

3Play Webinars | Accessibility 101 for Finance Institutions

KIM ROBBINS: We are so excited to have you here today for this presentation, Accessibility 101 For Finance Institutions. My name is Kim from 3Play Media, and I'll be moderating today. And I'm joined by Michele Landis. Michele is an accessibility industry leader and ADA policy strategist.

She is also the co-founder and CRO of Accessible360, a court-certified digital accessibility auditing firm and leader in user accessibility testing. And with that, I'll hand it off to Michele, who has a wonderful presentation prepared today.

MICHELE LANDIS: All right. Thank you very much, Kim. And hello, everybody. I hope everybody can hear me OK. I'm really excited to be here today. Thank you to 3Play Media. We enjoy our partnership with you guys and also the availability to bring great information to audiences.

So I'm going to dive right in. And again, I can't stress enough, these are always so much better if there's questions. I think we're going to do a poll here in the beginning, if that's ready to go. I like to do this quick ask because I want to know who is in the audience.

So I think we have a couple of different roles. So if you are in legal or risk, compliance-- you know, the scary part-- go ahead and check that. If you are on the design part, that. Development. If any of you are client facing for your financial firm, if you're here to learn about how to talk accessibility to your end clients that might be using your white-wrapped products, or if you're a business owner-- and that could be on the tech or the other side. So just kind of like to know who's here. Thanks.

While we're filling that out, I'll tell you just a quick little bit about A360. We're located in Minneapolis, Minnesota, primarily. But we have employees all over, actually, the US and in Canada. Last December, at the end of 2020, we were merged with TBS Communications out of Ottawa, Canada.

And TBS Communications is known really well in your industry. They actually do the other side of accessibility that I refer to as the tactical side. So they produce Braille statements and large-format print statements. They do Braille textbooks. And they do a lot of PDF remediation.

So it's been a wonderful partnership to merge those two divisions. And we're super excited about all of the opportunities to bring new and enhanced products to all of our clients across every business vertical. But we're here to specialize on you guys today.

Do we have results? I'm not sure I can see those. There we go.

KIM ROBBINS: Yes. You should see them right now.

MICHELE LANDIS: I do. Oh, this is super interesting. I'm glad I asked all four of those. There actually are about 15% of you that are client facing. So I'm glad I threw that in. So legal and risk, we're about 15%. The fancy people represent nearly 40%, the designers out there. So thank you for being here as well as everybody else.

Development, 15%. And then business unit owner, about a quarter of you. So that's great. Thanks for letting me know that. And if you have any specific questions, again, please put them in the Chat. I'm going to go ahead and close that, and we'll dive right in.

I'm going to start with the world we're in. I don't want to dwell on COVID-19, but it is a reality that it has affected the way that we certainly work. The work that we do for our clients at A360 changed dramatically over the last year and a half.

We saw a huge uptick in rush orders, I would say, for microsites going up. In your industry, we saw a lot of promotional websites go up to increase the awareness and access for your clients using online banking and things like that, as people stayed home more often than coming in to a local branch.

But COVID-19 has increased awareness and the need for digital accessibility in a big way. There was a study done by QA Vector Research. I'm going to refer to some of these stats throughout my presentation. I just want to make sure I give them credit in the beginning.

83% of all respondents, in a big study that they did, said that COVID-19 has raised the profile and importance of digital channels for their organization, and 62% reported that COVID has raised the awareness and impact of accessibility in the digital channel.

So those are a little bit different stats. And we'll kind of unpack what that means. But in general, it definitely has had an impact. I'm sure your firm has probably talked about it, and your cohorts are definitely talking about it, as a new opportunity to spread accessibility, awareness, and accountability across the teams was also something that was found.

I think in the past, maybe prior to COVID-- but this has been a huge accelerant or kind of exposure to corporate teams. Accessibility is not just tech. It's not just design. It isn't just legal. It needs to be shared across all the teams. And I think COVID has allowed us-- if we can pull a bright string out of COVID, it is that I think it's given teams an opportunity to really work together and adopt a unified effort on accessibility.

So one of the other things that they asked in the study was, who owns accessibility in your firm? And unfortunately, the biggest part is not owned. There isn't one single owner. What we have found in our work over the years that we've been providing digital accessibility, auditing, and remediation support, and legal defense support and strategy, is that usually organizations are taking action when there's a threat of a legal action.

And what we find is, when we're dealing with our clients, often it's that attorney or that risk person or a C-level that comes in and says, we need to buy this. We need to do this. And then our counterparts at A360, our Customer Success Team and auditors, they work internally with more of the front-line people in the organization. And this may seem very simple, but I wanted to share kind of our experience in it.

One of the results of that is sometimes there's a little kind of circling of efforts, in that if the purchasing decision or the purchasing desire actually comes out of the Product Owner Team, we inevitably route back to Legal to look at contracts and finance to make sure that there's money. And there's a lot of internal championship that is kind of, I think, executed by those that contact us originally.

So what's interesting, I think, about this graph is every organization I think that's here, everyone that we've ever worked with, certainly has a commitment to Equal Employment Opportunity, EEOC, and diversity and inclusion.

