U.S. Equal Employment Opportunity Commission

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Master Marine to Pay $30,000 to Settle EEOC Retaliation Lawsuit

Shipbuilding and Repair Company Terminated Painter in Retaliation For Filing EEOC Charge, Federal Agency Charged

BIRMINGHAM, Ala. - Master Marine, Inc., a Gulf Coast shipbuilder, will pay $30,000 to settle a retaliation lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

According to the EEOC's lawsuit, Master Marine terminated Elskin Nye from his temporary assignment as a painter through a staffing firm in July 2016 because he had filed an EEOC charge against the company when it ended his previous job assignment with the company. Shortly after the staffing firm placed Nye with Master Marine, Nye's foreman informed him that he was being laid off. The foreman told Nye he heard management mention during a meeting that Nye had previously "sued the company" and "cost the company a lot of money." Once the meeting was over, the foreman was instructed by his supervisor to "get rid of that m------f----r, he cost us a lot of money. Don't let him make it through the day." At least six other temporary painters were no terminated, the EEOC said.

Such alleged conduct violates Title VII of the Civil Rights Act of 1964, which prohibits employers from retaliating against those who file charges of discrimination with the EEOC. The EEOC filed suit (EEOC v. Master Marine, Inc., Case No. 1:18-cv-00371-CG-C) in U.S. District Court for the Southern District of Alabama after the EEOC's Mobile Local Office completed an investigation and first attempted to reach a pre-litigation settlement through its conciliation process.

In addition to the $30,000 in monetary relief, the two-year consent decree signed by U.S. Senior Judge Callie V.S. Granade prohibits Master Marine from subjecting any employee to retaliation in the future. Master Marine must also take specified actions designed to prevent future retaliation, including issuance of a written statement to its employees confirming its commitment to promoting a workplace free of discriminatory and retaliatory practices, developing and communicating company policies designed to ensure a retaliation-free workplace, and providing annual anti-retaliation training to all supervisors, managers and other employees.

"We commend Master Marine for its willingness to settle this case, which contained serious allegations of retaliation, early in the litigation process," said EEOC Birmingham Regional Attorney Marsha Rucker. "The significant monetary award and the corrective measures in this decree should prevent this kind of alleged misconduct from happening in the future."

Bradley Anderson, the EEOC's district director for the Birmingham District Office, said,
"Retaliation remains the most common violation alleged in EEOC charges. This lawsuit is a reminder to employers that the EEOC is committed to preventing and stopping unlawful retaliation as well as unl awful discrimination and harassment. Employees must feel free to file EEOC charges without fear of retaliation."

According to company information, Master Marine is a shipbuilding and repair company located in Bayou La Batre, Ala., that manages various marine-related projects for the oil and gas sector, inland transportation, passenger vessels and commercial fishing industries.

Last month, the EEOC released fiscal year 2018 data indicating that more than half of EEOC charges contain allegations of retaliation.

The EEOC's Birmingham District consists of Alabama, Mississippi (except 17 northern counties) and the Florida Panhandle.

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