



## Compliance of selected food establishments in Ormoc City to the Americans with Disabilities Act as a benchmark for international standardization

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### Compliance of selected food establishments in Ormoc City to the Americans with Disabilities Act as a benchmark for international standardization

**Abstract** – This descriptive study was conducted with the main objective of assessing the level of compliance of food establishments in Ormoc City in accordance to the Americans with Disabilities Act of 1990. A total of five (5) food establishments, compliant with permit to operate and certificate of building occupancy issued by City Mayor's Office, were recruited in this study and selected using a validated researcher-made questionnaire. A building accessibility checklist proposed by the ADA was used to evaluate the selected food establishments. The compliance was measured using a rating scale of 1.0 to 1.66 as compliant (complied with most of the requirements), 1.67 to 2.33 as partially compliant (complied with some of the requirements or provided modifications to existing requirements) and 2.34 to 3.00 as noncompliant (did not comply with most of the requirements). The instrument assesses four (4) priorities; Priority one (1) is for Accessible Approach/Entrance, Priority two (2) is for the access to goods and services, Priority three (3) is for the usability of rest rooms, and Priority four (4) is for additional access. The results of the study shows that there is a variability in the compliance of the food establishments and the American Disability Act Building Accessibility. Food establishment A and C were found to be compliant and Food establishment B, D and E were partially compliant. Non-compliance with existing standards may limit accessibility of these establishments to persons with disabilities, thereby potentially depriving them of an opportunity to be integrated into society.

**Keywords** -American Disability Act (ADA), Accessibility, Compliance, Persons with Disability (PWD)

## INTRODUCTION

Accessibility is used to refer to a state in which an individual's functional capacity and the functional demands of an environment are matched so the individual can effectively complete an activity [1]. Lack of accessibility can affect a person's participation in day-to-day activities and persons with disabilities may have a wide range of needs that require accommodation. For example, an individual who uses a wheelchair can enter a building with a ramp because the demands of the environment match the functional capacity of the individual. However, when a ramp is not available, a person who does not walk cannot complete the activity because the environmental demands do not match the functional capacity of the individual.

PWDs experience a range of environmental barriers that inhibit their active participation in the economic, political, and cultural development of their communities, but efforts are being made to improve the situation. Universal design, seeks to provide improved accessibility and safety for all groups in the community [2]. The government and non- government have taken steps to create awareness in person's with disability to cater their needs and to change the mindset of the general population toward them.

It recognizes that improved accessibility enhances the value of buildings, and its built environment. Thus, it creates cities that facilitate its people to have better life quality and opportunity to participate in all aspects of life but universal design requires an understanding and consideration of the broad range of human abilities. More studies, which highlight PWDs' satisfaction and perception on accessibility in built environment, need to be conducted in order to assess the buildings from the perspective of PWD.

The Americans with Disability Act (ADA) is a civil rights law that prohibits discrimination against PWDs and making sure they have the same opportunities as everyone else to fully participate in public life [3]. Food establishments are one of it, if not the most, frequently visited public buildings, even by people with disabilities. The law ensures equal opportunities in public accommodation, occupation, transportation, state and local government services and telecommunications. ADA regulations were first enacted in 1992, however, efforts to comply should be reevaluated in light of changes to these regulations over the past few years and because ADA is a civil rights law and not a building code, older facilities are often required to be accessible to ensure that PWDs have an equal opportunity to participate.

Social inclusiveness is not alone for people with disabilities but also for normal people like senior citizen, pregnant, persons with temporary illness and people with diversified cultures and this physical barriers could affect and individuals morale. A person may feel as a handicapped by denying the opportunity to access to public places. The journey of creating toward a barrier free environment are essential for successful social, economic and environmental regeneration [4]. To provide easy accessibility to all and to promote independence and social participation which could influence the well-being of a person through conducting audit a regular access of various public places such as railways station, malls, hospitals and schools to promote universal design and accessibility to all.

According to ABS-CBN News report released on March 2019, Filipinos still continue to face discrimination despite the implementation of Republic Act 7277 in the Philippines for persons with disabilities in 1991 who has the mission to adopt policies ensuring the self-development, rehabilitation and self-reliance of disabled persons which should help develop their skills and potentials to enable them to compete favorably and fairly for available opportunities. The U.S State Department said during the report that the "law was not effectively enforced" and the reasons they emphasized were due to insufficient funding, weak implementation and inadequately focused integrative government programs [5]. With these problems, improvement and development of building infrastructures especially in areas open to the general public are worthwhile to investigate.

Ormoc is a highly urbanized coastal port city, serving as the economic, cultural, commercial, and transportation hub of western Leyte. The city's location, vast agricultural land, and coastal site endow it with natural resources, marine biodiversity, and natural tourist spots. Ormoc is the second most populous city in the Leyte province after Tacloban, the provincial capital, and is subdivided into 110 barangays. The city is bound by Ormoc Bay to the west, while rolling valley plains run from the north to the south. Both its location and vibrant seaport account for its role as a gateway hub [6]. At present, Ormoc City is experiencing steady progress with continuous modernization programs. The fast-growing economy and accelerating business in the city caused a significant increase in local populations and food businesses.