From my personal experience, I will tell you, speaking at conferences and working with small, medium, and extremely large organizations, not only in the US and Canada but across the globe-- I will tell you that I see a disconnect between diversity and inclusion and equitable access or the civil right to equitable access of digital communication.

So we'll move a little bit forward into this in yours. A couple of quotes from the study I think are really interesting. "Business often says that legal should own accessibility. Legal says it is for product, and product says it's for UX. Nobody owns accessibility," was a comment from one UX experience director at a global US insurance company. "Without a mandate from legal, getting specific funding for accessibility is difficult." Another UX person at a-- my apologies. There's a typo there. I'll fix it for when you upload it and give credit to what organization they were from.

Here's the bottom line. Holistic corporate ownership for accessibility is critical. This will enable firms to rationalize spend, reduce internal friction, and have a proactive plan to reduce customer complaints, also known as "reduce the risk."

So I'm going to start really, really broad and talk about program structure. I will get into specific legal trends. I'll even get into specific ways for testing and stuff. I'm keeping an eye on the clock. And so I'm going to cover a lot of ground today. And again, whichever section you have questions in, please hang in there till we get there. Put them in the chat, and I look forward to attempting to answer those for you.

So let's start with corporate policy. It's important to include human resources and what human resources does, the documents that they send while new employees are onboarding, the staff environments that HR influences and regulates or enables across the organization, the internal system accommodations for people that are working remote, remote work. The K is missing there. Again, apologies.

But this is an important part because this is not talking about your products that are used in the marketplace. But this is talking about your own work environment. And again, what I'm trying to do is tie this together so that it's easier to enable equitable access across digital properties, which is what my passion is. But we need to make sure that everybody is on board.

So in regard to the digital products, I'm talking about websites, online banking, the post-authenticated area of your website, if they're doing it on a mobile-responsive site, the mobile apps that you have for either your reward points or for your online banking or your investments or your mortgage applications.

I also want to talk about the PDFs and videos. The thing is, we have a great vendor here to help us with the video compliance part of it, with transcription and all of that type of thing. But PDFs are something that I see often missed.

Prior to being merged with TBS Communications, A360 approached PDFs in a couple of different ways, depending on the client needs. And the end result of that is, I can tell you we've learned a ton about how to do PDFs correctly. PDFs are not common in all the business verticals that we support-- fashion, retail. Restaurants are still in somewhat.

But for the Title II entities, those of government, health care, public education for sure, and then finance, we still see a tremendous amount of them. We also see a lot of them in real estate-- commercial real estate properties, investments, all that kind of stuff.

And the reason that PDFs are used is for obviously investor updates if you're publicly traded. You've got investment portfolio prospectus and updates and things like that, annual reports. And a new emerging one last year was the ESG, the Environmental Sustainability Governance reports. And so we're being asked to do a lot of problem-solving around PDFs still.

So I think that they're going to continue in certain places. And all I can say is, I can't believe QR has made a comeback, the QR codes. A little comic relief, but I thought those went by the way of, I don't know, maybe tape cassettes, because they were really big about 8, 10 years ago. And that, I have to say, is something that I saw in COVID. Boom, the QR codes are back. So I guess that's a little tip, and never give up if you think you have a good idea.

Digital products. Again, websites, online banking, mobile apps, the PDFs and videos, and then updating content. So it's not just about creating them, but it's about how you're updating the content on those. Or for any of you whose products are used by other people and other companies, making sure that when they update the content, they're doing so in a way with integrity and attention to equitable access as you built them.

Third-party vendors I do want to talk about, too. This bubbles up inside of A360 all the time. And a couple of quick examples of those are loyalty programs, your Careers page after your Landing page-- so who's your career vendor-- and then any plug-ins that you're doing.

Let's talk about the risk mitigation part of it, first of all. Strong recommendations. This is probably repeat for most of you. If you haven't done it, really consider posting an accessibility statement. The myth is that you post an accessibility statement when you arrive, when you become accessible. And that's not the truth. We want to make sure that you post an accessibility statement as a statement of intent.

And I'll call attention again to the EEOC logo on most of your corporate websites. If you have an EEOC logo, you have professed a commitment to equal employment practices. Well, that includes people with disabilities. And so if you're having struggle getting anybody to agree on posting accessibility statement, please reach out for great examples. It should be written in your organization's brand, of course. Legal should sign off on it.

And a simple format to think about is, while you're in the works, we have a commitment to offering equitable access. We've taken these steps. And you can be as descriptive as you would like to. My personal recommendation is that you are not very descriptive. And the reason is, of course, just risk. Privacy statements, Ts and Cs-- think that in your head when you're drafting this.

Also, risk mitigation. Your teammates or you should be paying close attention to any third-party vendor contracts that you bring on board. If they're up for renewal, carpe diem, seize the day. Get some language in there that holds them accountable.

And it's not them saying that their product is accessible. It is, I want an independent VPAT done before we renew your contract or allow you to play in our digital space. Or you need to get a live user audit, and I want to see the results of it. And you need a Letter of Conformance.

And I'll go over the differences in a little bit between VPAT and Letter of Conformance. VPAT comes from the government side. It's used a lot in fintech, I've noticed. We do a lot of them for financial institutions. So we'll go through that.

