

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

**LISABETH PIMENTEL on her own behalf and on behalf of all members
of LOCAL 75 UNITE HERE**

Plaintiffs

and

**DONALD TAYLOR on his own behalf and on behalf of the members of
UNITE HERE (INTERNATIONAL)**

Defendants

**MOTION RECORD OF THE DEFENDANTS, THE RESPONDENTS,
DONALD TAYLOR ON HIS OWN BEHALF AND ON BEHALF OF THE
MEMBERS OF UNITE HERE (INTERNATIONAL)**

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TAB 1

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AFFIDAVIT OF DONALD TAYLOR

I, Donald Taylor, of the City of Las Vegas, in the United States of America, MAKE
OATH AND SAY:

- 1. I am the proposed representative Defendant in this proceeding, and, as such, have knowledge of the matters contained in this affidavit.
- 2. In preparing this affidavit, I have reviewed the affidavit of Lisabeth Pimentel sworn on December 15, 2017 ("Pimentel Affidavit") and her supplementary affidavit sworn on December 21, 2017. To avoid unnecessary duplication, I rely on several of her exhibits throughout my affidavit.

UNITE HERE and its Affiliate Local 75

- 3. I am the President of UNITE HERE ("UNITE HERE" or the "International"), a position I have held since November, 2012.

4. UNITE HERE is a trade union that represents approximately 275,000 workers in more than 100 local unions across North America in the hotel, gaming, food service, manufacturing, textile, distribution, laundry, transportation and airport industries. In Canada, UNITE HERE represents approximately 20,000 Canadian members.

5. UNITE HERE is governed by five elected general officers (President, Secretary-Treasurer, Recording Secretary, General Vice President and General Vice President for Immigration, Civil Rights, and Diversity), an elected executive committee, and an elected general executive board with representation from across UNITE HERE.

6. All members of the International are bound together by UNITE HERE's constitution ("Constitution"), a copy of which is included as Exhibit "B" to the Pimentel Affidavit.

7. Local 75 of UNITE HERE ("Local 75" or the "Local") is an affiliate of UNITE HERE and represents approximately 8000 workers across the Greater Toronto Area. Ms. Pimentel is Local 75's President.

8. Local 75 is governed by an executive board ("Executive Board"), composed of three elected officers (President, Secretary-Treasurer and Vice President) and 25 rank and file members. All Executive Board members are democratically elected to be the voice of Local 75's membership.

9. A copy of Local 75's bylaws ("Bylaws") is included as Exhibit "A" to the Pimentel Affidavit.

10. Members of UNITE HERE, including Local 75, are predominantly women and people of colour.

Local 75's Chaos, Dysfunction and Bitter Internal Conflict

11. Local 75 has been embroiled in a debilitating internal conflict between two factions for more than a year. On one side is Ms. Pimentel and a minority of the elected Executive Board and on the other side are the other two officers – Nuredin Bulle (Secretary-Treasurer) and Valrie Lue (Vice-President) -- and a majority of the elected Executive Board. Many amongst the Local's membership are divided along these fault lines. Sadly, these fault lines also divide along race and ethnic lines with the majority of members who support Ms. Pimentel's faction being predominantly white and of Filipino descent and the majority of members who support the Mr. Bulle's faction being predominantly black and brown and of African and Caribbean descent. As detailed below, it is plain and obvious to me that Ms. Pimentel is in conflict with a great number of the members of Local 75 whom she purports to represent in the motions scheduled to be heard by this Honourable Court on January 4 and June 8, 2018.

12. As detailed throughout the Pimentel Affidavit, Local 75's internal conflict, which began shortly after the Local's September 2016 election, has caused the Local to become non-functional on an almost daily basis. Staff members are refusing to speak to other staff members, and many are outwardly attacking each other in the office, in Executive Board meetings which break down into shouting matches, and in membership meetings.

13. Moreover, and as a result of the conflict, the business of the Local has been regularly frustrated for the better part of the year. For example:

- (a) At the membership meeting on April 11, 2017 the monthly financial reports from October 2016 through March 2017, the audited finances for 2016, and the approval of the Executive

Board minutes from January through March 2017 were rejected by the Local's membership. A copy of the minutes from this meeting is included as Exhibit "C" to the Pimentel Affidavit;

- (b) At the monthly Executive Board meeting on May 11, 2017, motions relating to the Local's regular business, including motions to approve the Local's financial transactions, were not carried by a 13-6 vote split. A copy of the minutes from this meeting is included as Exhibit "J" to the Pimentel Affidavit (pp. 311 – 324 of the Plaintiff's Motion Record);
- (c) At the monthly Executive Board meeting on August 3, 2017, motions relating to the Local's regular business, including motions to approve the Local's financial transactions, were not carried by a 14-7 vote split. A copy of the minutes from this meeting is included as Exhibit "E" to the Pimentel Affidavit;
- (d) At the monthly Executive Board meeting on September 13, 2017, motions relating to the Local's regular business, including its financial business, were not carried by a 12-6 vote split. A copy of the minutes from this meeting is included as Exhibit "F" to the Pimentel Affidavit;
- (e) At the monthly Executive Board meeting on October 5, 2017, motions relating to the Local's regular business, including motions to approve the Local's financial transactions, were not carried by a 13-9 vote split. A copy of the minutes from this meeting is included as Exhibit "J" to the Pimentel Affidavit (pp. 355 – 368 of the Plaintiff's Motion Record)
- (f) No motions were passed at the regular monthly Executive Board meeting on November 2, 2017. A copy of the minutes from the November Executive Board meeting is included as Exhibit "G" to the Pimentel Affidavit;
- (g) No motions were passed at the regular monthly Executive Board meeting on December 7, 2017 (see paragraph 49 of the Pimentel Affidavit); and
- (h) Cheques are either not being signed or are delayed in being signed causing the business of the Local to be adversely affected (see paragraph 63 of the Pimentel Affidavit).

14. In addition to Local 75's regular business being frustrated, UNITE HERE has also received over 65 complaints from many individuals between February and December

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2017. Almost all of these complaints relate to allegations of undemocratic practices and racism, discrimination, harassment and bullying. A copy of these complaints is marked as Exhibit "A" to this affidavit.

15. With respect to the complaints alleging undemocratic practices, almost all of them were made by the majority of the Local's Executive Board against Ms. Pimentel. The particulars of these allegations are voluminous and include the following:

1. *July 11, 2017 General Membership Meeting ("GMM")¹*
 - (a) Ms. Pimentel unilaterally booked a meeting room at the Intercontinental Hotel without informing the Executive Board or the Local's Secretary Treasurer and Vice-President.
 - (b) The cost of the room was \$8500, which is significantly greater than the cost of renting the Steelworkers Hall (\$800 plus tax for the entire year) where the Local's previous GMMs were held.
 - (c) Ms. Pimentel selected the Intercontinental Hotel, which is not a Local 75 unionized property, because of its proximity to the Royal York and other hotels to increase membership turnout amongst her supporters.
 - (d) At Ms. Pimentel's direction her supporters were provided printouts of their membership cards with scannable barcodes to ensure their easy entry to the GMM. These printed membership cards were not provided to all members, and the other two officers and the majority of the Executive Board were unaware in advance of the meeting that printed membership cards with scannable barcodes would be used to gain entry.
 - (e) Ms. Pimentel intentionally obstructed and slowed down the entry of hundreds of members to the meeting by creating a chaotic registration process, which her supporters bypassed because they received printed membership cards with scannable barcodes in advance of the meeting. The registration process delayed the meeting's start time by

¹ See Exhibit "A", Complaints #25, 28, 35.

approximately one hour and forty-five minutes and numerous members were deterred from attending the meeting out of frustration with the registration process.

- (f) Ms. Pimentel allowed a Parliamentarian to run and control the GMM in violation of Article IX section 1(a) of the Local's by-laws which states that the President "shall preside at all regular and special membership meetings...".
- (g) The Parliamentarian received at least one written motion which Ms. Pimentel drafted, assisted with drafting, or directed its drafting, in advance of the meeting from an Executive Board member. In contrast, the other two officers and the majority of the Executive Board were unaware that written motions could be submitted to the Parliamentarian in advance of the meeting.
- (h) Members in attendance at the GMM were not provided with documents, including financial statements, prior to any vote. The only individuals who appeared to have any such documents were Ms. Pimentel and the Parliamentarian. Not providing these documents was a departure from the Local's past practice and prevented members from voting in an informed manner.
- (i) Ms. Pimentel orchestrated a premeditated plan with her supporters to reject the motion pertaining to the amicable separation with Local 75's in-house legal counsel.
- (j) Ms. Pimentel allowed the Parliamentarian to run the GMM in an undemocratic manner. In particular:
 - (i) the Parliamentarian allowed members to vote by raising their hands instead of by holding up their vote cards.
 - (ii) when members "called the question" to cut off debate (relating to the trusteeship motion and the amicable separation with Local 75's in-house counsel) the Parliamentarian did not require two-thirds of the voting members to support the motion as required by Robert's Rules and instead allowed a simple majority vote.
- (k) Ms. Pimentel asserted that the scrutineers were neutral and that they volunteered their time. However, at least two of the scrutineers were paid for their services and at least one of the scrutineers is Ms. Pimentel's acquaintance and/or friend.

2. *Hiring Decisions*²

- (l) Ms. Pimentel hired five staff members without the approval or recommendation of the Local's other two officers or the Executive Board in violation of Articles 25 Financial Practices Section 2(a) and (b) of the UNITE HERE Constitution and a motion passed by the Executive Board on August 3, 2017.

3. *Banning the Secretary-Treasurer from Hotels*³

- (m) In August 2017, Ms. Pimentel banned Mr. Bulle from the Royal York, Chelsea Hotel and Holiday Inn Downtown for a period of time without justification. In respect of the Holiday Inn Downtown Ms. Pimentel alleged that Mr. Bulle received sexual favours in exchange for providing employment related opportunities to female staff. At no time did Ms. Pimentel discuss her allegation with Mr. Bulle who denies the allegation. Ms. Pimentel subsequently lifted the ban without providing any explanation or reasoning for doing so.

4. *October 10, 2017 GMM*⁴

- (n) Ms. Pimentel held the GMM at the Westin Harbour Castle Conference Centre in violation of the Executive Board's August 3rd and September 14th motions which reinforced that the Executive Board decides the location of the GMM and decided that the GMM would be held at the Sheraton Centre.
- (o) The costs of the Westin Harbour Castle Conference Centre totalled approximately \$30,000 (the meeting room alone cost \$12,800).
- (p) To avoid holding the GMM at the Sheraton Centre which had a room with capacity for 670 members Ms. Pimentel claimed that a 1000 seat meeting room was required when no previous meeting in the Local's history was ever attended by so many members.
- (q) The GMM was run by the same Parliamentarian who ran the July GMM in violation of the Local's Bylaws.
- (r) All movers and seconders were pre-set for the 30 motions as demonstrated by the GMM's agenda. The other officers and

2 See Exhibit "A", Complaint #35.

3 See Exhibit "A", Complaints #31.

4 See Exhibit "A", Complaints #40, 41, 45, 47.

the majority of the Executive Board were not made aware of these motions nor were they provided with a copy of the agenda in advance of the GMM.

- (s) Ms. Pimentel and her supporters, acting at her direction, introduced several motions to disempower the Executive Board without first bringing such motions to the Executive Board, particularly those impacting the Local's finances. In particular, the following motions were passed:
 - (i) to increase Local 75's retainer with Koskie Minsky LLP by \$50,000 to defend the Local and its President against the various complaints filed by the members of the Executive Board and to deal with other general legal matters required by the Local as authorized by the President (z).
 - (ii) to approve the expenditure of up to \$200,000 from the Education Fund, to support training opportunities for rank-and-file members, including leave of absence organizing, at the discretion of the President (ddii).
 - (iii) to approve the additional expenditure of up to \$300,000 from the General Fund reserves to fund any aspect of the upcoming 2018 fight, including organizing, research, campaigning, political work, etc. (ddiv).
 - (iv) to move any and all International Union organizers assigned to Local 75 to the Local 75 payroll at the President's discretion (ddv).
 - (v) to change Local 75's policy regarding payment of lost time for attendance at Executive Board meetings to exclude lost gratuities (x).
 - (vi) to reimburse Solidarity Committee members for attendance at monthly Solidarity Committee meetings for any lost time and lost gratuities (ddiii).
 - (vii) to disapprove of and reject the positions taken by the Local 75 Secretary Treasurer and 13 Executive Board members in their letter dated October 4, 2017 (q).

5. *November 2, 2017 Executive Board Meeting*⁵

5 See Exhibit "A", Complaints #54, 55.

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- (t) Ms. Pimentel invited the members of the Solidarity Committee, many of whom were newly appointed, to attend the meeting despite an Executive Board motion requiring the Executive Board to meet separately from the Solidarity Committee when discussing the Local's business affairs.
 - (u) Ms. Pimentel allowed individuals to repeatedly disrupt the meeting and insult the International and its representatives. When the majority of the Executive Board left the meeting in protest, several individuals chanted "election, election, election" and Ms. Pimentel did nothing to stop this behaviour.
 - (v) The meeting did not address issues pertaining to 2018 bargaining. It focussed solely on the Local's internal political dispute.
 - (w) Ms. Pimentel filled vacancies for an Executive Board position and a Trustee position with two individuals without the approval of the Executive Board and in spite of the Executive Board denying Ms. Pimentel's previous motion to appoint these same individuals at the October 5, 2017 Executive Board meeting.

16. The many complaints relating to racism, discrimination, harassment and bullying are particularly troubling and cause me great concern.⁶ As previously noted, members of UNITE HERE, including Local 75, are predominantly women and people of colour. The fact that so many of these complaints allege that black leaders and staff are treated unfairly, differently and/or in a disrespectful manner is, simply put, disturbing to say the least.

17. Finally, and as detailed in the Pimentel Affidavit between paragraphs 61 and 66, the conflict and deep divisions within the Local are rapidly escalating. On October 2, 2017, charges were filed against Mr. Bulle, the elected Secretary-Treasurer, and another member of the Executive Board, Yosief Ogbasellasi. Ms. Pimentel appointed a trial board

⁶ See Exhibit "A", Complaints #4, 5, 6, 7, 9, 11, 12, 13, 15, 16, 17, 20, 21, 22, 24, 30, 33, 34, 37, 39, 44, 49, 51, 56, 58, 60, 61, 62.

(and selected its members) to hear these charges on November 14 and December 1 and the trial board concluded that both Mr. Bulle and Mr. Ogbasellasié contravened UNITE HERE's Constitution. The trial board further concluded that Mr. Bulle should be removed from office.

18. More recent events highlighting the chaos, dysfunction and bitter internal conflict in Local 75 are detailed below in the section describing recent events.

UNITE HERE'S Efforts to Avoid a Trusteeship

19. Over the past year senior leaders in UNITE HERE have been working tirelessly to address and resolve the internal conflict in Local 75. The International has also expended significant financial resources to deal with the Local's bitter infighting.

20. For example, I travelled to Toronto in December 2016 and again in February and April 2017. On each occasion, I met with the Local's officers, leaders and Executive Board members with the aim of assisting them and convincing both factions to resolve their differences. I also met with the Local's officers and leaders in the United States on numerous occasions throughout the year. Time and time again I made it clear that the Local's conflict and the resulting chaos severely threatens the Local's continuity and the ability of the Local and the International to effectively bargain on behalf of its members in 2018, when the collective agreements with nearly every hotel company with which Local 75 and most other UNITE HERE local unions have an agreement are all set to expire.

21. In addition, I assigned Scott Cooper, UNITE HERE's Director of Operations, to work with the Local's leadership to help them resolve their conflict and to help them focus

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on the upcoming 2018 bargaining. Between February and May 2017, Mr. Cooper made five trips to Toronto.

22. Unfortunately, during this time period, the divisions and infighting within the Local only intensified.

23. As detailed in the Pimentel Affidavit, after the April 11, 2017 general membership meeting, where the members voted down all the regular business of the Local, I travelled to Toronto to meet with Ms. Pimentel (and others in the Local). During our meeting I advised Ms. Pimentel that a majority of the members of the Executive Board had signed a letter asking UNITE HERE to place Local 75 in trusteeship. At this point in time I did not believe that a trusteeship was appropriate and in the best interests of the Local and UNITE HERE.

24. Accordingly, I encouraged Ms. Pimentel, and then Mr. Bulle, to agree to a voluntary supervision under Article 4, Section 7 of UNITE HERE's Constitution, which states as follows:

If in the opinion of the Executive Committee, an affiliate is at risk for government intervention, possible trusteeship, loss of financial viability, loss of jurisdiction, inability to enforce collective bargaining agreements or inability to organize due to organizational or financial inexperience, inattention or incompetence, the Executive Committee may impose supervision of the affiliate, upon written notice to the affiliate detailing the reason(s) therefore. It may in these circumstances appoint a Supervisor for a period of up to twelve (12) months, unless extended by a three-quarter (3/4) vote of the Executive Committee, who shall be a member in good standing of UNITE HERE. The by-laws of the affiliate shall not be suspended and its officers shall remain in office, but the Supervisor shall be given access to all books, records and meetings of the affiliate, including its dealings with

employers and trust funds, to the extent relevant to the scope of his or her mandate. The Supervisor shall report to the Executive Committee, as well as the affiliate, on the financial and organizational conditions and prospects for the affiliate and give recommendations for improvements, including recommending the commencement of trusteeship proceedings in accordance with this Article. (emphasis added)

25. Both factions agreed to a voluntary supervision.

26. Subsequently on May 18, 2017 the Executive Committee of UNITE HERE adopted a resolution placing Local 75 under supervision and appointing Mike Casey, a senior leader in UNITE HERE, to be the supervisor. The text of the resolution states as follows:

Political instability in Local 75 has reached a critical point. The Executive Board is not cooperating with the President and refuses to approve any expenditure the President proposes to make. Members of the Executive Board have filed internal charges against the President alleging that she has prevented the Executive Board from making motions at its meetings, in addition to other things. There are other charges and countercharges of racism, favoritism and inadequate performance.

President Taylor has attempted to reconcile these differences so that Local 75 can resume normal operations but he has determined that correcting the existing disarray will require significantly more time than he can devote. A majority of the Executive Board has called for a trusteeship but the President is not in agreement. The President of Local 75 has requested that [sic] a supervisor (albeit by "mutual agreement"). Clearly, everyone in authority at Local 75 recognized that the present situation cannot continue without extreme jeopardy to the interests of our members. Therefore, President Taylor recommends placing Local 75 under supervision with Mike Casey as the supervisor.

THEREFORE, THE EXECUTIVE COMMITTEE OF UNITE HERE resolves to place Local 75 under supervision for three months and appoint Mike Casey to be the supervisor, subject to earlier termination if Brother Casey reports that Local 75 has been restored to sound administration.

A copy of the Executive Committee's resolution is marked as Exhibit "B" to this affidavit.

A copy of the memorandum announcing a supervision of Local 75 is marked as Exhibit "C" to this affidavit.

27. UNITE HERE's supervision of Local 75 started at the end of May and lasted for three months. During the supervision, Mr. Casey travelled to Toronto on ten occasions, where he met with members, staff and rank and file leaders during his visits, which lasted between 2 and 4 days each time. A copy of Mr. Casey's supervision report ("Report") dated September 5, 2017, which details Local 75's internal conflict and his efforts at resolving it, is marked as Exhibit "D" to this affidavit.

28. For a very brief period in early July it appeared that Local 75's internal conflict was finally waning. As described at page 4 of Mr. Casey's Report:

On July 5, Nuredin [Mr. Bulle], Valrie [Ms. Lue] and I spent over six and a half hours in a meeting with two Executive Board leaders (representing the rest of the majority) to see if *sic* it was possible to break the deadlocked business of the board. It was a successful meeting. The next day the Executive Board met. Lis [Ms. Pimentel] distributed a memo memorializing her commitments to the board. By the conclusion of the five hour meeting, the Executive Board had passed all outstanding business from several previous months including the most recent month's minutes and financial reports. Good will and relief was expressed from both sides.

A copy of Ms. Pimentel's memorandum dated July 5, 2017 is marked as Exhibit "E" to this affidavit. A copy of the suspended petition referenced in Ms. Pimentel's July 5th memorandum is marked as Exhibit "F" to this affidavit.

29. Regrettably, Local 75's internal conflict did not wane and matters only worsened immediately after the July 6th Executive Board meeting and the July 11th general membership meeting.

30. Many of the disputes within Local 75 related to competing interpretations of the Local's Bylaws. Particularly controversial were questions about whether the Local's President could hire and fire employees without the approval of the Executive Board, whether certain expenses were "non-routine" requiring Executive Board approval, and whether the Executive Board had the authority to set policies about where union meetings would be held. In an attempt to resolve these disputes, and with the hope of preventing any further escalation, I provided an interpretation of the Local's Bylaws to Ms. Pimentel and Mr. Bulle. A copy of my interpretation of Local 75's Bylaws is marked as Exhibit "G" to this affidavit.

31. I also recently assigned Bill Granfield, another senior leader in UNITE HERE, to oversee the International's staff based in Toronto. I did this in part to prepare the International's staff for the upcoming 2018 hotel negotiations and also to address several complaints that the International's staff were involving themselves in the Local's internal politics. Mr. Granfield has been working in this role since early October.

32. Finally, in addition to assigning senior leaders in UNITE HERE to assist Local 75 with its internal conflict, I also authorized two investigations – one focussed on the allegations of undemocratic practices and the other focussed on the allegations of systemic racism and discrimination -- to address many of the 67 complaints that UNITE HERE received between February and December 2017. Both of these investigations,

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which are being conducted by separate lawyers, commenced in October and both of them are ongoing.

33. Despite all of the above efforts, Local 75's debilitating internal conflict has raged on for more than a year and, for far too long, the situation has only worsened with every passing day.

Trusteeship Decision

34. On December 6, 2017, UNITE HERE's 20 member Executive Committee met in executive session to discuss matters pertaining to Local 75. After a serious and lengthy discussion, the Executive Committee unanimously voted to impose a trusteeship at Local 75 on a future date to be decided at my discretion, and in response to a request from the Local 75 elected Executive Board, pursuant to Article 4, Section 3 of UNITE HERE's Constitution, which states as follows:

When, in the opinion of the tree-quarter (3/4) of the Executive Committee, excluding the Executive Vice President in whose representational council the affiliate subject to trusteeship belongs, any delay would pose a clear and immediate threat to the affiliate, or where the executive board of the affiliate requests the imposition of a trusteeship, a Trustee who is a member in good standing of UNITE HERE may temporarily take charge and control of the affairs and property of such affiliate, with all the powers set forth in Article 4, Section 5, prior to a hearing (which shall be scheduled promptly and may not be delayed by UNITE HERE) but after service of such notice of charges. (emphasis added)

A copy of the Executive Committee's unanimous decision imposing a trusteeship is included in the Pimentel Affidavit as Exhibit "H".

35. A copy of Local 75's elected Executive Board's request for UNITE HERE to impose a trusteeship is marked as Exhibit "H". The request was signed by 17 members of the Executive Board between April 20 and May 1, 2017. The elected Executive Board has never rescinded this request.

36. UNITE HERE's decision to impose a trusteeship was not made lightly. I am well aware that under UNITE HERE's Constitution, a trusteeship can only be imposed as a last resort. As set out above, UNITE HERE took many steps, including placing the Local in a voluntary supervision, before it made its trusteeship decision. Unfortunately, we have reached this point and no other option but a trusteeship exists.

