

A guide for e-commerce leaders

The Americans with Disabilities Act

ADA 2025

Does your business sell to online customers located in the U.S?
Then this guide is for you.

Disclaimer

This guide is provided for informational purposes only and should not be considered legal advice. Please consult with a legal professional to understand your legal obligations before taking any action.

Introduction

Welcome, and thank you for downloading our guide for e-commerce leaders who want to understand the Americans with Disabilities Act (ADA) and how it applies to online businesses.

I'm Mike Adams OBE, Founder of EnableAll. Our mission is to create an inclusive and accessible online environment by enabling people like me, who live with a disability, to access a website, personalize it to our specific needs, and enjoy a seamless shopping experience.

In the United States alone,
over 61 million adults live
with a disability

Accessibility matters, not just because the ADA and other U.S. laws require it, but because it opens your business to tens of millions of potential customers who might otherwise be excluded. In the United States alone, over 61 million adults live with a disability, representing hundreds of billions of dollars in disposable income.



For e-commerce retailers, navigating accessibility under the ADA can feel complex, especially since the law predates the internet and compliance has largely been shaped by case law and Department of Justice (DOJ) guidance. That's why we've created this guide: to simplify the essentials, tell you how you can reduce legal risk, and show how compliance also drives growth by opening your doors to a more inclusive market.

We hope you find it useful, and we invite you to reach out with any questions or to discuss your digital accessibility strategy further.

Mike Adams OBE
Founder. EnableAll

Contents

01	Why we're here	5
02	Introducing the ADA	7
03	Why accessibility matters for your business	9
04	The ADA and what it means for you	13
05	What we can learn from enforcement and case examples	16
06	Understanding WCAG and conformance	20
07	How to ensure compliance	26
08	About us: EnableAll's story so far	30

01

Section 01

Why we're here

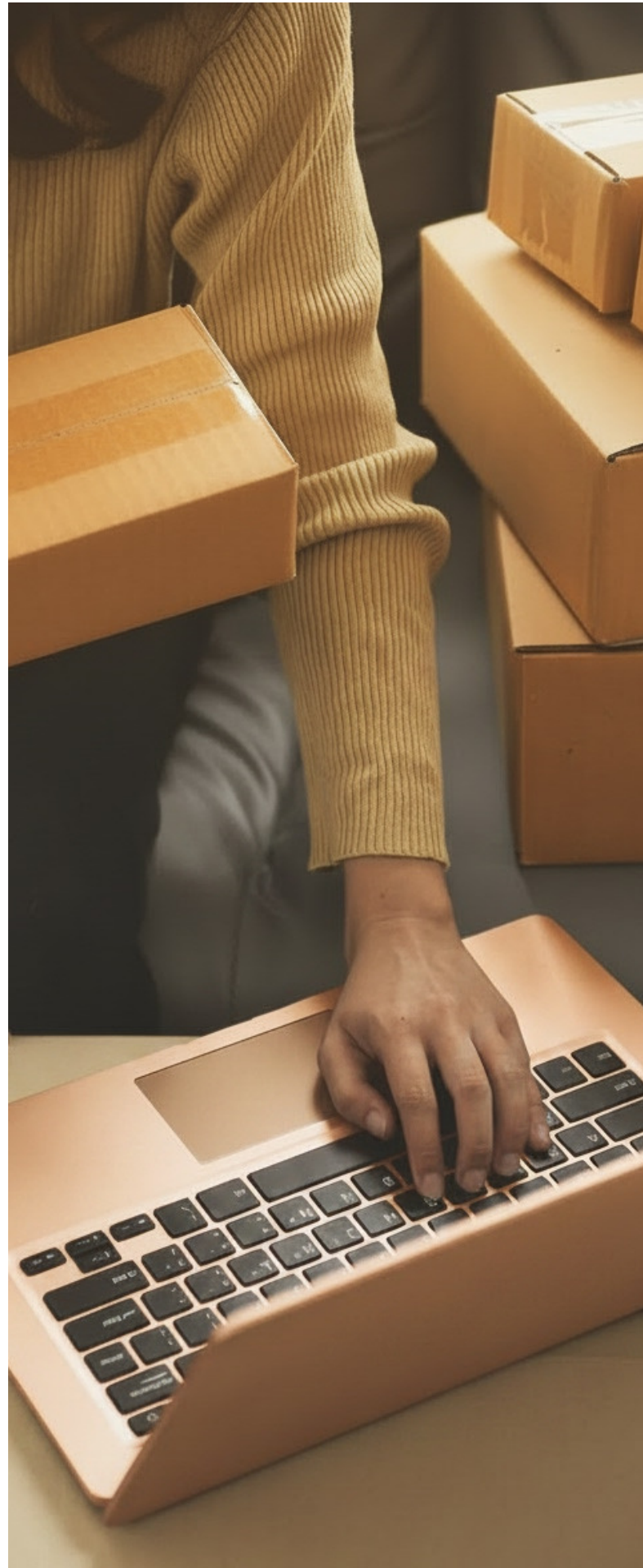
Does your business sell goods or services to U.S consumers? If so, this guide is for you.