And then audits and governance. Again, we're talking about the risk mitigation category. So the risk and compliance managers out there and corporate attorneys, this means getting audits done. It means getting third-party audits done.

There is case law out there when internal IT people try to run scanning tools and try automated testing as a defense in their attempt to solve equitable access issues. Happy to forward those case studies and just kind of get everybody on the same level. And that is, it should be an independent audit. Your development teams were not taught how to do accessibility in school.

Forgive me, because I say this almost every day. But I have a son who just graduated as a full stack web developer. And it is a myth that accessible design or development is taught in school. Your employees, your teammates, they need support in this. They need the help. They can't just manifest the knowledge. They need to work through with a great teaching partner like A360 in order to help them get that niche area of subject matter expertise up to speed.

The governance part of the risk mitigation is tracking, of course. Again, I'm not here to sell A360, but inside of our hub, we have a specific governance tracking for this purpose. And the reason it's there is to make sure that we're supporting your risk mitigation across your organization as best as we can.

And then defense strategy. So the compliance governance part-- number one, set a plan. This goes back to everything else. It needs to be embedded across the organization. You need a written plan that has funding, that has a foundation, and that it also has enthusiasm, participation, and commitment.

This is just like any other simple corporate goal. You need to track your progress, and you need to choose wisely. And what I mean in that is, ask people who are in the know, like 3Play and A360, about other vendors, like chat functionality and different things like that.

Really network with the people that are in the know and don't bring on any type of digital third party that you don't know. It's not enough for them to say, yes, I will behave. You need proof that they will behave. I think an old line from my dad is ringing in my head, and it says, believe nothing of what you hear and only half of what you see. So really dig in and make sure that those that are working with you are as committed as you guys are.

And this is a super-important part, the defense strategy. Your best defense is a super-strong offense. I happen to be a recovering jock. I love sports. And so a lot of what I use in business are analogies from the sports field. But honestly, it's this simple. Your risk mitigation is really all about having a plan, like a playbook, and then executing against that plan.

And if you don't have a good defensive team, keep your offense on the field as long as possible. And that just is all those things we just talked about, making sure that you're tracking things and making sure that you're tying this all together. Because when you get a legal inquiry or a complaint from a consumer-- and I say "when" unfortunately because this is going to happen to everybody. Six years ago, we had conversations about, oh, it's just happening to a few. And ah, you kind of weigh the risk and that. It's coming.

And also, it's a civil right that people can use places of public accommodation. And so I would say, I think all of you that are here are committed at least to learning about it and moving forward. So again, your best defense is a super-strong offense.

Specifics. What to do in 2021 still. Feels like the year is almost over. I remember last year feeling, I can't wait till 2021. Now I feel like a little bit has changed. Things are getting better, but we're still working on getting back to normal, whatever that is.

And if you haven't gotten around to this, even if you thought about it last year at the same time, it's just like anything else. So what we're going to do better this time around-- draft that accessibility inclusion policy. I've got some great examples. Please reach out for help on this. We are a mission-driven organization. And we want to get you guys started as best we can. So lean on us for help with this.

Get the website statements posted. What you can do with your mobile apps as far as an accessibility statement is go ahead and put the language or what you want to say succinctly inside your Ts and Cs. There's not room for an A360 logo on a mobile app. It's crowded on that screen. It's small. You guys know that. You want a really good UX there. But put it in your Ts and Cs.

I've seen organizations do some onboarding questions in regards to accessibility. And I just think that that is really cool. I think it's really neat to acknowledge that not everybody operates apps and websites the way that I do, my sales team does, certainly not my auditor team. But I'm thinking a lot of you out there as well.

Don't make any assumptions. We've done a really good job, I think, learning about not making assumptions on a lot of other diversity and inclusion topics. And now is the time for people with disabilities and those aging with disabilities to have their moment in the sun. So acknowledge it. Call it out if you'd like.

I can't tell you enough how much it's a huge differentiator. If you have a fully accessible website and banking apps and investment apps and all those things, and you can help somebody fill out a digitally accessible mortgage application, you should be shouting it from the rooftops.

There's my marketing brain coming in here now. But it is such a huge differentiator. We have obviously-- about anywhere from a third to a half at any time of our auditors are people with disabilities. Many of them are blind.

And we hear stories internally all the time about filling out a mortgage application or something like that. And the fact that their credit union or their financial institution, their mortgage lender-- they never thought about it. And so I'll tell you, those that are thinking about it, they're getting the business.

Customer service training. I don't think I've ever touched on this before in a 3Play webinar, but the customer service training is really a bunch of kind of human sense. I won't call it common sense. It sounds a little condescending. But it's human sense. And it is just that.

On your accessibility statements, you should have an email and a phone number, both marked up as a link, easily actionable from a phone or from the laptop or iPad or whatever, where people can put a quick ask for help in.

Don't stop there. Train the people who get those inquiries how to speak, how to be comfortable, how to deal with that person's need. And it's as simple as this. They have the same need that I do. They just can't see your site. While you're helping yourself fix your accessibility, help them get done what they need to get done.

