document any previously modified and properly built "safe harbor elements", so you won't have to waste additional time and money upgrading them again.

Call a CASI CASp today, and start on your path towards compliance.

To find a CASI CASp in your area, visit <https://casinstitute.org/casp>.