



August 18, 2021

U.S. Equal Employment Opportunity Commission  
Seattle Field Office  
909 First Ave., Ste. 400  
Seattle, WA 98104-1061

***Re: Charge of Discrimination against Alaska Airlines  
and the Association of Flight Attendants-CWA, AFL-CIO***

To Whom It May Concern,

We represent Lacey Smith, a flight attendant who was fired by Alaska Airlines because she raised religious concerns in a forum created by the airline to facilitate discussion about the company's policies. After Alaska Airlines posted about its support for the Equality Act and invited comment, Ms. Smith asked, "As a company, do you think it's possible to regulate morality?" (We also represent Ms. [REDACTED] who today is also filing a charge related to the same incident.)

Ms. Smith is firmly committed to equality and diversity and always treating others with kindness and respect. She simply sought clarification of the airlines' position, yet after asking this question in response to the company's invitation, she was fired. Ms. Smith's notice of discharge explained, "Defining gender identity or sexual orientation as a moral issue ... is ... a discriminatory statement." In firing Ms. Smith, Alaska Airlines discriminated against her on the basis of religion, perpetuated a hostile work environment, failed to grant her a religious accommodation allowing her to express her opinion on the same basis as other protected classes, and retaliated against her.

Furthermore, Ms. Smith's union, the Association of Flight Attendants-CWA, AFL-CIO (AFA), failed to assert her rights as a member of a protected class under Title VII. The AFA refused to defend Ms. Smith's right to be free from religious discrimination and to receive a religious accommodation, instead disparaging her beliefs while simply raising procedural arguments during the grievance process. In refusing to assert Ms. Smith's rights under Title VII, the union itself discriminated against her on the basis of religion.

We have enclosed two copies of Ms. Smith's EEOC Charge, a Statement in the Support of the Charge, accompanying exhibits, the EEOC Intake Questionnaire, and a supplement to the EEOC Questionnaire. Please date-stamp one of the copies and return it in the enclosed self-addressed stamped envelope.

If you have any questions, please feel free to contact me at [REDACTED] or [REDACTED] org.

Sincerely,

*Rebecca R. Dummermuth*

Rebecca R. Dummermuth  
Counsel

CC: Herbert G. Grey, Attorney at Law  
[REDACTED]

**CHARGE OF DISCRIMINATION**

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

☐ FEPA☒ EEOC

Oregon Bureau of Labor and Industry

and EEOC

State or local Agency, if any

Name (Indicate Mr., Ms., Mrs.)

Ms. Lacey Smith

Home Phone (Incl. Area Code)

Date of Birth

Street Address

City, State and ZIP Code

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two are named, list under PARTICULARS below.)

Name

Alaska Airlines

No. Employees, Members

over 23,000

Phone No. (Incl. Area Code)

Street Address

City, State and ZIP Code

19300 International Blvd., Seattle, WA 98188

Name

Association of Flight Attendants-CWA

No. Employees, Members

nearly 50,000

Phone No. (Incl. Area Code)

Street Address

City, State and ZIP Code

18000 International Blvd., Seattle, WA 98188-4251

DISCRIMINATION BASED ON (Check appropriate box(es).)

☐ RACE☐ COLOR☐ SEX☒ RELIGION☐ NATIONAL ORIGIN☒ RETALIATION☐ AGE☐ DISABILITY☐ GENETIC INFORMATION☐ OTHER (Specify)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

Feb 25, 2021

Jul 1, 2021

☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)).

Alaska Airlines, my former employer, discriminated against me because of my Christian beliefs and religious concerns. When Alaska Airlines posted on an internal employee forum about its support for the Equality Act and invited employee comments and questions, I responded by asking a question that raised religious concerns. I support the principles of equality and nondiscrimination but asked, "As a company, do you think it's possible to regulate morality?" querying whether the Equality Act was the best means for achieving those goals and how it would impact those seeking to live out their faith at work. In response to my question, Alaska Airlines removed my post expressing religious concerns, told me my question was offensive and discriminatory, canceled my previously scheduled work, ignored my request for a religious accommodation, and fired me. In these ways, Alaska Airlines discriminated against me on the basis of religion, created a hostile work environment, failed to accommodate my religious beliefs, and retaliated against me.

