

ADVISORY COUNCIL SESSION
GETTINGHIRED.COM
December 11, 2012
1:00 pm EST

Edited for readability

* * * * *

This text is being provided in a finished format.
Communication Access Realtime Translation (CART) is provided in
order to facilitate communication accessibility and is not a
totally verbatim record of the proceedings.

* * * * *

>> JIM LUNNY: This is Jim Lunny. We're still assembling, it looks like, so we're going to let a few more join us over the next minute or so. We'd ask those on the line just to sit tight and we'll be ready to go in about two minutes. Thanks.

>> JIM LUNNY: This is Jim Lunny again. I want to welcome you all to the fourth installment of the GettingHired.com advisory council. Our fourth quarterly session of this year. Welcome to everybody on the line. With me here in the Bedminster office are Frank Weichmann and Hank Fichtner and we have a few other members of the GettingHired.com staff on the line. Welcome today. We have a full agenda. We have two great guest presentations lined up, and as is our custom, I'm going to take just a minute and run through a brief update on what's going on at GettingHired.com and then turn it over to our two guest presenters.

So, Frank, if you could, please, if you could go forward to the first slide and let me continue my welcome. First of all, to our new employer members here at GettingHired.com. Welcome to the employer community here at GettingHired.com. I want to welcome representatives of Texas Instruments, Gulfstream, Accenture, Mondelez International, Phillips 66, PPL, Carillion, TIAA-CREF and NorthShore University Health System. Welcome to the GettingHired.com community.

And I also want to welcome those who are with us as continuing, renewing employer members. Among those who have renewed since the last time that we got together, about three months ago, I want to thank and welcome again to the community Unilever, OfficeMax, JetBlue Airways, Northrop Grumman, Novartis, Kraft, HP and The Home Depot. We're privileged to be working

with wonderful employer members across the country in addition to national advocacy organizations and service provider members. Thank you for your support of the GettingHired mission, and to those who are new on the line welcome to the community and to today's session.

Just a brief note on mechanics of this as we go through. We have all of you as participants on the line -- the line is muted and we'll do that for each of the three presentations. This brief one on what's going on here at GettingHired.com and then our two guest presentations. We'll have you muted during those times. At the end -- at the end of each of those three sessions we'll open the lines up for Q&A. So if you have questions please either save them for the Q&A session or if you wish, submit them to us through the WebEx messaging platform. We'll then gather those up, and Frank will then read those questions and moderate those during the Q&A session. And with that, Frank, you can give me the next slide, please.

Let me give you a brief update again on where we are with some of the statistics we report on every quarter. We've seen continuing growth in all sectors. We've seen growth in the number of job seekers, the number of application referrals made and the number of unique Jobseeker applications. We're at this point close to 90,000 Jobseekers, this was just updated as of two days ago, and again, those 90,000 Jobseekers have generated a total of over 60,000 applications to the positions that you as employer members are posting here at GettingHired.com.

Frank, next slide? Among the employer community members, we've seen good growth. We've gone up to 334 active employer members as of two days ago, posting a total number of positions, at the same time, a little over 120,000 positions. That number has come down ever so slightly from earlier, from our session last quarter. But again, we've seen good continued growth in activity among the numbers of employers.

Among our service provider organizations, we've seen a little bit of growth in our service provider organization, in the numbers there. These are organizations, those of you who are new as employer members to the community -- these are organizations providing products and services related to, of course, employment, disability matters and from your perspective, services and products related to workplace accommodations, consulting, accessibility, transportation. So we encourage you as employer members to reach out as needed to our service provider community.

And of course we're continuing to work with colleges and universities, reaching out to them on at least a monthly basis with our newsletter, the BUZZz. And again, at this point we have about 2300 college and university members in our monthly networking program, 84 of them being educational partners with reciprocal logos and links. Frank, next page if you could, please.

