

Designs for the 21st Century

Owners and Manufacturers Go Beyond the ADA to Attract Customers

Examples of universal design are gaining market appeal, if the results of an effort by the National Endowment for the Arts and the National Building Museum are any indication.

More than 130 images showing exceptional universal design projects were selected as part of an effort known as the "Search for Excellence in Universal Design." The effort is intended to motivate and educate designers to adopt the concept of universal design so that people will be better served throughout their lifespan by buildings, public spaces, objects and communications.

"This project is about building a better mousetrap that people will want to buy," said John P.S. Salmen, AIA, project leader and president of Universal Designers & Consultants Inc., Rockville, Md. "We were overwhelmed by the enthusiastic response to the project and the quality of the submissions and hope that private support will allow us to repeat the project next year."

During the project, images showing examples of universal design excellence in the fields of architecture, interior design, landscape architecture, graphic design and

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Mitchell/Giurgola Architects

The dual height panel doors at the Lighthouse Inc. improve usability and convenience for children and their supervisors.

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What is "Readily Achievable?"

Enforcement Confuses Well-Meaning Companies

The enforcement of a clause in the Americans with Disabilities Act (ADA) Title III regulations intended to make the transition to accessibility easier for businesses, has businesses feeling uncertain about what is "readily achievable."

In two settled cases, the Department of Justice (DOJ) has seemingly come down hard on businesses in the process of making their facilities fully accessible.

DOJ pursued a settlement agreement with Hyatt Regency Dallas Hotel after a complaint was filed by the Spina Bifida Association because attendees of the association's annual convention saw upon arriving at the hotel that guestrooms, restrooms, hot tub and swimming pool areas were not fully accessible.

See What is "Readily Achievable," page 10



Your Chance to Speak Up... Comment With Care

At last, two years of meetings, endless negotiations and testimony are just about over. The latest versions of the CABO/ANSI A117.1 Standard for Accessible and Useable Buildings (ANSI standard) and the Americans with Disabilities Act Accessibility Guidelines (ADAAG) are finished. And soon, both documents will be available for a limited period of public review and comment.

The two standards are dramatically different from previous versions, especially in terms of the format. They are both now organized under a chapter system which will hopefully make it easier to find specific information. This new format will make it more difficult, however to compare the new documents to the previous versions. Perhaps most important, the two documents have been "harmonized" and are in many respects as close to being identical as is reasonably possible. (Harmonizing a civil rights law with a building code is no simple task!) This harmonization is going to make life a lot easier for those of us who try to design buildings in compliance with both local building codes

and the ADA.

The final step before these documents can proceed with implementation is the public comment period. A notice of proposed rulemaking is expected on ADAAG in early 1997 and the ANSI standard will go out for public review around the same time. Copies can be obtained from the U.S. Architectural and Transportation Barriers Compliance Board (Access Board) and the Council of American Building Officials (CABO), respectively. There is a risk however that modifications to the documents in response to the public comments will reduce or eliminate the delicate harmony that presently exists.

So while this is your opportunity for comment, it is important for everyone to exercise a measure of control. If you suggest a change to one document, you should suggest it to both. Please comment with care! Both of these documents will be updated in the future, but now is our first real chance to eliminate the difference and make it easier for our world to become accessible for all.

Highlights of ADAAG Revision Special Occupancy Recommendations

Editor's note: This is the first in a series of articles reviewing subcommittee recommendations of the ADAAG Review Federal Advisory Committee that was charged with the task of revising the Americans with Disabilities Act Accessibility Guidelines (ADAAG).

Special Occupancy Subcommittee

Throughout the Special Occupancy section, the subcommittee sought to clarify language, eliminate unenforceable clauses and make the language compatible with existing codes. The existing ADAAG has six sections (5-10) dealing with special occupancy types such as retail, libraries, etc. These sections mixed scoping and technical requirements which has been a source of much confusion. The subcommittee recommended that all the sections be eliminated (except transportation because of its unique characteristics) and the criteria relocated into the appropriate scoping or technical chapters of the

new standard. For parking, the subcommittee suggested clarified and reworded criteria and recommended that even very small parking lots have at least one accessible space, though it need not be signed as an accessible space if there are less than six spaces overall. The access aisle would be required to be the full length of the parking space and the curb ramp could not project into that aisle.

