



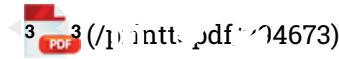
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# Hotels are grappling with accessibility on websites

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A movement to create online and mobile presences for people with vision and hearing impairments is forcing the hotel industry to take stock of what it is doing and can do to be more inclusive.





(Illustration: Rachel Daub)

By Laura Koss-Feder  
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**GLOBAL REPORT**—Passed by the U.S. Congress in 1990, the Americans with Disabilities Act (ADA) did not account for how consumers would come to interact with businesses via the internet and apps on smartphones. But now businesses, including hotels, which have done the work to make sure their physical properties are ADA-compliant and properly accessible to people with disabilities, must do the same for their digital properties, experts say.

That includes websites with screen readers for the blind and closed-captioning for the hearing-impaired. Failure to meet such standards often results in legal consequences.

Elizabeth Samples, senior counsel and ADA expert in the Kansas City, Missouri, office of Husch Blackwell LLP, said her firm has “seen a significant increase in web accessibility lawsuits against public accommodations.”

“Courts have varied in their decisions about the applicability of the ADA to websites, but we are seeing a trend towards applying the ADA to websites, at least where the websites have a nexus to a place of public accommodation’s physical location and the services provided there,” she said.

Depending on how web content is programmed, it may be inaccessible to individuals with visual impairment (blindness, low vision, color-blindness), hearing impairment (deafness or being hard of hearing) or mobility impairment (inability to use a mouse, limited fine motor control), she noted.

#### **How to improve**

The first step is for a company to be aware of the short-comings and limitations of its websites.

The World Wide Web Consortium (“W3C”), an international consortium that develops web standards, has developed accessibility guidelines referred to as WCAG, Samples said. WCAG 2.0 is the widely-used industry standard for website accessibility.

“Obviously it takes time and resources to assess and modify existing web content, but increasingly companies and institutions are focusing on this issue and engaging in technical reviews and modifications to avoid higher cost incurred through complaints and litigation,” Samples said.



Amy Bruchs, managing partner in the Madison, Wisconsin office of Michael Best & Friedrich LLP, said the same attention must be given to mobile apps.

“I have seen an uptick of demand letters from plaintiffs regarding the accessibility of mobile phone apps—both in and out of the hotel industry,” she said.

Oxygen Hospitality Group—a real estate investment and management company, which is spending \$1.5 million on renovating the 100-room Ivy Palm Resort in Palm Springs, Calif., and plans to open 40 hotels in the next five years—is working on a new platform for its website that will make it accessible, CEO Yaron Ashkenazi said. The company hired a professional website designer to accomplish this goal.

He noted the company’s motivation isn’t simply compliance.

“Half of our bookings may come through the website, and you want to be able to reach your maximum audience that you can,” Ashkenazi said.

Just as hotels are understanding the need for wellness programs and how beneficial that can be for business, they need to focus more attention on the value of providing accessible websites and the potential ROI from these travelers who can book through the websites, he added.

As hotel brands work to improve their websites, changes continue to be made at the property level to address to the needs of those with disabilities. Last year, Accor announced its “Smart Room,” which is designed to meet the needs of every individual, including guests with reduced mobility, according to a company statement. This room features a door fitted with an assisted opening and closing system, an olfactory alarm clock and a touch-screen tablet to control all of the room’s functions.

“With the Smart Room concept, our goal is to inspire the hotel market by introducing a new approach to the traditional PRM (persons with reduced mobility) room, which is often unoccupied, not very welcoming and stigmatizing,” said Damien Perrot, SVP of design solutions at Accor. “We have envisioned a room for everyone, with design and creativity adhering to PRM standards and practices to the point that they disappear to the benefit of emotional and sensorial experience.”



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