



# THE FAA COMPLIANCE REVIEW PROCESS AND YOUR AIRPORT

**Joseph E. Kalet  
ADA Coordinator and  
Associate General Counsel  
Metropolitan Washington Airports Authority**

# Americans with Disabilities Act

- Title I: Employment
- Title II: State and Local Government Programs and Services
- Title III: Public Accommodations and Commercial Facilities
- Title IV: Telecommunications
- Title V: Miscellaneous
- ADA/504 Coordinator: Background and Responsibilities

# CONGRATULATIONS!

- FAA Letter (8 pages) notifying you that you are the lucky airport selected for a review
- First reactions: panic and prayer
- Second reaction: Identify subject-matter experts
- Third reaction: Assemble your team . . . QUICKLY!!!

# ASSEMBLING YOUR TEAM

Team must know Titles I – IV of ADA:

1. Title I: EEO Officer, HR Official, other
2. Title II: Airport Manager, Operations, Engineering and Maintenance, Ground Transportation, Signage, etc.
3. Title III: Business Office, Procurement, Air Carrier Affairs, etc.
4. Title IV: InfoTech, Communications, WebMaster, etc.

# PRE-SITE VISIT ACTIVITIES

Prior to site visit by FAA ACR:

- Assign document identification/collection to team members
- Coordinate the collection of documents for timely production to FAA ACR
- Ensure that Executive Management is aware of what is being produced
- Retain complete copy of what was produced for your use when FAA ACR arrives

# PRE-SITE VISIT ACTIVITIES

“Self-Evaluation” required by Title II regulations

Self-Evaluation due by 1/26/93 (one year from effective date of regulations)

If you don't have it, DO IT NOW!

If you have it, UPDATE IT NOW!

# PRE-SITE VISIT ACTIVITIES

Prior to site visit by FAA ACR:

- Ensure that ADA Non-Discrimination notice is posted conspicuously throughout Airport
- Notify Air Carrier and Vendor representatives of FAA ACR's request for interviews
- Update website and Airport maps/guides to show services for disabled
- Take all pro-active steps recommended by your team that are feasible

# SITE VISIT ACTIVITIES

- ADA Coordinator should accompany FAA ACR personnel all day/every day, except with tenant/vendor interviews
- Team members should participate as much as possible in the site visit
- ADA Coordinator and team members should take copious notes

# EXPECTATIONS

FAA ACR **will find non-compliance:**

- “Low hanging fruit”
  1. exposed pipes
  2. doors >5-pound pressure
  3. narrow or unmarked parking spaces
  4. outdated or unclear signage
  5. website w/o “services for disabled” link
  6. untrained bus operators
  7. lack of awareness of ADA coordinator’s identity/contact information

# EXPECTATIONS

FAA ACR **will find non-compliance:**

- More serious violations:
  1. Absence of contracts with air carriers
  2. Where contracts exist, absence of ADA terms
  3. Absence of ADA complaint process for public
  4. Absence of regular training of Airport personnel who have an ADA responsibility
  5. Barriers to access
  6. Facilities that fail to meet ADAAG standards

