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Huntington Ingalls Sued By EEOC For Disability Discrimination

by U.S. Equal Employment Opportunity Commission (EEOC)

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Shipyard Refused to Hire a Hearing-Impaired Pipefitter Because He Used Hearing Aids, Federal Agency Charges

NEWPORT NEWS, Va. - Newport News-based shipbuilder Huntington Ingalls Incorporated violated federal discrimination law when it refused to hire a pipefitter after discovering his hearing impairment, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit it filed today. The lawsuit also alleges that the company failed to provide the pipefitter with a reasonable accommodation during the hiring process.

According to the EEOC's complaint, Stanley Dowdle, an experienced pipefitter, received a conditional offer of employment to work at Huntington Ingalls' Newport News Shipbuilding facility in July 2013. Employment at the shipyard was contingent upon Dowdle passing a physical examination, including a hearing test. Dowdle wears hearing aids in both ears and according to the complaint, requested to be tested while wearing his hearing aids. Dowdle's request was denied, and as a result, his job offer was rescinded because he had failed the hearing test.

The EEOC brought the suit under the Americans with Disabilities Act (ADA), which prohibits disability discrimination in employment, after first attempting to reach a pre-litigation settlement through its conciliation process. The case (*EEOC v. Huntington Ingalls Incorporated*, Civil Action No. 4:17-cv-00113-HCM-LRL) was

filed in the U.S. District Court of the Eastern District of Virginia, Newport News Division, on Sept. 13, 2017. The EEOC is seeking back pay, compensatory damages, punitive damages, and non-monetary measures to correct employment practices at the shipyard. The EEOC is also asking that the company hire Dowdle as a pipefitter.

"Employers must remember their obligation to provide a reasonable accommodation to individuals with disabilities - even at the hiring phase - unless doing so would cause an undue hardship," said Lynette Barnes, regional attorney for the EEOC's Charlotte District Office. "In this case, he only wanted to wear his hearing aids, which he already used. Allowing him to use his hearing aids for the purpose they were intended for wouldn't be an unusual or burdensome request."

According to publicly available information, with approximately \$4 billion in annual revenues and more than 20,000 employees, Newport News Shipbuilding identifies itself as the largest industrial employer in Virginia and the largest shipbuilding company in the United States.

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