Additionally, the Association of Flight Attendants-CWA ("AFA") discriminated against me on the basis of religion by failing to substantively advocate for my right to be free from religious discrimination, by expressing hostility toward my religious beliefs, and by failing to request a religious accommodation that would allow me to respectfully express my opinion on the same basis as other protected classes.

For further detail, please see attached statement and exhibits in support of charge of discrimination.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - When necessary for State or Local Agency Requirements

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

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

Aug 18, 2021

Date

Charging Party Signature

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(month, day, year)



**Lacey Smith**  
**Statement in Support of Charges of Discrimination**  
**Against Alaska Airlines and the Association of Flight Attendants-CWA**

Alaska Airlines, my former employer, discriminated against me because of my Christian beliefs and religious concerns. When Alaska Airlines posted on an internal employee forum about its support for the Equality Act and invited employee comments and questions, I responded by asking a question that raised religious concerns. I support the principles of equality and nondiscrimination but asked, “As a company, do you think it’s possible to regulate morality?” querying whether the Equality Act was the best means for achieving those goals and how it would impact those seeking to live out their faith at work. In response to my question, Alaska Airlines removed my post expressing religious concerns, told me my question was offensive and discriminatory, canceled my previously scheduled work, ignored my request for a religious accommodation, and fired me. In these ways, Alaska Airlines discriminated against me on the basis of religion, created a hostile work environment, failed to accommodate my religious beliefs, and retaliated against me.

Additionally, the Association of Flight Attendants-CWA (“AFA”) discriminated against me on the basis of religion by failing to substantively advocate for my right to be free from religious discrimination, expressing hostility toward my religious beliefs, and failing to request a religious accommodation that would allow me to respectfully express my opinion on the same basis as other protected classes.

***I. My Background***

When I was young, my Granny took me to Sunday School, where I was introduced to God. At age 15 I took personal ownership of my faith and began to build my own relationship with God through the guidance of my church. Since then, the Bible, which I believe is the Word of God, has provided my guiding values. I believe God gives me meaning, and His instruction is the foundation for understanding, relationships, morality, and societal structure. Because of the importance of religious beliefs and practice in my life, I attended Northwest Nazarene University and graduated with a degree in communications with an emphasis in social work. Motivated by my faith, my desire was and continues to be to help others as much as I can in any place I find myself. With this mindset, I loved being a flight attendant, meeting people’s needs and doing my best to serve them well in every interaction. I wanted everyone to feel welcomed, heard, and valued, cooperating both with Alaska Airlines’ goals as well as with Jesus’ prayer that God’s “will be done on Earth as it is in Heaven.”

***II. My Work at Alaska***

Since starting work for Alaska Airlines in 2014, I greatly appreciated the opportunities, experiences, and friendships afforded to me by the company. My own religious and moral convictions guide me in showing kindness and courtesy to all guests and coworkers—values that align with the company’s. My personnel record reflects many compliments from guests, who described me as friendly, caring, cheerful, attentive, warm, and engaging. Guests repeatedly said I represented Alaska Airlines admirably, and I worked well with my colleagues. I in no way support discrimination against another human being who may have differing moral guidance or cultural values.



### ***III. Discriminatory Actions and Failure to Accommodate***

#### ***A. Alaska Airlines' Internal Forum and My Question***

On February 25, 2021, Alaska Airlines posted on its internal communications network—Alaska World—an article entitled “Alaska supports the Equality Act.” (Ex. 1.) In the article, Alaska explained that it supports the Act because it believes the legislation would further the important principle of equality for all. I fully support equality and agree that everyone should be treated with kindness and respect. After reading the article, however, I was left wondering whether this particular legislation is the best means to ensure equality. Specifically, I had questions about whether Alaska Airlines believes employees with various religious and moral beliefs should also be treated with equality and not face discrimination because of their beliefs.

