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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO

LIGHTHOUSE FOR THE BLIND AND
VISUALLY IMPAIRED OF SAN
FRANCISCO, a California non-profit
corporation; and ERIN LAURIDSEN and
FRANK WELTE, individuals,

Plaintiffs,

v.

AUTOMATIC DATA PROCESSING, INC., a
Delaware corporation; ADP
TOTALSOURCE, INC., a Florida
corporation; and DOES 1-5

Defendants.

Case No.

COMPLEX CASE COMPLAINT

1. Violation of California Civil Code § 51
2. Violation of California Civil Code § 51.5
3. Unfair and Unlawful Business Practices (Bus. & Prof. Code § 17200)

1 Plaintiffs LightHouse for the Blind and Visually Impaired of San Francisco
2 (“LightHouse”), Erin Lauridsen, and Frank Welte (collectively “Plaintiffs”) are informed and
3 believe, and thereon allege, as follows:

4 INTRODUCTION

5 1. For over 100 years, Plaintiff LightHouse for the Blind and Visually Impaired of
6 San Francisco (“LightHouse”) has supported and promoted the independence, equality and self-
7 reliance of people who are blind or have low vision in San Francisco and the surrounding area.
8 LightHouse employs over 100 people, around 55 percent of whom are blind or have low vision,
9 and many of whom use screen reading technology to access and interact with information and
10 services provided via digital platforms such as websites and mobile applications (“apps”).

11 2. LightHouse began purchasing cloud-based payroll and human resources services
12 from Defendant ADP TotalSource, Inc. (“TotalSource”), a subsidiary of Defendant Automatic
13 Data Processing, Inc. (collectively, “ADP”), in 2017. ADP, which has 58,000 employees and
14 reported 14.18 billion dollars in revenue for 2019, was ranked number 227 on the Fortune 500
15 list for 2020.¹ It was also named by Fortune magazine as one of the “World’s Most Admired
16 Companies”—based on its “consistently strong performance”—for the 14th year in a row.²
17 Despite being a multi-billion-dollar global company that touts its commitment to accessibility, it
18 fails to take its obligations to customers with disabilities seriously.

19 3. LightHouse staff who use screen reading technology immediately encountered
20 accessibility problems when they began using ADP’s web-based product due to rampant
21 accessibility barriers. Despite repeatedly telling ADP about the problems and asking for them to
22 be fixed for several years, ADP provided only hollow assurances and failed to resolve them. To
23
24

25 ¹ *Automatic Data Processing Company Profile*, Fortune 500,
<https://fortune.com/company/adp/fortune500/> (last visited Sept. 1, 2020).

26 ² *ADP Recognized on FORTUNE Magazine’s 2020 “World’s Most Admired Companies” List for*
27 *14th Consecutive Year*, ADP, [https://mediacenter.adp.com/2020-01-21-ADP-Recognized-on-](https://mediacenter.adp.com/2020-01-21-ADP-Recognized-on-FORTUNE-Magazines-2020-Worlds-Most-Admired-Companies-List-for-14th-Consecutive-Year)
28 [FORTUNE-Magazines-2020-Worlds-Most-Admired-Companies-List-for-14th-Consecutive-](https://mediacenter.adp.com/2020-01-21-ADP-Recognized-on-FORTUNE-Magazines-2020-Worlds-Most-Admired-Companies-List-for-14th-Consecutive-Year)
[Year](https://mediacenter.adp.com/2020-01-21-ADP-Recognized-on-FORTUNE-Magazines-2020-Worlds-Most-Admired-Companies-List-for-14th-Consecutive-Year) (last visited Sept. 1, 2020).

1 this date, despite extensive notice and opportunity to do better, ADP does not provide full and
2 equal access to its products for its customers with disabilities.

3 4. LightHouse staff who use screen readers cannot independently use key functions
4 of the ADP payroll and human resources product it purchases, such as submitting and approving
5 time off requests; viewing tax, compensation and benefits information; and timekeeping. The
6 product's inaccessibility prevents managers from doing their jobs and causes LightHouse to have
7 to overstaff certain roles as a result; and managers, non-managers, and administrative staff are all
8 forced to waste valuable time and resources in order to accomplish basic HR functions. For
9 example, for the past three years, during open enrollment LightHouse staff have had to
10 compromise their privacy and rely on assistance from sighted colleagues or ADP representatives
11 in order to make personal and private decisions about their benefits and compensation, because
12 ADP's products are not designed in a way that enables screen reader users to interact with them
13 independently.

14 5. California law requires ADP to provide full and equal access to its products and
15 services to individuals with disabilities, including LightHouse staff who are blind or have low
16 vision. Not only has ADP failed to provide equal access by making its web-based product
17 accessible for people who use screen readers, despite repeated notice of its obligation to do so,
18 but screen-reader accessibility is easy to achieve. Many businesses have incorporated principles
19 of accessible design into their digital products and services to ensure that people who use screen
20 readers can interact with and use them. For example, companies in the personal banking and
21 finance industry have widely prioritized technological accessibility and created mobile apps and
22 websites that people who are blind or have low vision can use independently to access secure and
23 confidential information and complete secure transactions. Incorporating accessible design into a
24 website increases the business's potential customer pool and makes the site on average 35%
25 more usable for users who do not use screen readers, by improving the clarity and ease of
26 navigation of the site.³

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28 ³ See *Digital Accessibility Resources*, AbilityNet, <https://abilitynet.org.uk/accessibility-services/digital-accessibility-resources> (last visited July 22, 2020).

6. Plaintiffs—LightHouse as an organization and two LightHouse employees who use screen reading technology—bring this lawsuit against Defendants Automatic Data Processing, Inc. and ADP TotalSource, Inc. under the Unruh Civil Rights Act and related anti-discrimination laws, because ADP has discriminated and continues to discriminate against people with vision disabilities who use assistive technology to access digital content, and companies that employ them, by failing to make the benefits and privileges of their web and mobile application⁴ based services accessible⁵ for people with vision disabilities. Defendants are in violation of the Unruh Civil Rights Act, California Civil Code § 51; California Civil Code § 51.5; and the Unfair Competition Law, California Business & Professions Code §§ 17200 et seq.

7. Defendants’ failure to integrate accessibility principles into the design of their website and mobile application has resulted in numerous problems for individuals accessing those platforms with screen readers or other assistive technology. Such problems include, but are not limited to links that are not read by a screen reader, unfillable forms, and unlabeled drop-down menus, resulting in individuals who are blind or have low vision being unable to, or spending unreasonable amounts of time to, perform basic tasks like logging or reviewing hours or requesting or approving time off.