Medical facilities were expanded to include long



Olympic Stadium demonstrates wheelchair clusters

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ADA Consulting Scam Averted

A federal grand jury has indicted eight participants of a mail fraud and money laundering scheme which sold disability-access inspector licenses and targeted legitimate businesses seeking to comply with the Americans with Disabilities Act (ADA).

Victims of the scam paid the National Consulting Institute (NCI), a sham company, up to \$10,000 for ADA inspector licenses -- even though the law does not authorize licenses. Under the sham, investors were told they could earn up to \$45,000 per year inspecting businesses for violations of the ADA.

Using inadequate criteria, the "consultants" inspected a company for alleged ADA violations. The charge for this service was a \$100 processing fee. Following an evaluation, NCI used scare tactics to warn managers about the large financial penalties they faced if hit with an ADA lawsuit. It cost businesses another \$400 to \$1,000 to learn what action was necessary to avoid charges.

Investors were further duped into purchasing skid resistant chemicals for which, in many cases, they paid more than \$10,000 for storage. NCI promised to pay individuals \$5 for each gallon of chemicals sold to businesses. The substance was supposed to make surfaces more accessible to people using wheelchairs when in reality, it tended to make floors more dangerous.

DOJ recently notified about 800 people victimized by this scandal that they may be able to recover some of their losses. Federal agents seized \$3.1 million in assets which will be sold and the proceeds distributed following sentencing of the guilty parties.

Individuals who suspect they may have been caught in NCI's trap and/or have questions regarding the ADA should call DOJ's ADA Information Line at 800.514.0301 (v) or 800.514.0383 (tty).

Architect Fined Under ADA

For the first time, an architect has been fined for non-compliance under the American with Disabilities Act (ADA). In a case that involves a medical office building in Hershey, Pa., both the architect and the owner reached agreements with the Department of Justice. A July 1994 complaint alleged that a newly-constructed two-story medical office building had been built with an internal staircase but without an elevator as required by the ADA Standards for Accessible Design. A DOJ investigation found that the building, which was designed by architects at Brad-

ley Chamber and Frye, contained an elevator shaft, although no elevator was actually installed. The investigation also found several other violations of ADA standards, including inaccessible staff rooms, restrooms, and showers, as well as several violations in the parking lot.

In June, two agreements and a complaint were filed in U.S. District Court in Harrisburg.

"These agreements should act as a reminder that architects, as well as others involved in the design and construction of public accommodations, share responsibility for complying with the ADA's new construction standards," said Deval L. Patrick, assistant attorney general for civil rights.

Under the agreement the parties have installed an elevator in the building and have completed other structural modifications to comply with the new construction standards. The owner will pay a \$10,000 civil penalty and the architect will pay \$8,000.

New DBTACs Announced

The National Institute of Disability and Rehabilitation Research has announced the new Disability and Business Technical Assistance Center (DBTAC) grantees for fiscal year 1996 to 2001. All can be reached by calling 800.949.4ADA. They are as follows:

Region I: (CT, ME, MA, NH, RI, VT) Adaptive Environments, 374 Congress St., Suite 301, Boston, MA 02210

Region II: (NY, NJ, Puerto Rico, Virgin Islands) United Cerebral Palsy Associations of New Jersey, 354 South Broad St., Trenton, NJ 08608

Region III: (MD, VA, WVA, DC, PA, DE) TansCen Inc., 451 Hungerford Dr., Suite 700, Rockville, MD 20850

Region IV: (KY, TN, NC, SC, MS, AL, GA, FL) United Cerebral Palsy Associations, Inc., 1660 L St., NW, Suite 700, Washington, D.C. 20036

Region V: (IL, IN, MI, MN, OH, WI) University of Illinois/Chicago, Institute on Disability and Human Development, 1640 West Roosevelt Rd., Chicago, IL 60608

Region VI: (NM, TX, OK, AR, LA) The Institute for Rehabilitation Research, 2323 South Shepherd Blvd., Suite 1000, Houston, TX 77019

Region VII: (MO, NE, IA, KS) University of Missouri/Columbia, 4816 Santana Circle, Columbia, MO 65203

Region VIII: (CO, MT, ND, SD, UT, WY) Meeting the Challenge Inc., 3630 Sinton Rd., Suite 103, Colorado Springs, CO 80907

Region IX: (CA, AZ, HI, NV, Pacific Basin) California Public Health Foundation, 2001 Addison Rd., Suite 210, Berkeley, CA 94704

Region X: (WA, AK, OR, ID) Washington State Governor's Committee on Disability Issues and Employment, 605 Woodland Square Loop, Lacey, WA 98503 

"...architects, as well as others involved in the design and construction of public accommodations, share responsibility for complying with the ADA's new construction standards."