37. To be clear, UNITE HERE's decision to impose a trusteeship was made solely because of the year-long bitter conflict between the two factions in the Local, which has caused the Local to become non-functional.⁷ A majority of the elected Executive Board and the Local's elected Secretary-Treasurer and Vice President are at odds with the Local's President and a minority of the elected Executive Board. This conflict has frustrated the Local's regular business and has caused cheques not to be signed. It has also exposed divisions along racial and ethnic lines and has led to staff members refusing to speak to other staff members and others outwardly attacking each other in Local 75's office, in Executive Board meetings which break down into shouting matches, and in membership meetings. A trusteeship is also necessary to restore democratic procedures in Local 75.

⁷ The decision had nothing to do with any supposed controversy between Local 75 and UNITE HERE or Ms. Pimentel and myself as suggested in the Pimentel Affidavit at paragraphs 16 through 21. Her assertions in paragraphs 19 and 20 are incorrect, but they are also irrelevant and therefore do not warrant a response.

38. Also of significance is that Local 75's conflict severely threatens the wages, benefits and terms and conditions of employment of virtually every member of UNITE HERE and its affiliated local unions. Specifically, the conflict threatens the ability of UNITE HERE and every one of its locals to bargain on behalf of its members for good contracts in 2018. In 2018, the collective agreements with every hotel company with which Local 75 and most other UNITE HERE locals have an agreement are all set to expire. The contracts in Toronto are the first to expire, so that the fight begins in Toronto. Those include the Fairmont and Delta hotels as well as others which are part of chains with which many other locals in Canada and the United States have collective agreements. Should Local 75 continue to be in total disarray, as it will be without a trusteeship, it and UNITE HERE will be at a grave disadvantage against these companies from the outset – in Toronto and everywhere else. This is a disadvantage that could not be regained at a later date. A copy of a UNITE HERE presentation relating to the upcoming 2018 bargaining is marked as Exhibit "I" to this affidavit.

Recent Events: More Chaos, Dysfunction and Bitter Internal Conflict

39. After circulating the UNITE HERE Executive Committee's December 6, 2017 trusteeship decision to Local 75's Executive Board, I directed Ms. Pimentel to attend a meeting in Chicago on December 12th. Ms. Pimentel attended the meeting with David Sanders, who is an Organizing Director employed by the International, assigned to Local 75.

40. We did not begin our meeting until late in the evening. I asked Ms. Pimentel and Mr. Sanders whether they intended to cooperate with the trusteeship or whether they

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would oppose it. I had hoped that they would agree to cooperate in which case we could discuss and negotiate terms of the trusteeship in due course. Ms. Pimentel advised that she would not agree to a voluntary trusteeship unless certain conditions were agreed to in advance as set out at paragraph 57 of the Pimentel Affidavit. I explained that it was premature to discuss specific terms before I knew whether or not they would cooperate. I did note, however, that a trusteeship would not prevent the Local from seating delegates at the next International Union Convention. Our meeting ended so that Ms. Pimentel and Mr. Sanders could reflect upon our conversation.

41. Less than two full days later, on December 14th, Ms. Pimentel called a special meeting of the Executive Board with less than 24 hours' notice.⁸ At this meeting Ms. Pimentel purged her opposition under dubious circumstances by announcing that she had removed 12 members of the Executive Board who were aligned with Mr. Bulle's faction and she recommended filling the vacant positions with 12 new members she had selected, which the remaining Executive Board members who are aligned in interest with Ms. Pimentel accepted. The new Executive Board, half of whom are not elected, then approved the trial board's decision (the trial board that had been selected by Ms. Pimentel) to remove Mr. Bulle, the elected Secretary-Treasurer, from office. The new Executive Board then passed a motion to oppose any trusteeship. Ms. Pimentel subsequently proposed an amendment to the Local's Bylaws to hold an election for the Local's officers and Executive Board members in March 2018, right in the middle of UNITE HERE's crucial negotiations with the hotel sector. I note that Ms. Pimentel had previously raised with me the prospect of amending the Local's Bylaws to allow for an

8 See Exhibit "A", Complaint #64 at p. 6 of 17.

early election towards the beginning of 2018 and I had advised her that such an option was unacceptable. Leaving aside the wisdom of holding contentious elections in the middle of the upcoming crucial negotiations, I had advised Ms. Pimentel that Local 75 is unable to hold fair elections in early 2018 for the reasons set out in my affidavit describing the Local's chaos, dysfunction and bitter internal conflict.

42. Following the December 14th meeting (and the same day this motion for an injunction was served) Ms. Pimentel closed the office and had the locks changed. I have reviewed the affidavit of Valrie Lue sworn on December 18, 2017 and I am aware that she has been denied entry into the office despite being the elected Vice-President of the Local. I have also reviewed the affidavit of Monica McKenzie sworn on December 18, 2017 and I am aware that despite the Local's communication that the office was closed to everyone, some individuals have been allowed to enter.

43. UNITE HERE has received various complaints relating to Ms. Pimentel's recent actions.⁹

44. On December 19th, I convened a call with UNITE HERE's General Executive Board to celebrate the International's accomplishments in 2017 and to provide a detailed report of the events occurring in Toronto. During this call I made it clear that there would need to be a coordinated and unified effort for a successful intervention in Local 75. I also made it clear that all communication with Local 75 had to go through me to avoid any miscommunication or complications. Finally, I advised that locals should not send any staff members or provide financial resources to Local 75 until matters are resolved. In

⁹ See Exhibit "A", Complaints #63, 64, 65, 66.

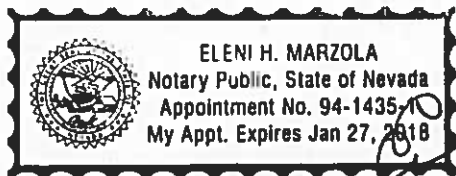
order to make clear the importance of the need for a single, coordinated plan from the International, I advised that any local that improperly involves itself in this dispute would be in jeopardy of losing future UNITE HERE resources.

45. I swear this affidavit in response to the Plaintiff's motion for an injunction in this proceeding and for no other improper purpose.

SWORN BEFORE ME at the City of *Las Vegas*
in the State of *Nevada* on December
..30....., 2017

Eleni H. Marzola
Commissioner for Taking Affidavits
(or as may be)

Donald Taylor
DONALD TAYLOR



**LISABETH PIMENTEL on her own behalf and on behalf of
all members of LOCAL 75 UNITE HERE
Plaintiffs**

-and-

**DONALD TAYLOR on his own behalf and on behalf of the
members of UNITE HERE (INTERNATIONAL)
Defendants**

Court File No. CV-17-588225

**ONTARIO
SUPERIOR COURT OF JUSTICE
PROCEEDING COMMENCED AT
TORONTO**

AFFIDAVIT OF DONALD TAYLOR

**CAVALLUZZO LLP
474 Bathurst Street, Suite 300
Toronto ON M5T 2S6**

**Michael D. Wright, LSUC# 32522T
Elitchai Shaffir, LSUC# 55370S
Tel: 416-964-1115
Fax: 416-964-5895**


Lawyers for the Defendants

{C2082583.1}

This is Exhibit "A" referred to in the Affidavit of Donald Taylor
sworn December, 2017

Commissioner for Taking Affidavits (or as may be)

{C2078541.1}





COMPLAINT 1

To: Peter Ward, Recording Secretary
Unite Here Headquarters
275 7th Avenue
New York, NY
10001-6708

Charges

Date : February 8, 2017

1) Knowingly Violating Provisions of Unite Here By-Laws and Unite Here International Constitution

On November 21st, 2016 at a Special Executive Board Meeting, The President of Unite Here Local 75, Lis Pimentel, has violated Article 16 Section 1 (a) and (c) of the International Constitution by knowingly not allowing the Executive Board to govern the Union as stated within the Local 75 Bylaws under Article IX Section 5 (a) and inconsistent with the Local 75 pattern of conducting business in the past. The President "Lis Pimentel", has refused at "three separate" Executive Board meetings to allow any motions from the members of the Executive Board.

On December 1st, 2016 at an Executive Board Meeting, after a Legal opinion from the International Union, The president "Lis Pimetel" again violated the same provisions by refusing a motion from Brother "Habtom Ogbamichael" relating to the motions she previously refused:

- (a) To conduct a full investigation into the termination of Jennifer Chotalal by the local Union as the Board is Concerned both financially and its reputation of the allegation made by Jennifer and the Possible "Conflict of Interest" or the "Appearance of Conflict of Interest" given the relationship of the president in the matter.
- (b) To confirm that all hiring, terminations, promotions and demotions supported by a majority vote of the Executive Board members " The Governing Body of the Union" as the board is concerned and wants to run a democratic Local Union.
- (c) That the Executive Board Members meet without any Solidarity Committee, Staff and Guests until a resolution has been passed to change it back.

On February 2nd, 2017 at an Executive Board Meeting, The President has "Again" refused to even hear a motion from a member of the Executive Board member to question her retaliation against Valrie Lue who is a staff, member of the Executive Board and The Vice President of Unite Here Local 75.



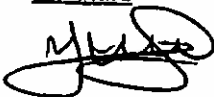
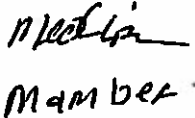
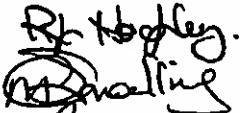
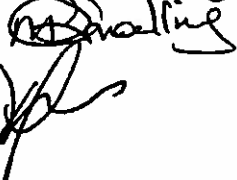

The President has stated at every meeting that the motions are "illegal" and "Out of Order" and that "She" alone decides what motions go forward for debate or can even be seconded.

2) The President Violated the International Constitution Article 24 – Bill of Rights – Section 2 (a); which clearly states:

No officer, affiliate or member may be discriminated or retaliated against, or in any way disadvantaged, by UNITE HERE as a result of: (a) opposition to or criticism of the decisions, actions or policies of UNITE HERE or any of its international officers;

Valrie Lue exercised her fundamental right under the constitution of both the International Union and Canadian Charter of rights to express herself. Valrie Lue spoke in front of the Executive Board of Local 75 after the President of the International Union D. Taylor asked everyone to express themselves and was disciplined for doing that. Valrie Lue lost her position as a Lead Organizer and her salary was reduced.

CC: D. Taylor, President
CC: Gwen Mills, Secretary Treasurer

Name	Signature	Date
1 - Habtom Ogbamichael Local 75 Exec Board Member		02-09-2017
2 - MLEDHINA GHEBRE LOCAL 75 EXEC BOARD MEMBER		02-09-2017
3. RIK HOCKLEY LOCAL 75 EXEC BOARD		Feb 9 TH /17 Feb 9, 2017
④ Christine Smalling Local 75 Exec Board Member Local 75 Exec Board Member		Feb 9, 2017
6) Kayann Drummond Exec Board Member Local 75		Feb 9, 2017



COMPLAINT 2



From: Habtom O. <habogba@hotmail.com>
Date: April 4, 2017 at 8:08:16 PM PDT
To: "dtaylor@unitehere.org" <dtaylor@unitehere.org>
Subject: Re : CHARGES AGAINST LIS PIMENTEL

Dear Brother D. Taylor

The following attachments are the copies of the letter that we sent to Brother Peter Ward.

In Solidarity,

Habtom Ogbamichael
Executive Board Member of Unite Here Local 75

Thursday March 30, 2017

Re: Charges against Lis Pimentel

Dear Brother Peter Ward,

Thank you for the update.

Pursuant to the Unite Here constitution, which we are firm believers of as members and leaders, DO NOT want to deviate from the constitution.

We strongly disagree with Mr. Lebi's request.

We are also very concerned that sister Lis Pimentel is using the same law firm and lawyer who are retained by Unite Here Local 75 to advise and assist in our union matters.

We believe this to be a Collusion and Conflict of Interest.

Sister Lis Pimentel should not be using the same law firm retained by Unire Here Local 75 in this matter.

In Solidarity,

 03-30-2017
Habtom Ogbamichael

 03-30-2017
Medhin Ghibre

Rick Hockley. 3/30/17

Rick Hockley

Christine Smalling. 3/30/2017

Christine Smalling

Llyod Manning

Llyod Manning. 3/30/17

Kayann Drummond. 3/30/17.

Kayann Drummond

COMPLAINT 3

Begin forwarded message:

From: Grace Guanzon <gracef75@yahoo.ca>

Date: April 15, 2017 at 9:55:38 AM PDT

To: President Dean Taylor <dtaylor@unitehere.org>, "dtaylor@unitehere.org" <dtaylor@unitehere.org>

Reply-To: Grace Guanzon <gracef75@yahoo.ca>

Dear Mr. D. R. Taylor, President:

I would like to introduce myself, I'm Miss Grace Guanzon, room attendant, 2 years shop steward at Fairmont Royal York Hotel here in Toronto, Canada, I'm proud to say a member of Unite Here Local 75 for 25 years.

On April 11, 2017, is the general membership meeting of the local, apparently, my organizer never remind us about the said meeting. No posted reminder in our UNION board at the workplace. After my shift, I heard from other department that they are going to the meeting, and therefore, I went and encourage the rest of the room attendant to come. When we got the place at 25 Cecil Street, I was amazed because my organizer MAHEN KRISHNAMORTHY, was there and giving rides to the room attendant, but only for the black members. This is very sad to know that this is happening in my local. Every general membership meeting Mahen and Nuredin always remind me, but this time, they never, never never remind myself. Why? those are the questions and answered.

Looking back what happened on that day is very much shameful and disappointed, they used the members to speak up for their personal interest. I would like to remind each organizers that we ROOM ATTENDANT CLEANING 15 TOILETS FOR 8 HOURS a day for 5 days.....to pay their salaries through our UNION DUES, therefore, organizers should work hard and to serve the workers. They should promote the program of the local on the property.

One thing to share with you Mr. President, on the next day, which was April 12, 2017 is the SHORT TERM RENTAL hearing to regular airbnb at the City Hall, so I'm wondering, where is the rest of the members, who showed up during the general membership meeting. Where are they? SHAME ON THEM!!

REMINDER April 17, 2017, is the open period of FAIRMONT ROYAL YORK HOTEL, and yet they are busy to destabilized the local. SHAME ON THEM.

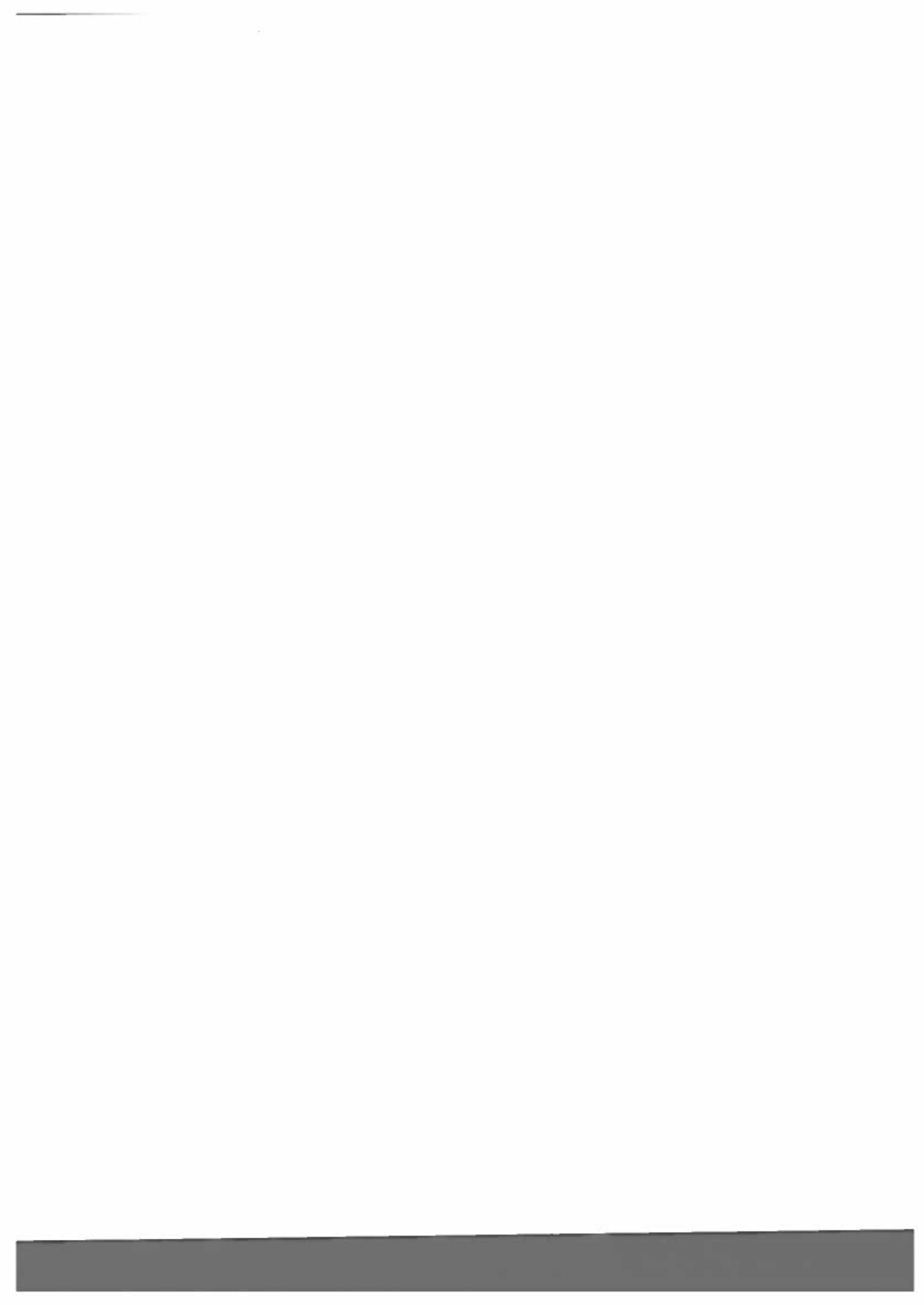
Majority of the Fairmont Royal York Hotel workers, condemning the actions of those organizers last general membership meeting. We don't need toxic information. We Fairmont Royal York Hotel workers supporting the program of Local 75 under the leadership of MS. LIS PIMENTEL, President of the UNITE HERE LOCAL 75.

Grace Guanzon
Shop Steward
Room Attendant
Fairmont Royal York Hotel



COMPLAINT 4





From Nuradin Bulle

Unite Here Local 75

To D. Taylor

President of Unite Here

The past several months I have been disrespected, discriminated against and humiliated at the office.

Liz took away my staff director position in November, 2016 without informing me. I use to run our staff meetings since 2012. On one occasion, I started running the staff meeting and she openly humiliated me in front of the entire staff by cutting me off while I was speaking and running it herself. I use to sit on one end of the table when I ran them and she sat down and David took the other end of the table. This entire situation was hard for my staff to watch. I told them don't worry things will get better but they got worse.

In November Jennifer was fired, I wasn't informed of the termination. I am a staff director. I wasn't involved in the investigation. To my surprise, Jennifer called me in as a witness by walking into my office because Lis was terminating her and Lis had JJ and Shelli present as her witnesses. I saw Jennifer crying, I was overwhelmed I walked outside. While I was downstairs in the building talking to Najeb who works for labour council, Jennifer was walking towards us crying. Najib asked what happened, I told him she got fired today. She was shaking and disoriented. While she was walking and Najeb suggested not to leave her alone to drive or to get her taxi. So I walked out with her towards my car and she stopped crying and I asked her if she wants taxi. She said let me call my boyfriend, who also worked in the building. I waited with her and then he came. It was the inhuman thing to do. I was informed that some staff took pictures of me like I am a criminal as I walked her outside and they sent to JJ. Some of the other staff was also taking my pictures from inside the building, including Lis. The E-board asked me what happened to Jennifer why she was fired. I replied I don't know.

Jay Yerex was on my team and he was removed from my team in November 2016 and put under Allen pace- to move him from under my structure to Allan's before I was even informed, Jay was informed that he was no longer under my structure by Jorge.

I was not informed or consulted of any of the people that were hired, Rafunzel Teferi, David Anderson and Milton. I was not consulted when Jennifer was fired. Every time someone gets I don't get informed, I don't know and its embarrassing.

In December 2016 after our meeting with D. Taylor, Lis demoted Valerie and Solomon and cut their pay without informing them she was cutting their salary. Lis told Valerie was demoted for speaking against her in front of D. Taylor. I was not present at Solomon and Valerie grievance meeting. I use to always be present at those meetings instead Lis and David were present at the meeting. I should have been there. Prior to the election, I was included in the process.

Suddenly in January 2017, marc Hollin and frank Piserchia were attending cabinet meetings with us. I asked lis and David separate from the meeting-what about Guled? But I was ignored. Guled was denied Director Position unjustly. The cabinet meetings are not genuine meetings, they only pick one me and make me feel meetings. Previously there was a plan for Guled to become an organizing director. This was discussed before the election. Guled has 3 organizer under him (one community organizer). He has proven himself in his capacity to lead. In October david aproched Guled separately and told him he would make him a Director if he works for him. Guled asked what about Nuerdin? David said don't worry about Nuerdin. Nuerdin will only be secretary treasurer. Guled said it's not fair to Nuerdin. I will become Director when the organization and the people (workers) need me not only when you need me. David told him not to tell Nuerdin.

Also in October Jorge (legal counsel) invited Yosief (now trustee and former long term executive board member) for dinner and told Yosief that Nuerdin is no longer a staff director, and he is not going to be working with you guys directly. Then Yosief asked who is? Jorge said david sanders will do that. Then Yosief said that look David has non-union that's external responsibility and good sevice, and he cannot do all. I disagree with the plan and he was mad about that. Yosief called me immediately and he asked me if I knew about it. I said no, but Guled told me the same thing, Davids intention to remove me.

Earlier this year, Lis told all the local staff that they need to do weekly timesheets these are timesheets that need to be signed by both lead and staff member. spoke up against the timesheet in a staff meeting. Cornetta said that she came from the hotel where they fought against this in the hotel and asked why are you bringing it here. She said it feels like we are going back to slavery. She said this is what we fought companies against and now you are bringing it here. Lis said that this was because of bad behaviour from some staff. And she said more bad behaviour more policies, as if we are little kids. As a staff director, I also have to submit the timesheets

On February 8, Lis sent me an email saying that I didn't submit my timesheet and that she wants to meet me to discuss discipline and she said I could being a witness. I am the staff director, this is the kind of humiliation I have to put up with.

Lis took away all my decision making abilities. I repeatedly ask for LOA'S and she keep saying they need to do a 2 day training, but david gets LOA'S whenever he wants. Some of them without doing a two day training. I am not objecting to the 2 day training, but I have a lot of leaders who have completed the 2 day training multiple times and are supposed to be on LOA. When I request LOA, I am not given one

I feel very disrespected in the office. I see noticeable attitude from a lot of staff particularly from white staff. This is being encouraged by Liz and david. Staff stopped saying hell to me. One person on staff told me I should be careful talking to you because they go crazy. There is racial divide in the office and its being encouraged.

On april 12 the day following the General membership meetings, w had a leads meeting. People there were Lis, David frank, JJ, marc, Shelli, Pedro, Dee, Allen Guled and me. Nadia came in few minutes late. Right when the meeting started. Liz said lets debrief about yesterday. She and david come in angry. David said I will start, I want to hear from Nuerdin and Guled. Then Guled said, I want to hear from David, then David said I asked you first and this went back and forth a little, Lis and David accused me and Guled of organizing the workers to come to the GMM. Guled said don't point fingers- this happened because your e-board is mad at you, they are not happy with the way you lead the union. He said they are elected officials, you have a crisis, you should meet with them. He said you should house visit them, meet with them. Frank got very agitated and kept saying-are you suggesting the

president house visit the e-board ? that is a big no no, he said this many times saying this is not appropriate. I said Frank what are you talking about? Paul use to house visit me when I was on the e-board.

