

News Release



U.S. Department of Labor
Office of Public Affairs
Dallas, Texas
ESA-OFCCP-06-1767-DAL

For Immediate Release
Friday, Oct. 20, 2006
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Bollinger Shipyards in Lockport, La., Agrees to Pay \$90,000 to Minorities for Hiring Discrimination following U.S. Labor Department Investigation

NEW ORLEANS -- The U.S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) announced today that Bollinger Shipyards Lockport LLC, headquartered in Lockport, La., has agreed to settle findings of hiring discrimination against 134 rejected minority applicants.

"We strongly encourage other employers to take proactive steps to come into compliance with the law to prevent workplace discrimination," said OFCCP Deputy Assistant Secretary Charles E. James, Sr.

Under the terms of the conciliation agreement, Bollinger Shipyards will pay 134 minority applicants \$90,000 in back pay and interest and will hire 42 minorities. The agreement settles the department's allegations that Bollinger engaged in hiring discrimination against minority applicants in 2002.

In a compliance evaluation of Bollinger Shipyards, OFCCP investigators found the company administered a pre-employment test as part of the selection process for roustabouts and tacker positions that adversely impacted minority applicants.

"Contractors who utilize any testing procedure in their employment selection process, including written tests and skill tests, must ensure that the test is valid for the particular job if the test disproportionately screens out applicants from a protected group," said Fred Azúa, Jr., regional director of the Southwest and Rocky Mountain Region of the OFCCP.

Employers can lawfully give a test that is neutral on its face as a screening tool. However, if the test has an adverse impact on a protected group, the employer must conduct a validity study to ensure that the test is justified by business necessity or job relatedness. The test must also be reviewed regularly to ensure that it accounts for changes in the relevant job. OFCCP investigators found that the company had not validated the pre-employment tests used for these positions.

The company has also agreed to undertake extensive self-monitoring measures to ensure that all hiring practices fully comply with the law for two years and immediately correct any discriminatory practice.

OFCCP, an agency of the U.S. Department of Labor's Employment Standards Administration, enforces Executive Order 11246 and other laws that prohibit employment discrimination by federal contractors. The agency monitors federal contractors to ensure that they provide equal employment opportunities without regard to race, gender, color, religion, national origin, disability or veterans' status.

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