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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

RIKI O'HAILPIN, NINA ARIZUMI, ROBERT ESPINOSA, ERWIN YOUNG, PUANANI BADIANG, SABRINA FRANKS, and RONALD LUM on their own behalf and on behalf of all others similarly situated, *Plaintiffs,* v. HAWAIIAN AIRLINES, INC., and HAWAIIAN HOLDINGS, INC. *Defendant.*	Civil No.: _____ DECLARATION OF NINA ARIZUMI;

I, Nina Maiko Arizumi, declare as follows:

1. I am 48 years old and live in Honolulu, Hawai'i.

2. I am an employee of Hawaiian Airlines ("Hawaiian") and work as a Flight Attendant where my job duties include performing safety checks before flights take off, offering food and beverages to passengers, and demonstrating emergency procedures such as putting on oxygen masks. I am also a Japanese Lead Language Qualified Flight Attendant.

3. I am based out of the Daniel K. Inouye International Airport in Honolulu and have been with the company for approximately 11 years. Prior to that, I was the top performer in the United States for a pharmaceutical sales company.

4. At the beginning of the COVID-19 pandemic, Hawaiian asked for unpaid leave volunteers, and I took a furlough to help the company preserve jobs. That leave did not interrupt other benefits—only pay. I was out from May of 2020 to July of 2020, October of 2020 to February of 2021, and then April of 2021 to September of 2021. Otherwise, I have flown for Hawaiian during the pandemic, believing the company's promises that it was safe to do so.

5. During that time, Hawaiian implemented many rules and regulations to keep everyone safe. While performing my duties as a Flight Attendant, I worked without incident, following all of Hawaiian's safety protocols. I have worn a mask, followed social distancing guidelines when applicable, had temperature checks

before signing in for a flight, and have remained in my hotel room during layovers. As the airline has explained repeatedly to the public, it is extremely safe to fly on one of our planes given things such as HEPA filtration devices that clean the air and the electrostatic fogging of the planes that we were doing at one point (but have since stopped). There is virtually no chance of catching COVID-19 on a Hawaiian flight.

6. On August 9th, I learned that Hawaiian would require all employees to receive the COVID-19 vaccine. The original version of the policy, issued in September of 2021, indicated that employees should be vaccinated by November 1, 2021, or else enter a testing program developed by Hawaiian at that time. The testing program was originally set to run until January 30, 2022. However, subsequent changes in federal regulations and then litigation over those regulations caused Hawaiian to first move the end of the testing program up to December 8, 2021, and then back to January 4, 2022.

7. At all times, the testing program was only meant to be a temporary measure to let unvaccinated employees consider whether they would take the vaccine or be put out of work. I have complied at all times with the mock testing program established by Hawaiian.

8. The current version of the mandate states that all employees must be vaccinated by January 4, 2022, or face termination. Most employees also have the

option to take a "12-Month Unpaid Leave of Absence" and then become "subject to termination" at the end of that leave.

9. After initially emailing the company a request for a religious and medical exemption on August 9, 2021, I made two separate requests using the forms provided by Hawaiian.

10. On September 29, 2021, I submitted a request for a reasonable accommodation based on my sincerely held religious beliefs. I practice Nenriki Daikoku—a sect of Shintoism—which focuses on worshipping the forces of nature. I believe that all elements of nature have a kami (god/spirit). Kami also exist within the human body, and the health of the kami is determined by the purity of the natural immune system, which is something that my religion focuses on, in particular. After death, your physical body fades away, but your kami can remain in this world. The nature of this kami relies on the purity of your natural immune system. If it is poisoned and permanently soiled with impurities, the kami will transform into an oni (demon/ogre) when you die. If natural and pure, the kami will turn into a benevolent spirit that will watch over their loved ones. It is my sincere religious belief that anything that permanently alters my natural immune system in an unnatural and artificial way must be avoided at all costs, as it will cause irreparable, severe damage and impurity to the kami in my body.

11. Except for one flu vaccine taken during college, when I was a foolish, young adult and did not yet value what my religion says about purity, I have not received any vaccines. The type of kegare (pollution/impurity) that comes from the COVID-19 vaccine is especially harmful because it cannot be cleansed or purified—the unnatural effects to the natural immune system are irreversible, therefore permanently disabling and debilitating the kami in me. If my kami is permanently disabled, no amount of harai (cleansing/purification process) will prevent my kami from turning into an oni, and it will bring bad luck on, or haunt, the loved ones I leave behind.

12. Because my great-grandfather founded my particular sect of Shintoism and passed that down to my direct ancestors, I have become the spiritual leader of my religion. As such, I was able to attest to my husband's religious request for a COVID-19 vaccine exemption from his employer's vaccine mandate. My husband's employer is Johnson & Johnson, one of the COVID-19 vaccine manufacturers. His request was granted and his accommodation is simply to wear a mask when around others.

13. After submitting my request for a religious accommodation, I was not contacted by Hawaiian for any additional information or for any sort of interactive process.

14. I received an email on October 14 informing me that my request for a religious exemption had been denied. The letter stated that the denial was "because your generalized belief that your body is a temple does not explain why you are sincerely and religiously opposed to receiving the COVID-19 vaccine per se and relies to at least some extent on medical opinions at odds with the scientific consensus. This indicates that your belief is premised on the distinction you have made between vaccinations you consider medically necessary and those you do not. This is a personal preference and not a generally applicable religious opposition."

15. A review of my request reveals that the denial letter was not based on the application sent to Hawaiian. I did not talk about medical opinions but only sincere religious beliefs. I later found out that it was just a canned letter—it was unsurprising to me that it did not address my objections and that it just created a strawman to knock down.

16. This can especially be seen through the way Hawaiian mischaracterized my religion and religious request. Hawaiian claimed that I said that "[my] body is a temple." Not only did I never state that, but it is actually offensive to my beliefs to refer to my body as a temple in any way. Temples are not a part of my religion; they are Buddhist and represent death and funerals (some people try to combine Buddhism and Shintoism, but my sect does not). Hawaiian's insensitivity to my beliefs was disheartening.

17. Additionally, I was accused of deeming some vaccines medically necessary and others not, based on my personal preference. Again, this shows that Hawaiian did not read my request. I explicitly stated that I was against any and all vaccines due to my religion. When I emailed them back to engage in some sort of interactive process, the company's response only confirmed that it did not have any desire to understand my request.

18. I also later found out that religious requests with even less religious information provided were acknowledged by Hawaiian to represent a sincere religious objection to the vaccine (even though those requests were also denied).

19. Hawaiian added further insult by informing me that I was simply expressing a personal preference "couched against the context of [my] religious beliefs" and therefore it was not a sincere religious objection. Not only did Hawaiian fail to read my application, the company's discounting of the very foundations of my faith reveals a contempt for those beliefs.

20. The second exception I requested, due to medical reasons, was submitted on September 30, 2021, and revised on October 5, 2021. Due to my documented history of mitral valve prolapse (that is also treated by a cardiologist) and my family history of arrhythmias, pericarditis, and other cardiac-related events, my doctor strongly recommended that I be exempt from the COVID-19 vaccine. While I am able to continue my work without limitations and am not disabled with

respect to my essential job functions, my heart condition is a disability under the ADA. I take kanpo medicine (traditional Japanese medicine comprised of natural herbs and substances) and must monitor my condition closely. It also causes me shortness of breath and chest pain from time to time, and could be fatal. The COVID-19 vaccine has been shown to increase cardiac risk and cardiac-related side effects. Therefore, if I were to take the vaccine, I would be putting my life on the line.

21. On November 4, 2021, I received an email denying my request for a medical exemption. The company stated that "the information you provided is not considered a contraindication to receiving a COVID-19 vaccine," even though my doctor strongly recommended I be exempt as this vaccine could literally kill me. I went to the CDC website where the denial letter referred me only to learn that the section on which Hawaiian is now evidently making medical decisions is referencing allergy contraindications—it does not purport to override either medical advice from a doctor or the ADA.

22. Despite being assured that the process of requesting accommodations—both religious and medical—would be "interactive," I was never given the opportunity to explain any confusion or discuss my requests in person. I was simply denied.

23. Hawaiian's actions in refusing to work toward reasonable accommodations with its employees are destroying the lives of hundreds of my co-workers. If placed on unpaid leave, we lose travel benefits, medical, dental, and prescription drug coverage, as well as profit sharing and company matched retirement contributions.

24. But it is more than money that the company is threatening to take away if we do not obey their dictate. I will also miss opportunities to bid on job openings (aircraft, routes, leadership positions, etc.) that come up while I am out, as well as vacations and schedules that I might want in the future.

25. The loss of flight benefits also weighs on me greatly because I often travel with my husband and children. No amount of money will be able to replace the missed opportunities and memories with my children.

26. Additionally, I also have what is called "Princess Parking" at work. While the title sounds trivial, the covered parking spot is extremely valuable since it is at the Terminal with a less than five-minute walk to work. I was fortunate to receive this premium parking spot in a once-in-a-lifetime lottery during my time at Hawaiian, and it saves me up to an hour of commute time if I otherwise had to take the parking shuttle. If terminated or placed on unpaid leave from Hawaiian, I lose the ability to keep my premium parking spot. At the same time, the State of Hawaii has determined that it wants those premium spots back. But the State can only get

them if an employee no longer works at the airport. Once I lose my parking spot, it goes to the government and can never be returned.

27. I have worked for, and loved, Hawaiian Airlines for 11 years now, and wish to continue doing so. Since the beginning of the COVID-19 pandemic, I have followed the mitigation measures put in place for my position and would continue to do so. I also had no problem following the mock testing program established by Hawaiian (presumably only so the company could later try to claim it was justified in denying all of the requests for accommodations).

28. I would be willing to continue testing as I have so far and would even be willing to take periodic antibody tests to ensure the safety of those around me. Had Hawaiian engaged in an interactive process concerning my requests, the company would have discovered any number of reasonable accommodations for my situation.

29. Hawaiian has not offered to allow me to continue working under these same conditions, though. Instead, they have regarded my sincerely held religious beliefs as personal opinion and paid no attention to the serious medical risk that comes with the COVID-19 vaccine for me. The company wants all of its employees to be vaccinated and does not care about employees' genuine religious or medical reasons for not taking the vaccine.

30. Hawaiian's blanket denial of reasonable accommodations is even more disappointing in light of the overwhelming medical consensus that vaccines do not actually stop the transmission of COVID-19.

31. This sort of coercion is especially horrible because it forces me to decide daily if I am making the right choice between my belief that I should not take the vaccine and my belief that I should take care of my family with my job.

32. I submitted an inquiry with the EEOC and had an interview in November. I signed a charge against Hawaiian for its discriminatory actions on November 17, 2021. That charge remains pending, and Hawaiian has not yet responded to it.

I declare under penalty of perjury that the forgoing is true and correct.

1/5/2022	DocuSigned by: Mina Arizumi 66EEA518A3AA440...
Date	Signature