KIM ROBBINS: Thank you for joining us today for this webinar, entitled "Global Outlook for Accessibility." My name is Kim Robbins from 3Play Media, and I'll be moderating today. And I'm joined by Michele Landis. Michele is a cofounder and CRO of Accessible360, or A360 for short, which is a digital accessibility specialty company.

In her role as chief revenue officer, she leads business development and partnerships. Michele is experienced in service and leadership within programs focused on inclusion and equal access. She has led A360 to national recognition, leveraging A360's technical services team deliverables, accessible design knowledge, and training, along with their subject matter expertise. And with that, I'll hand it off to Michele, who has a wonderful presentation prepared for you today.

MICHELE LANDIS: Thank you so much. Hello to everybody. And a big, huge thank you to 3Play Media. I love doing webinars for your team. Your audience is always a great one to work with and speak to.

My style of presentation is one of education and awareness. So I don't profess to be an expert on every single thing that I'm going to share with you today. But sharing the information, I think, is really, really key.

Also, nothing that I say is meant to be construed as legal advice for any of your end clients or your own company. I do teach continuing legal ed on the niche compliance topic area of digital accessibility. I've done that internationally and domestically for years, actually, through great organizations like the Corporate Compliance and Ethics and also Health Care Compliance Association. So if there's anything specific in those that you want to ask questions about, please let me know.

I'm going to go ahead and dive right in because I think I have 50-some slides. And I do talk fast. And so I think I'll be able to get through all of it for you.

Just a quick little how are we doing out there-- so how are you guys doing? Thank you for taking the time in the middle of a day to stop and pause and learn a little bit more about this incredibly important topic. It's a digital topic. But this is really, truly a human topic. And equitable access and civil rights and lots of other things that are taking up a lot of our own personal time is really at the core of what we want to talk

about today. I'm going to cover a lot of topics. And I hope that you'll ask questions when necessary.

I'm coming to you from Minneapolis, Minnesota. So we have a lot going on here in our city this week. And I want to extend just an open line of communication and conversation about how digital accessibility relates to the human element and equitable access for everybody. So again, this is about humans. But I'm going to start with the stats to get them out of the way, warm you guys up a little bit.

So current worldwide estimated population of 7.8 billion. Approximately 4.93 billion people have access and use the internet frequently. These numbers are-- they're out there. That's just a tremendous amount of people. I remember when I first got started in selling digital advertising years ago, and just what has happened since then. 63% or greater of the whole world's population uses the internet. From 2000 to 2020, the usage of the internet increased 1,266%.

90% of North America and 87% of Europe have access to and use the internet every single day. In the Middle East, we've seen a 5,227% increase or growth in the internet usage in the past 11 years, probably, since when that stat was pulled.

Almost 35% of all websites use WordPress as their content management system. That you all may have known. But I didn't know that when I was preparing for the webinar today. I found that fascinating. So thank you for all the work that the WordPress team does and those that work on it.

2020 showed an over 50% increase of internet traffic was from mobile devices. That's actually down from last year. And it's attributed to more people being at home and not on the go as much due to the pandemic, of course. 63% use Google Chrome as their primary browser. 19% do it on Safari. And not quite 4% leverage it on Firefox.

I'm super glad I found those stats when I was prepping for the time together today with you because we, as an auditing company, are often asked, can you cover all browsers? Can you cover all combinations and browsers of everything? And we don't need to. We don't always do that, except specifically required because of these general stats. So it makes good sense, especially with a lot of you who are

building towards the 80%. But really good to level set with those.

Let's bring it back to the people. There are 61 million people in the United States with a disability and over a billion people across the globe. One in 10 men are colorblind. So this isn't just about people with severe disabilities where they can't see at all, but with the aging Baby Boomer population here in the United States and the aging population around the globe now dependent on technology, plus the fact that things like just even color blindness can really make things more difficult for you to interact with digital properties. One in three families here in the United States have at least one member with a disability.

And I want to talk a little bit about the spending power. So this stat, which has grown over time, but I couldn't find a reliable updated one-- but there's over $544 billion of spending power on commercial business websites, apps, all that type of thing for people with disabilities and their loyal friends and family.

So I need to just level set that this is a pretty big issue. There's a lot of human beings involved in this. And globally, accessibility is really viewed as a civil right. It's viewed as a human right. And so let's see how we can bring our technical expertise up to meet our social desire to do the right thing.

Predictions real quick. These are always fun. This one I found pretty fascinating. By 2024, the World Health Organization will identify online shopping as an addictive disorder. It is projected that retailers may need to do some advertising campaigns like the casinos do here in the United States to promote responsible gambling. But it would be to promote responsible shopping. I remember when credit cards didn't have that information on it about how long it would take you to pay off your debt. And so these types of things are all aligned in our society.

By 2023, number of people with disabilities employed will triple due to artificial intelligence and emerging technologies reducing the barriers to access. And this is one that we can all get really super excited about. I'm going to share some information about different countries around the world. I'm going to talk a little bit how Canada is really focused on this a little bit later in the presentation.

Another prediction-- and kind of an obvious-- is that cultural changes are needed. So even within your organizations, there's a lot of focus on speaking in a respectful

manner. We're conscious about that in all aspects of our lives right now. And so things like stand-up meetings, things like making sure that you're using fully accessible webinar platforms like Zoom or meeting platforms like Zoom and Adobe Connect and others, being really conscious that you're sending out information that-- if there is pertinent details or data within sight of an image that you're also making sure that you're presenting that in a different way.

One way that I've seen it working with a lot of health care companies, actually, is their benefit package information. So new employees come into the company. And they get their benefits package. And it's sent either just in print, and it's not available digitally, or it's not available in a fully accessible format. So those things are very, very important. They can also be made available in braille or large print as well.