8. Defendants are aware that their products and services are not accessible for people who are blind or have low vision and use assistive technology. ADP has willfully and intentionally discriminated against Plaintiffs and continues to do so by refusing to integrate accessibility principles into its website and mobile application design and by instead adopting a piecemeal approach that has not resulted in a platform that provides full and equal access as required by state law. Despite Plaintiffs’ repeated requests, throughout several years of structured negotiations, that Defendants remedy their failure to provide accessible content to individuals

⁴ Defendants’ “mobile application” refers to the ADP mobile application for iOS and/or Android.

⁵ For the purpose of this Complaint, we use the term “accessible” to refer to digital content that can be independently accessed and interacted with by a person who is blind or has low vision using a screen reader or other assistive technology, such as screen magnification, to a comparable extent and with comparable ease as a person who is sighted.

1 with vision disabilities employed at LightHouse, and to LightHouse, Defendants intentionally
2 discriminate against Plaintiffs by refusing to do so.

3 9. As a result of ADP's discriminatory conduct, Plaintiffs have (1) been fully denied
4 access to the privileges and services of ADP's product; (2) been forced to compromise their
5 privacy and independence in order to access privileges and services of ADP's product; and (3)
6 been required to expend unreasonable amounts of time in order to access privileges and services
7 of ADP's product. This discrimination harms LightHouse as well as its employees who use
8 screen readers.

9 10. Plaintiffs ask this Court to declare that ADP's conduct is discriminatory,
10 unlawful, and unfair, and ensure that ADP provides them equal access to its mobile application
11 and website.

12 PARTIES

13 11. Plaintiff LightHouse is a non-profit organization based in San Francisco that
14 promotes the independence, equality and self-reliance of—and also employs approximately 55—
15 people who are blind or have low vision. LightHouse offers blindness skills training and relevant
16 services such as access to employment, education, technology, information, recreation,
17 transportation and the environment. LightHouse also pursues the development of new
18 technology, encourages innovation, and amplifies the voices of blind individuals around the
19 world. LightHouse services range from cooking classes to braille instruction to providing
20 counseling to offering boot camp for people who are newly blind. In 2019, Lighthouse hosted ten
21 summer camp sessions for 486 blind campers of all ages from all over the world; supported three
22 Holman Prize for Blind Ambition winners in projects aimed at changing the world's perception
23 of blind ability; hosted an annual disability film festival; translated hundreds of pages of
24 material, maps, and other types of media into accessible formats; employed blind workers at the
25 Sirkin Center light-manufacturing plant; and served over 1,000 people in 45 California counties
26 with services including counseling, rehabilitation, employment immersion, orientation and
27 mobility training, and advocacy. Lighthouse has been harmed and continues to be harmed by
28

ADP’s failure to make its services accessible despite being on repeated notice of the need to do so.

12. Plaintiff Erin Lauridsen is LightHouse’s Director of Access Technology. She has worked at LightHouse since April 2017. Ms. Lauridsen has been harmed and continues to be harmed by ADP’s failure to make its services accessible despite being on repeated notice of the need to do so.

13. Plaintiff Frank Welte is LightHouse’s Senior Accessible Media and Braille Specialist. He has worked at LightHouse since 2011. Mr. Welte has been harmed and continues to be harmed by ADP’s failure to make its services accessible despite being on repeated notice of the need to do so.

14. Defendant Automatic Data Processing, Inc. is a global provider of cloud-based human capital management solutions that unite HR, payroll, talent, time, tax, and benefits administration. Automatic Data Processing, Inc. is incorporated under the laws of the State of Delaware and serves over 800,000 clients in more than 140 countries. Defendant Automatic Data Processing, Inc. is a “business establishment” within the meaning of the Unruh Act and section 51.5, which cover “business establishments of every kind whatsoever.”

15. Defendant ADP TotalSource, Inc is a subsidiary of Automatic Data Processing, Inc. that provides its professional employer organization (PEO) services through a co-employment relationship in which employees who work at a client’s location are co-employed by ADP and its clients. TotalSource is incorporated under the laws of Florida. TotalSource is a “business establishment” within the meaning of the Unruh Act and section 51.5, which cover “business establishments of every kind whatsoever.”

16. Defendants Does 1 through 5 are persons or entities whose true names and capacities are unknown to Plaintiffs, who therefore sue them by such fictitious names. Plaintiffs are informed and believe, and on that basis allege, that each of the fictitiously named Defendants perpetrated or is responsible for some or all of the wrongful acts and omissions alleged herein. Plaintiffs will seek leave of court to amend this complaint to state the true names and capacities of such fictitiously named Defendants if and when they are ascertained.

17. At all times mentioned herein, each Doe Defendant was a parent, subsidiary, or agent of the other Defendants and was acting within the course and scope of such agency or employment. The Defendants are jointly and severally liable.

VENUE

18. Venue is proper in this Court and in this County pursuant to California Code of Civil Procedure §§ 395 and 395.5, because Defendants do business in this County, the business practices at issue were conducted in this County, liability arose in this County, and events and conduct giving rise to the violations of law asserted herein occurred in this County.

ALLEGATIONS OF FACT

ADP Is A Global, Multi-Billion Dollar Company That Sells Human Resources Management Services

19. ADP serves more than 800,000 customers in over 140 countries. In 2020, it was number 227 on the Fortune 500 list, which ranks the top-earning U.S. corporations in order of revenue. It reported 14.18 billion dollars in revenue for 2019.

20. ADP provides certified professional employer organization (“PEO”) services through ADP TotalSource. ADP Total Source’s Workforce Now (“WFN”) offers human resources and payroll products and services through its website,⁶ <https://workforcenow.adp.com/workforcenow/login.html>, and mobile applications or “apps” for Android and iOS devices,⁷ rather than through software. Companies who purchase WFN, and their employees, are meant to be able to access the services of and interact with the website and mobile application in a manner similar to an in-house Human Resources department.

21. Self-service employee functions that are available on the ADP website and app include, but are not limited to, punching in and out; making benefits selections; listing and

⁶ Throughout this Complaint, references to the “website” refer to this WFN website, and references to ADP’s products and services refer to those available with WFN.

⁷ The Android app is available for download at https://play.google.com/store/apps/details?id=com.adpmobile.android&hl=en_US; and the iOS app is available for download at <https://apps.apple.com/us/app/adp-mobile-solutions/id444553167>.

maintaining emergency contact information; requesting time off; accessing pay, tax, and direct deposit information; and viewing annual holidays.

