

AAAtraq – Online ADA Risk Control Program

What's the Risk if you Don't sign-up for AAAtraq Continuous Protection?

- If your website fails to uphold online ADA compliance, you are exposed to the exponentially growing threat of being sued.
- 94% of ALL websites fail ADA compliance.
- Right now, in America, there are 10,000 legal demands issued EVERY WEEK.

What do we Do?

The Americans with Disabilities Act of 1990 requires you demonstrate 'reasonable adjustment'.

The Solution

- Protect yourself NOW by implementing AAAtraq's Continuous Protection Solution which includes an 'ADA Compliance Plan'*.
- Further protect yourself with up to \$50,000 of litigation cost coverage insurance, and full claims management support should you receive a demand whilst in the AAAtraq program.
- Immediate Cover - no complex forms to complete, no underwriting process, sign-up in less than 3 minutes.
- The Compliance Plan helps you to 'demonstrate reasonable adjustment' by improving your website's compliance, and, by following the steps to gain 'stars', working your way up to \$50,000 of costs coverage. It gives you confidence that you're reducing your risk of receiving a demand letter, but you're safe in the knowledge that if you do, you have coverage and help.
- As you work through the steps to gaining your 'stars', you can also rest assured that you're continually covered and no longer exposed.
- AAAtraq provides you with your 'defense shield' during the process to gain your second 'star'. By adding this to your website, it's usually enough to deter any predatory lawyers looking for an 'easy win' (no AAAtraq subscriber has received a demand to date).

How does it work?

ADA Compliance Plan:

Fully automated, online, step-by-step compliance plan for you to follow. The service includes:

- Monitoring – continuous reporting to assess the impact of compliance actions and alerts to failures.
- Website 'fixes' – clearly outlines and prioritizes corrections for those you've nominated or employed to do the 'fixing'.
- Direct Vendor Communications – once you've added them to your program (you're told when to by the system), AAAtraq communicates directly with your vendors informing them that you're in the program. AAAtraq will auto provide your vendors with the necessary requirements, removing you, the insured, as the middle man, and making them accountable for their claims of compliance. AAAtraq gives you the confidence to question their policies should that become necessary.
- Training – library of videos explaining how to publish accessible content for each area of compliance.

ADA Litigation Cost Coverage Insurance:

- In the event that you do receive an ADA demand letter whilst working with AAAtraq you have protection in place. This is not available in the current insurance market
- Your dynamic coverage increases from \$2,500 immediate cover at sign-up up to \$50,000 (per claim) as you work through the actions on your Compliance Plan.
- No deductible.

ADA Claims Management:

AAAtraq has teamed up with well-known national law firm, Wilson Elser, to provide legal and subject matter expertise to further protect you. Wilson Elser is on hand to help in the event of a claim being issued.

- AAAtraq automatically generates record of compliance activities – key for claims defense.
- Removes cost and distraction – AAAtraq takes over any claim, and you focus on business as usual.



Check your Online ADA Risk now free AAAtraq.com/check

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Frequently Asked Questions

Q: If clients know what to look for, they should be able to maintain their compliance, right?

A: The overwhelming evidence is that they are not able to maintain compliance – 94% of all website homepages fail. Compliance on a website is very difficult to maintain: a website is forever changing. Plaintiff lawyers know this, which is why they are issuing so many lawsuits and demands – it's easy money.

Q: If a client is sued or there is a demand, who is going to defend them.?

A: We will make that assessment with Wilson Elser; provided clients have been following the steps in the AAAtraq process, this increases their chances of building a case. It provides evidence that clients have been making 'reasonable adjustment' – which is what the law actually requires.

Q: AAAtraq finds the errors, but how are the corrections implemented?

A: AAAtraq's automation sets out the compliance process, provides training for content publishers, and identifies, pinpoints and prioritizes the technical fixes required (saving thousands of dollars against a DIY approach). However, only a technician who knows what you have in terms of systems, code and setup can apply the technical fixes. This requires a specific level of technical skill and subject matter expertise. You may not have these skills in-house, so you will need to contract a third party to assist (we can recommend partners if you wish). Importantly, ahead of contracting for any remediation 'fix-it' service, you must put them on the AAAtraq system as a 'vendor'. This will ensure they have the right contractual arrangement and accountability in place before any work commences, thus protecting you.

Q: We use an overlay and thought this would suffice for ADA compliance – what's the difference between this 'litigation support package' and the AAAtraq offering?

A: There are many companies who make compliance promises – a web search 'overlays will get you sued' may answer your question. Ask any provider committing to any level of compliance for an indemnity against litigation... There are no quick wins, no technologies that can provide the silver bullet. It is important that any technology, anything added to your website, doesn't impact compliance – you should add the vendor of such technologies to your account and ensure they understand and respect your commitment to compliance.

Q: Our software vendor has said we don't need your service – they provide a report, says we are OK.

A: Too many vendors, service providers, consultants etc., object to members having our service because it makes them accountable. Take matters into your own hands: a good starting point is assessing the risk of your website (or theirs!) – at least start with an independent view at www.AAAtraq.com/check

Q: The Compliance Plan and process seem pretty onerous – we just don't have the resources or the budget to do this.

A: There is no denying that compliance requires investment in time and resources. However, the cost of this effort pales into insignificance when 'reacting' to a lawsuit or legal demand. AAAtraq's intelligent automation puts you in control and will save you thousands when compared to a DIY approach. In terms of effort, typically you need to set aside an hour per week in the first month and an hour per month thereafter.

Q: What are the rules for public entities?

A: Any public entity that receives federal funding is legally required to ensure that their website is compliant with accessibility regulations in accordance with Section 508 of the Rehabilitation Act of 1973. The same rules apply to anyone who does business with a federal agency.

There are additional adherence requirements, e.g., Education, there are local legislative requirements to uphold.

Regulation will continue to evolve and enforcement will become ever more stringent. Ensuring you can demonstrate reasonable adjustment takes time, but you also have to remember that compliance is an ongoing activity.

Q: Accessibility Statements... does your program look at them? Do I need one?

A: In short 'yes' (it may also be a legislative requirement)

One of the steps in the program is to confirm the status of your Accessibility Statement. We also provide a draft for you to review and consider including on your website.

Our system gives you suggestions and best practice, and our monitoring ensures a compliant Accessibility Statement is a priority.

Q: Who is this for?

A: Risk managers, compliance managers or organization executives (responsible for managing risk). This is not a web / IT service.

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