

The State of Digital Accessibility



In collaboration with:
G3ict and IAAP



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When our team set out to survey, research, and write this year's State of Digital Accessibility Report, we could not have predicted how different the world would be when it came time to publish it. Six months later, we find ourselves in the most challenging business environment of the last 100 years. Organizations are picking and choosing expenditures with exceptional care. Funds for digital accessibility might seem a "want" rather than a "need." My ask to all of you is to fight that view: in this time, more than ever before, digital accessibility is critical to the health and safety of people with disabilities.

Based on the welcome and rapid response by the global scientific community we know a lot about COVID-19 and its impacts. Based on the data, one inescapable conclusion is clear: the disease will have a disproportionate, negative impact on vulnerable populations – chief among those, people with disabilities. If the community we support, people with disabilities, cannot safely shop for food, access state and local government communications, get health services, and connect to distance learning and working opportunities safely, via the medium of the Internet, that community will be endangered.

We can deflect a portion of that danger by working with redoubled energy toward inclusion. In all times, we have refused to accept a world where people with disabilities are treated as second-class citizens. Now the stakes are higher. Now we are called to a greater mission and great impact. Heed the call.

Years from now, when COVID-19 is behind us, the dust has settled, and we're back to some sort of normal, you will have to ask yourself if you have done all you could to protect your customers and constituents. Digital accessibility is a key part of that. Help your organization see that. In doing that, you'll help protect a community and do some good.

This report can play a part in that. Our belief is that accessibility practitioners do something good that is also defensible as an investment. Work in this field must be able to stand up to the robust scrutiny all technology investments face. This report is contribution to standing up to that scrutiny. It can help justify immediate investments in accessibility and guide the long-term maturation of your program. Our hope is that it provides a set of tools you can use to benchmark your program and understand where and how investments in digital accessibility can have their largest impact for people with disabilities.

I look forward to journeying with all of you as we grow and mature together over the coming years and decades. As a group of practitioners, we can help achieve the goal of enabling all people to live their best lives through access to technology.

Stay safe out there.

A handwritten signature in white ink, appearing to read 'T. Springer', with a long horizontal line extending to the right.

Timothy Stephen Springer,
CEO of Level Access

Foreword by Axel Leblois, President, G3ict

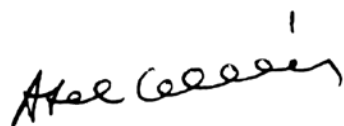
For accessibility professionals and all stakeholders involved in digital inclusion, the results of the 2020 *State of Digital Accessibility* survey will mark a turning point: the more than doubling of respondents year over year reveals a considerably heightened interest in digital accessibility while key data points of the enclosed report show progress among organizations of all sizes over 2019.

We are grateful to our colleagues at Level Access for having taken the initiative of this survey and to the over 1,100 respondents who took the time to respond to its questionnaire. Its results constitute a unique resource for organizations to benchmark their own practices and degree of advancement in implementing digital accessibility with their peers, either by industry or organization size. The report also offers specific gap analysis which often represent “low hanging fruits” for organizations to improve their performance and competitiveness in matters of digital inclusion.

Most importantly, those results provide evidence that in today’s environment, leading companies, universities, and public sector organizations are committing to making their digital channels accessible to persons of all abilities, an even more pressing priority with the COVID-19 pandemic.

From the perspective of IAAP, the International Association of Accessibility Professionals, those results show the heightened level of expertise of its members and the positive impact of its professional certifications in accessibility. This is good news and a well-deserved reward for the many volunteers, experts and staff who have worked relentlessly at promoting the accessibility profession, including colleagues from Level Access.

We encourage all stakeholders involved in accessibility to go through the detailed results of this survey, and to use those to further promote digital inclusion among their organizations, fulfilling our ultimate objective of making our world digitally accessible to all.

A handwritten signature in black ink, appearing to read "Axel Leblois". The signature is written in a cursive style with a small vertical mark above the first letter of the last name.

Axel Leblois,
President, G3ict

Table of Contents

Introduction	6
The State of Accessibility Programs	8
About the Survey Participants	10
Relationships with Accessibility Vendors	12
Drivers, Goals, and Challenges.....	14
Top Accessibility Goals for 2020	16
Product Development.....	19
User Experience & Design Systems.....	22
Testing Process.....	24
Testing Tools.....	26
Auditing the Accessibility Audit Report.....	28
Training & Certifications.....	29
Buying & Selling Accessible Technology.....	31
Accessible Content and Communications.....	32
Legal.....	34
Level Up Digital Accessibility Programs	36

Introduction

Welcome to the State of Digital Accessibility Report, presented by Level Access, G3ict, and IAAP. The 2020 Report draws on the data gathered in the State of Digital Accessibility Survey to provide insights into overall trends in the industry and the digital accessibility programs of organizations large and small.

The 2020 report will cover the following themes:

The State of Accessibility Programs

Among the 1,119 participants in the survey were representatives of nearly every industry group and organization size. The report provides a set of tools to benchmark an accessibility program and understand where and how investments in digital accessibility can have their largest impact—on both the organization and people with disabilities.

Challenges, Risks, and Motivations

Every accessibility program has a story—a spark to get things started, goals to achieve, and obstacles along the way. The report tells these stories through data so organizations maturing an accessibility program will find they are in good company.

Product Development, Design, and Testing

The majority of people who took the 2020 survey identified themselves as responsible for the design, development, and testing of websites, apps, and other digital assets. Insights about tools, training, user testing by people with disabilities, and more will be presented.

Content Creation

Digital accessibility is not limited to code. All content published digitally should be accessible to people with disabilities, including blog posts, documents, emails, webinars, videos, and social media.

To learn more about digital accessibility, visit the Resources hub at Level Access – levelaccess.com/resources.

Who does the most testing by people with disabilities? It's not organizations with the biggest teams or the biggest budgets. It's those who have the oldest accessibility programs.



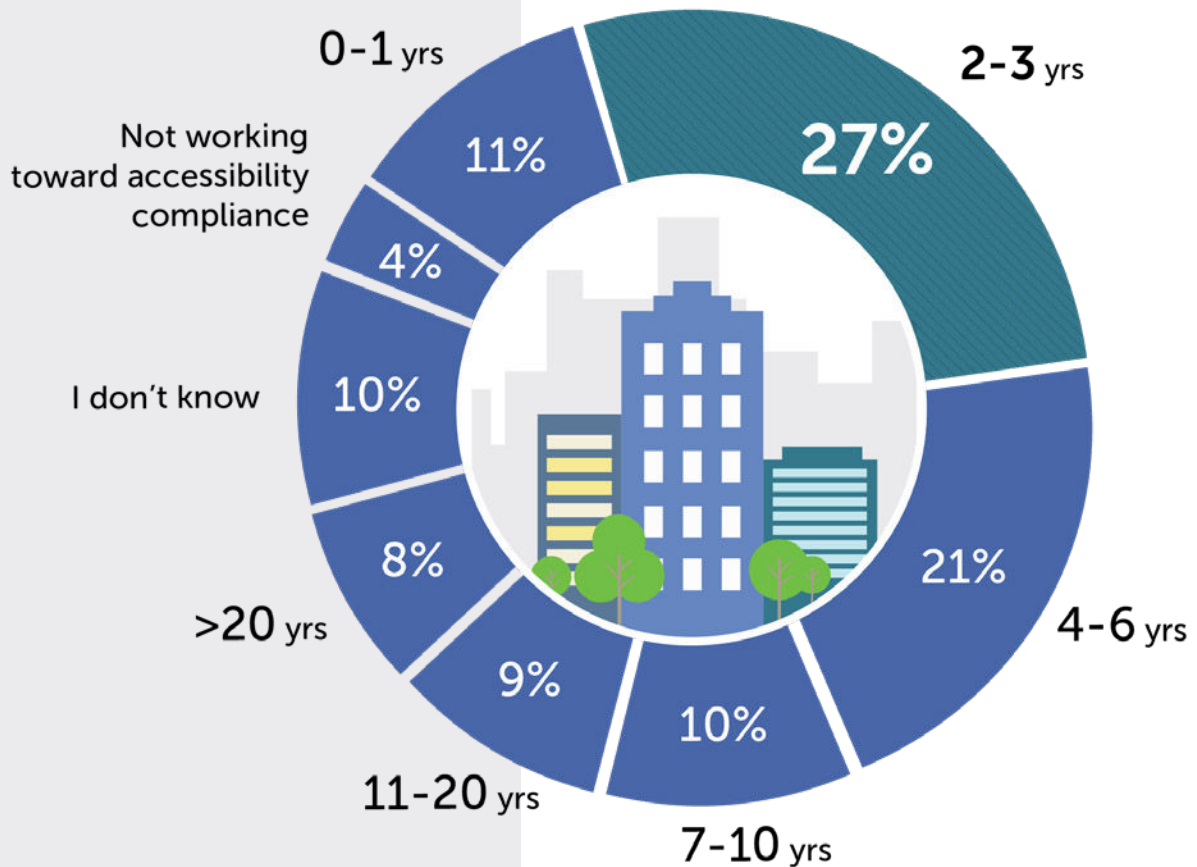
The State of Accessibility Programs

The survey found that the majority of accessibility programs are **young, small, and owned by the IT or Product team**. This was the case across all organization sizes and verticals. Older programs were more prevalent in organizations with more than 5,000 employees.

Most accessibility programs are between 2-3 years old.

This is an interesting question of correlation vs. causation. Are the new accessibility programs tied to the exponential growth in ADA lawsuits over the last few years? Or are they a result of growing awareness around inclusion?

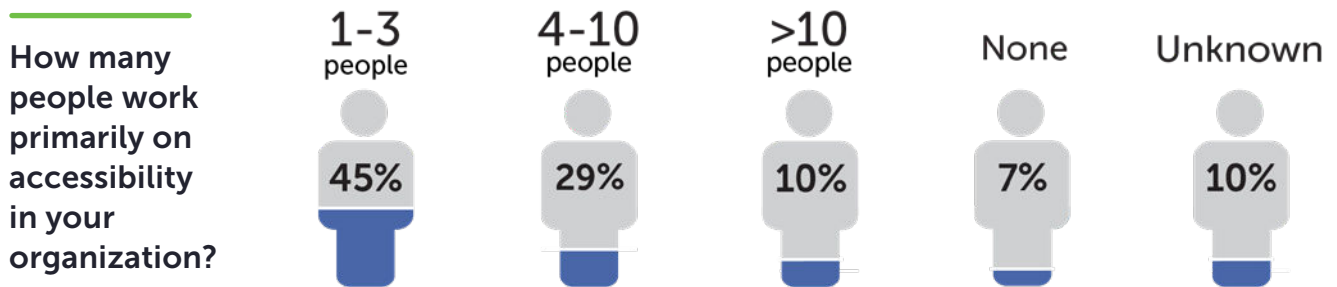
How long has your organization been actively working toward accessibility compliance?





Accessibility teams are small.

The majority of accessibility programs have fewer than 10 team members. This survey question was open-ended, and many participants wrote in comments like, *"I am the accessibility program"* or *"just me!"*



When accessibility is centrally owned, it is by IT or Product.

In **31%** of organizations, accessibility is a distributed responsibility. **Over 60%** of organizations report that the program's budget is owned by the same department.

What business unit is responsible for digital accessibility?



