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## NEWS RELEASE

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### LAWSUIT CLAIMS MARRIOTT DISCRIMINATES AGAINST BLIND EMPLOYEES CLASS ACTION SEEKS EQUAL ACCESS TO PROMOTIONS, COMPUTER SOFTWARE

(SAN DIEGO, CA, **February 6, 2013**) – Today, the Legal Aid Society – Employment Law Center (LAS-ELC) and TRE Legal filed a class action lawsuit in federal court against Marriott, alleging that the hotel giant discriminates against blind and disabled employees by requiring its managers to use inaccessible computer software and rejecting accessible alternatives.

Ali Faraj is a blind Marriott employee who has been excluded from advancement to a management position with Marriott based on the hotel chain's requirement that managers use a Sales Force Automation (SFA) software program by the Oracle Corporation called Siebel CRM (Customer Relation Management). Despite requests, Marriott has refused to configure or modify its SFA software so that disabled persons such as Mr. Faraj who use screen-reading software can serve as managers.

Mr. Faraj has worked for the Marriot hotel chain since 2005, and is currently an Event Billing Specialist at the San Diego Marriott Marquis. Like other blind employees of Marriott, Mr. Faraj uses computers by relying on JAWS screen reader software, a program that translates computer text into audible speech or refreshable Braille data. JAWS enables blind people and others with reading and print disabilities to access documents and digital information on computers and thus become productive and independent workers.

"I have a B.A. in Hospitality Business, and more than ten years of experience in the industry, including my nearly eight successful years with Marriott. I want to advance," said Mr. Faraj. "But Marriott managers keep telling me that I cannot be promoted into a position requiring use of Siebel CRM. That's not fair."

He added that a Marriott HR manager has acknowledged that he is more qualified than other candidates placed by Marriott into management.

The lawsuit alleges that there are nondiscriminatory alternatives to Marriott's current software system, including replacing Siebel CRM with alternative, JAWS-accessible SFA software, updating and upgrading the existing Siebel CRM software to make it JAWS-accessible system-wide, and adding individualized modifications or scripts to the existing Siebel CRM software to make it JAWS-accessible to particular individuals.

"Marriott contends that it would cost more than \$1,000,000 to fix the problems," said Timothy Elder, a principle of TRE Legal and an attorney for Mr. Faraj. "That is just not the case. One solution would cost less than \$50,000 and would open up competitive employment opportunities for many blind and disabled Marriott workers."

Mr. Elder further disputed that the fix would impose an undue hardship on the company. According to reports, Marriott International had revenues of \$12.3 billion for 2011, and has assets worth \$5.9 billion; Host Marriott has assets totaling \$11.3 billion.

In recent months, Marriott has expanded the Seibel CRM software configuration, integrating additional computer programs into the inaccessible platform. This expansion further threatens the employment opportunities of Mr. Faraj and other blind and disabled employees by reaching additional jobs at Marriott.

“The Americans with Disabilities Act prohibits employers from using selection criteria and methods of administration that exclude persons with disabilities,” said Jinny Kim, senior staff attorney with LAS-ELC and counsel for Mr. Faraj. “This case seeks to dismantle unnecessary barriers created by an employer’s technology.”

The class action lawsuit requests a determination from the court that Marriott is in violation of the Americans with Disabilities Act, and a court order requiring Marriott to make the required changes to its software system and related policies on behalf of a class of affected workers. The case also seeks damages and other relief for Mr. Faraj.

Lawyers on the case are interested in speaking with any Marriott employee who uses screen-reading software. They may also be contacted to set up telephone interviews with Mr. Faraj.

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**About the Legal Aid Society-Employment Law Center | [www.las-etc.org](http://www.las-etc.org)**

Founded in 1916, the Legal Aid Society-Employment Law Center protects the rights and economic self-sufficiency of working poor people and marginalized communities by providing free legal services, education, and advocacy. Using the law as a tool, we help low-wage workers create the best possible future for themselves and their families.

**About the TRE Legal Practice | [www.trelegal.com](http://www.trelegal.com)**

Founded by attorney Timothy Elder, TRE Legal is a civil rights law firm fighting discrimination against disabled people and specializing in the rights of the blind to access employment, education, government programs, public accommodations, accessible technology and all other aspects of society.