

## **Message to NWBW Membership From the Board President**

March 2015

### **Americans with Disabilities Act (ADA) Policy Implementation**

#### **Reason for replacing the previous Allergy Policy with the ADA Policy**

NWBW Guild adopted a Basketry Materials Allergy Policy in 2009. Though this policy did give appropriate warning about a variety of basketry materials commonly present at Guild events, noting that some might cause allergic symptoms in some persons, it did not provide legal liability protection for our Guild. Nor was there a procedure established to make a request for accommodation in writing, as required by the ADA. This previous Allergy Policy was a good starting point for the development of our ADA Policy.

#### **Understanding the implementation of the Policy**

Allergies are recognized as a disability in the ADA and are to be accommodated in the same manner as other disabilities. Our ADA Policy informs people of the requirement to consider each request for accommodation as a unique circumstance with consideration of how the request might affect the intent of our activities and the purpose of our Guild. The possibilities for accommodations will depend on many factors. Mobility and Allergies are two types of disabilities that we can expect will need accommodation. Mobility requests are common in many public places and should be easy for us to accommodate because the facilities we use are handicap accessible. Allergy requests are not common and due to the variety of natural materials, activities, and facilities we use, our ability to provide accommodations will vary for each request.

The Event Guidelines & Procedures for implementing our ADA Policy defines how a Request for Accommodation can be made and will be responded to. A Request for Accommodation can be made on the registration form for any activity. The deadline for submitting event registration forms will allow appropriate time for evaluation of how the request can be accommodated. While every effort possible will be made to be inclusive in our activities, some limits to accommodation will at times be necessary. Limits to accommodations include that the guild not fundamentally alter an event or the purpose of the Guild and that it not cause undue hardship to the organization.

The ADA Policy is also accompanied by a self-assessment of our ADA Compliance. We could better understand the mobility constraints that some people have even in ADA accessible facilities. Service animals are becoming more common. Vision and hearing impairments could be better addressed in some things we do, even without official requests for accommodations.

#### **The ADA Policy documents are on the Guild website homepage.**

Reading these documents is recommended.

[www.nwbasketweavers.org](http://www.nwbasketweavers.org)

If you would like more information about the ADA Policy please contact:

Kay Ogren at [president@nwbasketweavers.org](mailto:president@nwbasketweavers.org) or 360-293-5507.

## **For those who would like to know the process of creating the ADA Policy**

- \* It began with a committee of three to begin research. The committee consisted of Kay Ogren, Dorothy McGuinness, and Katherine Lewis. Found within many hours of research, one particular contact proved to be the most beneficial. This led to the next phase of our process.
- \* Kay Ogren contacted the Northwest ADA Center, [www.nwadacenter.org](http://www.nwadacenter.org) , a non-profit organization that is the NW regional member in the ADA National Network, [www.adata.org](http://www.adata.org) . While advocating for no one, these ADA organizations educate people, businesses, and organizations regarding the content and intent of the Americans with Disabilities Act. They keep up-to-date on the changes that occur in the law due to challenges that are brought before the courts. There were extensive conversations and email exchanges with a person understanding the specifics of what we are as a Guild and why we were looking into establishing an ADA Policy, something uncommon in a non-profit of our size and type of activity.
- \* Another beneficial contact was 501 Commons, [www.501commons.org](http://www.501commons.org) , offering us opinions regarding establishing an ADA Policy for a non-profit organization. We also had advice from a consultant in their Resource Directory.
- \* Utilizing the information gathered from the above contacts, the committee of the same three people again met to create the 1<sup>st</sup> draft of our ADA Policy. With a presentation of the draft to the Board of Directors, conversations among us led to additional drafts as we together fine tuned the documents to become the final Draft 6. The Board members were provided the sources the committee used and the information and recommendations from those contacts for them to examine.
- \* The Draft 6 ADA Policy was sent to the Guild insurance company for their review and comments. They made only one comment. If we chose to use a liability waiver form for Retreat and possibly other activities, we would need to have that created by our legal counsel. They did not require one or recommend that we have one. We updated information with them about our activities and membership numbers and increased our coverage to today's recommended levels.
- \* We found legal counsel for review of our ADA Policy and advice about using a liability waiver. We were provided information with which we could feel comfortable making the decision to not use a liability waiver at this time. The lawyer looked over our Bylaws and Standing Rules finding them satisfactory. Legal advice has led to the Board beginning discussions regarding how to look at the functions of our Guild and to consider ways to improve the health and sustainability of the organization.
- \* The Board of Directors approved the final Draft 6 at the January 25, 2015 Board meeting.