The other thing that we're seeing is the legacy enterprise systems upgrading or being replaced. There's been some pretty big landmark lawsuits against companies like Epic in the health care world, which is the leading electronic medical record software. And that came from an internal user of that at an end client company. And so these are the things that I'm seeing a lot of.

I speak to a lot of health care organizations and those that are requiring full accessibility of the third-party digital providers that they're working on. So what that means is if you're working on a platform for a health care environment, odds are they're going to be pretty heavy-handed about making sure that your platform and their white-wrapped version of it, for example, is fully accessible as well.

Organizations that actively employ people with disabilities experience 89% higher retention rates, a 72% increase in employee productivity, and a 29% increase in profitability. Added diversity means added perspectives, right?

And I really encourage you all to not only think about diversity and inclusion with all of the obvious things that we think about when we're talking about inclusion, but also extend that to people with disabilities. And make sure that you're focusing on that as another group of people that should be included, should be at the table. A lot of this information came from Gartner, actually. So I wanted to make sure that I called them out.

One of Gartner's top 10 strategic predictions for 2020 and beyond was that artificial intelligence will increase accessibility at work. And so it's one of the things that they're tracking. Artificial intelligence is a topic in accessibility.

If you get a room of a bunch of us subject matter experts together, like sometimes we do, and we talk about the human element and the artificial intelligence, really important to level set, in my personal opinion and most every other subject matter expert in the field. You're never going to get accessibility or equitable access through some type of machine learning or AI only. You have to have stakeholders at the table. So just keep that in mind as you think about solutions and you think about options for your company and your clients' companies and that type of thing.

[INAUDIBLE] I'm not sure. You know what? Let me ask my moderator if you wanted to ask one of the first questions now. And then I'm going to jump into some updates for WCAG 2.2. And the reason I'm offering these now is because the Web Content Accessibility Guidelines is the basis for all global accessibility initiatives and laws. Almost without exception, it is referenced or part of everything else that we're going to talk about. So I'm wondering if you want to take the time now to do one of those first questions.

KIM ROBBINS: Absolutely. Great idea. So the first question we have is, we would love to know how many of you folks in here work on products purchased outside of the US.

MICHELE LANDIS: Are we having them raise their hand?

KIM ROBBINS: I apologize. You can answer directly into the chat window. We would love to just tally up how many people work on products purchased outside of the United States.

MICHELE LANDIS: Oh, and there you have your poll question. Yeah.

KIM ROBBINS: Great. Perfect.

MICHELE LANDIS: I can't click on it, but I do. Great. Oh, nearly half. I think that's perfect. If you add in a couple of others, that's really encouraging to see. I'm happy to see that. And the reason that I love seeing that is we can have a really great dialogue.

So I'm going to make sure that the moderators watch the chat function while I try and focus on my slides for you guys. And I'm going to go through these updates on 2.2 for us. Again, as I said, WCAG is an international standard. At A360, we use it regardless of the product we're auditing.

So it's not just for websites. We use the same success criteria and adapt those to mobile apps. We do it for kiosks. We do it for internet of things products, like programmable thermostats and things like that, smart home technology, tracking your luggage, all those types of products that we find in our daily use here.

So with WCAG 2.2, it is not yet published. It was supposed to go live November of last year. And they paused it for about six months. We anticipate it coming out this summer. It augments but does not replace 2.0 and 2.1. If you guys have seen a presentation from A360 before, we talk about the differences in 2.1, the three brand-new guidelines. 17 additional tests came out in 2.1, 12 of which are level AA.

This 2.2 will add nine new and one updated success criteria. And I am not the technical guru on this. So I'm going to share the information with you guys today. And I'm going to go through these pretty rapidly so we save time for the rest of what I have planned for you. And then if there's any questions, please reach out and follow up.

It is backwards-compatible. So conforming to 2.2 means conformance to 2.1 and to 2.0. As I said, nine new and one updated success criteria. Four of the new ones are level A. So they're an obvious to-do. Four are level AA. So that would be also on the list of to-dos. And then one would be AAA.

In our work at A360 and what I see across the industry, we're not auditing to AAA. But sometimes certain success criteria make sense inside of a digital product. And you want to go to that next level of AAA. But for the most part, again, to level set, level AA is where we're testing and where we're issuing letters of conformance on.

Incidentally, one issue of this was promoted from AA to A. And I don't know if that's a promotion or if that's a demotion. But let me dive into these and have you guys take a look.

This continues the work started, obviously, on WCAG 2.1. Improving the accessibility

guidance for users with cognitive or learning disabilities, users with low vision, and all disabled mobile device users-- these are the three areas that this next 2.2 edition of the WCAG guidelines are focused on.

I have this in here in case I didn't have time to go through it. I'll put this at the end.

OK. So first one, 2.4.7-- focus visible. It's a level A which used to be a level AA.

2.4.11-- focus appearance, level AA. When a user interface components receive keyboard focus, all of the following are true. And I'm not going to read everything on the slide for you guys. I just want you guys to take a peek at these things.

The next one-- 2.4.11 again. And this talks about the change of contrast. This would be an important one for designers to pay attention to as well, obviously.

2.4.11-- focus appearance again. Keyboard focus indicator which has a pattern or gradient may have parts that do not meet the ratio of 3 to 1 contrast for the change of contrast as long as the area equal to the minimum does not meet the contrast ratio. So what does that mean? You guys dive in. Let me know.

And the next one is on a new success criteria, 2.4.13, the fixed reference points. This is a new level A.

Dragging movements, 2.5.7-- this is level AA, some notes and some reasoning here. Really important to understand in this concept, some people cannot perform dragging motions in a very precise manner or not at all. And so other users use a specialized adaptive input device. And so this new success criteria helps make those tasks or those functionalities more accessible to those with disabilities.