Frank also started talking about having respect for the chair (president). Then Nadia stated yelling at me and Guled. She was sitting right beside me and looking at me and said - "who the fuck do you guys think you are? who are you people? You guys walk into the office with your head held up high all confident and smiling? Who the fuck do you think you are?"

I made eye contact with Lis to at least stop her, but in fact, Lis was smirking while Nadia was yelling. I told her don't use that language with me. She refused and kept yelling. I said we are human Nadia, so we should walk with our heads bowed down because we are black? Is that what you expect from us in this office, to walk with our heads down? And then she said you guys are dividing the food service.

When Nadia was yelling, Shelli got upset and couldn't take it anymore so she said, how is it okay for her to speak to him like that and nobody is going to say anything? He's elected officer? That is so disrespectful.

And nobody else said a word to stop Nadia. This behaviour was encouraged by Liz and David by staying silent. The only people to speak up in the meeting were three people of colour.

Then David said should we move on the next piece of business? And Shelli said no this has been brewing for a long time and if you care about the members like you all claim to you're going to want to resolve this. for the first time we are actually discussing it, I think we should continue discussing it. FRand said this in not something you just sprinkle some water on and it goes away and Shelli said I am not suggesting that frank but what I am saying is its either going to get worse or better and we are actually for one have the discussion we should keep talking

JJ asked both me and Guled when this divide started for us. Guled talked about whit privilege in the office and how white staff are treated differently than people with color., example he said you demoted Valarie and soloman where are they? Nadia, she can walk in any time she wants, she can go anytime she wants, still is here, no pay cut

I said look JJ and I mean this in the most respectful way possible, but why are you singling us out? We are here, we don't have a voice. Look how we have been treated here. If I need an LOA, I cant get an LOA- if David needs an LOA, he gets it. What voice do I have here as a staff director? I use to run meetings now we are being suggested. It feels like we are racially divided, we don't have a voice. I said look I work with most of you over 10 years if you don't know be by now you are not a good organizers. You assume all there things about me all of a sudden.

I told them, I look my son-most of his friends are in jail or dead, and he is subject to racial discrimination. My kids believe in racism exists. One thing, I strongly tell my kids is that my job is to fight racism and to make it better for them. But what I witness in my own organization, it is killing me alive. I didn't expect to feel what my son feels in this office at this point I broke down and got emotional and couldn't tacit so I left

I have felt so disrespected and way Nadia spoke to me and only the people of colour spoke up against it. I felt humiliated and much disrespected.

Today on April 18 lis was not in the staff meeting. David was very late so I started the staff meeting. I use to run them all the time. JJ walked into the room and saw that I am running the staff meeting and she walked out. Both her and Marc did not attend and unusually they do

This shows you what I am facing on a daily basis in the office. When I leave the office, we fight injustice on a daily basis against the companies. I question myself lately, I am fighting this against the company, how am I going to take this racism and humiliation and discrimination in my own union. If the membership knows what I am going through as the workers leaders, are they taking it lightly? This is my world

I have many, many more examples, but I will leave it at this for now, and I am urging you to intervening in this serious matter as soon as possible

Sincerely



April 18-2017

Nuradin Bulle

COMPLAINT 5



May 1, 2017

Mr. D Taylor

President

UNITEHERE

Dear Sir,

Subject: **URGENT**

I am Mahen Krishnamoorthy a UNITEHERE Local 75 Organizer writing this letter with sadness and fear. I felt this kind of fear in my birth country Sri Lanka when I and my family faced death during genocide killing in 1983. My mind at that time was like when and how they going to kill me and my family. I was blank and helpless. We have to leave our house and ran to save our life. I was so lucky to be alive. It was cruel. I left the country and came to Canada and settled with my wife for better and dignity.

That discrimination, racism and anger in my birth country made me to involve in changing the people's lives for better in Canada. I joined the UNITEHERE Local 75 movement in 1996. While working at the Chelsea hotel I became active in the Union. During this time the hotel suspended me many times. One of the suspension was that I led a group of 70 co-workers to wear a Union button with red ribbon on to support the world aids conference held in Toronto. Another suspension was for leading another group of 35 workers who squatted on the floor and refuse to work demanding a contract in 2002. In 2006 indefinite suspension again. Those are few of many. I was constantly harassed bullied discriminated and threatened to terminate by hotel management. I had 2 small kids then and I was the only bread winner in the family but I was not afraid because I knew I was doing the right thing then. I had my Union leaders behind me.

In 2009 I became a staff after many years of volunteer. I was one of the main staff in organizing Park Hyatt and Strathcona hotel to our Union. In 2010 I led the Chelsea hotel to a successful strike along with Nuredin that set the city standard during recession time. In 2011, I was assigned Fairmont Royal York hotel. Me along with Nuredin organized all the workers and stopped the decertification. There is no longer threat from those negative people anymore. There was 300 grievances in Royal York when we took charge and we settled almost all of them through delegation and at no cost to the Union. Currently there is not much grievances from royal york. I was able to be part of the above mentioned fights because of our leadership support and the respect one another in the staff.

But unfortunately the current leaders Lis and David have different approach. They don't involve us in any decision making. They never listen or consult with us. They make us feel not worth. These 2 leaders treat black organizers with insults and humiliation. I was promoted to leads training position and suddenly I was taken out and that position was given to junior privilege white organizer. I have proven track record in organizing all regardless of race and color. Another day in the office I felt uneasy when I heard an organizer saying "Those black organizers". When i complained to Lis and David, instead of receiving a warning he gets a promotion as Lead. He is junior to me in seniority. What kind of message is this? I see in the office black organizers get demoted and new white organizers get promoted. Monica got a termination after your 2nd Toronto visit. I was targeted at the Royal York after your 1st visit. May be they both getting ready to eliminate all black organizers? I may be next. It is hard to believe these kind

racist discrimination happening in a Union. I would like to mention the character of Lis towards me, last December Royal York hotel Chef uttered some discriminative language towards a senior cook who was planning to retire soon. I took it up with the top management and settled with \$ 75,000 plus 1 year health and welfare benefits. This is the largest settlement ever won without filing a grievance in the history of Local 75. I informed Lis about this victory thinking she will appreciate me for a good job instead I was warned not to settle anything in future without her approval. But on many occasions when other white organizers talk about their normal victories she always appreciate them. This clearly shows the unfairness. I have the email proof for this.

For me personally I am living in fear and anxiety. I am under medical care. This racism and discrimination taking a toll on my health. My son is grown up and in University, my daughter is in high school. They are concerned for my health. I feel the same fear now that I had in 1983 in Sri Lanka. Very depressing. It's frustrating to see that I am in this situation.

The Union I trusted to change the working class make me feel I am not worth it because of my color. The union I joined to make the world better for working class is failing and discriminating their own staff. And the union that we built is falling apart in front of our own eyes.

I kindly urge you to protect us all staff from discrimination and I trust Lis will not fire me for writing to you.

Sincerely

Mahen Krishnamoorthy

Union Organizer

UNITEHERE Local 75

Begin forwarded message:

From: Valrie Lue <chena1961@gmail.com>

Date: May 3, 2017 at 2:28:56 PM EDT

To: dtaylor@unitehere.org

Subject: the disarray of local 75

Hi Brother D,

I am writing to you to explain a little more about the pressing situation that I find myself in within my own local.

I have been the Vice President of Local 75 from 2008 until present, and a Lead Organizer since July 2012 when the previous Local 75 president, Paul Clifford, assigned me as such. As a Lead Organizer, I have worked with Daniel Bastien during his time as a Salt in his hotel all the way up until he became a full-time organizer with Local 75, at which time I was leading the salt/non-union department. I have also presided over Jay Yerex, Guled Warsame during the food service contract negotiation fights, Allan Pace and Josh Cuasay during non-union organizing drives, and others during my time as a Lead organizer.

Earlier in 2016, there was a discussion within our Leads meeting of the racial comments made by organizer Allan Pace against me and other organizers. It was decided that a follow-up discussion would happen in order to decide what would be the recourse for his actions. This follow-up never happened and he was never held accountable for his actions, which reflected the poorly on the leadership of Lis as president. After the September 2016 elections for Local 75, it became extremely clear that there was blatant racism and discrimination when it came to discussion and decision-making within the Leads meetings. The opinion and contributions of Black Leads, including myself, were not being granted space, recognition or consideration when it came to incorporation into strategies or campaigns, among other things. Only the ideas of my white counterparts were considered during these meetings which was infuriating and disheartening since it was this very behaviour which we were working to combat within the properties we were assigned to and teaching our leaders to fight against daily. These sorts of racist dismissals during Leads meetings seemed to be becoming systemic practice throughout the operations of the union under the leadership of Lis Pimentel and David Saunders. During this time, we became aware of the fact that Allan Pace had been appointed as a Lead organizer, despite his discriminatory statements, particularly towards Black people.

This systemic racism was further exasperated at an Executive Board meeting when Lis stated that she did not trust members of the staff she was working with. This all lead to the decision made by myself and other Black Leads to stop attending the Leads meetings, effectively taking a

stand against the way we were being treated when it came to inclusivity and decision-making. In total, I did not attend 2 or 3 meetings before I left for vacation in December 2016. When I returned from my vacation in January 2017, I attend the first Leads meeting of the new year. It was after this meeting that David Saunders told me that I was no longer allowed to come to Leads meetings anymore since Lis did not want me on her team because she only needed people she could trust. I responded to him by explaining my hard work ethic and my dedication to the local and its program requirements. He simply responded by saying that I should talk to Lis. It was at this time that I was informed that I was being demoted form my lead position, and within 2 weeks I noticed the reduction in my pay. With all of this happening, it became clear that it is a white and black issue which is extremely surprising and saddening because of the multicultural make-up of our membership.

When I first began my time with Local 75 in 2006 on my LOA (leave of absence), I lead the contract negotiation fights in the airport area hotels. I have effectively built committees and brought forth leaders who I have helped to develop their leadership and organizing skills, one of those being Monica Mackenzie, a strong black leader from the airport area, who was hired a year ago and was just about to complete her probation. In the midst of this racially-charged turmoil, Monica was told she must have her probation extended or she would be fired. Her work performance came under attack only recently (in her almost 10 years of volunteering with the local) which leads me to suspect that she is being unfairly targeted because of her affiliation and training by me.

Listed below is an outline of my credentials and achievements during my time with Unite HERE Local 75 which reflect my competence and ability to hold the title of Lead Organizer...

During the time of the Sheraton Centre union dues increase vote, I built committees and leadership throughout those 800 employees, ultimately resulting in victory for the vote, despite the contentious nature of such a campaign.

During the break in the union which lead to the division of Workers United and UNITE HERE, I maintained my faithful commitment to UNITE HERE by following the mandate of building committees and doing outreach to ensure the restoration and survival of the union by maximizing the amount of workers who were convinced to stay with UNITE HERE. Through my own volition, this required me to work overtime without compensation, ultimately sacrificing my family life. My reasons for acting above and beyond what was expected of me during this campaign include the fact that I came from being a rank-and-file leader who contributed to building this local alongside other racialized leaders who came from the shop floor, committed to bettering our lives and those of our colleagues based on our lived experiences within the industry.

If we believe in fighting for justice and dignity and respect, regardless of difference, action needs to be taken now. We cannot sit and watch our union and our values crumble before us.

Sincerely,

Valrie Lue

COMPLAINT 13

From: Cornetta <cornettad2000@yahoo.com>
Date: May 5, 2017 at 8:03:55 AM PDT
To: "D. Taylor" <dtaylor@unitehere.org>
Subject: Fwd: Letter

Hi Mr Taylor

Sent from my iPhone

See attached

To : The International President

My name is Cornetta Mason. I started working in the hospitality industry back in 1992 at Holiday Inn on King Street, Toronto Ontario as a room attendant. While I was there, I was taking night courses in Hotel Management and other industry related courses because I knew I could do better but as a new immigrant, had to do what was necessary to feed my family.

While there, I was elected as the Shop steward by my peers. From 1994 to 1998, I was volunteering with my Union; Unite Here Local 75. At the end of the volunteer period, I was hired as a Union Organizer.

During my career as an Organizer, I have successfully organized and brought Union to several establishments such as Novotel downtown to name one. I have led many workers from hotels, food services and gaming outlets to become vital in moving the union agenda forward in their respective hotel as shop stewards.

Recently, I have organized Travelodge Airport Reservation, Holiday Inn Toronto International Airport (2014), Win a three month strike at Holiday Inn Express Toronto.

It is sad to say that irrespective of my hard work, dedication and love for my union, I have not gotten the recognition that has been accorded to several other staff that came through the rank and file as I did.

My intent is to highlight this situation in the hope that I can get an explanation to why. For I can sincerely say that some of the employees that have gotten the recognition; cannot boast of having accomplished what I have so far nor worked harder to improve the skills required to do this work than I have in any way, form or shape.

Over the past 6 months, the union has been going in a direction I have not seen in 19 years of my employment with Unithere Local 75. There seem to open comments and observation by co-workers that a B group exists of workers who does nothing.

The Novotel North York has been bargaining a contract for more than 5 months now. That contract has not been ratified up to today and no one is holding this Organizer responsible or accountable. On the other hand, Valarie organized Renaissance Hotel; every week, there is a claim that worker at the hotel are working towards decertifying same hotel. This is an attempt to

undermine the hard work and effort put by the organizer. Where it to be one of the favored, the praises would have been heard from everywhere and always.

There seem to be seed of divisiveness being planted among the different minority groups; the Blacks and the Philippines. This is orchestrated through the shop stewards and union representative of the hotel. All these lead to weakening of the bargaining unit worker's ability to be successful when negotiating with management.

Just a week ago, Lis Pemental the President came to the staff meeting and said that there were lies being told about David and her. She even went to the extent of calling out the names of 2 employees (Melisa and Jenifer). Melisa continues to volunteer as an employee at the Rogers Centre. I believe that she should have handled it in a more discreet fashion, as the president of the union.

About a year ago, Andrea Babbington brought forward a discrimination charge and an investigation was to be conducted. No one ever heard the outcome up to today. What this says is that there is a preferential to matters concerning certain group but not all groups.

Thanks you very much for providing us with the opportunity to get these issues out with the hope to effect changes so our working environment can be less toxic.

Sincerely,

Cornetta Mason



COMPLAINT 14

10 MAY 2017

to show it may be seen,
ON Around 3pm at the C.L.C
Suleman BASHARA is the
Rep. FOR UCC - upper CANADA College.
They say hello to MR. Nigel BLAIR
then say Hello to me too. We
When outside to talk they started
to talk about big things happen
tomorrow I say what happen.
They say did u sign it. People sign
to get rid of Liz. I say I didn't
know about it they said they
lie to u. NORMAN is weak
when the ^{of Taylor} ~~teacher~~ came to Toronto
it was a setup. And NORMAN is
weak if how believe they be running
the union that will not happen.
If DAVID leave they is leaving too
An also NADIA BAER And we all
been played and they want Liz
out. I can't say stay out of it
will fix it self Sign COLIN FRANCIS

COMPLAINT 15

May 10, 2017

Dear President D. Taylor,

I'm writing this statement because I believe there is a crisis at Local 75. As an IU employee, I do not work directly for the local, but I do work out of the Toronto office and am therefore in a position to observe some of what has been taking place. I'd like to provide my perspective on things.

There is a very apparent racial divide in the office – where Nuredin and the staff under his structure plus Valerie are now considered “the other side.” This divide became noticeable to me after the election, where Lis was re-elected as President and Nuredin was re-elected as Secretary Treasurer. Rumors started to circulate that Nuredin had planned to run for President. My view was, even if that were true (which I do not believe to be the case), it's his democratic right. After the election, a number of changes began to take place – one such change was that Nuredin was going to move out of his position as staff director, and he would no longer be in the hotels and would only be working in the office as secretary treasurer. I believe the plan was also for David Sanders to oversee the entire hotel team. However, as the current structure stands, Nuredin oversees a majority of the hotel team. Nuredin was on sick leave and a number of us were sitting in a leads meeting. As this was several months ago, the only people I recall that were in the meeting are Lis, David, Soloman, Valerie, Jj and myself. I recall a discussion about some of these changes and Soloman grew upset and asked how these changes came to be, as they were not discussed with Nuredin. He had also asked who gets to make such decisions. Lis said that she gets to make those decisions, and she and David said that Nuredin knew about the changes. Soloman ended up walking out of the meeting upset. I was mostly unaware of the level of tension in the office until that meeting. Nuredin returned a short time after. After that, I recall Nuredin, Valerie, Guled, and Soloman began to boycott the leads meetings because they felt they did not have a voice. For me, it was still early on in this “divide” so I did not know exactly what was going on.

There was another leads meeting where the attendees from what I recall were David Sanders, Jj, Marc, Nadia and myself; Lis was not present. I recall Nuredin and his group were being discussed, and I said something along the lines of, “[I'm going to be completely honest here – I'm neutral. I like both Nuredin and Lis. I don't have all the facts, so I can't just choose one side. Also, I see a racial divide in the office and that does not sit well with me.]” At the time, it did not seem that anyone had a problem with what I said. And Jj who is my lead, has in fact been supportive of me voicing my opinions and that opinion in particular.

As time progressed, the office atmosphere grew grim. I felt that Nuredin, in particular, was and still is viewed and treated as a “criminal” in our office. It was no longer possible to speak freely with Nuredin, Soloman, Valerie, Guled, and Mahen. For a while, I, too, started to keep the conversation with Nuredin and others very basic – hi, how are you, and nothing beyond that. Not because I shared in my colleagues' view of Nuredin and others, but because I didn't want to be targeted or labelled as being with “the other side.” Then the negative narrative about Nuredin and his team started to develop in the office – whereas all of a sudden Nuredin and his team “didn't do any work” and were “struggling.” This really bothered me as I knew this was not a reflection of reality, but rather, a narrative that was developed to discredit Nuredin and his team, all of whom happen to be people of colour. In fact, I was particularly bothered by the way they were discussed because I felt there were racist and classist undertones in some comments being made about them. As a person of colour, this was especially bothersome to me. This negative narrative was reinforced with staffing changes – such as Jay being

moved from under Nuredin's structure, to working with Allan Pace under David Sanders' structure. Jay, the only white person under Nuredin's structure, was now removed from that structure which further re-enforced the racial divide. I've also witnessed Nuredin being disrespected in staff meetings and leads meetings. As an example, I recall a staff meeting where for one segment we got into small groups each led by Lis, David, and Marc. Before this, Nuredin would have led a group; he was not asked to. And in fact, Nuredin use to lead our staff meetings, but that role was also abruptly taken away from him in front of staff by Lis taking "his seat" and cutting him off while he was about to start speaking. I recall this because I felt it was very disrespectful, and I was surprised at how patient Nuredin was because he did not react. Afterwards, I commented to Guled that it was really disrespectful.

Later on both Soloman and Valerie were demoted and no longer leads, I had learned. And in the latest unjust HR issue – Monica McKenzie who is also under Nuredin and Guled's structure, was recently terminated but only reinstated after agreeing to extend her probation period for an additional 6 months, after having already completed one year. Prior to this, I had always heard that Monica was doing amazing work. I believe these demotions, and changes are politically motivated.

This is just my perspective on some of what has been happening at the office and the atmosphere that has been created. For a while, I stayed quiet as I mentioned earlier and would mention only to Nuredin and his team that I also felt for them and that this was unjust. I do not understand why the default for most people on staff is to automatically side with Lis and David, and without evidence, criminalize a group of leaders of colour who have been instrumental to the survival of this local.

As an IU staffer, I have not participated in this dispute, in terms of engaging in any activity that would help any one side. But, it is human nature to form an opinion and I think I would be doing myself a disservice by not taking at least a stance on this dispute; which is that I think this is a fight for justice, and as far as my opinion goes - I am on the side of the oppressed – Nuredin and his team. I also recognize that this is about workers and the e-board fighting for their collective voice. There have been occasions where I have had to speak up, and where I have had to state my opinion:

March 3rd, 2017

This was a day following the March e-board meeting. Jorge Hurtado, who I have been friends with for a long time, had asked me what I thought of the e-board meeting. My reply was that I did not like how the Food Service workers were being used. (The food service strikers were brought to the meeting for what I believe is to prevent the e-board from possibly doing anything against Lis). Jorge mentioned that people thought I was on Nuredin's side, and I had said I didn't care and that I was entitled to my opinion. I also stated something along the lines of, "[I don't believe what is being said about Nuredin. Where's the proof? One day the story is that he wanted to be Canadian Director, the next day it's he wants to be President. Which one is it Jorge, which one is it?]" My statement was not necessarily in regards to anything Jorge had said, but just about how the story constantly changes about Nuredin. He said that I didn't sound very neutral. We got into a somewhat heated discussion, and he stated that Nuredin was evil and that he wanted him to lose his house and to destroy him.

That did not sit well with me, and so I ended up telling Nuredin about the house comment because I didn't understand why this dispute was being taken so far, and in part, I was afraid of what might happen to Nuredin. Nuredin was noticeably hurt and upset.

April 12th, 2017, Leads Meeting day following General Membership Meeting (GMM)

Leads meeting attendees: Lis Pimentel, David Sanders, Frank Piserchia, Nuredin Bulle, Guled Warsame, Marc Hollin, Jj Fueser, Daniel Bastien, Pedro Cristovao, Nadia Baer, Allan Pace, and myself.

Lis and David were angry at the beginning of the meeting because of the worker turnout at the GMM the day prior. They blamed Nuredin and Guled for organizing workers to attend the GMM. Guled told Lis that her e-board is mad at her and that she should house visit them. He even pulled out his phone and said he would schedule meetings for her. She said no and that she had bargaining. Frank was adamantly against the idea of the President meeting with the e-board. He really dwelled on this point and kept reiterating that the President should not meet with the e-board, or house visit the e-board. I don't recall exactly when Nadia walked into the leads meeting, but she was late at arriving. Although I can't be certain, I do not believe Nadia even attended the GMM the night before. Nadia began to yell at Nuredin and Guled. She said, "Who the fuck do you think you are?" and something along the lines of "[you walk in all confident, smiling, with your heads held up high.]" She also accused them of destroying the food service. She said a number of other things, but these statements really stood out to me. She was yelling and extremely disrespectful. Nobody spoke up to defend Nuredin and Guled, so I felt I had to, because I felt it was disgraceful, hurtful and encouraged (since she was not stopped). So I said something along the lines of "How is it okay for her to speak to him (Nuredin, since she was looking right at him) like that and nobody is going to stop her? It's so disrespectful." At that point, I felt that Frank was looking at me as though I was the one who did something wrong by stepping in. Nuredin also defended himself and spoke of racism in the office, and told Nadia that they will not be judged by her, but by the workers. He also said, "so as Black leaders, we should walk with our heads down? Is that what you're expecting, Nadia?" After Nadia's outburst, David asked if we should move onto other business. And at that point I said something along the lines of "no, why? For the first time we're actually able to open our mouths about this topic. This has been brewing for a long time and if you actually care about the members like you all claim to then you're going to figure out a way to resolve this. So I think we should keep talking." At which point, Frank made comments along the lines of this not being something you can just sprinkle water on to resolve. I told Frank I wasn't suggesting that and that I am not naïve, but that it needs to be discussed and pointing fingers isn't going to help. I also said it's either going to get worse or better, so I vote we continue. We then continued the discussion. Guled spoke about white privilege in the office. And gave examples of how Valerie and Soloman were demoted, but Nadia can "quit" but keep coming back to leads. Nuredin also talked about how he's staff director and he can't get LOA's. If David wants LOA's, he gets them. At a certain point, while speaking of his experience with racism in the real world and in the office, Nuredin could not take it anymore and left.