This study may then serve as a basis for further improvement of food establishments in Ormoc City and to make this work, collaboration with those higher people who design, build, and fund projects where accessibility can be built in is extremely beneficial. The more PWDs who can access facilities according to their needs, the more they can feel a sense of belongingness. Rather than generating bullying, embarrassment, discomfort, and fear, they'll be seen more in the same way as anyone else – as individuals, with unique personalities and strengths which enables them to live their lives just as everyone else.

## **OBJECTIVES OF THE STUDY**

This study focused on assessing the level of compliance of food establishments in Ormoc City to provide recommendations for further development and modification in different food establishments that are open to general public. Specifically, it aimed to determine the most compliant, accessible and PWD-friendly food establishment in Ormoc City; its level of compliance in accordance with the American Disability Act and to determine the concerns regarding the lack of requirements to provide suggestions and modifications based on the findings of the study. Lastly, it aims to influence the government's point of view regarding PWDs needs, hence will give rise to the possibility of upgrading or establishing more facilities and equipment promoting a better environment for PWDs.

## **METHODS**

The researchers used the mixed method of research. First, qualitative method of research was used to select five (5) food establishments in Ormoc City who will take part in the research. The researchers prepared a ten (10) interview questions which were asked to the PWDs in Ormoc. Thus, their responses became the basis of the selection. Second, quantitative method was used to assess the level of compliance of five (5) food establishments in Ormoc City. The compliance was measured using a rating scale of 1.0 to 1.66 as compliant (complied with most of the requirements), 1.67 to 2.33 as partially compliant (complied with some of the requirements or provided modifications to existing requirements) and 2.34 to 3.00 as noncompliant (did not comply with most of the requirements). The research instrument used is the Building accessibility checklist proposed by ADA where it assesses four (4) priorities; Priority one (1) is for Accessible Approach/Entrance, Priority two (2) is for the access to goods and services, Priority three (3) is for the usability of rest rooms, and Priority four (4) is for additional access.

The subjects of this study were the five (5) food establishments in Ormoc City with permit to operate and certificate of building occupancy issued by City Mayor's Office. The researchers also utilized a purposive sampling which is a non-probability sampling technique wherein the sampling relies on the judgement of the researcher in selecting the units that are to be evaluated. Strict ethical principle like, informed consent was strictly observed during the conduct of the study.

The researcher-made questionnaire used in this study consists of two (2) parts. Part I consists of the profile of the PWD's including their age, type of disability and monthly income. Part II consists of the perspectives of PWDs in choosing food establishments such as its location, service, affordability and accessibility.

## RESULTS AND DISCUSSION

Table 1. Food establishments most commonly visited by PWDs in Ormoc City

Rank	Food establishment	Frequency	Percentage
1.5	McDonalds	23	76.67 %
1.5	Jollibee- Cogon Branch	23	76.67 %
3	KFC	17	56.67 %
4	Jollibee- Aviles St. Branch	14	46.67 %
5	Chowking	13	43.33 %
6.5	Greenwich	10	33.33%
6.5	Sal's Bar and Restaurant	10	33.33 %
7.5	Claudio's	8	26.67 %
7.5	Milagrina	8	26.67 %
9	Mimay's	7	23.33 %

9	Sutuwaki	7	23.33 %
9	Mayongs	7	23.33 %
10	Andoks	6	20 %
11	Ikea	2	6.67 %

Thirty (30) PWDs were interviewed using a researcher-made questionnaire. The questionnaire is composed of two parts: Part I includes the respondent's demographic profile; Part II includes the respondents perspectives in choosing food establishments such as its location, service, affordability and accessibility. The top five (5) food establishments they most usually visited are the Jollibee in Cogon and McDonalds with both 23 or about 76.67%; followed by KFC with 56.67%, then Jollibee in Aviles St with 46.67% and for the 5th spot is Chowking with 43.33%.

Table 2: Ranking of the five food establishments according to the American Disability Act Checklist

Rank	Food establishment	Priority 1 (/29)	Priority 2 (/34)	Priority 3 (/25)	Priority 4 (/10)	Total Score (/98)
1	Jollibee- Cogon	24	27	16	0	67/98
2	KFC	21	23	15	0	59/98
3.5	McDonalds	14	24	16	0	54/98
3.5	Chowking	15	23	16	0	54/98
5	Jollibee- Aviles	14	20	16	0	50/98

Five food establishments were evaluated in four different priorities/areas; Priority 1 is for accessible approach/entrance where it gives priority to the Route of travel, ramps, parking and drop-off areas, and the entrance, ; In Priority 2, accessibility to goods and services was being focused giving priority to the horizontal circulation, doors, room and spaces, emergency exits, signage for goods and services, directional and informational signage, controls, seats, table and counters, vertical circulations and lastly the stairs, while in Priority 3 it focused on the usability of the restrooms specifically getting to the restroom, the doorways and passageways, and the toilet cubicles. The last priority which is the priority 4 is for the additional access like availability of drinking fountains and telephones.