Diversity & Inclusion departments are on the rise.

While just **12%** of accessibility programs are managed by Diversity & Inclusion, that number has jumped from a mere **3%** in 2019.

About the Survey Participants

The 2020 State of Digital Accessibility survey had 1,119 respondents. The majority (76%) were based in the United States.



The principal industries represented in the survey were:



Education



Technology



Public Sector



Financial Services

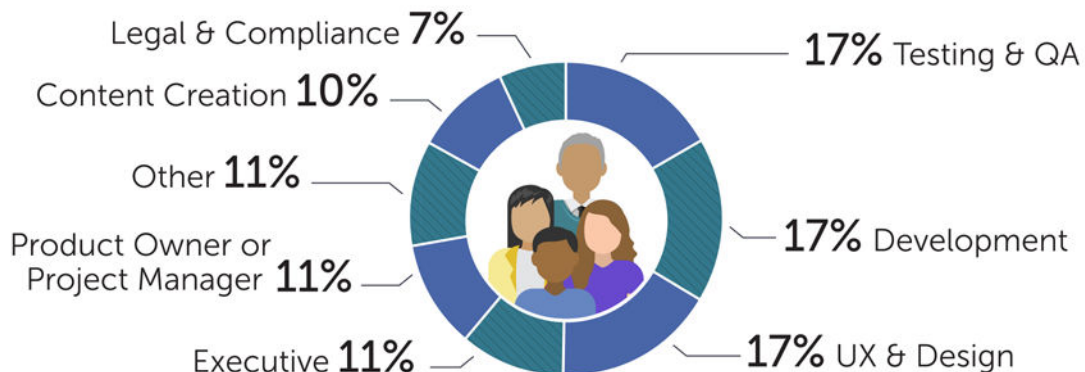


Consumer Products & Services

Organization Size (Employees)



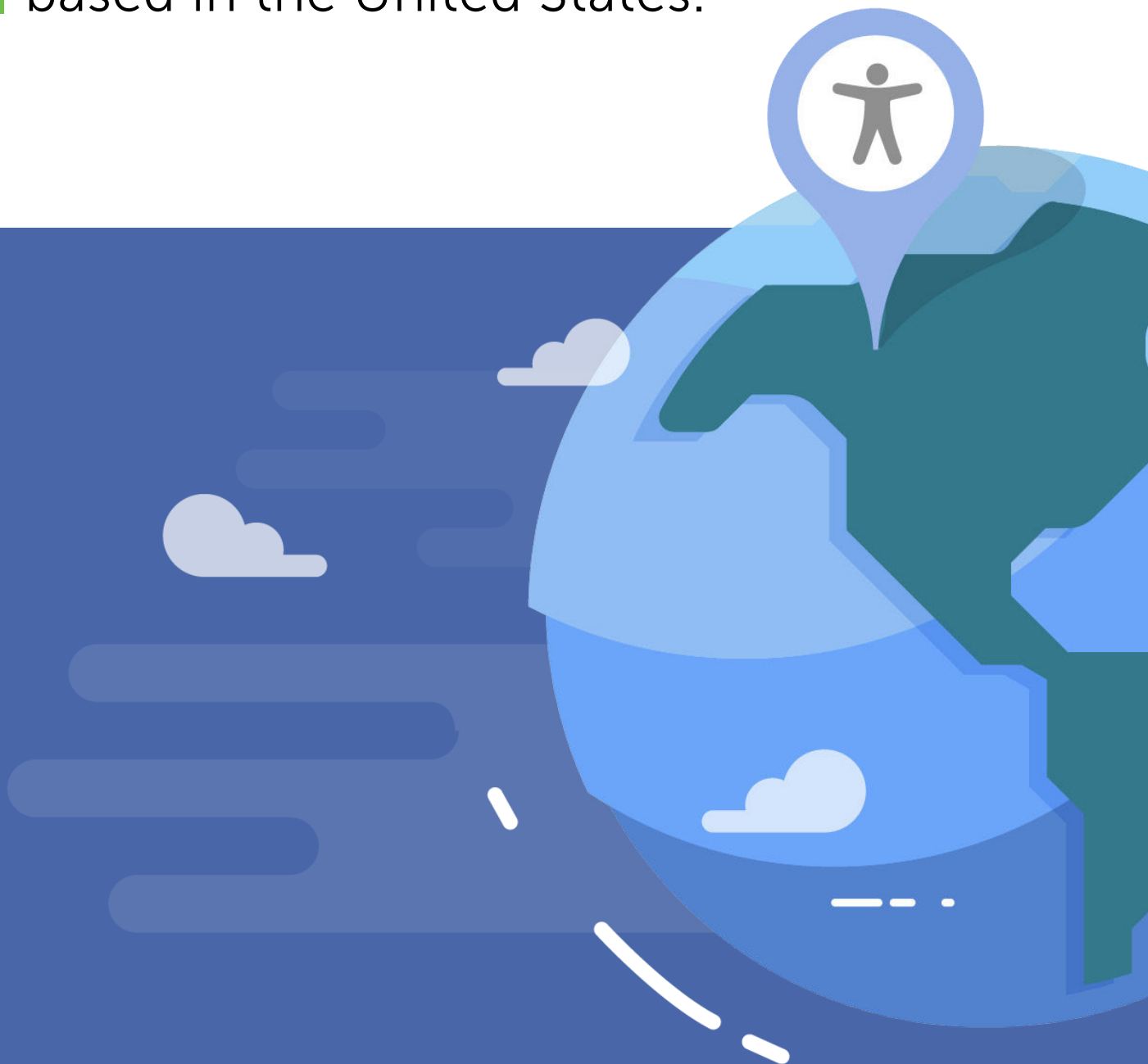
Roles of Survey Participants



*Consumer Products & Services includes retail, restaurants, travel, hospitality, business services, etc.

The 2020 State of Digital Accessibility survey had 1,119 respondents.

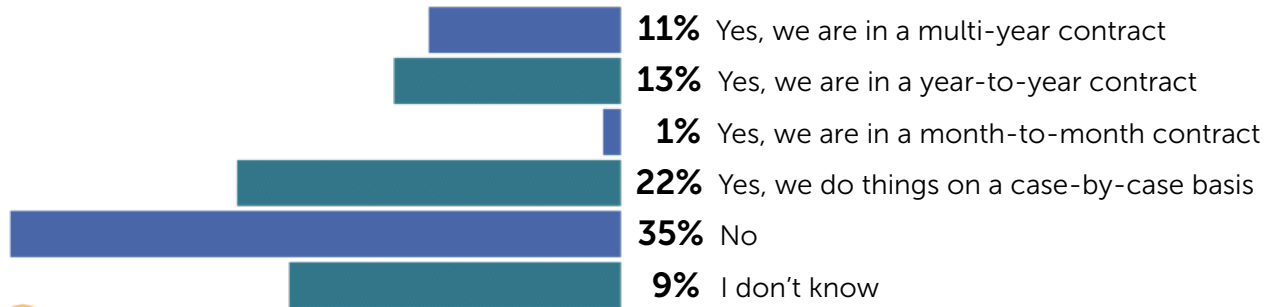
The majority (**76%**) were based in the United States.



Relationships with Accessibility Vendors

Partnering with a vendor provides expertise in a very specific technical skillset and access to people with experience building and maturing accessibility programs. Only **24%** of survey participants reported a stable relationship with a digital accessibility vendor, with the **22%** using a vendor on a case-by-case basis.

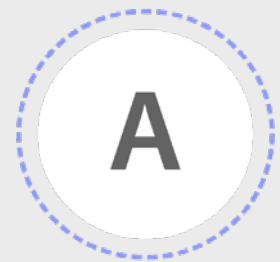
Do you have a relationship with a digital accessibility vendor?



The Survey Says...

Top Five Drivers for Choosing an Accessibility Vendor

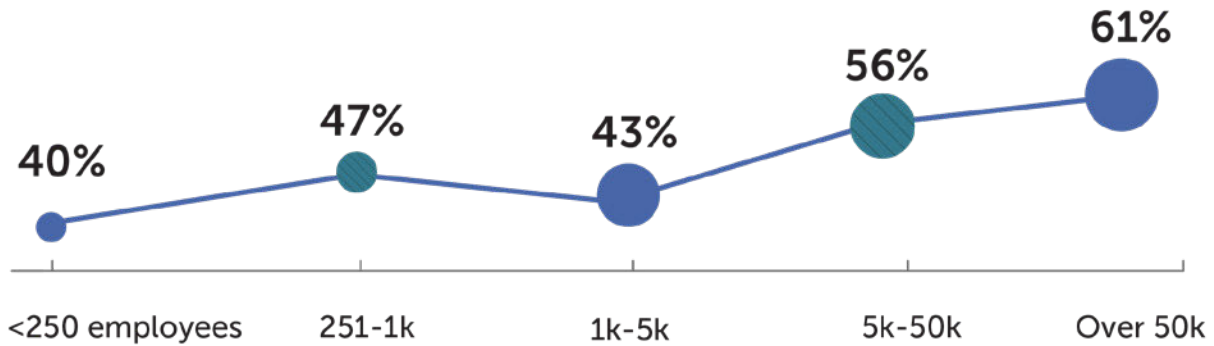
- 1 Best support and high quality of service
- 2 Best experts with the most experience in accessibility
- 3 Solutions integrate best with our systems and practices
- 4 Lowest cost for their solution
- 5 Most complete solution (best assurance of long-term success)



Larger organizations are more likely to have a vendor.

The larger the organization, the more likely they were to be partnered with a digital accessibility vendor and the more likely they were to be in a year-to-year or multi-year contract.

Percentage of organizations with a vendor relationship

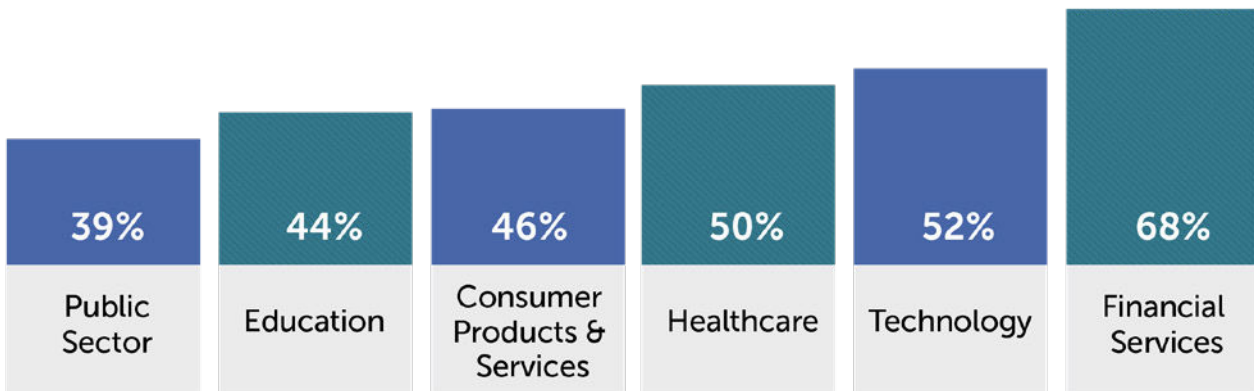


Vendor contract by organization size (employees)	<250	251-1k	1k-5k	5k-50k	Over 50k
multi-year	5%	12%	13%	16%	13%
year-to-year	9%	9%	12%	20%	22%
case-by-case basis	24%	26%	16%	18%	26%

Highly regulated and/or highly competitive industries use accessibility vendors.

