

Know Your Rights

TELECOMMUNICATION SERVICES

This fact sheet is designed to help people with disabilities understand their legal rights in accessing telecommunication services. This fact sheet will cover:

- (1) Telecommunication Relay Services
- (2) Communication Assistants
- (3) Closed Captioning

YOU HAVE THE RIGHT TO EQUAL ACCESS TO TELECOMMUNICATION SERVICES.

Any common carrier providing telephone voice transmission services must also provide telecommunications relay services (TRS).ⁱ TRS are telephone services that provide functionally equivalent (i.e. basically the same) telephonic services to individuals with a hearing or speech disability as used by individuals without a hearing or speech disability.ⁱⁱ

EXAMPLE: TRS enables two-way communication between an individual who uses a text telephone or other non-voice terminal device and an individual who does not use such a device, speech-to-speech services, video relay services and non-English relay services.ⁱⁱⁱ

TRS providers must offer services that meet minimum standards set by the Federal Communications Commission (FCC). This includes availability 24 hours a day and 7 days a week, verbatim relay of conversation without alteration, and real time conversations.^{iv} The rates for telecommunications relay services cannot be greater than the rates paid for functionally equivalent voice communication services.^v

YOU HAVE THE RIGHT TO PROPERLY TRAINED COMMUNICATION ASSISTANTS.

Telecommunications relay services must provide communication assistants who are sufficiently trained to effectively communicate. The skills required by communication assistants include: proficient typing, grammar, spelling, interpretation of typewritten American Sign Language, and the ability to speak clearly and articulately.^{vi}

Communication assistants are prohibited from disclosing the content of any relayed conversation.^{vii}

Communication assistants are prohibited from refusing calls or limiting the length of calls.^{viii}

This publication is a fact sheet for informational purposes only.
This publication is not intended to be legal advice or a substitute for professional services.

YOU HAVE THE RIGHT TO CLOSED CAPTIONING FOR PUBLIC SERVICE ANNOUNCEMENTS.

Public service announcements that are produced or funded with any Federal Government funds must include closed captioning of the verbal content of the announcement.^{ix}

Television broadcast stations are liable for failing to transmit a closed caption for public service announcements if done intentionally.^x A television broadcast station is not liable for broadcasting such a public service announcement without a closed caption if the announcement itself failed to provide the closed captioning.^{xi}

YOU HAVE THE RIGHT TO ACCESSIBLE TELECOMMUNICATIONS TECHNOLOGY

The ADA requires telecommunications equipment manufacturers (e.g. hardware and software) to make products accessible for people with disabilities, if readily achievable. The term "readily achievable" means easily accomplishable and able to be carried out without much difficulty or expense and includes a balancing of many factors.^{xii} Where access is not readily achievable, Section 255 of the Telecommunications Act of 1996 requires manufacturers and service providers to make their devices and services compatible with peripheral devices and specialized customer premises equipment that are commonly used by people with disabilities, if such compatibility is readily achievable.^{xiii}

YOU MAY FILE A COMPLAINT WITH:

- The manufacturer or service provider. Go to: <http://transition.fcc.gov/cgb/dro/section255.html>
You can search for the company's contact information here.
- *Federal Communications Commission*
Submit Complaint Online: <http://www.fcc.gov/complaints>
Download complaint form: <http://transition.fcc.gov/cgb/consumerfacts/Form2000C.pdf>
Mail:
Federal Communications Commission
Consumer & Governmental Affairs Bureau
Consumer Inquiries and Complaint Division
445 12th Street, SW
Washington, D.C. 20554
Phone: 1-888-CALL-FCC (1-888-225-5322)
TTY: 1-888-TELL-FCC (1-888-835-5322)
Fax: 1-866-418-0232
Email: fccinfo@fcc.gov

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