Deval L. Patrick,
assistant attorney
general for civil rights

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industrial design were solicited, collected and evaluated. Choosing from the submissions, a jury selected examples that go beyond compliance with the Americans with Disabilities Act (ADA) Standards for Accessible Design to create products and environments that are useable by the broadest possible segment of the public. The examples are intended to illustrate the universal design principles of: simplicity, flexibility, tolerance, operability



The entrance vestibule at the Lighthouse Inc. has some creative, practical designs.

The jury was made up of nationally-recognized leaders in universal design and included:

- Ron Mace, FAIA, director, Center for Universal Design at N.C. State University, Raleigh, N.C.;
- Bill Lebovich, author of Design for Dignity;
- James Mueller, director, Universal Design Initiative, Chantilly, Va.;
- Elaine Ostroff, executive director, Adaptive Environments Center, Boston;
- Edward Steinfeld, professor of architecture at the

State University of New York, Buffalo and president of the Association for Safe and Accessible Products;

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The Search for Excellence in Universal Design

Project: The Lighthouse Inc., New York

Submitted by: Mitchell/Giurgola Architects, New York

Category: Architecture

Discussion: The Lighthouse Inc. building is elegant and effective. The overall design makes it extremely functional for users with vision impairments, while aesthetically pleasing and user-friendly for a wide range of users, including children and older people.

The use of lighting, color and color contrast define such features as stairs, hallways, door openings and railings, and help to make the facility safer and more easily perceptible for everyone. The rectilinear circulation plan, lighting, use of symbols and color patterns and careful placement of elements such as the information desks at corners on each floor make way-finding simple and building use more equitable.

The children's toilet room and the dual height view panel doors, improve usability, safety and convenience for children and their supervisors. The entrance vestibule has some creative, practical designs. The location of the operable sliding doors next to the wall and the installation of a handrail to separate the in and out traffic lanes is a convenient safety way-finding feature for some and an optional assist and traffic flow organizer for others.

Editor's note: This article is the first in a series on excellence in universal design. Each article will highlight a project from the NEA and the elements which make it exemplary.



The children's toilet room at the Lighthouse Inc. enhances safety and convenience.

The jury was made up of nationally-recognized leaders in universal design...

Mitchell/Giurgola Architects

Mitchell/Giurgola Architects

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Mitchell/Giurgola Architects

An information desk at the Lighthouse Inc. makes wayfinding simple.

- Paul Arthur, president, Paul Arthur VisuCom, Ltd., Toronto;
- Meredith Davis, professor of graphic design, N.C. State University; and
- Cynthia Leibrock, ASID, author of Beautiful Barrier Free and president of Easy Access Inc., Fort Collins, Colo.

With the assistance of user/experts, the group reviewed images for design excellence as well as usability by diverse users.

The final 35mm slide presentation will feature: 48 images of architectural design from 11 projects; seven images of graphic design from two projects; 26 images of industrial design from 10 projects; 37 images of interior design from eight projects; and 21 images of landscape design from six projects.

The collection will be available after Oct. 21 from Universal Designers & Consultants Inc. To order or for more information, call 301.777.7890 (v/tty). The cost of the full set of 139 images and accompanying training guide is \$150, plus shipping. 

Images of excellence

Elements of the following list of projects were accepted for inclusion in the "NEA Images of Universal Design Excellence Project." (Note: The order reflects the submission sequence only and not the importance or quality of the project)