And thank them and treat them like you would anybody else. So human sense with the customer service training. We do offer this as well. And we've got some modules and stuff that will help, if that is something that your organization is interested in.

Loyalty programs and careers page, so your HR portals and your loyalty programs. I wanted to single these out because they're often separate. They're something that is brought in from third party. Again, make sure that you're putting the pressure on those. Or if you've created your own and you take applications in an HR portal that you yourselves have created and have access and control over the back end, make sure that these are included in your plan as you move forward.

Plug-ins and then updating content. Any type of plug-in, whether it's in the purchasing aspect or the final part, any type of little pieces of code that you put in your UX, make sure that you're including them in your plan, asking those vendors, giving them time to respond, or making sure that they get involved if you get an audit done.

When you work with A360, if you work with us, we have two ways to handle third-party content. You can include it in your scope of work, and they can get it audited. Your team will get the audit results, and then you can share it with your third-party vendors. Or you can not have us audit it, but we can give you a quick pass/fail-- for example, the native screen reader user auditors can do or they can't do. And please remember that the auditing work that we do is not just about blind individuals. It's those that have vision disabilities. It's those that have physical disabilities, cognitive, and auditory.

We tend to talk a lot about visual disabilities and blind users, and I think there's a couple of main reasons for that. Issues with digital properties often lack equitable access for people who are blind. A lot of the litigation comes from plaintiffs who are blind. And so if it seems like we're talking too much about that, remember all four disabilities, and we're going to cover those in just a little bit. But make sure you're thinking about all of them.

What not to do. Don't panic. Do not install an overlay, and do not do nothing. I'll talk real quickly about overlays. I won't get too much into a soapbox about them. But I will tell you a couple of key things. And that is that several of the overlay companies came to A360 to get their product audited prior to going to marketing because they wanted to know if it worked or not.

We come across overlays, and these are the alternative experiences on websites, where the thought is that somebody with a disability is going to use that instead of the assistive technology they're already using. I'll go a little bit deeper in this in a bit. But just remember that there's nothing you put on your website or layer in your mobile app that fixes accessibility for users. It is a human test. It is humans using that, so a bot that you plug in is not going to solve this.

One of the, I think, most succinct messages you could tell your team members inside the firm or your organization is, you cannot fix accessibility or satisfy accessibility issues in 48 hours for \$495 on your \$400,000 website. It is too good to be true. They don't work, and if you want more information about those, we're happy to supply it and help you make an informed decision. The decision is always up to you guys. But we're here to help educate and make sure that you guys are aware.

So then looking forward or ahead into 2022, accessibility doesn't happen by happenstance. While there is an increased awareness of the need for digital accessibility in design-- and usually it's the front-line people-- there's not an increase in action being taken across the industry as a whole, I hate to say. About 30% of financial institutions have thought about or started accessibility, and that means there's a lot of either competitors of yours or a lot of you that haven't yet gotten started.

If you can, prioritize accessibility as a corporate imperative. It is imperative that we allow equitable access. And so if you haven't done anything, get started. You don't need to do everything at once. But you can't sit around and do nothing any longer.

So any immediate questions? I'm going to pause just right there. Any urgent questions at all? I'm not going to pull up the chat and show. But Sophia or Kim, anything pressing at all?

KIM ROBBINS: Nothing pressing. We do have some questions, but I think we're good to keep going. And we'll just do the Q&A at the end. But please, everyone, we encourage you to ask questions if you have them. You can type them either in the Chat or in the Q&A box.

MICHELE LANDIS: OK, great. So a simple definition that we use, and I encourage you to use it when you're doing your internal champion at your firm, is accessibility in the digital age is simply the inclusive practice of removing any barriers on the websites, apps, or enterprise systems for people with disabilities.

COVID has served as an accelerant of the lack of equitable access. Settlement amounts are on the rise, and litigation has not let up. The reason settlement amounts are on the rise and why they've lit up is for several years now there's been kind of the habitual plaintiff and plaintiff firms, the trolls out there, whatever the regional dialect is where you are.

I acknowledge the existence of that. I acknowledge the practices of the plaintiff's bar. I will also acknowledge that without them, I don't think much of the work that has already been done may have happened. And that's a sad reality. And that's one of the reasons why I'm here, to help us change our thought process.

Legacy enterprise systems need upgrading or replacing. Those are the internal things. When you're thinking about third-party vendors, where we interact with them is not only on the end-end user experience of their third-party product, but it's also the dashboards that you all may be using when you're setting up those third parties. And so we're seeing enterprise systems get audits on what's consumer facing and then the dashboard that technical people like some of you use every day.

Cultural changes are needed across all industries. But those amiable to compliance, like you guys, I think even more so. We see a tremendous amount of financial institutions really leaning into compliance. And it's so encouraging to see. And whatever brings you to implementing digital accessibility, I'm all for.

Policy creation and consulting is available. It's out there. You don't have to come up with this all on your own. Lots of resources from subject matter experts in the field. So again, start now if you haven't, because you're technically behind on this.

Digital accessibility affects those application portals, onboarding new employees, benefit and company information, internal meetings and documents, and end users' success with any apps or websites or statements.

