



6606 FM1488  
STE. 149-138  
MAGNOLIA, TX 77354

November 2, 2021

Hon. Senator Roger Marshall, M.D.  
479A Russell Senate Office Building  
Washington, DC 20510

Dear Senator Marshall:

On August 6, 2021, United Airlines CEO, Scott Kirby, announced a vaccine mandate for all employees, regardless of their medical condition or religious beliefs. Of course Kirby never intended to actually provide reasonable accommodations ([see video](#)), as he commanded his lieutenants develop a draconian and retaliatory process. This effort, we believe, exploits the pandemic for marketing purposes affording him the ability to tout UAL as the only “all vaccinated airline” (Attachment 1).

Few employees, steadfast in their faith or determined to maintain medical autonomy, survived the process as UAL attacked the employees they claimed to value as essential during the pandemic. Managers threatened termination, conducted public-shamings, and mounted fear campaigns (Attachment 2-post card mailed to every non-vaccinated employee in violation of their medical privacy), but the faithful stood firm. To date, the only reasonable accommodation offered is indefinite, unpaid leave without benefits along with a restriction against outside employment. Effectively, UAL is making it impossible for any employee to survive with a reasonable accommodation.

Airline Employees 4 Health Freedom ([AE4HF](#)) began as a group of faithful employees determined to exercise their rights to reasonable accommodations under Title VII and under the Americans with Disabilities Act to protect their medical autonomy. As our membership approached 4000 across many different airlines and other industries including Amtrak, 2000 of our members joined together to file a complaint against UAL in the 5<sup>th</sup> Circuit in Ft. Worth, TX.

On September 24, a Temporary Restraining Order was granted to prevent any UAL employee who submitted a request for a reasonable accommodation prior to 9/23 from being terminated or placed on unpaid leave. To date, UAL continues to violate the initial agreement terminating several employees. Additionally, UAL refuses to allow employees to request accommodations after 8/31. How can a company put a deadline on faith, and what happens to those who find faith after the deadline?

No one can answer those questions as UAL systematically terminates employees who choose to exercise their religious liberties. Many of our employees acquiesced under pressure to ensure they could continue to feed their families. They violated their faith one time and are now facing forced

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*“If not me, then who? If not now, then when?”*

booster for the foreseeable future. Those who chose not to get the shot face severe retaliation almost daily. As a form of punishment, a modern scarlet letter, UAL instituted an N95 respirator requirement for all employees who sought reasonable accommodations. However, UAL refused to provide the OSHA and manufacturers' required medical examinations, training, or fit testing.

Many employees suffered severe harm from the respirator mandate. On the first day, an agent suffered a broken clavicle, torn rotator cuff, and damaged meniscus passing out from use. A baggage handler, in the extreme heat of the aircraft belly, passed out face-first on a moving belt loader. A flight attendant passed out in flight, falling into the jumpseat. And, an agent passed out on a desk requiring paramedic attention and an ambulance. How many more must be injured before UAL is forced to reverse this policy?

Our case rests in the hands of Hon. Mark Pittman, and we are hopeful that we will soon be allowed to return to our careers. However, while we await a ruling on our request for a preliminary injunction, our employer continues to threaten those who have asserted their civil rights. Most recently, Kirby engaged the press to shame us and turn our vaccinated co-workers against us, intentionally creating a hostile work environment to further promote his fear campaign. He [claims](#) that our vaccinated co-workers refuse to fly with us, but we know this is untrue as we have received hundreds of letters of support. At the same time, our members are routinely bullied and threatened on company property (Attachment 3). Although the EEOC has accepted claims from almost 2000 of our members, they are tabling their investigations pending the outcome of our case. Any assistance you can provide, specifically on that front, would be most appreciated as our many Kansas members are suffering terribly.

[CEO Kirby](#) believes those objecting to his mandate are only doing so because they “do not want to be told what to do.” Frankly, his disdain for employees of faith is disgusting. And, that disdain is not limited to Christians. One of the named plaintiffs is a Buddhist, and our group includes people of all faiths including Muslims, LDS, Jewish members, Sikhs, etc.