22. Manager functions that are available on the ADP website and app include, but are not limited to, approving time off; reviewing and correcting timesheets; onboarding; hiring; workers' compensation; and tracking company property.

LightHouse Has Suffered Unequal Access to ADP's Products and Services Since 2017

23. LightHouse has purchased and used Workforce Now human resources and payroll products and services since October 2017.

24. More than half of LightHouse's approximately 100 employees are blind or have low vision.

25. These individuals have encountered significant accessibility barriers while using the WFN website and mobile application, making it difficult for users who are blind or have low vision to navigate and use ADP's products and services, and in some cases preclude them altogether. LightHouse staff members who are blind or have low vision have reported the following barriers to accessing the products and services provided on ADP's website and app: links do not work; screen reader users have difficulty submitting responses through the website; elements, such as edit fields, graphic links, and drop down menus are not labeled, inappropriately labeled, or otherwise difficult to interact with for screen reader users; inconsistent organization makes navigating the site and app unreasonably time consuming for screen reader users; menus are inaccessible such that a screen reader cannot navigate or select items within them; pop-up messages are not spoken by screen readers; and the color scheme and font make it difficult for people with low vision to navigate the app and the website.

26. These barriers prevent LightHouse staff from independently completing key administrative functions and require them to rely on others to communicate sensitive personal information. Additionally, these barriers significantly extend the amount of time it takes for staff to complete simple tasks.

Many Individuals Who are Blind or Have Low Vision Use Assistive Technology to Access Digital Content

27. To access products and services provided through mobile applications and on websites, individuals who are blind use screen reading software—assistive technology that interacts with the app’s or website’s digital elements, such as images, text, buttons, links, and headings, and converts that information into audible synthesized speech or outputs that information on a digital braille display.

28. Screen readers are integrated into both the iOS and Android mobile device operating systems.

29. The screen reader integrated into iOS is called VoiceOver.⁸

30. The screen reader integrated into Android is called TalkBack.⁹

31. Screen readers for mobile devices allow users to interact with applications through gestures such as swipes and taps that do not depend on visual acuity. For instance, using VoiceOver with a properly coded application, a user can touch or drag their finger around the screen to hear what is there, tap to hear a button’s description, double-tap to select a button, or flick left and right to move from one element to the next, and much more.

32. VoiceOver is also integrated into Apple’s computer operating system, macOS.¹⁰

33. The Windows 10 computer operating system also has an integrated screen reader, called Narrator.¹¹

34. Many people prefer to use a separate screen reader for their computers. Popular independent screen readers for computers include Job Access With Speech (“JAWS”) and NonVisual Desktop Access (“NVDA”).

⁸ See *Vision Accessibility -iPhone*, ACCESSIBILITY, <https://www.apple.com/accessibility/iphone/vision/> (last visited May 26, 2020).

⁹ See *Google*, Get started on Android with TalkBack, ANDROID ACCESSIBILITY HELP, <https://support.google.com/accessibility/android/answer/6283677?hl=en> (last visited May 26, 2020).

¹⁰ See *Vision Accessibility -Mac*, ACCESSIBILITY, <https://www.apple.com/accessibility/mac/vision/> (last visited May 26, 2020).

¹¹ See *Windows Support*, Complete Guide to Narrator, <https://support.microsoft.com/en-us/help/22798/windows-10-complete-guide-to-narrator> (last visited May 26, 2020).

35. Screen readers for computers allow users to interact with websites using a keyboard to navigate throughout a website and use features and elements on webpages such as links, buttons, and forms. For example, using JAWS with a properly coded website, one can use the arrow or tab key to move sequentially through the items on a page, the enter key to select an element or click a button, and the H key to scroll through headings, as well as other key strokes and combinations.

Websites and Mobile Apps can Easily be Designed to Ensure that People Who Are Blind or Have Low Vision Can Access Their Content

36. Many companies and organizations who do business online through websites and apps have made their products and services compatible with screen readers and assistive technologies. For example, Salesforce¹², Barclays Bank¹³, and Atos (a global information technology company)¹⁴, offer complicated on-line web interfaces and provide services implicating large amounts of sensitive information, and have established a high degree of compatibility with web accessibility guidelines. Incorporating accessibility into website and app design not only opens these companies up to a larger customer base, it has the effect of improving the usability of websites and apps for users who do not use assistive technology as well.¹⁵

37. In addition to screen reader compatibility, websites and mobile applications can be designed to be accessible for individuals with low vision, by using texture or monochromatic shading instead of color to convey information, placing text in one continuous vertical block, and ensuring a high contrast between background and text color. Because users can adjust many

¹² *Product Accessibility Status*, Salesforce, https://www.salesforce.com/company/legal/508_accessibility/#:~:text=Product%20Accessibility%20Status&text=Salesforce.com%20is%20committed%20to,applications%20accessible%20to%20all%20individuals.&text=A%20third%20party%20vendor%20has,accessibility%20status%20using%20these%20ACRs. (last visited Sept. 1, 2020).

¹³ *Barclays Bank Case Study*, W3C Web Accessibility Initiative Engage Community Group, https://www.w3.org/community/wai-engage/wiki/Barclays_Bank_Case_Study (last visited Sept. 1, 2020).

¹⁴ *Accessibility*, Atos, <https://atos.net/en/accessibility> (last visited Sept. 1, 2020).

¹⁵ *Digital Accessibility Resources*, AbilityNet, <https://abilitynet.org.uk/accessibility-services/digital-accessibility-resources> (last visited July 22, 2020).

1 visual settings such as size and color in their own browsers, it is important that website content
2 be independent of its structure or presentation.

3 38. An international body called the World Wide Web Consortium (W3C) Web
4 Accessibility Initiative (WAI) has developed guidelines and extensive resources regarding
5 designing accessible websites and apps.¹⁶

6 39. Third-party applications on iOS and Android can be developed so that they are
7 compatible with VoiceOver and TalkBack.¹⁷

8 40. Developing mobile applications for compatibility involves steps like adding
9 accessibility information to an application's user interface elements, grouping elements so that
10 they are read in the correct order, and including descriptive text for changes in state such as
11 option selection.