2.5.8 talks about pointer target spacing. It's a level AA issue. And again, for those that aren't reading the screen, the closed captioning is not coming out. So we can send the complete deck of this, and you can read all the text of these. I just have a few more of these. And we're going to jump into a different area of the presentation.

WCAG 2.2 success criteria 3.2.6, findable help-- this is a level A issue. For single-page web applications or any set of web pages, if one or more of the following ways of finding help is supported, then access to at least one way of finding help is

included in the same relative order on each page.

3.2.7 has to do with visible controls. This is a level AA. So I'll read the first bullet point on this one for you guys. Where receiving pointer, hover, or keyboard focus triggers user interface components to be visible, information needed to identify that user interface components are available is visible, except when-- and then it goes into a couple more key points there.

The WCAG-- let's see-- the new one 3.2.7, visible controls continued, just one more bullet point on that one.

And then this one talks about accessible authentication, 3.3.7. It is a level A issue. So again, this would be kind of an obvious to do. For each step in an authentication process that relies on a cognitive function test, at least one other authentication method is available that does not rely on a cognitive function test or mechanism.

And so these are really important. There's been some great talk about CAPTCHA and reCAPTCHA-type functionality on websites. And these things are all very important to make sure people get through, get on, and get to do what they need to do on the websites.

3.3.7 is accessible authentication continued. So we've got a little bit more on this one.

And this next one is 3.3.8, which is redundant entry. This happens to be a level A issue. There's a note on this one-- security verification, such as repeating a password, is considered essential.

So I wanted to just run through those 2.2 just to make sure that you guys-- if you were interested, you had some updates on those. Again, the deck will be shared afterwards. And so you can dive in a little bit deeper on those.

I want to talk about WCAG 3.0. And the reason I'm throwing so much about WCAG at you is I'm trying to get you caught up to where we're at currently in the industry, and then also looking ahead, because the future looks very, very different, actually, than these specific success criteria updates.

So 3.0 is not just a new list of more success criteria. This is a new approach to web

accessibility, actually. It expressly includes guidelines for web, mobile, and desktop applications not necessarily compatible with the stuff that we were just talking about. And there's a link in the presentation to the draft of this.

It specifies how to test against the standards and how to score those tests. It anticipates substantial conformance in addition to full conformance. So what we talk about internally at A360 is the concept that accessibility is not binary. It's not either you are accessible or you're not, or you are compliant or you're not. We certainly audit products and help teams get things to substantial conformance. We issue letters of conformance on that. But what we're talking about here is the concept of making things more usable and also understanding that there is an overall kind of healthiness to a digital product. And that's where the concept of a score comes in.

The reason that they're moving towards this is a tremendous amount of feedback. This is a young compliance and technical industry, this niche thing that we work on. And it's evolving over time. Case law has a lot to do with how things evolve. And technology and the new creations in technology also have a lot to do with how this compliance issue grows up, not only here in the United States, but globally.

Some problems with the previous versions were there was a lot of true/false accessibility. And that doesn't really match the real world. Not every human you can say either is offered equitable access if you meet the success criteria and they're not if you don't. Because every human being has different skill levels of technology. Accessibility is a spectrum, right? It's a concept. It's a spectrum.

WCAG is all but useless for people new to accessibility. And what they meant by that, I think, in my opinion, is if they're new to using assistive technology and accessibility, all of those success criteria, whether it's compliant or not or it exactly does it or it doesn't, it doesn't matter as much as if the product is usable by somebody using assistive technology.

And of course, what we mean by assistive technologies are things like screen readers, referable braille displays, different types of mouse-- not a tracking pad and not a mouse, but maybe an eye retinal recognition mouse or even a sip-and-puff apparatus that you might see installed on a wheelchair of somebody who has

paralysis or a spinal cord injury. And so literally just the act of inhaling and exhaling simulate keystrokes on the computer.

And so if you find yourself new to that type of thing, it can be-- it's all about the usability of the product and how caregivers can help you learn how to use things. And there's a lot of things that go into complicated uses for people with more than one disability as well.

So a 10-year or even a two-year refresh cycle fails to keep up with tech. And that's what I meant about these iterations of WCAG. And what's next? And what's valid? And what do we have to meet?

It feels sometimes over the past few years that everybody's kind of rushing to one thing and hurrying to the other. And I think we're growing up this topic in business compliance and in technology to a place where we can kind of take a breath and just think about, are we doing the baseline practices for inclusive design? Are we thinking about things holistically, versus having a list and trying to check it and testing your product and seeing if it works? We're really pushing towards a much more enlightened concept about digital accessibility.

OK. What else? I'm going to move on to talking a little bit more about humans. And then we'll move into a lot of the laws and directives that we see across the globe.

So employment for people with disabilities. Just three years from now, three times as many people with disabilities will be employed thanks to the advancements in AI and other technologies. Again, that stat comes from Gartner. That means that organizations will have to make their own internal digital platforms accessible to meet the needs of a more diverse workplace.

I'll pause here for a second and talk about the case against Epic. Epic is one of the nation's-- well, it's the front runner in electronic medical records in health care. And there was an internal user of that that prompted a big lawsuit, not only against the hospital where they worked, the larger organization, and then Epic itself.

And what this means is that there's going to be a lot more pressure and a lot more focus on the internal enterprise systems that really big companies use. Again, I'm coming to you from Minneapolis, Minnesota, not to pick on any company here or

anything like that. But I think about some of the leaders that we have here, Cargill and General Mills and things like that, that are moving food and distributing things across the globe.

All of those internal systems there are going to need to be evaluated sooner or later, not only at those companies, but every company, in order to make sure that somebody with a disability who's able to perform a job if it weren't for the inaccessibility of the enterprise system, that they are going to be able to do that job. So taking these steps to include people with disabilities will lead to higher retention rates, increased productivity, and also, obviously, a true, real diversity in practice.

