



**U.S. Department of
Transportation**

Office of the Secretary
of Transportation

Memorandum

Subject: **ACTION:** The Use of Relay Conference Captioning

Date: **JUN 05 2014**

From: Brodi L. Fontenot
Assistant Secretary for Administration

Reply to
Attn. of:

for Mary A. Haggan Jones
Camille M. Hazeur, Director
Departmental Office of Civil Rights

To: Operating Administrations
Departmental Officers
Office of the Inspector General
Human Resources Directors

We are providing the following information to assist you in addressing accessibility matters concerning the use of Relay Conference Captioning (RCC), a service that may allow persons who are deaf and hard of hearing to participate in meetings, phone calls, videoconferences, and multi-party teleconference calls on a functionally equivalent basis.

As an employer, the U.S. Department of Transportation (DOT) is committed to ensuring its programs and activities are accessible to all employees, including persons with disabilities. Under Section 501 of the Rehabilitation Act of 1973, as amended 29 U.S.C. § 791, and implementing regulations, DOT must provide reasonable accommodation to the known physical and mental limitations of qualified applicants and employees with disabilities in the workplace in order for them to effectively perform the functions of their jobs, unless it can be demonstrated that an undue hardship would be imposed on the operation of the Agency's program. In addition, Section 504 of the Rehabilitation Act prohibits the exclusion, based on disability, of otherwise qualified persons with disabilities from participation in any federal program or activity, or from any program or activity receiving federal financial assistance.

The use of RCC is one of several possible accommodations available to allow persons who are deaf and hard of hearing to fully participate in meetings, videoconferences, phone calls, etc. It allows users to follow along with a meeting's dialogue as it is spoken by reading it on-screen through live, real-time text streamed to an internet-connected computer. Other possible accommodations for persons who are deaf or hard of hearing include Video Relay Service (VRS) or Communications Access Realtime Translation (CART). VRS is a video telecommunication service that allows deaf, hard-of-hearing and speech-impaired individuals to communicate over video telephones and similar technologies with hearing people in real-time, via a sign language interpreter. Open captions (displayed on a large screen) or

CART (displayed on a laptop only for an individual) may be used. Both of these types of captioning services would require employees to attend the meeting in person. Captions may also be provided as part of a web-based meeting (such as Adobe Connect), which provides remote access and additional controls on content and participation, depending on the solution that is used. Additional alternative communication options and considerations for meetings and events can be found in the attachment to this memorandum.

As with any other reasonable accommodation request, if an employee requests RCC as an accommodation, the employee must engage with his or her supervisor in the interactive process as outlined in DOT Order 1011.1, "Procedures for Processing Reasonable Accommodation Requests from Employees and Applicants for Employment with Disabilities." Unless otherwise designated by OA policy or procedure, the employee's supervisor is the decision-maker for reasonable accommodation requests and may engage the services of the Disability Resource Center (DRC) to assist with the reasonable accommodation decision-making process. The DRC may suggest alternatives and options to the supervisor and employee.

If it is determined that RCC is an effective accommodation, the service may be used for DOT sponsored meetings and events as long as an agreement between an employee and his or her supervisor includes the use of RCC. The RCC service is available to Federal employees who work for agencies that have a task order with Sprint through FedRelay, a Federal service which is managed by the General Services Administration and funded by Federal agencies who utilize the service. Agencies may use a GSA Government-Wide Acquisition Contract (GWAC) or contract with Sprint directly for any (or all) of the specific services available through Federal Relay. There is no breakout of the charges included in the intrafund line item provided.

In order to provide RCC, a request must be submitted to FedRelay, using the appropriate OA code. Depending on the reasonable accommodation arrangements, an employee, or an event sponsor, may submit the RCC request. The person who is using RCC must have a laptop or other device with internet access at the meeting or telephone so the conversation can be read. All parties attending the meeting must be informed that the meeting is being recorded prior to the start of the meeting. Even though RCC creates a transcript of the meeting by default, these transcripts typically contain numerous errors, incomplete statements, and are not the official record of the meeting. The person who is requesting RCC, including the event sponsor, can ask that a transcript not be made available at the end of the meeting when the request is submitted.

It is DOT's policy to provide equal access to all meetings and events, and sponsors are responsible for providing reasonable accommodations. Per DOT Order 1011.1, decision-makers are also required to report all requests for reasonable accommodation in the online system found on the Departmental Office of Civil Rights' Web site (<https://www.civilrights.dot.gov/>).

If you need additional information concerning this service, you may contact the DRC at 202-366-5426 or the Departmental Office of Civil Rights at 202-366-4648.

Attachment

Attachment

Alternative Communication Options and Considerations for Meetings and Events

Accessibility Option	Technology Required from Sponsor	Enables Two-way Communication	Allows Remote Tele-communications	Provides Security Controls for Content (e.g., limits transcript)	Provides Controls on Who Can Join Meeting	Who Initiates
In-person Sign Language ⁱ	Physical room with good lighting and acoustics	✓	✗	NA	✓	Sponsor
Video Relay Service (VRS) ⁱⁱ	Telephone/Bridge line	✓	✓	NA	✗ ⁱⁱ	Employee
Captioning/CART (in person)	Display or projector and screen for audience use	✗	✗	✓	✓	Sponsor
CAPTEL (Captioned Telephone)	Telephone/Bridge line (participant provides CAPTEL phone)	✓	✓	✗ ⁱⁱ	✗ ⁱⁱⁱ	Employee
Relay Conference Captioning (RCC)	Telephone/Bridge line	✓	✓	✗ ⁱⁱⁱ	✗ ⁱⁱⁱ	Either
Web-based Meetings	Web-based meeting solution, Telephone/Bridge line	✓	✓	✓ ^{iv}	✓ ^v	Sponsor

ⁱ Some employees/participants may require captions and do not use sign language.

ⁱⁱ Open to anyone that can access the bridge line. Bridge line security may be optional (e.g., dial-back, individual passwords)

ⁱⁱⁱ The person making the RCC request can limit access to the transcript. Applies only if the sponsor makes the RCC request.

^{iv} Security controls are managed by the web-based meeting tool. Copying the captions can be restricted. Captions are included with the event archive.

^v Access controls are managed by the web-based meeting tool. Access can be controlled through personal invitations, phone dial-back, participation tracking in real time and logging.