When the stakes are high, organizations often choose to partner with digital accessibility experts.

Vendor contract by organization size



Nearly **68%** of participants said that their organization feels compelled to be inclusive of people with disabilities.

Drivers, Goals, and Challenges

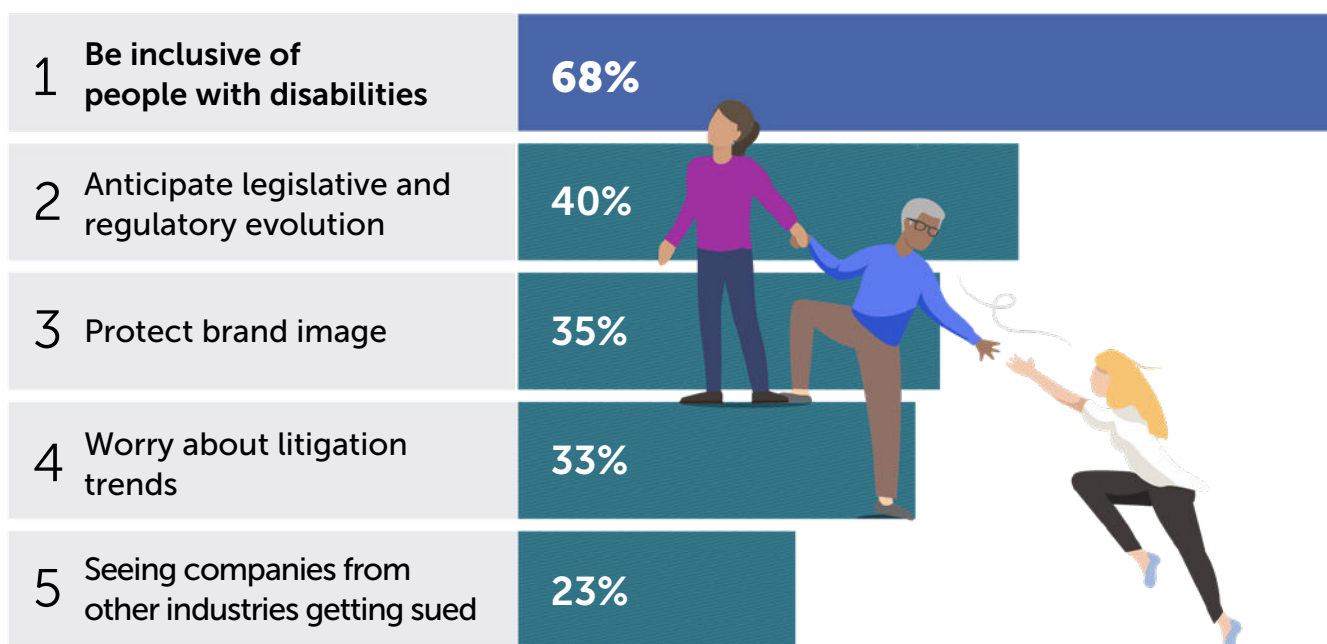
All 1,119 survey participants were asked about the reasons why their organization has committed to digital accessibility, the goals they had for their programs, and the challenges those programs face.

Inclusion tops the list of drivers in 2020.

The business drivers for accessibility continue to be a mix of legal risk reduction and the desire to do the right thing. Nearly **68%** of participants said that their organization feels compelled to be inclusive of people with disabilities, showing that these drivers can work hand-in-hand.

The Survey Says...

Top Five Drivers for Digital Accessibility



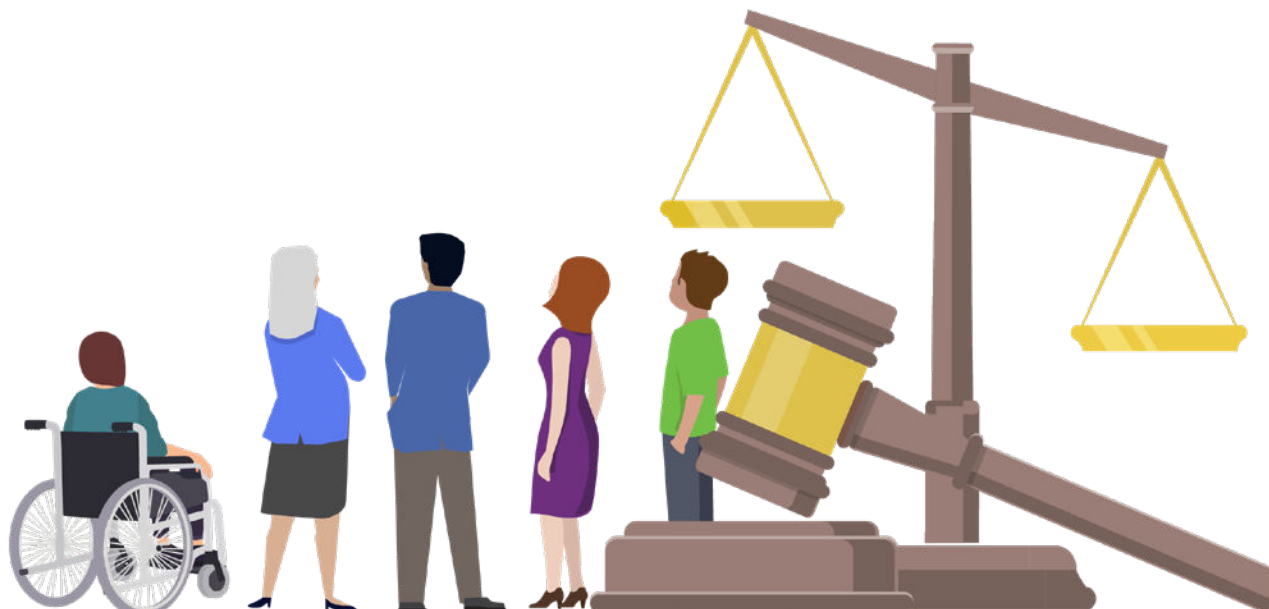
While US & international organizations differ in many ways, they agree that inclusion is important.

Drivers were roughly the same top five across verticals, industry groups, and accessibility program age. The most interesting data here is the comparison between US-based organizations and international ones.

Given the litigation trends in the United States, it is unsurprising that American companies are much more concerned with legal risk. International organizations, on the other hand, can be proactive and anticipate future laws and standards.

Legal Risk Drivers	US	International
Anticipate likely legislative and regulatory evolution	38%	51%
Worry about the litigation trends	36%	20%
Seeing companies from other industries getting sued	26%	11%
Received a demand letter (or an official complaint)	24%	9%
Competitors have been sued	24%	10%
We have been sued	15%	8%

Other Risk Drivers	US	International
We felt compelled to implement inclusion to be truly inclusive of persons with disabilities	67%	69%
Protect brand image	34%	40%
Protect market share	13%	21%



Top Accessibility Goals for 2020

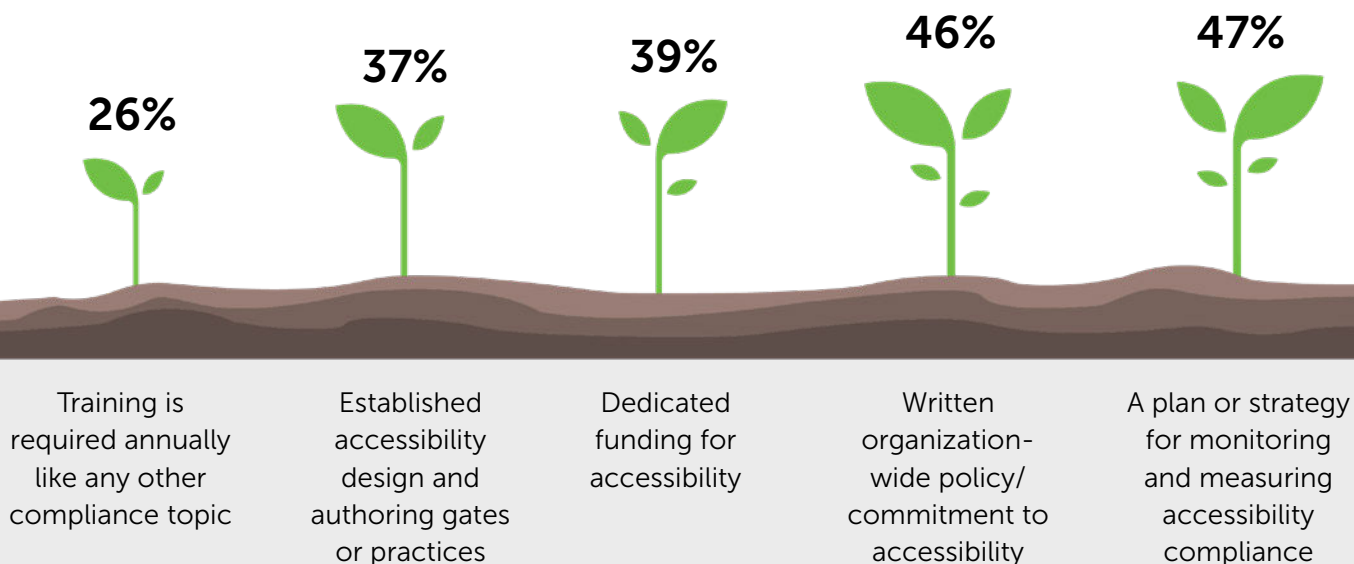
1. Implementing a standard, organization-wide approach to accessibility, **45%**
2. Maturing an accessibility program, **44%**
3. Conforming to current or future digital accessibility standards, **42%**

Maturing an Accessibility Program

The most interesting data came from digging into the topic of program maturity. The survey asked participants to identify markers of maturity and rate their organization's implementation of mature practices.



The top five markers of a mature accessibility program and the percentage of organizations meeting that goal.

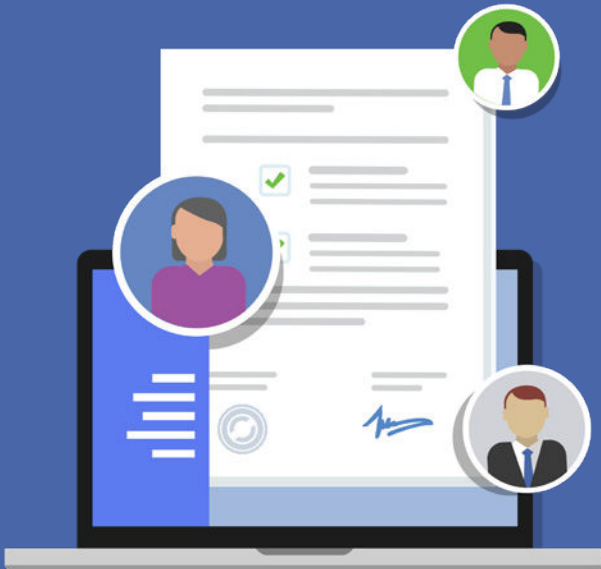


Other maturity markers that scored low in actual implementation: engagement with the disability community (**34%**) and a documented and audited process to resolve complaints (**34%**).