- Rogue Rive National Forest**, USDA Forest Service, Siskiyou National Forest, Grants Pass, Ore.
- Cuddle Tub**, Anderson Design Associates Inc., Plainville, Conn.
- Automatic Public Toilet**, JCDecaux, USA, New York
- Rest Seat**, Donnelly Design, Davis, Calif.
- GE Real Life Design Kitchen**, Mary Jo Peterson Design Consultants, Brookfield, Conn.
- Purks' Residence Bath**, Gilreath and Associates, Atlanta
- Unit Dose Medication Cart**, InterMetro Industries Corp., Wilkes Barre, Pa.
- Stor Trac**, Stor Trac Company, Denver
- Playscenes**, Playworld Systems & PlayDesigns, New Berlin, Pa.
- Miconic 10 Elevator System**, Schindler Elevator Corporation, Morristown, N.J.
- The Lighthouse Inc.**, Mitchell/Giurgola Architects, New York
- Talking Signs**, Smith-Kettlewell Eye Research Institute, San Francisco
- Window Latches at The Owens**, Design One, Lemont, Ill.
- Matheny School and Hospital Auditorium**, Ford Farewell Mills & Gatsch, Princeton, N.J.
- REHAB 1,2,3**, GUYNES Design Inc., Phoenix
- Wayfinding Signage at The Lighthouse Inc.**, Whitehouse & Company, New York
- Hunnewell Visitors Center**, The Arnold Arboretum of Harvard University, Carol R. Johnson Associates Inc., Cambridge, Mass.
- Meandering Brook at The Children's Museum**, Boston, Carol R. Johnson Associates Inc., Cambridge, Mass.
- International Fountain, Seattle**, Nakano-Dennis Landscape Architects, Seattle
- Mobile Computer**, Carlson Technology Inc., Livonia, Mich.
- Oxo Good Grips**, Smart Design Inc., New York
- Cicena Home Phones**, Smart Design Inc., New York
- SmartPower Hand Mixer**, Smart Design Inc., New York
- GOcup**, Tim Johnson Design Inc., Boston
- Catherine Morrill Day Nursery Ramp**, Barba Architecture & Preservation, Portland, Maine
- Chemistry Workstation**, Blake-Drucker Architects, Oakland, Calif.
- Decora Switch**, Illuminated Switch, and 911 Switch, Leviton Manufacturing Co., Little Neck, N.Y.
- Compliers, Compilers Inc.**, West Lafayette, Ind.
- KUDO Crafters Clamps**, Compilers Inc., West Lafayette, Ind.
- Flood Park**, Moore Iacofano Goltsman Inc., Berkely, Calif.
- Sidelights at Entrances**, The Center for Universal Design, Raleigh, N.C.
- Earth Berm and Bridge**, The Center for Universal Design, Raleigh, N.C.
- Adaptable Base Cabinet**, The Center for Universal Design, Raleigh, N.C.
- Hopewell Town Hall Terrace**, Nichols Design Associates Inc., Washington, D.C.
- Raymond F. Kravis Center for the Performing Arts Inc.**, West Palm Beach, Fla.

Don't Get Scammed

How to Find an Accessibility Consultant Who Won't Take You for a Ride

Baited with the threat of lawsuits, businesses across the country attempting to comply with the Americans with Disabilities Act (ADA) paid hundreds of thousands of dollars for bogus advice from ill-credentialed accessibility inspectors, according to the Department of Justice (DOJ). (See story on page 3).

The sham operation, the National Consulting Institute, was shut down and the participants arrested. While a sad reminder of the existence of unscrupulous people, the incident helps to alert businesses seeking ADA compliance to exercise caution when looking for help.

As always, misguided interpretations or simple misunderstandings of the law and its regulations can quickly lead to costly and undesirable consequences. Putting accessibility concerns in the lap of an architect, interior designer, code consultant, risk analyst or an attorney will not produce satisfactory results unless the consultant has sufficient accessibility experience to understand the basis of the ADA and its regulations. Just as having a driver's license does not

make someone an expert in repairing automobiles, neither does being a licensed design professional or lawyer make someone an expert on the ADA and the ADA Standards for Accessible Design.

As soon as the ADA was passed, the number of accessibility consultants ballooned. Unfortunately, not all the so-called "consultants" have the qualifications needed to help businesses with ADA compliance. With more accessibility consultants to choose from than ever, finding a qualified one takes even more careful research.

Here are some tips for conducting for an ADA accessibility consultant search:

- Beware of any company that claims its products or services are "ADA Certified" or "ADA Approved," according to the Mid-Atlantic ADA Disability and Business Technical Assistance Center. This should be an instant tip off that something is wrong because there are currently no certification standards or qualifications issued by any regulatory body.

- Use recommendations and professional networks to locate qualified ADA consultants.

- Look for a firm that has been around for a while and has a good reputation. Inquire about the company's insurance coverage and any necessary licenses or professional certifications.