Thank you,

Shelli Sareen

COMPLAINT 16

From: Nuredin Bulle <nbulle75@gmail.com>
Date: Sunday, May 14, 2017 at 8:17 AM
To: Scott Cooper <scooper@unitehere.org>
Subject: Fwd: statement

----- Forwarded message -----

From: "Melissa Sobers" <melissa.sobers@mail.utoronto.ca>
Date: May 14, 2017 12:58 AM
Subject: statement
To: "Valrie Lue" <valriellue@icloud.com>, "nbulle75@gmail.com" <nbulle75@gmail.com>
Cc:

Dear D and Maria

I write to you today with my last ounce of hope that UNITE Here is still the union I once loved and believed in to always be on the side of justice and equity for the oppressed. I, Melissa Sobers, have been a food service worker at the Rogers Centre for the past 7 years. I was placed on as an LOA for the past year in which I was successful in organizing student and community groups to aid in the food service contract fight that led to the groundbreaking collective agreements that were won this year at York University, the University of Toronto and my own workplace.

Last year, I gathered the courage to come forward with the harassment I was experiencing at the hands of David Saunders. Although my claims have been found to be unsubstantiated, I still do not regret coming forward because it may be saving someone else in the future from experiencing what I went through. During the investigation that was undertaken, and up until now, I have never tried to publically shame Lis or David by mentioning anything regarding the intimidation or harassment being done to me, both before and after I made my formal complaint. I respected the confidentiality I was bound to during the investigation, and even after I was informed of the results. The same respect of confidentiality was not given to me in return by both Lis, David, and other members of the union (namely Nadia Baer - Organizer, and Suleman Basharat - LOA). After the chain of events that I have experienced since last year, I am starting to see this vision of equity and compassion in my union dissipate.

1. About two weeks ago, Lis Pimentel publically announced in the staff meeting that the claims made by myself and Jennifer Chotalal against her and David Saunders were found to be false, and that if anyone had questions, they could ask her more about the matter.
2. On Wednesday May 10th, Nadia and Suleman came into my workplace, Rogers Centre, and according to multiple members, scandalized my name by telling members that "I created lies about being sexually harassed by David Saunders", and that I was not to be trusted. They also circulated a petition which they explained was to "save our president, Lis from those who seek to take power from her, such as Nuredin Bulle, a sexist individual who does not want Lis to be in power because she is a woman." A number of my committee confirmed that these were the statements and overall sentiment being spread by them, and they were said directly to me by Suleman as well. Suleman came into my work stand that evening and began a verbal attack on me in front of my fellow co-workers, stating many things such as "an \$82,000 investigation proved you were lying about being sexually harassed," "the other organizers of the union don't do any work, including Solomon and Mahen, and no one else has the capacity to be president except Lis," and "Nuredin said he's a king with no power, therefore this is clearly him trying to take down Lis because she's a woman in power and he can't handle that." His rant went on until I was so humiliated and ashamed that my entire workplace had found out about the harassment I experienced during my time as an LOA and all the other nasty things Suleman had spewed onto me publically that I was forced to leave work early in tears. Never have I experienced such a breach of confidentiality. I always thought of my workplace and my interaction with fellow

co-workers/union members to be a safe space where I could feel comfortable until that moment. He also made some vague, confusing comments that I do not understand, but I think worth mentioning : "Do you know what Nuredin did to Karl Lechow, did you know that he's working with D Taylor to get rid of Lis?"

As I left my workplace, I was stopped and comforted by a few more of my committee members who explained to me that Nadia had also approached them with the petition and stated numerous things about Nuredin trying to usurp power, and about me not being trustworthy because of my "lies" and other slanderous things that were untrue. I find this behaviour appalling since Nadia has been my organizer at Rogers Centre for years.

A few of my co-workers who were approached by Nadia and Suleman have agreed to write statements to you regarding what was said to them, I shall forward those to you once they have completed them.

Thank you.

Melissa Sobers

COMPLAINT 17

From: Scott Cooper <scooper@unitehere.org>
Date: Thursday, June 8, 2017 at 7:48 PM
To: Fazlur-Rehman Malik <fazlur2@gmail.com>
Subject: Re: RE. Melissa Case

Yes. Talk to you then.

Scott Cooper
UNITE HERE!
Director of Operations
504-453-9780 / @scttcpr01

On Jun 7, 2017, at 12:40 PM, Fazlur-Rehman Malik <fazlur2@gmail.com> wrote:

Hey Scott,

Sorry for the late reply. I can talk tomorrow during the day.

Fazlur-Rehman Malik
(647) 706-2951
fazlur2@gmail.com

On May 29, 2017 11:25 AM, "Scott Cooper" <scooper@unitehere.org> wrote:
Let me know your availability to talk in greater detail about your statement below. Thanks.

Scott Cooper
UNITE HERE!
Director of Operations
[504.453.9780](tel:504.453.9780) / @scttcpr01

From: Fazlur-Rehman Malik <fazlur2@gmail.com>
Date: Tuesday, May 23, 2017 at 8:41 AM
To: Scott Cooper <scooper@unitehere.org>
Subject: RE. Melissa Case

Hi there,

I am Fazlur. A member of Unite Here Local 75 and a worker at Rogers Centre. I am emailing you about the incident that took place on May 10th at Rogers Centre. Melissa has asked me to give my side.

Suleman came around the building talking to workers about a petition to sign to try and prevent the IU from coming and taking over. He was talking about how the "black" people in the union are trying to take over, Nuradin is trying to run for president, there are a lot of lies going around, and then he brought up the harassment cases of Jen and Melissa were false and they were lying about the whole thing.

Basically he wanted us to sign the petition. I had said no. Afterwards we had found out that he went and told the personal information of the harassment case to a few more people in the building.

Fazlur-Rehman Malik
(647) 706-2951
fazlur2@gmail.com

COMPLAINT 18



President
Robert Demand

Financial
Secretary-Treasurer
Shelly Evin

Vice President
Lorrie Dyer

Affiliated to:
UNITE HERE!

Canadian Labour
Congress

BC Federation
of Labour

Via email: dtaylor@unitehere.org

May 28, 2017

D. Taylor

International President, UNITE HERE!
1630 South Commerce Street
Las Vegas, NV 89102

Dear Brother Taylor,

I'm writing to you with my growing alarm at what appears to be an effort to destabilize and execute a hostile take-over of UNITE HERE! Local 75, a sovereign Canadian local.

A week ago I heard some extraordinary descriptions of Local 75, accusations that I found almost inconceivable from my decade of working with the leadership of that local.

What I heard upon speaking to the leaders of 75 was something quite different, and I have to admit that I am deeply disturbed. I heard allegations of

- IU staff intervening in the internal affairs of the Local, in ways that encourage the escalating opposition to the principal officer;
- Harassment by charges and accusations, which when proven unfounded are followed by new, wilder charges and accusations;
- IU staff taking control of staff that the Local reimburses;
- IU staff forbidding other IU staff from speaking to members of the Local, even when directed by the Local President;
- "Investigations" by IU staff of Local 75 staff & President;
- Demands for an American arbitrator to decide on By law charges;
- Threats of trusteeship due to the instability created by the IU;

UNITE HERE! Local 40
Head Office
100 4180 Lougheed Hwy.
Burnaby, BC
V5C 6A7
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toll free: 1-800-663-1728
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www.unitehere.local40.org



- A supervisorship, under these circumstances, that will appear to be a thinly-veiled American trusteeship of another Canadian Union.

And now I am hearing rumors from friends in other Canadian unions that UNITE HERE plans to trustee both Local 75 and Local 40.

When I heard these stupefying stories, I felt that I had somehow woken up in 2009 and we were still being raided by SEIU.

I remember at our last Convention, we proclaimed UNITE HERE! to be the most democratic union. Local 75's bylaws, like other UNITE HERE! locals, are suited to allow any political disagreements to be sorted out democratically by the members of that Union, without outside interference by the IU. We sought the same 8 years ago when SEIU interfered in the democratic process within our Union.

I know you appreciate the importance of Canadian sovereignty, as expressed both in our Constitution and in that of the Canadian Labour Congress, both of which state:

Section 1 Self-Government for Canadian Unions/Locals Members of Canadian unions/locals shall exercise their rights as citizens of their sovereign nation, and shall participate in the affairs of the International Union in conformity with this fundamental right, as follows:

- (i) Election of Canadian officers by Canadians.
- (ii) Formulation and approval of Canadian policies by elected Canadian officers and/or members.
- (iii) Elected Canadian representatives have full authority to speak for and represent the International Union in Canada.
- (iv) The International Union will take whatever action is necessary to ensure that its Canadian membership will not, either through Constitutional requirements or policy decisions, be prevented from participating in any social, cultural, economic or political aspects of the International Union.

As an elected Canadian leader, I am concerned that the stories I'm hearing constitute violations of these principles. As you and I have discussed over the last 3 years segments of the Canadian labour environment can be very nationalistic and predatory. Just in the last 3 months Unifor has ferociously attacked another International "American"

Union in the hopes of raiding 13,000 new members in Toronto. We are in real danger.

I'm gravely concerned about the ongoing destabilization of Local 75, let alone the rumours of a trusteeship of UNITE HERE's largest and arguably best known local in Canada, both will have a devastating impact on our Union's reputation with members, allies and other Canadian Unions. This avoidable crisis is destroying UNITE HERE's ability to bargain for hotel and food service members in Toronto and across British Columbia, it will damage our International Union's efforts in 2018 hotel, gaming and in-flight negotiations, and threatens our very existence in Canada by losing members to decerts, raids and missed organizing opportunities.

I am reaching out to you as our President to say that I am available and committed to working with you to resolve this crisis. I would like to meet with you, as soon as possible, to talk about how to address these problems that urgently require our joint attention.

Respectfully,

A handwritten signature in black ink, appearing to read 'R Demand', written in a cursive style.

Robert Demand
President
UNITE HERE! Local 40

COMPLAINT 19

From: Arley Da Silva <arleyds@hotmail.com>

Date: June 16, 2017 at 10:24:36 PM PDT

To: "D. Taylor" <dtaylor@unitehere.org>

Subject: Union Situation in Toronto

Dear Mr. Taylor,

My name is Arley Da Silva, I work in the Banquets department of the Fairmont Royal York in Toronto, and I a shop steward for the union. As you already know, the situation regarding the union here in Toronto is unstable; the members do not have confidence with the president of local 75, Liz Pimentel. We are aware that the head office has sent Mr. Mike Casey to assist with regards to our leadership issue, and are aware of Ms. Pimentel involving her personal legal representative in this issue. I would like to inform you that we the leaders of Local 75 and its members have not felt the impact of Mr. Casey, or head office in their attempts at resolving the original situation or see any visible signs of the union's situation improving. I would like to request information as to what the union is presently doing to address the situation, and what the union plans to do in the next month before our collective agreement expires on Jul 16? If you have any questions or concerns please feel free to contact me.

Regards,

Arley Da Silva



COMPLAINT 20

From: Jay Yerex [mailto:jayyerex6@gmail.com]
Sent: Thursday, June 29, 2017 5:22 PM
To: Lis Pimentel; John McCaffrey; Gwen Mills
Subject: UUHS Grievance #UUHSJY062917

Hi Lis, John and Gwen

Please find UUHS Grievance #UUHSJY062917 attached.

This grievance is being filed at Step 1.

Also please advise if I am required to also forward a copy to Peter Ward as Recording Secretary of the Internation Union regarding charges under the UNITE HERE! IU Constitution.

Please advise potential dates for Step 1 meeting

Union of Unite Here Staff Grievance

And request to file charges under Unite Here International Union Constitution

Date: June 29, 2017

Grievance Type: Policy

Date of Incident: Ongoing

Nature of Grievance:

A grievance is being filed for Charges against Nuredine Bulle for violations under the Unite Here International Constitution and the UUHS Collective agreement

Violation of Article 16 Section 1

- (a) Knowingly and materially violating any provisions of this Constitution or the constitution or by-laws of an affiliate, a lawful decision of the Convention or the Executive Committee made in accordance with this Constitution or of an affiliate acting within the scope of their authority, or deliberately and materially aiding or abetting another member in such a violation.**
- (b) Gross disloyalty or conduct unbecoming a member.**
- (c) Gross inefficiency of an officer of UNITE HERE or an affiliate that substantially hinders or impairs the interests of UNITE HERE or an affiliate.**
- (h) Preferring charges maliciously or in bad faith or failing to appear and present evidence after filing charges without good cause.**
- (k) Violating standards of wages, hours and working conditions in a workplace covered by a collective bargaining agreement.**
- (l) Discriminating against a member or any other person having business with the union based on race, color, religion or creed, national origin, age, disability, marital status, sex (including sexual harassment), sexual preference or orientation, gender identification or citizenship status.**
- (o) Such other deliberate acts and conduct which materially interfere with the performance of legal or contractual obligations of UNITE HERE or an affiliate.**

Nuredine Bulle the Secretary Treasurer of UNITEHERE! Local 75 has consistently targeted and violated the rights of UUHS member Nadia Baer, as well as this writer Jay Yerex.

On June 20, 2017 Ms. Baer's private and personal medical condition was discussed publicly at the Local 75 Executive Board meeting with Supervisor Mike Casey present by Yosief Ogbasellase an executive Board member from the Sheraton Centre. It is a gross violation of Canadian Privacy laws as well as the Ontario Human Rights Act to disclose confidential medical information of employees.

Nuredine Bulle has filed false allegations as well as encouraged and solicited false allegations against Nadia Baer which the employer has refused to present to UUHS or Ms. Baer in violation of both the UUHS CBA, and UNITE HERE! International Union Constitution.

Violation of Section 5 Procedure When filed

The body or officer with whom the charges are filed shall notify the accused of the same by sending a copy thereof by registered mail, or by delivering a copy of the charge to the accused personally. Where the charge is brought for violation of this Constitution to be heard by UNITE HERE, such notice shall advise the accused of his or her right to elect the initial hearing body pursuant to Article 16, Section 7. Unless specified otherwise in the constitution or by-laws of an affiliate, the secretary of the affiliate shall have the responsibility to give notice. When charges are filed with the Recording Secretary, the Recording Secretary shall give notice. Where charges are filed with the Executive Committee, the Executive Committee shall elect an Executive Vice-President to serve as temporary presiding officer with respect to the charges and he or she shall give notice. The accused shall be notified of the time and place of hearing and shall be allowed no less than thirty (30) days from the time of such notification for the preparation of a defense. If such charges are amended or supplemented, the accused shall be allowed thirty (30) days from the notification of such change for additional preparation. No member may be tried twice for the same offense, provided that a further hearing ordered by an appellate body and a change in penalty following such further hearing are not precluded

On June 29th, 2017 this writer was approached by UNITE HERE! Local 75 member Rodolfo Herrera an employee of the Courtyard Marriott of which this writer is the Union Representative assigned to the property.

Mr. Herrera advised this writer that he had been contacted recently by Mr. Bulle regarding political concerns within the local.

Mr. Herrera advised this writer that Mr. Bulle had advised him that President Lis Pimentel was not properly maintaining the finances of the Local, as well as that she was hiring staff without permission.

Mr. Herrera also advised this writer that Mr. Bulle had informed him that I was being improperly assigned, and was a violation of IU grants, and that I had previous disciplinary and performance issues, and that Mr. Herrera should advise all members of Courtyard Marriott.

UUHS Article 1. Union recognition

Mr. Bulle has publicly stated that he does not believe the employer should recognize UH as the sole bargaining agent for international union staff, and has stated to my previous Lead Organizer Solomon Asfaha that he does not consider UUHS as a real union.

UUHS CBA Article 8. Discipline and Discharge

Mr. Bulle is engaged in a attempt to seek the power to hire and fire staff. As under the local constitution of Local 75, as well as that Mr. Bulle is not an International Union director he has attempted to circumvent the collective agreement by filing spurious charges against Ms. Baer, as well as attempting to disparage and undermine Ms. Baer by publicly illegally and inappropriately disclosing personal medical information of Ms. Baer, and disparaging this writer to undermine my ability to represent Ms. Baer and to effectively represent the members of Local 75.

UUHS CBA Article 13 Contract Administration

Mr. Bulle has refused repeated attempts to interview and investigate his allegations against Ms. Baer, and has directed other staff to also refuse to participate in the investigation. The employer has refused to provide any information regarding the allegations, and investigation in violation of both the collective agreement and the UH International Constitution.

UUHS CBA Article 14 Labor Peace

Mr. Bulle has violated Article 14(a) by disclosing confidential medical information regarding Ms. Baer as well as making false allegations against this writer regarding performance issues. In 10 years as a staff of the IU I have never received a poor written evaluation.

UUHS CBA Article 15 No Discrimination

Mr. Bulle is targeting Ms. Baer as he has been frustrated in his attempts to have Ms. Baer relocated due to her ongoing medical accommodations. Mr. Bulle has then improperly divulged personal medical information.

This writer also believes that Mr. Bulle is also targeting this writer as well as directing others to target this writer due to my ongoing representation of UUHS members.

This writer believes that Mr. Bulle has also instructed Valrie Lue the Vice-President of Local 75 to also begin targeted harassment of this writer and a complaint has been filed with the Local President, and Mr. Bulle regarding inappropriate and unprofessional conduct of Ms. Lue during Toronto Pride on June 25th towards this writer.

UUHS Article 23. Health and Safety

Mr. Bulle has violated the Ontario Human Rights act, as well as the Ontario Occupational Health and Safety act regarding workplace bullying of Ms. Baer as well as this writer.

Remedy Sought

An immediate investigation of Mr. Bulle's conduct.

Mr. Bulle to cease all contact with members regarding Mr. Yerex and Ms. Baer, and cease all communication with Local 75 members pending the completion of a neutral investigation into gross misconduct and violation of IU constitution

Charges to be filed against Mr. Bulle under the UNITE HERE! International Constitution

Full disclosure of written materials and charges filed by Mr. Bulle and his associates regarding Ms. Baer and Mr. Yerex to be provided to UUHS.

Mr. Bulle to have no access to IU bargaining Unit staff pending completion of neutral investigation

Mr. Bulle to have no access to employee or medical information of IU employees

UNITE HERE! IU conduct an audit and investigation into systemic privacy breaches regarding confidential employee information

A written apology to Ms. Baer and Mr Yerex

Mr. Bulle to be sanctioned as appropriate as a deterrent for egregious violations of the collective agreement and IU Constitution.

COMPLAINT 21

From: Shelli Sareen
Sent: Monday, July 03, 2017 9:57 AM
To: Gwen Mills; Jim DuPont; John McCaffrey; mcasey@unitehere2.org; rmccracken@msh.law; svarela@msh.law
Cc: Lis Pimentel; Nathan Westerberg ; Veronica Linh
Subject: Formal complaint

I hereby file a formal complaint against Jay Yerex and potentially others for creating an environment where the harassment and bullying of people of colour is not only tolerated, but encouraged.

On Friday June 30th while I was leaving the office around 11:00 AM, Mr. Yerex approached me and said, "Just to give you a heads up, I've requested your statements from the IU." I said, "okay" and left because I did not want to engage in this discussion with Mr. Yerex. It is not clear to me what statements Mr. Yerex is referring to, or why he believes he has the authority to make such requests of me or about me. I have several questions:

- A) What statements is Mr. Yerex referring to?
- B) What is the nature of these alleged statements?
- C) How did Mr. Yerex learn of these alleged statements?
- D) Why does Mr. Yerex think I submitted a statement and to whom?

On May 18th, I received a series of text messages from Mr. Yerex. I felt they were accusatory and I felt bullied. Our text conversation is as follows:

Mr. Yerex: What's going on with Kumsa
Mr. Yerex: They want to transfer him?
Myself: No, that's not what's happening.
Myself: Where did you get that information?
Mr. Yerex: Kumsa
Mr. Yerex: JJ told him that the IU has cut the funding to Local 75
Mr. Yerex: This is Theresa's doing
Myself: I'll talk to Jj tmw.
Mr. Yerex: She told me the other day that all research funding gets cut from Toronto
Myself: Who?
Mr. Yerex: Theresa told me
Mr. Yerex: They are also removing me from all my hotels
Mr. Yerex: I don't even know what to tell the Park Hyatt workers
Mr. Yerex: I'm in the middle of negotiating their Severance
Mr. Yerex: Valerie refused to pay Josefina so she has to go back into the shop
Mr. Yerex: I'm not going to let Theresa use Kumsa as a political pawn
Mr. Yerex: Have you spoken to Kendra about Scott Cooper
Myself: Just come by the office tmw so we can discuss with Jj.
Mr. Yerex: I'm not sure I'll have time. I have to say goodbye to all my committee. It's my last chance before I'm not allowed to talk to them
Mr. Yerex: I'm going to grieve tomorrow and do an information request on what Theresa is doing

It is my assessment that Mr. Yerex decided to send me these text messages to target me because I have been vocal about my distaste for the treatment of Valrie, Nuredin, and the other people of colour under Nuredin's structure. I also felt that I was being accused of Kumsa being transferred; when no such thing was even occurring.

On June 19th, 2017 Mr. Yerex had sent me an email with the subject: "UUHS Investigation"

The email states:

"Hi Shelli

As the UUHS representative for Canada I would like to conduct an interview with you regarding very serious potential breaches of the Collective Agreement of the International Union as well as Ontario Labour Law.

There is currently an outstanding policy grievance regarding abuse of management rights by Scott Cooper. UUHS reserves the right to file additional grievances as well as charges with the International Union as well as the public review board against other staff and officers of both the International Union as well as Local 75.

UUHS also reserves the right to subpoena you in potential arbitration or hearings at the Ontario Labour Board.

Pls advise your potential availability prior to end of business day June 23, 2017

Regards

Jay Yerex
UUHS"

This was the second time Mr. Yerex had mentioned Scott Cooper to me; I do not know Kendra and had not even had a conversation with Mr. Cooper other than hello when he had previously been in Toronto. I am unclear why Mr. Yerex would send me this email, but after speaking to several others on staff, it appears to be some sort of activity to further target people of colour. In fact, I would be curious to know if Mr. Yerex sent an email such as this to anyone on staff who is not a person of colour.

Since revealing at a leads meeting that I am neutral in the political dispute at the Local in November, 2016, I have felt bullied and harassed. I would encourage the International Union to investigate Mr. Yerex for his role in harassing and bullying a number of people of colour on staff. I would also encourage the IU to investigate other Local 75 and/or IU staff working for Local 75 for their role in Mr. Yerex's activities around harassment and bullying of people of colour. The harassment and bullying of and/or discrimination against people of colour in our office has been encouraged and perpetuated by a number of people on staff and in leadership. I do not believe Mr. Yerex is acting alone and I believe that he may be getting his direction from a

superior in his insistent request for my alleged statement. Mr. Yerex is not the first person to mention that I filed a complaint.

Wednesday May 24th, 2017

Jorge Hurtado sent me a text message saying "Hey call me for a sec" and then after "no rush." I called Jorge from an office phone and he said that I should call him from my cell phone instead and so I did. He told me that David Sanders had told him earlier that day that there is a complaint filed against him and that I was involved. I told Jorge to tell David Sanders to get his facts straight and that I did not file a complaint against him. I had also told Jorge that if David Sanders has something to ask me he should come ask me himself. Jorge told me that this was very "hush hush" and that there are IU charges and I am involved. Jorge mentioned something about racism and classism in our office and I told him that there is and that I have examples and that if asked I have to tell the truth. It was my belief that David Sanders had encouraged Jorge to get information from me.

So Mr. Yerex is the second person to insinuate that I made some sort of statement or complaint. Therefore I would like answers to my questions of Mr. Yerex as well as answers to the following questions of other officers/staffers at Local 75:

- A. Where did Mr. Sanders get information that I filed a complaint against him?
- B. If this information pertaining to my alleged complaint was "hush hush" which I take to mean confidential information, why then would Mr. Sanders in his capacity as a Director and IU staffer breach such confidentiality?