Factors that influence accessibility program maturity

Distributed vs. centralized responsibility

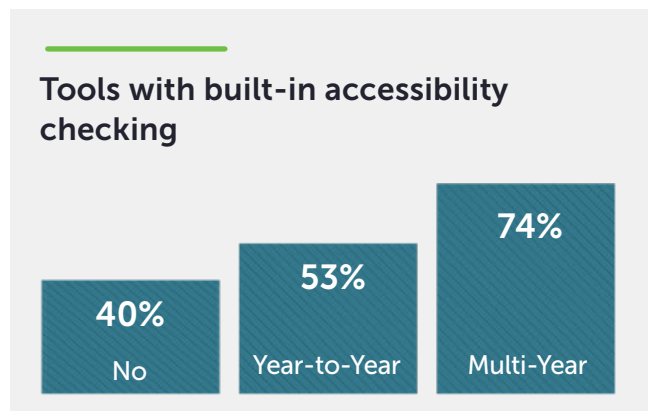
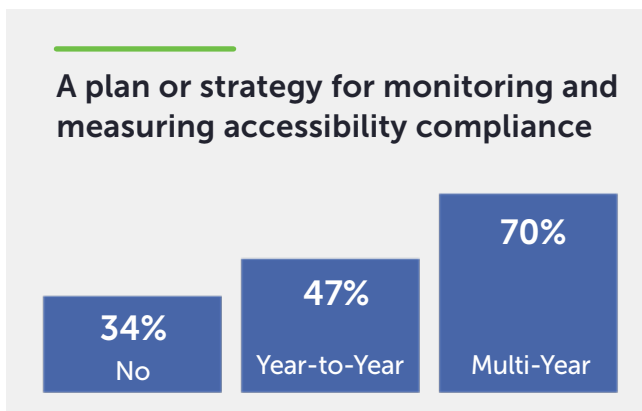
31% of organizations reported that accessibility is a shared responsibility among multiple business units. Centralized programs are more likely to have dedicated funding for accessibility.



Many mature accessibility programs have an ongoing relationship with an accessibility vendor.

Organizations in a multi-year commitment with an accessibility vendor are more likely to report having a strategy for monitoring and measuring accessibility compliance. They are also more likely to have tools with built-in accessibility checking.

Length of vendor relationship affects some maturity markers



End-user accessibility plugins and widgets

Over **66% of the organizations** responding to the survey did not use plug-ins as solutions. Plug-in solutions offer insufficient coverage, often fixing minor cosmetic issues without addressing functional access barriers.

Top Five Challenges for Accessibility Programs

A thriving accessibility program does not appear fully formed and perfected; every program has its challenges. Survey respondents were asked to identify the challenges faced by their accessibility programs and five common threads were found.



1. Incorporating accessibility earlier in the development lifecycle (56%)

For those involved in the creation of digital properties—product, UX, engineering, etc.—this challenge ranked high. When digital accessibility is only considered after a product is developed, remediation takes more time and energy. It is much more cost-effective to be thinking about inclusive design at the first stages of planning a new product or a new feature for an existing product.



2. Training (55%)

Every role listed training in their top three challenges. When the clock is ticking—see #3—it can be hard to make time for professional development.



3. Time (51%)

Time to develop an accessible product — or remediate an inaccessible one — is a common challenge. Developing accessible digital properties can be done on a tight schedule, but only with the proper planning, training, and tools.



4. Access to usability testers who have disabilities. (45%)

While the majority of organizations agree that testing by people with disabilities is important, the majority don't do it. Many participants commented that budget prevented them from expanding usability testing to include people with disabilities.



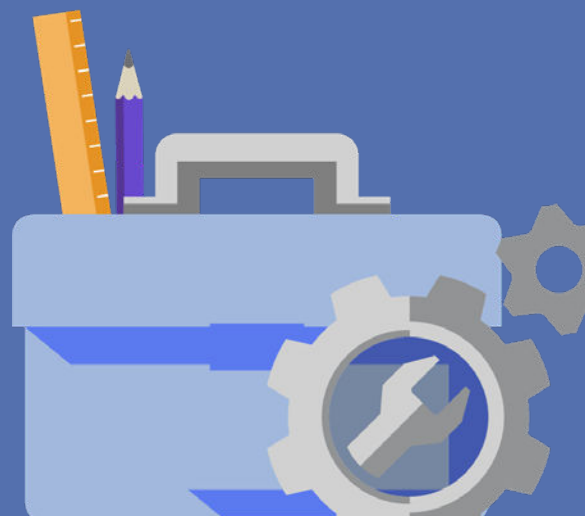
5. Too many content creators – can't monitor everything (44%)

Whether content creators are writing code or sharing documents, the never-ending stream of new content can be hard to manage from an accessibility standpoint. This especially rang true for those in higher education who have professors and teaching assistants uploading documents and videos for classes daily.

#1 Challenge by Role

The top challenge for the top three roles represented in the survey:

- **UX & Design:** Training
- **Developers:** Lack of time
- **Testing / QA:** Incorporating accessibility earlier in the development lifecycle



Product Development

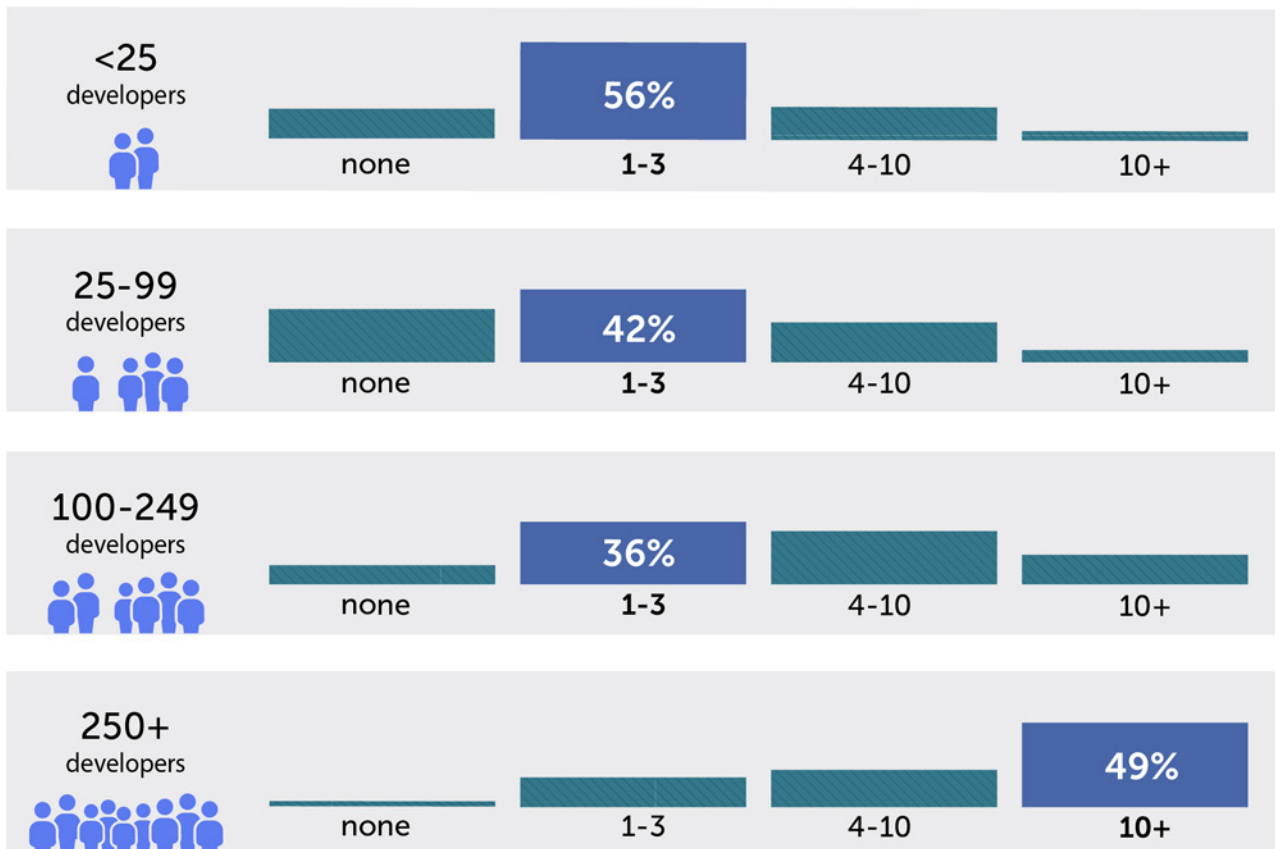
The longer an organization waits to incorporate accessibility, the greater the chance that the product will be inaccessible (or expensive and time-consuming to retrofit). When the product team considers accessibility from the start, they can iterate, test, learn, and end up with a stronger product.

Accessibility teams scale alongside their development team.

While the best situation would be that every developer is trained on and charged with accessibility, the reality is quite different. In fact, **44%** of organizations have between one and three people who work primarily on accessibility.

As product development teams grow, so do their accessibility teams. The 2020 survey numbers reported below can be used to justify increased budget for accessibility team members.

Organizations with fewer than 250 developers were most likely to have 1 to 3 people working primarily on accessibility.



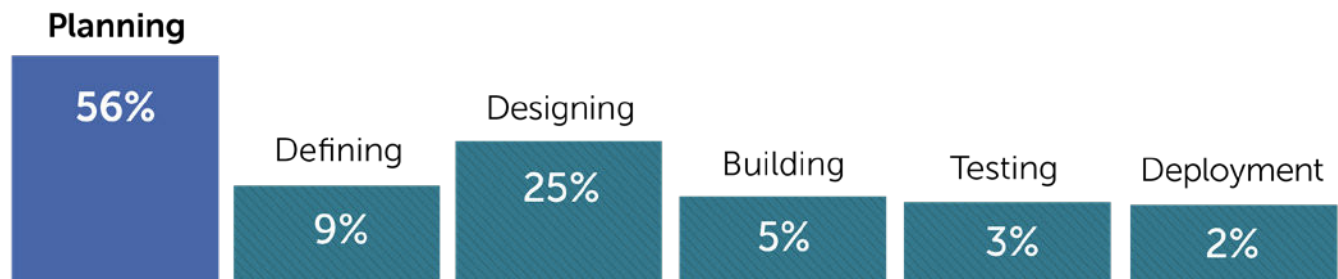
Nearly **70%** of organizations outsource at least one accessibility task.



Accessibility is moving upstream.

90% of development teams think about accessibility before building begins.

What is the earliest time in the systems development life cycle that you start thinking about accessibility?



Got Standards?

WCAG 2.1 was released in June of 2018. In the 2019 State of Digital Accessibility survey, **28%** of organizations said they had adopted the 2.1 guidelines. In 2020, the number rose to **56%**.