The Americans with Disabilities Act (ADA) applies to businesses that provide goods and services to the public, and multiple U.S. courts and the Department of Justice (DOJ) have said that includes websites and mobile apps. If your Shopify store, for example, accepts U.S. dollars, ships to U.S. addresses, or otherwise targets American consumers, you should make your online experience accessible to people with disabilities in the United States.

That's why we created this guide: to cut through the complexity, describe how businesses can make efforts to comply, and help you see accessibility not just as a legal requirement, but as a competitive advantage.

Unlike some international accessibility laws:

- **The ADA does not have a small-business exemption.** Even a one-person Shopify store can face legal action.
- **The ADA is often enforced through lawsuits.** Thousands of ADA web accessibility cases are filed in the U.S. every year, with settlements totaling thousands of dollars or more per case, plus legal fees and remediation costs.
- **The ADA does not specify technical standards.** Instead, the DOJ and U.S. courts consistently reference the Web Content Accessibility Guidelines (generally WCAG 2.1, Level AA) as the baseline for compliance.



02

Section 02

Introducing the ADA

The Americans with Disabilities Act (ADA) was signed into law in 1990 as the cornerstone of U.S. civil rights protections for people with disabilities. Its goal is simple but far-reaching: to prevent discrimination and ensure equal access in employment, public services, transportation, and businesses that serve the public.

For e-commerce retailers, the most relevant section is Title III, which covers “public accommodations.” Traditionally, this meant physical spaces like shops, hotels, and restaurants. But as the internet has become essential to everyday life, U.S. courts and the Department of Justice (DOJ) have stated that websites and mobile apps are also subject to Title III.

This means:

- **If you sell online to U.S. customers**, your store should be accessible like a physical shop would be.
- **The DOJ has issued settlement agreements** requiring businesses to make their websites and apps comply with accessibility standards.
- **While the ADA does not spell out technical details**, regulators and courts consistently look to the Web Content Accessibility Guidelines (WCAG) as the yardstick for compliance. Most cases reference WCAG 2.1, Level AA.

Does the ADA apply to my website?



Yes, if you sell to U.S. customers online:

- ✓ The DOJ and U.S. courts have said the ADA applies, even if you're based outside the United States and even if you do not have a physical storefront.
- ✓ If you accept U.S. dollars, ship to U.S. addresses, or target U.S. customers, your site is considered public-facing.

🔑 Key takeaway

Even though the ADA was written before the internet existed[1] , it has now been interpreted to apply to digital commerce. For retailers, ADA compliance should not be viewed as optional; it's the legal and commercial standard.

03

Section 03

Why accessibility matters for your business

Accessibility is more than a legal requirement under the ADA; it's a smart strategy that opens your store to millions of new customers and reduces costly lawsuits.

The market you can't ignore

61m US adults with a disability



1 in 4 Americans

Over 61 million adults in the U.S. live with a disability; that's about 1 in 4 Americans.

US\$490bn

Among working-age Americans with disabilities, their total after-tax disposable income is estimated at around US\$490 billion. When you include their families and households, the figure rises to more than \$8 trillion.

70% of disabled shoppers



70% abandon purchases when they encounter barriers online

Inaccessible websites drive customers away. In fact, 70% of disabled shoppers report abandoning purchases when they encounter barriers online.

The message is clear: an accessible store isn't just compliant, it's profitable.





Reputation and loyalty

Accessibility is now part of brand identity. Surveys show:

- 76% of consumers deliberately avoid brands they see as non-inclusive.
- Accessible websites achieve conversion rates 20–30% higher and stronger customer loyalty.
- Investors increasingly use accessibility as part of ESG (Environmental, Social, Governance) ratings, linking inclusivity to long-term value.



