



# ***DCU BULLETIN***

***Division of Credit Unions***

***Washington State Department of Financial Institutions***

***Phone: (360) 902-8701***

***FAX: (877) 330-6870***

---

July 25, 2017

No. B-17-14

---

## **Website Accessibility and Compliance with the Americans with Disabilities Act**

This bulletin is issued to remind credit unions that their websites should be accessible to persons with disabilities, and that satisfactory policies and procedures should be in place regarding the Americans with Disabilities Act (ADA).

### Background

The Americans with Disabilities of 1990, 42 U.S.C. 12101 et seq., prohibits discrimination on the basis of disability in the enjoyment of goods and services in places of public accommodation. Financial institutions are places of public accommodation, and transactional websites fall within the coverage of public accommodation. Transactional or business oriented websites include those websites that offer account openings, loan applications, online banking and other communications with the financial institution about products and services. Financial institution's websites should comply with the public accommodation provisions of the ADA, even though the US Department of Justice (DOJ) has not issued final rules on web content accessibility that apply to private entities. The US DOJ has issued rules that apply to public entities.

### Expectations

#### Credit unions should do the following:

- Develop policies that address compliance with the ADA and website accessibility requirement. This policy-making process may entail purchasing software, hiring a competent consultant, or using the credit union's information technology staff to review the website and mobile infrastructure.
  
- Review their websites for compliance with the Web Accessibility Initiative (WAI) guidelines. This should be done within a reasonable time frame. See: <http://www.w3.org/WAI/>. These guidelines were developed by the World Wide Web Consortium Web Accessibility Initiative.<sup>1</sup>

---

<sup>1</sup> Functional aids for persons with disabilities include readable and understandable text; color, contrast and font size; functionality available from a keyboard; captions and other alternatives for multimedia;

- Ensure their websites contain contact information for consumer complaints or a “Request Assistance Link” for consumers who have difficulty with the website.
- Promptly address ADA compliant weaknesses in their websites, which may deny access to the disabled.

The Division may review compliance with the ADA at safety and soundness examinations or other limited scope examinations.

This Bulletin provides general guidance and is not intended to substitute for legal advice. If you have questions or would like more information, please contact Margaret Esola at [Margaret.esola@dfi.wa.gov](mailto:Margaret.esola@dfi.wa.gov) or (360) 970-0349.