Priority 1 has a total of 29 items; priority 2 has 34; priority 3 has 25 and priority 4 has 10 for a total score of 98. Based on the results, Food establishment A -Jollibee Drive Thru in Cogon St. garnered a total score of 67 over 98, making it the top food chain among the other food chains, followed by Food establishment C -KFC with a score of 59/98 then by the Food establishment B -McDonalds and Food establishment D- Chowking with both 54/98 total score and on the 5th rank is the Food establishment E- Jollibee in Aviles St. with score of 50/98.

Table 3: Level of Compliance of five selected food establishments in four different priorities of the ADA checklist.

	Priority 1			Priority 2		
	Score		Level of Compliance	Score		Level of Compliance
<b>Jollibee - Cogon</b>	24	1.21	Complaint	27	1.26	Complaint
<b>KFC</b>	21	1.38	Complaint	23	1.48	Complaint
<b>McDonalds</b>	14	2.07	Partial Complaint	24	1.42	Complaint
<b>Chowking</b>	15	1.98	Partial Complaint	23	1.48	Complaint
<b>Jollibee - Aviles</b>	14	2.07	Partial Complaint	20	1.70	Partial Complaint
	Priority 3			Priority 4		
	Score		Level of Compliance	Score		Level of Compliance
<b>Jollibee - Cogon</b>	16	1.56	Complaint	N/A	N/A	Non Complaint
<b>KFC</b>	15	1.67	Partial Complaint	N/A	N/A	Non Complaint
<b>McDonalds</b>	16	1.56	Complaint	N/A	N/A	Non Complaint
<b>Chowking</b>	16	1.56	Complaint	N/A	N/A	Non Complaint
<b>Jollibee - Aviles</b>	16	1.56	Complaint	N/A	N/A	Non Complaint

<b>Food Chains</b>	<b>Priority 1 (/29)</b>	<b>Priority 2 (/34)</b>	<b>Priority 3 (/25)</b>	<b>Priority 4 (/10)</b>	<b>Total Score (/98)</b>	<b>Total Average</b>	<b>Level of Compliance</b>
Jollibee - Cogon	24	27	16	0	67/98	1.46	Compliant
KFC	21	23	15	0	59/98	1.66	Compliant
McDonalds	14	24	16	0	54/98	1.82	Partial Compliant
Chowking	15	23	16	0	54/98	1.82	Partial Compliant
Jollibee - Aviles	14	20	16	0	50/98	1.96	Partial Compliant

Legends:

1.0 - 1.66	Compliant
1.67 - 2.33	Partial Compliant
2.34 - 3.00	Non-Compliant

The compliance was measured using a rating scale of 1.00 to 1.66 as *compliant* (complied with most of the features/requirements), 1.67 to 2.33 as *partial compliant* (complied with some of the features/requirements or provided modifications to existing requirements), and 2.34 to 3.00 as *noncompliant* (did not comply with most of the features/requirements).

Two of the five selected food establishments (Jollibee-Cogon & KFC) were found to be compliant in Priority 1 or the accessibility in entrance/approach while three were partially compliant (McDonalds, Chow king & Jollibee-Aviles). In Priority 2 which is the accessibility to goods and services, only the Jollibee-Aviles was found to be partially compliant, and the other four were found to be compliant. Then in priority 3 or the usability of restrooms, only the KFC was found to be partially compliant and the remaining four were compliant. Lastly, in priority 4 or for the additional access, all the five food establishments were found to be Non-compliant.

For the overall compliance, Jollibee-Cogon & KFC were found to be compliant on the building accessibility checklist of ADA and the McDonalds, Chow king & Jollibee-Aviles were partially compliant.

## CONCLUSION AND RECOMMENDATION

This research study found variability in the compliance of selected food establishments with the American Disability Act. Non-compliance with existing standards may limit accessibility of these establishments to people with disabilities (PWDs), thereby potentially depriving them of an opportunity to be integrated into society. A comprehensive assessment made by local government units is encouraged for effective implementation of the Accessibility Law.

To make sure that all people, disabled and non-disabled, will have access to appropriate treatment and service, programs and policies must be inclusive of all people, to encourage participation of all people in the society and will promote diversity rather than obstacles - which would promote development of sustainability of humanity.

The researcher recommends collaboration between the government and food establishment owners, to penalize those who don't follow rules on proper building and designing that is appropriate and accessible for everyone, including those with disabilities. The researcher also wants to encourage food establishment owners to collaborate with those higher people who design, build, and fund projects where accessibility can be built in. Lastly, a comprehensive assessment made by local government units is encouraged for effective implementation of the Philippine Accessibility Law.

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