On this next page I thought I would share just a copy, a screenshot rather, of the latest edition of our newsletter, the BUZZz. We continue to send this out every month. Two months ago you may remember we had a special edition coinciding with National Disability Employment Awareness Month. Many of

you participated in that. We continue to put out the newsletter each month. I'll draw your attention if I could to two things. First of all, well, of course in addition to wishing you all happy holidays, as the short lead piece in the newsletter, but the featured article, which you can't see on the screenshot, but in your live version, certainly, I suggest you take a look at another piece written by our writer, Jim Hasse. Jim is doing some great work writing on disability matters and I'm happy to let you know he will continue to write for us going into the new year.

And then, secondly, what I'd like to ask you, although we do not have a featured employer interview in the December edition of the BUZZz, we have an opportunity to include that every month and would certainly like to encourage each of you who want to participate as a featured employer and participate in an interview. This is a great opportunity for you and we love to schedule that sometime in one of the editions starting in 2013. So, please be in contact with me or with Hank and we'd love to work with you to get an interview with one of your folks on disability employment matters at your company and feature that in one of the upcoming editions of the BUZZz.

With that, I'm going to pause see if there are any questions on the quick update I've just given on what's going on here at GettingHired.com. So do we have any questions?

Okay. Well, again, if anything comes up during the course of the session today, if you'd like to submit those, please do, and again, if you have any questions as we move forward, you know how to reach us here at GettingHired.com.

Let me move now to the meat of the session today, and let you know again that we have two -- two great guest presentations. We're fortunate to have a member of our employer community talking a little bit about what's going on at her organization, and we also have a guest presenter from one of our valued service provider members, providing some information I think you'll find useful on accessibility matters. But first let me turn to Jackie Jamison, who is Senior Manager, Diversity and Inclusion Client Consulting at Capital One. Capital One has been a valued employer member of the GettingHired.com community for over two years. We're fortunate to have a company like Capital One with us, and fortunate to have Jackie today scheduled to talk to us a little bit about what is happening with diversity and inclusion matters at Capital One. So with no further ado let me turn it over to you, Jackie.

>> JIM LUNNY: Okay, thank you. Any other questions out there?
(pause.)

Well, Jackie, I want to -- I want to thank you very much again for taking the time today to talk with us. The membership of the GettingHired.com community benefits from hearing from fellow employer members, on what's working and what's not working, and success stories, in disability employment matters. So I want to thank you very much for your presentation and your time today.

>> JACKIE JAMISON: Thank you. I so enjoyed having a chance to share. And happy holidays, everybody.

>> JIM LUNNY: Same to you. Let us now -- we're pretty much on schedule, let me move on to our next guest presenter. As you saw from the meeting invitation sent out, we are pleased to have Tim Springer with us today, who is CEO of SSB BART Group, and Tim is going to be talking with us a little bit about what we can expect in terms of accessibility trends in 2013. Tim Springer, founder of SSB BART Group. He's worked in the field of accessibility and Web design for many years. He designed SSB's core technology and led the development of InFocus, the industry's first commercial software for testing Web accessibility. He advises many large corporations and federal agencies including the Social Security Administration, HP and Wells Fargo bank, and holds a bachelor's degree in computer science from Stanford University. We're pleased to have with us today Tim Springer, CEO of SSB BART Group. So with that, Tim, let me hand it over to you.

>> TIM SPRINGER: Thanks, everybody. So today we're going to talk about the 2013 accessibility trends. My big focus will be really on ICT accessibility information and communication technology accessibility, particularly what most of our clients are interested in is Web site, Web application and internal IT systems accessibility. We can touch a little bit on some other updates in there, specifically I know some people will be interested in Section 503, what's going on with that, and we can talk a little bit about that as we go. We do have a spot at the end for questions, so if you have any questions, you can feel free to hang on to them then and we'll open it up and kind of cover things there.