Alaska Airlines' policies governing Alaska World state: “Our differences make us better when we support and respect each other, allowing each of us to be who we are. Comments are here for us to openly and constructively share ideas, ask respectful questions, and understand one another and our company. You can disagree respectfully....” (Ex. 2.) The policy encourages employees, “Ask a question,” and concludes: “Three strikes and you’re out: If a comment doesn’t follow the rules, it will be removed at the discretion of the Corporate Communications team. If three of your comments are deleted, we will block you from future commenting.” Believing Alaska Airlines’ assurance that the company welcomed respectful disagreement, encouraged questions, and would simply remove any comment deemed objectionable, I asked a question that stemmed from my own religious, philosophical, and moral convictions.

Seeking clarification on the company’s stance, at 8:35 a.m. I posted the question: “As a company, do you think it’s possible to regulate morality?” (Ex. 1.) I was asking whether the company thought that its job was to demand employee conformity with its beliefs on moral issues that conflict with many people’s religious or moral beliefs. When I checked Alaska World later, at least seventeen other Alaska Airlines’ employees had “liked” my question. In response to my comment, at 12:30 p.m. Alaska Airlines’ SVP People Andy Schneider posted:

Supporting the Equality Act is not about regulating morality. It’s about supporting laws that allow our LGBTQ+ employees and guests, no matter what state they live in or fly to, to be protected against discrimination. Our values are our guide, and we strongly believe that doing the right thing and being kind-hearted require us to support this act. As we said above, we aren’t the kind of company that stands by and watches – we’re going to use our voice and be a leader on these issues.

We also expect our employees to live by these same values. Our differences are to be respected. As stated in our People Policies, harassment and discrimination will not be tolerated.

(Ex. 1.) I “liked” her post, with the intent of thanking her for offering insight into Alaska Airlines’ position. However, later that afternoon, Alaska Airlines discriminated against me on the basis of religion by removing my question and Ms. Schneider’s response from its website even though other comments, including a comment regarding morals, were left untouched.

On the afternoon of February 25, 2021, Noelle Berner, my Inflight Performance Supervisor, informed me that I needed to meet with her regarding the question I posted in response to the Equality Act article. (That meeting did not occur until March 11.) Pending its



investigation into the comment I posted on Alaska World at its invitation, Alaska Airlines discriminated against me on the basis of religion by removing me from my line.

### ***B. Investigation and Termination***

On March 11, 2021, I met with Noelle Berner, Nicole O'Neal (Human Resources Business Partner), and Kristie Stafford (Portland Base Manager). I was accompanied by two union representatives—Steve Maller (AFA Local Executive Council President) and Krystle Berry (AFA Local Executive Council Vice President). When asked to clarify what my posted question meant, I described the complexity of the Equality Act and explained that one can support equality while not supporting the Act itself. I affirmed that I support human rights and diversity, expressing that I share Alaska Airlines' values on that point. However, I questioned the means Alaska Airlines supports for reaching those ends and told them that my post related to deeper questions about whether we are inherently good people, a quintessentially religious question. In the meeting, Ms. Stafford and Ms. Berner gave the impression that I must ignore my own religious and moral convictions in order to conform to the company's moral convictions and keep my job. Ms. Schneider's initial response to my comment stated, "We also expect our employees to live by these same values," and I do live by the values of doing the right thing and being kind-hearted, but what I understood from Ms. Stafford and Ms. Berner was that, in addition to being kind-hearted, my religious beliefs must also align with the company's own definition of morality and values.

My union representative, Steve Maller, voiced concern that the company had not followed its own policies, which state that if a comment is deemed inappropriate, it will be taken down. Additionally, he pointed out that the company both responded to my question and left it up for several hours. At Mr. Maller's request, I prepared a statement explaining my actions, which he forwarded to Ms. Berner. (Ex. 3.)