So let me pause here and talk about this for a little bit. I've learned a lot through our merger with TBS Communications and the statements and the other solutions that they offer. And I, again, encourage you to think about not only your application portal, but don't stop there.

If your benefits director doesn't have information on benefits or doctors or 401(k) plans or anything like that in accessible formats-- here we're talking about PDFs a lot-- or if their websites aren't accessible to people with disabilities, make sure if you're in the process of looking for a new HR vendor that they're carrying it all the way through.

Once an employee is onboarded, just like we are growing our conscious in diversity and inclusion, cultural, and all the other types, we want to make sure that internal meetings and documents are also accessible.

And now I sort of feel like I'm overloading you guys. But I'm trying to paint the picture of why it's so important to get started and how to break this down into measurable bites for accomplishment.

Internal meetings-- we use Zoom. We used to use a different one when we started the company, and I learned that not all meeting platforms and screen-share systems out there are accessible. And don't assume if one has a really big name on it that they're accessible to people with disabilities. So ask, investigate, and choose wisely.

The documents that you send internally for meetings-- don't send scanned PDFs. Make sure, with even PowerPoint presentations, you can download accessible PowerPoint templates. Make sure that you're marking headings up. Make sure it's easy for people, everyone, to use the information.

One of the most common things and often in your business are graphs and charts. So just stop and think, before you send something out across the organization, especially if you're high up in that organization, can everybody read this? And if not, do a little bit each time until you have a proven practice for making sure you're offering equitable access to all employees.

End users' success with websites, apps, and statements. If you do not yet already, which I would be surprised if you don't, offer your bank statements, just-in-time mortgage documents for signatures on loans and stuff like that, please reach out for help on this. A360, again, has kind of become a one-stop shop for all of this. So we can give advice. And we can service those needs, if that works out for you guys.

So again, the types of disabilities are visual physical, cognitive, and auditory. Now, auditory, again, I typically defer to our partner at 3Play, and I mean that by the additional services that you'll need regarding videos and presentations and all that kind of stuff.

We don't provide that, but they do. And it works awesome, and you should definitely make sure that they're a part of all that you're doing because you can quickly check that box, which is a horrible statement, but you can quickly ensure that those things are taken care of.

Right before we were launching the presentation today, we actually talked about, is it beneficial to have a speaker on video while they're doing a presentation? You know, thoughts can range. It's distracting. She's too all over the place. She talks with her hands. We love to do it when we're selling because you can convey emotion.

And Sophia made the best comment, and that is, yes, of course, for lip reading, so making sure that you're conscious when you're presenting, you're talking slowly, that your face is on invisible. And so that was another great just kind of internal check for all of us who are doing presentations in front of people.

I want to talk cognitive for a quick second. WCAG, Web Content Accessibility Guidelines, which are the success criteria international, they're what we use for websites, mobile apps. They're what we use for Internet of Things, medical devices, kiosks, doesn't matter.

WCAG 2.1 is the version that we're on. And again, we audit to level AA. We'll get into more technical stuff in a minute. And make sure you ask questions on those versions and levels if you have those because I can do some myth busting there for you.

Heads up that in 2.2, version 2.2 of the WCAG guidelines, there are more cognitive requirements. The standards don't change all the time. They're like the next iteration of a product, versions. So as the fancy designers do more cool things and as developers do incredible interactive functionality, the WCAG guidelines, the success criteria, the tests that we do for accessibility, they increase a little bit, and that makes sense.

We have more to test because you guys come up with more amazing things. And so the other thing that I wanted to mention-- I'll go quickly through these other ones. If you need stats on this kind of stuff, building that business case for digital accessibility, this deck is great help.

There is an update with the latest census that 61 million people in the US have a disability, a billion people worldwide. One in 10 men are colorblind. I cannot defend the Minnesota Wilds hockey team with their hockey sweater and that red and green because to anyone with color blindness, it just looks like a solid color. One in three families have at least one member with a disability. And there's a huge spending power with this.

I used to work on a lot of different mobile apps. I did a ton in finance. I had a really cool-- I would say, our predecessor to Green Light out there, honestly-- FamDoo, The Modern Allowance, was one that we worked on here in Minnesota.

One of the co-founders of A360 is a gentleman named Mark Lacek, and he invented frequent flyer miles back in the 1980s here, with this little airline called Northwest Airlines. Anyway, the history of a lot of people at A360, many of us have worked on different products and things like that. And that digital loyalty or the banking had a huge component of financial literacy in it.

And what was really fun with that is we get to go to Finovate and get on that big stage and present it. And we had a ton of fun. And now here's years later, again, proof that if you're thinking of something, other people are thinking of it. We sunsetted that. We moved in the direction of A360 years ago.

But I still have a huge passion for equitable access to information on financial literacy. And there are companies out there now doing that. The spending power element to accessibility is really, really, really important, specifically to your industry, because you have a lot of threats to your industry with the younger generations.

I did a ton of work studying the unbanked and the underbanked, and the scary realization, from my personal opinion, that a lot of younger people think that Apple and Amazon can just be the bank too. My personal opinion is, they should not be the bank. We need banks. We need investment firms. And so it's a big, important thing to talk about with your industry in specific.