So just to give you a quick overview, there are a couple of different pieces of legislation and regulation we'll be talking about today. Mostly I'm going to focus in on the U.S.A. stuff so that you're aware of that. I'll do quick snippets of things that are going on internationally, particularly if you're not familiar with it yet, I would recommend you be aware of the UNCRPD, and we'll talk about that treaty structure and kind of what that means from a practical perspective. Most of the time I'll dig in and really talk about the U.S. standards.

To give you background on our firm SSB BART Group, we were founded in 1997 by engineers with disabilities so we've been in the accessibility business, ICT business, since before a lot of the different accessibility standards that were issued in that business have been around.

We have completed accessibility projects for hundreds of enterprise class firms. We developed a software platform, a product called Accessibility Management Platform (AMP, that currently has about 10,000 active users. We also maintain a database of about 1400 to 1500 at this point accessibility best practices, and our organizational focus is really on, again, IT development and IT accessibility. So we work with platform vendors, we work with assistive technology vendors, regulatory agencies, public sector, private sector organizations to basically at the end of the day ensure that

people with disabilities that are using a modern IT environment can get done what they need to get done to do their job at the end of the day, to access job information resources and make sure they can actually accomplish their tasks on a day in day out basis. A lot of our focus is on federal government regulations, particularly regulations under the Rehabilitation Act. I'll talk a little about Section 508, also touch on section 3503. A lot of those are starting to roll over and be interpreted in the private sector particularly under the Americans With Disabilities Act.

So you have background on our firm in terms of our focus. We really only do accessibility. So a lot of times when organizations look at these things they look at them in the gamut of sort of broader compliance activities, which is fine from an IT perspective. But what we have found is accessibility is really just a very, very deep knowledge space and it's better that we just be good at accessibility, be a master of one thing rather than a jack of all trades, So really our focus is on making sure we have IT accessibility solutions. As part of that, about half of our staff is actually individuals with disabilities, and so what we recommend at the end of the day really comes out of a combination of understanding technically what has to be done, how do you implement these things, but also functionally what's actually going to work for user modalities that will make sense in the community of people with disabilities.

The rest of the stuff, I'll be happy to discuss with you later on if you have any questions about it, and pretty much we'll touch on some of this as we go through, but mostly what I wanted to jump into is the standards. In terms of scope of experience, if you want to I can talk you through all of these things, but again, mostly what we're doing is we're looking to solve these questions of IT accessibility at an enterprise level, and that's really the scope of the activities we have.

So first of all we were going to talk about Section 508. Section 508 stands for Section 508 of the Rehabilitation Act. It's part of the Rehabilitation Act Amendments of 1998, which amend the Rehabilitation Act of 1973. And Section 508 is a U.S. federal government law and it's targeted directly at U.S. federal government agencies but also includes anything the U.S. federal government spends money on, so essentially it's a procurement law that covers everything the government buys from an IT perspective as well as anything the federal government internally spends money on from an IT perspective.

And essentially at a very high level it says that all of that information technology needs to be made accessible to individuals with disabilities and essentially work from that perspective. So just to give you some updates on this.

So right now the Section 508 rules are going through a refresh process. The last set of draft standards was published in December of 2011, about a year ago at this point. The comment period for that ran through March 7, 2012, and so right now the Access Board is in the process of looking through those

comments and determining where do they want to go for the next step of the process, which will be the Notice of Proposed Rule Making.

There isn't an official date from the Access Board, but actually between the time that I first presented these slides and now, we actually got some unofficial updates from some folks that work at the Access Board. Essentially right now where this is tracking is the staff at the Access Board are looking to present this to the Board for approval sometime at the end of the first quarter of 2013. There's an actual Board meeting in March so that's a rough deadline to get it to the Board and once the Board has it we'll go through a refresh process from there to get it published out.

Once that Notice of Proposed Rule Making is published out, which is the next step in this rule-making process, generally speaking there's a three-month comment period on that. We would expect that would continue to be the case in this point, and then a nine-month time frame after that for publishing the final rule.

