



Commercial Risk Advisor

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Website Accessibility Lawsuits on the Rise

Website accessibility laws have evolved over the past decade, inundating courts with lawsuits filed by individuals with disabilities—typically those with sight or hearing impairments—claiming that businesses’ websites are not accessible to them. While Title III of the Americans with Disabilities Act does not mention websites or mobile apps, many lawsuits are based on the requirement that “places of public accommodation” provide individuals with disabilities “equal access” to goods, services and facilities.

The frequency of these claims increased 64% in the first half of 2021 from a year earlier, according to a recent report. Companies with revenue below \$50 million were the targets of two-thirds of those lawsuits.

Companies can ensure their website is accessible by:

- **Conducting a website audit.** This process can ensure a website complies with current industry standards and should include a manual, live-person audit to identify potential access barriers.
- **Addressing and correcting any accessibility issues.** Corrections may include color contrast adjustments, alternative text for images or captions for videos.
- **Adopting and maintaining a policy to ensure the website remains accessible.** Periodic audits, testing by persons with disabilities and accessibility training for webpage and content developers can help a website remain accessible to all users.
- **Adding an accessibility statement.** The statement should provide a reliable method, such as a telephone number or email address, for users to contact the company should any accessibility issues arise.

Digital inclusion is not only important for corporate liability, but is also vital for participation, diversity and civil rights. For more information, contact us today.

Drugs and Alcohol Misuse in the Workplace

In 2021, employers saw the highest rate of positive drugs test results in 20 years, according to a Quest Diagnostic study. The study also found that of the seventeen industries tracked, all but mining saw an increase in overall positivity rates from 2017 to 2021. In addition, positive results for marijuana among the general U.S. workforce increased 50% over the past five years.

The use of drugs and alcohol in the workplace can be costly to a business and may result in:

- Unsafe working conditions due to poor decision making
- Absenteeism or increased turnover
- Loss of production or efficiency
- Workplace violence and harassment
- Theft

Since workplace drug and alcohol abuse can have a negative effect on employees and the health of a business, it's important for employers to take steps to minimize the impact. Recommendations include:

- **Support and train supervisors and managers.** Since supervisors and managers are often the first to notice a difference in an employee's performance, personality and activities, it's important to provide them with the tools they need to maintain a safe workplace, protect the privacy of employees and help others.
- **Provide support programs.** Employee Assistance Programs can help all workers and may be particularly valuable for those who might be struggling with substance use issues.
- **Implement workplace policies.** Companies should establish and implement clear policies in regard to substance abuse. The policy should address the use, possession or sale of drugs on company premises, and control the consumption of alcohol and other substances during work hours.

Companies should review their policies about drug and alcohol use on and off the jobsite each year to ensure hazards are kept to a minimum. For more information, contact us today.



Nationally, nearly **9%** of working adults have a substance use disorder, including **6.7%** with an alcohol use disorder.