

# FAA Office of Civil Rights Overview: ADA & Sec. 504 Compliance



Federal Aviation  
Administration

*Office Of Civil Rights*

ACHIEVING SAFETY  
THROUGH DIVERSITY

Presented to: ODO – Universal Access in Airports 2016

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# FAA - Civil Rights

## National External Operations Program Areas

- **Airport Nondiscrimination Compliance Program**
  - Title VI, Limited English Proficiency (LEP), and Environmental Justice (EJ) (*49 CFR 21*)
- **Disadvantaged Business Enterprise (DBE) and Airport Concession DBE (ACDBE)**
  - DBE and ACDBE programs compliance (*49 CFR 23 and 26*)
- **Airport Disability Compliance Program**
  - Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act (*49 CFR 27 and 28 CFR 35*)

# Airport Disability Compliance Program Purpose

- Ensure airport operators/sponsors meet obligations with regard to non-discrimination for people with disabilities
- Goal is to be the “go to” resource on airport accessibility for people with disabilities



# Airport Authority Obligations

Role	Requirements
State/Local government entity	<ul style="list-style-type: none"> <li>• Subject to Title II (Subtitle A) of the Americans with Disabilities Act (ADA)</li> </ul>
Recipient of Federal assistance	<ul style="list-style-type: none"> <li>• Subject to meeting requirements under the Section 504 of the Rehabilitation Act (504)</li> </ul>
Employer	<ul style="list-style-type: none"> <li>• Subject to Title I of the ADA</li> </ul>
Landlord	<ul style="list-style-type: none"> <li>• Ensure tenants meet Title III requirements under the ADA</li> </ul>
Transportation provider	<ul style="list-style-type: none"> <li>• Subject to Title II (Subtitle B) of the ADA</li> </ul>
Air travel	<ul style="list-style-type: none"> <li>• Air Carrier Access Act</li> </ul>

# Airport Authority Obligations

**Reasonable modifications are required, except if:**

- Undue burden
- Fundamental alteration
- Direct threat

**Contracts and airport policies should clarify obligations**

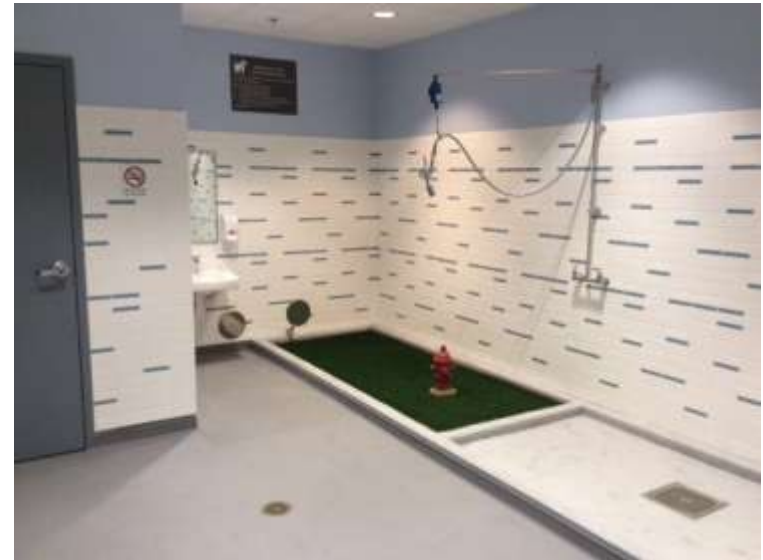


# New Airport Authority Obligations

## Airport Facility Requirements

- Post-security service animal relief areas
- Closed captioning of audio-visual displays

## Accessible kiosk requirements



# Common Issues - Administrative

## Self-Evaluations

- Evaluate facilities, policies, and practices (49 CFR 27.11)
- Procedures for periodic updates

## Complaint Process

- Advertise process (28 CFR 27.13)
- Recordkeeping
- Prompt response





# Common Issues - Unlawful Discrimination Poster

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**Unlawful Discrimination**

It is unlawful for airport operators and their lessees, tenants, concessionaires and contractors to discriminate against any person because of race, color, national origin, sex, creed, or disability in public services and employment opportunities. Allegations of discrimination should be promptly reported to the Airport Manager or:

Federal Aviation Administration  
Office of Civil Rights, ACR-1  
800 Independence Avenue, S.W.  
Washington, D.C. 20561

Federal regulations on unlawful discrimination are available for review in the Airport Manager's Office.

Coordinator:  
Phone:  
Address:

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**Discriminación ilegal**

Se prohíbe a los operadores de aeropuertos y a sus arrendatarios, inquilinos, concesionarios y contratistas discriminar contra cualquier persona por motivo de raza, color, nacionalidad de origen, sexo, creencias religiosas, impedimento físico o discapacidad en lo que respecta a servicios públicos y oportunidades de empleo. Las alegaciones de discriminación deberán ser dirigidas inmediatamente al Administrador del Aeropuerto o a:

Federal Aviation Administration  
Office of Civil Rights, ACR-1  
800 Independence Avenue, S.W.  
Washington, D.C. 20561

Los reglamentos sobre discriminación ilegal están a la disposición de los interesados para su examen en la oficina del Administrador del Aeropuerto.

Coordinador:  
Teléfono:  
Dirección:



U.S. Department of Transportation  
Federal Aviation Administration

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# Common Issues - Contract Clauses

## Obligations must be passed on to contractors, tenants, and licensees

- Nondiscrimination
- Cite specific ADA and Sec. 504 regulations that apply at airports
- Enforcement / termination clauses

## Additional requirements apply in some cases

- Boarding assistance (28 CFR 27.72)
- Ground transportation (49 CFR 37)
- Maintenance (28 CFR 35.133)



# Common Issues - Accessible Path of Travel

## ADA Accessibility Standards

- Continuous path connecting all accessible elements and spaces
- 36" wide (32" at pinch points), minimal slope, accessible doors
- Apply 2010 Standards after March 15, 2012

## Protruding Objects



# Resources: Guidance on Accessibility

## FAA Advisory Circular on Airport Accessibility

### **AC 150/5220-21C, Aircraft Boarding Equipment**

- Equipment used in the boarding of airline passengers

### **AC 150/5360-12F, Airport Signing and Graphics**

- Terminal and landside way-finding, signing and graphics

# Resources: Guidance on Accessibility (continued)

## FAA Advisory Circular on Airport Accessibility

### **AC 150/5360-14, Access to Airports by Individuals with Disabilities**

- General facility accessibility requirements
- Currently under revision, but the existing circular is still in effect
- Comment period closed

# Program Activities

- Coordination with other Federal offices to ensure consistency
- Developed
  - Self-Assessment Tool
  - ADA Elements in the FAA Civil Rights Connect System
  - New Webinar Program
- Creating a Disability Access at Airports Tool
- FAA National Civil Rights Training
  - Tentatively: Aug. 8-10, 2017 in Washington, DC
  - Covers Title VI, DBE/ACDBE, and ADA/Sec. 504 obligations

# Contact Information

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# Questions