A competitive edge

Many businesses still see accessibility as a burden. The truth is, it's an opportunity. By making your store accessible and WCAG-aligned, you:

- Limit risk to your business from litigation.
- Gain an advantage over competitors who exclude a quarter of the U.S. population.
- Strengthen your reputation as an inclusive, customer-first brand.



Legal and financial risk

Thousands of ADA web accessibility lawsuits are filed each year in the U.S., and settlements are often thousands of dollars or more per case, not including remediation costs or reputational damage. High-profile cases against Domino's Pizza, Target, and others have shown that accessibility should not be viewed as optional in digital commerce (more on this later).

🎯 The bottom line

Accessibility under the ADA isn't just about avoiding fines; it's about unlocking growth. Retailers who are accessible not only comply with the law but also tap into a vast, loyal, and underserved market.

Instead of seeing ADA compliance as a challenge, view it as a valuable opportunity for your business. It offers a way to innovate, expand your audience, and enhance your brand reputation.

This isn't just about ticking a legal box. Getting accessibility right helps you reach more people, grow your brand, and do the right thing.

Three ways accessibility will improve your business

Expand your market

Making your digital products accessible means reaching new and larger audiences, including individuals who depend on assistive technologies such as screen readers, keyboard navigation, or voice commands. Yet, it's not just individuals with disabilities who will benefit. Features such as responsive layouts, video captions, and high-contrast text also improve the user experience for everyone.

Enhance your brand reputation

Consumers are increasingly drawn to socially responsible retailers, so enhancing accessibility can significantly boost your brand reputation by demonstrating stronger ESG values. It makes excellent business sense, wouldn't you agree?

Boost sales

An accessible website will benefit your bottom line with:

- **More customers:**

Many accessibility practices, such as providing descriptive alt text, align closely with Search Engine Optimization (SEO) best practices, helping your website to rank higher in search results and increase traffic.

- **Reduced bounce rates:**

An accessible website allows users to navigate and interact with your content effortlessly. That results in increased user engagement and lower bounce rates.

- **Increased conversions:**

When users can easily navigate your site, they are more likely to complete calls to action, such as adding products to a basket or subscribing to a newsletter.



Section 04

The ADA and what it means for you

For e-commerce retailers, the Americans with Disabilities Act (ADA) isn't an abstract piece of legislation; it has real, day-to-day implications for how you design and run your online store.

ADA: What it means in practice

The most relevant part of the law is Title III, which covers ‘public accommodations’. Traditionally, that meant brick-and-mortar spaces like shops and restaurants, but today, U.S. courts and the DOJ have applied the same rules to websites and mobile apps.

What Title III means for online stores

- **Equal access:** Your website should be accessible to people with disabilities, just as your physical store would be.
- **No excuses for small businesses:** The ADA does not carve out exemptions based on company size. Even the smallest Shopify store targeting U.S. customers can be challenged.
- **Ongoing obligation:** Compliance isn’t a one-time project. As you update your site with new products, content, or features, accessibility must remain a built-in requirement.

How enforcement works

Unlike in the EU, where regulators lead enforcement, the ADA is often enforced through lawsuits and DOJ investigations. Examples include:

- **Private lawsuits:** Individuals and advocacy groups file the majority of ADA web cases.
- **Repeat plaintiffs:** Some law firms and claimants specialize in filing dozens of nearly identical cases.
- **DOJ actions:** The Department of Justice can also investigate, negotiate settlements, and require businesses to commit to multi-year accessibility programs.

Penalties and risks

- **Civil penalties:** As of July 3, 2025, under Title III, the DOJ can levy fines of up to \$118,225 for a first violation and \$236,451 for subsequent violations (possible fine levels are adjusted for inflation each year). Private plaintiffs can also seek payment of their attorneys' fees, which often amount to thousands of dollars or more.
- **State laws:** In some states, additional rules apply. For example, California's Unruh Civil Rights Act sets damages at around \$4,000 per violation and is often combined with ADA lawsuits.
- **Settlements:** Most businesses settle cases before trial, with payouts often thousands of dollars or more per case, plus attorney's fees and the cost of fixing the website.
- **Reputation risk:** Public lawsuits can damage brand trust, especially if your business is seen as resisting accessibility.

Why this matters

The ADA sets the legal baseline for doing business in the U.S. As a retailer, that means:

- You can't afford to treat accessibility as an afterthought.
- The financial and reputational risks of non-compliance are significant.
- Complying with WCAG 2.1 AA is the most effective way to reduce your exposure and serve a broader customer base.