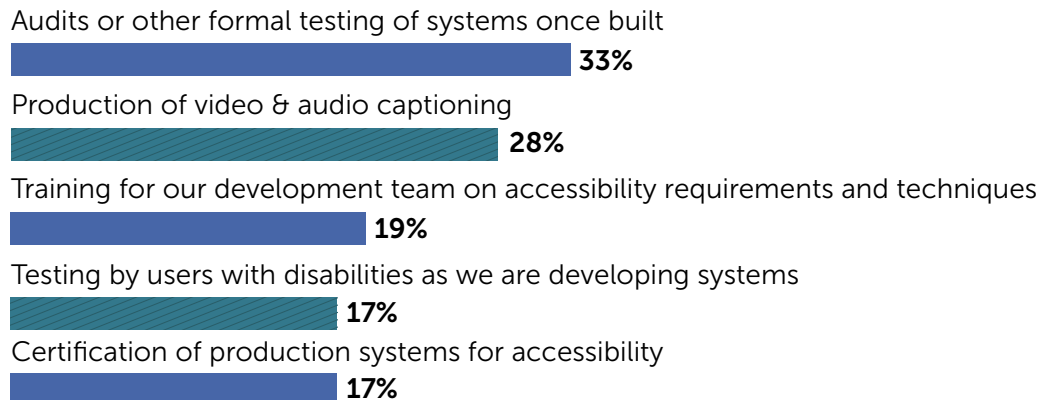
Section 508 was listed as the preferred standard for **42%** of organizations (Section 508 includes WCAG 2.0 A and A.)

Finally, **14%** of organizations reported using their own accessibility standard. The majority of those respondents also checked off WCAG 2.0 or 2.1, so it is unclear if they truly have their own standard or if they are using a mix of WCAG 2.0 and 2.1.

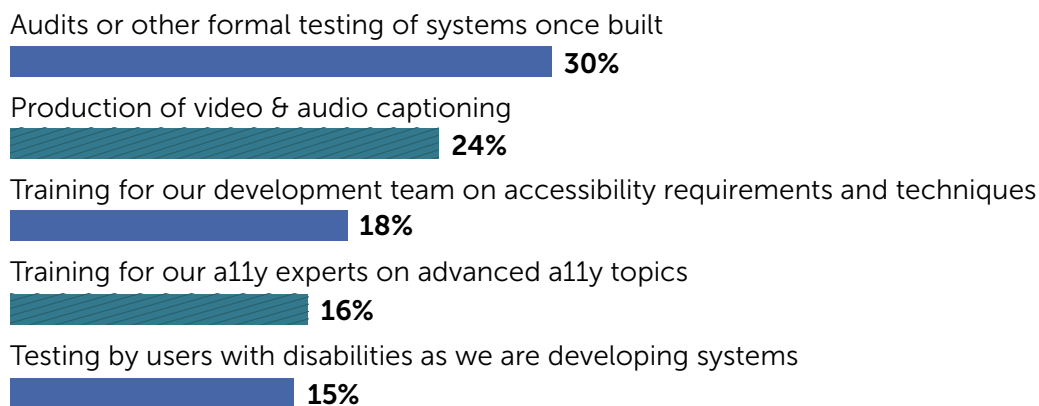


The most common project to outsource is an accessibility audit or other formal testing of systems once built. (See page 28 for more on audits.) This was followed by captioning and training.

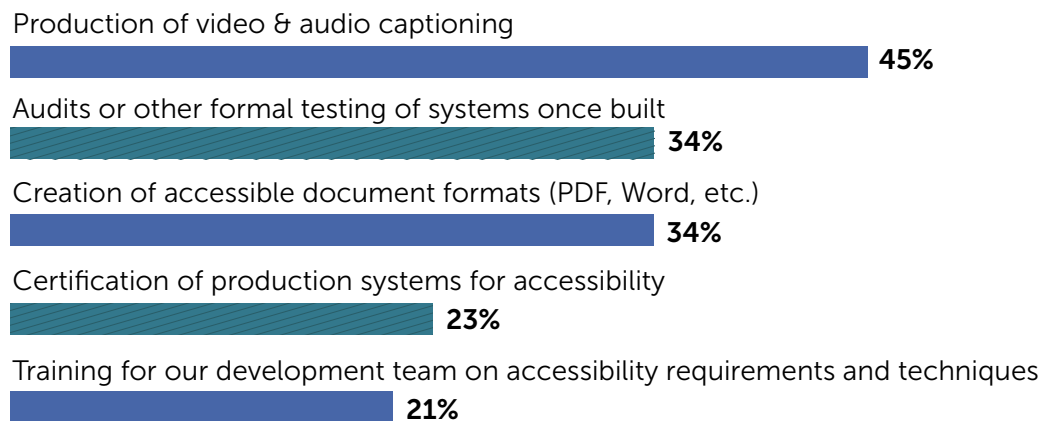
Top Five Outsourced Accessibility Tasks



... for Accessibility Teams with fewer than 10 people



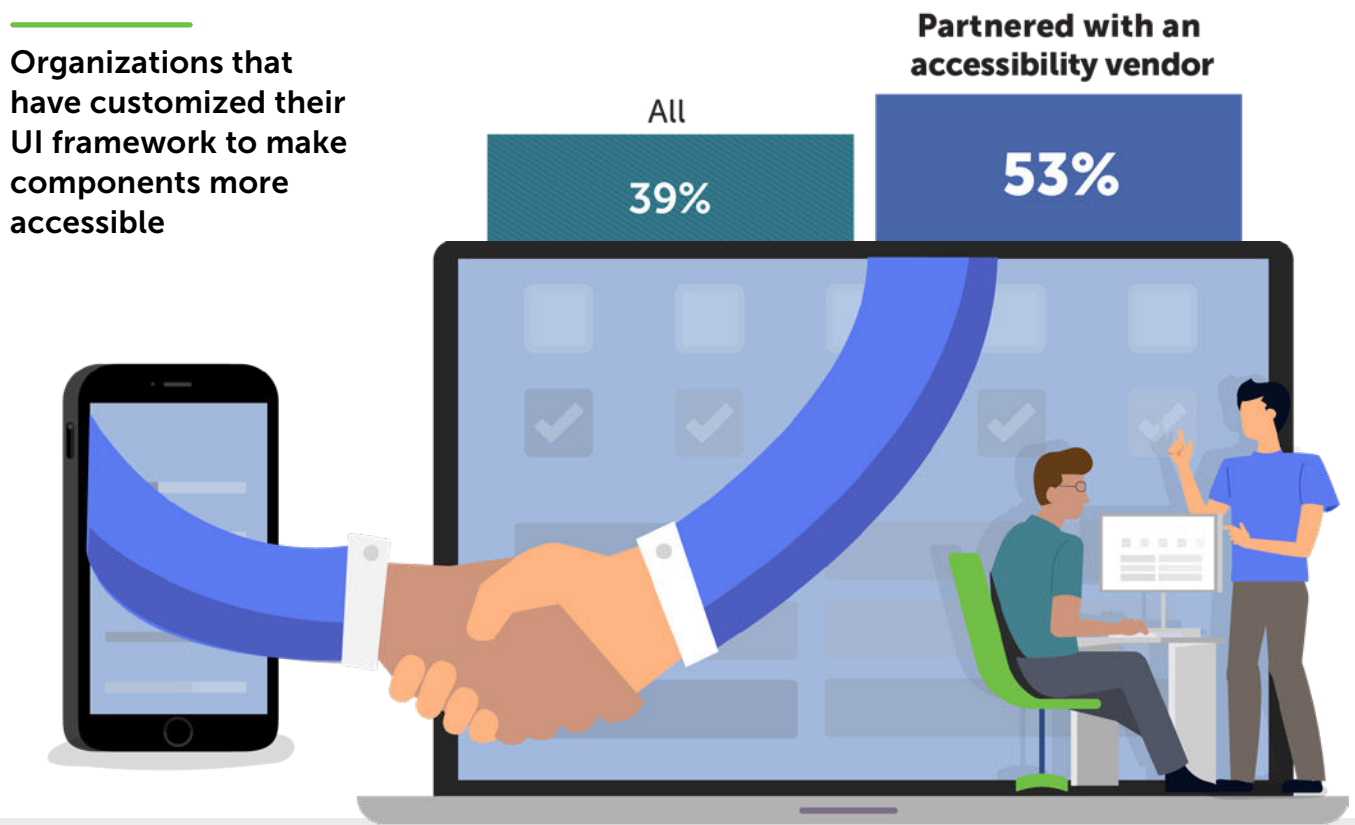
... for Accessibility Teams with more than 10 people



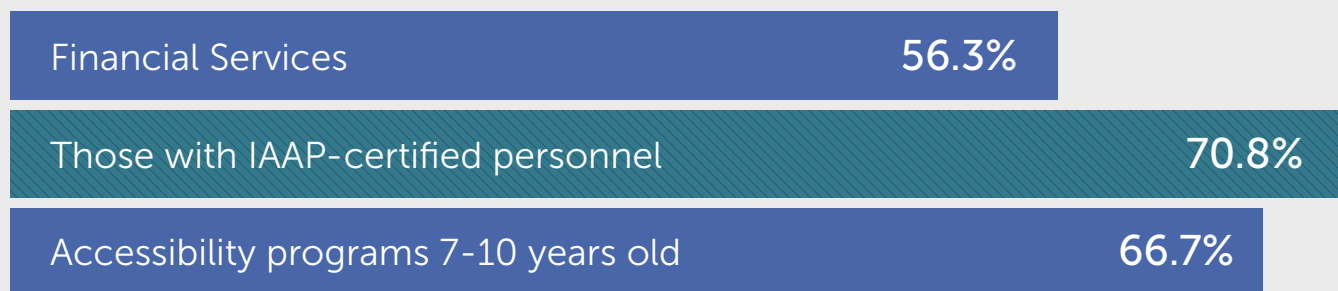
User Experience & Design Systems

Design systems help organizations drive better products to market faster. They can also streamline accessibility—integrating accessible components in a standardized framework to consistently create inclusive user experiences.

The survey showed that organizations that partnered with an accessibility vendor—even short term!—leveraged that relationship to develop a more accessible component library.



Organizations with the most accessible UI components



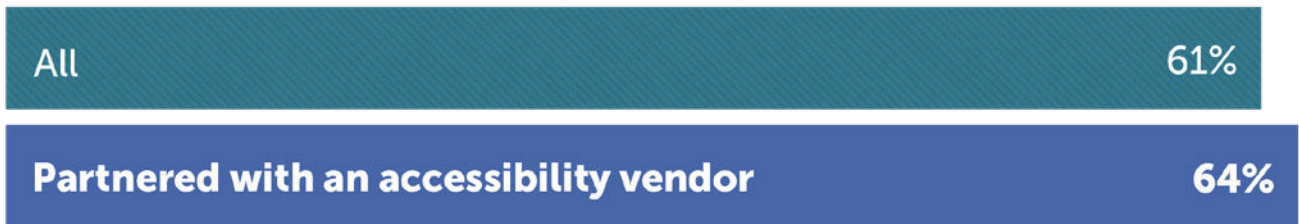
Most organizations are including accessibility in requirements and acceptance criteria.

Whether or not an organization uses agile methods, weaving accessibility into daily processes provides more value for the product:

- Increases product usability and speeds up task flow completion.
- Opens the product up to a new market (people with disabilities).
- Increases organizational efficiency and decreases operational costs.
- Builds loyalty in customers.
- Future proofs work so it can provide more value later.



Organizations that include accessibility when writing product and feature requirements



Organizations that include accessibility in acceptance criteria



While **94%** agree that testing by people with disabilities is important, **56%** of organizations are not doing it.



Testing Process

The survey asked those in technical roles about user testing by people with disabilities, accessibility testing in continuous integration, and code-level unit tests.