On March 19, 2021, I received a Notice of Discharge, signed by Ms. Berner, explaining that I had violated Alaska Airlines' "Our People Policies," covering harassment and discrimination, and sections 6.300 and 7.100 of the *Flight Attendant Manual*, covering personal conduct. Among other things, the letter states:

Defining gender identity or sexual orientation as a moral issue, or questioning the Company's support for the rights of all people regardless of their gender identity or sexual orientation, is not a philosophical question, but a discriminatory statement.... Your posting was offensive, discriminatory, and did not align with Alaska Airline's values....<sup>1</sup>



(Ex. 4.) Ms. Berner's statements mischaracterize my question and my motivation and show the hostility pervasive at Alaska Airlines towards those who hold traditional religious beliefs on sexuality. I share Alaska Airlines' values of supporting the rights of all people regardless of their gender identity or sexual orientation and repeatedly affirmed that.

Moreover, to say that "[d]efining gender identity or sexual orientation as a moral issue ... is ... a discriminatory statement," is itself a discriminatory statement. Many people view issues of sexuality as moral questions. In fact, Alaska Airlines' own support for the Equality Act is rooted in the company's moral values.

The Notice of Discharge also states that "questioning the Company's support for the rights of all people regardless of their gender identity or sexual orientation[] is ... a discriminatory statement." As mentioned above, I have repeatedly affirmed Alaska Airlines' support for these rights, and I only questioned the means by which Alaska Airlines sought to achieve those goals. Rather than respectfully addressing the concerns I raised, Alaska Airlines retaliated against me for raising them by terminating me.

### ***C. Similarly Situated Employees***

Other similarly situated employees were treated better than I was when they questioned Alaska Airlines' support for the Equality Act, referenced their personal convictions, or posted comments on their personal Facebook pages that the airline found offensive. (Ex. 5.) Alaska Airlines' treatment of those whose religious beliefs do not align with its own values differs from its treatment of those whose conflicting beliefs were not based on their religious convictions or whose values mirror Alaska Airlines'. Although I did not initially explicitly reference my personal beliefs because I was afraid to do so, Alaska Airlines discriminated against me because of the religious concerns I raised.

- Another Alaska Airlines employee who questioned the company's support for the Equality Act was treated better than I was in that his comment was not removed and presumably he did not face discipline. His question did not reference religious issues but still could have been understood as undermining Alaska Airlines' support for the Equality Act. (See Ex. 5 for full text of [REDACTED] comment.)
- In response to the same article that I commented on, three Alaska Airlines flight attendants referenced their personal convictions as they voiced their support for the airlines' own position. Although they disparaged those with differing views, their comments were not removed, and they presumably were not disciplined. (See Ex. 5 for full text of [REDACTED], [REDACTED], and [REDACTED] comments.)
- In recent months, at least two flight attendants were disciplined for posting on their personal Facebook pages statements that "did not align with Alaska's values." These employees received only 3- and 5-day suspensions.

At least one other person in a similar situation was treated the same as I was. [REDACTED], another Alaska Airlines Flight Attendant, also posted a question with religious connotations in response to the company's support for the Equality Act. She too was accused of being hateful and discriminatory, and the airline fired her the same day it fired me.



#### ***D. Grievance Proceedings***

Alaska Airlines provides all employees a right to appeal employment decisions through a grievance hearing. At my grievance hearing on April 27, 2021, I expressed to Michael Link (Program Manager, Labor Relations) that if Alaska Airlines continued to maintain that I violated its policies and values, I requested a reasonable accommodation to be allowed to politely express beliefs motivated by my religion in the same way that others are allowed to express beliefs encompassed by other protected characteristics, such as sexual orientation. I gave Mr. Link a written statement, requesting an accommodation not to be forced to agree with or stay silent on policies that I believe could lead to discrimination against people of various religious backgrounds when others in the company are encouraged to speak on such topics. (Ex. 6.)

No one at Alaska ever discussed with me my request for a religious accommodation. Mr. Link had the opportunity discuss the request with me, to grant the accommodation and reverse my termination, but he declined to do so. Instead, on May 10, 2021, Mr. Link reaffirmed the termination decision without mentioning my request for a religious accommodation.

