

City of Birmingham

The Mayor's Office on Americans with Disabilities

ADDRESSING CITIZEN'S CONCERNS

Tax Tips for the Disabled



Several tax breaks are available for people living with disabilities, although these breaks aren't always obvious.

The federal tax code includes a number of provisions that can ease the tax burden on people living with a disability. Some disability payments and benefits are free of income tax, while deductions and credits can reduce the taxes you do owe.

Payments and Benefits Employer-paid disability benefits: If you receive disability income from an employer while you are unable to work, that money is usually taxable just like regular wages.



Disability insurance payments: If you receive benefits from a disability insurance policy, your tax liability depends on who paid the premiums for the policy. If your employer paid the premiums, then the benefits are taxable. If you paid the premiums using after-tax money, your benefits are not taxable.

Social Security disability: Social Security disability benefits may or may not be taxable depending on how much other income you (and your spouse, if you're married) may have. In general, though, if Social Security disability is your only source of income, your benefits aren't taxable. Internal Revenue Service Publication 915 provides further details on determining whether your benefits are taxable.

INSIDE STORIES

Small Business and ADA	2
Accessibility Standards for Construction	3
Know Your Rights: Disability Laws	4

Disability Tax Credit If you are permanently and totally disabled and have taxable disability income, you may qualify for the federal Tax Credit for the Elderly and Disabled. This credit is available only if a doctor has certified that your disability prevents you from working and that your condition is expected to last more than a year or result in your death. The size of your credit depends on how much taxable disability income you had as well as how much you received in nontaxable disability benefits.

www.birminghamal.gov

Small Business and the ADA

ADA Requirements

The Americans with Disabilities Act requires small businesses to provide accessible goods and services to people with disabilities. Many small businesses find that complying with the ADA not only meets their legal obligations, but helps expand their customer base to over 50 million people with disabilities who represent 175 billion in spending power. Following are things small businesses should do to meet the needs of consumers with disabilities.

Make Your Building Accessible

Accessible parking, a ramp, if needed to get into the building, accessible counters, and restrooms are all required by the ADA. However, businesses do not have to become fully accessible at once. The ADA requires small businesses to do what is "readily achievable". That is, what can be done easily without undue expense. Business owners should place a priority on changes that get customers "in the door" such as accessible parking and wider doorways.

Provide Effective Communication

Sometimes in order to effectively communicate with customers with disabilities, your business will need to provide additional services. A customer who is blind may need a Braille menu or have the menu read. Passing notes back and forth or adaptive equipment like a face-to-face communicator can be used to assist people who are deaf.

Note: businesses may not charge additional fees for providing these services!

Modify Your Policies and Procedures

Your policies may inadvertently keep people with disabilities from using your services. For example, a business may require a driver's license to rent items. A common sense modification for an individual who is blind would be to accept another form of ID.

