

MBTA ACCESSIBILITY LAWSUIT UPDATE

GREATER BOSTON RESIDENTS WORKING TOGETHER FOR ADA COMPLIANCE BY THE MBTA

DANIELS-FINEGOLD ET AL. V. MBTA

FALL 2006

FEDERAL COURT: CIVIL ACTION No. 02 CV 11504 MEL

ISSUE X

Case Update

Enforcement of the Settlement Agreement started officially on July 30, 2006. Since then, the MBTA and class members have been working on various parts of the settlement including: wayfinding, elevators, and the search for an Independent Monitor.

Wayfinding Expert Hired

The Joanne Daniels-Finegold et al. v. MBTA settlement called for the MBTA to hire a nationally known “wayfinding” expert or firm to “conduct an evaluation of the existing navigation systems in all stations.” We are pleased to announce that the MBTA has made its choice—Cambridge Seven Associates (C7A). Per the settlement agreement, C7A will be responsible for improving the MBTA’s signage, announcement systems, and other wayfinding components, thereby making it easier for all riders, not just people with disabilities, to use the T.

Cambridge Seven is an award-winning architecture and planning firm based in Cambridge, Massachusetts. When the Plaintiff Sub-Committee for Wayfinding (named plaintiffs Joanne Daniels-Finegold and Andy Forman, and attorney Taramattie Doucette), reviewed the final candidates for the position of wayfinding expert on August 1st, they were impressed with C7A for its promotion of a truly universal plan with a goal of access for everyone. The committee did not have a vote but endorsed two candidates; Cambridge Seven was one of them. As the sub-committee members noted in their recommendation, C7A not only has the benefit of being a local company but also of being very familiar with the MBTA. The firm established the original standards and guidelines for the system back in 1967 and has maintained an ongoing relationship with the MBTA.

While Cambridge 7 will be the design lead and provide overall project management, their wayfinding team will include three other “core

consultants,” all based in the Boston-area. Carpmann Grant Associates, Inc. (CGA) is a pioneer in wayfinding analysis and design in complex and confusing facilities. CGA will analyze the effectiveness of wayfinding methods system-wide and at individual stations, as well as interview existing and potential users. Adaptive Environments (AE) is an educational non-profit organization that focuses on social equity in design. AE will look to enhance the transit experience for people of all ages and abilities. Karen Lewis Design (KLD) has developed significant graphic information design for subways, airports, and highways in the Boston area. KLD will review existing graphic standards and provide graphic design support for C7A in developing new guidelines and standards, as well as prototypes and final signage design.

The MBTA and the newly selected wayfinding team, advocates, as well as class reps, will work in collaboration to integrate a comprehensive approach to wayfinding, incorporating key specialists in architecture, behavior, accessibility, and design. Together, says MBTA Director of Design Barbara Boylan, the goal is to enhance the user experience for all who ride the “T” by giving them a sense of “comfort, confidence, and control.”

Plaintiff Spotlight

Andy Forman

Andy Forman is a named plaintiff in the lawsuit Joanne Daniels-Finegold et al. v. MBTA. Andy has long been a professional advocate for the rights of people with disabilities. He participated in the formation of the final Settlement Agreement and believes that the Settlement will help bring about some long-awaited changes for the benefit of the community of people with disabilities.

Andy became involved in this case because access issues are so important to him. He currently works as a disability advocate at BCIL, so “advocating for people with disabilities for equal access and equal

rights” is part of his daily life. Andy’s job has made him very familiar with the legal aspects of disability rights. He also worked with GBLS in the past, so becoming a named plaintiff in this case was a natural transition for him.

As someone with a hidden disability, Andy has experienced first-hand many of the problems with customer service that were brought up against the MBTA during the course of the case. As he said, “I have a hidden disability, and if you walk up to me there’s no way you would know I have a disability unless I have to read something.” Because Andy’s disability is unapparent, he often encounters rude bus drivers and other MBTA employees who do not want to give him the help he needs. Andy feels that some of the complaints against the MBTA are rooted in technological problems – malfunctioning public address systems, poor signage, etc. However, many of these problems could easily be overcome by better customer service on the part of MBTA employees. For example, Andy feels that automated public address systems would be less important if bus and T drivers would make regular stop announcements.

Andy is happy about the Settlement Agreement and the changes it will bring about, but he still feels that the parties have a long way to go. The Settlement Agreement will require some important changes on the part of the MBTA, but Andy feels that these changes are really just a start. The greater challenge will be changing the mentality among MBTA employees.

Andy is most excited about the improvements in wayfinding that will be a result of the settlement. As he says, “from a disability advocate point of view, all the changes being made will affect the folks we represent, but personally I’m most excited about the wayfinding expert.” Andy was a member of the plaintiff subcommittee on wayfinding, and was honored to partake in the interviews of candidates. He is excited that the MBTA made its choice and he is looking forward to working with Cambridge Seven, both as a plaintiff and as an advocate for the BCIL. Andy thinks that one of C7’s biggest strengths is its local ties and said that it seems like the firm’s members will be personally

affected by the changes that they will incorporate into the MBTA system. These changes will demonstrate that improved accessibility does not only affect people with disabilities – it will improve public transportation for everyone who uses the MBTA.

The Boston Center for Independent Living—An Update

Ensuring that the MBTA is accessible is still a high priority for the Boston Center for Independent Living, the organizational plaintiff of Daniels-Finegold et al v. MBTA. Access to the MBTA’s fixed route public transportation system is vital to meeting BCIL’s mission of providing *full access* to the many life activities that exist in the community at large. BCIL’s active role in the fight for accessible public transportation has not ended with the case’s settlement. Members of BCIL are working collaboratively with the other plaintiffs on sub-committees, managing the terms of the settlement to ensure that it is more than just words on a piece of paper. In addition, staff members are vigorously monitoring the steps the MBTA has taken; For example, one staff member calls the T’s hotline everyday to see which elevators and escalators are in service. Finally, BCIL has been working with the private sector to help it to understand how the terms of the settlement can be implemented to make it possible for all persons to have access to public transportation in Massachusetts.

Boston Center for Independent Living (BCIL)

Karen Schneiderman, Community Organizer

BCIL works to promote the civil rights of all people with disabilities and to respond to the needs of persons with many disabilities.

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Are You Still Having Access Problems?

We Want to Hear Your Story!

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