



# ADA TODAY



## Newsletter

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### FCC Releases Video Description Rules

On August 25, 2011, the Commission released a Report and Order to adopt rules requiring video description for certain television programming. Video description is narrated descriptions of a television program's key visual elements inserted into natural pauses in the program's dialogue. Video descriptions improve access to television programs for millions of Americans who are blind or visually impaired.

The Commission adopted rules requiring video description in 2000, but those rules were struck down by a federal court in 2002. In 2010, Congress enacted the Twenty-First Century Communications and Video Accessibility Act (CVAA), which required reinstatement of those video description rules, with certain modifications.

These video description rules require ABC, CBS, Fox, and NBC affiliates in the top 25 market areas and cable and satellite television providers with more than 50,000 subscribers to provide video description. ABC, CBS, Fox, NBC, USA, the Disney Channel, TNT, Nickelodeon, and TBS are each required to provide 50 hours of video-described prime time or children's programming per calendar quarter. Full compliance with the rules is required on July 1, 2012.

Report and Order:  
[http://transition.fcc.gov/Daily\\_Releases/Daily\\_Business/2011/db0825/FCC-11-126A1.doc](http://transition.fcc.gov/Daily_Releases/Daily_Business/2011/db0825/FCC-11-126A1.doc)

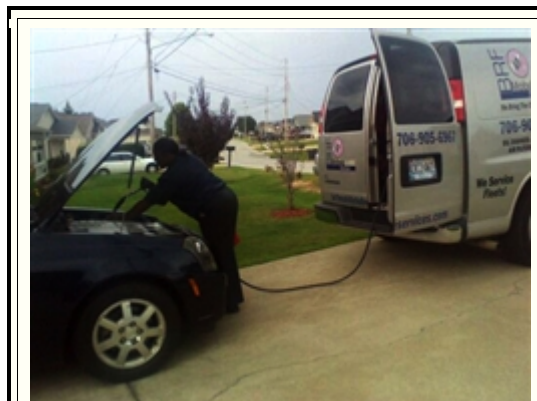
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### Program Helps Disabled Vets Become Entrepreneurs

By Donna Miles  
American Forces Press Service

WASHINGTON, Aug. 1, 2011 – Retired Army Sgt. 1st Class Renee Floyd wasn't about to let a disability stop her from realizing her dream of having her own business.



Retired Army Sgt. 1st Class Renee Floyd uses lessons from the Entrepreneurship Bootcamp for Veterans With Disabilities at Florida State University to build her business, BRF Mobile Lube Service, in Phenix City, Ala. Courtesy photo  
(Click photo for screen-resolution image); [high-resolution image](#) available.

Applying 21 years of experience as an Army mechanic, she launched BRF Mobile Lube Service in Phenix City, Ala., in 2009 and began traveling to people's homes and businesses to provide convenient oil changes and maintenance services.

But her big break came last month, she said, when she attended the Entrepreneurship Bootcamp for Veterans With Disabilities at Florida State University. The nine-day EBV crash course is part of a program designed to help participants get their businesses off the ground or enhance ventures they have started.

[>>>For the Full Article](#)

## People with Disabilities Remain Unemployed at Higher Rate than Other Americans

*July Stats Show Year-Over-Year Increase in Unemployment for Americans with Disabilities*

While the unemployment rate for Americans without disabilities dipped slightly in July, the American Association of People with Disabilities (AAPD) decried the disproportionately high unemployment rate for people with disabilities and its increase since July 2010.

"A 16.8 percent unemployment rate is unacceptable," says Mark Perriello, President and CEO of the nation's largest cross-disability advocacy organization. This is a significant increase from July 2010, when we were at 16.4%. This needs to change."

"More than three quarters of a million people without disabilities have been hired over the last year," Perriello added. "It's time for employers to step up to the plate, set some targets, and hire qualified people from our community as well."

"For a qualified person with a disability who wants to work, who wants to get out there and contribute to her community, to be responsible for herself — we can't say to that person, no, this country doesn't value what you have to offer," said Joyce Bender, AAPD Board Chair and President of Bender Consulting. "We need to open the doors of freedom through competitive employment to all people," she added.

According to the latest information released by the Bureau of Labor Statistics, over 970,000 people with disabilities were unemployed in July 2011, compared to 919,000 last year. [BLS table at <http://www.bls.gov/news.release/empsit.t06.htm>]

AAPD has long recognized that employment plays a critical role in economic sufficiency and independence for people with disabilities. The organization is committed to improving employment outcomes for people with disabilities, and reversing the persistently high percentages of people with disabilities who are not working but are ready, willing, and able to work.