We went over this before. Another way to present the business case for accessibility-- social. Maximize your profits. Financial. And of course, reducing the legal risk. So again, any help needed on these, please let us know.

I told you earlier I'd talk a little bit about assistive technology and explain a little bit more about why overlays do not work and are not needed, even if they did. People with disabilities that are severe enough that benefit from accessibility built into the product are going to come to your website using NVDA or JAWS. 1% of them might be using Windows Narrator. That's the market share.

Or if they're on a mobile device, which is incredibly a huge part of your audience-- on iOS, it's voiceover, and on Android it's Talk Back. Also on a desktop, they might be using a refreshable Braille display. This device actually-- the Braille alphabet, the dots here, they are raised and lowered as people move through your website or brochures or any type of content.

Other types of mouse. I'm using a tracker. I assume a lot of you can do that or nearly all of you. This is an eye recognition mouse. So instead of using a mouse, instead of using a tracking pad, somebody who is paralyzed or has a severe spinal injury is going to actually use eye recognition to simulate every single keystroke. If you haven't seen any of these videos, they're phenomenal. It's amazing what can be done artistically and just everyday work life with these assistive technologies.

People with disabilities are using these, or they'd never get to your website. They'd never open your app. So my last statement about overlays is going to be this-- when they get there, they expect the product to work within the assistive technology that they know how to use and that they're accustomed to use.

There is a tremendous amount of leap of faith that they're going to shut off what they know how to use and jump onto something that they have no idea how to use. And that's the other reason why those overlays, while they may look good on websites, make you feel better about doing something, you're not really doing anything. And there is a tremendous amount of interference with screen readers with a lot of the overlay tools out there. So again, any more questions needed, happy to answer those.

We have about 20 minutes left. And so I'm not going to pause to show a JAWS demo. But it's in the deck. You can go to A360 and see this too. There's tons out there. If you haven't ever witnessed a person who's blind using JAWS or NVDA, I really encourage you to take five minutes and watch one.

Keep in mind some simple things. This is probably repeat for most of you, but there's no concept of surrounding or looking or next to. It is a linear experience. The websites are read from the upper left-hand corner down to the bottom right. We need regions. We need markup in there so that they can skip through and find the information that they need using the keyboard-only navigation that they also use.

Blind people don't use a mouse either. And so there is a concept of only before or after. And when you're describing images and things like that, we have a tremendous amount to offer you help that way. But I encourage you just to stop, take a beat, and just think about it. Watching a video of a JAWS demo can be incredibly helpful.

OK. Scary part, legal part. This is, I think, often how clients feel when they get a demand letter or even how they feel if they get a customer complaint. No one, in my opinion, is intentionally trying to discriminate against people with disabilities. It's a matter of when you know better, you do better. And it can feel very threatening, very scary to be called out on the lack of digital accessibility in your products.

Also, there's two different-- well, three different-- I just said the other third. You could get a complaint from a client. You can get a demand letter, which is a super-nice invoice from a plaintiff attorney that says, we're fixing to sue you. But we won't if you pay us money. And then there's an actual lawsuit.

These two can both be settled, and they often are. And we have a tremendous amount of strategies on how we help our clients do that. The specific laws-- real quick repeat for anybody or first introduction, if it's new to you. Globally, there's a ton of this. It's not just in the US. It's not just the ADA. In fact, the Americans with Disabilities Act has this much content in it about websites and mobile apps or digital accessibility at all. That might be surprising to people.

The World Wide Web Consortium is the organization that brings us the standards. The UN has statements about digital accessibility. The UK and the EU and other areas have different but very well-aligned initiatives, laws, and rules. I did a Global Accessibility Awareness webinar and did a lot of research in the different regions. If you are a global entity or just interested in learning about Canadian and/or Latin America countries or Asia-Pacific, those, please reach out. Happy to share that information as well.

But it's this little one over here called the Rehabilitation Act of 1973 that actually has language in our country, in the United States, about digital accessibility requirements. And the Rehabilitation Act was written in 1973, probably long before many of you were born.

The amendments to that federal law are what gave birth to digital accessibility. And you'll see the one on the bottom is Section 508. That took off and became the slang for compliance, Section 508 compliance.

But if I gave you a pop quiz, and if there's anybody from my organization out there, they'll answer it. Section 508 is the amendment to this law that requires federal agencies to make their electronic and information technology accessible to people with disabilities. We don't even use that acronym anymore, I don't think. But that was it. This is where it all got started.

Then, there was another amendment, Section 504. 504 is a amendment to a federal law-- so it's a federal law-- that requires the rights of individuals with disabilities in programs and activities that receive federal financial assistance.

That is where you get health care and public education. I do not have an amendment to this law or any other that calls out financial institutions. What we have is this-- the Americans with Disabilities Act.

Title I talked about employment. Title II, public entities. That's what I just went over. You're here. You're a place of public accommodation. But you operate in a very compliance-amiable environment. There are attorneys out there and lots of other people looking into loans. If you're backed by the FDIC, that's federal.