So right now we're actually projecting that the rule will probably be published a little bit later than December 2013. Actually the rule will probably get published in Q1 of 2014, and then from there there's an additional time period for the rule to be analyzed in terms of how it is implemented in the FAR, which stands for the Federal Acquisition Regulation, and then rolled out from there. The FAR basically has some requirements that say once we have these updated standards, the updated standards will then be rolled out as part of the FAR and there's a six-month window for that, and so essentially at this point we're projecting the earliest implementation for the standards to actually be even later in 2014, basically around the end of 2014, or at this point given the new information we have, about 2015. So again, some updates since we actually put these slides together, but if you are an organization that sells to the federal government, particularly IT products or if you are a federal government organization yourself and you need to conform to this, be aware there are some updated standards that are coming and they'll be out in the time frame of about early 2015 from an effective date, publication about a year from now, probably.

In terms of changes to the 508 standards, though, it's worth talking about these because they have a carry-on effect outside the federal government. So 508 directly applies to federal government agencies, but a lot of other organizations use it as a touch point. Also a lot of the time it gets cited in litigation around the Americans With Disabilities Act. So even if 508 doesn't apply directly, it's good to be aware of it, and it's good to be aware of the structure of it. So the 508 refresh standards have a combination of two broad buckets of requirements: Functional performance standards, which basically require that users with various types of modalities be able to use the system as a whole, and the types of modalities with respect to disabilities are the things that you would expect. It's individuals that are blind, individuals that are low vision, individuals that have restrictions in their color perception, individuals that have restrictions in the field of vision, individuals without fine motor control, and the list goes on to essentially

define out nine specific user modalities that we want to support from a functional perspective in IT systems.

In addition there's a set of technical standards, and the technical standards basically define whether the system is coded properly. Is it written in such a fashion, if it's software, or built in such a fashion if it's a piece of physical hardware that it can be used by a person with disabilities? And the technical standards are then broken out into a bunch of functional areas for products. Those cover things like Web-based systems, two-way voice systems, video conferencing systems and the like. The key thing to remember is whenever we have a system and we're looking at it from an accessibility perspective, we need to conform to the functional standards, does the whole thing work for particular users and also the technical standards, do the individual line items -- are they implemented properly, and did we build it properly.

Target standards for the 508 refresh are what are called the Web content accessibility guidelines. Those are a broad set of international standards that are developed by the W3C Worldwide Web consortium. It publishes standards that drive how your entire Internet experience works. They define the language that sits behind the browsers, HTML Java scripts. It's part of their standard making requirements, they also publish requirements for accessibility of Web content and it's really broader than that at this point. Really has to do with a lot of functional use systems. So essentially Section 508 is starting to standardize on these WCAG 2.0 A and AA requirements and that's in line with what we see throughout the entire regulatory environment both in the United States and then also internationally. On a global perspective we see more and more organizations from an IT standards point looking at these WCAG 2.0 requirements and starting to standardize around those from the perspective of accessibility.

A little bit more about the structure of the Section 508 refresh. I'm going to just go ahead and jump through this stuff in the interest of time so we can cover a couple other interesting components of 508 and some other standards. One other interesting component particularly of 508 is that this does now explicitly cover electronic documents and communications. So in the scope of 508 as it applies to federal government agencies, it actually applies to 9 specific kinds of communication the agency can make, it includes content that's public facing, content that's broadly distributed throughout the agency, so internal policy manuals, process manual, all of that stuff would fall under the 508 requirements at this point. Any official communication to and from the organization. Notice of benefits, forms, questionnaires, surveys. It includes emergency notifications, formal acknowledgments and obviously educational and training material as you can see. There are some exceptions covered under this archival content. So if you have a big database of old documents you don't need to go through and make those compliant, basically because they're, again an exception here, but essentially they're not active communication from the agency.