For more on AAPD and employment visit: <http://www.aapd.com/site/c.pv11kNWJqE/b.5606>

### [AAPD and Friends Remember Fred Fay](#)

September 12, 1944- August 20, 2011

**From AAPD (8.25.2011):**

Dear Friends:

By now many of you have received the sad news that Fred Fay passed away this past weekend. Our movement has lost a fighter, an innovator, and a problem solver. We have also lost a friend.

Through the assistive technology he developed or the legislation he championed, Fred changed our lives and our world in tangible ways. When Fred was invited to the White House in 1964, his wheelchair had to be bumped up the steps because the White House was not accessible. It is accessible today, and that means more than just being able to attend a signing ceremony or go on a tour. It means having the opportunity to make our case to the highest levels of government. We owe this opportunity in no small part to Fred, who fought with equal passion for access to education and employment and who inspired so many people to fight alongside him.

It would be impossible to give a complete recitation of Fred's accomplishments in this letter. We are posting links to some of the articles that have been published in the past few days. We're also pleased to share letters from Yoshiko Dart and Becky Ogle.

We believe that the best tribute we could pay to Fred is to use Justice for All—which Fred co-founded and loved—as a forum to share our thoughts about Fred's life and about how to continue our civil rights work together. Please submit your comments below to join in the conversation about taking this work forward with the same passion that Fred brought to it.

Sincerely,

Mark Perriello      Helena Berger  
President and CEO    Executive Vice President and COO

## UPCOMING DISABILITY RELATED EVENTS

[The Autism and Employment Webinar Learning Series: Real Lives, Real Stories](#) *Wednesday, September 7, 2011 - 12:00pm EST - 1:00pm EST*: The Real Lives, Real Stories webinar will give VR personnel specific, real cases of 3-6 transition age individuals with autism who have achieved competitive employment or are in the process of seeking and achieving competitive, customized employment.

[Virtual Forum on Improving Access to Federal IT - September 8](#) The U.S. Access Board and the Chief Information Officers Council will conduct an online listening session on **September 8, 2011** from 2 - 5 p.m. Eastern Time. The forum will discuss ways to improve access to information technology (IT) by people with disabilities in the federal sector. Participants will be able to suggest ways the federal government can improve how it buys and uses accessible technology under [Section 508 of the Rehabilitation Act](#). Participants can attend by logging onto the webinar, which will be captioned, or by calling in using the [instructions](#) posted on the Access Board's website. Advance registration is not required. *Posted: 08/21/11 to [Technology](#)*

[U.S. Launch and Symposium for the World Report on Disability](#) *Monday, September 12, 2011 - Tuesday, September 13, 2011* Location: Arlington, VA: The Center for International Rehabilitation Research Information and Exchange will conduct a two-day symposium, September 12 and 13, 2011, on the World report on disability, which is being released by the World Health Organization and the World Bank on 9 June, 2011. This USA launch event will be conducted in cooperation with WHO, the Pan American Health Organization, the World Bank, the Interagency Committee on Disability Research, and the United States International Council on Disabilities.

[Section 504 Self-Evaluation Public Forum - September 20](#) The Social Security Administration will host a public forum on [Section 504 of the Rehabilitation Act](#) on **Tuesday, September 20, 2011**, in Falls Church, VA from 9:30 a.m. to 4 p.m. Eastern. Comments are welcome on Social Security's compliance with Section 504. [Comments](#) related to information technology and communications may be provided in person, by telephone or by telephone relay service. Attendees who wish to speak at the hearing must register. All attendees should [register online](#) prior to the hearing. Contact Mariangela Rosa by phone at **1-877-794-7395** or **1-800-325-0778 (TTY)**, or by [email](#) for further assistance. *Posted: 08/17/11 to [Technology](#)*

[Inequity to Equity: Promoting Health and Wellness of Women with Disabilities](#) *Monday, October 17, 2011 - Tuesday, October 18, 2011* - Location: Washington, DC: Join the American Psychological Association, the Howard University Women's Health Institute, and Gallaudet University for an interactive, interdisciplinary conference. By promoting the exchange of knowledge and information among psychologists, other health care providers, researchers, educators, policymakers, women with disabilities and advocates, this conference aims to foster an integrated health care agenda that will improve health outcomes for women with disabilities.