Should banks or financial institutions also be required by law to offer digital accessibility? I don't know. Not my job. I would like everybody to be required to provide digital accessibility. But there needs to be a learning curve. There needs to be a ramp up. There needs to be a lot of other things put in, not just regulations stamped down on it.

So that you understand it correctly, Title III of the ADA, which is public accommodations, that is what the plaintiffs use to come after your industry. And generally, courts have held that a website of a public entity is also covered by Title III. And in cases of online businesses only, that's pretty much been solved as well.

So again, I don't think anybody here, if you're interested in learning about accessibility, you have the notion that you think you're not legally required, and you want to find out how to fight it. I think everybody is here to learn how to do it and how to build it in for the future. And companies really now understand, across all business verticals, it is possible to allow everyone to be in the digital audience and access all your goods and services.

So a couple of big scary things in the past included a big bank. I don't know if there's any Wells Fargo people here. In full disclosure, we're an approved vendor for Wells Fargo. And they are really committed as are a tremendous amount of other financial institutions and, like I said, obviously those of you here too.

If you ever get anybody who wants to know the nitty gritty about if you're an online bank only, what if you are one of these online-only financial institutions? The part of the law is called the nexus. Is there a nexus between the bricks and mortar and the online?

And what I'll say in a nutshell, just so you get the synopsis of it, is that the two cases against Netflix are the most readily read ones. The first one said, no, they don't have to be because they are online only. The second one said, doesn't matter. It needs to be accessible. And Netflix themselves, just like a lot of social media platforms, have been committed to offering equitable access and even on highly visual ones get some information in there.

This talks about some of the national lawsuits. Because of the time, I'm not going to go through a lot of them. But I do want to just acknowledge A360 has done expert witness testimony. I think in more than any, we may even be the only one that's doing it. I'm not certain about that. But we started back in 2017.

BARBRI, Omni Hotels International, and now Domino's, we got involved in the appeal there. For you lawyers in the group, if you're interested, we do have an upheld through appeals published opinion on the work that we helped support Sheppard Mullin in the Omni Hotels International one. So again, we only work on the defense side. We don't participate in the plaintiff activity.

I have a few slides left, and we have about 12 minutes. So I'm going to do this. I'm going to pull out to my jump-around. And I'm going to start taking questions. As we organize which questions we want to take, just remember the W3C, Web Content Accessibility Guidelines, it's what we use in auditing for mobile apps, Internet of Things, kiosks, those four general principles. And it's all WCAG or the POUR. You've obviously heard this, I'm sure-- Perceivable, Operable, Understandable, and Robust

I want to pause right here, and then I'll leave these two up in case any questions have to do with specific laws. The guidelines that we're auditing to now are 2.1, level AA. Remember that Section 508 compliance, that term that-- that nomenclature that really got adopted, they made a notification which they're required to do, a one-year notification, back in 2017.

And WCAG 2.0, level AA, is still the established and federal requirement for Title II entities. And the reason I bring this up is, we do audits to 2.1. We can sort issues back to or down to 2.0.

And many clients receive letters of conformance just to 2.0 first and then add on the 12 additional tests that are level AA for 2.1. This is a good and solid strategy. And again, with regard to the levels, there's level A, AA, and AAA. A is nothing. You're not really improving much there. But there are guidelines that are level A.

AA is where it's at. And AAA, like we always say, is pie in the sky. You do not need to reach AAA. Your websites and apps will look completely different. There's a few websites out there that have been created to show that they can do it. But that's where that is. So why don't we go ahead and answer some questions.

KIM ROBBINS: Awesome. Thanks Michele. Yes, we do have some questions. I'll start with one that is a bit broad, but I think with your experience with financial institutions, you may be able to nail this one. Sorry, one second.

So what is the biggest obstacle for finance institutions to make their content accessible?

MICHELE LANDIS: Buy-in across the organization, hands down. That goes back to like what I was saying in the beginning. The biggest obstacle for the organization is that no one owns it, that there's not a commitment to it financially and culturally. If the question was for the technical team, like what's the biggest technical team, I would answer it this way. The challenges for the technical team are, how do we know we're taking action on correct audit results?

So we didn't talk about scanning tools before. But scanning tools are any automated testing. Remember, our scanning tool, including everybody's on the market, can only cover a portion of the WCAG guidelines. You've got to do manual testing.

So I would say for the tech teams, if the biggest question is about that, is proper diagnosis, correct treatment protocol, and then a plan for maintaining your health, your accessibility. So get good, solid results. Have a system in place that can walk you through. Teach your team as much as you need to know about digital accessibility, not withhold the secrets of accessibility.

That, I think, is the big change that we're hoping to bring to the marketplace. It's pulling back the curtain on the wizard. We will teach you guys how to do JAWS testing and all of that. And again, not a sales pitch for A360, but you need to find somewhere people that are going to help you learn how to do this and help you get adoption across the organization. Long answer.

KIM ROBBINS: No. Good answer. Thank you. So with that, how long does it take to get a website fully accessible? I know this probably varies.

MICHELE LANDIS: It does. How long does it take to build one? Same question. And when we turn those questions back to tech and legal teams and stuff like that, it's the same thought process. I don't know. How much to paint my house? What is it? A rambler, a five-story, whatever. And not only how big the website is-- it's not necessarily how big it is. It's how much unique functionality, how complicated the functionality is, and how many templates you have.