I'd like to reiterate that I believe that Mr. Yerex is not acting on his own, but perhaps, in collusion with members of the Local 75 leadership. As an example of how I believe such collusion works, I have information pertaining to a meeting that took place outside the Local 75 office where a number of Local 75 staff members gathered with Local 75 leads and discussed "how to get Nuredin and Guled." This was not the first time I have heard of threats being made against people of colour in our office.

I also have serious concerns that Mr. Yerex is abusing his position as a representative at UUHS.

I would encourage the IU as well as the Local to investigate the harassment and bullying of and/or discrimination against people of colour at UNITE HERE Local 75. As elected officers to the Local, I believe Lis Pimentel, Nuredin Bulle and Valrie Lue also bear responsibility to have an independent firm conduct an investigation. To assist in any investigation, I have evidence in terms of text, email and other documentation that I believe would be helpful to this investigation.

I believe that the rights of several of my colleagues and I are being violated under the Ontario Human Rights Code which prohibits discrimination against people on several protected grounds which include race, colour, ethnic origin, and sex among other things. <http://www.ohrc.on.ca/en/ontario-human-rights-code>. I believe we have a very strong case under this code and I am willing to file a complaint and testify under oath.

Sincerely,

Shelli Sareen
Research Analyst
UNITE HERE!
15 Gervais Drive, 3rd Floor
Toronto, ON M3C 1Y8
416-384-0983 x315

COMPLAINT 22

Begin forwarded message:

From: Valrie Lue <chena1961@gmail.com>
Date: July 10, 2017 at 10:37:36 PM EDT
To: dtaylor@unitehere.org, scooper@unitehere.org
Subject: Complaint against Jay Yerex

Dear President Taylor,

I am filing a harassment, bullying and discrimination complaint against IU Organizer Jay Yerex. Not only is Jay Yerex harassing me directly, but he is also assassinating my character to the membership and staff. It is my understanding that he has been harassing a number of people of colour in our office. I have several grounds for this complaint:

1. Character assassination and defamation of character:

a) On June 21st, 2017 Lis, Nuredin and I received a complaint about Jay from Executive Board member Josh Cuasay, reporting his inappropriate actions at One King West. Josh wrote:

"Hi Lis,

How are you? It's me Josh. I just want to report to you what happened today.

This morning my co- worker Imelda (Room Attendant) came to me that PATROCINIA (Shop Steward) told her that there will be a Vote on July 11, I am one of the Executive Board so I know what's happening but to make sure who told PATROCINIA that's why I asked her, she said it's Jay and Allan. They disrespect me for not talking to me and organizing such lies in my hotel (One King West)

I 'be seen Jay at lunch in cafeteria so I confronted him. Jay is the one saying that we would like to get rid of you on your position as president and at the same time angry with Valrie for not signing the Cheque for Josephina .Jay suppose to be organizing for the Rally and not for July 11.

If Jay will continue to organize to divide the workers in my hotel That is not acceptable and it needs to stop.

If you would like to contact me here is my # (416) 400-1469

Sincerely,
Josh Cuasay
Executive Board Member
Unite Here Local 75"

b) Jay sent harassing messages about me to Shelli Sareen. In the text message he wrote, without even her prompting him in any way, "They are removing me from all my hotels. I don't even know what to tell the Park Hyatt workers. I'm in the middle of negotiating their Severance. **Valerie refused to pay Josefina so she has to go back into the shop...**" Jay is tarnishing my reputation to the staff in the office. This is unacceptable. I do not have authority to return someone on LOA that I did not even have any knowledge of her being on LOA, back to work. Clearly, Jay is using this information to tarnish my reputation.

2. Harassing emails pertaining to some alleged investigation of Scott Cooper

On June 19th, 2017 Jay Yerex sent me the following email:

"Hello Valrie

As the UUHS representative for Canada I would like to conduct an interview with you regarding very serious potential breaches of the Collective Agreement of the International Union as well as Ontario Labour Law.

There is currently an outstanding policy grievance regarding abuse of management rights by Scott Cooper. UUHS reserves the right to file additional grievances as well as charges with the International Union as well as the public review board against other staff and officers of both the International Union as well as Local 75.

UUHS also reserves the right to subpoena you in potential arbitration or hearings at the Ontario Labour Board.

Pls advise your potential availability prior to end of business day June 23, 2017

Regards

Jay Yerex
UUHS"

Why is Jay sending me this email? I am very confused. I am an elected officer and have no knowledge of this alleged investigation of Scott Cooper. Jay has sent this same email to many people of colour on staff. To my surprise, Nuredin told me that Jay emailed him

and Lis saying he wants to interview several people on staff and two Executive Board members who are all people of colour about some alleged inappropriate conduct and abuse of management rights.

3. Speaking Against Nuredin and I, two elected officers, at an Executive Board Meeting in front of the entire Executive Board, Solidarity Committee and Staff

During the May 11th Executive Board meeting held during the CLC Convention, Jay Yerex, an IU Organizer, assigned to work for Local 75, stood up in front of everyone and called out Nuredin and I asking us why we were abstaining from the vote. This indicates that Jay is deeply involved in the local politics and set out to embarrass Nuredin and I, two leaders of colour in front of everyone at that meeting. Not only were his actions extremely inappropriate, but also, extremely disrespectful. Jay has no authority or right to be involved in an Executive Board meeting voting matter.

4. Jay Yerex recently filed a frivolous complaint against me to Lis and Nuredin as a tool to harass and bully me. Nuredin and Lis have the actual complaint, but, please see my response below:

"July 9, 2017

I understand there is a complaint against me by Jay Yerex regarding the Pride Parade. I do not have the details of Jay's complaint, but understand that there is some concern around my alleged treatment of Jay. There was no ill-treatment of Jay by myself. I will respond to the fact that Jay made a complaint, and this will be followed by my own complaint against Jay Yerex.

Response:

There was no mention of a formal plan for Local 75 to participate in this year's Pride Parade. The Pride Parade was held on Sunday June 25th. We, local 75 staff, normally march in the Pride Parade.

I sent out an email to all Local 75 staff on Thursday June 22nd at 10:43 pm reminding staff that the Pride Parade would be held on Sunday, and that it would be great for folks to attend. I wrote:

"Hi everyone,

Just a reminder to let you know that the Pride parade is on Sunday

June 25th. It would be great for everyone to attend. Let's meet at Jarvis and Bloor at 1:30 pm. Hope to see you all there.

Valrie Lue"

At 11:04 pm on Thursday June 22nd, 21 minutes after I sent out my email, Jay Yerex replied, sending the following email to all staff:

“Thank you Valrie for offering to assist with logistics. Could all staff pls confirm who will be attending.

Pls also advise all staff who are able to attend the trans march Friday evening.

The trans community just has a momentous victory having recently obtained federal human rights protections.

It would be great to see some staff who have never participated in Pride to show solidarity with our community. I'm very excited!

Valrie could you and I touch base tomorrow to confirm what supplies are needed.

In Pride

Jay”

Jay's email seemed passive aggressive. There was no formal Local 75 plan to attend the Parade so I took the initiative to plan a gathering of Local 75 to attend Pride. My email made no mention of “offering to assist with logistics” or “confirming what supplies” would be needed, as this was an informal plan since clearly there was no other plan. The passive aggressive tone of Jay's email suggests that he had an issue with my sending out that email. I am an elected officer; Jay's passive aggressive tone was disrespectful towards me. As the individual who planned the gathering, where there was none before, I chose the location of Jarvis and Bloor at 1:30 pm on Sunday June 25th.

The following day, on June 23rd at 11:16 AM, Jay sent another email to all staff. He wrote:

“Hi Val

Do you know our march location and what time we meet with the steelworkers?”

Jay's mention of staff meeting with the Steelworkers was peculiar; as mentioned before, there was no formal plan for us to march and it was I who initiated the plan and I had not mentioned anything about the Steelworkers.

Later that same day on June 23rd at 1:34 pm, Lis Pimentel sent an email out to all staff, which stated:

“Thanks for sending this out Valrie!

We march with Steel this year, and the meeting point is G26 on

Rosedale Valley Road at 1pm.

Someone should make sure to get the materials into their cars - Pedro, can you please let everyone know if the IU stuff arrived and where it is?

Thanks everyone.”

I have had to go back and read through all the emails because after I had sent my initial email about meeting for Pride, there were various responses from staff and I did not pay attention to the full thread.

To repeat, there was no formal plan for Local 75 to march at the Pride Parade and it was I who set the plan. After I had already set the plan and informed staff as well as worker leaders of the plan and location, Jay appears to have decided to change the plan. I felt it was disrespectful and a way to undermine by leadership on something that was supposed to be celebratory but instead was turned into something political and divisive.

Sunday June 25th, 2017: Pride Parade

Several staff persons and workers met at Bloor and Jarvis to gather for the Pride event between 1:30 pm and 2:30 pm.

Later, we started to march in the Parade and were joined by Jay Yerex at some point. Jay approached me and said “thanks for replying to my texts Valrie” and he walked off without even waiting for a response. His tone was sarcastic.

Later when I checked my phone, I saw Jay’s text messages. Jay texted me the following messages at the following times:

June 25th at 1:49 pm: Are you coming?

June 25th at (no time stamp): You have absolutely no compassion or dignity. Thanks for ruining my Pride.

I did not reply to Jay’s text messages and in fact there had been no direct communication from me to Jay. The only email I sent out was my initial email on June 22nd to all staff about gathering for Pride. It appears that Jay had also sent some emails to all staff during the Pride Parade. The emails were as follows:

Sunday June 25th, 2017 at 1:51 pm Jay Yerex sent the following email to all staff:

"It's almost 2pm and no one is here from our union and the Steelworkers float is loaded to go.

I'm not sure if this was some sort of jome on me but I get to miss the parade and walk around with a bag of t-shirts.

Thx for the solidarity"

Sunday June 25th, 2017 at 2:00 PM, Marc Hollin replied to Jay's email:

"There's a group of folks in front of the Starbucks. Where's the usw crew?"

Sunday June 25th, 2017 at 2:09 PM, Jay replied to Marc's email:

"They were at g26 on Rosedale valley Rd. It's really nice people chose a new location without telling me.

Guess no one wanted me there."

Sunday June 25th, 2017 2:18 pm, Lis replied to Jay's email:

"Location is below in this thread. It was sent out to all."

As is outlined above, there was no communication on my end to Jay other than the initial email I sent out to all staff. Therefore I am not sure how there is a complaint from Jay about me and the Pride Parade. In addition to my response, I am filing a complaint against Jay Yerex. See my complaint below:

Valrie Lue Complaint against Jay Yerex

I have been harassed and disrespected by Jay Yerex. I am Vice President, an elected officer of our union. I am filing a complaint against Jay Yerex. My notes above demonstrate communication I received from Jay where I felt disrespected:

- When I sent out the email suggesting we meet for Pride, I did so to create unity among our staff and because I had planned to attend and thought it would be great for staff to join. It was a simple email. I am Vice President of the local, I have every right to send out an email to staff without being made to feel that I don't have any voice in the local. Jay's response to my email to celebrate pride went out to the entire staff. I felt it was passive aggressive as I mentioned earlier and it was clear that Jay had an issue with the fact that I sent out such an email. This is no way to treat an officer of our union. It is extremely disrespectful and hurtful.

- Jay sent me text messages that were abusive. As is outlined above he had texted me and said that I have no respect or dignity. This is no way to speak to an officer or any human being. I do not take these text messages lightly. This is harassment.

- On June 21st, 2017 Lis, Nuredin and I received a complaint about Jay from Josh, reporting his inappropriate actions at One King West. The complaint states that Jay expressed anger about my not signing a cheque for Josphina to an Executive Board Member. This indicates that Jay is in our properties trashing my name, to our membership by misinforming them. This is a very serious act of insubordination and must be dealt with.

- There is also evidence of Jay trashing my name by sending text messages about me to coworkers. When it is necessary, I will provide this information to whomever is appropriate to send to.

I have additional information about being disrespected by Jay, where I was sworn at by him and I will discuss this further in the next step of this complaint process.

I have reported on some very serious matters regarding Jay Yerex's actions. These will need to be investigated promptly.

Sincerely,

Valrie Lue"

I just want to express to you how incredibly hurt and disrespected and bullied I feel. I am an elected officer who comes from the workplace as a leader of colour and I face discrimination inside my own workplace. Jay has become very deeply involved in the local politics and I urge you to remove him from the local immediately.

Sincerely,

Valrie Lue
Vice President, Local 75

COMPLAINT 23

1

To D. Taylor General President
and General Executive Board July 31st, 2017

We, the elected Executive Board and Officers of UNITE HERE Local 75, demand the immediate removal of the International Union (IU) Organizers who have been assigned to Local 75. This includes all IU organizing staff paid by the IU and all IU staff being reimbursed by Local 75.

The immediate removal of IU Organizers is demanded due to the deep involvement of the IU Organizers in the internal politics of Local 75 and undermining the leadership of the elected Executive Board and elected Officers.


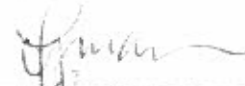

We have numerous examples to support the misconduct and deep involvement of IU Organizers in the politics of Local 75.

The majority of IU staff and staff under IU grant are paid to do external (non-union) organizing. Currently, none of these Organizers are focused on the job they are paid to do. Instead, they are focusing on undermining the majority of the elected leaders of Local 75 by creating unnecessary division.

Therefore, we the undersigned elected executive board and officers of Local 75 demand the immediate removal of the IU organizers identified above.

Your immediate action is required for the survival of this Local.

In Solidarity,

Name	Signature
YESIEF CUBASELLASIE	
Habtem Ogbamichael	
FRANCIS DE GUERMAN	
LEMO MANDING	
SALIMAH ANNA	
COLIN FRANCIS	
Jocelyne Cursey	

1 To: D. Taylor General President
 and General Executive Board
 July 24th, 2017

We, the elected Executive Board and Officers of UNITE HERE Local 75, demand the immediate removal of the International Union (IU) Organizers who have been assigned to Local 75. This includes all IU organizing staff paid by the IU and all IU staff being reimbursed by Local 75.

The immediate removal of IU Organizers is demanded due to the deep involvement of the IU Organizers in the internal politics of Local 75 and undermining the leadership of the elected Executive Board and elected Officers.






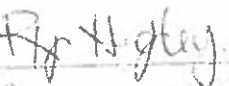

We have numerous examples to support the misconduct and deep involvement of IU Organizers in the politics of Local 75.

The majority of IU staff and staff under IU grant are paid to do external (non-union) organizing. Currently, none of these Organizers are focused on the job they are paid to do. Instead, they are focusing on undermining the majority of the elected leaders of Local 75 by creating unnecessary division.

Therefore, we the undersigned elected executive board and officers of Local 75 demand the immediate removal of the IU organizers identified above.

Your immediate action is required for the survival of this Local.

In Solidarity,

Name	Signature
Abdella Jelis	
Yohannes Hatte	
Nana Richards	
Kayann Drummond	
Medhin Ghebr-e	
RIK HOCKLEY	
Regal Blair	

1 To D. Taylor General President
and General Executive Board

July 24th, 2017

We, the elected Executive Board and Officers of UNITE HERE Local 75, demand the immediate removal of the International Union (IU) Organizers who have been assigned to Local 75.

This includes all IU organizing staff paid by the IU and all IU staff being reimbursed by Local 75.

The immediate removal of IU Organizers is demanded due to the deep involvement of the IU Organizers in the internal politics of Local 75 and undermining the leadership of the elected Executive Board and elected Officers.

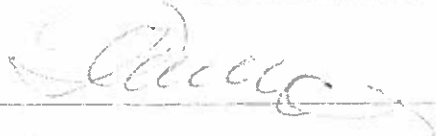



We have numerous examples to support the misconduct and deep involvement of IU Organizers in the politics of Local 75.

The majority of IU staff and staff under IU grant are paid to do external (non-union) organizing. Currently, none of these Organizers are focused on the job they are paid to do. Instead, they are focusing on undermining the majority of the elected leaders of Local 75 by creating unnecessary division.

Therefore, we the undersigned elected executive board and officers of Local 75 demand the immediate removal of the IU organizers identified above.

Your immediate action is required for the survival of this Local.

In Solidarity,

Name	Signature
IANKA STYANOVK	
Christine Smalley	
Tara Lee	
Naredin Bulla	

COMPLAINT 24

Report: Racism and Discrimination at UNITE HERE Local 75

By: Shelli Sareen
August 7th, 2017

There is structural and individual racism as well as discrimination against and bullying of people of colour at UNITE HERE Local 75. I believe this racism, discrimination, and bullying is encouraged by several individuals in both staff and leadership at Local 75. In some cases, this racism has been blatant, but in others, it is the informal policies/rules established at the local, the actions of staff and leadership that result in racism/discrimination, and the ill treatment of certain staff all of whom happen to be people of colour, that demonstrates a level of discrimination that cannot be further tolerated. In this report, I layout, the discrimination that I have witnessed, and experienced at Local 75.

My report on racism and discrimination will focus on these key areas:

- The office atmosphere and treatment of people of colour in the office.
- Structural racism with examples.
- Individual racism with examples.

Background

There is a very apparent racial divide at UNITE HERE Local 75 where most white and Filipino staff are on "one side" and almost every single black and brown person on staff (both Local and International Union staff who work out of the office) are on "the other side." This racial divide became apparent to me after the Local election at the end of August 2016; but I did not really start paying attention until about October/November 2016. For the purpose of this report, I will be identifying the race of some individuals I mention.

The Local election resulted in some key positions:

- Lis Pimentel, who is white, was re-elected as President of Local 75
- Valrie Lue, who is black, was re-elected as Vice President of Local 75
- Nuredin Bulle, who is black, was re-elected as Secretary Treasurer of Local 75
- About 25 Executive Board members, predominantly people of colour, were elected.

Mr. Bulle also serves as Staff Director, a position he has held for many, many years. Mr. Bulle also oversees a majority of the Hotel team; overseeing most of the organizers in the hotel team. After the election, rumors had begun to circulate that Mr. Bulle had planned to run for the President's seat; these are unsubstantiated claims. To be clear, even if this were true, the election process is meant to be democratic, and it is Mr. Bulle's or any eligible individual's democratic right to run for any of these positions. This, for me, was really the starting point for where the structural and individual racism at UNITE HERE Local 75 surfaced.

After the election, several changes began to take place – one such change was that Mr. Bulle was going to be stripped of his position as Staff Director, and would no longer be in the hotels, overseeing the hotel team, and would only be working in the office as Secretary Treasurer. Mr. Bulle is a worker leader and has always played a vital role in overseeing the hotel team due, in part, to his expertise in organizing and his strong relationships with the members. I believe the plan was for David Sanders, an Organizing Director who is white, to oversee the entire hotel team thereby pushing Mr. Bulle out of that role.

Prior to the election, Mr. Sanders had been openly discussing that he was going to be the next Canadian Director. In or around August 2016 he had talked about some of the things he wanted to do as Canadian Director, including, focusing on hotels in Alberta. In or around September, 2016 I had heard that Ian Robb, President of Local 47 (Edmonton), had also expressed his desire to take on the role of Canadian Director. I had heard that in an Executive Board meeting in October, 2016 Ms. Pimentel stated that she would "burn the house down" if Mr. Sanders did not get the Canadian

Director position. I believe that for Mr. Sanders to secure the Canadian Director position, he would have needed stronger relationships with workers in the hotels, in particular, with elected leaders (executive board). It was my believe that this was part of the reason why Ms. Pimentel and Mr. Sanders were trying to push Mr. Bulle out of the hotels, and Mr. Sanders into them.

In or around October 2016, Mr. Bulle was on a very brief sick leave, and several leads, myself included, were sitting in a leads meeting - these meetings are held weekly. The individuals I recall at the meeting were Ms. Pimentel, Mr. Sanders, Ms. Lue, Soloman Asfaha, Jj Fueser, and myself. I believe that Guled Warsame and Marc Hollin were also in attendance. There was a discussion about the changes that were taking place (changes to Mr. Bulle's role and other structural changes). Mr. Asfaha, who is black, grew upset and asked how these changes came to be as they were not discussed with Mr. Bulle. Mr. Asfaha had also asked who gets to make such decisions. Ms. Pimentel and Mr. Sanders alleged that Mr. Bulle knew about these changes and Ms. Pimentel stated that she gets to make those decisions. Mr. Asfaha was upset and ended up walking out of the meeting. Ms. Pimentel stated that if anyone else has a problem with it they are also free to leave. She then said, "I didn't start this" about the "dispute" at the office. This made it clear to me that these changes being implemented were politically motivated. I'd like to point out that almost all staff under Mr. Bulle's structure were black and brown and one staffer, Jay Yerex, who is white, in fact the only white person who was under Mr. Bulle's structure, was moved from under Mr. Bulle's structure to Mr. Sanders' structure in November 2016.

These rumors of Mr. Bulle's alleged intention to run for President led to Mr. Bulle being treated like a criminal in the office. It became impossible to speak freely with Ms. Lue, Mr. Bulle, and the people under his structure in the office. For some time, I, too, began to keep my conversations with Ms. Lue, Mr. Bulle and others under his structure very brief. I did so because I did not wish to be targeted or labelled as being with "the other side." I am an International Union staff person and I do not work for Local 75, but I do work out of the Local 75 office.

A negative narrative about Ms. Lue, Mr. Bulle and the people under his structure began to develop in the office. I had heard comments made by colleagues that Mr. Bulle and his team "did not do any work," and "were struggling." I also heard terms like "lazy." This narrative, I firmly believe, was developed to discredit Mr. Bulle and his team. I felt these negative comments had racist undertones. The people who were now called "lazy" and accused of not doing any work were the ones who had built this local, had worked for this organization for years, and were suddenly accused of not being able to do their jobs. The sad part of this is that some of the individuals making these comments are people who only recently joined this organization.

Structural Racism

I firmly believe that there is a different set of standards for one set of staff at Local 75 versus standards for another set of staff which adversely impacts people of colour. I believe that the white leadership of Local 75 encourages discrimination against and harassment of leaders of colour at Local 75. I have several examples of structural racism. Elected leaders, such as Mr. Bulle and Ms. Lue, are disrespected constantly by leadership and junior staff and others throughout the local. I do not see the same level of disrespect shown to white "Executives" and leaders at the local. I believe it is the mistreatment of people of colour by white leadership within our organization that has emboldened staff to mistreat our leaders of colour. I have witnessed, for example, Mr. Bulle saying "hi" to junior staff, only to be ignored and not greeted with a hello in return. This is unacceptable. This type of insubordination and blatant disrespect and disregard towards an "executive" would not be tolerated in any organization, but, it is not only tolerated at Local 75, but is encouraged.

I have witnessed Mr. Bulle, Secretary Treasurer and Director, being disrespected by Local 75 Leadership and Staff

- In November 2016, Jennifer Chotalal was terminated from her position as Administrative Lead. Ms. Fueser and I were called into her termination meeting with Ms. Pimentel as witnesses. After Ms. Pimentel told Ms. Chotalal that Ms. Fueser and I were there as witnesses, Ms. Chotalal said she wanted to call Mr. Bulle in as her witness. He came into the room as her witness. Ms. Chotalal left after clearing her office, she had been crying. After she

left, Ms. Pimentel watched out the window and saw Ms. Chotalal with Mr. Bulle, and said something along the lines of “[pull out your cell phones]” to take pictures of Mr. Bulle with Ms. Chotalal. Ms. Fueser and I were in our old Research office (we now share Ms. Chotalal’s old office) and Mr. Sanders came in and asked Ms. Fueser to go outside and take pictures of Mr. Bulle and Ms. Chotalal. Mr. Hurtado was also in our office, watching Mr. Bulle with Ms. Chotalal from the window and kept saying how Mr. Bulle is so stupid [for talking to an employee who was just terminated]. Though I kept this to myself, I was disgusted at how the Local 75 leadership began to take pictures of Mr. Bulle; he was not committing a crime by talking to an employee who was noticeably crying and upset after her employment had been terminated. The Local 75 leadership, mainly Ms. Pimentel and Mr. Sanders along with Mr. Hurtado in taking pictures of Mr. Bulle and asking staff to take pictures of him, treated him like he was a criminal. After her termination, I had heard from different people on staff that Ms. Chotalal’s termination was a test; that Ms. Pimentel and Mr. Sanders wanted to see what the fallout from that termination was going to be and that there would likely be other terminations in the next little while.