12 41. Developing websites for compatibility involves steps like using different levels of
13 headings appropriately to organize the content on a webpage in a way that makes it navigable;
14 including text for images that serve a substantive, non-decorative function; providing descriptive
15 names for links; providing descriptive labels for form fields and alerting the user when certain
16 fields are required; properly coding tables; and providing ways for users to skip to the main
17 content on a page.¹⁸

18 42. In order to maintain website accessibility, companies must have a process for
19 incorporating accessible design principles into product development, so that gains in accessibility
20 are not lost as the products change over time. Many companies have in place process-based
21 models, such as the accessibility maturity model, to ensure the on-going accessibility of their
22 products.

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25 ¹⁶ *Accessibility Fundamentals Overview*, W3C, <https://www.w3.org/WAI/fundamentals/> (last
visited Aug. 11, 2020).

26 ¹⁷ *See Accessibility on iOS*, APPLE DEVELOPER, <https://developer.apple.com/accessibility/ios/>
27 (last visited May 26, 2020) (providing guidance to third-party developers on how to integrate
accessibility into development); *Accessibility Overview*, ANDROID DEVELOPERS,
28 <https://developer.android.com/guide/topics/ui/accessibility> (last visited May 26, 2020) (same).

¹⁸ *See id.*

LightHouse has been harmed by Pervasive Access Barriers in ADP's Products

43. ADP's failure to make its products and services accessible to individuals who use assistive devices has rendered those products and services all but unusable to many of LightHouse's employees and staff. As a result, a product which ADP touts will allow its clients to "quickly and accurately process payroll" and equip their employees with "anytime, anywhere self-service access to their information"¹⁹ has done the opposite for LightHouse. Accessibility barriers have multiplied the amount of time that LightHouse staff must spend on basic payroll and human resources tasks. Far from providing employees self-service access, barriers in ADP's products mean screen reader users must rely on sighted colleagues to access sensitive and private information related to their employment and compensation.

44. LightHouse employees who use screen readers cannot reliably use the ADP app and website to clock in and out of work. The time clock often fails to record a time punch, records a double time punch, or records the punch properly but fails to inform the employee. At least one hourly employee who is blind and uses the app with VoiceOver to clock in and out every day finds that the process is almost never smooth: the main Dashboard button, which they double-click to activate the time clock, often does not appear when activated; often other controls open up instead or the whole screen becomes unresponsive to VoiceOver and they must restart the process. In addition, the "Punch" and "Meal Out" buttons in the time clock are unreliable: sometimes these buttons provide no audio feedback so the user cannot tell if they have been activated; sometimes they provide audio feedback that they *have* been activated, but the employee's time records do not reflect the attempted entry; and sometimes pressing the buttons initiates a pop-up in the app confirming the activation with an "Ok" button, which then results in an extraneous time punch. These issues occur multiple times a week, requiring the employee to spend additional time reviewing their time sheets and contacting their supervisor and sighted staff in the finance department to make manual adjustments to correct issues. The difficulty of using the app to clock in and out cuts into this employee's time to perform their

¹⁹ ADP WorkForce Now Features and Benefits, <https://www.adp.com/what-we-offer/products/adp-workforce-now.aspx> (last visited July 22, 2020).

1 substantive work tasks, reduces their focus by creating frustration, and can result in incorrect
2 payments being issued to them for their hourly work. Another hourly employee stopped using
3 the app or website to clock in and out as of August 2018 after extensive difficulties using them
4 with screen reader technology. Instead, the employee sends their hours directly to their
5 supervisor, who spends additional time entering the employee's hours. Another hourly employee
6 who is blind recently spent an hour attempting to punch out using VoiceOver and was never able
7 to navigate to the button despite many attempts.

8 45. As a result of these infuriating barriers to using the timekeeping functions of the
9 app, LightHouse's Director of Finance, who is sighted, receives approximately ten requests per
10 pay period from hourly employees to fix time punches that were entered incorrectly because of
11 the inaccessibility of ADP's app and website. The finance director must manually fix each error
12 and document their entry into the system to do so. The finance director also reviews and
13 approves approximately twenty employee time sheets on behalf of their direct supervisors who
14 are blind or low vision who are unable to do so themselves because of the inaccessibility of
15 ADP's systems. This often requires individual follow-up with those twenty employees regarding
16 irregularities in their timecards, which also frequently were the result of ADP's inaccessibility.
17 In addition, approximately once a month, the finance director must spend time accessing the pay
18 statements for an employee in order to print, scan, and send them to the employee to review with
19 their SSI counselor, as the employee is often unable to access the information on their own using
20 a screen reader because of ADP's inaccessibility. Similarly, the finance director spends extensive
21 time printing, scanning, and sending W2s to employees who are unable to access them
22 independently on ADP's platforms like sighted employees can. In addition, the finance director
23 has to assist exempt staff who use screen readers in entering Bereavement Leave on their time
24 sheets.

25 46. Employees who use screen readers are often completely unable to perform tasks
26 independently such as selecting benefits, requesting time off, checking accrued PTO, viewing,
27 downloading, or printing pay stubs, and viewing the list of companies offering discounts through
28 ADP. Therefore, they must rely on other, sighted staff members to perform these tasks for them,

1 compromising the individual's confidentiality as well as the efficiency of LightHouse as an
2 organization. These problems remain true of tasks that Defendants represent have been
3 accessibility enabled via their third-party overlay, as well as tasks that Defendants have
4 acknowledged have not yet been accessibility enabled.

5 47. LightHouse has been particularly harmed by ADP's inaccessibility during the
6 COVID-19 pandemic, when most staff are working remotely. This has exacerbated the impact of
7 the functional unavailability of ADP features for screen reader users on the organization as a
8 whole. For example, a LightHouse employee who participates in the United States Social
9 Services Administration's "Ticket to Work" program is required to submit their paystubs
10 monthly to the Ticket to Work program managers. This employee usually obtains hard copies of
11 their paystubs at the LightHouse office. The employee should have been able to download their
12 paystubs from ADP's website or mobile app, as sighted users can do, but was not able to do so
13 using a screen reader. Instead, another employee was required to begin obtaining their paystubs
14 and sending them in the mail. Thus, privacy, efficiency, and health have all been compromised
15 by ADP's continued refusal to make its services accessible to individuals who are blind.

16 ***Erin Lauridsen has been harmed by Pervasive Access Barriers in ADP's***
17 ***Products***

18 48. ADP's intentional discrimination against individuals who use assistive devices to
19 access digital ADP TotalSource's products and services harms Erin Lauridsen.

20 49. Ms. Lauridsen uses the VoiceOver screen reader technology to navigate the ADP
21 app, and the JAWS screen reader to navigate the ADP website.

