

# **Domino's Pizza Web Accessibility Lawsuit: A Web App Equity Failure**

## **Part 1: Case Description and Backgrounds:**

Guillermo Robles, who is blind, uses screen-reading software to navigate the internet. He attempted to order food from Domino's website and mobile app but found that both were incompatible with his screen reader. As a result, he was unable to access the services offered by Domino's.

Therefore, Robles sued Domino's Pizza in federal court, arguing that the company's website and mobile app violated the ADA, which requires businesses to provide equal access to individuals with disabilities. He claimed that Domino's had failed to make its digital platforms accessible to visually impaired users, thus discriminating against him and others with similar disabilities.

Domino's contended that the ADA, which was enacted in 1990 before the widespread use of the internet, didn't apply to websites and apps, and offered phone orders as an alternative. The district court initially sided with Domino's, ruling that the ADA did not cover websites and mobile apps.

However, in 2019, the Ninth Circuit overturned the district court's decision, ruling in favor of Robles. The court found that the ADA does indeed apply to the services of a business, including those offered online. The court emphasized that Domino's digital platforms serve as an extension of its physical restaurants, and therefore, they must be accessible under the ADA.

Domino's appealed to the U.S. Supreme Court, asking it to review the Ninth Circuit's decision. In October 2019, the Supreme Court declined to hear the case, leaving the Ninth Circuit's ruling intact. This decision was a victory for

Robles and set a precedent that businesses must ensure their digital platforms are accessible to people with disabilities.

## **Part 2: the Cause of the Failure:**

The failure in Domino's case can be attributed to several key factors that highlight a lack of inclusive design and foresight in the development of their digital platforms:

### **1. Lack of Diverse Perspectives in Development**

Domino's development team likely did not prioritize accessibility or involve individuals with disabilities during the design and testing phases of their website and mobile app. This absence of diverse perspectives resulted in platforms that were incompatible with screen-reading software used by visually impaired individuals, ultimately excluding them from accessing essential services.

### **2. Insensitive Design**

The design of Domino's digital platforms failed to consider the needs of users with disabilities. This oversight reflects a broader issue in technology development, where accessibility features are often treated as afterthoughts rather than integral aspects of user experience design. By not aligning with the Web Content Accessibility Guidelines (WCAG), Domino's missed an opportunity to ensure their platforms were accessible to all users.

### **3. Insufficient Testing**

A critical factor in this failure was the apparent lack of thorough testing with assistive technologies. Proper testing with screen readers and other accessibility tools could have identified the gaps and barriers in the digital interfaces, allowing for timely improvements before the platforms went live.

## **4. Legal Misinterpretation**

Domino's resistance to making their digital platforms accessible was rooted in a misinterpretation of the ADA, which they argued did not apply to online spaces. This reflects a broader industry misunderstanding of how legal obligations extend to digital platforms, particularly in terms of providing equal access to individuals with disabilities.

## **5. Cost Considerations**

It's possible that Domino's was reluctant to invest in retrofitting their website and app for accessibility due to perceived costs. This short-sighted focus on immediate financial concerns overshadowed the long-term benefits of creating an inclusive platform, both in terms of legal compliance and broader customer reach.

These causes reflect a broader systemic issue in technology development, where accessibility often falls to the wayside, leading to exclusions and legal challenges.

# **Part 3: Impact Analysis**

## **1. Individual Impact**

1. **Exclusion from Service:** Visually impaired users couldn't independently use Domino's online ordering system, a convenience available to others.
2. **Economic Disadvantage:** Affected individuals potentially missed out on online-only discounts and promotions.
3. **Emotional Toll:** Inability to access a common service likely caused frustration and a sense of marginalization.
4. **Reduced Independence:** Reliance on alternative methods like phone orders diminished autonomy in daily activities.

5. Time and Effort: Users had to resort to more time-consuming and less convenient ordering methods.

## **2. Business Impact on Domino's**

1. Financial Costs:
  - a. Legal expenses from a prolonged court battle
  - b. Potential damages (though specific amounts weren't disclosed)
  - c. Costs of retrofitting their website and app for accessibility
2. Reputational Damage:
  - a. Negative media coverage potentially harmed Domino's image
  - b. Perception as a company resistant to accommodating users with disabilities
3. Operational Changes:
  - a. Need to revamp digital development processes to prioritize accessibility
  - b. Potential hiring or training of accessibility experts
4. Market Share: Possible loss of customers with disabilities and their networks to more accessible competitors
5. Future Compliance: Increased attention and resources required for ongoing accessibility maintenance and testing

## **3. Social Impact**

1. Awareness: The high-profile case brought significant attention to web accessibility issues, educating the public and businesses.
2. Legal Precedent: Reinforced that the ADA applies to digital spaces, strengthening the legal basis for web accessibility.
3. Advocacy: Empowered disability advocates to push for better digital accessibility across various sectors.
4. Industry Changes: Many businesses began prioritizing web accessibility to avoid similar lawsuits, improving digital experiences for people with disabilities.

5. Policy Discussions: Sparked debates about the need for clearer government guidelines on web accessibility standards.

Above all, this case demonstrates how a single instance of web inaccessibility can have wide-ranging effects on individuals, businesses, and society at large, underlining the importance of digital equity.

## Part 4: Sources and References

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