- Carefully examine the credentials of individuals being considered for providing ADA-related services.

- Ask detailed questions about the consultant's experience and training in accessibility.

- Ask how and when they learned about the ADA and its regulations.

- Ask about their knowledge of changes and additions being considered for the ADA regulations.

- Ask to see examples of their work and carefully check their references for ADA services.

- Ask the consultant to certify in writing that he or she meets the common law standard of care for providing ADA consulting services which for design professionals is described as "a duty to have the degree of learning and skill ordinarily possessed by a reputable design professional practicing in the same or similar locality and under similar circumstances."

- Avoid companies that use high pressure tactics and check with your local Better Business Bureau if you have any concerns.

For comprehensive ADA information and references, call the federally-funded technical assistance center in your region at 800.949.4232. 

Anyone who believes he or she was a victim of this crime should contact the ADA information line at 800.514.0301 (v) or 800.514.0383 (tty).

Makita

ADA Resources Guide

The National Rehabilitation Information Center's (NARIC) 1996 edition of its guide to Resources for the Americans with Disabilities Act (ADA) includes a compilation of guides, manuals, publications, training programs, and technical assistance pertaining to the ADA which are available to the public at no charge or for a nominal fee.

A collaborative effort, headed by Carol Boyer and Dan Wendling with oversight from NARIC project director Mark Odum, the guide is divided into categories including: general resources and resources specific to each of the four titles of the ADA (employment, public services, public accommodations, and telecommunications).

The authors then categorize each resource by type, i.e. organization, periodicals, software, computer bulletin boards, documents, etc. An alphabetical list of private sector resources follows a listing of federal ADA regulatory agencies.

Many of the citations in the guide include phone numbers, tty numbers, and/or addresses. However, the authors indicate that neither NARIC nor the National Institute on Disability and Rehabilitation (NIDRR) endorses products, companies, private associations, or organizations.

Most NARIC publications come in a variety of accessible formats.

For more information, contact NARIC at 8455 Colesville Rd., Suite 935, Silver Spring, MD 20910-3319; phone 800.346.2742 (v), 301.588.9284 (v), 301.495.5626 (tty); e-mail naric@capaccess.org; or <http://www.naric.com/naric>

ADA Self-Evaluation Guide for Schools

The U.S. Department of Education Office of Civil Rights (OCR), in conjunction with Adaptive Environments Inc. has developed a guide to assist public school systems achieve full compliance with the Americans with Disabilities Act (ADA) in [Compliance with the Americans with Disabilities Act: A Self-Evaluation Guide for Elementary and Secondary Schools](#).

The resource offers recommendations in three broad areas: compliance planning procedures; conducting a self-evaluation and transition plan; and making modifications where needed.

Whether a school system is in the planning stages or has completed the evaluation process, this book serves as a valuable tool.

Worksheets allow ADA coordinators to keep track of the entire process. And time lines indicated when each step should be completed.

To order the guide, contact the Government Printing Office at 202.512.1800.

Creative Solutions for ADA Compliance

Edited by Roberta L. Null, Ph.D. with Kenneth F. Cherry, [Universal Design: Creative Strategies for ADA Compliance](#) is a collection of articles that stress the challenges facing architects and others in a changing society.

What is changing, it seems, is a collective mind set which formerly assumed that designs and products created specifically for people with special needs such as senior citizens or people with disabilities were mutually exclusive from those designed for the rest of the world.

To some extent, according to the authors, professionals and the public at large are realizing the benefits of "planning ahead for your family's needs," and finding solutions to accessibility problems that are "better for everyone."

One of the objectives of the book is to emphasize that simply meeting minimal accessibility standards is only a band-aid approach. Universal design, however, combines functionality, (i.e., ADA compliance) with aesthetics.

Null considers the four cornerstones of universal design to be supportive design, adaptability, accessibility and safety-oriented design.

The text uses strategies and case studies to demonstrate the benefits of universal design in the workplace, public facilities, and the home. Numerous photographs and illustrations further enhance the book.

For more information, contact Professional Publications Inc. at 1250 Fifth Ave., Belmont, CA 94002-3863; phone 415.593.9119. 



What is changing, it seems, is a collective mind set which formerly assumed that designs and products created specifically for people with special needs such as senior citizens or people with disabilities were mutually exclusive from those designed for the rest of the world.