[1.1: Overview of SSA Disability Determination and Social Security Disability Insurance](#) The Social Security Administration (SSA) administers two disability benefit programs: Social Security Disability Insurance (SSDI) and

Supplemental Security Income (SSI). The disability determination process is the same for both programs and will be reviewed in this course. All workers who have a FICA deduction from their paychecks are purchasing a disability insurance plan and retirement pension. SSA administers the insurance program that provides insured workers with disabilities cash and health benefits. This program has strict rules and processes for both the standard of disability and the determination process. Learn how disability decisions are made, who makes them, and what an applicant can do after receiving an unfavorable decision. Project: [ediONLINE](#) Location: Webinar

### [1.2 Overview of Supplemental Security Income](#)

Supplemental Security Income (SSI) is a federally-administered means-tested program available to individuals who are aged, blind and/or disabled who meet specific eligibility criteria. Having replaced individual state programs in 1974, SSI is intended to provide a basic level of income and health to assist a recipient in meeting the basic needs for food and shelter. The SSI program, administered by the Social Security Administration, contains a vast system of rules and regulations concerning categorical, financial and disability eligibility. This session will provide an organized, thematic view of this complex and important social program. Project: [ediONLINE](#) Location: Webinar

### [Reaching the Gatekeepers of Disability Inclusiveness in the Workplace: A Just-in-Time Approach for Mid-level Managers](#)

Managers and supervisors are the kingpins of any diversity or inclusion initiative in the workplace. They are the first-line gatekeepers of decisions about hiring, coaching, performance, promotions, employee development, accommodation and termination. Yet, they have largely been left out of the equation when we consider disability inclusiveness efforts. Thus far, no disability inclusiveness programs have been crafted specifically to engage mid-level managers—to fit their roles, their challenges and their unique contribution to the inclusion effort. The “world” of the manager/supervisor has changed dramatically over the past two decades. Managers today have more direct reports, must often lead remotely, are confronted by rapidly changing, complex organizational structures, and often face increasing productivity expectations along with shrinking budgets. Also, there is significant “churn” today in the manager/supervisor role and this constant change in manager/supervisor ranks clearly impacts the work lives of people with disabilities. For these reasons, traditional training may not be the best way to reach these key players. What is needed is an initiative that makes sense and is useable in the world of a manager. What is needed is a “just-in-time” approach. During this webinar, we will discuss how economic and workforce trends have impacted the world of the mid-level manager and what this could mean for workers with disabilities. Then, we will review a new approach being taken by the Northeast ADA Center at Cornell University to enhance disability inclusiveness in the workplace by reaching mid-level managers. This webinar is ideally suited for human resource professionals, diversity professionals, people with disabilities, disability service providers, ADA Coordinators, state/local government professionals, career counselors, and anyone interested in disability and workplace issues. Project: [DBTAC-Northeast ADA Center](#) Location: Webinar ability

# Federal News

**FEMA Urges Americans to Participate in September's National Preparedness Month** The Federal Emergency Management Agency's (FEMA) Ready Campaign has new Web tools to help individuals and organizations join the [2011 National Preparedness Month \(NPM\)](#) coalition. NPM is held each September and encourages Americans to take simple steps to prepare for emergencies. [Register](#) online to join the coalition. The [Ready Campaign](#) website also has specific emergency preparedness information for people with disabilities. *Posted: 08/25/11 to [Emergency Preparedness](#)*

**Agreement Reached to Ensure Access for People with Disabilities in Maryland**

The U.S. Department of Justice has announced an agreement with Montgomery County, MD and the Maryland National Capital Park and Planning Commission (MNCPPC) to improve access to all aspects of civic life for people with disabilities. The agreement was reached under [Project Civic Access](#). The county and MNCPPC will take several steps, including making changes so that parking, routes into the buildings, entrances, service areas and counters, restrooms, public telephones and other facilities are accessible to people with disabilities. *Posted: 08/16/11 to [Civil Rights](#)*

**Surveying Company to Pay \$77,000 to Settle EEOC Disability Discrimination Lawsuit**

Fisher, Collins & Carter, Inc. of Ellicott City, MD will pay \$77,000 and other remedial relief to settle a disability discrimination lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC). The company illegally discriminated against and fired an employee of 15 years after finding out that the employee had diabetes and high blood pressure. This is a violation of the [Americans with Disabilities Act](#). *Posted: 06/21/11 to [Civil Rights](#)*