22 50. Ms. Lauridsen usually supervises four to five people and her HR responsibilities
23 as a supervisor include onboarding, reviewing and correcting her team members' timesheets,
24 responding to their time off requests, and informing them of their time off balances. As an
25 employee, the administrative HR tasks she performs include selecting or changing benefits and
26 beneficiaries, keeping time records, viewing pay and tax information, and requesting time off.

27 51. Ms. Lauridsen has been unable to use the ADP app and website to perform
28 necessary tasks related to her own employment as well as her role as a manager. She has been

1 unable to update her emergency contact information; view and approve her supervisees' time off
2 requests; or review and approve supervisee time sheets on either the app or website.

3 52. Ms. Lauridsen has been unable to participate independently in open enrollment. In
4 2018, she was required to schedule an in-person appointment during limited in-person hours to
5 complete her open enrollment. In 2019, she used the external technology company Aira to access
6 the open enrollment website, after attempting unsuccessfully to do so independently. In 2020,
7 she was advised to call the ADP MyLife advisors—whose role is to “help [employees] make
8 important life decisions, tackle day-to-day challenges, and prepare for a brighter tomorrow [by] .
9 . . [a]chieving key milestones, [m]anaging uncharted life moments, [p]lanning for the future,”
10 and “[n]avigating complex processes”²⁰—in order to complete her enrollment. She was unable to
11 do so within the timeframe provided and was consequentially enrolled in default options. She is
12 now unable to even identify what benefits plans she is enrolled in without calling the MyLife
13 advisors.

14 53. Ms. Lauridsen has been required to spend additional time on other tasks that
15 cannot be completed reasonably efficiently using a screen reader, for example, viewing
16 notifications in the app or checking supervisees' vacation and time off balances. Because the app
17 notifications for employee time off requests are unlabeled, she must navigate the complex and
18 inconsistent menu system to find the inbox to approve requests. If there are multiple requests,
19 she often has to open them multiple times, because the app does not indicate in an accessible
20 manner whether they have been resolved.

21 54. Ms. Lauridsen supervises employees who are blind and use assistive technology.
22 These supervisees email Ms. Lauridsen when they have difficulty clocking in and out because of
23 the app's and website's inaccessibility. But Ms. Lauridsen is unable to correct their timesheets
24 independently, also because of the platforms' inaccessibility, and must escalate the problems to
25 the finance director. Further, because error messages and highlighting for these timesheet
26 features in the app and website are not accessible, if there are errors on a supervisee timesheet
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28 ²⁰ *Contact Us*, ADP Total Source MyLife, <http://mylife-ts.adp.com/contact-us/> (last visited Sept. 1, 2020).

1 that are not discovered during the pay period, Ms. Lauridsen must review every single time
2 stamp entry in order to find the missing punch in or out on the timesheet. She then contacts the
3 employee to verify the correct hours, but must request that the director of finance input the
4 corrections as she is not able to do so herself. These types of errors occur, and Ms. Lauridsen is
5 required to go through this process, during almost every pay period.

6 55. In addition, Ms. Lauridsen spends extra time attempting to complete these various
7 tasks using both the website and the app, as sometimes she is able to do so on one platform but
8 not the other or vice versa.

9 ***Frank Welte has been harmed by Pervasive Access Barriers in ADP's Products***

10 56. ADP's intentional discrimination against individuals who use assistive devices to
11 access digital ADP TotalSource products and services harms Frank Welte.

12 57. Mr. Welte uses VoiceOver to use the ADP app, and JAWS to access the ADP
13 website.

14 58. As an employee, the administrative HR tasks he performs include selecting or
15 changing benefits and beneficiaries, keeping time records, viewing his pay and tax information,
16 and requesting time off.

17 59. Mr. Welte has been unable to use the ADP app or website to perform necessary
18 tasks related to his employment, including selecting benefits or requesting time off, viewing
19 personal financial or tax information, and viewing time off balances.

20 60. For example, on May 13, 2020, while attempting to enter a time off request on the
21 website, Mr. Welte spent two hours on the phone with ADP support personnel attempting to
22 change his password because he was unable to log in, and he was unable to reset his password
23 independently. After the support representative changed his password for him, he was still
24 unable to log in using Voiceover. The representative terminated the call in order to consult with
25 ADP technical support staff. Mr. Welte was able to log in the next day, but unable to submit a
26 time off request either online or on the mobile application because the inaccessibility of both
27 platforms.

28 61. Mr. Welte has also been unable to participate independently in open enrollment.

Pervasive Barriers in ADP's Products Prevent Full and Equal Access for People with Disabilities

62. Defendants' app and website contain myriad access barriers that prevent full and equal use by persons who are blind and use screen-reading software, including Plaintiffs Erin Lauridsen and Frank Welte.

Access Barriers in ADP's Mobile App

63. Access barriers in the ADP mobile app include but are not limited to:

(a) **Improperly labeled elements.** Elements throughout the app are improperly labeled such that their content and function are not evident to a blind user.

For instance, in the iOS app:

(i) In the Dashboard, the "notifications button" is read by VoiceOver as "icon bell button". This label does not provide any useful information regarding what the feature is or where the button will lead.

(ii) Within the Notification Center—which serves as kind of inbox for notifications such as supervisees' time-off requests and available pay statements—the information provided to sighted users for each entry, including how long ago each notification was received and the subject of each notification, is not provided via screen reader. Instead, each entry is read as "time body button." If a user can figure out that "time body button" indicates a notification, they might be able to identify how many notifications there are by swiping through, but not what the notifications pertain to. The user must take the time to activate or enter each notification in order to learn its content.

(iii) Within the form to add an emergency contact, there is no indication that an element read simply as "first name" must be activated in order to access a text field.

(b) **Improper reading order.** In some cases, information on the page is read in a confusing order. For instance:

(i) When the main menu is activated from the Dashboard, a screen reader user navigates to the menu in the reverse order, from the bottom up. This is confusing and inefficient for a screen reader user because navigating down a menu involves swiping right, while navigating up a menu involves swiping left. The user would have to spend additional time experimenting to figure out that the menu is reversed.

(c) **Exclusively visual information and features.** Some information is only communicated to users visually and is completely undiscoverable via screen reader. For instance:

(i) The visual notifications icon at the top right on the Dashboard will indicate how many new unread notifications the user has; however, this information is not read on VoiceOver. Thus, a blind user is likely to miss new notifications and not respond promptly.

(ii) Within the Notification Center, the status of a notification as read or unread is only indicated visually through a change in color of the text. This compounds the fact that the title of each notification is not read by VoiceOver.

