

ACCESSIBILITY INITIATIVE AGREEMENT

THIS AGREEMENT is made this 6th day of April, 2018 (the “Effective Date”), by and between the Equal Rights Center, a District of Columbia non-profit corporation (the “ERC”), and Target Corporation, a Minnesota Corporation (“Target”) (collectively, the “Parties”).

WHEREAS, Target is committed to ensuring that individuals with disabilities have full and equal access to its goods, services and stores; and

WHEREAS, the ERC offers a variety of services to third-parties designed to improve and promote accessibility in public accommodations for people with disabilities; and

WHEREAS, the ERC and Target have a mutual goal of promoting equal access for all persons, including persons with disabilities, at places of public accommodation, and at Target Stores in particular; and

WHEREAS, the ERC and Target wish to work collaboratively to analyze Target’s existing accessibility practices, and to develop and implement additional programs and practices, where desirable, to enhance accessibility for people with disabilities at Target Stores.

IT IS THEREFORE, AGREED:

- I. Definitions. In addition to the terms defined elsewhere in the Agreement, the following terms will have the meanings set forth below. Any terms not defined herein will have the meaning ascribed to them in the ADA.
 - A. “ADA” means Title III of the Americans with Disabilities Act, 42 U.S.C. §12181, *et seq.*, and its implementing regulations at 28 C.F.R. Part 36.
 - B. “ADAAG” means the ADA Accessibility Guidelines.
 - C. “Agreement” means this Accessibility Initiative Agreement.
 - D. “Column” means a vertical structural component that acts as a strut or support.¹ This Agreement specifically addresses columns that form part of the permanent structural elements within the Target Stores.
 - E. “Permanent Structural Elements” means non-movable architectural features within the Target Stores, including columns.
 - F. “Target Stores” means the three Target stores located at 3100 14th Street, Washington DC; 700 Exterior Street, Bronx, New York; and 517 East 117th Street #201 New York, New York.

¹ *Column*, OXFORD DICTIONARY OF CONSTRUCTION, SURVEYING, AND CIVIL ENGINEERING (1st Ed. 2012).

I. Accessibility Guidelines.

- A. Within two (2) months of the Effective Date, Target will provide ERC with any existing guidelines and/or policies related to accessibility and inclusion for individuals with disabilities in the Target Stores as they relate to Columns.
- B. Within one (1) month of receiving these guidelines/procedures, ERC will provide Target with comments and suggested changes regarding the existing policies and procedures.
- C. Target will consider the ERC's comments and suggested changes in good faith. However Target is under no obligation to implement the ERC's suggested changes. Within 3 months of receipt of the ERC's comments and suggested changes, Target will explain in writing to the ERC which suggested changes Target has adopted as part of its guidelines/procedures. For any suggested changes Target does not adopt, Target will explain its reasons for not adopting such suggestions.

II. Maintenance of Accessibility. Target commits to maintaining the accessibility of public areas and features of the Target Stores as follows:

A. Point of Sale Machines

- 1. Target will use its best efforts to ensure that its check-out lanes are accessible at all times.
- 2. Staff will be made aware of and properly trained how to use the extended Point of Sale machines.

B. Columns and Other Obstructions: Target will use its best efforts to maintain Column placement such that the clear width of any path of travel that passes by a column or other permanent structural element, shall be at least 36", except that the clear width shall be permitted to be reduced to 32" minimum for a length of 24" maximum provided that reduced width segments are separated by segments that are 48" long minimum and 36" wide minimum..

C. Target will use its best efforts to maintain ADAAG-compliant features within restrooms.

D. Target will use its best efforts to maintain ADAAG-compliant features within fitting rooms.

III. Employee Training.

- A. Within two (2) months of the Effective Date, Target will provide ERC with any existing policies or procedures related to accessibility training for Target store employees. At the same time, Target will also provide ERC with any corresponding training materials, videos, or documentation related to any existing accessibility training for employees.
- B. Within one (1) month of receiving these policies, ERC will provide Target with comments and proposed changes to the existing policies or procedures and corresponding training materials.
- C. Target will consider the ERC's comments and suggested changes in good faith, however Target is under no obligation to implement the ERC's suggested changes. Within 3 months of receipt of the ERC's comments and suggested changes, Target will explain in writing to the ERC which suggested changes Target has adopted as part of its training policies and procedures. For any suggested changes Target does not adopt, Target will explain its reasons for not adopting such suggestions.

IV. Notices. Notices and all other documents referenced in this Agreement shall be sent by electronic mail and certified mail as to the following individuals: