

What is the reason (basis) for your claim of employment discrimination?

FOR EXAMPLE, if you are over the age of 40 and feel you were treated worse than younger employees or you have other evidence of discrimination, you should check AGE. If you feel that you were treated worse than those not of your race or you have other evidence of discrimination, you should check RACE. If you feel the adverse treatment was due to multiple reasons, such as your sex, religion and national origin, you should check all three. If you complained about discrimination, participated in someone else's complaint or if you filed a charge of discrimination and a negative action was threatened or taken, you should check RETALIATION.

☒ Race ☐ Sex ☐ Age ☐ Disability ☐ National Origin ☐ Color ☐ Religion ☒ Retaliation ☐ Pregnancy

Other reason (basis) for discrimination (Explain).

What happened to you that you believe was discriminatory? Include the date(s) of harm, action(s) and include the name(s) and title(s) of the persons who you believe discriminated against you. (Example: 10/02/06 - Written Warning from Supervisor, Mr. John Soto)

A) Date of Harm (fmt MM-DD-YYYY, ex:11-22-1955): 02-27-2009

Name and Title of Person(s) Responsible: Chief Engineer Melvin Kufelot

Action: (up to 300 characters)

Chief Engineer Melvin Kufelot called me a "nigger" and a "spoda." I reported this to Captain Joseph D'Alfio, WM. He told me "You need to grow a tougher shell, things like this can't affect you," did nothing, and threatened my job for complaining.

B) Date (fmt MM-DD-YYYY, ex:11-22-1955): 3-4-2009

Name and Title of Person(s) Responsible: Captain Joseph D'Alfio

Action: (up to 300 characters)

Captain D'Alfio retaliated against me for my complaint of Chief Engineer Kufelot's racial slurs by giving me a poor evaluation. I asked for a copy but he refused to give me one, though he gave other crewmembers copies of their evaluations.

Describe any other actions you believe were discriminatory. (up to 2000 characters)

In September 2008, I heard that Chief Engineer Melvin Kufelot (White male) and the First Assistant Engineer Stephen Powell (White male) used racial slurs on the vessel. Both Kufelot and Powell are supervisors. These slurs included the word "nigger" and "spoda." "Spoda" is a racially derogatory term used by Kufelot and Powell to refer to Blacks. I reported their use of this language to Blackwater Maritime Director Tom Ridenour (White male) in September 2008. Director Ridenour was above the vessel's captain in the chain of command. His response to me was "I like black people." He took no action against either Kufelot or Powell. Director Ridenour on another occasion remarked that one crewmember could not help drinking alcohol because "He is an Indian." I also reported this conduct to Blackwater HR. To my knowledge, Blackwater has taken no action against Director Ridenour, Captain D'Alfio, Chief Engineer Kufelot, or First Assistant Engineer Powell. This conduct has jeopardized my employment and opportunity for advancement and caused me emotional upset, anguish, and anxiety, and I fear additional retaliation from Blackwater. I work on the ship MCARTHUR. The MCARTHUR is a US-flagged ship. My work schedule is 60 days on the vessel followed by 30 days off. I left the vessel March 4, 2009 and am scheduled to return April 4, 2009. The vessel is owned by a subsidiary of Blackwater, now known as US Training Center, Inc., and is operated by Blackwater.

What reason(s) were given to you for the acts you consider discriminatory? By whom? Title? (up to 2000 characters)

Captain D'Alfio did not justify his actions other than to say I did not live up to the title of Bosun. Chief Engineer Kufelot never said anything to me again after his racial slurs.

Name and describe others who were in the same situation as you. Explain any similar or different treatment. Who was treated worse, who was treated better, and who was treated the same? Provide race, sex, age, national origin, religion, and/or disability status of comparator if known and if connected with your claim of discrimination.

Full Name Job Title Description

- 1.
- 2.
- 3.

Answer this section only if you are claiming discrimination based on disability. If not, skip to the next section.

Please check all that apply:



Yes, I have an actual disability



I have had an actual disability in the past



No disability but the organization treats me as if I am disabled

If you are alleging discrimination because of your disability, what is the name of the disability? How does your disability affect your daily life or work activities, e.g., what does your disability prevent or limit you from doing, if anything? (Example: lifting, sleeping normally, breathing normally, pulling, walking, climbing, caring for yourself, working, etc.). (up to 2000 characters)

Did you ask your employer for any assistance or change in working condition because of your disability?



Yes



No