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A landmark civil rights law turns 25

Thanks to the Americans with Disabilities Act, the disabled can more easily get into restaurants, workplaces and public buildings.

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In 2013, [Jay Lakes](#) of Alpharetta, Ga., was a young referee with two children who had recently finished his last semester at Georgia State University studying speech and political communication. But that November, he fell asleep behind the wheel and crashed his car. The accident left his lower half paralyzed, and Lakes spent months at the **Shepherd Center** in Atlanta recovering and learning to adjust to life in a wheelchair. But he still wants to be a speechwriter for politicians — and in 2015, 25 years after the passage of the Americans with Disabilities Act, he should very well be able to achieve that dream.

Nearly one in five people in the United States have a disability, according to a 2010 U.S. Census Report. About 56.7 million people in the United States suffer some type of disability, and more than half of those report a severe disability. But until 1990, there was no law to protect people with disabilities from discrimination or to help them find employment and become self-sufficient.

The Americans with Disabilities Act was very controversial for its time. The U.S. Senate passed the ADA overwhelmingly by a 76-8 vote, but it stalled in the House of Representatives. Disability rights advocates stormed Capitol Hill, and 107 people with disabilities were arrested. The House finally passed the bill more than a year later, the following May, by a 377-28 vote. The ADA was signed into law by President [George H.W. Bush](#) on July 26, 1990. After its passage, the owners of many businesses and public places did not want to spend the dollars necessary to make them more accessible.

"A statute, a law itself, can't guarantee rights and opportunities," State ADA Coordinator [Mike Galifianakis](#) said. "It starts with social change, and that comes pretty slowly sometimes."

In the quarter-century since the act's passage, there has been plenty to celebrate, Galifianakis said.

"You see more and more general accessibility and designers incorporating universal design components, and increased awareness in the ways of which a physical and social environment can pose barriers to participation," he said.

Galifianakis sustained a spinal cord injury in 1983, seven years before the ADA passed. During his rehabilitation at the Shepherd Center, he learned to call ahead whenever he was going out in public to make sure the place he was going was accessible. Narrow entrances and staircases made it impossible for him to enter many restaurants and public places.

"A lot of times when I would call, the person on the other end wouldn't even know what I was talking about," he said.

But after the ADA passed, Galifianakis noticed a sea change. More and more designers and builders began making places accessible, and his calls to restaurants and public places were no longer met with surprise or confusion.

"My expectation is much different now," he said. 'If you were to say, 'let's meet at this place of business,' I would assume it's accessible — I would still check, but it's completely flipped."

The next hurdle to overcome is finding gainful employment for people with disabilities. In March 2014, 4.67 million people with disabilities were participating in the U.S. labor force, accounting for only about 20 percent of the working population. And some data suggests that fewer people with disabilities are employed today than in 1990 when the act passed. According to the Current Population Study, 73.3 percent of disabled people surveyed, with or without a work limitation, were employed in 1990. In 2013, the most recent year the data was available, only 69.2 percent were employed. Of course, this disparity could be related to the Great Recession, which raised unemployment for all groups.

"We have to remind people that the ADA wasn't about employment, it was about civil rights," said Mark Johnson, director of advocacy at the Shepherd Center. "I think the post ADA25 agenda is about employers... will they step up?"

The Georgia Vocational Rehabilitation Agency (GVRA), formed in 2012, helps disabled Georgians find jobs. The agency will pay to help a person complete college education and find a job and help provide technology to help them do it well. Last year, more than 40,000 Georgians came through the program.

"Most of the time, employers appreciate it," said Kevin Harris, GVRA director of external affairs. "They get a good loyal worker or a good product, and no out-of-pocket expense."

GVRA has worked with **Autozone** to help start a program at the company's distribution center in Lavonia, Ga., called "People With Abilities." Autozone's Lavonia facility has hired over 50 disabled individuals in the past few years.

"When we started this a few years ago, I was one of many people who thought people with disabilities, yeah they can come in and do menial tasks for us like sorting or recalls," said David Cole, general manager of AutoZone's Lavonia distribution center. "As I learned and as our management team here learned, there are many people out there with many skills. We've had people [in the program] in basically every job."

Autozone has had tremendous success with its program, and "People With Abilities" has been expanded to seven of its other U.S. distribution centers. Eventually, the company would like up to 30 percent of its distribution center employees to be part of the program.

But meeting ADA requirements can still be difficult for small businesses.

"Compliance with the ADA is still challenging, even since 1990," said Beth Milito, senior executive counsel for the National Federation of Independent Business' Small Business Legal Center. "It can be a cost burden, and on the flip side, there's a lot of liabilities associated with being out of compliance."

