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Justice Department Secures Agreement to Make Online COVID-19 Vaccine Registration Accessible for People with Disabilities at Kroger Grocery Chain

The Justice Department today announced that it has secured a settlement agreement with The Kroger Co. (Kroger) under the Americans with Disabilities Act (ADA) that will eliminate barriers preventing people with certain disabilities from getting information about COVID-19 vaccinations and booking their vaccination appointments online. Kroger is an Ohio-based retailer with approximately 2,800 retail grocery stores under the Kroger name and other brands, with a presence in 35 states and the District of Columbia. Today's resolution is the department's third agreement on the critical issue of COVID-19 vaccination website accessibility, following settlement announcements in November 2021 (Rite Aid Corporation) and December 2021 (Hy-Vee Inc.).

The COVID-19 vaccine registration portal for Kroger-branded stores, currently located at <https://www.kroger.com/health/pharmacy/covid-care>, was not accessible to people with certain disabilities, including those who use screen reader software. For instance, critical medical screening questions about current COVID-related symptoms, allergies and reactions to previous vaccines were not read to screen reader users. Further, when a screen reader user selected an available appointment time, the website told them that the available appointment was "unavailable," instead of "selected."

"Access for people with disabilities should never be an afterthought, including during the COVID-19 pandemic," said Assistant Attorney General Kristen Clarke of the Justice Department's Civil Rights Division. "When a store's website is inaccessible, people with disabilities may struggle to get potentially life-saving vaccines for themselves and their loved ones. This agreement helps fulfill the promise of the ADA by ensuring individuals with disabilities have equal access to healthcare."

"All individuals deserve a full and equal opportunity to access services like vaccines," said U.S. Attorney Kenneth L. Parker for the Southern District of Ohio. "This office will continue to partner with the Department of Justice's Civil Rights Division to ensure that equal access."

Under today's settlement, Kroger will conform web content about the COVID-19 vaccine, including the forms for scheduling an appointment to get the vaccine, to the Web Content Accessibility Guidelines (WCAG), Version 2.1, Level AA. WCAG is a set of voluntary industry guidelines for making information on a website accessible to users with disabilities. Kroger also must regularly test the pages of its website that include vaccine scheduling and information about the COVID-19 vaccine, and quickly fix any problems that keep people with disabilities from being able to use these pages.

This matter was handled jointly by the Disability Rights Section of the Civil Rights Division and the U.S. Attorney's Office for the Southern District of Ohio. Title III of the ADA requires public accommodations like drugstores and grocery stores to provide individuals with disabilities with full and equal enjoyment of goods and services, such as vaccines. The ADA also requires public accommodations to ensure effective communication with people with disabilities, including by using auxiliary aids and services like accessible technology.

For more information on the Civil Rights Division, please visit www.justice.gov/crt. For more information on the ADA, please call the department's toll-free ADA Information Line at 800-514-0301 (TDD 800-514-0383) or visit www.ada.gov. ADA complaints may be filed online at www.ada.gov/complaint. Anyone in the Southern District of Ohio may also report civil rights violations to the Civil Rights Coordinator of the [U.S. Attorney's Office for the Southern District of Ohio](#) by calling 614-469-5715 or emailing USAOHS.CivilRights@usdoj.gov.

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