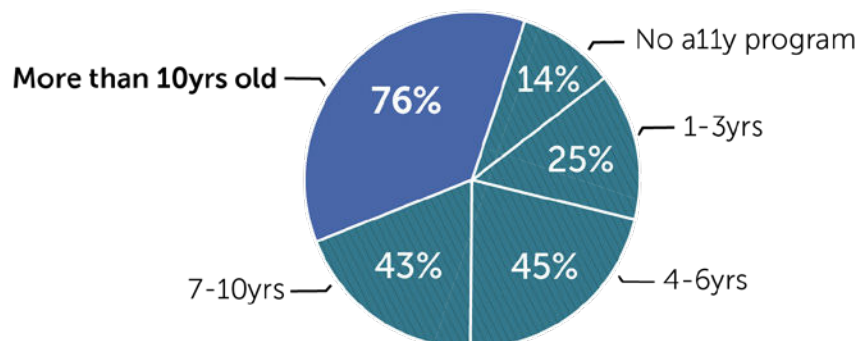
Most organizations are not testing their product with people with disabilities.

While **94%** agree that testing by people with disabilities is important, **56%** of organizations are not doing it. While automated and manual testing can identify many accessibility barriers, the best way to ensure an inclusive experience is to involve people with disabilities. Their experience is an invaluable part of the development process.

More established programs are more inclusive.

A clear trend appeared in the relationship between age of accessibility program and inclusion of people with disabilities. The older the program, the more likely it was to be inclusive. In fact, the age of accessibility program was more of a predictor than the size of the program or its budget.

Usability testing by people with disabilities, by accessibility program age

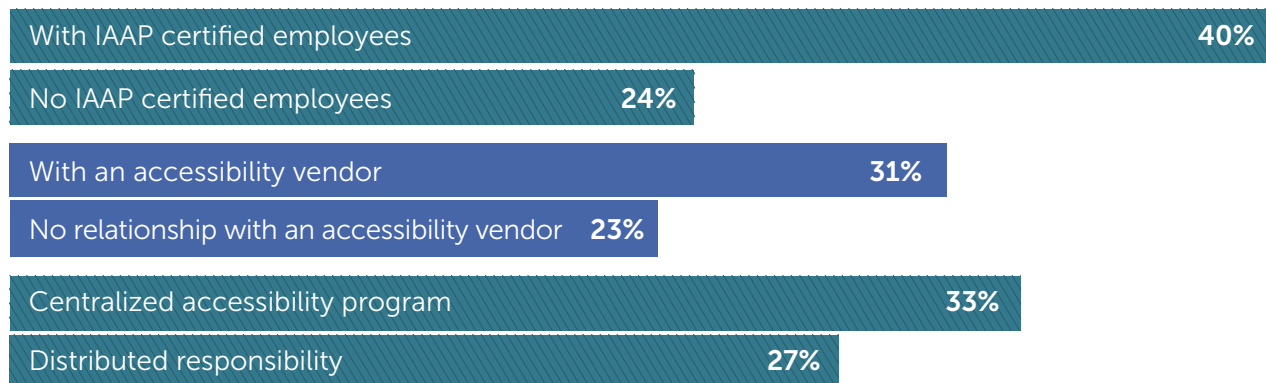


Continuous Integration & Accessibility Testing

Continuous integration is the practice of merging all developers' working copies to the shared mainline several times a day. The survey revealed that **28%** of organizations tested for accessibility during the CI process. Organizations with IAAP-certified personnel were most likely (**40%**), followed by organizations where responsibility for accessibility compliance was centralized (**33%**).



Organizations where accessibility testing happens as part of the Continuous Integration process



Validating accessibility in unit testing

The earlier accessibility issues can be found, the more cost-effective they are to fix. Running accessibility tests alongside standard unit tests is being adopted slowly. The survey revealed that only **21%** of organizations are validating accessibility requirements in unit testing. The number **jumped to 33%** for those in a multi-year relationship with an accessibility vendor.

Organizations that write code-level unit tests to validate accessibility requirements



Testing Tools

Preferences for testing tools change as an accessibility program matures and acquires the knowledge and funding to operate efficiently and effectively.

Browser extensions and page testers

The majority of development teams (**84%**) reported using browser extensions and page testers. This number rose to **90%** for organizations with more than 5,000 employees. The number drops to **74%** for organizations where accessibility testing is part of the continuous integration process.

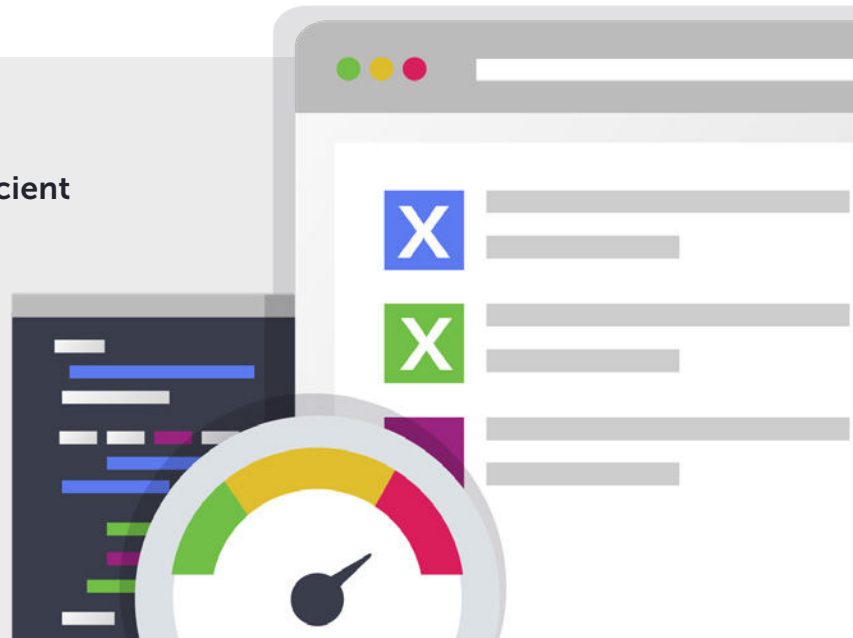
Free tools

The majority of organizations—across all sizes, verticals, and maturity—use free tools. There are many free tools available and, despite their limitations, they can prove useful.

The Survey Says...

Top 5 Reasons Why Free Tools are Insufficient

- 1 Limited coverage
- 2 Limited reporting options
- 3 Limited results and information
- 4 Limited number of tests
- 5 Limited testing options



Overlay-based remediation tools

These solutions apply fixes over a website or web app using JavaScript and without altering the code and are typically provided by a blend of automation and manual services. They require extensive maintenance to account for new content and because any changes to the underlying code can break existing fixes. These tools were used by only **7%** of development teams.

Plug-ins or widgets for users to alter UI

These tools generally provide assistive options (like text enlargement) that are already available via browser or operating system settings and fail to ensure an accessible experience. The survey found these were used by **32%** of development teams and more frequently (**44%**) in those with short-term relationships with accessibility vendors.

Script-based web monitoring

While only used by **10%** of all development teams surveyed, script-based web monitoring was more frequently used by teams with mature accessibility programs (**17%**), those who rated their accessibility knowledge as advanced (**19%**) and those who test for accessibility as part of CI practices (**19%**).

SDKs or automated testing integrations for development

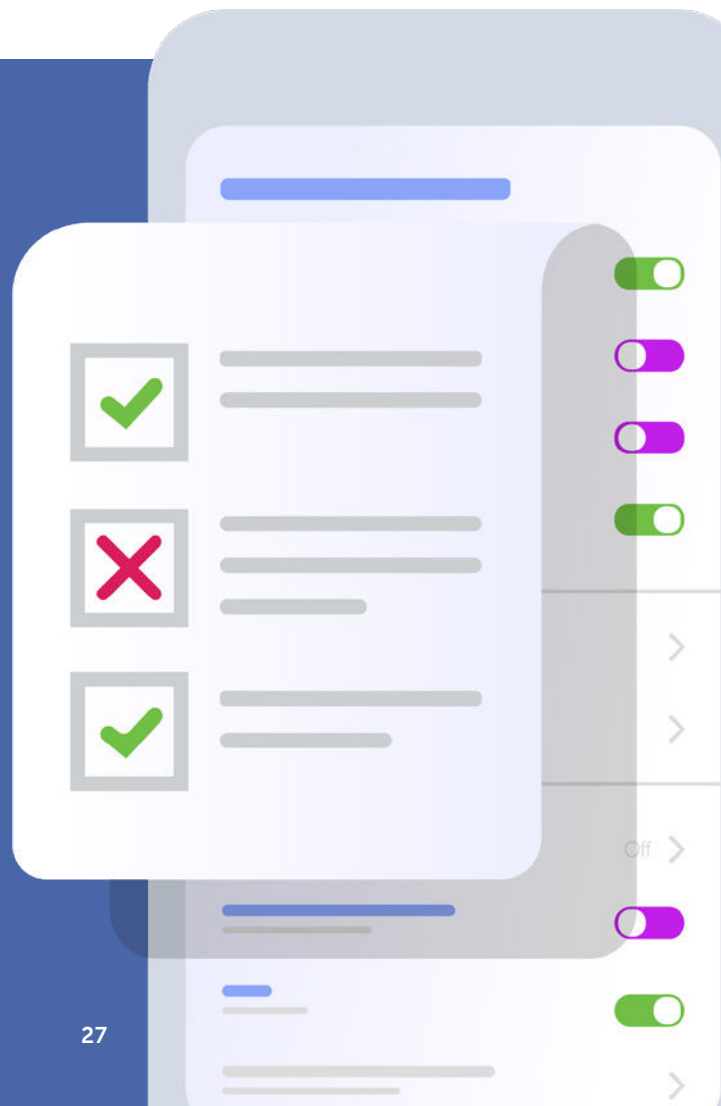
While only **14%** of development teams reported using SDKs or automated testing integrations, this number doubled to **28%** for those with advanced accessibility knowledge. Other groups with high adoption include those in long-term contracts with an accessibility vendor (**23%**), those who include accessibility testing as part of CI practices (**23%**), and organizations with 50k+ employees (**35%**).

Site scan or web crawl software

Site scans and web crawlers were used by **41%** of all development teams. This grew to **58%** for accessibility programs between 7-10 years old and **57%** for those over 10 years old. Those organizations in a long-term contract with an accessibility vendor were also much more likely (**57%**) to use site scan or web crawl services than those who had no vendor relationship (**32%**).

Mobile testing is most often done with the native screen reader.

When testing mobile apps for accessibility, most organizations use the native screen reader apps—VoiceOver for iOS (**55%**) and TalkBack for Android (**46%**). Just over **30%** admitted they do not test their mobile app for accessibility.