"Universal Design: Creative Solutions for ADA Compliance"

? **Problem:** How do you make a transit system fare gate accessible to someone who uses a wheelchair?

TIP: The Washington, D.C. area's subway has an innovative system that works for strollers and people with rolling luggage as well as those who use wheelchairs. Its telescoping arms create a 36" wide opening and the farecard insertion slot also serves as the retrieval point, making it easier to insert the fare. Special "Go Cards" are also available. These cards don't need to be inserted, because they are read by a proximity detector.



? **Problem:** How can you make visual displays easier to read for people who have difficulty seeing?

TIP: Dr. Gregg Vanderheiden of the Trace Research Center, University of Wisconsin-Madison makes the following suggestions in his 1991 book Guidelines for the Design of Consumer Products.

- Use upper and lower case type to maximize readability.
- Use high contrast between text or graphics and background.
- Provide adjustable color selection (hue and/or intensity).
- Replace or supplement color coding with different shape or relative position coding.
- Avoid the use of the color blue to convey important information because of the blue, green, violet color confusion that occurs with aging of the human eye. 

Revsion Highlights, from page 2

term care, but the definition was clarified to only include licensed facilities. This would eliminate the confusion of whether or not an apartment building where physical care is provided would be covered (it would not). While accessibility drop off areas would be required at the entrances, no canopy will be required. This section would no longer require all clustered single user restrooms in a clinic to be accessible, only 5 percent.

There were few suggested changes to the transient lodging section other than relocating the criteria into the appropriate technical or scoping section. A differentiation between kitchens and kitchenettes was made which would affect whether knees are under the sink is required. Kitchens were defined as having a conventional oven or cooktop. Kitchens would be required to have frontal access to the sink. Kitchenettes with microwaves or hot plates would only need side access to the sink. The alternate shower stall previously only allowed in hotels would be allowed in any type of facility.



The Monroe County Health and Social Services building features an accessible drop off area with a canopy.

Architectura Inc.

Recommendations from the assembly occupancies section included new definitions for "wheelchair space" and "wheelchair space cluster." These were developed to clarify the distribution requirements. The number of required spaces would be increased in smaller facilities and reduced in larger.

Few changes other than technical and scoping criteria relocations were recommended in the business and mercantile, restaurant and library occupancy sections. Five percent of lockers would be accessible and accessible checkout counters would be required at all point of sale locations, not just where a cash register is located. These recommendations are subject to public comments, see publisher's message on page 2. 

**New
ADA Software**

ADAHelp® Is Here

Tired of flipping through Americans with Disabilities Act regulations in search of a particular reference? Let your computer do the looking with new **ADAHelp®** -- software that allows you to electronically browse the *ADA Handbook* and *Americans with Disabilities Act Accessibility Guidelines (ADAAG)*.

Designed for business owners, builders and designers, **ADAHelp®** also includes the text and graphics of the ADAAG. **ADAHelp®** comes with a **60-day money-back guarantee**.

Time-saving features allow you to:

- √ Electronically **search** the text for key words or phrases
- √ **Mark** specific locations for later retrieval
- √ **Add** your own written comments to the regulation text
- √ **Incorporate** official illustrations into your documents

For more information, or to order, contact:
Universal Designers and Consultants Inc., 1700
Rockville Pike, Suite 110, Rockville, MD 20852;
fax (301)770-7890 (v/tty)

Five percent of lockers would be accessible and accessible checkout counters would be required at all point of sale locations, not just where a cash register is located. These recommendations are subject to public comments, see publisher's message on page 2. 

PRODUCTS

Cabinet Customizers™

Merillat Cabinet Customizers are features and accessories that may be added to existing cabinetry or ordered with Merillat cabinets to create a more accessible, user-friendly kitchen. Available options include swing-out pantry racks, door pantry racks, and adjustable half-shelves; door spice racks; revolving base corner shelves; and roll-out trays which create pull-out shelves in pantries or cupboards. Merillat cabinets and accessories are offered in a variety of traditional and contemporary styles and finishes.