Inclusive design is going mainstream. Paying attention to the needs of all digital users from the early stages of your design process on, planning to create the best user experience for everyone is really what we're pushing you to think about today versus a gap analysis and a checklist of things to do.

Although it may sound obvious, it's really rarely done. Giants like Apple and Microsoft-- they share and promote their own inclusive design processes. And there's links to those inside the presentation. I'm not promoting Apple or Microsoft. What I'm saying is that they have an established process. They have shared it. And so there's some learnings available there.

We see similar outfits are now understanding that can provide a competitive edge for them-- oh, excuse me, smaller. I misread my own slide. So what I mean by that is companies that produce digital products that are then customized for end clients-- they're coming to us. And they're wanting either a letter of conformance from A360 or they're wanting a VPAT. I've talked about VPATs before. Let me pause and just go through that again real quick.

A VPAT is an acronym that stands for Voluntary Product Accessibility Template. And a VPAT is something that can voluntarily be filled out by anybody who is doing it. But where you see them is in a lot of RFPs and RFI processes if you're selling to government, health care, or public education.

And the reason they're asking for this is it's an established form that you can fill out. A VPAT is actually evaluated based on the feature of the product. And so each feature that's in there can have three possible answers-- yes it meets, it somewhat

meets it, or no it doesn't meet accessibility standards. And again, it's done by more like feature or product level in there.

It's different from what we happen to do at our company, which is we look at the whole entire product and the user experience through it. And we're wanting to make sure that that is substantially conformant. And when we issue that, it means that it has gone through live user testing. And it has gone through those WCAG success criteria as the foundation of the evaluation. But also, because we're using stakeholders, people that are native screen reader users, in our process, we can also state that it is fully usable if those things are passed.

So what has changed here at A360 for us probably over the last 12, 14, 16 months in a period from-- same this period as the year prior, we saw 350% increase in requests for new design builds and support. And that is really incredible. We see it as we're out in the wild every day.

And then when we pause and look back and look at the numbers, what this means is that people from digital agencies, from design agencies, and clients themselves are reaching out earlier on. They're doing that shift left concept. And they're bringing accessibility into the early stages of design. And they want to make sure that both design and development are covered with accessibility initiatives.

So I'm going to jump into a little bit of what's happening here in the United States and give a brief history for legislation. I'm not going to take my typical content from a continuing legal ed class because I think that can get a little dry. And again, I'm trying to keep this very conversational focus.

But it's probably pretty well known by all the attendees on the webinar today that we have an official agenda item in our executive branch of government, an Advanced Notice of Proposed Rulemaking. And it sat there for more than eight years. I think it sat there a little over 10, to be honest with you. But no action was ever taken. So what this means technically is that it's on the list of the official agenda. And the Department of Justice could have ruled on it any time.

If you remember a couple of years back, they said, yeah, we're going to issue these guidelines. We're fixing to do it. We're getting ready to do it. We're just about to do it. Oh, wait. We need to make sure that they're OK. And then they kind of backed off.

And they really let the industry itself and business as an industry handle it.

And what happened, then, is that there was a flood of plaintiff attorneys into this new cottage industry of suing companies. And when the United States Supreme Court denied the motion for [? certiorari ?] review last fall of a pretty big landmark case from a pizza delivery company, they really-- no one in the industry really thought that they were going to take it, I don't think. Most of the people I talked to didn't think that they were going to take the case.

First of all, they take 5% of the cases that are presented to them. So the odds are low to begin with. The second reason, in my personal opinion, as to why they didn't take it is there is tremendous amount of case law already.

And also, in my personal opinion, I think one of the reasons they maybe didn't take it is maybe they're thinking this is too much government regulation of businesses. We don't need to get involved in this. This seems to be bubbling up and getting solved out there in the wild pretty well on its own. Who knows what that process they went through? But those are just my personal feelings on that.

The awareness and education continues on digital accessibility. And in my honest opinion, there's really a glimmer of a lot of hope on the horizon. I personally really like seeing what the World Wide Web Consortium is doing with the W3C initiatives regarding WCAG and all that type of stuff. I think it makes for good sense once we figure out the technical things about accessibility and how to bring it back to humans, which is what it is all about anyway.

And so I'm encouraged for those things. If you have any questions about what's going on in these landmark cases, please, again, feel free to reach out or post questions into the chat. We'll pause in a little bit and see if there's any big Q&A.

There are very few companies that actually get that far. If you get a demand letter, if you get a lawsuit filed on your company or a client company based on what you built for them, it's not a situation where everybody litigates and everybody brings it all the way through the appellate court system and all the way back. 90% of all of these legal actions are settled within two days to two months. There's typically a payment made. It is, in my opinion, typically a lot less than the one that they ask for

first.

But there are some other things like the Unruh Civil Rights Act in the state of California which are really pushing for penalties. And they have ruled on a couple there. And so as we look at how different countries are dealing with the topic of accessibility, we can dive in and see what the approaches with those.

So again, glimmers of hope out there. I'm encouraged as to what I see. I talk to people all day long, every day, all week long and across all different business verticals and in multiple countries.

And what I can tell you is palatable is versus a couple of years ago, even up to five years ago when we started the company, people would start with this. What is this all about? Is this really real? This is ridiculous. Blind people don't go on the internet. I can't believe it. And it was just all a big like push, push, push back.

Now the tone is different. The tone is, gosh, we haven't done anything yet. We really need to get going and help us with that. Or, I have a legal action. But you know what? I don't just want to settle it and pay them. I really want to do the right thing.

So what I have found overall and why I have the statement that there really is a glimmer of hope on the horizon is without a doubt, almost every single company, developer, or designer that I come across and everybody on my team does, once they know better, they want to do better. So I'm very, very encouraged about that.