- Mr. Bulle use to run our staff meetings but that role was abruptly taken from Mr. Bulle in front of all staff by Ms. Pimentel taking “his seat” where he would normally sit, at the head of one side of the table. She also cut him off as he started to speak to start the meeting, and took over the meeting herself. I felt this was very disrespectful, especially, given that it was done in front of all staff. Mr. Bulle is an elected leader who, again, use to run these meetings for several years; for the President of the Local to openly humiliate him in front of all staff, I believe, made it look like it was okay to disrespect him. From that point on, Ms. Pimentel and Mr. Sanders ran all the staff meetings, except one in April that Mr. Bulle led because Ms. Pimentel did not show up and Mr. Sanders was very late. I witnessed the majority of staff getting noticeably angry and frustrated that Mr. Bulle ran the meeting. Some white staff even came in, saw that Mr. Bulle was running the meeting, and walked out. He is a Director, and an Elected Officer and had every right to run these meetings.
- During a staff meeting in or around November 2016, staff broke out in small groups, as we routinely did. The groups were led by Ms. Pimentel, Mr. Sanders and Mr. Marc Hollin, all of whom are white. Typically, Mr. Bulle would also have led a group and it was also previously routine for Mr. Warsame to lead a group. They were not asked to. Essentially, two black Organizing leaders who routinely ran small group discussions were replaced by a white Research lead typically did not lead these small group discussions.
- April 12th, 2017 Leads Meeting (Attendees: Lis Pimentel, David Sanders, Frank Piserchia, Nuredin Bulle, Guled Warsame, Marc Hollin, Jj Fueser, Daniel Bastien, Pedro Cristovao, Nadia Baer, Allan Pace, and myself.) An Organizer by the name of Nadia Baer, who is white, swore at and yelled at Mr. Bulle and Mr. Warsame (Mr. Warsame is also black). Ms. Baer said to them, “Who the fuck do you think you are?” and something along the lines of “[you walk in all confident, smiling, with your heads held up high.]” She said several other things, but these statements really stood out to me. She was yelling and extremely disrespectful. Nobody spoke up to defend Mr. Bulle and Mr. Warsame, so I felt I had to, because I felt it was disgraceful, hurtful and encouraged (since she was not stopped). So, I said something along the lines of “How is it okay for her to speak to him (Mr. Bulle, since she was looking right at him) like that and nobody is going to stop her? He’s an elected officer. It’s so disrespectful.” At that point, I felt that I was being looked at by a white staff person named Frank Piserchia, as though I was the one who did something wrong by stepping in. Mr. Bulle also defended himself and spoke of racism in the office, and told Ms. Baer that they will not be judged by her, but by the workers. He also said, “so as Black leaders, we should walk with our heads down? Is that what you’re expecting, Nadia?” **Please see Appendix A for my complete details of what happened at this meeting.**

Structural Racism in Demotions, Promotions, and Hiring

- Summer of 2016, Allan Pace, an Organizer, who is Filipino, was reported to have made racist remarks. I did not attend leads meetings during this time, however, my colleague Mr. Hollin, informed me of these racism allegations. Mr. Hollin had told me that there would be investigators, and he believed that the allegations were true. I had been friends with Mr. Pace and he, himself, told me that Ms. Pimentel was investigating him for racism. I asked him if there was truth to the allegations and he said, he would admit to what he did say – comments towards Monica McKenzie, an Organizer, but essentially denied the racism claims. Pedro Cristovao, who is now Administrative Lead and Ms. Pimentel’s “right hand man” and someone I have been friends with for

a very long time, had also informed me that Mr. Pace made racist comments and that there were witnesses. Mr. Pace, it was my understanding, would be under investigation for racism allegations. This investigation, however, never came to fruition as far as I am aware. Yet, even though there were allegations of Mr. Pace having made racist comments, he was promoted in or around October or November 2016. Mr. Pace has been heavily involved in the political dispute at Local 75 and has been a key player on Ms. Pimentel's side. Despite the allegations of Mr. Pace's alleged racist behavior, he was promoted to a Lead position, during the time, he ought to have had been under investigation for racism.

- In December 2016, Ms. Lue and Mr. Asfaha were demoted from their positions as leads; they also eventually had their pay cut. I do not believe Ms. Lue's pay was immediately cut. Mr. Cristovao had informed me that Ms. Lue was being demoted because she spoke against Ms. Pimentel during an Executive Board meeting and that her pay was not being cut. To clarify, Ms. Lue is Vice President, and she was demoted as a Lead Organizer for what the President deemed as speaking against her in her capacity as an elected officer. Eventually, I had heard Ms. Lue's pay was cut.
- Ms. McKenzie, who is black, and under Mr. Bulle and Mr. Warsame's structure had her employment terminated by Ms. Pimentel in April 2017. She was only reinstated after agreeing to extend her probation period for an additional six months, after already having completed one year. One of the reasons cited by Ms. Pimentel for extending Ms. McKenzie's probation period in a letter dated April 24th, 2017 was a claim that Ms. McKenzie allegedly turned in petitions to support food service strikers with fake signatures. To be clear, in staff meetings related to these petitions, we were told we could get petitions from family members, community etc. It would not be uncommon for Organizers to give petitions to their worker committee members, or worker leaders to get signatures for them. On February 24th, 2017, two months prior to Ms. Pimentel's letter to Ms. McKenzie, Mr. Pace and Ms. Rafunzel Korngut were searching for a document in Mr. Sanders' office (some sort of petition Marriott workers had signed and Mr. Cristovao had allegedly misplaced) and there was a pile of food service petitions in Mr. Sanders' office. Mr. Pace picked up a bunch of the petitions, looked at the first page for literally a second and said something along the lines of "looks like the same writing for signatures over and over again" and started to laugh. To be clear, Mr. Pace did not have the pile of petitions long enough to make that assessment, and I even said, "oh whatever, Allan," (because Mr. Pace had a habit of badmouthing the people under Mr. Bulle's structure). However, when I had heard that Ms. Pimentel used "fake signatures" as a reason to "punish" Ms. McKenzie, my mind immediately went back to Mr. Pace's comment and I immediately thought that Ms. Pimentel's side had colluded to make this frivolous claim against Ms. McKenzie. I had always heard that Ms. McKenzie was a great Organizer and was doing amazing work. In fact, she had volunteered with us for over ten years before being hired.
- Ms. Baer, who is white, as I mentioned earlier swore at an elected leader of colour on April 12th, 2017. Ms. Baer also, just prior to that, had reportedly "blew up" in front of the employer during food service negotiations, which both ought to have been classified as serious employee misconduct. Rather than any disciplinary action taken against Ms. Baer, Ms. Baer was praised following these incidents. **(Please see Appendix B for further explanation on Ms. Baer being praised by Ms. Pimentel)**

Local 75 Leadership Allegedly Colluding with Staff to "Get" Leaders of Colour

On Friday April 14th, 2017, I had dinner with Mr. Cristovao and Jay Yerex, who are married. Amarjeet Chhabra, a former UNITE HERE employee, and a mutual friend of ours was also present. I was sitting across the table from Mr. Yerex at a restaurant. Mr. Cristovao appeared to be "hung over" and Mr. Yerex and Mr. Cristovao said it was because they had been at Mr. Sanders' house the night before. Mr. Yerex said that the following individuals were at Mr. Sanders' house and that they had discussed how they would "get" Mr. Bulle and Mr. Warsame: Ms. Lis Pimentel, Ms. Nadia Baer, Mr. Allan Pace, Ms. Rafunzel Korngut, Mr. Chris Koehler (E-board member who was formerly also on a leave of absence from his job as a hotel worker to work with Local 75). Mr. Yerex said that Mr. Daniel Bastien was not present because he had childcare duties.

Mr. Yerex had said that Mr. Sanders was out for blood and they had discussed how to "get" Mr. Bulle and Mr. Warsame. He said, "nobody embarrasses David Sanders and gets away with it" about the General Membership Meeting held on

April 11th where the e-board brought many workers. Mr. Yerex said that Mr. Bulle and his team were "winning" so far but that Mr. Sanders' side would strike next. He also spoke about Robyn Vilde. Robyn Vilde had volunteered with us previously and had gotten a job at a non-union hotel that Local 75 had been trying to organize. Robyn Vilde was led by Mr. Bastien under Mr. Sanders' structure and ended up quitting abruptly. Mr. Yerex had brought Robyn Vilde to the union, initially, I believe. Mr. Yerex said that they were discussing Robyn Vilde at Mr. Sanders' house the night before and that Mr. Sanders etc. had said that "Robyn is team Nuredin (Mr. Bulle)" and Mr. Yerex had told them not to "worry about Robyn that Robyn would listen to" Mr. Yerex and be on their side.

We had also discussed the leads meeting where Ms. Baer swore at Mr. Bulle and Mr. Warsame since that incident occurred that very same week. Mr. Yerex said that Ms. Baer was crazy and that he had heard about how she swore at and yelled at Mr. Bulle.

During that dinner, Mr. Yerex also said that Teferi Zemene, who is black, drives a Lincoln and the optics of that are bad because we have food service workers making very little. I said to Mr. Yerex, "oh but it's okay for David Sanders to drive a Jeep?" I said this because I felt Mr. Yerex's comment, even if it was not meant to be as such, was racist. I felt that there was an expectation that immigrants and/or people of colour should not or could not possibly possess "nice things." But, when white people such as Mr. Sanders possess similarly "nice things" then that is just expected and not questioned. I was offended.

Individual Racism/Discrimination Against People of Colour

October or November 2016

Jorge Hurtado, Legal Counsel, said of Mr. Bulle that he "is just a dishwasher and [should just take whatever Lis and David give him because they have PHD's and can get a job anywhere, and that Nuredin is just a dishwasher]." I was very angry about this comment; I felt it was classist. I approached Mr. Cristovao and told him about the comment but did not say who said it. Mr. Cristovao said something along the lines of "[I know who said that because the same person made that comment to me too]."

November 16th, 2016

Ms. Baer called me because she was angry about a text Mr. Yerex had sent her to sign a UUHS (staff union) petition. She was angry about Mr. Yerex's text and said he didn't know how to organize etc. The conversation eventually turned to politics because at that time Mr. Yerex was on the side of the people of colour. She started talking about Mr. Bulle and said that Mr. Sanders told her that Mr. Bulle had wanted to fire Ms. Baer and had been trying to fire her. I told her that does not sound like Mr. Bulle, and if I were her I'd speak with him rather than make assumptions. She said, "are you saying David Sanders is lying to me? Why would David Sanders lie to me?" I said that I'm not saying that but that she should talk to Mr. Bulle because to me, it does not seem to be something he would do. I also told her that just two months ago, she was telling me how she realized all this stuff about Mr. Sanders and how he didn't have her back etc. **She told me that Mr. Bulle is afraid to work with her because she is a better organizer than him and that he does not know what he is doing. She told me he tries to "undermine" her because he's essentially threatened by her. She said that Mr. Bulle and them have not been doing any work for a really long time.** She also started talking about how they, through Ms. Chotalal (former Administrative lead) had tried to be divisive because Ms. Chotalal had once sent an email out to all staff saying we had to start our staff meetings on time - 9:30 AM. We have a culture of not starting staff meetings on time. I was puzzled and said I didn't understand how that was divisive. She said, "who the fuck is Jennifer to send that email out." She told me she talked to Ms. Lue about it and Ms. Lue was supportive of the email Ms. Chotalal had sent out about starting staff meetings on time and that Ms. Lue was dead to her now. My analysis of why they thought this was divisive is because Mr. Sanders and the people under his structure are usually the ones who are late to staff meetings.

Ms. Baer kept going on about Mr. Bulle and them "not knowing how to organize and not doing any work."

February 23rd, 2017

Mr. Sanders said there would likely be a "no confidence vote" against Ms. Pimentel at the e-board meeting at which point we would likely have to end the Food Service strike. I asked why a no confidence vote would result in us having to end the strike. He said because that's how these things work and that Mr. Bulle and them are trying to destabilize the local. He said that they are trying to push us into trusteeship and that D. Taylor (General President of UNITE HERE) even said that it's "crazy" because they can't actually do that under the constitution. Mr. Sanders said that this was a "career ender" for Mr. Bulle.

Mr. Sanders said that Mr. Bulle wants position and status so that "they" are willing to screw over workers to get that because "that's who these people are." He also said something along the lines of, "Would Malcolm X, and Martin Luther King, and other civil rights leaders do that?"

February 24th, 2017

Mr. Pace said that half the people on our staff need ESL. Ms. Rapunzel Korngut and I were present when this comment was made in the Organizers' office space. Mr. Pace made other disparaging comments about some Organizers including Ms. Lue, Mr. Kirshnamoorti and Ms. McKenzie.

March 2017

I believe this is sometime in March, but I'm not certain. Mr. Pace and I were outside the OFL building and he said that Mr. Bulle just wants power. He said that "they" want Ms. Pimentel out because she is a woman and that they don't respect women in Indian culture. I said, "fuck you Allan, I'm Indian." I also said that Mr. Bulle is not sexist. Then Mr. Pace said, "maybe not Nuredin but the people around him - like Yosief and Habtom" (e-board members).

March 3rd, 2017

This was a day following the March e-board meeting. Mr. Hurtado, who I had been friends with for a long time, had asked me what I thought of the e-board meeting. My reply was that I did not like how the food service workers were being used. (The food service strikers were brought to the meeting for what I believe is to prevent the e-board from possibly doing anything against Ms. Pimentel). Mr. Hurtado mentioned that people thought I was on Mr. Bulle's side, and I had said I didn't care and that I was entitled to my opinion. I also stated something along the lines of, "[I don't believe what is being said about Nuredin. Where's the proof? One day the story is that he wanted to be Canadian Director, the next day it's he wants to be President. Which one is it Jorge, which one is it?]" My statement was not necessarily regarding anything Mr. Hurtado had said, but just about how the story constantly changes about Mr. Bulle. Mr. Hurtado said that I didn't sound very neutral. We got into a somewhat heated discussion, and he stated that Mr. Bulle was evil and that he wanted him to lose his house and to destroy him.

Mr. Hurtado said that within the next 6 months all the information about Mr. Bulle would come out. He also said he has texts and emails documented between him and Mr. Bulle. He said he wanted to make it his mission to destroy Mr. Bulle. He said Mr. Bulle is evil. He also said Mr. Bulle is after power and wants to "show that I'm the man."

Mr. Hurtado also referred to Mr. Bulle and Mahen Krishnamoorti, who is brown, as "fucking idiots" and he said that Cornetta Mason, who is black, was "lazy."

Other comments were made, but I had been very hesitant to write about them. I eventually told Ms. Fueser, who is my lead, about one comment that was made, but not specifically who said it, and not when it was said.

(Please see Appendix C for a text conversation between myself and Mr. Hurtado in which we reference this March 3rd conversation. Mr. Hurtado also admits there is racism and classism in our office among other things).

April 24th, 2017

We had a staff meeting on this day. Ms. Pimentel announced in the staff meeting that Mr. Sanders had been under investigation [for sexual harassment] and that he was "innocent, which we already knew." She told us that Ms. Chotalal and Melisa Sobers, a woman of colour who had been on LOA to work with Local 75, filed a false harassment claim against Mr. Sanders. In all my conversations with Ms. Sobers she had never mentioned anything about the harassment claim to me. I remember thinking how inappropriate it was for Ms. Pimentel to speak about Ms. Sobers and the sexual harassment claim in a staff meeting. I felt that it was probably a violation of Ms. Sobers' right to confidentiality.

Later that day:

Ms. Fueser and I share an office. When I walked into our office, Mr. Sanders was speaking with Ms. Fueser. He had his letter from the International Union about the investigation in his hands and he was talking about the investigation. He showed me the letter which said something about the complaint not being substantiated and something along the lines of "easing tensions." He told us that D. Taylor told him that the sexual harassment complaints were 100% politically motivated. He also claimed to never have been alone with Ms. Sobers implying that she was lying about the allegations.

I, as a person of colour, feel harassed

In November, during a leads meeting where Mr. Bulle, Mr. Warsame and Ms. Lue were not present, they were being negatively discussed. I grew uncomfortable. The attendees of that meeting, from what I recall, were Mr. Sanders, Ms. Fueser, Mr. Hollin, Ms. Baer and myself; Ms. Pimentel was not present. As I mentioned, I was unclear on all the facts of the dispute, so at that leads meeting, I said, "[I'm going to be completely honest here – I'm neutral. I like both Nuredin and Lis. I don't have all the facts, so I can't just choose one side. Also, I see a racial divide in the office and that does not sit well with me.]" At the time, it did not seem that anyone had a problem with what I said, but that was not the case, I would soon learn.

There was a leads meeting following the meeting I mentioned in the paragraph above; this time Ms. Pimentel was present. Again, Mr. Bulle and the staff under his structure were being discussed; Ms. Pimentel had said that she would be happy if those people would resign. In speaking of Mr. Krishnamoorti, an Organizer under Mr. Bulle's structure, she said that she would gladly take his resignation letter and frame it on her wall. She also made comments about Ms. McKenzie being on probation and said that she could easily get rid of her. She then made a point to say, "everyone in this room is on the same page." I did not react; I felt that the comment about "being on the same page" was directed at me, since in the meeting the week prior, where Ms. Pimentel was not even present, I had said I was neutral.

March 3rd, 2017

Mr. Hurtado said I should be careful because people think I'm on Mr. Bulle's side. (My full comments on that conversation, earlier in this memo).

March 29th Leads Meeting

We broke into our "small groups" and in mine it was Mr. Sanders, Mr. Piserchia, Ms. Fueser and myself. Mr. Sanders asked me about how things are going with Kumsa Baker (I was his lead); he had asked if he was in a "positive place." I initially thought he meant about our project we are working on so I began to talk about the project and said that Mr. Baker was in a positive place. Mr. Baker and I worked for the International Union; I continue to work for the International Union. Mr. Sanders then asked, what about in terms of the local (Local 75). I still didn't understand exactly what he was getting at, so I said, yes, he's positive in terms of the local, he is engaged in local activities etc.

Mr. Sanders started talking about how there are people in a "negative place" in our office and people in a "positive place." He started listing people in a negative place - which he said were Mr. Bulle's team, and he added Mr. Pace and Ms. Baer to that list. For Ms. Baer he said, "however, she's under a lot of pressure." I then said, oh that's a lot of people who are in a negative place, who's left [for the positive place list]?" He listed himself, Ms. Pimentel, Mr. Yerex (who he said is now doing amazing since he's working with Mr. Pace [as opposed to under Mr. Bulle's structure]), and he listed a bunch of other people and he also put Ms. McKenzie and Mr. Zemene on the "positive list." Ms. Fueser asked, "what about Cornetta?" Mr. Sanders said no she was not on the positive list. I then said, "well I think Guled is in a positive place, so I think you should move him over to the positive list" or something along those lines. I said that because I now understood that the question about Mr. Baker being in a positive or negative place was politically motivated.

Mr. Piserchia then said something along the lines of having Mr. Baker work with someone at the local to meet with weekly. I asked, "for what purpose, Frank?" And he said, to encourage, and motivate him. And he sort of kept rambling. I was offended because I knew he was implying that Mr. Baker did not have that with me as his lead. So, I said, he has that with me. We meet weekly. Mr. Piserchia sort of kept going, and I responded the same way, saying he doesn't need to work with anyone else. At that point Mr. Sanders said something like, "Frank, he has that with her" to sort of move on.

After that meeting, Ms. Fueser told me that the meeting felt "icky." And I told her, yes this is how I am now being treated [because of the stance I've taken in this "dispute" which is that I am neutral]. I have seen how leaders of colour are being torn down in this organization; and now suddenly they "aren't good at their jobs" which I felt was now happening to me.

Most recently, I feel that Mr. Sanders and Ms. Pimentel, have been colluding with Mr. Yerex to harass myself and many other people of colour on staff. Below is a timeline I put together which reflects my experience with Mr. Yerex; further detail on the below timeline can be found in the appendices.

Jay Yerex Timeline (Harassment, Bullying, Frivolous Complaints)

- **April 14th, 2017:** Mr. Yerex tells me about a meeting at Mr. Sanders' house where members of staff and leadership discuss how to "get Nuredin and Guled." Mr. Yerex also made it clear he was on Ms. Pimentel and Mr. Sanders' side. Mr. Yerex admitted knowledge of Ms. Baer's abusive behavior towards Mr. Bulle and Mr. Warsame.
- **May 18th, 2017:** I receive a series of harassing text messages from Mr. Yerex. The messages were accusatory and bullying. (Please see Appendix D)
- **June 19th, 2017:** Mr. Yerex sends me an email in his capacity as UUHS representative asking to conduct an interview with me. (Please see Appendix E)
- **June 19th, 2017:** Mr. Yerex sends an email in his capacity as UUHS representative to several people of colour on staff asking to conduct an interview: Mr. Bulle, Ms. Lue, Mr. Warsame, Ms. McKenzie, Ms. Cornetta Mason.
- **June 30th, 2017:** Mr. Yerex approached me and said, "Just to give you a heads up, I've requested your statements from the IU." I said, "okay" and left because I did not want to engage in this discussion with Mr. Yerex.
- **July 3rd, 2017:** I file a harassment/bullying claim against Mr. Yerex (I send the complaint to the International Union and to Ms. Pimentel, Mr. Bulle and Ms. Lue). I do not receive any acknowledgement of my complaint from Ms. Pimentel. Mr. Bulle and Ms. Lue did not even receive my email because we believe certain emails are being blocked from reaching them. (Please see my full complaint in Appendix F)
- **July 3rd-5th, 2017:** I notice Mr. Yerex has "unfriended" me from Facebook; I suspect Ms. Pimentel told him about my complaint even though she did not acknowledge my complaint to me.
- **July 5th, 2017:** Mr. Yerex calls Ms. Cornetta Mason and tells her that the only reason he is representing Ms. Baer as her UUHS representative is because he thinks that the IU is "relocating her" as punishment and he does not want that to happen to him. The timing of this call was suspicious.

- **July 11th, 2017:** General Membership Meeting: Mr. Yerex approached me and said, “after everything I did for you Shelli.” I said, “what did you do for me, Jay?” He was clearly referring to representing me as my shop steward when I filed a grievance while being in the bargaining unit a couple years back. It was clear he made this comment because he had known I filed a complaint against him. Later, that day, I overheard Mr. Yerex bad mouthing Mr. Bulle and Ms. McKenzie to the members and I said, “oh okay there, Jay.” Mr. Yerex, then said – Should I call Theresa and tell her you’re not neutral, Shelli.” I then said, go ahead Jay. And shortly after, Mr. Yerex exclaimed, to a group of members “look, there’s Shelli our neutral Researcher” to which I replied “Neutral, Jay? Neutral when there is an injustice?”

The above timeline outlines my interactions with Mr. Yerex; however, during this period, Mr. Yerex has made many frivolous complaints against leaders of colour at Local 75. In addition, he has made disparaging comments about Mr. Bulle and other leaders of colour. I strongly believe that Mr. Yerex has been colluding with Ms. Pimentel and Mr. Sanders in his actions against people of colour at Local 75.

