



Communication Access: Your Rights

Disability Rights Center - NH

When do interpreters or CART Reporters have to be provided?

The Americans with Disabilities Act (ADA) says that a deaf or hard of hearing person has a right to **effective communication** with **government, businesses, and employers**.

What is effective communication?

That depends on you: it is different for different people and situations. The important thing to remember is that you have a right to communicate as effectively as people who hear.

Some examples of “effective communication” include:

1. ASL Interpreter
2. CART Reporter
3. Oral interpreter
4. Back and forth written communication
5. “Auxiliary aids” such as note takers, video remote interpreting, assistive listening devices or videotext displays.



Who must provide and pay for the interpreter or CART Reporter?

At Work: Most employers must do what is necessary for effective communication unless it would cause an undue burden. The law applies to all employers that have 15 employees or more or receive government funding or are operated by the government. Example: An employer usually needs to provide an interpreter for a job interview or staff training, but usually does not have to provide an interpreter for you to be able to do your job.

At Government Agencies: An interpreter may not need to be provided for basic communication, but may be necessary for an appointment or event, such as scheduled meetings or official gatherings. This rule applies to schools, town governments, state offices and services, mental health centers and area agencies.

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What do I do if my rights are violated?

Call or email DRC for information and advice. It's confidential!

1-800-834-1721; 603-228-0432; advocacy@drcnh.org

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Businesses and nonprofit agencies that serve the public: If you need a CART reporter or interpreter for effective communication, public entities must provide it. This rule includes hospitals, doctors and lawyers, restaurants, hotels, day care centers, car dealers and stores.

However, if the organization can show that an interpreter would be an **undue burden**, it may not have to provide one. Example: An interpreter **probably needs** to be provided for complicated or long meetings, or serious matters. An interpreter **probably does not** need to be provided for simple communication with a deaf customer.

What is an “Undue Burden?”

Undue Burden means that it would be too expensive or hard to provide an interpreter. It could also mean that providing communication would cause a major change to a group’s business operations. This decision is partly based on the size of the organization: big companies can afford to provide more services than smaller companies.

NH has special rules for formal proceedings

You have the right to an interpreter or a CART *if you are a party* to activities involving State and local courts, departments, boards, commissions or licensing authorities.

NH also has rules for being involved with the police

You have a right to an interpreter or CART Reporter if you need one when being questioned by the police, if you have been arrested for a criminal violation (including fines over \$100.00 or imprisonment). The police may also have to provide an interpreter in other situations if you need one for effective assistance.



For complaints about employment:

U.S. Equal Employment Opportunity Commission
1801 L Street, NW
Washington, DC 20507
Voice (800) 669-4000
(TDD) (800) 669-6820
www.eeoc.gov

For complaints against places which accommodate the public or state or local government agencies:

U.S. Department of Justice
Office on the ADA, Civil Rights Division
P.O. Box 66118
Washington, D.C. 20035-6118
Voice (202) 514-0301
(TDD) (202) 514-0381 or 0383
http://www.ada.gov/filing_complaint.htm

For complaints about government, businesses, and employers, you can also contact:

NH Commission for Human Rights
2 Chenell Drive, Concord, NH 03301-8501
(603) 271-2767
<http://www.nh.gov/hrc/index.html>

For complaints about interpreters:

You may file a grievance with the NH Board of Licensure of Interpreters for the Deaf and Hard of Hearing
20 South Fruit Street, Suite 20
Concord, NH 03301
TTY (603) 271-1483 TTY
Voice (603) 271-7095
http://www.education.nh.gov/career/vocational/deaf_hh_interp_lic_bd.htm

Resources for telephone communications



Telephone equipment at little or no cost to people who have a disability
<http://www.ndhhs.org/nhteap>



A free service for all New Hampshire residents, connecting individuals who are deaf, deafblind, hard-of-hearing, or have a speech disability with users of standard telephones
<http://www.relaynewhampshire.com/>



DRC is dedicated to eliminating barriers existing in New Hampshire to the full and equal enjoyment of civil and other legal rights by people with disabilities.

Disability Rights Center - NH

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Concord, NH 03301

Phone: 603-228-0432 or
1-800-834-1721 (voice/ TTY)
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