



Unemployment Insurance and People with Disabilities: How to Make a Key Social Safety Net Fairer and More Inclusive for a Critical Population (Appendix 1)

FEBRUARY 14,, 2024 –MICHELE EVERMORE

Appendix 1: Disability Access Fact Sheet

by Kat Johansen

Overview

The Century Foundation and Philadelphia Legal Assistance are working to help educate unemployment insurance advocates in states where agencies are modernizing their Unemployment Insurance (UI) IT systems. The goal is to improve these UI systems so that they are claimant-centered and improve overall access to UI benefits. This fact sheet identifies key practices states should consider implementing in their UI IT systems to improve accessibility for people with disabilities. Disability access is important when determining best practices to modernize UI technology because most current systems are outdated and are often complicated to navigate, creating technology barriers for those who lack tech literacy and/or people with disabilities. Modernizing UI technology by implementing disability-friendly features ensures that individuals with disabilities are able to navigate these systems more easily to access their UI benefits. Overall, adopting these components to state UI systems can make them more inclusive and accessible for a more diverse group of individuals.

Key Provisions Around Disability Access

The following items are regarded as key provisions because, when incorporated, they allow people with a wide range of disabilities to more easily navigate the system and access their benefits.

- [Screen Readers](#)
 - Converts text and images into spoken words or braille. This can be helpful to individuals who are blind, visually impaired, illiterate, or have a learning disability.
- [Screen Magnifiers](#)
 - Enlarges screen content by changing text font and size, for example, to improve the overall readability of text and images. This can help support those with visual or physical disabilities.
- Live Captions for Audio Content
 - Provides captions for all live audio content in [synchronized media](#), defined as “audio or video synchronized with another format for presenting information and/or with time-based interactive components, unless the media is a media alternative for text that is clearly labeled as such”
- Pre-Recorded American Sign Language (ASL) Videos
 - Provides pre-recorded sign language interpretation for all audio content
- Text-to-Speech Software
 - Converts text to computer-generated speech and used by some people with cognitive, language or learning disabilities

- Speech Recognition Software
 - Translates spoken language into captioning on screen
- Alternative Texts
 - Examples include providing non-text content, such as “large print, braille, speech, symbols or simpler language”, helping individuals who are blind or visually impaired.

Compliance – Federal Law

- [Section 508](#) of the Rehabilitation Act of 1973 requires agencies to make their electronic and information technology accessible to people with disabilities, both employees and members of the public, and ensure their access to information is comparable to the access available to others. As part of UI’s federal state partnerships, all unemployment insurance programs must comply with Section 508.
- These standards apply to all US Federal Agencies “when developing, procuring, maintaining, or using electronic and information technology” and must do so “to the extent it does not pose an ‘undue burden’”. Because UI is federally funded and overseen, state UI programs must comply.
- [U.S. Access Board](#), established under Section 502 of the Rehabilitation Act of 1973, is an independent federal agency that helps provide information and practices for more accessible design of government websites and technology
- The Board oversees the development of accessibility standards for the technology obtained by federal agencies and provides technical assistance to agencies or individuals to ensure that they are meeting the requirements ([“Rehabilitation Act”](#)).

Web Accessibility Guidelines

[Web Content Accessibility Guidelines \(WCAG\) Version 2.1](#) is a set of guidelines to ensure websites and web content is more accessible to people with disabilities, but it is NOT a law or heavily enforced. WCAG 2.1 is included here because it is the most updated version of the guidelines, however some criteria included in Section 508 standards are related to those listed in WCAG 2.0 and addresses similar accessibility concerns. WCAG 2.1, which includes [an additional 17 criteria](#), builds on WCAG 2.0 and does not serve as a replacement. These guidelines are sometimes referred to as the global “gold standard” for web accessibility and even enforced by law in some countries.

- It is organized by 4 core principles:
 - 1) [Perceivable](#): Content must be presented in a way that is recognizable to users.
 - 2) [Operable](#): All interface components and navigation tools must be functional for all users.
 - 3) [Understandable](#): All content and operation of the user interface must be comprehensible to users.
 - 4) [Robust](#): Content must be capable of serving a wide range of users and be able to keep pace with technological advancements.
- It also includes 3 conformance levels of A, AA, and AAA
 - Level A has 30 criteria and the website must meet each criterion to reach this level of conformance ([“Understanding the Difference Between WCAG A, AA, and AAA Conformance”](#)).