Sub-Zero 700 Series

The Sub-Zero 700 Series are built-in refrigeration units that allow refrigerator and/or freezer units to be installed wherever cabinets and drawers can be installed. The 700 series offers tall units in refrigerator or freezer configurations or in a refrigerator/freezer combination with a tall refrigerator on top and freezer drawers on the bottom. Base units, or refrigeration drawers, are also available separately in all freezer or all refrigerator configurations. Because the units may be installed individually, refrigeration can be placed wherever needed, including the living room, the den, entertainment areas, or the master bedroom. The components can be installed to match the existing cabinetry or stainless steel panels and handles are available. All units feature individual, programmable temperature zones; front venting; halogen lighting; adjustable shelves and compartments; alarms that sound if a drawer or door is ajar; automatic defrost; and a 90-degree door stop.



The Access Tub

The Access Tub, from Showerwall Industries Inc., is designed to provide maximum safety and comfort for bathers with disabilities, older bathers, and bath-

ers without disabilities alike. This tub features a large, strong seat molded into the bathtub at the correct height for wheelchair transfers and for others unsure about stepping into and out of the tub. The seat offers right- and left-hand entry. Other features include built-in grab bars on the rear and side wall of the tub, a molded grip along the outside edge of the tub, a slope at the back for reclining comfort, straight walls and flat floor to minimize the danger of slipping, and lowered sides to facilitate entry and exit. The tub has a high-tech structure and a gel coat finish, and its "waisted" design conserves water while providing a higher water line than conventional tubs. This tub fits in the same space as conventional tubs and its contoured apron conserves space between the tub and the toilet to provide care givers with sufficient room to assume the correct stance for lifting.



Touch-free electronic faucet

SENSORFLO®, from Speakman Company, is a touch-free electronic faucet designed for use in commercial applications including hospitals, labs, nursing homes, and restaurants. This faucet offers germ-free use and water conservation of up to 85 percent over conventional plumbing. The faucet features a modular design with waterproof low-voltage connectors that can only be coupled correctly. Solid brass swivel connectors provide flexibility and all connections are designed for quick disconnection. Instructions include easy-to-read diagrams.

The New Products column was provided by the ABLEDATA project, a computerized database of information on assistive equipment which is funded by the National Institute on Disability and Rehabilitation Research and is administered by Macro International, Inc., Silver Spring, MD. □

Correction

On page 9 of the July issue of Universal Design Newsletter (Vol. 2, No. 7) the photo accompanying the Laborsaver Button Station should have appeared with the Miconic 10 Elevator System and the photo with the Miconic 10 should have appeared with the Laborsaver Button Station. We're sorry if this caused any confusion.

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“Readily Achievable,” from page 1

According to Tom Riegelman, vice president for engineering with Hyatt, the Spina Bifida Association scheduled their convention at the Hyatt Regency Dallas only after a thorough “accessibility” walk-through of the hotel by association and Hyatt personnel. Riegelman stated that the hotel had completed “readily achievable” upgrades to the facility, and was in the planning stages of making more significant accessibility improvements. The improvements requested by management had not yet been approved by the hotel’s ownership pending completion of refinancing the property. Riegelman emphasized that the Spina Bifida convention was scheduled by the association with full knowledge of the hotel’s facilities.

According to Riegelman, Hyatt and the owners of Hyatt hotels have taken a very pro-active approach to accessibility and have in most cases gone beyond what they considered “readily achievable.” “The only places we haven’t removed barriers to accessibility are where the hotel’s owners have not had the money, or where there are structural barriers that can’t be worked around,” he explained. Hyatt had already completed accessibility improvements following standards established by the Hyatt Corporation in 1991-92. More complex or costly improvements were scheduled as part of the regular capital budgeting process for completion in future years.

The settlement agreement with the DOJ called for the Hyatt Regency Dallas to make 28 guest rooms fully accessible, to modify three sets of restrooms, and to construct ramps providing access to the hotel’s swimming pool and hot tub areas. Additionally, the hotel paid a total of \$36,000 in compensatory damages to 24 individuals with disabilities who believed their civil rights had been infringed. Hyatt offered the complainants a choice of accepting either a stipulated dollar amount to cover the cost of their travel

and lodging for the convention, or a complimentary stay in the newly renovated rooms for the same number of days as their previous visit during the convention. Both the complaint and the settlement involved only the Hyatt Regency Dallas, and not any other Hyatt properties.

Safeway, a chain of food stores, found itself in a similar situation involving DOJ earlier this year. Responding to complaints filed by two individuals with disabilities, the Disability Rights Council of Washington, D.C. and the Disability Rights Education and Defense Fund, DOJ sought a settlement agreement with the company.