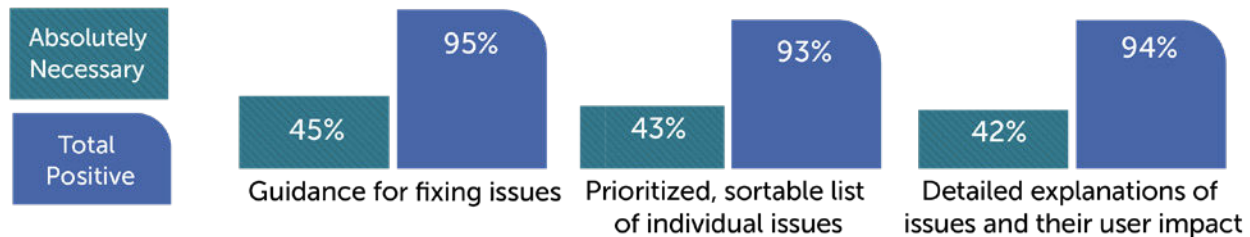


Auditing the Accessibility Audit Report

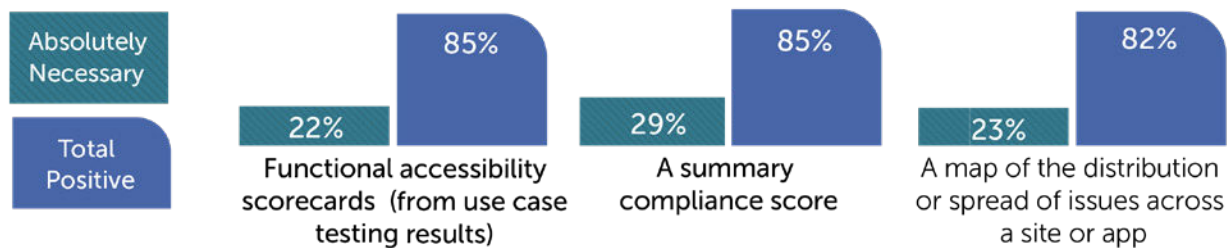
Many organizations complete digital accessibility audits on key properties. The survey asked those who have had an audit to share their experience, rating each aspect of the audit report as **Absolutely Necessary**, **Very Important**, **Important**, **Not Very Important**, or **Not Necessary**.

Absolutely Necessary, Very Important, and Important have been combined here as “**Total Positive**.”

Most important parts of an audit report



Least important parts of an audit report



The bottom three are important, but not necessarily to implementation roles.

“Least important” is in the eye of the beholder. The question about audit reports was asked to those in technical roles (developers, testers, and UX). Each of the audit report features that rated in the bottom three are those that are, in fact, not necessary for those with that level of expertise in product development.

These report features are valuable in another way. They make it easier to create a concise and user-friendly answer to the question: “What were the results of the audit?”

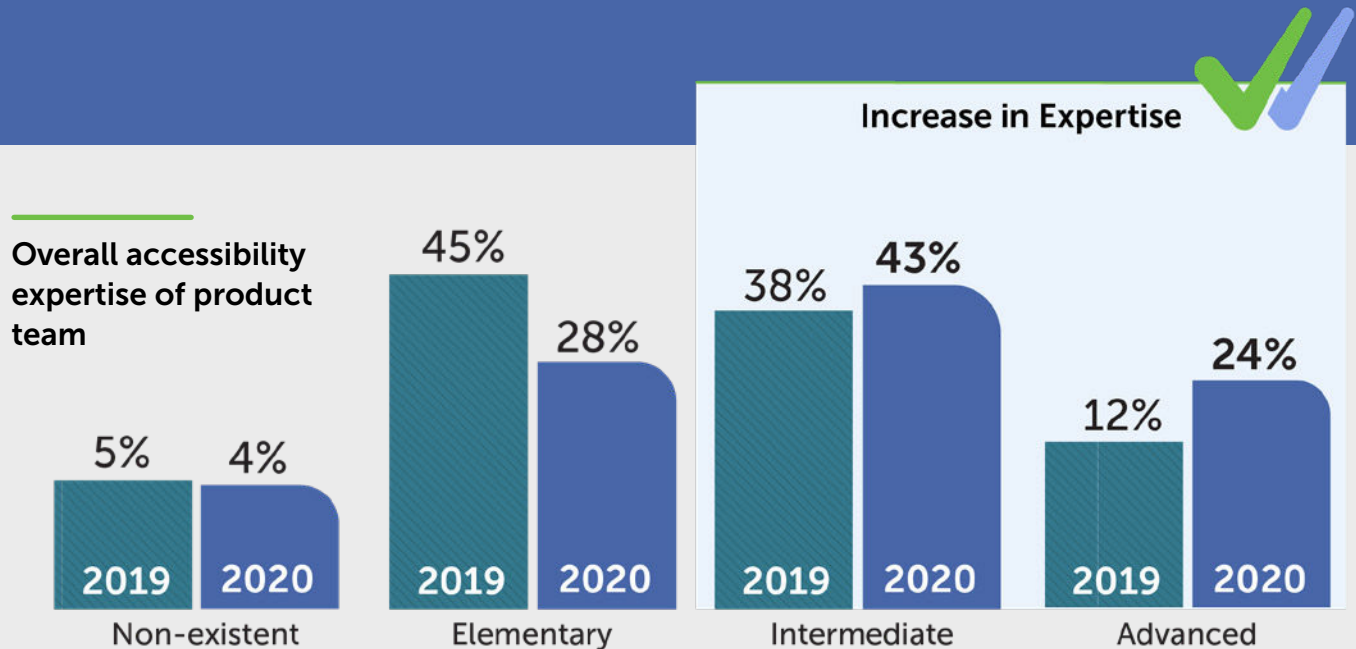


Training & Certifications

Training was listed in the top five challenges faced by accessibility programs. While **94%** agreed that a mature accessibility program should have required annual training, only **26%** of organizations achieved that goal.

Overall accessibility expertise has improved year over year.

In 2019, the majority of organizations rated their team's expertise as elementary (**45%**). This year, overall expertise leveled up to intermediate (**43%**) and the number of advanced teams nearly doubled.



Advanced teams shared some common features.

For professionals looking to join a team with advanced knowledge in accessibility, these were the common features:

1. Organization Size

- Fewer than 50 employees
- More than 50,000 employees

2. Industry

- Education
- Financial Services
- Accessibility Services

3. Certification

- IAAP-certified employees or contractors



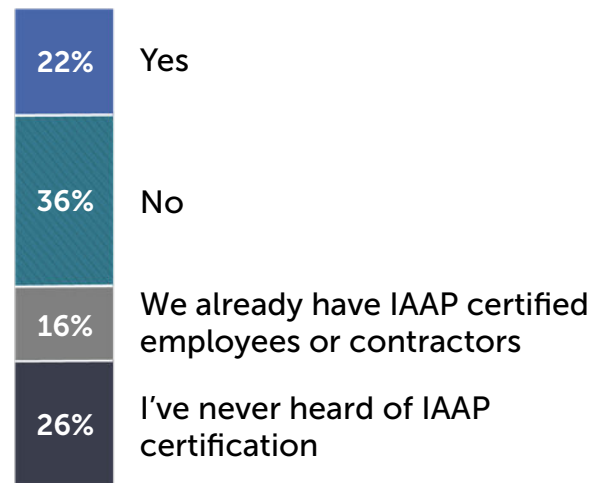
Professional certifications communicate commitment to accessibility.

The survey results also highlighted the importance of professional certification. Accessibility knowledge, skill building, and transfer of expertise result in enhanced accessibility for products and services.

More than **35%** of surveyed professionals stated that it was challenging to hire people with experience in digital accessibility. Commitment to digital accessibility at an individual level can be expressed by achieving certification with International Association of Accessibility Professionals (IAAP). When employees or contractors have a professional level credential (CPACC) or technical credential (WAS and CPWA), employers have a way of benchmarking accessibility knowledge.

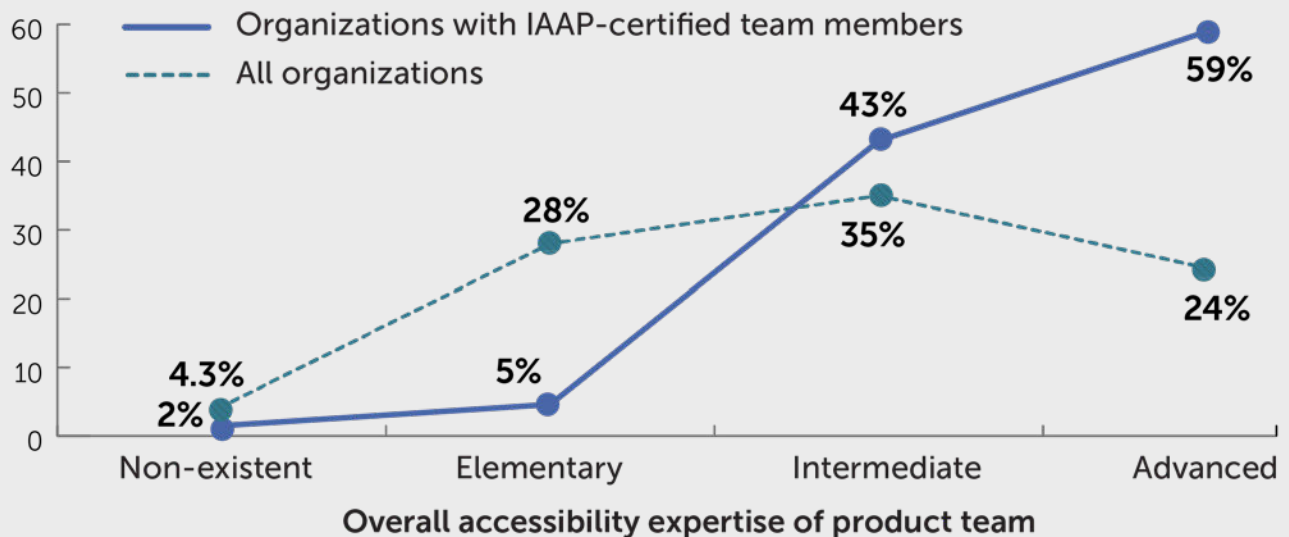


Have you considered asking your employees or consultants to be IAAP (International Association of Accessibility Professionals) certified?



IAAP membership is correlated with advanced expertise.

It is clear that there is a relationship between certification and accessibility expertise.



55% of organizations have prioritized buying a product or solution because of its accessibility.

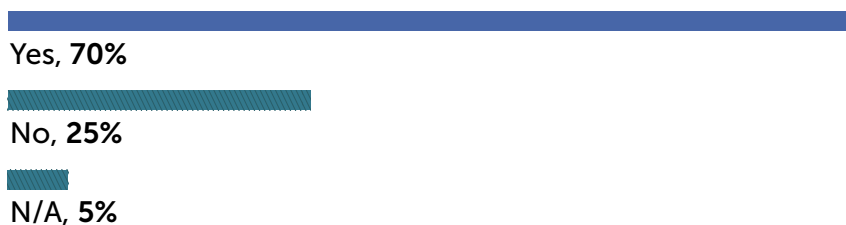
Buying & Selling Accessible Technology

The best way to find out if a piece of technology works for people with disabilities is to ask people with disabilities to test it. The next best thing is to look for documentation: a VPAT (or other accessibility conformance report), and the answers provided in a Request for Proposal (RFP).

The majority of buyers want accessible technology.

The survey found that **55%** of organizations have prioritized buying a product or solution because of its accessibility. Only **25%** do not ask vendors for any sort of proof of accessibility before purchasing a product or solution.

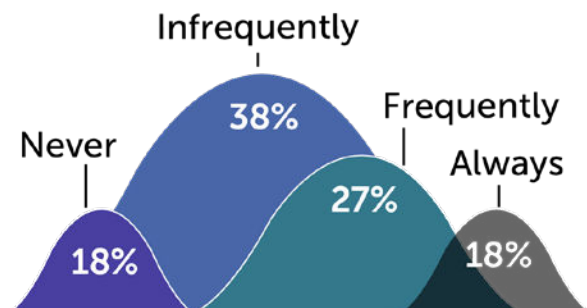
Do you hold your vendors accountable for digital accessibility?