What's interesting about the Section 508 standards in general in terms of scope is a lot of these are now flowing down from the federal government

agencies in terms of contract requirements, so if your organization has a contract with the federal government, more and more the federal government is putting these clauses directly in to say that anything you develop under the contract needs to be compliant.

A couple places you would expect to see this. Government contracting. If you build work for hire for the government, if you sell product to the government, all those things are covered under 508. Places where you wouldn't expect to see this that we do see it more and more, grant programs. So if your organization receives money through a federal government grant, more and more of the grant language is including requirements for Section 508 refresh. If you have federally funded programs, so as an example in the health care space, if you're operating Medicare, Medicaid Web sites, CMS is more and more including requirements that those Web sites be accessible and be compliant as well. So really, if you do business with the federal government agency, especially if you're operating any service on a long-term basis that's funded by the federal government, you'll want to look at this and you probably do want to be aware of these requirements, especially the refresh, which significantly expands the scope and raises a much higher barrier to actual compliance there.

Moving on from that, another one that's my personal favorite is the Air Carrier Access Act. I'll jump through this real quick because unless you're an airline, it seemingly wouldn't apply to you. The Air Carrier Access Act, it's actually an old law. The Department of Transportation administers it, and it actually has to do with making sure that air carriers in general don't discriminate against individuals with disabilities.

What's surprising about this is the current supplementary Notice of Proposed Rule Making that was published about a year ago, with a comment period ending early this year. And this actually was a set of rules that they're introducing that have to do with the accessibility of kiosks, which is relatively straightforward, and also the accessibility of carrier Web sites. So the kiosks are just interesting from the perspective of if you are trying to use a kiosk in an airport, very shortly at least one of the kiosks, multiple depending on the count, at the airport will need to be accessible, and will need to be accessible under requirements pushed down on the airlines from the Department of Transportation. So if you are an individual with disabilities or if you know someone with disabilities that's ever had a problem using kiosks at airports, that's because that law has actually been fuzzy in the past and is now growing much, much clearer as this Notice of Proposed Rule Making is coming out.

U.S. and foreign air carriers operating flights to or selling tickets to the U.S. public must ensure that the public-facing content of Web sites they own or control is accessible, conforming to standards of WCAG 2.0 A and AA requirements.

What's real interesting here, though, is that it doesn't just apply to the carriers. It also applies to the carrier's Web sites. So that would include not only Web sites that are directly selling tickets, like United Airlines or

American Airlines, but sites that are selling tickets on their behalf, like Orbitz or Expedia, or where we see this having an impact on our customer base, rewards and offer sites. So if you have rewards that you're funding as an organization, if people can redeem reward points for airfare, that stuff would fall under the Air Carrier Act because essentially you're acting as an agent for the airlines in that capacity. So this does have some impact beyond what is obvious and it's something to at least track. Again, specifically if someone can buy airfare, it is covered in the Department of Transportation's regulatory bailiwick and this is something to be aware of as this Notice of Proposed Rule Making progresses.

The big one that we see having a bite in the next couple years is something called the CVAA, which stands for the 21st Century Communications and Video Accessibility Act. It was signed into law in 2010, was passed, if you can believe it, with bipartisan support and covers a very wide array of services. It really has to do with all communications in video that flow over the Internet. It's actually regulated by the FCC, and the FCC has issued a set of important orders covering a variety of topics. In the rule-making process on this, it's still very much in process. I would stress this is a surprisingly broad set of requirements. One set of requirements that they've actually already issued are regulations on Internet closed captioning, and these are pretty straightforward. It requires that if you provide Internet video, if you are a video platform, as an example, if you're YouTube you need to provide support for videos, and if you're a video provider, someone that's providing on-line content, you actually need to provide closed captions. If you're showing video on your Web site or through any of the applications you provide, that video needs to provide captions, if it was aired on the television after September 30, 2012. Essentially you need to make sure those captions carry forward into the Internet.