The settlement formalized elements of Safeway’s compliance efforts that were already underway. According to Dian Emerson, senior attorney for Safeway, the company had been incorporating Americans with Disabilities Act Accessibility Guidelines in its new construction and renovation projects. Driven by market forces, Safeway had an aggressive upgrade and remodeling program in place that involved as many as 100 stores in a year. In addition, it had been responding to customer complaints as they rose. Apparently, DOJ didn’t think the company was devoting enough time and attention to compliance and put the company’s efforts under a microscope, said Emerson.

In the settlement, Safeway agreed to improve store accessibility to customers using wheelchairs nationwide by creating at least one 32-inch opening between the security fence posts (bollards) or “cart corrals” found at many store entrances. Safeway has also agreed to a comprehensive ADA compliance plan that will affect all of its 835 stores. Under the agreement, Safeway has surveyed all its stores using an ADA Compliance Survey instrument and has agreed to do what is required to ensure compliance. In addition, monetary awards to the two individuals and the Disability Rights Counsel totaled \$95,000.

Emerson expressed the hope that Safeway will be able to proceed with improvements that will be “user friendly,” and will result in stores that are easier and more convenient for all customers. There is concern that changes may be mandated by DOJ based on the minutia of measurement rather than the meaningfulness of the solution to customer safety and usefulness.

At DOJ, Liz Savage, special assistant to the assistant attorney general, maintained that the readily achievable requirement is not a one time deal and that

See What is “Readily Achievable,” page 11

“The only places we haven’t removed barriers to accessibility are where the hotel’s owners have not had the money, or where there are structural barriers that can’t be worked around.”

Tom Riegelman,
Hyatt



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Events to be placed in the UDN Calendar must be submitted to the editor two months before the publication date.

Oct. 1-3: Disability, Business & the Bottom Line is the theme of the Industry Labor Council's annual national conference to be held in Orlando, FL. Presentation topics include recruiting professionals with disabilities, reasonable accommodations and universal design in the workplace. For more information, contact: Gary Kishanuk at 516.465.1515.

Oct. 6-8: Quality: The Spirit of Assisted Living is the fall national conference of the Assisted Living Facilities Association of America. The meeting will be held in Arlington, VA. For more information on the program and exhibits, call 703.691.8100 (v/tty).

Oct. 23-26: The ANSI A117 Committee Meeting will be in Washington, D.C. The committee will evaluate comment/challenge submitted in response to the harmonized version of the ADAAG and CABO/ANSI A117.1 standards. For more information, call 703.931.4533.

Oct. 28-30: Retrofitting for Accessibility will be conducted by the National Center on Accessibility (NCA) in Martinsville, IN. This course is designed to educate maintenance professionals, facility managers, site access coordinators and planners on the needs of people with disabilities and the barriers that can be eliminated to promote full access to recreation facilities. For more information, call NCA at 800.424.1877.

Oct. 31 & Nov. 1: Trail Access Symposium conducted by the National Center on Accessibility (NCA) in Martinsville, IN. This course will discuss methods of allowing access to people of all abilities without sacrificing the natural integrity and experiential opportunity of the environment. For more information, call NCA at 800.424.1877.

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Nov. 10-13: The Fifth Annual National Workers Compensation & Disability Conference and Exhibit will be held in Chicago to discuss ADA and other reasonable accommodation issues. For more information, contact 800.727.1227

Nov. 12-13: U.S. Architectural & Transportation Barriers Compliance Board will meet to discuss and review its research and regulatory activities. The meeting will be in Washington, DC. For more information, call 202.272.5434 (v), 202.272.5449(tty).

Nov. 21: Three sessions on universal design will be conducted at **Build Boston**, the annual convention of the Boston Society, American Institute of Architects in Boston. For more information, call 617.695.1225, ext. 0 (v/tty)

Nov. 22 & 23: Universal Design Educators Forum, sponsored by Adaptive Environments, in cooperation with the Center for Universal Design will be held in Boston. The program will feature participatory workshops focused on the teaching of universal design in schools of design. For more information, call NCA at 800.4241877 (v/tty).

Jan 9-10, 1997: U.S. Architectural & Transportation Barriers Compliance Board will meet to discuss and review its research and regulatory activities. The meeting will be held in Washington, DC. For more information, call 202.272.5434 (v), 202.272.5449(tty). 

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