Conclusion

The details I’ve outlined in this report reflect my own observations; describing what I’ve witnessed and experienced. This report is not exhaustive of everything I’ve witnessed, but does provide some insight into what has been taking place at UNITE HERE Local 75. I have witnessed people of colour who have built this local, people who have fought wars in their home countries, only to come to work, and be abused, disrespected, mocked, bullied, harassed, and criminalized. There is a grave injustice taking place at our workplace and the basic human rights of many people are being violated every single day. I believe that my colleagues, who have received the brunt of the racial discrimination at Local 75 can provide greater insight into what they have been experiencing. The fundamental principles of our union are to fight injustice, discrimination and harassment in the workplace, this is what I signed up to do. Yet, in our own work place this type of injustice is not only being tolerated, but it is encouraged.

Appendix A

April 12th, 2017 Leads Meeting

Leads meeting attendees: Lis Pimentel, David Sanders, Frank Piserchia, Nuredin Bulle, Guled Warsame, Marc Hollin, Jj Fueser, Daniel Bastien, Pedro Cristovao, Nadia Baer, Allan Pace, and myself.

Ms. Pimentel and Mr. Sanders were angry at the beginning of the meeting because of the worker turnout at the General Membership Meeting (GMM) the day prior. They blamed Mr. Bulle and Mr. Warsame for organizing workers to attend the GMM. Mr. Warsame told Ms. Pimentel that her executive board is mad at her and that she should house visit them. He even pulled out his phone and said he would schedule meetings for her. She said no and that she had bargaining. Mr. Piserchia was adamantly against the idea of the President meeting with the e-board. He really dwelled on this point and kept reiterating that the President should not meet with the e-board, or house visit the e-board. I don't recall exactly when Ms. Baer walked into the leads meeting, but she was late at arriving. Although I can't be certain, I do not believe Ms. Baer even attended the GMM the night before. Ms. Baer began to yell at Mr. Bulle and Mr. Warsame. She said, "Who the fuck do you think you are?" and something along the lines of "[you walk in all confident, smiling, with your heads held up high.]" She also accused them of destroying the food service. She said many other things, but these statements really stood out to me. She was yelling and extremely disrespectful. Nobody spoke up to defend Mr. Bulle and Mr. Warsame, so I felt I had to, because I felt it was disgraceful, hurtful and encouraged (since she was not stopped). So, I said something along the lines of "How is it okay for her to speak to him (Mr. Bulle, since she was looking right at him) like that and nobody is going to stop her? He is an elected officer. It's so disrespectful." At that point, I felt that Mr. Piserchia was looking at me as though I was the one who did something wrong by stepping in. Mr. Bulle also defended himself and spoke of racism in the office, and told Ms. Baer that they will not be judged by her, but by the workers. He also said, "so as Black leaders, we should walk with our heads down? Is that what you're expecting, Nadia?" After Ms. Baer's outburst, Mr. Sanders asked if we should move onto other business. And at that point I said something along the lines of "no, why? For the first time, we're actually able to open our mouths about this topic. This has been brewing for a long time and if you actually care about the members like you all claim to then you're going to figure out a way to resolve this. So, I think we should keep talking." At which point, Mr. Piserchia made comments along the lines of this not being something you can just sprinkle water on to resolve. I told Mr. Piserchia I wasn't suggesting that and that I am not naïve, but that it needs to be discussed and pointing fingers isn't going to help. I also said it's either going to get worse or better, so I vote we continue. I also mentioned how it was now okay to be racist and classist in our office, and that I had said in one meeting that I am neutral and everyone, after that, lost their minds. We then continued the discussion. Mr. Warsame spoke about white privilege in the office and gave examples of how Ms. Lue and Mr. Asfaha were demoted, but Ms. Baer can "quit" but keep coming back as a lead. Mr. Bulle also talked about how he's staff director and he can't get LOA's (union members on leave of absence from their work place to work with Local 75). If Mr. Sanders wants LOA's, he gets them. At a certain point, while speaking of his experience with racism in the real world and in the office, Mr. Bulle could not take it anymore, he got emotional, and he left.

Following the meeting, Mr. Cristovao and I spoke in his office. We talked about Ms. Baer's comments and we both agreed that it was wrong. Mr. Cristovao told me he was proud of me (for speaking up), but he was worried that I would become a target. Mr. Cristovao and I have been friends for years and I believe that his concern was genuine. He said, "you really put yourself out there, but do you think you're going to become a target now?" I told him, "I don't know Pedro, you're close with Lis and David, you tell me." He said, what happened at the General Membership Meeting on April 11th was big and that he didn't know and that I might become a target.

I also spoke to Mr. Pace following the meeting and he said, "Shelli, my friend, you have balls. I'm proud of you" (for speaking up at the meeting). Mr. Pace and I had been friends at the time.

Appendix B

Blatant disrespect and abuse of leaders of colours is not only tolerated but is encouraged in the office.

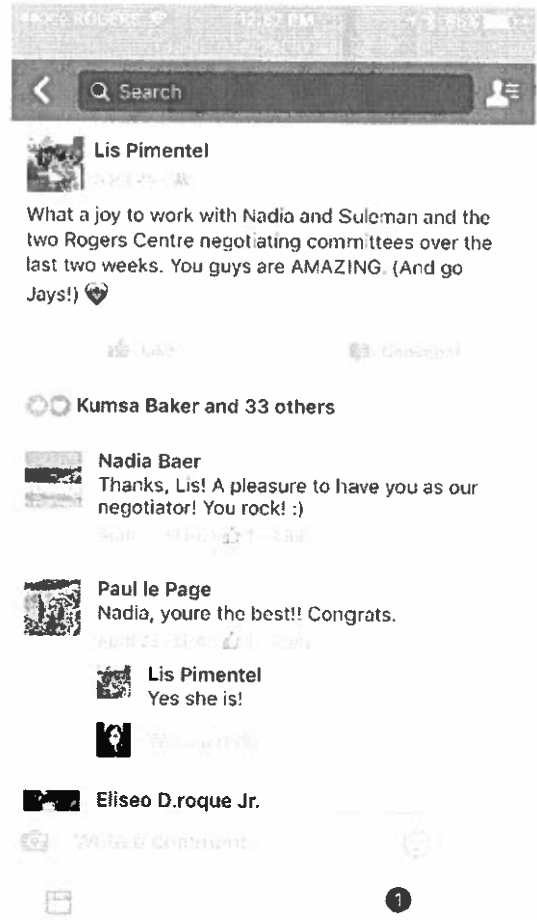
On April 12th Nadia Baer swore at, yelled at, and belittled Mr. Bulle and Mr. Warsame during a leads meeting. Mr. Bulle and Mr. Warsame were the only black leaders in that meeting. Ms. Pimentel and Mr. Sanders were present and did not intervene to stop Ms. Baer. Mr. Bulle and myself, also a person of colour, were the only ones to speak up to stop Ms. Baer and I questioned how it was okay for Ms. Baer to speak to them that way and not be stopped.

Ms. Baer was not reprimanded for her behavior and in fact Ms. Pimentel and Mr. Sanders' silence appeared to encourage her bad behavior.

On April 24th, less than two weeks after Ms. Baer swore at and yelled at leaders of colour, Ms. Pimentel praised Ms. Baer on Facebook. Ms. Pimentel wrote that it was a pleasure working with Nadia and Suleman, and the Rogers bargaining committee over the "last two weeks" and called Nadia "AMAZING." In the comments of Ms. Pimentel's post, somebody wrote "Nadia, youre the best!!" to which Ms. Pimentel replied, "Yes she is!"

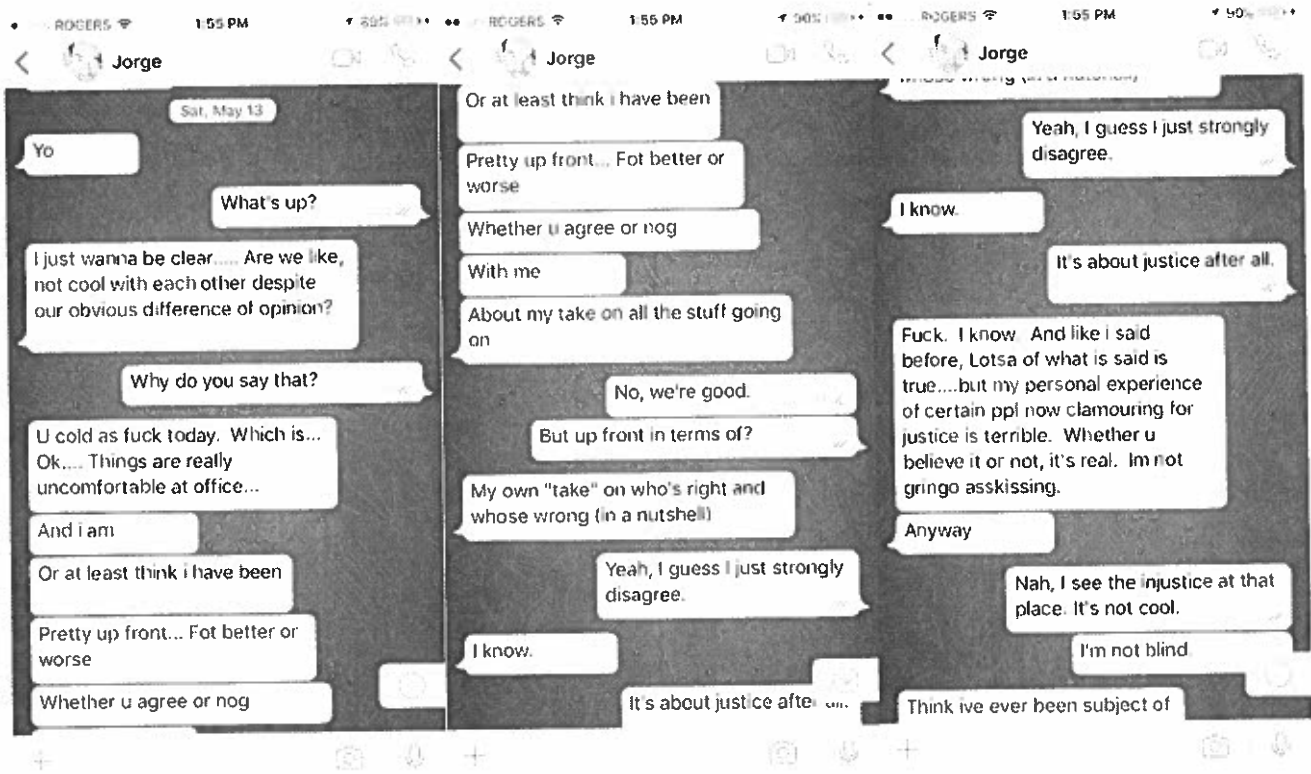
Regardless of any role Ms. Baer may have played in Rogers Center bargaining, Ms. Pimentel's praise of Ms. Baer less than two weeks after Ms. Baer verbally abused an elected officer of colour shows that not only is there no repercussions for her poor actions, but that such treatment of leaders of colour is encouraged. Ms. Pimentel demoted Ms. Lue as Lead Organizer for what she perceived as Ms. Lue disrespecting her in a Special Meeting. Ms. Lue is also an elected officer, serving as Vice President. Elected officers in any democratic organization should not be reprimanded for speaking up. Speaking up in her capacity as Vice President, led to Ms. Pimentel demoting Ms. Lue in her capacity as a Lead Organizer. The structural racism here is two-fold:

- A) A black organizing lead says something in her capacity as an elected officer that a white elected officer perceives as being "against" her and she is immediately disciplined.
- B) A white organizing lead insults and verbally abuses an elected officer of colour without any repercussions. And in turn the abusive Organizer is praised following the bad behavior.



Appendix C

WhatsApp Conversation Between Jorge Hurtado and Myself, Saturday May 13th, 1 AM. Text version of WhatsApp conversation follows.
(My text messages are on the right with the green background.)



ROGERS 1:55 PM 90%

Jorge

Think ive ever been subject of injustice?

No need to answer

I'm always going to be on the side of justice. And honestly, I don't like the shit that is said in that office. I think a lot of racist/classist shit is said.

And you and I had a conversation before your vacation and tbh I'm not happy about some of the stuff you said.

I know

But i said it as truthfully as i could.

Which

Though not make it better, id think allows for some frankness

Jorge

I'm always going to be on the side of justice. And honestly, I don't like the shit that is said in that office. I think a lot of racist/classist shit is said.

And you and I had a conversation before your vacation and tbh I'm not happy about some of the stuff you said.

Jorge

But as often as truthfully as i could

Which

Though not make it better, id think allows for some frankness

I don't know if you recall the exact context but some stuff about that was said at the time

Jorge

AND I (SPOKE) TO YOU WITH ME

I know what i said

I just think this dispute was taken to a level it didn't need to be taken to

And i dont say that lightly

EVIL to me.

Jorge, he NEVER takes things to that level.

Like you guys talk about wanting to destroy him and shit.

It's not cool.

Shelli.... When i leave this god forsaken job one day i will tell u.

Okay well let's see. But, how can we fight against the bosses when there is racism and discrimination being encouraged in our office?

And I'm not naive. I see it.

I dont care to turn u against him. But he is no angel.

You

And I'm not naive. I see it.

Of course there is!

He didn't start this shit.

U see me get same professional courtesly as heather ann or andrea bocker?

I don't know jorge, I always thou you and Nur were good.

ROGERS 1:55 PM 90%

Jorge

of course

You

I just think this dispute was taken to a level it didn't need to be taken to

Totally agree

Nur has been evil to me shelli.

And i dont say that lightly

EVIL to me.

Jorge, he NEVER takes things to that level.

Like you guys talk about wanting to destroy him and shit.

It's not cool.

Shelli.... When i leave this god forsaken job one day i will tell u.

Okay well let's see. But, how can we fight against the bosses when

ROGERS 1:55 PM 90%

Jorge

Okay well let's see. But, how can we fight against the bosses when there is racism and discrimination being encouraged in our office?

And I'm not naive. I see it.

I dont care to turn u against him. But he is no angel.

You

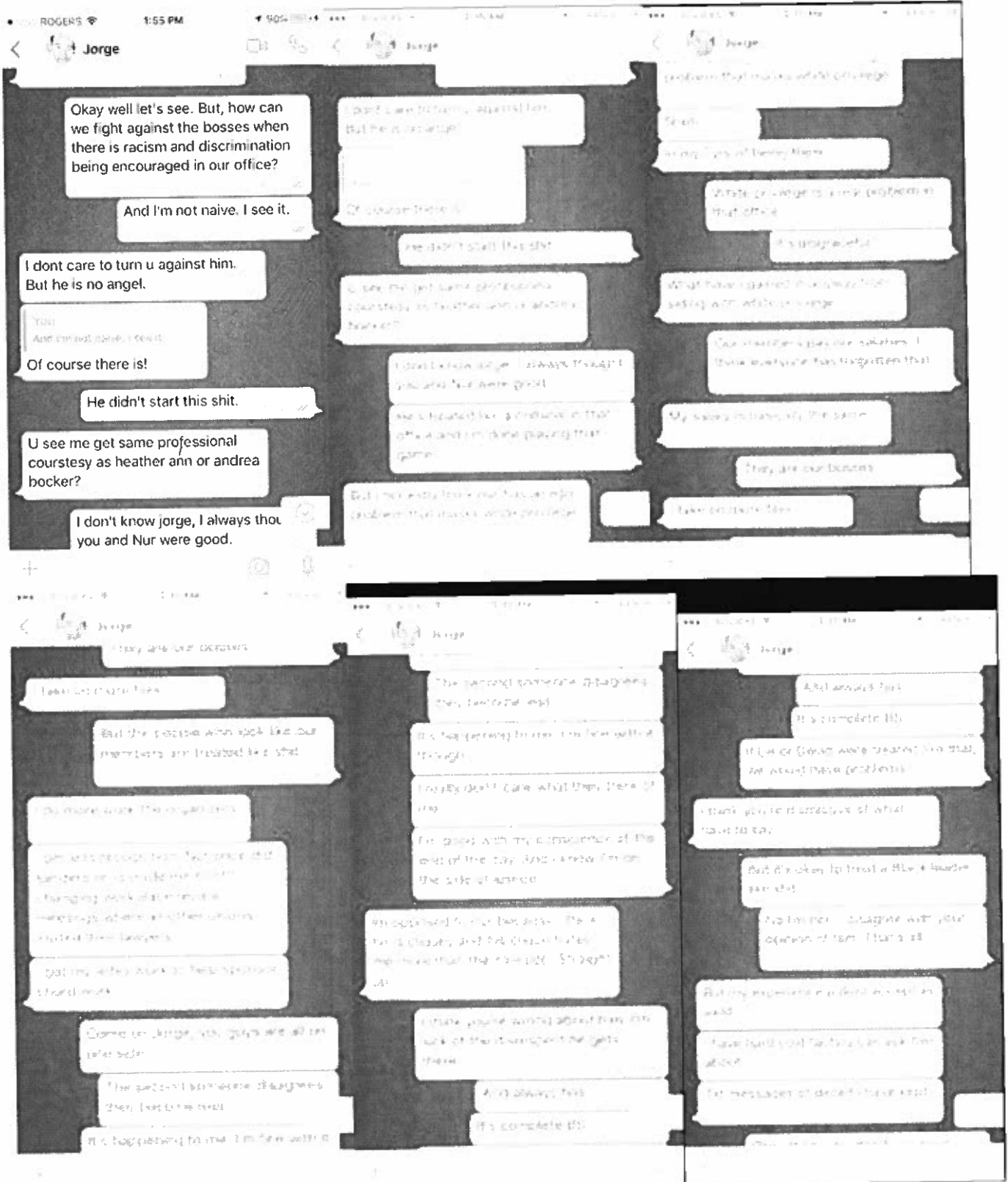
And I'm not naive. I see it.

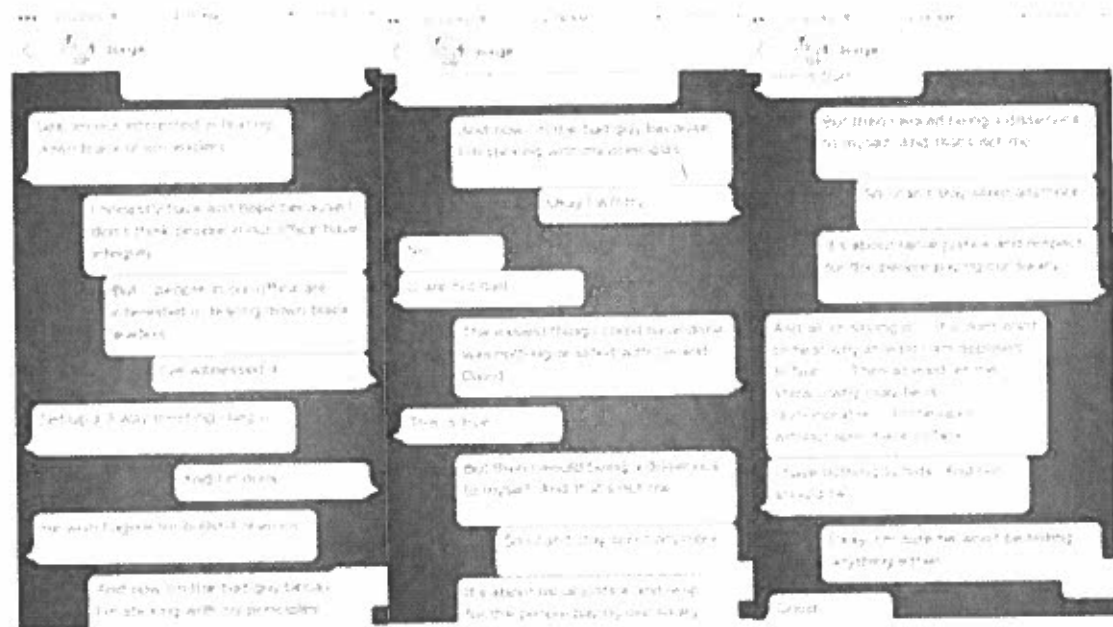
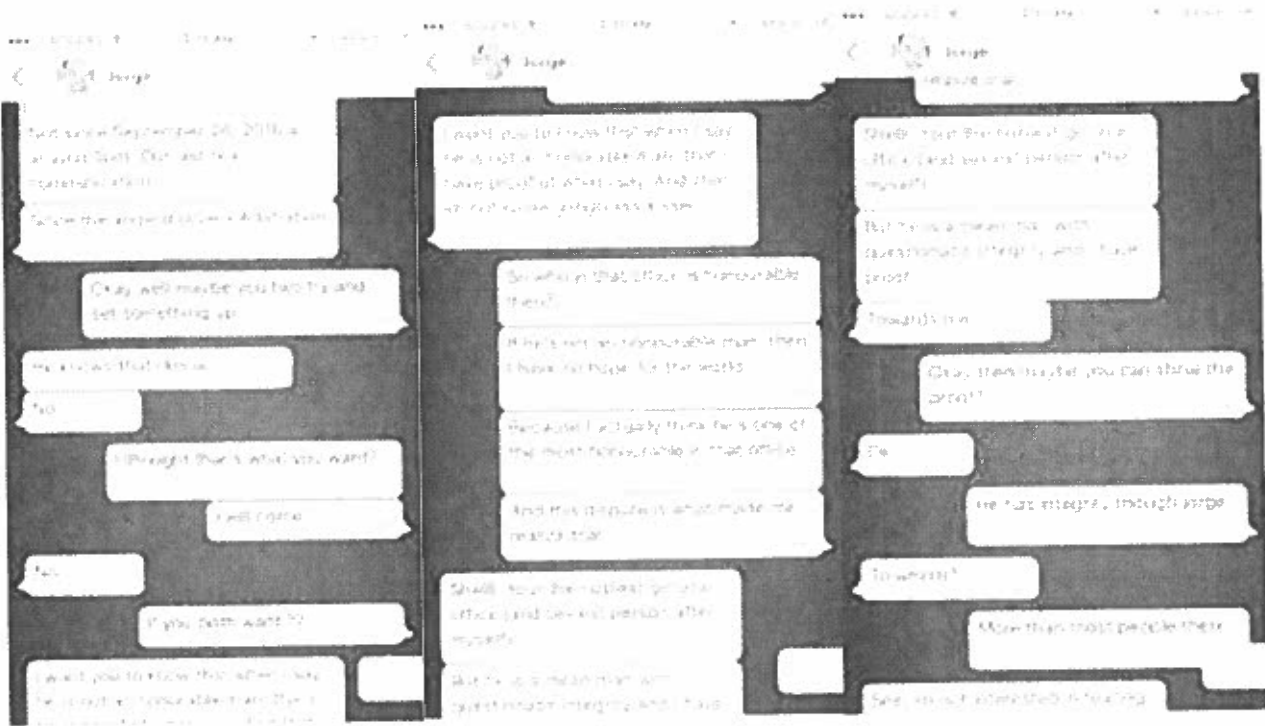
Of course there is!

He didn't start this shit.

U see me get same professional courtesly as heather ann or andrea bocker?

I don't know jorge, I always thou you and Nur were good.





2017-05-13, 1:12:36 AM: Ss: I'm always going to be on the side of justice. And honestly, I don't like the shit that is said in that office. I think a lot of racist/classist shit is said.

2017-05-13, 1:13:03 AM: Ss: And you and I had a conversation before your vacation and tbh I'm not happy about some of the stuff you said.

2017-05-13, 1:13:12 AM: Jorge: I know

2017-05-13, 1:13:40 AM: Jorge: But i said it as truthfully as i could.

2017-05-13, 1:13:46 AM: Jorge: Which

2017-05-13, 1:14:25 AM: Jorge: Though not make it better, id think allows for some frankness

2017-05-13, 1:14:56 AM: Ss: I don't know if you recall the exact convo but some stuff about nur you said was extreme.