What's really interesting on this one is that it requires the video program distributors in the platforms to provide direct support for captions and also provide methods for ensuring conformance and actually filing regulatory conformance. So the screenshot I have here is of a caption certification you can find on YouTube. So if you have the interest in going and looking for this you can dig into YouTube under advanced settings and you'll actually find the ability to certify why this video doesn't have captions, why there is explicitly not a requirement for it to have captions. So you'll start to see support for this throughout the industry. If you provide video through your Web site, through your recruiting site, pretty much all that stuff, it's a good idea obviously to provide closed captions on it. Generally speaking the requirements would say that you don't have to provide it. However, the platform you're using to distribute the video does have to support it. So ideally this will become much easier in the future to just caption video as part of the overall standard work flow.

The big stuff we're looking at right now under the CVAA, though, is something called advanced communication services. And the report and order on this, and report and order is just the way the FCC makes rules, was

published on October 7, 2011 and implemented in Section 104 of the CVAA which went back and updated sections 716, 717, 718 of the communications act which is an act all the way back from 1934, if you can believe it. In turn that kicked off all the rule-making process, which caused the FCC to update -- and there's a subsection called advance communication services. The scope of advance communication services is surprisingly large and it really has to do with any service provider or manufacturer that covers any of these four different areas. Interconnected VoIP systems, which is sort of like a classic VoIP service. If you have a phone on your desk it's probably using VoIP, and it's connected to the public telephone network, so you can call phones that are on the public telephone network. That entire system needs to be compliant and accessible to people with disabilities and there are actual requirements for the manufacturers to file those with the FCC to make sure that the FCC has an indication of the work the manufacturer has done to make it accessible.

The FCC also covers the flip side of that which is, if you just have a service that allows you to talk over the Internet but doesn't talk to the phone system, for example, like any sort of audio chatting system that's available on-line, that's what they call a non-interconnected VoIP system. Those are also considered Advanced Communication Services and are also under the bailiwick of the FCC. Electronic messaging service is anything that allows you to provide realtime or near realtime communication and text. This covers a lot of stuff, but basically includes any sort of text communication system you might have, if you have a text chat feature on your Web site or your recruiting site, that would be covered. If you provide some sort of emailing function, that would be covered as well. So there's very broad interpretation of that. And the final section would be interoperable video conferencing services, which are anything that provide video communications, including audio, and allows people to share information.

And as I mentioned before, the scope of these things is actually really significant. And that's the legislative intent, and that is the stance that the FCC is taking from a regulatory perspective. So VoIP service, that covers pretty much any sort of VoIP discussions over the Internet.

Electronic messaging services pretty much anything that provides chat, email or text-based communications. So Gmail falls into the CVAA, explicitly. They make it clear that Facebook's chat and messaging services also need to be accessible. And if you follow that logic out to its logical conclusion it means that if you provide chat services, which is something a lot of organizations do through customer service or provide a way to communicate that, that also potentially has some impact and would fall under the FCC's bailiwick and you would also need to make that accessible. Interoperable video conferencing services, sort of anything that allows you to do Web-based video conferencing or screen casting that would fall into this. That includes video conferencing portions of AIM, Google Talk, and Skype, also screen sharing portions of web meeting software, arguably the stuff we're using right now from a Webinar perspective, different components of this

would all need to comply. The voice component would need to be accessible under the voice requirements, chat component needs to be accessible under the chat components and video sharing and screen sharing under video sharing and screen sharing components. So a surprisingly broad application of that, something to be aware of, not for the least reason because it's implemented and enforced by the FCC and the FCC actually has the resources to be able to implement and enforce this.

I'll jump through the rest of the stuff since it's relatively specific. Just one other thing to note, there are certification requirements, so if you do think that the CVA applies, you should probably take a look at that. We can help you with that, if you want to chat with us. Obviously chat with your internal counsel on that. The certification requirement goes into effect April 1, 2013. So if you're a manufacturer or provider of the various ACS services you have to file a certification with the FCC by April 1, 2013.