We couldn't talk about accessibility or really anything in business lately without talking about COVID. So here's my COVID slide. If you think about when the pandemic was rolling out a year ago, for me personally, I had just gone on a couple of day-- rare vacation with one of my sisters. And we were in Palm Springs. That weekend, the helicopter carrying Kobe Bryant and all those other people and his daughter crashed into the hillside. There were news articles about a virus in China and in other areas.

And as I flew home from Palm Springs and back to Minneapolis, the whole entire world seemed to change in one airplane trip. There were a tremendous amount of news articles and live updates about COVID, tons of graphs and charts as the pandemic swept across not only the US, but the globe. There were tons of testing

sites that were thrown up, tons more digital portals for people to get information about it.

And what we noticed-- and because we're in this business, but also we have a high number of people with disabilities employed at A360, we're seeing the real, true effects about people with disabilities and what they're missing. If graphs and charts and articles and live updates and everything aren't offering equitable access to that information, it's been a pretty serious thing. Prescription labels, for example-- move into health care. Move into the actual, tactical day-to-day of dealing with this pandemic.

Your chart-- I used MyChart. If that's a trademark, I do apologize. But those types of patient portals-- going on to find out where you can get a test, now going on to find out where you can get vaccinated. Really, really, really critical information. I'm happy to see an influx of people rushing to A360 to get those vaccine sign-up pop-ups made accessible.

But you have to understand there's a lot of people with disabilities that live independently. There's a lot of older population that lives independently. I went through the registration. And the amount of questions to register to get a vaccine were incredibly long. Some have said that they're incredibly confusing to the older population. They don't really understand some of the nuances of the newer cultural questions that were being asked-- and so not only for people with disabilities, but for our elderly population.

Billing statements-- making sure that you can read those in alternative formats and other things. Mental health has been a big topic, obviously, within health care as well in the pandemic. Online learning systems-- the whole push to online school. Grocery shopping-- just simply getting the essentials that you need in the home, a really pretty big deal.

So the other thing that I've seen is the concept of a digital democracy. So mid-election, candidate websites had information about accessibility. They had a conscious effort to make sure that they were accessible. Voting machines back in October 20-- or excuse me, back in October of 2002, our then-president actually signed into law Help America Vote Act, HAVA.

Clear Ballot is one of the newer versions of accessible online voting machines. In the past, we had a couple of other versions. But more companies are designing polling stations that offer greater equitable access to people with disabilities.

Our new transition websites that went up for the new administration had a really obvious and palatable approach to digital accessibility. They were paying attention. They were calling it out. We have American Sign Language interpreters at press conferences and so on. And I see accessibility statements on a lot more political and candidate websites, which I think is really, really great.

So what's happening out there across the globe? This next section, this last section, kind of takes us through each country. And what I tried to do for all of you is summarize what is on paper, what's out there. If there's any real experiences that you guys have had in working in any of these countries, please speak up. And then I also just wanted to pause and see if there's any pressing things or if we might want to do the other question that we have now or if you'd like to do it a little bit later.

KIM ROBBINS: We can definitely do it now. We have it ready to go if you're ready.

MICHELE LANDIS: Yeah.

KIM ROBBINS: Great. So this one will be a question that's answered in the chat window-- so if everyone could just get ready for that. But the question is, who is it that you see is punching for inclusive design within your company? So who is advocating for inclusive design within your company or within your clients' companies?

MICHELE LANDIS: Yeah, and whether they're punching for it or they're pushing for it, either way.

KIM ROBBINS: Yes.

MICHELE LANDIS: I'm curious to know who the decision-makers are in that. I'm curious to see. Is it attorneys? Is it marketing? I doubt it's the CFO. But maybe.

KIM ROBBINS: We have people with disabilities. It's just really us, our web team at my organization. Our education and outreach team. Our developers. Attorneys. Marketing. Our QA team.

MICHELE LANDIS: Oh, good.

KIM ROBBINS: Instructional design team. Customers' clients. So I'd say it's a pretty good mix.

MICHELE LANDIS: Good. See, and if we had asked that question a couple of years ago, we might have just got attorneys. Or we might have got nobody's pushing for it. They're just wondering what to do about it if something happens. And so, again, just super, super encouraging stuff.

I am going to start with the nation to our north. I've learned a lot about Canada lately. As a personal note for A360, we're actually now joined with T-Base Communications out of Ottawa, Canada. T-Base Communications is a company that does a whole bunch of other things in accessibility work.

It was started by a really neat older woman now, but younger at the time, obviously, who started a company out of her basement. She was losing her sight. And she did not want her husband to read her credit card statements. And so Charlie, as she's known, started the company out of her basement.

And T-Base Communications does all types of other things related to accessibility that I don't really talk about all that much. And that is braille, large format print. They can remediate PDFs very quickly. They do a tremendous amount of work in fintech and education and in government and also in health care.

And again, it's not necessarily the consumer-facing portals and different things that we're talking about. A lot of it has to do in health care on the billing and payment side or the payer side and that type of thing. But I haven't yet been up to Canada because we can't travel up there yet, but looking forward to meeting all of our new teammates up there.

I don't know I really knew this before. And I'm sorry to say and a little embarrassed. But there's 10 provinces and three territories up in Canada, if you don't know that, 37.7 million people.

22% of Canadians are disabled. 59% of people with disabilities are employed in Canada. Hurrah. Yay for them. That's pretty cool. Strong traditions of human rights

legislation in Canada-- and they had an Employment Equity Act established back in 1985.

The one province that gets a lot of attention, of course, is Ontario with the Accessibility Ontario Disabilities Act. The penalties are now applied or can be applied for those. The deadline for websites in the province of Ontario of companies that have more than 50 employees was December 31, 2020. And so that deadline has passed.

And then people say, OK, well, now what's happening? They're not knocking on doors and sending out things. But they are going through a process of measuring things. And penalties can be applied if those organizations have not yet complied.

