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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 PUANANI BADIANG;

I, Puanani Sachiko Badiang, declare as follows:

1. I am 43 years old and live in Honolulu, Hawai'i.

2. I am an employee of Hawaiian Airlines ("Hawaiian") and work in the training department as a Corporate Instructor – Airport Operations / Above Wing for the Corporate Offices in Honolulu. My job is to teach Customer Service Agents in various airport operations. I train guest service workers, start new stations at other airports, and train vendors who do contract work for Hawaiian. I began my career in the reservations department and have been employed by Hawaiian for 20 years.

3. I am one of only two instructors who teaches classes on Ground Security and Complaints Resolution (related to disability training). The majority of these duties can be performed remotely or in-person at the Honolulu International Airport.

4. Throughout the pandemic, most of my work was performed virtually, with a few in-person training classes taking place in a socially-distanced environment. In September of 2021, Hawaiian welcomed employees to resume work duties in-person, which worked well with my extremely small team. However, I am currently working from home, and had planned to return working in-person on January 17, 2022.

5. While working in-person during the pandemic, Hawaiian implemented various mitigation measures to help keep staff and guests safe. I also strived to make

my classroom even safer by practicing social distancing before it was mandated by the company. Specifically, I left the front row of desks blocked off, and I always made sure to wear my mask. I was able to successfully work without incident under these conditions.

6. In August of 2021, Hawaiian implemented a COVID-19 vaccine mandate. The original version of the mandate, issued in September of 2021, indicated that employees should be vaccinated by November 1, 2021 or 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 to January 4, 2022.

7. At all times, the difficult-to-follow testing program was only meant to be a temporary measure to provide unvaccinated employees time to consider whether they would take the vaccine or be put out of work.

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. Because I work in the Corporate Offices, I do not have the option of taking unpaid leave. Instead, I could be terminated at any time. As a result, I am

being forced to take an early "retirement" to keep limited flight and insurance benefits.

10. On September 28, 2021, I submitted a request for a reasonable accommodation based on my sincerely held religious beliefs. I came to know the Lord three years ago. Since then, I bring all things to Him in prayer. My father passed away from cancer in August of 2021. During his illness, I had to consider taking the vaccine. I brought it to the Lord, and was filled with unexplainable, undeniable conviction in my heart that He was telling me not to take this vaccine.

11. After this conviction, I decided to conduct further research about the COVID-19 vaccines. What I found not only appalled me, but ensured that I would request a religious exemption from the company's vaccine mandate. Now knowing that the vaccines originate from the stem cell lines of aborted babies, injecting myself would not only be disobedient to God but a violation of my conscience. Taking the vaccine is something that cannot be undone and would be an unrecoverable violation of my faith in the Lord.

12. I have never received any vaccines as an adult. I do not have a religious conviction against all medications, but I do for ones that involve (even tangentially) the taking of human life.

13. On November 1, 2021, the company interviewed me via Microsoft Teams to discuss my religious exemption request. The interview was very brief, as

I was asked a total of approximately three questions. While the meeting should have been an interactive process, I was primarily asked what the other members of my church, Calvary Chapel Kaneohe, as well as my senior pastor, thought and felt about taking the vaccine. I was confused and said that their beliefs and opinions did not apply to my conviction about the vaccine. I was additionally asked if I would consider taking a "new" COVID-19 vaccine, whatever that means, and I said no but that I would pray about it. Possible accommodations were only discussed briefly at the very end of the meeting when I brought it up. I was not provided with any answers, at best I was told that "it wasn't their decision."

14. On December 14, 2021, I received an email informing me that my request had been denied. I was told:

> Although you have a sincere religious belief, [Hawaiian] cannot reasonably accommodate you because it would cause an undue hardship that will result in significant disruption to our operation. Based on our assessment of your position and duties in this current environment, we cannot safely accommodate you because your role does not allow for maintaining baseline COVID-19 safety protocols, specifically maintaining physical distance and mandatory masking.

15. The letter went on to explain that the company has "also determined that we cannot accommodate you through testing [because] the complexity, expense, and administrative burden of managing the testing program is unsustainable. This is particularly true because of the degree of non-compliance by a number of participants in the testing program . . ."

16. This notification was at odds with the fact that I have been able to successfully perform my job duties and adhere to Hawaiian's COVID-19 policies, without incident, throughout the pandemic. I have tested, as necessary, and participated in Hawaiian's mock testing program without issue. Additionally, I worked remotely until September 2021.

17. If Hawaiian had engaged in an interactive process with me, they would have learned about my continued successful job performance while keeping myself and others safe throughout the pandemic and would have been able to develop a reasonable accommodation. They also would have learned that I am willing to take antibody tests to ensure the safety of my coworkers and to pay for any testing out-of-pocket to continue working.

18. Hawaiian's denial of my reasonable accommodation request is one of the greatest disappointments of my career. It is difficult to think about all that Hawaiian is destroying by its unwillingness to work toward reasonable accommodations with its employees. The company is stealing far more than money from the 'ohana. It is needlessly forcing people out and taking away things we will never get back.

19. For example, at Hawaiian, there is usually a wonderful celebration for someone who has worked for 25 years at the airline. It is a company-wide party known as the "Kupono Awards" that also honors the company's "Employee of the

Year." This is a celebration filled with people who, for me, have become more like family than co-workers. The sense of comradery and the collaborations I have with my co-workers is truly something irreplaceable. Hawaiian's decision to remove and terminate employees who filed religious exemptions is destroying the Hawaiian family and taking away things such as my 25-year celebration.

20. I also have what is called "Princess Parking" at work. While the title sounds trivial, the parking spot is extremely valuable since it is at the Terminal with only a 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 forced to retire 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 can never be returned.

21. I have been with Hawaiian for 20 years now, and love the family of co-workers I have, as well as the work I do. Since the beginning of the pandemic, I have followed the mitigation measures put in place for my position without incident, doing even more than required by the company to keep people safe. While I wish to continue working under these conditions (or other conditions that are reasonable),

Hawaiian has not presented that option to me even though my job would allow me to continue working while ensuring the safety of those around me.

22. I submitted an inquiry with the EEOC on December 22, 2021, regarding Hawaiian Airlines' discriminatory actions. That charge remains pending.

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

1/5/2022	DocuSigned by: A3315DEA6AF6421...
Date	Signature