I'll go ahead and jump past the rest of this to talk about -- a little bit about the ADA. I think everybody probably knows what the Americans With Disabilities Act is so I'm not going to get into that too much. What I do want you to be aware of is a couple key rulings that happened in 2012, and then also what you really want to watch for in 2013.

Specifically one of the most interesting questions we saw a court ruling on in 2012 was a ruling by the District Court in Massachusetts, and it basically said if you have a Web site, that can be interpreted as a public accommodation. And so you can check that out. We actually have a blog post on that. Essentially this was a case between, I think, the National Association of the Deaf and Netflix, and Netflix had a Web site, they didn't want to provide captioning on it, and one of the arguments was the Web site is a public accommodation because it meets actually a bunch of the definitions of a public accommodation and the court basically agreed with that, that it is not limited to physical spaces. It was actually some wonderful language issued by the court in that, which makes for some interesting reading there, if you want.

What that means in practice is if you operate a Web site, it can definitely be construed as a public accommodation, at least according to the U.S. District Court of Massachusetts. We've seen similar rulings in other district courts as well and we've seen a lot of trends with organizations that are actually seeing legal activity under the ADA specifically with respect to their Web presence. So be aware of that.

Our projection for 2013 is pretty straightforward. We see this as continuing to apply to public sector organizations at the state and local level, and to private organizations. We continue to expect litigation to come under those. So if you operate Web sites, be it your public facing Web site, be it your internal Web site, or be it your recruiting site, I would tell you the conservative approach is to assume the ADA will apply to those and to retrofit accordingly. We didn't get too much into the tracking standards for that but in terms of the requirements from an accessibility perspective, what we're telling people to look at is WCAG 2.0 and it's the A and AA

requirements, and we mentioned internationally organizations are starting to standardize on those.

One final note on the ADA is that the Department of Justice has long said that the ADA does apply to Web sites. That's actually been a consistent stance going all the way back to like 1996, I believe, when the first discussions kind of came out about that, based on a Congressional question that the DOJ had answered. So there's actually a very, very long record of the DOJ saying, yeah, we think the ADA applies to Web sites. That's been the same in Republican administrations and Democratic administrations, so we've seen that all along. There have not, however, been explicit rulings on how the ADA applies to Web sites. So you have very explicit design requirements for ADA building standards. You don't have specific design requirements for Web site standards. However, about two years ago the DOJ published an Advance Notice of Proposed Rule Making which is the very earliest stage in the government regulation-making process, to say, hey, we're kind of looking at this thing. We're trying to determine if we should publish some more detailed rules on this, essentially to say explicitly how does the ADA apply to Web sites. We would expect that there's a good chance the current administration will push forward with this, and this is the biggest thing to watch out there. The DOJ gets to a point where they say explicitly, you know, the ADA applies but not just that, under the ADA your requirements for access are going to be the WCAG 2.0 A and AA requirements, it will take an area that's relatively fluid and relatively opaque right now and make it very, very clear from the rule making perspective.

One final note and this is the only other thing I'll chat about today and then we'll open it up for questions. The rest of these slides you're welcome to look at. We can get you copies of them and you can go through these. One thing to be aware of internationally is a much broader treaty structure called the U.N. Convention on the Rights of Persons with Disabilities. It's basically an international treaty structure and it defines really the core rights of people with disabilities. The UNCPRD basically says if you're a state member and you're a signatory of this and ultimately a ratifier of it, you have to go and take various legislative and rule making steps internally to protect the rights of people with disabilities. What's interesting from our business perspective is that a couple specific articles actually call out the rights with respect to virtual environments and access to information communication technologies as well as physical built environments. And so more and more we project internationally given the scope of the signatories to the convention and also the ratifications, that this concept of ICT access and ICT accessibility is really just going to be the standard globally. And more and more organizations will continue to say, this is important to us, but they'll also be compelled to actually make it important to them, if you will, by the law of the land. And so we view this over the next 10 and 15 years as just becoming a standard way that organizations build information technology as well as how they buy information technology on the market.