So the way that we see this is we sometimes get a e-commerce site that will call us. They're based in Ontario. They don't have that many employees, actually, in the company. They've put up a Shopify site or something like that. And they're selling really cool merchandise or whatever it is that they're selling. But they're concerned about whether or not they have to comply.

Technically, if they have fewer than 50 employees, they do not have to comply. But again, like I said a few moments ago, most of them are moving forward with trying to improve the accessibility of their site. And due to them being on top of finding the work that A360's done with Shopify already, they're in pretty good standing.

So let's talk about the first based on obligations. That's really what Canada was doing with their accessibility initiatives. They rolled it out based on, here are your obligations. Or here's what you must meet.

They're now focused on eliminating barriers to accessibility. This new act broadened the definition of disabilities to include permanent or temporary or episodic. I'm sorry. I'm referring to the Accessible Canada Act now. Let me go back for one second. I think I missed one big part. Yes, down here on the bottom after AODA.

So the penalties are now applied in AODA. But what has been happening in Canada is each province is now reconciling all of the different separate laws that they had. And they're bringing them together into one unified federal law in the country of Canada. This federal access initiative is called the Accessible Canada Act. And it is

federal public service sites, they said, needed to be accessible by July 2019. And again, what happened with Ontario was the 50-or-more-sized companies.

So this new Accessible Canada Act, this new piece of federal action up there-- like I said, it's focused on removing barriers in many different areas of activities, including employment, access to the built environment, programs and services, information and communications technology, communications like using alternative methods like American Sign language and others, changing culture, and changing the mindset.

So the built environment-- again, it's not a digital environment. But it refers to the human-made surroundings that provide settings for human activity, ranging in scale-- everything from buildings, parks, screens, neighborhoods, cities, how they're doing their city planning. They talk a lot about the built environment up there and making sure that accessibility is a part of that, both digital and physical.

So it's the first legislation of its kind in Canada-- first federal one, like I said. It applies to all federally regulated entities, government, Parliament, and sectors of the economy, including fintech, telecommunications, banking, and transportation. The Accessibility Standards Canada accessibility plans must be developed with direct involvement of people with disabilities.

They have a mantra up there that's very similar to the one when I was on the board at Children's Hospital in Minneapolis and working on family inclusion. There was a statement back then that we had a mantra kind of like nothing about us without us. And Canada has adopted that as well. And what they're saying is nothing about people with disabilities without people with disabilities at the table. So plans will be monitored. And they're required to report on their progress.

The act was introduced in July of 2019. Regulations will be further described. And reporting requirements will be coming out. There are penalties for noncompliance. And they did adopt the specific-- adopted the act. But the specific regulations are not yet released.

A couple more points on the Canadian approach-- the official assembly strategy-- what is this? The public commitment to a role model. They really feel like they need people in government and big corporations up there to lead by example and,

actually, how it ties into their executive part of their government, if we can relate it to us here in the States.

Prime minister appointed the first deputy minister of accessibility, head of a federal department. So a very, very senior position-- in fact, the most senior type of position they have in their government there. That person reports directly to the prime minister. So this would be like our president assigning accessibility manager of the United States and report directly to the president. That would be amazing. That would be so great.

To develop an accessibility strategy for the federal government of Canada. And then it goes on to a little bit more information. I'm sorry that part of that slide got cut off.

What I want you to understand about Canada and their mood up there and how they're doing things is people with disabilities have been a part of this from the beginning of the process. Legal activity impacting digital accessibility hasn't been as big of a thing in Canada. But it's starting to creep in there across the borders.

And what we see with companies is they'll typically be sued or targeted here in the United States. And then they fix the American site. And then they go ahead and they fix the Canadian site. Or if they're really headquartered in Canada and most of their code is changed and developed and brought into play on their Canadian site, they'll actually do the reverse. They'll fix the Canadian site, then they'll push it through. And we'll audit the American one.

So that's kind of the mood on what's going on up in Canada. And I'm going to move to the related country, United Kingdom. I have a few country slides here and stats. I pulled a lot of this directly from the W3C. And I encourage you to go back there if you want more information. I kept a lot of the links in here.

And again, what I was trying to do was create a place where we could share research and that type of thing. And if there are specific things we want to add on into here and share with each other, then it makes it a little bit easier to do. I don't profess to be a legal expert in every country around the globe, but just trying to give you the heads-up on how things are different.

So what's going on in the United Kingdom? Well, they left the EU. They lost some royals recently. Anyway, so not following the EU Directive. They developed their own accessibility regulations. So the EU Directive, which I'll talk about a little bit later-- the UK is not following that same plan.

All public sector websites created after September 23, 2018, must be fully accessible within two years. So that's passed. And they must meet WCAG 2.1 level AA by September 23 of 2020, like I said. They must also post an accessibility statement.

All public sector mobile apps must be accessible by June, coming up this summer, in 2021. And websites published on or after this date must already be accessible upon launch. That part is pretty similar to what AODA did in Canada. They said, after 2015, any new website built should meet accessibility requirements.

So the goals of these regulations in the UK are really to create a legal incentive for websites and mobile applications to become accessible for people with disabilities. It's unclear what the consequences are, though. But this is enforced by the Government Digital Service. That's the organization in the UK that governs and takes care of the consequences of the laws that they have on the book if they decide to enforce some type of penalties.

What I have always said-- and my team does at A360-- here in the United States, we don't have specific laws like a lot of these other countries do. But yet we have all this activity. We have all this litigation that is driven by the plaintiff lawyers.

So if you're not government, health care, or public education, which we do have a federal law, the Rehabilitation Act of 1973 and the two amendments made in 1998 to cover Section 508 and Section 504, every other type of organization in the US-- there's been no amendment to our Americans with Disabilities Act. Nothing's changed in our law. There's just been a tremendous amount of case law.

