

# Exhibit C

## DECLARATION OF ISABEL

I, Isabel, declare as follows:

1. I am a plaintiff in this lawsuit and write this declaration to explain the conditions inside the Noah's Ark beef processing plant in Hastings, Nebraska. The plant is not doing enough to protect its workers from COVID-19, and I am afraid that it continues to put workers, their families, and the rest of us in the surrounding community at risk.

2. I worked at the plant until Summer 2020. I live nearby in Grand Island with my daughter, sister, and nephews. I continue to be in touch with a co-worker who is still at the plant. We speak every few days.

3. At the plant, I worked on the fabrication floor, where meat is cut into smaller pieces and packaged for sale. My job was to cut and portion large slabs of beef and prepare them for packaging. There are five processing lines on the fabrication floor, including one just for Kosher meat. Each processing line has a conveyor belt that the meat comes down on and attached tables where we chop the meat up. Workers stand next to each other along both sides of the line, take meat off the belt, cut it up, and then place it back on the belt. From where I stood on my processing line, I could see the entire fabrication floor.

4. From [REDACTED], I worked in the Kosher area. Typically, Kosher meat is processed in a separate area, but this area has been under construction since April 2020. Because of this, the plant designated a separate line for Kosher meat on the fabrication floor.

5. Noah's Ark refused to take many basic precautions to protect us from COVID-19. There was a major outbreak in April and May and many workers, including myself, got sick.

After the outbreak, the plant made some minor changes but they are not enough to keep workers safe.

6. The company did not allow us to maintain physical distance in the common areas and the processing floors.

7. Throughout my time at Noah's Ark, and for the entire pandemic, the cafeteria always got crowded during lunch time. Several times a week, workers from all parts of the plant ate lunch at the same time. On these days, there were more than a hundred people squeezed into the small room with no windows. There are about twelve tables in the cafeteria and each table seats eight people. Often, ten or more people sat at a table because there were not enough seats for everyone. And lots of people would eat while standing because all the tables were full. Usually, there was less than one foot of space between us.

8. After the first outbreak in May, the plant placed nylon sheet barriers on the tables. There are four barriers on each side of the tables. They do not separate people sitting next to each other because they do not extend beyond the tables. They do not even separate everyone's part of the table when more than eight people are sitting together, as often happened when lunch shifts were combined. Shortly after the plant put them up, many barriers ripped or broke because they are very flimsy.

9. Because the cafeteria was so packed, some workers would eat lunch in other common spaces. I would often eat my lunch in the locker room to avoid the crowd in the cafeteria. However, even in the locker room I couldn't socially distance because several other women would also eat lunch there. There was only one small bench for us to sit on together.

10. The plant has one locker room for women. That too would get very crowded. Everyone used it at the same time, in the morning when their shift started and in the evening

when it ended. There are two rows of lockers facing each other, with four feet of space in between rows. Lockers are stacked on top of each other. During breaks, more than twenty women are in the locker room at the same time and it is impossible to maintain any space with others. There are no barriers between lockers.

11. There are two bathrooms for women with three stalls each. One bathroom is inside the locker room and the other is near the cafeteria. During lunch time, the bathrooms would always be occupied and a line would form outside. People did not socially distance while waiting in line, and the nurse or managers never tried to space us out.

12. Distancing also never happened on the processing lines in the fabrication area, even after the May outbreak. There are approximately twenty people working on each line, ten per side. There is about one foot of space between workers. Since the start of the pandemic, the plant has not decreased the number of people on the lines, increased the space between workers, added shifts to reduce the number of workers, or done anything else to create more space between workers.

13. Some of the lines in the fabrication area have plastic barriers separating workers, but others do not. Barriers are held in place by metal frames that extend from the waist up. The barrier itself is a plastic sheet that sits within the frame and can be moved aside. Sometimes peoples' elbows bump against the plastic barrier while they are cutting the meat, so they move it, removing any barrier between them and their neighbor. I saw a handful of people near me move their barriers while working. A few of the barriers are also broken.

14. There are several ways that the plant could help increase distancing. For example, it could stagger the breaks so that not everyone crowds the common areas at the same time. Right now, there are two fifteen-minute breaks and one thirty-minute lunch break. Almost

everyone takes breaks at the same time. To reduce crowding, the plant could have different processing areas take breaks and eat lunch at different times. Similarly, the plant could stagger the start and end times of shifts to prevent crowding in the locker rooms. To reduce crowding in the processing areas, the plant could reduce the number of workers present at a time, for instance by slowing the line or by adding more shifts.

15. The availability of masks is also an issue. The plant gives workers one disposable mask to use for the entire day. Because of the nature of our work, peoples' masks often get dirty very quickly. When someone's mask gets dirty, they can ask the nurse for a new one, but only at the end of their shift when they have time to cross the plant to ask for one. And at least one co-worker told me that when they asked for a replacement for a ripped mask, the nurse told them she had run out. To avoid working with a dirty mask, I would always bring an extra mask with me, but many workers do not have their own.