And so with that I think we'll open it up to questions.

>> JIM LUNNY: Well, Tim, thank you. This is Jim. First of all, let me thank you very much for that very complete, in depth presentation, and ask if there's anyone out there who would like to ask a question at this time. (pause) Well, let me start things off, Tim, just on the last -- your last slide, and without wanting to get into the politics of the situation, but just procedurally, you know, what's the path forward here in the States relative to the U.N. Convention on the Rights of Persons with Disabilities at this point? I'm just curious about that.

>> TIM SPRINGER: Well, I hate to tell you in the States, the Senate actually failed to ratify this particular convention last week. So in the current situation in the States, we are a signator of this treaty. We have not ratified the treaty, which is a shame because the treaty was actually based in no small part on the ADA and we also helped negotiate large portions of the treaty. But right now again, we're a signator of the treaty. We haven't ratified it. Under the current law of the land, this would not apply, it's not binding in the U.S. In practice, however, most of the treaty will be applicable through other laws. So the ADA covers a lot of the treaty requirements, and then there's a patchwork of other sets of rule making and legislative components that cover that.

Outside of the U.S., it's got a much bigger impact. An easy way to think of it is as bringing up a lot of the other countries that don't have a legal framework for disability rights to the level, if not past the level, of disability legal rights protection in the U.S.

>> JIM LUNNY: And am I right in understanding that there's an opportunity that it could come back up for ratification in the future here?

>> TIM SPRINGER: In fact, that is explicitly the case, again, without getting into the politics, this may have been some political calculation in introducing it in this session. And the White House's press release statement on this was explicit in the fact they're looking to asking the Senate to take this up again in the next session.

>> JIM LUNNY: I see. Okay. Anyone else with questions out there? Well, Tim, let me thank you again and take the opportunity to say this was -- your presentation was a great, great example of one of the things we try to do here. And that is to use the Advisory Council sessions to reach out to experts that are members of the GettingHired.com family and network, in this case the service provider segment of the GettingHired.com community, but to reach out to experts to bring information of value to the members of the community. So thank you very much, and as you said, we will have, you know, the opportunity to have this information and your contact information available for those who may wish to reach out to you with additional questions and additional assistance in these areas. So thank you very much.

With that, it looks like we're going to bring our fourth session of the year to an end in a minute. Let me start by thanking you all who have participated today. Let me thank Jackie at Capital One and Tim at SSB BART Group. Again, I'm going to take the opportunity to ask all of you on the line to let me know if you would like to similarly participate in upcoming sessions. The

strength of the Advisory Council here at GettingHired.com is that once a quarter we get together and share this kind of information with everyone. So we'd love to hear from you. Your colleagues would love to hear from you. So let me know if you would like to participate in future sessions. Our next session is scheduled for Tuesday, March 12, 2013, and I certainly look forward to talking with you at that time. Today's presentations, all three, plus a full transcript of the session, will be posted on the Advisory Council site shortly, so look for that. Again, our next session is Tuesday, March 12. Look forward to the newsletter, the BUZZz, which I gave you a preview of today but you should have received the full version either today or you will tomorrow. If you have not received it and would like to be on the subscription list for the BUZZz please do let me know. I will just finish by wishing you all happy holidays. Thank you for your time today and we'll speak to you next time in the New Year. Thank you and have a great afternoon.

This text was provided in a rough draft format and was further edited to improve readability.

Communication Access Realtime Translation (CART) is provided in order to facilitate communication accessibility and may not be a totally verbatim record of the proceedings.

Services provided by:
Caption First, Inc.
P.O. Box 3066
Monument, CO 80132
1-877-825-5234
+001-719-481-9835
www.captionfirst.com