Compliance costs vary widely — it costs nothing at all to rearrange aisles to make an office more accessible, but redesigning bathrooms and elevators and installing ramps can cost tens of thousands of dollars. Settlements can typically cost businesses \$5,000 to \$10,000 or more.

In the near future, people with disabilities that prevent them from driving, like visual impairment and epilepsy, could have self-driving cars. Those with cognitive disabilities could use technologies like Google Glass to better communicate with their coworkers. Robots could help bedridden individuals telecommute to work. In short, technology could be a game-changer.

Georgia's ADA office has Georgia Tech's AMAC Accessibility Solutions and Research Center and The Georgia Technology Authority working on an initiative called Access Georgia, which helps support agencies in ensuring that information and communication-related technology is available.

"Technology can be a great equalizer," Galifianakis said. "It could be the next frontier in making sure that folks [with disabilities] don't trail."

Now that the ADA has celebrated its 25th birthday, its supporters have shifted their focus to the next 25 years — and there's plenty more to do.

"We want to see more people with disabilities employed in jobs at all levels. We want to see more businesses be accessible to people with disabilities. We want service animals to be welcomed without police being called," said Pam Williamson, project director for the Southeast ADA Center. "These are the things we want to see moving forward."

Georgia Statistics In 2012

- **30.9%**- The employment rate of working-age people (ages 21 to 64) with disabilities.
- **11.1%**- The percentage actively looking for work of people with disabilities who were not working.
- **21.2%**- The percentage of working-age people with disabilities working full-time/full-year.
- **\$32,300**- The median annual earnings of working-age people with disabilities working full-time/full-year.
- **30%**- The poverty rate of working-age people with disabilities.

The ADA

Title I (Employment)— Designed to help people with disabilities access the same employment opportunities and benefits as people without disabilities. Employers must provide "reasonable accommodations" for employees with disabilities without causing themselves "undue hardship," or too much difficulty or expense.

Title II (State and Local Government)— State and local governments and their programs, services and activities are prohibited from discriminating on the basis of disability.

Title III (Public Accommodations)— Public accommodations like hotels, restaurants, doctors' offices, day care centers, etc., cannot discriminate against individuals with disabilities and must make "reasonable accommodations." This title also set minimum accessibility standards for alterations and new construction of buildings.

Title IV (Telecommunications)— Telephone and Internet companies must provide a nationwide system of telecommunications services that allow individuals with hearing and speech disabilities to communicate via telephone. It also required closed captioning of federally funded public service announcements.

Title V— Various provisions related to the ADA, including its relationship to other laws, state immunity and prohibition against retaliation or coercion. Also provided certain conditions that were not to be considered disabilities.

TIMELINE

- **1990:** Americans with Disabilities Act is signed into law by President [George H.W. Bush](#) alongside its “founding father,” Justin Dart. The act offers cross-disability support and unites disability-specific organizations, advocates and supporters under a single cause to work toward.
- **1991:** Regulations for titles I-IV are issued for the ADA for employment, state and local government, public accommodations and telecommunications.
- **1992:** Title I of the ADA takes effect for workplaces with 25 or more employees. Titles II and III take effect for state and local government and public accommodations, respectively.
- **1993:** Title IV of the ADA takes effect for telecommunications.
- **1995:** The American Association of People with Disabilities is formed. The same year, actor Christopher Reeve is paralyzed after being thrown from a horse, and the attention his case receives shines a light on the need for more research on spinal cord injuries.
- **1996:** The Telecommunications Act is passed, requiring all computers, telephones and other devices be made accessible for people with disabilities.
- **1998:** In *Bragdon v. Abbott*, the Supreme Court rules that people with HIV/AIDS are considered disabled under the ADA after an HIV-positive woman sues her dentist for refusing to treat her for fear he would contract the virus himself.
- **1999:** The Ticket to Work and Work Incentives Improvements Act of 1999 expands the availability of Medicare and Medicaid so certain disabled beneficiaries who return to work will not lose their medical benefits.
- **2004:** First Disability Pride Parade held in Chicago. About 500 to 600 people are expected to attend, but 2,000 show up.
- **2006:** The 50-state “Road To Freedom” bus tour and photographic exhibit chronicles the history of the disability rights movement that led to the ADA’s passage.
- **2008:** The ADA Amendments Act (ADAAA) is signed by President George W. Bush to counteract the Supreme Court’s earlier narrow interpretation of disability and provide broader protection from discrimination.
- **2009:** The ADAAA takes effect.
- **2015:** The 25th anniversary of the ADA.

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