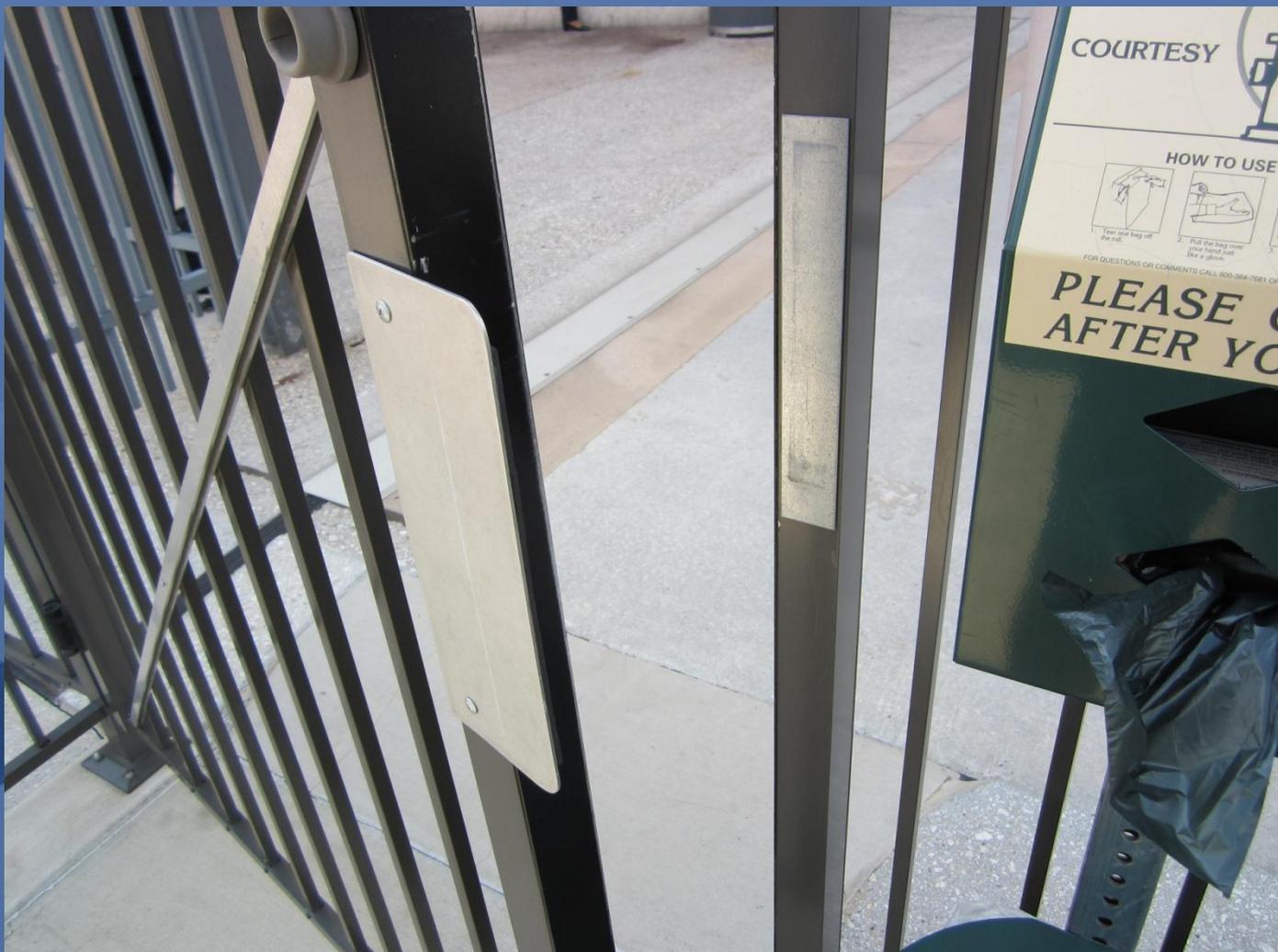
# POST-SITE VISIT ACTIVITIES

- Assemble your team, review notes and take as many pro-active steps as possible to preempt the corrective measures that FAA ACR will require
- Document all changes so that you can provide this documentation to FAA ACR to show where and when corrective measures were taken
- Think “outside of the box” in making corrections (i.e., SARA gate with non-compliant handle)

# BEFORE



# AFTER



# POST-SITE VISIT ACTIVITIES

- Establish schedules for periodic monitoring of your entire Accessibility Program, particularly areas identified by the FAA ACR as being non-compliant
- Prepare Airport management and team members for the FAA ACR Briefing on the likely results of the Compliance Review, the steps that will need to be taken to achieve compliance, and a time-table and budget for achieving compliance

# POST-REVIEW BRIEFING

After the site visit, FAA ACR reviews the information gathered to date and writes a report on the Airport's compliance and non-compliance with the ADAAG standards

Then the FAA ACR returns to the "scene of the crime" to brief Airport officials on the results and steps to be taken

# LESSONS LEARNED

From beginning to end, the Airport management, and especially the ADA Coordinator and the ADA Team, should keep in mind Two Rules that will make the entire experience as productive and painless as possible:



# RULE NUMBER 1

Make your Airport fully accessible because it is the right thing to do, not because the law requires it.



# RULE NUMBER 2

Be REALLY, REALLY nice to the FAA ACR folks because they have a difficult job.



# QUESTIONS AND ANSWERS

?