(d) **Unannounced changes of state.** Thus, a blind user does not know where they have ended up after clicking a link or button. For instance:

(i) Upon activating a button in the main menu, there is no indication to a blind user that a sub-menu has opened with additional options.

(ii) Upon activating the button to add an emergency contact, there is no announcement when the screen changes from the Profile page to a form to add such a contact.

(e) **Improper focus.** When a screen reader moves to a new element in a page, that is called shifting focus. Sometimes, a user expects the screen reader to re-focus automatically on new information on the screen, for instance when a

submenu opens, or a pop-up appears. The ADP app frequently does not refocus in this way. For instance:

(i) Upon selecting the Myself button in the main menu, the screen reader does not refocus on the newly-opened submenu.

(ii) When an Emergency Contact element is activated from the Profile page, the screen reader does not shift focus to the new page that appears visually. A screen reader user must continue to guess through the navigation, and correctly assume that an element read as “A-D-D”, which is not visible to a sighted user, must be clicked in order for the focus to change.

(iii) When adding an Emergency Contact, upon selecting the primary contact radio button, the focus moves back to the top of the page rather than remaining on the element and indicated the change in state.

(f) Elements are discoverable via screen reader that should be hidden. A screen reader user should only be able to navigate to those elements that are also visually apparent on any given page. However, within the ADP app, elements that are not present visually are accessed via screen reader. For instance:

(i) When a screen reader user navigates from the main menu to the Profile page, via the Myself submenu, a screen reader user must scroll through at least fifteen elements that are not represented to a visual user before they get to the content of the page. Some of these elements seem to be coming through from the main menu and myself submenu, while others are completely unlabeled. A sighted person can tell that these are not applicable to the visible page, but a blind user has no indication whether these are elements that are intended to be presented on the page.

(g) Forms within the app are not coded properly. This has made the Emergency Contact form, for example, completely unusable as well as

confusing and inefficient to VoiceOver users. While the screen reader user can fill out some portions of the form by guessing that what appears as static text is actually an element that can be activated, not all fields can be completed this way. The relationship field is required in order to save the contact, however there is no way to activate or use the drop-down menu associated with this field via VoiceOver. When a user attempts to activate the list, VoiceOver only narrates “Relationship, list start, star, list end.” Because the user cannot select a relationship type and it is a required field, they cannot save any of the emergency contact information.

(h) The calendar function on the app does not function properly with

Voiceover. When a user attempts to request time off, they are unable to use the date picker to select the date/s they want, rendering this element functionally unavailable.

Access Barriers in ADP’s Website

64. Access barriers in the ADP website include but are not limited to:

(a) Lack of adequate structure, grouping, reading order, and labeling.

(i) One way that screen-reader users navigate a page is by scrolling through content that has been labeled as headings. Just as sighted users rely on formatted headings to skim a page and quickly locate desired content, screen-reader users rely on labeled heading levels. Many of the pages within the ADP website lack any heading level structure. This significantly impedes a blind user’s ability to efficiently use the site in the same way that a sighted user can. For example, on the Home page for an employee after logging in, using the arrow or tab keys in JAWS to scroll through the initial elements on the page—which visually are depicted as an envelope icon, calendar icon, and a “Logout” button—results in JAWS reading “messages” more than a dozen times over and not reading the calendar icon or logout button at all.

(ii) In addition, on the “My Information” page under the “Myself” tab from the main home page menu, a sighted user sees text boxes on the page with bold headings labelled “Personal Info,” “Work Info,” “Compensation Info,” “Professional Credentials,” “Company Property,” and “Emergency Contacts.” But these headings are not coded as headings for a screen reader. A JAWS user instead has to scroll or tab through every line of text on the page in order to locate content, and there is no grouping or categorizing of the information as the boxes create for a sighted user. In order to reach “Emergency Contacts,” a JAWS user has to scroll past their name, phone number, email address, physical address, position ID, hire date, title, phone number, work email address, work address, total compensation, pay rate, and pay frequency. If the headings on the page were coded properly, a JAWS user would only need to scroll past three headings in order to reach Emergency Contacts.

(iii) The “Time Off Balances” page for a supervisor is inaccessible because of how it is organized and coded. Upon loading the page, a banner with the information of one employee appears, with arrows that say “1 of 8,” but JAWS only reads “ADP”—there is no information identifying the content of the page for a screen reader user. Using the tab key to scroll through the page first returns the screen reader user to the main headings at the very top, which are not specific to the Time Off Balances page. Then it simply reads the text in the banner pertaining to a specific employee. The page lacks any structure to enable the user to easily identify the focal point of the page. It also lacks any heading or obvious way for the screen reader user to find employees other than the one on the page. They must scroll through all of that specific employee’s information to get to the “search,” “previous,” and “next” buttons, which are not coded in a way that indicates that they are functional buttons and differentiates them from, for

1 example, the employee's start date. The search button does not indicate
2 whether it is for searching for specific employees or lists of employees,
3 and does not ultimately allow the user to search for a specific supervisee
4 but rather provides a roster of supervisees. Upon selecting a specific
5 employee, a new page loads and again returns the user to the highest-level
6 website headings. There is no heading to enable the user to skip through
7 all the employee's information and go directly to their time off balances.

8 **(b) Failure to announce status changes.** A screen reader must be able to
9 accurately inform a user when a button or element is expanded or collapsed.
10 In navigating around the ADP website home page main menu, a JAWS user
11 cannot identify which options are grouped under "My Team." This is because
12 the first option in the pop-out menu under "My Team" is also "My Team" and
13 there is no indication of a change in state or focus to a new menu. This results
14 in JAWS indicating "My Team – Expanded" followed immediately by "My
15 Team – Collapsed." This problem is also present on the self-service Time Off
16 request page. Plaintiff Frank Welte using JAWS has no way to tell whether a
17 request has been submitted, and if so, for what dates. Using the down arrow to
18 enter a date on the calendar on this page, JAWS does not indicate whether the
19 control has changed, and the user must tab back out of the calendar to learn
20 the state of the control.