Key takeaway

Under the ADA, U.S. Courts and the DOJ have said that digital accessibility is not optional. If your store serves U.S. customers, you should treat your website as a public accommodation; otherwise, you risk legal and financial consequences.

05

Section 05

What we can learn from enforcement and case examples

ADA enforcement is driven by lawsuits rather than inspections, so case law shapes the rules as much as the statute. A few high-profile cases illustrate the risk.

Case examples

One of the most striking features of ADA enforcement is that lawsuits, rather than proactive inspections, drive it.

For e-commerce retailers, this means that case law shapes the rules as much as the statute itself. A few high-profile cases illustrate the risks.

Domino's Pizza (2016–2019)

A blind customer sued Domino's because he could not order food via its website and mobile app using screen reader technology. Domino's argued the ADA didn't apply to websites and mobile applications, but the courts disagreed. After appeals up to the Supreme Court (which declined to hear Domino's petition), the company was forced to remediate its site.

Lesson for retailers

The ADA has been applied to websites and apps. Ignoring digital accessibility is no longer a defensible position.

Target (2006)

After a court held that Target's website needed to be accessible to the blind, Target settled a class-action lawsuit brought by the National Federation of the Blind over its inaccessible website. The settlement required Target to pay \$6 million and commit to long-term accessibility improvements.

Lesson for retailers

Settlements can be costly, both financially and reputationally. Major retailers are not immune.

Netflix (2012)

A federal court in Massachusetts refused to dismiss an ADA claim brought by the National Association of the Deaf against Netflix for failure to include closed captioning on Netflix's streamed videos. The Court held that Netflix's movie streaming platform is a place of public accommodation subject to the ADA.

Lesson for retailers

This case shows that online-only businesses, including streaming services, are subject to the ADA and should be accessible.

Beyoncé's Website (2019)

A blind woman sued Beyoncé's official site, arguing it lacked alt text, keyboard navigation, and other WCAG basics. The case highlighted that even entertainment and celebrity websites are subject to ADA requirements.

Lesson for retailers

No business is 'too small' or 'too unique' to be sued. If you sell or promote to U.S. customers online, you're at risk.

Three trends retailers should note:



Repeat lawsuits:

Some plaintiffs and law firms specialize in filing dozens of nearly identical ADA web cases. If your site is inaccessible, you may be targeted more than once.



E-commerce focus:

Online retail is the single largest category for ADA web lawsuits, reflecting the growing importance of e-commerce in everyday life.



Small businesses are vulnerable:

Plaintiffs often go after smaller retailers who lack in-house legal or compliance teams, knowing they are more likely to settle quickly.

ADA lawsuit growth

- In 2023, plaintiffs filed 3,086 ADA web accessibility lawsuits in federal courts and 1,519 in state courts, totaling 4,605 cases.
- That's up from just over 4,000 the year before, a steady year-on-year increase.
- The majority of cases targeted e-commerce websites, making online retail the most at-risk sector.
- Thousands of additional demand letters (settlement threats before court) never even make it into the official statistics.

(Source: UsableNet ADA Digital Accessibility Lawsuit Report 2023)

This isn't just about ticking a legal box. Getting accessibility right helps you reach more people, grow your brand, and do the right thing.



06

Section 06

Understanding WCAG and conformance

When it comes to digital accessibility, you'll often hear about WCAG, the Web Content Accessibility Guidelines. While the ADA itself doesn't name specific technical standards, the Department of Justice (DOJ) and U.S. courts consistently reference WCAG in settlements and rulings. In practice, WCAG is the standard you'll be measured against.

So, what is WCAG?

The Web Content Accessibility Guidelines (WCAG) are globally recognized technical standards designed to help make websites, apps, and digital content more accessible to everyone, including people with disabilities such as auditory, cognitive, neurological, physical, speech, and visual impairments.

They are created by the World Wide Web Consortium (W3C) and are regularly updated as digital accessibility advances with new technology and more sophisticated design practices. WCAG helps web developers, designers, and copywriters identify and remove barriers that any digital user might encounter online.

Importantly, they also have been used to assist organizations in complying with worldwide legal requirements such as the ADA.





The WCAG are organized into four guiding principles to help you design websites, apps and digital content that everyone can use. They're a simple way to check you're putting accessibility at the heart of digital design.