So if you take a simple word-- not a simple, but let's use a simple example, a WordPress site. You don't start with a blank white screen when you add another page. You're starting with a template. You should fix accessibility issues and test them on the template level, your Home page, and then all the templates that are used and then do some spot checking. So how long it takes, how much time do you have, and how accurate are you being led through the process? A website can be remediated in 30 days.

A website, a digital product plan, like some of the big ones we work with, there's three-year plans. And that is when you're talking about really complicated things. So make sure that you're getting accurate testing and that you have the commitment to do the work because I know that before any accessibility vendor or initiative shows up, you already had another full-time job.

So you've got to fold it into your development. Education is the key. How long it takes depends on how many blockers for people with disabilities are on it and how quickly your team or your agency or the two of you combined can learn it. So sorry, not one answer there.

KIM ROBBINS: No, that's a tough one to answer because it really does depend.

MICHELE LANDIS: You can fix a lot of it in a short period of time, though. Let me give you a ray of hope. Five to seven things you can do that increase the usability of your website a great deal. And also a great point to bring up-- if you can't do everything, don't focus so much on 100% compliance. Focus on 100% usability or nearly fully usable.

KIM ROBBINS: Yep. Yep. Makes sense. So what route does A360 take if the customer's internal review of their website doesn't match fully what's reviewed by A360? I think this is maybe a specific question for A360.

MICHELE LANDIS: Yeah. And I'm happy to answer it. Most times, an internal team has used a scanning tool or automation or they are not blind engineers trying to test with JAWS or NVDA. So we do a lot of correction of really how people use assistive technology. That clears up the majority of it. But during our audit process, we're going to audit with live users.

So number one, if you used an automated tool, like the study I just showed you, there's going to be gaps there. So we're not ever auditing to an automated tool. Put the automated tool out of your head. You need to know if accessibility works for humans, not Googlebot. So number one, change that thought process.

And the audit results are by live users. And so if there is a reconciliation needed there, then that's what our CSMs are there to do. And always, our goal is to educate and inform and help the business make a decision. We're not here to drive anything. We're a court-certified auditing company. But we are not here to mandate what you do. We're here to educate and inform you so you can make those decisions.

The bulk of them are in those two categories. They're either in automation versus live user or they're in, I use JAWS and I didn't find that. But this is really how actual blind people use it. So I think that's a good enough answer now. And happy to follow up with whoever had the question.

KIM ROBBINS: Great. Thank you. The next question we have is, what types of things should be included on an accessibility statement if we know our organization's website is not fully accessible?

MICHELE LANDIS: Again, when we post the deck later, we can post some examples of some great ones. Outside your industry, I'll give you a great one off the top of my head, Culver's-- great one. There's tons we can show you.

The first statement should be, we have a commitment to offering equitable access to every user of our digital products. The next paragraph could start with, we've taken some actions, like we're testing. We're working on it.

The third one could be as simple as, if you need help while we're working on this-- you know, write in your brand's voice, of course-- but if you need help, email us or call us. Make sure that email and that phone number are marked up correctly as a link so that if they're on their phone, they can click and get help or send you an email.

And then also, another great fourth paragraph is, if you'd like to give us feedback, please do so. And put the email back in there again. Be open. Being open to learning how people are experiencing your website.

KIM ROBBINS: Great. Thank you. The next question we have is, so what's the first thing banks should start doing in terms of accessibility, in your opinion?

MICHELE LANDIS: So the first thing, it depends on how you want to go at it. If you already have corporate buy-in, and you've got money, then make a plan. So back up here to what you should be doing in 2021 and 2022. Draft an accessibility inclusion policy. Like, get the internal-- whatever you guys need inside your organization. Some of you don't need any of that, and you can just go with it if you've got approval.

The first thing that we do is help clients scope what they want to tackle first. And use that old adage, build for the 80%, test for the 80%. If the majority of your users are using your mobile apps versus the responsive web version of your online banking, go there. Try to tackle the mass of the users first and then shore things up.

Also, look for efficient ways. If you've got shared code across your mobile apps, make sure that when you remediated on one, you push it through on the other. Same thing with your templates on your website. Also commit to training. Commit to proper diagnosis and that treatment protocol plan, but also make sure that there's money in there for training. And again, start with where the most of your users are or start where your highest risk is. They're probably the same. Hope that helps.

KIM ROBBINS: Yes, that helps. That's great. Thank you. So we are out of time. There were some great questions coming in, so thank you everybody. But I do want to end it on this one comment from Jennifer in the chat. And I'll leave you with this.

"I've been doing accessibility for decades and want to say Michele Landis's presentation is one of the best I've seen. Particularly for an audience unfamiliar with accessibility, I am in awe." So thank you so much, Michele. This has been amazing.

MICHELE LANDIS: Yeah. You're very welcome. And happy to continue the conversation offline with anybody that needs more help. And we look forward to more great opportunities to speak with 3Play. And I hope you guys have an awesome rest of the week. Thanks for listening.