21 **(c) Poorly developed and coded forms.** Forms in the ADP website are
22 inaccessible both in terms of the coding and the structure. For example, the
23 Emergency Contact form's first field is ambiguously labeled "Name," which
24 does not inform a user whether it requires a first name or a full name. While a
25 sighted user can see that there is only one box, and deduce that the field
26 requires both first and last name, the field should be labelled "Full Name" or
27 "First and Last Name" to communicate that same information to a screen
28 reader user without the need to tab through the page to assess all of the other

1 fields before navigating back to input the correct version of a name. More
2 importantly, the user is required to enter a relationship type for the emergency
3 contact, and the relationship type drop-down menu is unusable with JAWS.
4 Attempting to use the arrow or enter button to navigate the drop-down menu
5 results in the user involuntarily selecting the next option on the list in
6 sequential order, rather than expanding the list, and then returning to the
7 “Name” field and starting over. A JAWS user attempting to expand the drop-
8 down menu will first be required to select “Doctor,” then return to the “Name”
9 field, scroll past to the relationship drop-down menu to see that “Doctor” is
10 selected, and upon attempting to expand the menu again, they will
11 involuntarily select the next relationship, “x—ex-spouse.”²¹ Using the key
12 combination alt+down arrow for the relationship element results in JAWS
13 informing the user that the menu is expanded, and the menu becomes visible
14 to a sighted user, but as the JAWS user scrolls through the items in the
15 expanded drop-down menu, it reads no text. The same issue recurs with the
16 “Phone Type” drop-down menu for the emergency contact.

17 **(d) The website contains hidden or missing elements.** The Home page contains
18 a button/link, at least as of May 1, 2020, labeled “COVID-19 Updates.”
19 However, using JAWS to tab through the headings on the Home page does not
20 identify this link for a blind user. The “COVID-19 Updates” link does not
21 even register for JAWS as an unlabeled element, meaning that a screen reader
22 user would have no way to even know there is something there.

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26 ²¹ The relationship drop-down menu has letter codes for each relationship type except “Doctor.”
27 “Ex-spouse” is listed as “X—ex-spouse;” “Sister” is listed as “SI—sister;” “Son” is listed as
28 “S—Son;” “Roommate” is listed as “RO—Roommate;” “Mother” as “M—Mother;” and so on.
This is confusing for a screen reader user, because they cannot tell whether “X—ex-spouse”
refers to an ex-ex-spouse, an ex-spouse, or a spouse or ex-spouse with an X functioning as a
checkmark to indicate selection. Design problems like this compound the problems with
inaccessible coding.

1 (e) **The website contains unlabeled elements.** For example, on the Profile page,
2 there are two camera icons near the employee name at the top of the page that
3 JAWS reads only as “unlabeled button.” These icons should both be labeled
4 for a screen reader, or, if the two icons are redundant and actually serve the
5 same single function, one of them should be removed to avoid any confusion.
6 In addition, in the “Time Off Balances” page for managers, there is an
7 unlabeled element next to the calendar element depicting the current date for
8 the balances being viewed.

9 (f) **The website contains improperly coded tables.** When a table is coded
10 properly for screen readers, a user can navigate the table using special table
11 commands. These commands enable a screen reader user to navigate down a
12 column or across a row. This function is critical both for knowing what the
13 information in a table cell refers to and for comparing information in a
14 particular category. For example, in the “Time Off Balances” page for
15 managers, there is a table listing the manager’s team members by row with
16 columns for each type of time off. But the table is not coded properly and a
17 screen reader user would have to memorize the order and content of the table
18 headings and then count the cells in a row in order to match up a particular
19 cell in a row with its identifying column heading. This precludes a manager
20 using a screen reader from being able to accurately and efficiently identify and
21 report employees’ time off balances. Similarly, on the “Time Off – List of
22 Requests” page for managers, there is a table listing each team member’s
23 request. But each row of the table is coded as its own table so the screen
24 reader user cannot read the table by column to view, for example, all
25 employees with approved requests.
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***ADP Is Intentionally Discriminating Against People Who Use Assistive Devices
To Access Content***

65. The pervasive accessibility problems with ADP’s products quickly became apparent to LightHouse staff, who took steps to bring these problems to ADP’s attention. Scott Blanks, Senior Director of Programs, and Plaintiff Erin Lauridsen met with representatives of ADP in December 2017 and described accessibility problems they and their staff had encountered using ADP’s products. The meeting was attended by several product managers at ADP. During the meeting, ADP representatives told Mr. Blanks and Ms. Lauridsen that ADP would not be able to resolve their accessibility issues in the near term. The ADP representatives also were unable to provide Mr. Blanks and Ms. Lauridsen with a timeline or an estimate of when they could expect the accessibility problems to be addressed.

66. Plaintiff Frank Welte also raised his accessibility concerns to ADP representatives, including over the phone and in an email dated January 3, 2018.

67. On August 6, 2018, Plaintiffs’ counsel sent ADP a letter on Plaintiffs’ behalf identifying their attempts at addressing the accessibility issues and asking ADP to remediate its website and mobile application or enter into structured negotiations with Plaintiffs to create a remedial plan to address the problems. The parties entered into a Structured Negotiations Agreement (“SNA”) in October 2018.

68. Defendants made little progress during 16 months of negotiations and Plaintiffs sent ADP a letter on February 21, 2020, terminating structured negotiations, effective April 21, 2020.

69. Rather than incorporating comprehensive accessible design principles by remediating the underlying code, ADP has contracted a third party that provides an after-the-fact accessibility toolbar overlay that must be activated at both the organizational and individual user levels.

70. While some discrete features are now more accessible than they were in August 2018, many critical features of the website and app remain inaccessible for screen reader users. For example, the 2020 open enrollment process was completely inaccessible for screen reader

1 users. While sighted individuals had the benefit of independently and efficiently making their
2 benefit elections at any time of day when they were able, screen reader users were forced to
3 contact an ADP employee by phone during limited hours to complete this process. In addition,
4 basic functions like requesting or approving time off and updating emergency contact
5 information remain inaccessible.

6 71. Despite ADP’s knowledge that a piecemeal approach to resolving these barriers
7 does not result in an accessible product, Defendants have refused to take a systemic approach to
8 remedy the underlying accessibility design flaws.

9 72. ADP acknowledged the willful and intentional nature of its continued
10 discriminatory conduct in correspondence dated May 4, 2020, after negotiations had concluded.
11 Defendants expressed that, although *some of its customers* had access to accessibility upgrades to
12 the open enrollment process in February 2020, it “made the business decision not to enable those
13 upgrades for TotalSource clients for the 2020 open enrollment period.” ADP represents that it
14 possessed the technology to make a critical HR function performed on its website and
15 application—selection or modification of benefits during the 2020 open enrollment process—
16 accessible for individuals using screen readers, and deliberately chose not to do so for some of its
17 customers, including LightHouse.