#### ***IV. Hostile Work Environment at Alaska Airlines***

Forcing religious people to remain silent on certain matters about which others are permitted or encouraged to speak cultivates a hostile work environment for some people of faith. Similarly, if Alaska Airlines opens a forum on the topic of the Equality Act but closes that forum to certain people of faith who are concerned about religious discrimination, it signals that people of some faith are not welcome at Alaska Airlines. Such policies not only discriminate on the basis of religion, they also create a disparate impact on employees based on religion.

Alaska Airlines made clear its intention not to provide protection for people of diverse religious perspectives when, on April 23, 2021, it posted in Alaska World an article entitled “Diversity, Equity & Inclusion progress on our journey to a more inclusive workforce.” While touting its diversity policies and “progress,” the company stated, “At Alaska, we believe every person deserves respect, to feel like they belong and to have equal opportunity regardless of race, ethnicity, disability, age, gender, gender identity or sexual orientation.” Alaska Airlines notably excluded from its list of protections “religion”—the protection at the center of Title VII’s protections: race, color, religion, sex, and national origin. This post is a far-from-subtle suggestion to employees that Alaska Airlines does not value religious diversity, does not believe every religious person deserves respect, does not believe religious people should feel like they belong at the company, and does not assure such employees of equal opportunity in the company.

Alaska Airlines has done the same with its extensive diversity trainings, in which it has provided strong training about other protected classes while failing to mention protection from discrimination based on religion. For example, the *Flight Attendant Manual* explains that a passenger may adhere to certain religious traditions that a flight attendant may find offensive and even consider discriminatory—such as not acknowledging a person of a particular gender—yet the airline in that context asks flight attendants to “not construe[]” these beliefs and behaviors as “disrespectful.” But in its diversity trainings, the company does not take the time to explain how some employees may have religious beliefs that others find offensive, but these people can still be decent and honorable, treating others with the courtesy and respect that Alaska Airlines values. Alaska Airlines could affirm that it values religious diversity, believes that all religious traditions deserve respect, and wants religious employees to feel like they belong and have an equal opportunity at Alaska Airlines. With the emphasis on respecting some protected classes but not



another, Alaska Airlines further suggests to religious employees that they are not welcome to “be who they are” at the company.

## ***V. Discriminatory Actions by the Union***

Title VII places on unions the same responsibility as on employers not to discriminate on the basis of religion. The AFA advocated for me on procedural grounds, saying that Alaska Airlines had not followed its own policies in terminating me, but it failed to substantively advocate for my right to post a question on the same basis as others, which was the more important ground. The union made no argument that I had a right to be free from religious discrimination and to be treated the same as others who posted questions in the forum or made statements about morality. Furthermore, during my June 29, 2021, pre-arbitration screening meeting with the union, I faced hostile questioning from Kimberly Chaput (Attorney, Association of Flight Attendants-CWA) and Stephanie Adams (AFA MEC Grievance Chairperson). Then, on July 1, 2021, the union declined to represent me further in the grievance process, continuing to ignore the company’s religious discrimination and retaliation against me. The union’s refusal to defend religious Title VII rights not only discriminated against me on the basis of religion but also creates a disparate impact on employees based on religion.

## ***VI. Summary of Alaska Airlines’ Unlawful Actions***

Alaska Airlines discriminated against me on the basis of religion, including by the following:

- by removing my question from its website after employees had been invited to comment or ask questions;
- by allowing comments that were not motivated by religious concerns to remain while removing comments that raised religious concerns;
- by removing me from my line for raising a religious concern about the Equality Act;
- by suggesting that I must ignore my religious and moral convictions and conform to the company’s moral convictions in order to keep my job;
- by terminating me for raising a question about the Equality Act;
- by terminating those who raised questions with religious connotations but not terminating those whose questions did not touch upon religion;
- by taking the position that “Defining gender identity or sexual orientation as a moral issue ... is ... a discriminatory statement”;
- by terminating my employment because of my religious faith and expression;
- by allowing others who agreed with Alaska’s stance to make comments about morals and values and to disparage others who disagreed with them while removing my comment and terminating me; and
- by failing to grant me a religious accommodation to allow me to express my opinion on the same basis as other protected classes.

Alaska Airlines retaliated against me, including in the following ways:

- for opposing Alaska Airlines’ religious discrimination; and
- for requesting a religious accommodation.