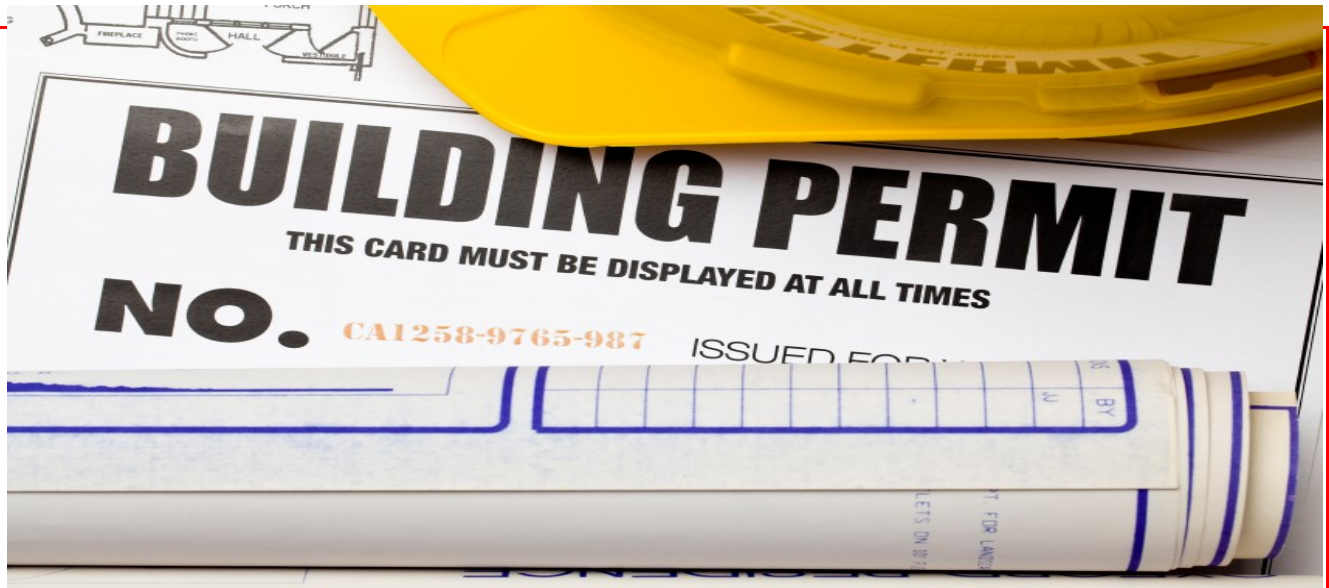
New Construction

Facilities constructed by both public and private entities are required to meet minimum standards provided in the [2010 ADA Standards for Accessible Design](#). These standards for new construction and alterations include detailed provisions for elements, spaces, and facilities. All renovations and alterations, regardless of when the building was originally built, must follow the same accessibility standards as new construction

Existing Facilities- Business and Industry (Places of Public Accommodation)

Facilities built prior to the passage of the ADA, still have an obligation to remove barriers when it is readily achievable to do so. Readily achievable means easily accomplishable and able to be carried out without much difficulty or expense.

Accessibility Standards for Construction



The ADA requires public and private entities to provide equal access to their goods, services, and activities. A major part of meeting this obligation is providing accessible facilities. When buildings, such as restaurants, shopping centers, medical clinics, schools, courthouses, etc. are inaccessible, they pose a major barrier to people with disabilities and severely limit equal access to participation in public life.

The Americans with Disabilities Act has established standards for accessible design that include detailed provisions for elements, spaces, and facilities. These standards provide minimum requirements for accessible design to achieve both accessibility and safety for people with disabilities. Note that the 2010 Standards set forth **minimum** requirements for accessibility.

Note: There is no "Grandfather Clause" in the ADA. All buildings, regardless of age, are required to remove whatever barriers that are considered "readily achievable". Tax Incentives are available to encourage compliance with the Americans with Disabilities Act (ADA).

Example: Tax Credit

Restaurant ABC employs 25 individuals, and its gross revenue for last year was 3,000,000. It qualified as a small business with fewer than 30 employees last year. They also provided Braille and large print menus (an auxiliary aid), costing a total of \$1,500. ABC removed physical barriers to the entrance and modified its transportation shuttle, totaling \$8,000. Each of these expenditures qualifies under the Disabled Access Credit. Make sure your business takes advantage of these valuable incentives.

How to contact us:

Linda Coleman-Madison ADA Director
Phone: 205-254-2079

E-mail:
linda.coleman@birminghamal.gov

LaQuita Cade-Wilson, ADA Adm. Asst.
laquita.cade@birminghamal.gov
205-714-8683
Fax 205-297-8303

ADA Advisory meets bi-monthly second
Friday
10:00 AM 2nd Floor, City Hall
www.birminghamal.gov



Working to Open Doors to
Accessible City Services

ADA Advisory Committee

Chair – John Duplessis— SSTE Employment Program

Wendy Hicks– VA Medical Center

Lorine Kelly—MAX Transit (VIP Para transit)

Dan Kessler, Director- Disability Rights and Resources

Graham Sisson– Governor’s Office on Disabilities (GOOD)

Yolanda Spencer- Alabama Department of Rehab Services

Myra Shamburger- Alabama Department of Rehab Services

Maria Lyas-Young - Birmingham City Schools

Greg Silas, Emergency 911

Kathy Lovell- ADA Disability Manager, Regions Bank

Michelle Belcher – Manager Liz Low Vision Center

Know Your Rights: Disability Laws

A supreme Court decision made on June 22, 1999 states that people with disabilities must receive services in the most integrated setting. This means people can get to choose where they live and work and receive support in their own communities. Lois Curtis and Elaine Wilson are women with disabilities who stood up for their rights and helped thousands more access their rights and meet their full potential. The women were admitted to a mental institution in Georgia. After receiving treatment, the doctors said they were doing better and could move to a community-based program closer to home and be more involved in their communities. Yet, the state of Georgia denied them their right to leave the hospital for several years afterwards because there weren't any community based programs. In 1999, Lois and Elaine went to court to fight for their rights and won. Not only did they move into a community-based program, so did many others like them. This case is known as the Olmstead Decision. The decision required states to have policies that agree with the Americans with Disabilities Act. Today, every state must have an "Olmstead Plan" to ensure that supporters meet the standard of the 1999 Supreme Court ruling.