Perceivable

Information should be presented in ways that all users can access, such as by providing alternative text for images.

Operable

Interfaces should be easy to navigate when using a variety of devices and assistive technologies.

Understandable

Content should be clear and predictable. Use plain language, clear instructions, and consistent layouts so people always know what to do next.

Robust

Websites and digital tools should work with a wide range of assistive technologies, such as screen readers, magnifiers and voice commands.

Three levels of conformance

Besides the various versions of the WCAG, there are also three levels of conformance to consider, namely A, AA, and AAA.

A

The minimum level of conformance.

Requirements include:

- Keyboard-only content access.
- Clearly labeled form fields with instructions so users know what information is required.
- Content compatibility with assistive technologies.

AA

The mid-range conformance level that represents strong accessibility.

Requirements include:

- The text and background must have the correct color contrast (a minimum of 4.5:1).
- Content organization must have a clear heading structure and follow a logical order (e.g., H1, H2, H3).
- Navigation elements must be consistent throughout every webpage.

AAA

The highest level of conformance

Requirements include:

- A minimum contrast ratio of 7:1 for text and backgrounds.
- Sign language translation for pre-recorded video content.
- Enhanced audio descriptions for pre-recorded video content.

How WCAG has been updated

The various versions of WCAG are backwards compatible, meaning the more recent version incorporates the success criteria from the earlier version, with additions. Therefore, if content conforms with WCAG 2.2, it also conforms with WCAG 2.1, and so on.

- **WCAG 2.0 (2008):** Still referenced in some early ADA settlements.
- **WCAG 2.1 (2018):** Now the DOJ's de facto benchmark in most settlements and consent decrees, especially for mobile and low-vision accessibility.
- **WCAG 2.2 (2023):** Adds criteria for users with cognitive and mobility challenges, but has not yet been formally referenced in ADA enforcement.
- **WCAG 3.0 (draft):** In development, expected around 2027. Businesses should plan for it long-term but focus on WCAG 2.1 AA today.

Why it matters under the ADA



The DOJ explicitly cites WCAG in its web accessibility guidance for private companies and requires WCAG 2.1, Level AA as the technical accessibility standard for state and local governments' web content and mobile apps.[1]



Most ADA lawsuits settle with a requirement to bring websites up to WCAG 2.1 AA standards.



Courts have repeatedly accepted WCAG as the yardstick for compliance, even though the ADA itself predates the internet.

Practical examples for retailers

For e-commerce, WCAG shapes the shopping experience:



Product images need alt text so screen reader users can understand them.



Checkout forms must have clear labels and error messages.



Navigation and pop-ups must work with a keyboard alone.



Text and pricing should meet minimum color contrast ratios for readability.



Customers should be able to resize text without disrupting the layout.



Next step: Download EnableAll's WCAG checklist

Understanding WCAG is one thing, but implementing it is another. That's where our WCAG Checklist comes in.

- ✓ Translates 77 WCAG requirements into plain English.
- ✓ Shows what to do, who should do it (designers, developers, copywriters), and why it matters.
- ✓ Helps you review your Shopify store or website in a step-by-step manner.
- ✓ Highlights which accessibility issues EnableAll can fix automatically, and where your team can make the most significant impact.

Want to learn more?

[Download EnableAll's WCAG checklist](#)



Key takeaways

If your online store serves U.S. customers, the safest course is to align with WCAG 2.1 AA. It's the standard the DOJ enforces, the courts recognize, and your customers expect.



Section 07

How to ensure compliance

Accessibility can feel overwhelming for any online retailer, especially with the threat of ADA lawsuits hanging over you. But compliance doesn't have to be complicated. With the right roadmap and tools, you can steadily reduce your legal risk while creating a better experience for every customer.

Seven steps for complying with the ADA

Step 01

Assess your current site

Start with a quick scan using free tools like Google Lighthouse or WAVE. These highlight common issues such as missing alt text, poor color contrast, or broken heading structures. They won't catch everything, but they provide a baseline.

Step 02

Use the WCAG checklist

The EnableAll WCAG Checklist breaks down the technical requirements of WCAG 2.0/2.1 into plain English. Share it with your developers, designers, and content creators so accessibility becomes everyone's responsibility.

Step 03

Implement WCAG standards, including quick wins

- Add descriptive alt text to all product images.
- Improve color contrast on buttons, banners, and pricing text.
- Make sure every form (especially checkout) has clear labels and error messages.
- Ensure all menus and pop-ups can be navigated with a keyboard.