18 **FIRST CAUSE OF ACTION**

19 **California Civil Code § 51 (Unruh Civil Rights Act)**

20 (Brought by all Plaintiffs against Defendant ADP)

21 73. Plaintiffs incorporate by reference as though fully set forth herein the preceding
22 and subsequent paragraphs of this Complaint.

23 74. The Unruh Civil Rights Act guarantees, *inter alia*, that persons with disabilities
24 are entitled to full and equal accommodations, advantages, facilities, privileges, and services in
25 all business establishments of any kind whatsoever within the jurisdiction of the state of
26 California. Cal. Civ. Code § 51(b).

27 75. Defendants are business establishments covered by the Unruh Act’s prohibition
28 against discrimination.

1 76. Plaintiff LightHouse is a “person aggrieved” under the Unruh Civil Rights Act as
2 it has directly experienced discrimination leading to harm.

3 77. Defendants have discriminated and continue to discriminate against LightHouse
4 “on account of its association with” individuals with vision disabilities. (See *Rotary Club of*
5 *Duarte v. Bd. of Directors* (1986) 178 Cal.App.3d 1035, 1061, aff’d sub nom. *Bd. of Directors of*
6 *Rotary Int’l v. Rotary Club of Duarte* (1987) 481 U.S. 537.)

7 78. Defendants intentionally discriminate against Plaintiff LightHouse by excluding
8 individuals who use assistive technology to access digital content, including a large percentage
9 of LightHouse’s leadership and workforce, from equal access to its human resources services and
10 information.

11 79. Lighthouse, as a customer that purchases WFN from ADP, does not obtain the
12 full benefit of the products and services it pays for as a result of the inaccessibility of ADP’s
13 WFN application and website, which impacts a large percentage of the staff. This impact is then
14 multiplied when other Lighthouse staff have to step in to assist those who cannot directly access
15 the products and services.

16 80. Plaintiffs Lauridsen and Welte are persons within the meaning of the Unruh Act
17 who have been denied full and equal access to ADP’s services because of their disability.

18 81. Plaintiffs Lauridsen and Welte do not obtain the full benefit of ADP’s products
19 and services as a result of the inaccessibility of ADP’s WFN application and website.

20 82. Defendants intentionally discriminate against Plaintiffs Lauridsen and Welte in
21 denying them equal access to its products and services by failing to make them accessible,
22 despite repeated notice and opportunity to do so, to people who are blind and use screen readers.

23 83. Therefore, pursuant to California Civil Code § 52, Plaintiffs are entitled to
24 declaratory and injunctive relief remedying the discrimination. Unless the Court issues injunctive
25 and declaratory relief to halt ADP’s unlawful practices, Plaintiffs will continue to suffer
26 irreparable harm.

84. Plaintiffs are also entitled to reasonable attorneys’ fees, costs, and expenses, as well as compensatory damages in an amount to be determined at trial based on actual and/or statutory damages.

85. WHEREFORE, Plaintiffs pray for relief as set forth below.

SECOND CAUSE OF ACTION

California Civil Code § 51.5

(Brought by Plaintiffs LightHouse, Lauridsen, and Welte against ADP)

86. Plaintiffs incorporate by reference as though fully set forth herein the preceding and subsequent paragraphs of this Complaint.

87. Section 51.5(a) precludes business establishments from “discriminat[ing] against . . . any person in this state on account of [disability] or of the person’s partners, members, stockholders, directors, officers, managers, superintendents, agents, employees, business associates, suppliers, or customers, because the person is perceived to have [a disability.]” Cal. Civ. Code § 51.5(a).

88. Plaintiffs LightHouse, Lauridsen, and Welte are “persons” protected by this section. *Id.* § 51.5(b) (defining “person” to include “any person, firm, association, organization, partnership, business trust, corporation, limited liability company, or company”).

89. ADP is a business establishment covered by section 51.5.

90. ADP discriminates against all Plaintiffs by excluding individuals who use assistive technology to access digital content from full and equal access to its products and services.

91. ADP denies all Plaintiffs full and equal access to its services by intentionally refusing to integrate comprehensive accessibility into the design of its website and mobile application in violation of Section 51.5(a).

92. Therefore, pursuant to California Civil Code § 52, Plaintiffs are entitled to declaratory and injunctive relief remedying the discrimination. Unless the Court issues injunctive and declaratory relief to halt ADP’s unlawful practices, all Plaintiffs will continue to suffer irreparable harm.

93. Plaintiffs are entitled to reasonable attorneys' fees, costs and expenses, as well as compensatory damages in an amount to be determined at trial based on actual and/or statutory damages.

94. WHEREFORE, Plaintiffs pray for relief as set forth below.

THIRD CAUSE OF ACTION

California Unfair Competition Law

(Brought by Plaintiff LightHouse against ADP)

95. Plaintiff LightHouse incorporates by reference as though fully set forth herein the preceding and subsequent paragraphs of this Complaint.

96. "Any person who engages, has engaged, or proposes to engage in unfair competition may be enjoined in any court of competent jurisdiction." Cal. Bus. & Prof. Code § 17203. Unfair competition is defined as "any unlawful, unfair or fraudulent business act or practice and unfair, deceptive, untrue or misleading advertising and any act prohibited by Chapter 1 (commencing with Section 17500) of Part 3 of Division 7 of the Business and Professions Code." Cal. Bus. & Prof. Code § 17200.

97. Defendants' violation of the Unruh Act and Section 51.5 of the California Civil Code is also a violation of the California Unfair Competition Law.

98. Plaintiff LightHouse has suffered economic and other harms as a result of Defendants' violation of California Civil Code, Sections 51 and 51.5. LightHouse has spent money on ADP's product for three years without receiving the product's full value. In addition, LightHouse has lost the value of staff time spent working around the inaccessibility of the product it pays for.

99. Plaintiff LightHouse is entitled to restitution and injunctive relief due to ADP's violation of the California Unfair Competition Law.

100. WHEREFORE, Plaintiff LightHouse prays for relief as set forth below.

PRAYER FOR RELIEF

Based on the foregoing, Plaintiffs respectfully pray for relief as follows:

2. For an order requiring that ADP comply with state law and provide full and equal independent access to its website and mobile application for people who are blind and have low vision and/or who use screen reader technology;

4. For an award of restitution pursuant to California Business and Professions code section 17203 in the amount of the difference between what LightHouse paid for ADP's product and the value it actually obtained;

6. For an award of compensatory damages for violations of California Civil Code, Sections 51 and 51.5 in an amount to be determined at trial.

Respectfully submitted,

Meredith J. Weaver
Attorneys for Plaintiffs