And so that's one of the biggest differences. I taught a continuing legal ed class with an attorney from the UK. And it was like an out-of-body experience. It's just such a different world, the way they look at things and their personal experiences.

So I pulled out a smaller country, Denmark. I wanted to share what they were doing

over there. The date that they enacted their initiatives was way back in 2007. They have a responsible entity which is called the Ministry of Finance Digitization Agency. And you'll see as I pull some of the stuff from the different countries what types of organizations inside their government are handling accessibility. And I found this to be one of the most fascinating things in doing the research.

This is a mandatory policy. The scope is for the public sector. This is only on websites, though. I couldn't find an update on mobile apps. Again, I think people who are making mobile apps in Denmark are paying attention to digital accessibility. But I pulled exactly what was written down.

So they have seven sets of mandatory open standards. If you speak Dane, you could read there. But the links are in here. And these standards are used for purchasing, development, and operation of websites of public authorities as well. So they've been at it a long time.

What's written into their laws is just on paper. They also do reference WCAG version 2.0. So you'll see that pretty consistent with some of the other ones that we're going to take a look at.

Let's slide down to the EU and talk about the EU. This one's a pretty big one. I have two or three slides on this one. So when you talk about the accessibility laws or requirements in the EU, it's called the EU Directive. The complete title is the Directive EU-- there's a number-- of the European Parliament and of the Council of October 26 from 2016 on the accessibility of the websites and mobile applications of public sector bodies. That's the official name of the EU directive.

Just like the GDPR was standardization for privacy laws across EU, this directive about accessibility is a standardization of the accessibility laws across the European Union. So again, like Canada, it's kind of a consolidation. It's a collective directive that they're leading.

Unlike GDPR, however, this is just a directive. It's not a regulation. So this is a best practice thing. This is a this is what you should strive for. It is not this is the law.

The basics of it are this. The rules laid out reflect the Commission's ongoing work to build a social and inclusive European Union of equality-- it's the term that they use,

very nice one, I think-- where all Europeans can take full and active part in the digital economy and society. The directive requires websites and apps and public sector bodies-- a few exceptions-- to meet accessibility standards. Again, they do use the Web Content Accessibility Guidelines.

I did find this a little bit interesting. The Directive requires websites to meet these if you're following the Directive. But it isn't yet a law that they've written in. So just trying to keep those straight, if it matters. Just trying to give you the flavor of the EU over there.

Regular monitoring of public sector websites and apps by member states and reporting on the results-- this is a really big trend across the globe in digital accessibility and with also what we did here in the United States with the 21st Century IDEA Act. That one said that we're going to start reporting on our government websites.

Very conscious of time, so I'm going to make sure that I end on time for you guys. Just a few more here.

Lastly, on the EU update, a public consultation in mid-year this year will allow the public, especially people with disabilities, to express their views on the Directive, the state of web accessibility, and measures or actions for improvement. So they're also having stakeholders at the table.

To complement the public consultation, there will be additional specific consultations of key stakeholders. So they're going to have them together, then they're going to do them separate. European Commission will allow the application of the Web Accessibility Directive by June of 2022. And so there's a link to the timeline of the review if you're particularly interested in what's happening in the EU.

I'm going to move to China. And I think I have two or three left here. So China-- there is an official law policy page that you can reference. The link is in here. This was enacted back in 2008.

The entities that are in charge of this are what's called the State Council of People's Republic of China and China Disabled Persons Federation, the CDPF. It is an accessibility law. It has to do with public and private sector, not just web. And the

WCAG version used-- none was listed.

In August of 2013, China issued a new national standard-- and that's the name of it there-- for information requirements, testing, and methods and the recommended standards beginning March of 2020. So the next piece I have on China here is that-- I apologize. I think that's repetitive. Great.

We're going to jump on to Japan, the Web Content Japanese Industrial Standards, the JIS, on June 21, back in 2004. They win the award for the longest, I think, or the furthest time ago. Japanese Industrial Standard for Web Accessibility, commonly referred to as the Web Content JIS, was released. Although the Web Content JIS was not legally binding like other provisions of the Rehabilitation Act, like here in the United States, it really attracted a lot of attention as Japan's first public web access guidelines.

A little more details on this-- there's a link here to the standardization. The Ministry of Public Management, Home Affairs, and Posts Telecommunications, the MPHPT, and the Ministry of Economy-- excuse me. I separated that too soon. This ministry and this ministry formed the systems together in cooperation and understanding to the importance of providing Japanese industrial standards for the elderly and people with disabilities. So real quick, what I loved about learning about Japan-- and it shouldn't really surprise any of us that they were focused on elderly as well and making sure that everything was workable and usable for them, along with people with disabilities.

So here's what I want to end with. Global accessibility approach on your screen. What does that look like? I'd encourage you to research. And I encourage all of us to share that research. Hopefully some of the things I've shared with you today have helped. They've given you a place at least to find information and dig a little bit further as needed in your own work life.

I encourage you to consistently use the WCAG 2.1 level AA as your foundation. Top it off with other details. If you're working for a product in another country, there might be some additional things that you want to pay attention to, especially as to how you report and monitor things. Commit to the learning. Include stakeholders in this.

Lastly, I would say, accept this. Embrace it. This is never going to go away. And it

never should go away. There has been a huge tipping point in the past year and a half. And people with disabilities in the digital space are going to be a focus, I think, for a long time for all of us, as it should. I don't think our work is ever going to be done. If you need help, ask for it.

I know "compliance" is a boring word. I hope you're compelled to do the right thing and strive to truly be inclusive. Then I wanted to just thank you for your time today.

KIM ROBBINS: Thank you so much, Michele. That was amazing. I hope everyone enjoyed the presentation and learned a lot. We did have a few questions. I know we're at time, but I thought maybe we could squeeze one or two in.

