

DISABLED GUEST CONSIDERATIONS DURING COVID-19

As you reopen your business or shift your hotel processes in the post-COVID-19 world, hoteliers should adapt existing policies to accommodate guests with disabilities while maintaining social distancing and safety measures and complying with Title III of the Americans with Disabilities Act (ADA). The Department of Justice (DOJ) has not yet issued any guidance on how public accommodations should apply social distancing and safety measures while maintaining compliance with Title III of the ADA.

This list is not exhaustive and is merely a suggestion. We recommend adapting current procedures, vetting any necessary new procedures through legal counsel, and training all staff regardless of job duties to ensure compliance with new procedures. If you need a referral to counsel, please contact us at info@aahoa.com.

SCREENING FOR FEVERS

- If you are required by your brand or government, or plan to screen guests for fevers, you should carefully document each case. If the policy is utilized, it must apply to all (not some) guests. We strongly recommend reaching out to counsel before beginning screening procedures. Screening for fevers is allowed in the situations where there are “legitimate safety requirements that are necessary for safe operation.” Note, some states may have privacy laws that you must comply with in addition to the ADA and HIPAA may also be triggered.

SOCIAL DISTANCING AND ACCESSIBILITY

- The ADA requires employees of public accommodations to provide assistance to guests with disabilities for various tasks. This may include helping a visually impaired guest find the elevator, helping a hearing impaired guest who relies on lip reading or sign language, or providing accessible seating options. Discuss policies and procedures to accommodate guest needs while protecting your employees.
- Many jurisdictions have venue capacity restrictions or social distancing guidelines in place that may affect queuing or seating arrangements. Be sure to have accessible options in each scenario for areas such as routes to entering the building, waiting areas, parking, or shuttle services.
- Create policies and procedures for exceptions where hotel staff may need to interact with guests in guest rooms to provide assistance (e.g., helping guests move furniture, navigate narrow hallways).

ACCESSIBLE TECHNOLOGY

- As your property may shift to electronic check-in/check-out processes via mobile devices or computers, ensure all of these processes are ADA compliant for customers with visual, hearing, or physical disabilities that rely on assistive technologies. When possible, communicate and provide clear instructions to guests before check-in.

WEBSITE

- Check your website, microsite, and any OTA listings to make sure you have the most relevant, up-to-date information listed.