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# Deaf Miami Costco Employee Wins \$775,000 After Being Fired Because She Was "Too Loud"

BRITTANY SHAMMAS | JULY 2, 2018 | 10:00AM

When Christine D'Onofrio was fired in 2013, she had been working for Costco for 24 years, first at the Davie location, then in Pompano Beach. D'Onofrio, who is deaf, says she spent the previous year begging the company to better accommodate her disability. Instead, she claims she repeatedly got in trouble for being "loud and aggressive" when managers tried to communicate with her. Finally, on October 23, 2013, she was told she was being fired from her job as a stocker. That time, Costco brought in an interpreter to let her know she was out of a job.

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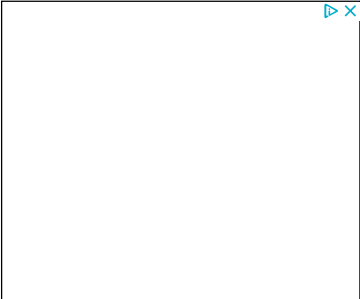
Last month, a jury found the company had failed to reasonably accommodate the 48-year-old woman. She was awarded \$775,000 in damages, though her attorney says she was mostly relieved that Costco was found to have broken the law.

"She was fired and lost literally her entire purpose," says D'Onofrio's attorney, Chad Levy. "No spouse or kids. Costco was her life and how she

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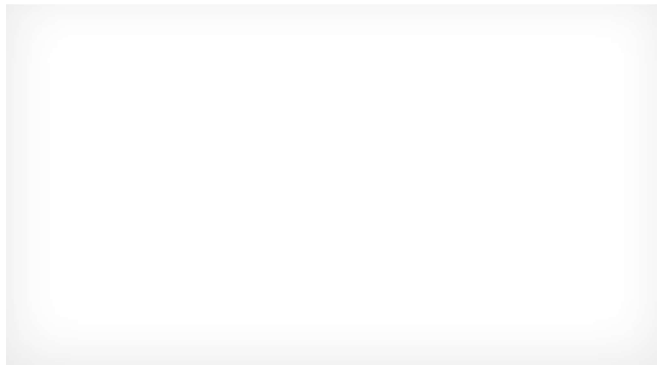
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During the three-year battle in the Fort Lauderdale federal courthouse, Costco claimed D'Onofrio was fired because she couldn't control her temper. The company said it had accommodated her by installing two video phones and insisted D'Onofrio had simply refused to use them. Costco also argued that sensitivity training conducted in 2012 proved it had taken D'Onofrio's complaints seriously.

But D'Onofrio said she couldn't control the volume of her voice, the video phone only worked when only one person was speaking, and one of her managers missed the sensitivity training, where he would have learned that when deaf people yell, it's not because they are angry.

D'Onofrio was hired to work at Costco's Davie location in July 1989. She had no performance complaints and no need to request accommodations — she could communicate by reading lips. In 2003, she was transferred to the Pompano Beach store, where she had no issues until a new manager was hired in 2012.

He would mumble and cover his mouth when he spoke, making lip-reading almost impossible. When D'Onofrio asked him to write down what he was saying, she says, he refused. After complaining to HR and higher-ups at the store, she eventually resorted to contacting Costco's CEO directly.

"I have been employed with Costco for 23 years and have never been treated with such disrespect and discrimination due to my disability," she wrote.

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In March 2013, the company held a training and sensitivity session to show managers how to work with deaf employees. But another manager was hired soon afterward, and the

problems continued. D'Onofrio was written up for being "too loud" five times between August 30 and October 18. She was also suspended three times and placed in employee counseling, where a video phone was used.

After her firing, D'Onofrio applied to around 100 jobs. She didn't hear back from any of them. Finally, she sued Costco for disability discrimination, failure to accommodate, and retaliation. Jurors on June 11 decided that Costco failed to reasonably accommodate D'Onofrio, though they found the company did not discriminate or retaliate against her.

They awarded \$750,000 for emotional pain and anguish and \$25,000 in punitive damages. (Costco didn't immediately return a message about whether they intend to appeal the verdict.)

"Honestly, this was never about money for her," Levy says. "She is very smart with an incredible memory, but her disability limits her ceiling. Sticking at Costco was the best and highest-paying job she would attain. It



Brittany Shammass is a senior writer at Miami New Times who covered education in Naples before taking a job at the South Florida *Sun Sentinel*. She joined *New Times* in 2016.

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