MICHELE LANDIS: I can stay and answer any questions you want. And you can edit later, yeah.

KIM ROBBINS: Fantastic. OK. So I do have two that I thought were really good. And if there are any other questions that we did not get to, feel free to email the marketing team at 3Play. It's just marketing@3playmedia.com. And we will coordinate with Michele and get those answered for you.

So the first question is, what are the main barriers or reasons for which civil services or government are reluctant to use WCAG?

MICHELE LANDIS: My personal opinion and my professional opinion-- my personal opinion is they want to follow a specific list. WCAG is a little bit subjective.

The other reason, I think, is that WCAG has not been federally mandated to be the standard. And so we do have case law down in the Southern District of Florida with the *Winn-Dixie* case back in 2007 and many multiple settlements and other things later that hold up WCAG. But it's only case law. And it's only on the district court level.

And here in the United States, I think purists that work in that type of environment-- again, my personal feeling is that they want to wait until there's a federal mandate. Maybe it has to do with financial reasons. If there's no federal mandate, how do they get the money to make sure they reach a mandate that is out there? But those are just my personal thoughts. And I welcome anybody else's. Hopefully I interpreted

your question the right way.

KIM ROBBINS: Thank you very much.

MICHELE LANDIS: Yeah. I'm sorry to hear they're not.

KIM ROBBINS: Yeah. The next question we have is a little long. So please let me know if you need me to repeat it. But it's about VPATs.

So VPATs allow for "partially supports" as a label, but there is no consistency in how vendors are using this rating. Some use it when it's two out of 10 features are failing. Some use it when it's eight out of 10 features are failing. How can this be made consistent so that two different VPATs that show "partially supports" can be compared fairly, say, apples to apples?

MICHELE LANDIS: They can't. And you know, I'll tell you a funny story. I hope this isn't a repeat for anybody here. I was in Washington, DC, now four years ago, at this big tech conference. And we were talking about VPATs. And I said, well, the VPAT's a box-checking exercise. And the moderator at the table said, can you say more about that?

And I said, sure. It's like going to the doctor and getting a physical. Here's what's wrong with you. Your cholesterol is high. You're overweight. Your vision-- you need your glasses. It's like the good, bad, and ugly of a product. And it's up to that physician to really write down how bad they think that good, bad, and ugly of you and your health at that time is.

So just like the person asking the question-- super similar. It's very subjective. There's no rules about that. And a gentleman sitting next to me leaned over in my ear and said, well, I didn't intend it to be that way when I wrote it. And so recovery and trying to recover with the best manners my parents taught me with was, let me understand more about this.

It's been around for a really long time, first of all, VPATs. It's ingrained in this procurement process for government, health care, and public education. And then other times, fintech will pull it out and use it. They've updated the forms. That incident in DC ended up with A360 being a beta tester in one of the updated forms.

But the person who is asking the question is exactly right. Comparing those is really pretty hard. What we do in our practice to try and reconcile that is first of all, we don't like to do VPATs unless we can say that the answer to almost all of it is yes. That way, it's pretty easy. If you have an updated VPAT with the answers almost all yes versus whatever was filled out before, that's an incredible difference.

And then, of course, we issue that letter of conformance, which is different. It's not a physical the good, bad, and ugly. It's more of a bill of health on the product itself.

What I'd suggest you do with the VPAT, number one, is consider getting a third-party evaluation for it. And the reason I say that is the advice of a lot of top ADA defense attorneys that we work with. There can be a conflict of interest.

It is called a voluntary politics accessibility template. You can fill it out yourself. What I'm just sharing is that a lot of attorneys think it's best to have a third party do it so that perhaps some of that subjectivity is removed. It is impossible, though, as the person laid out in the question, to compare one VPAT to another.

And that's why when we started the consulting company, we didn't really promote VPATs. We do them when they come up. But it wasn't the measurement that we use. We use live user testing. And we go for a substantial conformance to the WCAG guidelines. And so that would be the difference there.

I'm not sure I helped at all. I'm sorry I took the time to tell a funny story. But it is a frustrating thing about VPATs. My bottom-line advice is get an audit. Fix everything so it's substantially compliant. Then your VPAT's going to be yes, yes, yes, yes, yes, yes, yes. So hopefully that helped.

KIM ROBBINS: Definitely, yeah. Your story was relatable. So it's really [INAUDIBLE]

MICHELE LANDIS: Good, good.

KIM ROBBINS: Very last question we have, and then we'll end it. Many enterprise companies have a large contract workforce in India. What are India's laws?

MICHELE That's a great question. I'm sorry I didn't have these in here. I have some things on

LANDIS: the Middle East and a bunch of others. I just had to cut it. So in hindsight, I think if we do this again or update the version, we can put more countries in there.

I don't know off the top of my head because I didn't research it in detail. But what I can tell you is this-- that the Middle East and many of the other countries over there are also following the WCAG guidelines. There wasn't anything special or different. I am not personally aware of actual laws in India. What I have been privy to is a lot more of the directive-type of thing like the EU has. So they're pretty similar there.

There are a lot of companies who have offshore teams in India. Our experience in working with them is there still needs to be a tremendous amount of education about live user testing. Some of the things I see in other countries is that tendency to run scans on things and use automated testing and think that that means compliance.

And I'm not accusing India developers as a group of this. But it's something that I see in our practice working with companies in every country. So happy to follow up and make an amendment to the slide deck about what's going on in India. It's a great question. Thank you.

KIM ROBBINS: Amazing. Thank you so much. We are going to end it there. So everyone will receive a recording of this presentation that they can reference later. Thank you so much for joining. And thank you so much, Michele, for a great presentation. And I hope everyone has a great day.

MICHELE LANDIS: You're welcome. Thanks for caring about accessibility. Thanks so much.