We know you always stand strong on faith and medical issues. Our many members, and specifically your constituents, appreciate any help you can provide. They love their jobs and merely want to return to flying the friendly skies. I, and co-founders Captain Laura Cox and Danielle Runyon, will be in Washington November 4 & 5 and are hoping to meet with you or your representatives to discuss our mutual concerns. Please feel free to contact us (936-727-0755) or our attorney/representative, Mark Paoletta, at Schaerr-Jaffe (202-494-6393) who will be accompanying us.

Most Respectfully,

Sherry Walker,  
Captain & Co-Founder  
Airline Employees 4 Health Freedom

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## Attachment 1:

A note on vaccines from United CEO Scott Kirby.

[View Online](#)



Hi Sherry Lynne,

Throughout the pandemic, we've made it a top priority to keep you and our employees safe from COVID-19.

We've all learned a lot about this disease, including that vaccines are — by far — the most effective way to protect people from the virus and its variants. An unvaccinated person is about 50 times more likely to be hospitalized for COVID-19 than a vaccinated person, and nearly 300 times more likely to die if infected.

Those statistics are incredibly compelling, and that's why I'm writing to let you know about the next step in our continued commitment to protecting the safety and health of our employees and everyone who flies with us:



By this fall, we look forward to our United Airlines employees being fully vaccinated.

[You can read more about our decision here >](#)

Our rationale for requiring the vaccine is simple. Our greatest responsibility to our employees is to ensure their safety when they're at work at our airports and on our aircraft. And the facts say that we're all safer when we're all vaccinated.

As you make travel plans for this holiday season and beyond, you can expect that the United team members you meet along the way will be fully vaccinated against COVID-19. It's another important step in making sure everyone who flies with us arrives safely at their destination.

I look forward to seeing you on your next trip.

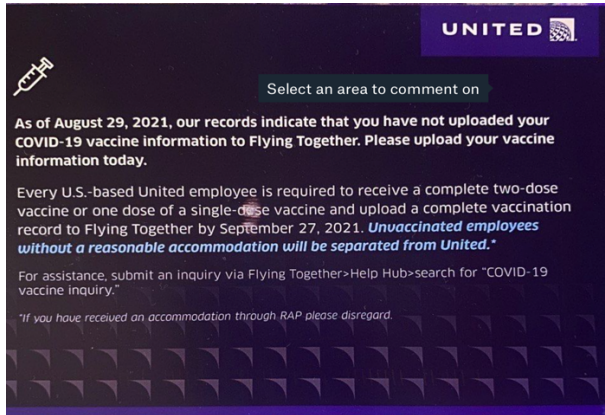
Sincerely,

A handwritten signature in black ink, appearing to read 'Scott'.

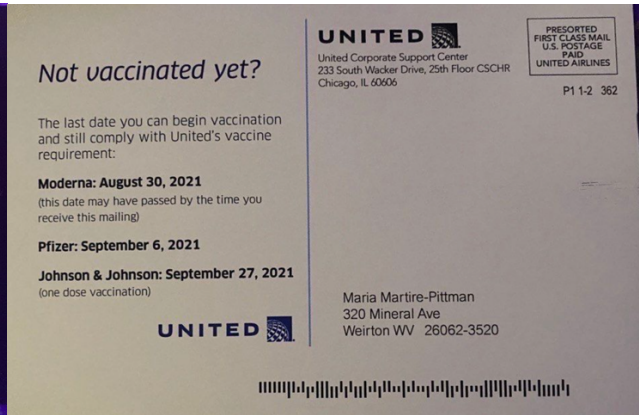
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Attachment 2: Postcard mailed to every unvaccinated employee



Front



Back

Attachment 3: Example of Breakroom Calendar sanctioned by UAL (Note "Termination Day 9/28")



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