- Level AA and Level AAA build off of Level A criteria and, again, the website must comply with all Level A criteria first in order to comply with Level AA and so on.
- Level AA has an additional 20 criteria, while Level AAA has an additional 28 criteria. Reaching this Level AAA of conformance would be considered the gold standard of accessibility.
- Here are a few examples to highlight the difference among Level A, AA, and AAA criteria, according to each of the four core principles:
- Perceivable
 - [Level A: Pre recorded Captions](#) – Provide in all pre recorded media
 - [Level AA: Live Captions](#) – Include in all audio and visual media content
 - [Level AAA: Pre recorded Sign Language](#) – Have sign language interpretation for all pre recorded media content
- Operable
 - [Level A: Keyboard](#) – Users can navigate functions on the website through the use of a keyboard
 - [Level AA: Headings and Labels](#) – To help describe the topic or purpose
 - [Level AAA: Link Purpose \(Link Only\)](#) – Allows users to recognize the purpose of each link by only reading its link text
- Understandable
 - [Level A: Language of Page](#) – The default language of each Web page can be “[programmatically determined](#)”
 - [Level AA: Language of Parts](#) – Written content on a website is also “programmatically determined”
 - [Level AAA: Abbreviations](#) – A tool available for users so that they understand the meaning of abbreviations
- Robust
 - [Level A: Parsing](#) – Ensures that user software, including assistive technologies, is able to correctly analyze and examine web content.
 - [Level AA: Status Messages](#) – Allows users to be updated of any changes in content that may not be obvious without hindering their work
- Notably, most websites meet Level AA conformance, meaning that the website is understandable and accessible to a majority of people with disabilities. However, there are still ways to improve accessibility, as illustrated by AAA conformance examples.

U.S. Department of Labor (DOL) Standards

- DOL has repeatedly emphasized that states must comply with these standards through program letters which serve as guidance.
- [US DOL Program Letter No. 2-16 – October 2015](#) was issued by DOL “to provide guidance to states to ensure that they comply with their statutory and regulatory obligations to provide access to UI benefits, services, and information”
- Notably, in this letter, DOL directs UI agency staff to attend “ongoing, periodic training” to determine the best ways to provide assistance to people with disabilities, including identifying

the barriers they experience while using the UI systems and then connecting them to “alternative access points pursuant to the state’s standard operating procedures”

- [US DOL Program Letter No. 2-16 Change 1 -- May 2020](#) provides additional and updated information to the original letter referenced above.
- Some principal pieces of guidance added to this program letter include the following:
 - States need to ensure that access to UI services and technology is “comparable to the access available to others”
 - Must also offer alternative options and advertise them widely in multiple formats
 - For example, states could provide a video remote interpreting service to individuals who communicate through sign language or a telephone-based systems, such as text telephones (TTYs) to assist individuals with hearing or speech impediments.
 - Moreover, should states decide to carry out these alternative services, they must include how an individual can receive assistance through these services and how they can file a complaint if their benefits are delayed or denied service due to accessibility issues or lack of effective communication

Recommendations or Key Practices

- [Section 508 Technology Accessibility Playbook](#): Section 508’s official government website provides a framework for U.S. federal agencies, but also government entities at the state level, to improve accessibility for people with disabilities.
- There are 12 key recommendations compiled from successful practices in government and the private sector. The recommendations are listed in the order they should be considered, but it is important to recognize that they are contingent on each other.
- Below are the top three recommendations for state agencies or other entities:
 - 1) **Establish a Section 508 Program Manager to lead compliance efforts:** Because enforcing Section 508 standards can be difficult and requires an exhaustive, carefully planned course of action, having a program manager to be a leader that solely focuses on improving compliance efforts can be a useful first step for a government agency to take.
 - 2) **Assess your Section 508 program maturity:** Agencies are often starting at different points when developing Section 508 programs, some have established ones in place, while others are only starting the process. Evaluating where an agency currently stands in these efforts can help determine an agency’s capability of developing a Section 508 program.
 - 3) **Develop a Section 508 Accessibility Roadmap:** Building off an assessment of the maturity of Section 508 program, creating a roadmap can then help agencies determine its priorities in terms of how they would like to go forward with improving Section 508 compliance as well as an approximate timeline