



U.S. Equal Employment Opportunity Commission

Press Release

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Cloudbeds to Pay \$150,000 to Resolve EEOC Disability Discrimination Lawsuit

Remote Technology Company Settles EEOC Lawsuit Alleging it Refused to Accommodate and Hire a Deaf Applicant

BOSTON – Remote-first global technology company Digital Arbitrage, Inc., doing business as Cloudbeds, will pay \$150,000 to resolve a disability discrimination lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

According to the EEOC's lawsuit, during their hiring process Cloudbeds failed to provide an accommodation to Peter St. John, a well-qualified candidate in IT administration who is deaf and uses American Sign Language (ASL) to communicate. Cloudbeds terminated his candidacy on the basis that verbal communication and hearing were job requirements for the position in a remote setting.

The alleged conduct violated the American with Disabilities Act (ADA), which requires employers to engage with applicants to identify and provide reasonable accommodations, and prohibits employers from discriminating against qualified applicants based on their disability. The EEOC filed suit in U.S. District Court for the District of Massachusetts (EEOC v. Digital Arbitrage, Inc. d/b/a Cloudbeds, Civ. A No.

1:23-cv-11856-RGS) after first attempting to reach a pre-litigation settlement through its conciliation process.

Under the terms of the three-year consent decree, Cloudbeds will pay \$150,000 in damages to St. John and will provide significant non-monetary relief designed to ensure equal employment opportunities for the deaf and hard of hearing in its remote-first workplace. In addition to updates to the company's reasonable accommodation policy and annual training for management and human resource employees about discrimination law, Cloudbeds will issue an annual executive video message on the company's commitment to ensuring that people who are deaf and hard of hearing are provided reasonable accommodations. The company's human resource personnel will also complete an online training focused on integrating deaf employees into the workplace, and Cloudbeds will designate one human resources team member to complete additional training on assistive technologies that deaf or hard of hearing employees or applicants may use to communicate in the workplace.

"We are pleased that we were able to reach an early agreement with Cloudbeds that will provide both monetary relief to the worker and injunctive relief designed to promote a company-wide commitment to inclusivity," said EEOC Regional Attorney Jeffrey Burstein. "The EEOC commends Cloudbeds' commitment to supporting workers and applicants who are deaf or hard of hearing. It is important that human resources and managerial professionals keep pace with changing technology as workplaces move to remote-first and hybrid settings."

Timothy Riera, acting director of the EEOC's New York District Office said, "This decree reminds employers of the importance of engaging in the interactive process with qualified individuals, who may provide insight into what reasonable accommodations they may need during the hiring process and may enable them to perform the essential functions of the positions to which they are applying."

The case was litigated by EEOC Trial Attorney Anastasia Doherty and supervised by Assistant Regional Attorney Kimberly A. Cruz.

For more information about disability discrimination against individuals who are deaf or hard of hearing, guidance issued in January 2023 is available at **[Hearing Disabilities in the Workplace and the Americans with Disabilities Act | U.S. Equal Employment Opportunity Commission \(eeoc.gov\) \(https://www.eeoc.gov/laws/guidance/hearing-disabilities-workplace-and-americans-disabilities-act\)](https://www.eeoc.gov/laws/guidance/hearing-disabilities-workplace-and-americans-disabilities-act)**

. For general information on disability discrimination, please visit

<https://www.eeoc.gov/disability-discrimination> (<https://www.eeoc.gov/disability-discrimination>**).**

Information on the EEOC's ASL videophone number for deaf or hard of hearing people to contact the agency is available here: **[EEOC Launches Direct Video Access to ASL Speakers for the Deaf and Hard of Hearing | U.S. Equal Employment Opportunity Commission](https://www.eeoc.gov/newsroom/eeoc-launches-direct-video-access-asl-speakers-for-the-deaf-and-hard-of-hearing)** (**<https://www.eeoc.gov/newsroom/eeoc-launches-direct-video-access-asl-speakers-deaf-and-hard-hearing>**).

The EEOC's New York District Office is responsible for processing discrimination charges, administrative enforcement, and the conduct of agency litigation in Connecticut, Maine, Massachusetts, New Hampshire, New York, northern New Jersey, Rhode Island and Vermont.

The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. More information is available at **www.eeoc.gov** (**<https://www.eeoc.gov/>**). Stay connected with the latest EEOC news by subscribing to our **[email updates](https://public.govdelivery.com/accounts/USEEOC/subscriber/new)**. (**<https://public.govdelivery.com/accounts/USEEOC/subscriber/new>**)