

EEOC v. EchoStar Communications Corp.

No. 02-CV-00581 (D. Colo. May 6, 2005)

The Denver District Office alleged in this ADA action that EchoStar, a leading provider of satellite television equipment and services, based in Englewood, Colorado, discriminated against Dale Alton, a blind applicant for a customer service representative position. After completing training at the Colorado Center for the Blind on working in customer service representative positions, Mr. Alton went to EchoStar to apply in response to a newspaper advertisement for customer service representatives. He was told it would not do him any good to put in an application because EchoStar was not set up to handle blind people. After Mr. Alton filed his charge, EchoStar called him back for an interview that included a braille test that had three times as many questions as the written test given to sighted applicants. Following a 3-day trial, the jury returned a verdict for EEOC and Mr. Alton, awarding him \$2,000 in back pay, \$5,000 in compensatory damages, and \$8 million in punitive damages. While this case was brought on behalf of a single individual, we believe it has far-reaching implications because some employers are relying on stereotypical notions associated with disability even in the face of evidence of workable, inexpensive technology-based reasonable accommodations.