

Court File No. CV-24-00000869-0000

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

**GULED WARSAME and SHELLI SAREEN on their own behalf and on  
behalf of all members of UNITE HERE Local 75**

Plaintiffs

and

**DAVID SANDERS, ASHLEY HAYES, RAFUNZEL KORNGUT AND ALLAN PACE  
on his own behalf and on behalf of all members of THE TORONTO HOSPITALITY  
EMPLOYEES UNION – CSN (THEU-CSN)**

Defendants

**AFFIDAVIT OF JOSH CUASAY  
(SWORN MAY 27, 2024)**

I, Josh Cuasay, of the City of Toronto, in the Province of Ontario, AFFIRM:

1. I have worked as a full-time Organizer for UNITE HERE Local 75 (“Local 75”) since September 2019. I am aware that the Toronto Hospitality Employees Union - CSN (“THEU CSN”) is attempting to recruit members of UNITE HERE Local 75. As such, have knowledge of the matters contained in this Affidavit.
2. Prior to my employment with Local 75, I worked as a Room Attendant for the employer “Events at One King West” at the One King West Hotel and Residence in Downtown Toronto. Local 75 has held bargaining rights for Events at One King West since approximately 2008. I was an employee of Events at One King West from approximately 2005 until 2019 when I became a full-time employee of Local 75. From approximately 2013 to 2019, I was on a union leave of

absence from Events at One King West, though I maintained an employment relationship with Events at One King West during this period of time.

3. At some point in April 2024, an envelope was delivered to my home address in the mail. The middle of the envelope had my name and home address typed on it. Above my name, the words “EVENTS AT ONE KING WEST” were typed. The envelope also had the THEU-CSN logo in the top left-hand corner, and listed THEU-CSN’s address as 102 Adelaide St. E. Suite 200 in Toronto. A copy of the envelope I received is enclosed as **Exhibit 1** to this affidavit.

4. I opened the envelope enclosed as **Exhibit 1** and it contained promotional materials in it that encouraged me to join THEU-CSN. Specifically, it contained the following documents:

- (a) A two-page document promoting THEU-CSN’s pension and benefit plans and explaining that CSN would obtain better benefits for workers at Toronto hotels than Local 75 could obtain (**Exhibit 2**);
- (b) A four-page document comparing the hourly rates earned by CSN-affiliated hotel workers in Montreal to the rates earned by Local 75 members at the Fairmont Royal York Hotel and explaining how THEU-CSN could displace Local 75’s bargaining rights under Ontario law (**Exhibit 3**);
- (c) A booklet promoting CSN’s 2024 collective bargaining objectives for the Montreal hotel sector (**Exhibit 4**);
- (d) A flyer on THEU-CSN letterhead inviting hotel workers in the GTA to join THEU-CSN and identifying certain individuals as officers and employees of THEU-CSN

including Allan Pace, Ashley Hayes, Rafunzel Korngut and David Sanders  
(**Exhibit 5**); and

- (e) A letter from Michel Valiquette, CSN's Hotel Sector Representative, encouraging Toronto hotel workers to join THEU-CSN (**Exhibit 6**).

5. On May 22, 2024, I received a text message from THEU-CSN inviting me to click on a hyperlink and stating: "Change is in the air for Toronto Hotel Workers!" A copy of that text message is enclosed as **Exhibit 7**. On May 24, 2024, I received another text message from "Ashley" at THEU-CSN inviting me to click on a hyperlink. A copy of that text message is enclosed as **Exhibit 8**.

6. I am certain that I have never given anyone affiliated with THEU-CSN or a union other than Local 75 my home address or phone number. My home address and phone number are not publicly available. The envelope I received from THEU-CSN containing the promotional materials described above identified me as being associated with Events at One King West, which is not an employer I have been affiliated with since 2019. I can only conclude that THEU-CSN's contact information for me dates back to the period of time when I was still employed by Events at One King West as I currently have no connection to that workplace.

7. The home address and phone number THEU-CSN used to contact me in April and May 2024 were the same contact details Events at One King West and Local 75 would have had on file for me in 2017 and 2018.

8. I affirm this affidavit *bona fide*.

SWORN remotely by Josh Cuasay at the City of Toronto, in the Province of Ontario, before me at the City of Toronto in the Province of Ontario on May 27<sup>th</sup>, 2024, in accordance with O. Reg. 431/20. Administering Oath or Declaration Remotely.



DocuSigned by:  
*Lindsay Heidker*  
694EDD7284E647C

DocuSigned by:  
*Jocelyn Cuasay*  
5B6669539C5D4BA...

Commissioner for Taking Affidavits  
**LINDSAY HEIDKER**

**JOSH CUASAY**

Lindsay Joan Heidker, a Commissioner, etc.,  
Province of Ontario, for Cavalluzzo LLP,  
Barristers and Solicitors.  
Expires August 31, 2024.