The Association of Flight Attendants-CWA discriminated against me on the basis of religion, including by the following:

- by failing to substantively advocate for my right to be free from religious discrimination;
- by expressing hostility toward my religious beliefs; and
- by failing to request a religious accommodation that would allow me to respectfully express my opinion on the same basis as other protected classes.

These actions by Alaska Airlines and the AFA violated Title VII of the Civil Rights Act and state law.



# Alaska supports the Equality Act

February 25, 2021

## What we did

A few years ago, Alaska Airlines joined a growing coalition of over 300 businesses (<https://www.hrc.org/resources/business-coalition-for-equality>) across the U.S. to voice our public support for the federal Equality Act. The Equality Act would amend existing civil rights laws protecting individuals from discrimination based on race, color, national origin, sex, disability and religion and add clear, consistent protections to prohibit discrimination on the basis of sexual orientation and gender identity. The act was reintroduced in Congress and is expected to be voted on in the U.S. House of Representatives today (Feb. 25).

## Why it matters

This past year has brought an overdue awakening to the deep-rooted issues of racism, injustice, and inequity in our society and in our own communities with the senseless killings of George Floyd, Breonna Taylor, Ahmaud Arbery and others before and after. We've also seen an increase in the harassment and violence against the Asian American and LGBTQ+ communities. These stories are heartbreaking and unacceptable.

"A clear federal standard on equality across the country is not only the right thing to do, it is also good for our business and for our employees," said **Ben Minicucci**, Alaska's president and incoming CEO. "To continue to make progress and ensure full equality for LGBTQ+ individuals and families, Congress should swiftly move to pass the Equality Act."

Alaska and Horizon stand against hate and intolerance of any kind, and we believe in using our voice to advance inclusion at our company and within our communities. We also have heard painful stories about how these issues have personally impacted employees, and we stand with you. To engage in dialog and support of these communities, we encourage you to reach out to our GLOBE and AGPA BRGs (<https://www.alaskasworld.com/es/Diversity/BRG.asp>). If you experience or witness harassment or discriminatory behavior, please report it through one of the following channels so the appropriate action is taken:

- Your supervisor.
- Our Report It! app.
- Our Ethics & Compliance Hotline (phone # on back of your badge)
- Your Human Resources Business Partner (<mailto:peopleresourceline@alaskaair.com>)

And if you feel like you need help, need someone to talk to, or need other resources, please connect with ACTIVE Support (<https://splash.alaskasworld.com/ES/ACTIVE/active-support.asp>), our employee assistance program.

## We're committed to advancing equality and ending discrimination in all forms

Our public support for the Equality Act is consistent with our commitment to advancing equality and ending discrimination. Creating a safe work and operating environment for all will fuel the future of our business and create economic opportunity in the communities we serve. And it's consistent with our values, such as Do the Right Thing. We aren't the kind of company that stands by and watches – we're going to use our voice and we're going to be a leader on these issues.

Some of the actions we've taken recently:

- Released our 2025 goals for diversity, equity and inclusion ([https://www.alaskasworld.com/News/2021/02/18\\_DEI\\_goals.asp?div=AllCompany](https://www.alaskasworld.com/News/2021/02/18_DEI_goals.asp?div=AllCompany)).

- Enhanced our zero tolerance policy and training ([https://www.alaskasworld.com/News/2020/10/01\\_hrPolicyUpdate.asp](https://www.alaskasworld.com/News/2020/10/01_hrPolicyUpdate.asp)).
- Launched racial equity training ([https://www.alaskasworld.com/News/2020/10/05\\_ACTtraining.asp](https://www.alaskasworld.com/News/2020/10/05_ACTtraining.asp)) for all employees.

To learn more, visit our Diversity and Inclusion site (<https://www.alaskasworld.com/es/Diversity/default.asp>) or get involved in one of our Business Resource Groups (<https://splash.alaskasworld.com/es/Diversity/BRG.asp>).

