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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

JAMIE ZIMMERMAN, et al,

Plaintiffs,

v.

PEACEHEALTH,

Defendants

CASE NO: 3:22-cv-05960

DECLARATION OF NICOLE KINGSLEY

I, Nicole Kingsley, declare as follows:

1. This Declaration is based upon personal knowledge and belief, and I am competent to testify to the information set forth herein.
2. I am over 18 years old.
3. I am from Whatcom County, Washington.
4. I started working at PeaceHealth United General Medical Center on or about January 25, 2016, and continued there until September 1, 2021, as a Radiologic Technologist.
5. I have performed my job satisfactorily and have never been disciplined. I was a dependable and reliable per diem CT/X-ray Technologist who filled in as needed for people who were off or sick. I rarely missed work and I did my job well. I enjoyed working at PeaceHealth United General and helping people of the community. I felt

1 appreciated and respected as a valuable employee to the team. I always received positive
2 performance evaluations, and was recognized for the quality care I provided my patients.

3
4 6. I worked throughout the pandemic using required personal protection equipment, which
5 included N-95 masks for airborne precautions, or a PAPR. Surgical and level 3 hospital
6 masks, contact gowns, and face shields/eyewear for droplet precautions. We would wear
7 all of the above with COVID patients. When PPE was in short supply the hospitals were
8 sending our N-95's to sterile processing to be cleaned and we would wear them week
9 after week. With the hospital masks we wore 1 per day unless visibly soiled. Never in my
10 medical career had this been allowed or considered clean, let alone minimize
11 transmission. We had always been taught to change PPE between patients and never to
12 reuse anything. I never once contracted COVID during this time.

13
14 7. On August 3, 2021, PeaceHealth announced they would be requiring vaccination against
15 COVID-19.

16
17 8. On August 6, 2021, I submitted a religious accommodation request to the COVID-19
18 vaccine and was denied.

19
20 9. As part of my request, I was willing to adhere to recommended personal protection
21 equipment including all measured we had implemented leading up to the COVID
22 vaccine, which included N-95 masks, PAPR, hospital masks, contact precautions gowns,
23 gloves, and face shield/eyewear.

24
25 10. The work environment at PeaceHealth was hostile. I remember in conversation with my
26 supervisor letting him know that if PeaceHealth took the stance of requiring the COVID
27 shot for employees without the option of exemption that I was prepared to let them fire
28 me if it came down to it. His response was, "Why? Are you an anti-vaxxer?" I said no, up

1 until now I've gotten all required shotes, but his does not sit well with me or my beliefs
2 and I was prepared to stand up for them if necessary. Unfortunately, I ended up in the
3 position I had a felling I would end up in – terminated.
4

5 11. On September 1, 2021, PeaceHealth informed me that I was given the exemption but
6 could not be accommodated due to my job not being a job that could be done remotely.
7 Therefore, I would be placed on administrative leave until we could return back to work.

8 12. They required that I go on administrative leave and said I first had to use all of my PTO
9 and then would be on unpaid leave to be determined on a 3-month interval. Every 3
10 months Until May or June of 2023. Then they said we could come back but it was under
11 very strict "accommodations." I would have to agree to wear an N-95 at all times while
12 on campus. I worked at two other local area hospitals at the time, who hired me with my
13 exemption and the accommodations were much more reasonable and justified with the
14 infection rates and transmission at the time. They only required me to wear a regular
15 mask (which everyone at the time had to wear, so no distinction or segregation was being
16 imposed on anyone), not N-95. And as of May and June 2023 they had lifted the mask
17 requirement completely for all employees. So for PeaceHealth to still be insisting I wear
18 an N-95 just felt like more continued punishment and humiliation being imposed for not
19 complying with their mandates from 2021. Eventually I was terminated for not agreeing
20 to their accommodations. PeaceHealth wanted me to agree to wear N-95 around patients
21 without any justification. Their response when I asked for their reasoning when my other
22 jobs were not requiring such measures was that equivalent of "because we said so!" I told
23 them I didn't care what they did because they had basically fired me 2 years before when
24 I was placed on indefinite administrative leave.
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1 13. On September 02, 2021, I was locked out of my work email.

2 14. I remained on administrative leave until May or June 2023. I never received a termination
3 letter or any correspondence from PeaceHealth.

4 15. As a result of my leave of absence, I have had to travel further for work, causing more
5 wear and tear on my vehicle, and more time commuting. The emotional damage from this
6 experience will never be undone. I will never forget how they treated us when we worked
7 throughout the COVID pandemic.
8

9
10 I SWEAR UNDER PENALTY PERJURY OF THE LAWS OF THE STATE OF
11 WASHINGTON THAT THE FOREGOING STATEMENT IS TRUE AND CORRECT TO THE
12 BEST OF MY KNOWLEDGE AND BELIEF.

13 DATED AT Bellingham, WA this 29 day of April 2024.

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16 
Nicole Kingsley, Apr 29, 2024, 12:35 PM

Nicole Kingsley

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DECLARATION

Silent Majority Foundation
5238 Outlet Dr.
Pasco, WA 99301






Kingsley, Nicole DECLARATION

Final Audit Report

2024-04-29

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