16. The majority of people would work with dirty masks. Some people would wear the mask below their nose because it was dirty.

17. It was particularly concerning that people with COVID-19 symptoms were allowed to continue working. Sometimes they were even pressured to do so. The plant did not help us get tested, did not notify coworkers when someone got sick, and sometimes did not pay us for sick leave. I know this because it happened to me twice, once when I got sick in April, and again when I got sick in July.

18. I started feeling sick on Friday, April 4, 2020 and went in for a doctor's appointment the following Monday. I had headaches, vomiting, and diarrhea, but no fever or shortness of breath. The doctor said I should quarantine as a precaution. At this time there

was no nurse at the plant, so I told my manager I was sick and that a doctor had said I needed to quarantine. He said that I should quarantine for two weeks and then come back to work.

19. While I was out sick, the Human Resources (HR) representative called me twice to pressure me to come back. She said that if I didn't return to work, I could get fired. Although I was very afraid that I may lose my job, I did not return to work because I was feeling very ill and the doctor said I should quarantine.

20. The plant did not notify my coworkers that I had COVID-19 symptoms and had possibly been infected. I know this because many people I work with asked me why I was out when I returned.

21. After the outbreak in April and May, the plant hired a nurse who did temperature checks at the beginning of our shifts. The nurse doesn't work on Sundays or some Saturdays, so on those days there are no temperature checks. I remember going in one Saturday when the nurse wasn't there and no one checked my temperature.

22. Noah's Ark did not offer COVID-19 testing at the plant. If someone has a fever during the temperature check, the nurse will tell them to get tested and give them a phone number for a place that does testing. Beyond this, the plant does not help people get tested, pay for their tests, or otherwise follow up.

23. In July, even though I was feeling ill, I went to work because I was afraid that if I called in sick, I may get fired. I registered a fever during the temperature check and the nurse told me to get a COVID-19 test. She also told me that I had the choice to either stay and continue working, or go home. In other words, she did not require me to go home even though I had a fever. Because I was feeling very ill with a fever, vomiting, and diarrhea, I decided to leave work and get tested. The nurse did not mention anything about sick leave.

24. The nurse gave me the phone number for a place that does testing. When I called the number, they said that they do not offer free testing for people who don't live in Hastings. I told the nurse about this and she referred me to other clinics. I went to a clinic in Grand Island and it charged \$200 for a test. I cannot afford to pay this and Noah's Ark does not give us affordable health insurance. I asked HR to help pay for my test but they refused.

25. I took four days off because I was too sick to work. When I returned to the plant and tried to get paid for my time off, HR told me to provide proof that I had COVID-19. I could not afford to get tested or see a doctor, so the plant refused to pay me anything.

26. The plant did not notify my coworkers that I had been sick with COVID-19 symptoms. Again, when I returned my coworkers asked me why I had been absent.

27. Noah's Ark did not post or communicate any sick leave policy. I am not aware if any such policy exists. Based on my experience in July, people are given the option to continue working even if they show symptoms. And people are not paid leave if they cannot afford a COVID-19 test or doctor visit, or if their test comes back negative. When the plant has paid people, it does not pay them beyond two weeks, even if they are still sick.

28. The nurse would tell people that if you feel sick you should stay at home, but many people believed that if you stayed home you risked getting fired. They believed this because many of us have been told we would be fired for going home sick. I also believe this to be true based on my own experience, when the HR representative pressured me to come to work in April when I was sick.

29. I heard that there was an OSHA inspection in September. My friend who works at the plant called me and told me about it. She said that the inspection was limited to certain

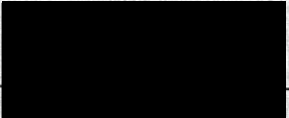
areas and did not include, for example, the bathrooms or the cafeteria. I have not heard of the plant implementing any major new safety measures since the inspection.

30. Since leaving Noah's Ark, I have stayed in touch with a friend who still works there. We speak every couple of days. All of the people I know who remain at the plant are afraid for their safety because the plant has not done enough to protect them from COVID-19, but all of them are too afraid of retaliation to speak up.

31. I recently spoke to my co-worker friend. She told me that there have been no changes at the plant in recent weeks. Workers continue to stand side-by-side on the processing lines and the cafeteria is crowded during lunch. People are still lowering masks when they become dirty. There is still no testing.

32. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: December 2, 2020

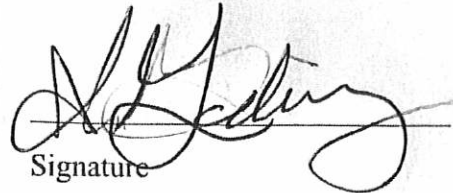
  
Signature



**CERTIFICATE OF TRANSLATION**

I, Rose Godinez, certify that I am competent in both Spanish and English. I translated the attached Declaration of Isabel from English into Spanish and provided a written copy to [REDACTED] for her to review and sign. I certify that the Spanish translation was a complete and accurate translation thereof.

Dated: December 2, 2020

  
Signature