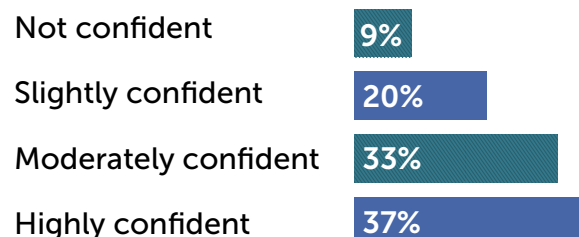
The RFP process often doesn't include questions about accessibility.

For those selling technology, the data skews toward RFPs not asking about product accessibility. But when those questions are asked, survey participants say they are confident answering them.

How often do RFPs ask about your product's accessibility compliance?



How confident do you feel responding to RFP questions about your product's accessibility?



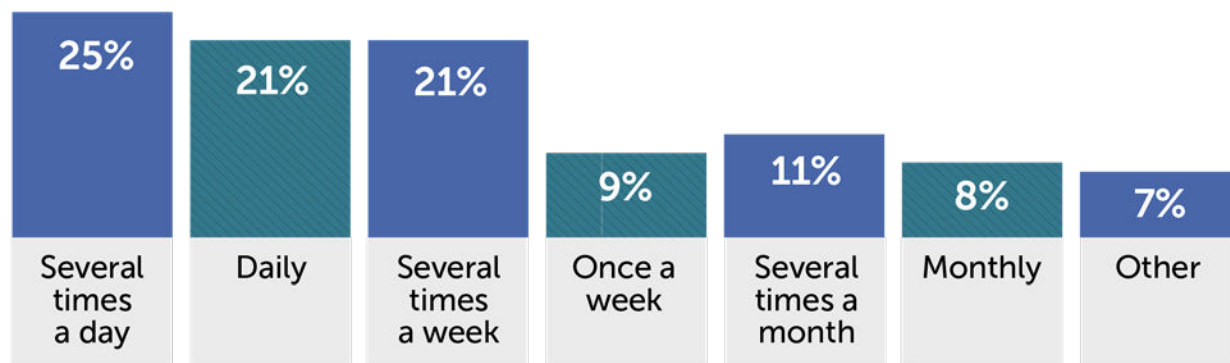
Accessible Content and Communications

Every organization creates content – whether it’s educational materials, marketing collateral, product pages, or digital documents. The survey asked those in content creation roles about the accessibility of the content they produce.

Content velocity makes accessibility challenging.

Static websites are a thing of the past. **45%** of respondents reported that they update content daily or even several times a day. With content being published at this rate, accessibility is not a given unless best practices are baked into the content creation process.

How often do you update content on your website(s)?



Webinars are still lacking in accessibility.

Of the organizations who host webinars, **23%** stated that their webinars were not accessible. Adoption of accessibility best practices like live closed-captioning, accessible slides, and a transcript were also adopted by fewer than a third of organizations.

Webinar Accessibility

- Accessible to screen reader users, **30.9%**
- Live closed-captioning, **29.4%**
- Transcript following the webinar, **29.4%**
- Accessible to keyboard-only users, **27.9%**
- Webinar slides in an accessible format, **26.5%**



There are too many (content) cooks in the kitchen.

Over **43%** of organizations stated they had accessibility challenges caused by “too many content creators.” This was especially true for those in education (**61%**) and the public sector (**49%**).

Without proper training—which **55%** of participants also identified as a challenge—it is difficult to ensure that all published content is accessible.



Video captioning is widely adopted.

Everyone knows that captions are important for those who are deaf or hard of hearing, but they are also helpful to those with cognitive disabilities or English language learners. (That’s not even mentioning how many hearing people view videos with their device muted.) The survey found that **90%** caption their video content, with **30%** of them choosing to outsource the task.

Document accessibility is improving (slowly).

Digital documents have their own set of best practices to ensure accessibility. For those using Microsoft Office, the Accessibility Checker identifies errors and walks the user through remedying them.

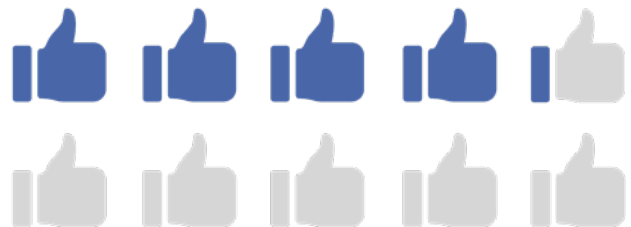
PDFs are not as straightforward and can pose challenges, especially issues of reading order for screen reader users. In the survey, **18%** admitted that they do not tag their PDFs to make them accessible. This number is down from **23%** in 2019.

15% of organizations outsource the task of document accessibility.

Social media accessibility is rising.

In the 2019 survey, only **29%** of organizations reported using alt text in social media posts. In 2020, this increased to **45%**. In today’s fast-paced world, accessible social media content is a must for any organization that values inclusion.

45% of organizations report using alt text in social media posts.

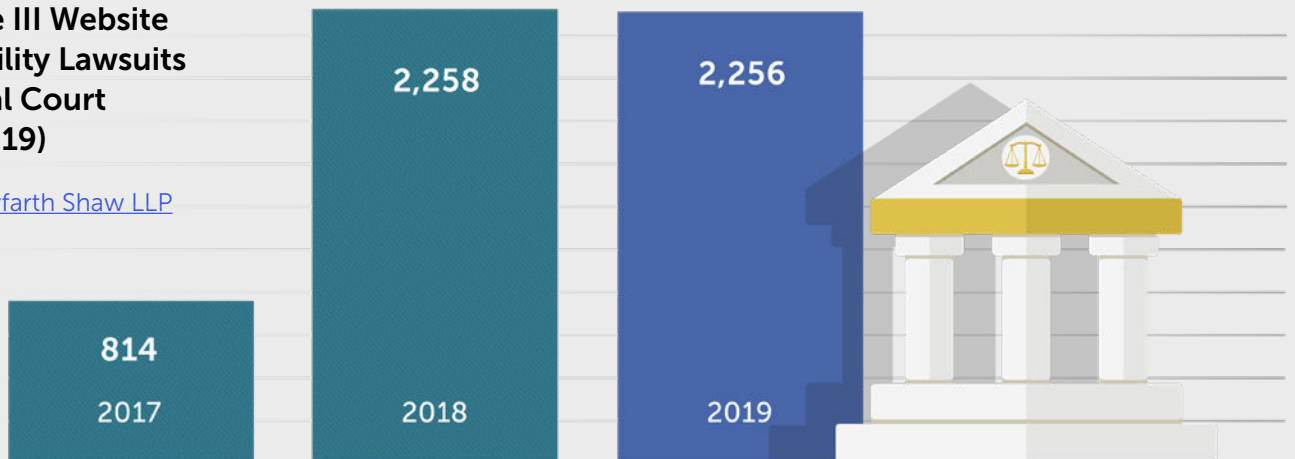


Legal

2019 was an interesting time for digital accessibility. The Dominos case worked its way up to the Supreme Court, where the justices declined to hear it. The uncertainty was reflected in a lull in new ADA Title III lawsuits filed. All in all, 2019's numbers were roughly even with 2018.

ADA Title III Website Accessibility Lawsuits in Federal Court (2017-2019)

Source: [Seyfarth Shaw LLP](#)



60% of organizations reported that current litigation trends have motivated them to move faster to achieve accessibility compliance.

Legal risk is still a major driver for accessibility.

Nearly **60%** reported litigation trends have motivated them to move faster to achieve accessibility compliance

24% of organizations have received a demand letter or were sued over digital accessibility,

10% of those came under legal scrutiny **more than once**

21% have competitors that have been sued



Legal counsel is key to a successful settlement.

If an organization receives a demand letter or is sued, the first step should be to secure counsel. If internal counsel does not have experience with ADA settlements, there are attorneys and firms that specialize in it.

The survey revealed that **65%** of organizations that came under legal scrutiny contacted their internal legal counsel immediately. **22%** chose to respond directly to the complaint.

What were the first actions you took upon receiving a notice of a lawsuit filed or a demand letter?



Prepare for significant expenses for legal counsel.

The majority of organizations who used external counsel spent **over 40 hours** with their attorney(s). Given the hourly rate of a quality attorney, this is no small line item!

$$\begin{array}{l} \$ \\ \left\{ \begin{array}{l} \$xxx - yyy \quad \times \quad 40 \quad = \quad \$zz,zzz \\ \text{Hourly rate} \quad \quad \quad \text{hours} \quad \quad \quad \text{estimated cost} \end{array} \right. \end{array}$$

Internal expenses also add up quickly.

The majority of organizations also spent **over 40 hours** with internal teams, working to resolve the complaint and bring their properties into compliance.

The bottom line: Accessibility now is the budget-friendly choice.

The risk of a lawsuit is still very real, especially for consumer-facing companies, educational institutions, and public sector organizations. Putting accessibility as a must-have line item in the budget will mitigate some of the financial risk posed by lawsuits and demand letters.

Level Up Digital Accessibility Programs

- Research new automated testing tools, especially those that can be used as part of continuous integration.
- Include people with disabilities in your user testing.
- Invest in training opportunities like those offered by organizations like Level Access, G3ict, and IAAP.
- Bring your marketing department and other content creators on board to create a fully accessible digital experience.

For more information about making your digital properties accessible to people with disabilities, please visit Level Access's Resources at LevelAccess.com/resources.

About Level Access

Level Access provides industry-leading and award-winning digital accessibility solutions to over 1000 corporations, government agencies, and educational institutions. Our mission is to achieve digital equality for all users by ensuring technology is accessible to people with disabilities and the growing aging population.

Why partner with Level Access?

- Over 20 years in digital accessibility and only digital accessibility – an unparalleled history in helping customers achieve and maintain compliance.
- A comprehensive suite of software, consulting services, and training solutions.
- Experienced testers, including many with disabilities who use assistive technologies.

Learn more about digital accessibility products and services at levelaccess.com or 800-889-9659.

About G3ict

G3ict's objectives and global outreach are aligned with the dispositions of the Convention on the Rights of Persons with Disabilities (CRPD) on the accessibility of Information Communication Technologies (ICTs) and Assistive Technologies.

What does G3ict do?

- Promote awareness of digital accessibility and of effective public policies, private sector initiatives, and accessibility standards;
- Support advocates and policy makers with capacity building programs, policy development tools and benchmarking;
- Facilitate and share good practices and innovation in accessible and assistive technologies;
- Foster harmonization and standardization to achieve lower costs and interoperability on a global scale;
- Define and promote the accessibility profession through networking, education and certification.

For more information, please visit www.g3ict.org.

About IAAP

The International Association of Accessibility Professionals (IAAP) is a not-for-profit association focused on advancing the accessibility profession globally through networking, education and certification in order to enable the creation of accessible products, content and services for persons with disabilities. For more information, please visit www.accessibilityassociation.org.

“Accessibility is an outcome.
Inclusive design is a process.
If we don’t include people with
disabilities in the process, we
can’t call it inclusive design.”

– Derek Featherstone, CXO of Level Access

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