**Two Men Plead Guilty to Assault on Man with Developmental Disability** Two men in Albuquerque, NM have pleaded guilty to federal hate crime charges related to a racially-motivated assault of a 22-year-old man of Navajo descent who has a significant cognitive impairment. A third man had previously pleaded guilty in June 2011 to conspiracy for this crime. The men branded the victim's body with white supremacist and anti-Native American symbols. The indictment also alleges that the defendants took advantage of the victim's developmental disability to convince him to make a cell phone video in which he seems to agree to the branding. *Posted: 08/25/11 to [Civil Rights](#)*

**EEOC Sues Rexnord for Disability Discrimination**

The U.S. Equal Employment Opportunity Commission (EEOC) has sued Rexnord Industries, LLC for violating the [Americans with Disabilities Act](#) by firing an employee because of her disability. The employee, who suffers from migraines, became ill at the job on two occasions and the company determined that she has a seizure disorder. *Posted: 08/19/11 to [Civil Rights](#)*

**American Council of Blind & Google Conduct Joint Survey on Computer Accessibility Barriers**

The [American Council of the Blind \(ACB\)](#) and [Google, Inc.](#) are conducting a survey to understand computer and assistive technology usage in the blind community. Participants can take the survey online on the [ACB website](#) or by telephone between 11 a.m. and 9:00 p.m. Eastern Time, Monday-Saturday, at **1-347-772-8355**. The survey is expected to close on **September 30, 2011**. *Posted: 08/19/11 to [Technology](#)*

**The Great Recession & Serving Dislocated Workers with Disabilities: Perspectives from One-Stop Career Centers & Rapid Response Coordinators** Report from the National Technical Assistance and Research (NTAR) [Leadership Center](#) on the extent to which people with disabilities who had lost their jobs between 2007 and 2009 sought services from the public workforce system. The report also identifies strategies that were used at the state and local levels to help these workers get back to work. This link opens a PDF document. *Posted: 08/19/11 to [Employment](#)*

**EEOC Sues Old Dominion Freight Line for Disability Discrimination**

The U.S. Equal Employment Opportunity Commission (EEOC) has sued Old Dominion Freight Line for discriminating against a truck driver because of his disability. When the driver reported that he had an alcohol problem, the company suspended him from driving and referred him to a substance abuse treatment program. They also told him he would never return to his driving position even after completing the program. It is a violation of the [Americans With Disabilities Act](#) to discriminate against employees or applicants because of a disability. *Posted: 08/17/11 to [Civil Rights](#)*

**EEOC Sues The Jackson Sun for Disability Discrimination**

The U.S. Equal Employment Opportunity Commission (EEOC) has sued *The Jackson Sun*, a Gannett daily newspaper, and its affiliated companies for disability discrimination. The newspaper fired a manager who needed reasonable accommodations after being permanently injured during back surgery. Firing an employee because of a disability violates the [Americans With Disabilities Act](#). *Posted: 08/16/11 to [Civil Rights](#)*

**Grant Application Period Closes September 2 Reminder: The Closing Date for Cooperative Agreements Applications for the second round of Add Us In is Friday September 2, 2011.**

[Apply for the second round of Add Us In grants](#)

# Mayor's Annual Disability Awareness Expo

In celebration of National Disability Employment Awareness Month will be held on:

When: Saturday, October 8, 2011  
Time: 10:00 AM to 3:00 PM  
Where: Martin Luther King, Jr. Memorial Library  
901 G St., NW, Washington, DC

The event will highlight the employment, health, recreation, and service needs for all persons with disabilities.

The Expo is **FREE** and open to the public.

For more information contact the DC Office of Disability Rights at 202-724-5055.



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*For Information about ODR's Newsletter call 202-724-5055 or visit the web at [odr.dc.gov](http://odr.dc.gov).*



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## **MISSION STATEMENT**

The mission of the District Office of Disability Rights (ODR) is to ensure that the programs, services, benefits, activities and facilities operated or funded by the District of Columbia are fully accessible to, and useable by people with disabilities. ODR is committed to inclusion, community-based services, and self-determination for people with disabilities. ODR is responsible for overseeing the implementation of the City's obligations under the Americans with Disabilities Act (ADA) as well as other disability rights laws.