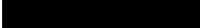
**Submit Comment**

#### Comments (14)

**Posted by: Lacey Smith (AS Flight Attendant, PDX) - February 25 at 8:36 am**

As a company, do you think it's possible to regulate morality?

17 people like this  Like

 **SVP People**

Hi Lacey,

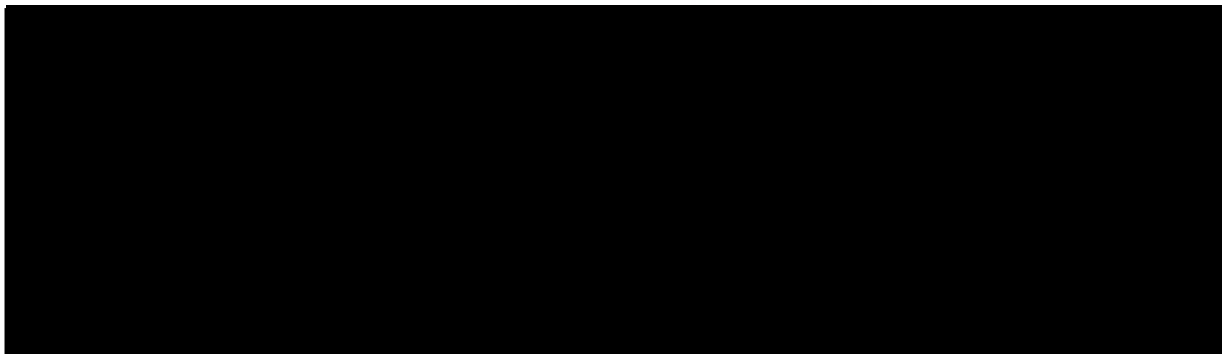
Supporting the Equality Act is not about regulating morality. It's about supporting laws that allow our LGBTQ+ employees and guests, no matter what state they live in or fly to, to be protected against discrimination. Our values are our guide, and we strongly believe that doing the right thing and being kind-hearted require us to support this act. As we said above, we aren't the kind of company that stands by and watches – we're going to use our voice and be a leader on these issues.

We also expect our employees to live by these same values. Our differences are to be respected. As stated in our People Policies, harassment and discrimination will not be tolerated.

Thank you,



4 people like this  Like







Notice of Discipline or Discharge

TO:		Date Action Taken: 3/19/2021	
Employee Name: Lacey Smith		Employee Number: [REDACTED]	
Job Title: Flight Attendant		Department #: INF Location #: PDY	
FROM:			
Name: Noelle Bemer		Title: Inflight Performance Supervisor	
Department #: INF		Location #: SEA	

SUBJECT: RECORD OF VIOLATION OF COMPANY RULES/REGULATIONS  
AND/OR UNSATISFACTORY PERFORMANCE

CHECK ONE: ☐ Confirmation of Oral Warning ☐ Written Warning ☐ Suspension Without Pay  
☐ Final Warning (attendance) ☒ Discharge

A thorough investigation has been completed and this is your notification that you are hereby charged with an infraction of Company rules/regulation and/or unsatisfactory performance.

**INFRACTION/UNSATISFACTORY PERFORMANCE:** (Specify rule number with brief description of details and dates.)

I received concerns regarding an online comment you posted on an Alaska's World article titled "Alaska supports the Equality Act". You posted "As a company, do you think it's possible to regulate morality?". The article emphasized the Company's support of the Equality Act, which is a bill designed to protect LGBTQ individuals from discrimination, specifically on the basis of sexual orientation and gender identity. It also reiterated Alaska's position that the Company stands against hate and intolerance of any kind. The concerns I received were that your comment was undermining Alaska's attempt to support legislation that protects individuals from discrimination and carried the message that being LGBTQ was immoral or wrong.

Nicole O'Neil and I met with you on March 11, 2021 to discuss the concerns. You stated that you posted the online comment after reading the article that Alaska had posted regarding the Equality Act. During the meeting, you told us that you did not mean for your comment to undermine Alaska's stance, but meant it only as a philosophical question. Your explanation was not persuasive. Defining gender identity or sexual orientation as a moral issue, or questioning the Company's support for the rights of all people regardless of their gender identity or sexual orientation, is not a philosophical question, but a discriminatory statement.