These improvements are low-cost yet high-impact, benefiting both compliance and customer experience.

Step 04

Build accessibility into everyday work

Accessibility shouldn't be a one-off project. Train your team:

- Copywriters: Use plain language and descriptive link text.
- Designers: Stick to consistent layouts and accessible color palettes.
- Developers: Test with screen readers and assistive technology on both mobile and desktop devices.

Step 05

Go beyond compliance

The ADA sets the baseline, but inclusive design drives loyalty. Accessible sites enjoy higher conversion rates and better search rankings. Accessibility is also increasingly part of ESG metrics, making it important for investors and suppliers.

Step 06

Automate what you can

EnableAll's technology automatically resolves repetitive WCAG issues - from alt text to color contrast - while providing customers with a toolbar to personalize their experience. This allows your team to concentrate on higher-level improvements.

Step 07

Test with real users

No checklist or tool can replace real feedback. Work with people who use screen readers, voice navigation, or alternative input devices. Even a short round of user testing will reveal issues you may have missed.

In short



Scan your site for accessibility issues.



Use our WCAG checklist as your roadmap.



Fix quick wins first, then aim for WCAG 2.1 AA.



Make accessibility part of everyone's role.



Use EnableAll to automate fixes and stay ahead of legal changes.



Test with real users to validate improvements.

Accessibility isn't a one-off project; it's an ongoing commitment. But it pays off with more customers, lower legal risk, and a stronger, more inclusive brand.

Overlay myth

Many businesses turn to accessibility ‘overlays’ - tools that claim to instantly make a website ADA-compliant. But overlays are often criticized by advocacy groups and experts, because they mask problems instead of fixing them at the source.

Courts have ruled against companies relying solely on overlays, and plaintiffs continue to file lawsuits even when an overlay is in place.

© The bottom line

Overlays are not a compliance strategy.
Focus on fixing barriers at the code and content level.

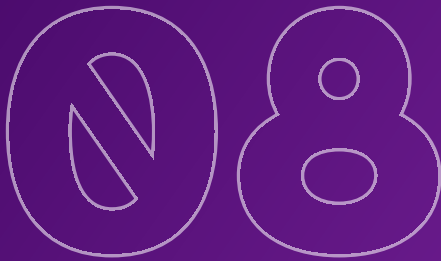
4,605 lawsuits



In the U.S, a quarter of the 4,605 ADA web-accessibility lawsuits filed in 2023 explicitly named websites running overlay widgets.

700+ expert signatures

700+ accessibility experts have signed the Overlay Fact Sheet, stating that “no overlay can make a website fully compliant or eliminate legal exposure.” (overlayfactsheet.com).



Section 08

About us: EnableAll's story so far

At EnableAll, our mission is simple: to open the web to everyone and make accessibility effortless for retailers.

Founded by Mike Adams OBE, EnableAll was built on lived experience. As someone who has navigated life with a disability, Mike saw firsthand how frustrating it can be when websites create barriers that prevent people from shopping, learning, or working online. EnableAll was created to remove those barriers, not just to help comply with laws like the ADA, but to make the digital world truly inclusive.

Our promise to retailers

- We'll help you **reduce legal risk** by aligning your site with ADA and WCAG standards.
- We'll help you **welcome more customers**, including the 61 million Americans living with a disability.
- We'll help you **build a trusted, inclusive brand that grows sustainably**.

EnableAll isn't just about compliance. It's about helping your business thrive by making the web work for everyone.

Learn more at www.enableall.com
or email us at hello@enableall.com.

Why we're different

- **Accessibility first:** While others promise 'quick fixes', we focus on addressing accessibility at its source. That means your store becomes compliant and stays compliant.
- **Made for e-commerce:** We designed EnableAll with Shopify and other major platforms in mind. From product images to checkout flows, our technology knows where online stores need the most help.
- **Future-proof compliance:** Laws evolve, and so do we. EnableAll adapts with WCAG updates and new legal requirements, so you're always ahead of the curve.
- **Inclusive by design:** Our customer-facing toolbar empowers every shopper to personalize their experience, from adjusting contrast to enabling text-to-speech.

**Reduce risk.
Win customers.
Improve SEO.**

[Start your free trial](#)

[Get an enterprise quote](#)

Open your website to everyone and turn compliance into growth.