This was not the first time you engaged in conduct that was contrary to our Company values and had a significant negative impact on other employees. You received a 30-day suspension in August 2020 for similar conduct. Like your conduct in August 2020, your comment here created a negative impact on other employees, was made in a public forum, promulgated divisiveness, and undermined the Company's efforts to create an inclusive work environment free of harassment and discrimination. Clearly you have failed to learn from the August 2020 incident and change your

Original: Employee CC: Personnel File, Supervisor, Field Team, Union (when applicable)





## Notice of Discipline or Discharge

bel

Your posting was offensive, discriminatory, and did not align with Alaska Airline's values. Posts like this have a great impact on others, even if they are not intended to offend. As Carmen Williams, Interim VP of Inflight, noted in her June 5, 2020 email - it is imperative that each of us think before we speak or post on social media and evaluate the impact our words and actions will have on others, including coworkers and guests, regardless of intent. While we encourage open dialogue around Company policies and initiatives, we cannot tolerate speech that is discriminatory in nature or targets a group of individuals based on their legally protected characteristics

**Your actions as described above are in violation of the following:**

### **Alaska Airlines Our People Policies, Harassment and discrimination: They don't belong in our workplace**

- Alaska Airlines prohibits harassment or discrimination based on a legally protected characteristic. Employees who engage in inappropriate harassing or discriminatory behavior will be held accountable, including discipline, up to and including termination of employment.
- We believe that all employees deserve to be respected, regardless of their race, color, ancestry or national origin, citizenship or immigration status, religion or creed, age, disability, sex or gender, pregnancy, sexual orientation, gender identity or gender expression, military or veteran status, marital or parental status, or medical or genetic information. Part of that respect means not harassing or discriminating against an individual because of any of these characteristics or any other legally protected status.
- Alaska Airlines has **zero-tolerance** for harassment and discrimination in the workplace.
- Harassment is unwelcome or offensive conduct in the workplace that is: (a) based on legally protected characteristics; and (b) is detrimental to an employee's work performance, professional advancement, or mental wellbeing.
- Prohibited harassment is not limited to conduct that occurs at our physical workplaces or during regular business hours.
- Harassment that occurs online, including interactions or posting on social media, may also violate this policy.
- Workplace harassment affects all workers and can result in a safety risk, decreased productivity, increased turnover, and reputational harm for individuals and the company.
- Alaska Airlines prohibits all forms of sexual or gender harassment, including harassment based on sexual orientation and gender identity.

### **Flight Attendant Manual, System Regulation, Section 6.300, Personal Conduct**

- Ensure your conduct reflects credit on Alaska Airlines and consider the welfare of the Company. Avoid actions or statements that could discredit or harm the reputation of the Company.

### **Flight Attendant Manual, Standards, Section 7.100, Personal Conduct**

F/As must:

- Conduct themselves in a manner which reflects favorably upon the airline, avoiding actions or statement that could discredit or harm the reputation of the Company

Original: Employee    CC: Personnel File, Supervisor, Field Team, Union (when applicable)



*Alaska.*

*Alaska.*  
AIRLINES

**Notice of Discipline or Discharge**

- Contribute to a harmonious working environment
  - Exercise good judgment
- F/As may not:
- Threaten, intimidate, or act discourteously to guests or employees
  - Use any form of harassment or discrimination based on immigration status, religion or creed, age, disability, sex or gender, pregnancy, sexual orientation, gender identity or gender expression, military or veteran status, marital or parental status, medical or genetic information.

**ACTION TAKEN:**

**In view of the above, you are being discharged from Alaska Airlines.**

\_\_\_\_\_  
Employee Signature

(Your signature does not constitute an admission or agreement.)

\_\_\_\_\_  
Supervisor Signature

☒ Personally handed to employee on: 3/19/21

☐ Mailed to employee on \_\_\_\_\_  
(Mail Only When Not Possible To Present Personally)

Original: Employee CC: Personnel File, Supervisor, Field Team, Union (when applicable)