2017-05-13, 1:15:01 AM: Ss: I know his character

2017-05-13, 1:15:04 AM: Jorge: Yea

2017-05-13, 1:15:06 AM: Ss: And it doesn't sit well with me

2017-05-13, 1:15:13 AM: Jorge: I know what i said

2017-05-13, 1:15:54 AM: Ss: I just think this dispute was taken to a level it didn't need to be taken to.

2017-05-13, 1:15:53 AM: Jorge: Not once in anything i said then or before have u ever given me benefit of doubt

2017-05-13, 1:16:07 AM: Jorge: Totally agree

2017-05-13, 1:16:29 AM: Jorge: Nur has been evil to me shelli.

2017-05-13, 1:16:39 AM: Jorge: And i dont say that lightly

2017-05-13, 1:16:49 AM: Jorge: EVIL to me.

2017-05-13, 1:17:04 AM: Ss: Jorge, he NEVER takes things to that level.

2017-05-13, 1:17:20 AM: Ss: Like you guys talk about wanting to destroy him and shit.

2017-05-13, 1:17:27 AM: Ss: It's not cool.

2017-05-13, 1:17:38 AM: Jorge: Shelli..... When i leave this god forsaken job one day i will tell u.

2017-05-13, 1:18:43 AM: Ss: Okay well let's see. But, how can we fight against the bosses when there is racism and discrimination being encouraged in our office?

2017-05-13, 1:18:52 AM: Ss: And I'm not naive. I see it.

2017-05-13, 1:19:04 AM: Jorge: I dont care to turn u against him. But he is no angel.

2017-05-13, 1:19:31 AM: Jorge: Of course there is!

2017-05-13, 1:19:58 AM: Ss: He didn't start this shit.

2017-05-13, 1:20:07 AM: Jorge: U see me get same professional courstesy as heather ann or andrea bocker?

2017-05-13, 1:20:51 AM: Ss: I don't know jorge, I always thought you and Nur were good.

2017-05-13, 1:21:15 AM: Ss: He's treated like a criminal in that office and I'm done playing that game.

2017-05-13, 1:21:20 AM: Jorge: But i honestly think nur has an ego problem that masks white privilege

2017-05-13, 1:21:30 AM: Jorge: Shelli

2017-05-13, 1:21:53 AM: Jorge: In my 7yrs of being there

2017-05-13, 1:22:02 AM: Ss: White privilege is a real problem in that office.

2017-05-13, 1:22:06 AM: Ss: It's disgraceful.

2017-05-13, 1:22:28 AM: Jorge: What have i gained in anyway from siding with white privilege

2017-05-13, 1:22:38 AM: Ss: Our members pay our salaries. I think everyone has forgotten that.

2017-05-13, 1:22:39 AM: Jorge: My salary is basically the same

2017-05-13, 1:22:46 AM: Ss: They are our bosses.

2017-05-13, 1:22:51 AM: Jorge: I take on more files

2017-05-13, 1:23:01 AM: Ss: But the people who look like our members are treated like shit.

2017-05-13, 1:23:09 AM: Jorge: I do more work the organizers

2017-05-13, 1:24:02 AM: Jorge: I get less recognition. Not once did sanders or lis invite me to ofl changing workplace review meetings where all other unions invited their lawyers

2017-05-13, 1:24:25 AM: Jorge: I got my wifes work to help sponsor chord work

2017-05-13, 1:24:35 AM: Ss: Come on Jorge, you guys are all on one side.

2017-05-13, 1:24:49 AM: Ss: The second someone disagrees they become less

2017-05-13, 1:24:59 AM: Ss: It's happening to me. I'm fine with it though.

2017-05-13, 1:25:08 AM: Ss: I really don't care what they think of me.

2017-05-13, 1:25:34 AM: Ss: I'm good with my conscience at the end of the day. And I know I'm on the side of justice.

2017-05-13, 1:25:58 AM: Jorge: Im opposed to nur because i think he is cliquey and his clique hates me more than the Yale ppl. Straight up.

2017-05-13, 1:26:33 AM: Ss: I think you're wrong about him. I'm sick of the disrespect he gets there.

2017-05-13, 1:26:36 AM: Ss: And always has.

2017-05-13, 1:26:40 AM: Ss: It's complete BS.

2017-05-13, 1:26:59 AM: Ss: If Lis or David were treated like that, we would have problems.

2017-05-13, 1:27:09 AM: Jorge: I think you're dismissive of what i have to say

2017-05-13, 1:27:14 AM: Ss: But it's okay to treat a Black leader like shit.

2017-05-13, 1:27:33 AM: Ss: No I'm not. I disagree with your opinion of him. That's all.

2017-05-13, 1:27:59 AM: Jorge: But my experience u dont accept as vaild

2017-05-13, 1:28:16 AM: Jorge: I have hard cold facts u can ask him about.

2017-05-13, 1:28:49 AM: Jorge: Txt messages of deceit i have kept

2017-05-13, 1:28:58 AM: Ss: Okay then, why don't you guys present them? Because this dispute is based on bull shit rumours and a fake narrative.

2017-05-13, 1:29:11 AM: Jorge: "you guys"

2017-05-13, 1:29:21 AM: Ss: It's everybody vs them

2017-05-13, 1:29:29 AM: Ss: And that's the truth

2017-05-13, 1:29:47 AM: Ss: I haven't seen your texts

2017-05-13, 1:29:50 AM: Jorge: "them", "everybody"

2017-05-13, 1:29:54 AM: Ss: So I guess I can't

2017-05-13, 1:30:02 AM: Ss: Comment

2017-05-13, 1:30:04 AM: Ss: But

2017-05-13, 1:30:13 AM: Ss: It's white vs black/brown

2017-05-13, 1:30:16 AM: Ss: At that office

2017-05-13, 1:30:21 AM: Ss: And it's BS

2017-05-13, 1:30:22 AM: Jorge: Why am i on lis and david side as u say?

2017-05-13, 1:30:25 AM: Ss: It's pure racism

2017-05-13, 1:30:34 AM: Jorge: Tell me.

2017-05-13, 1:30:54 AM: Jorge: Ima fair skinned latino siding with whites?

2017-05-13, 1:31:08 AM: Jorge: Say it

2017-05-13, 1:31:17 AM: Ss: I don't know why you are but for most people, they automatically sided with them, without any proof and now nur is a criminal?

2017-05-13, 1:31:26 AM: Jorge: Most ppl???

2017-05-13, 1:31:47 AM: Jorge: Nur is supported by dee taylor shelli. Open your eyes

2017-05-13, 1:31:52 AM: Ss: That's not me, I didn't initially take sides because I didn't know the whole story.

2017-05-13, 1:32:14 AM: Ss: I believe d Taylor cares about workers not these BS politics.

2017-05-13, 1:32:35 AM: Ss: Lis and David could have rectified this a long time ago. They chose not to.

2017-05-13, 1:32:42 AM: Ss: I'm not afraid to say it.

2017-05-13, 1:32:57 AM: Jorge: Sigh

2017-05-13, 1:33:05 AM: Jorge: We dont agree

2017-05-13, 1:33:11 AM: Ss: Yeah we don't.

2017-05-13, 1:33:49 AM: Ss: I can't side with people who oppress people of colour and encourage an environment where racism and classism are okay.

2017-05-13, 1:34:17 AM: Jorge: I dont know anything bout IU politics or who sides with whom except when they're invited here and ppl make a big deal about them.

2017-05-13, 1:34:31 AM: Ss: I don't follow

2017-05-13, 1:35:00 AM: Jorge: I dont know if d taylor is on side of good or bad in this dispute

2017-05-13, 1:35:22 AM: Ss: I don't think he's on a side. I think he wants this resolved.

2017-05-13, 1:35:26 AM: Ss: As we all do.

2017-05-13, 1:35:52 AM: Jorge: Nur would have hung me out to dry last year at this time

2017-05-13, 1:37:03 AM: Jorge: Ask him if u could mediate an "airing of truths". Just us three. 1000 vodka on the rocks on me, that he'd never ever agree.

2017-05-13, 1:38:45 AM: Jorge: Say to him. Meet you, me and him. And have truth out about me and him. Not the L and D shit. Strictly our stuff... And why he stopped talking to me.

2017-05-13, 1:39:05 AM: Ss: Why don't you two just meet?

2017-05-13, 1:39:19 AM: Ss: I think that's what you want.

2017-05-13, 1:39:25 AM: Jorge: No.

2017-05-13, 1:39:34 AM: Ss: I should not be involved in this.

2017-05-13, 1:39:43 AM: Jorge: I want a witness

2017-05-13, 1:39:46 AM: Jorge: See.

2017-05-13, 1:40:27 AM: Jorge: Forget it.

2017-05-13, 1:40:59 AM: Ss: So set it up then... have you two even spoken?

2017-05-13, 1:41:04 AM: Jorge: Me, u, him and no one else. 120% he says no way

2017-05-13, 1:41:26 AM: Ss: I don't know that.

2017-05-13, 1:42:45 AM: Jorge: Not since September 26, 2016 at around 3pm. Our last real communication

2017-05-13, 1:43:04 AM: Jorge: Since the angie d'olivera Arbitration

2017-05-13, 1:43:13 AM: Ss: Okay well maybe you two try and set something up...

2017-05-13, 1:43:13 AM: Jorge: He knows that i know.

2017-05-13, 1:43:20 AM: Jorge: No.

2017-05-13, 1:43:33 AM: Ss: I thought that's what you want?

2017-05-13, 1:43:40 AM: Ss: I will come

2017-05-13, 1:43:39 AM: Jorge: No.

2017-05-13, 1:43:45 AM: Ss: If you both want ??

2017-05-13, 1:44:36 AM: Jorge: I want you to know thst when i say he is not an honorable man, that i have proof of what i say. And that im not some gringo ass kisser.

2017-05-13, 1:45:18 AM: Ss: So who in that office is honourable then?

2017-05-13, 1:45:31 AM: Ss: If he's not an honourable man, then I have no hope for the world.

2017-05-13, 1:45:58 AM: Ss: Because I actually think he's one of the most honourable in that office...

2017-05-13, 1:46:13 AM: Ss: And this dispute is what made me realize that.

2017-05-13, 1:46:41 AM: Jorge: Shelli. Your the noblest girl in ir office (and sexiest person after myself)

2017-05-13, 1:47:16 AM: Jorge: But he is a mean man with questionablr integrity and i have proof.

2017-05-13, 1:47:24 AM: Jorge: Towards me

2017-05-13, 1:47:39 AM: Ss: Okay then maybe you can show the proof?

2017-05-13, 1:47:51 AM: Jorge: Ok

2017-05-13, 1:48:00 AM: Ss: He has integrity though jorge

2017-05-13, 1:48:03 AM: Jorge: To whom?

2017-05-13, 1:48:07 AM: Ss: More than most people there

2017-05-13, 1:48:28 AM: Jorge: See, im not interested in tearing down black union leaders.....

2017-05-13, 1:48:33 AM: Ss: I honestly have lost hope because I don't think people in our office have integrity

2017-05-13, 1:48:55 AM: Ss: But... people in our office are interested in tearing down black leaders.

2017-05-13, 1:48:58 AM: Ss: I've witnessed it

2017-05-13, 1:48:58 AM: Jorge: Set up a 3 way meeting i beg u.

2017-05-13, 1:49:03 AM: Ss: And I'm done

2017-05-13, 1:49:26 AM: Jorge: He won't agree for bullshit reasons.

2017-05-13, 1:49:31 AM: Ss: And now I'm the bad guy because I'm sticking with my principles.

2017-05-13, 1:49:36 AM: Ss: Okay I will try

2017-05-13, 1:49:37 AM: Jorge: No.

2017-05-13, 1:49:43 AM: Jorge: U are not bad.

2017-05-13, 1:50:07 AM: Ss: The easiest thing I could have done was nothing or sided with Lis and David.

2017-05-13, 1:50:16 AM: Jorge: This is true

2017-05-13, 1:50:26 AM: Ss: But then I would being a disservice to myself. And that's not me.

2017-05-13, 1:50:32 AM: Ss: So I can't stay silent anymore.

2017-05-13, 1:51:05 AM: Ss: It's about racial justice and respect for the people paying our salary.

2017-05-13, 1:52:13 AM: Jorge: And all im saying is.... If u dont want to hear why at least i am opposed to Nur..... Then at least let me show u why i say he is dishonorable.... In the open... without spin. Face to face.

2017-05-13, 1:52:26 AM: Jorge: I have nothing to hide. And nor should he.

2017-05-13, 1:52:43 AM: Ss: Okay. I'm sure he won't be hiding anything either.

2017-05-13, 1:52:56 AM: Jorge: Good.

2017-05-13, 1:53:08 AM: Ss: So if you two are willing to meet, I'm down.

2017-05-13, 1:54:25 AM: Ss: But, please don't deny that racism is being tolerated and encouraged in our office.

2017-05-13, 1:54:37 AM: Ss: Because I have witnessed it first hand.

2017-05-13, 1:54:59 AM: Ss: And I said this to you before, Lis and David do not walk on water by any means.

2017-05-13, 1:55:03 AM: Jorge: I will print up emails and texts as well as explain the narrative. To be clear he blames me for his shortcomings on servicing which are unwarranted... And furthermore, when offered help, he refuses. From me.

He resents me for it That is my case. Simply put.

2017-05-13, 1:55:46 AM: Ss: Okay, I will hear you out. Both of you. If we can make it happen.

2017-05-13, 1:56:03 AM: Jorge: Ask him. He refuses to speak to me.

2017-05-13, 1:56:25 AM: Jorge: He can even go first. Or even speak longer.

2017-05-13, 1:56:54 AM: Ss: Ok let's see how it goes.

2017-05-13, 1:56:58 AM: Jorge: Np

2017-05-13, 1:57:51 AM: Jorge: I fully expect he disagrees.

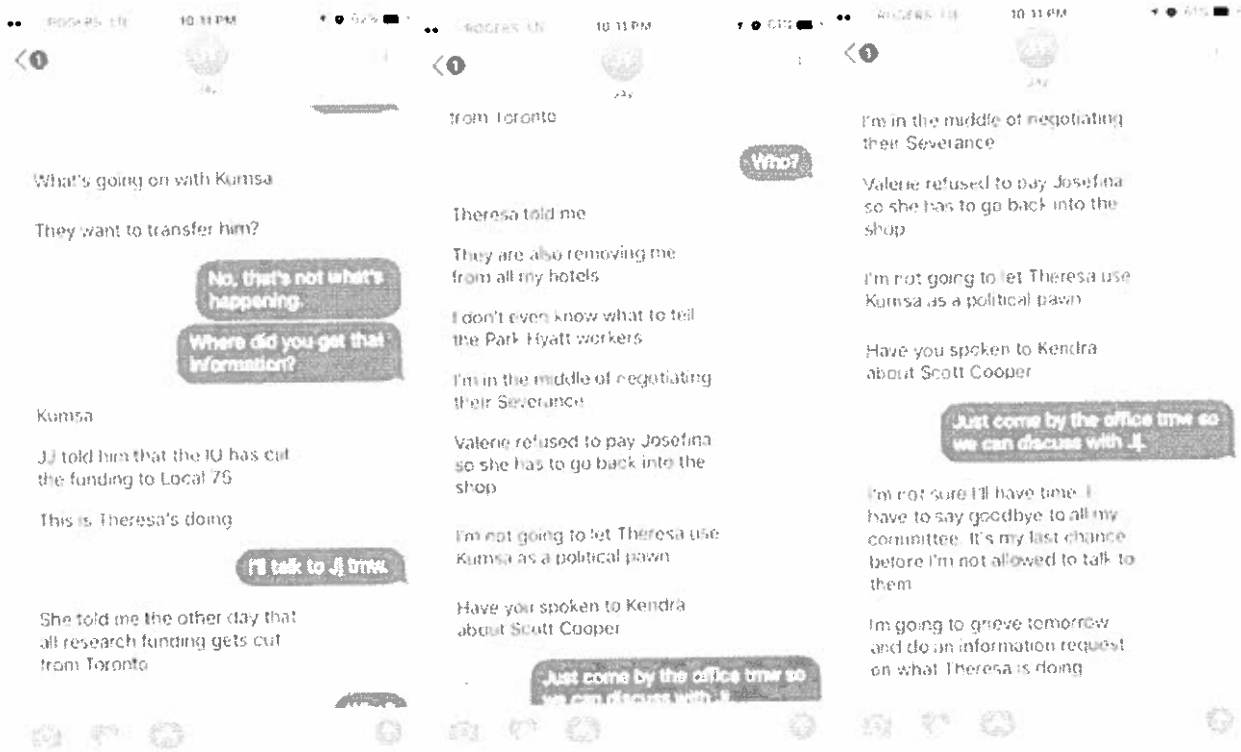
2017-05-13, 1:57:57 AM: Jorge: Anyway. I let u go.

2017-05-13, 1:58:26 AM: Jorge: See u monday

2017-05-13, 1:58:37 AM: Ss: Okay cool. Have a good wknd.

Appendix D

Text Messages Between Jay Yerex and Myself, May 18th, 2017



Appendix E

Email from Jay Yerex to Myself, June 19th, 2017

----- Forwarded message -----

From: **jayyerex6** <jayyerex6@gmail.com>
Date: Mon, Jun 19, 2017 at 2:52 PM
Subject: UUHS investigation
To: Shelli Sareen <shellisareen@gmail.com>

Hi Shelli

As the UUHS representative for Canada I would like to conduct an interview with you regarding very serious potential breaches of the Collective Agreement of the International Union as well as Ontario Labour Law.

There is currently an outstanding policy grievance regarding abuse of management rights by Scott Cooper. UUHS reserves the right to file additional grievances as well as charges with the International Union as well as the public review board against other staff and officers of both the International Union as well as Local 75.

UUHS also reserves the right to subpoena you in potential arbitration or hearings at the Ontario Labour Board.

Pls advise your potential availability prior to end of business day June 23, 2017

Regards

Jay Yerex
UUHS

Appendix F

Formal Complaint from me against Jay Yerex and potentially others, July 3rd, 2017

From: Shelli Sareen <ssareen@unitehere.org>

Date: July 3, 2017 at 3:32:51 PM EDT

To: Gwen Mills <gmills@unitehere.org>, Jim DuPont <jdupont@unitehere.org>, John McCaffrey <jmccaffrey@unitehere.org>, "mcasey@unitehere2.org" <mcasey@unitehere2.org>, "rmccracken@msh.law" <rmccracken@msh.law>, "svarela@msh.law" <svarela@msh.law>

Cc: Lis Pimentel <lpimentel@uniteherelocal75.org>, Nuredin Bulle <nbulle@uniteherelocal75.org>, "vlue@uniteherelocal75.org" <vlue@uniteherelocal75.org>

Subject: Formal complaint

I hereby file a formal complaint against Jay Yerex and potentially others for creating an environment where the harassment and bullying of people of colour is not only tolerated, but encouraged.

On Friday June 30th while I was leaving the office around 11:00 AM, Mr. Yerex approached me and said, "Just to gives you a heads up, I've requested your statements from the IU." I said, "okay" and left because I did not want to engage in this discussion with Mr. Yerex. It is not clear to me what statements Mr. Yerex is referring to, or why he believes he has the authority to make such requests of me or about me. I have several questions:

- A) What statements is Mr. Yerex referring to?
- B) What is the nature of these alleged statements?
- C) How did Mr. Yerex learn of these alleged statements?
- D) Why does Mr. Yerex think I submitted a statement and to whom?

On May 18th, I received a series of text messages from Mr. Yerex. I felt they were accusatory and I felt bullied. Our text conversation is as follows:

Mr. Yerex: What's going on with Kumsa

Mr. Yerex: They want to transfer him?

Myself: No, that's not what's happening.

Myself: Where did you get that information?

Mr. Yerex: Kumsa

Mr. Yerex: JJ told him that the IU has cut the funding to Local 75

Mr. Yerex: This is Theresa's doing

Myself: I'll talk to Jj tmw.

Mr. Yerex: She told me the other day that all research funding gets cut from Toronto

Myself: Who?

Mr. Yerex: Theresa told me

Mr. Yerex: They are also removing me from all my hotels

Mr. Yerex: I don't even know what to tell the Park Hyatt workers

Mr. Yerex: I'm in the middle of negotiating their Severance

Mr. Yerex: Valerie refused to pay Josefina so she has to go back into the shop

Mr. Yerex: I'm not going to let Theresa use Kumsa as a political pawn

Mr. Yerex: Have you spoken to Kendra about Scott Cooper

Myself: Just come by the office tmw so we can discuss with Jj.

Mr. Yerex: I'm not sure I'll have time. I have to say goodbye to all my committee. It's my last chance before I'm not allowed to talk to them

Mr. Yerex: I'm going to grieve tomorrow and do an information request on what Theresa is doing

It is my assessment that Mr. Yerex decided to send me these text messages to target me because I have been vocal about my distaste for the treatment of Valrie, Nuredin, and the other people of colour under Nuredin's structure. I also felt that I was being accused of Kumsa being transferred; when no such thing was even occurring.

On June 19th, 2017 Mr. Yerex had sent me an email with the subject: "UUHS Investigation"

The email states:

"Hi Shelli

As the UUHS representative for Canada I would like to conduct an interview with you regarding very serious potential breaches of the Collective Agreement of the International Union as well as Ontario Labour Law.

There is currently an outstanding policy grievance regarding abuse of management rights by Scott Cooper. UUHS reserves the right to file additional grievances as well as charges with the International Union as well as the public review board against other staff and officers of both the International Union as well as Local 75.

UUHS also reserves the right to subpoena you in potential arbitration or hearings at the Ontario Labour Board.

Pls advise your potential availability prior to end of business day June 23, 2017

Regards

Jay Yerex

UUHS"

This was the second time Mr. Yerex had mentioned Scott Cooper to me; I do not know Kendra and had not even had a conversation with Mr. Cooper other than hello when he had previously been in Toronto. I am unclear why Mr. Yerex would send me this email, but after speaking to several others on staff, it appears to be some sort of activity to further target people of colour. In fact, I would be curious to know if Mr. Yerex sent an email such as this to anyone on staff who is not a person of colour.

Since revealing at a leads meeting that I am neutral in the political dispute at the Local in November 2016, I have felt bullied and harassed. I would encourage the International Union to investigate Mr. Yerex for his role in harassing and bullying a number of people of colour on staff. I would also encourage the IU to investigate other Local 75 and/or IU staff working for Local 75 for their role in Mr. Yerex's activities around harassment and bullying of people of colour. The harassment and bullying of and/or discrimination against people of colour in our office has been encouraged and perpetuated by a number of people on staff and in leadership. I do not believe Mr. Yerex is acting alone and I believe that he may be getting his direction from a superior in his insistent request for my alleged statement. Mr. Yerex is not the first person to mention that I filed a complaint.

Wednesday May 24th, 2017

Jorge Hurtado sent me a text message saying "Hey call me for a sec" and then after "no rush."

I called Jorge from an office phone and he said that I should call him from my cell phone instead and so I did. He told me that David Sanders had told him earlier that day that there is a complaint filed against him and that I was involved. I told Jorge to tell David Sanders to get his facts straight and that I did not file a complaint against him. I had also told Jorge that if David Sanders has something to ask me he should come ask me himself. Jorge told me that this was very "hush hush" and that there are IU charges and I am involved. Jorge mentioned something about racism and classism in our office and I told him that there is and that I have examples and that if asked I have to tell the truth. It was my belief that David Sanders had encouraged Jorge to get information from me.

So Mr. Yerex is the second person to insinuate that I made some sort of statement or complaint. Therefore I would like answers to my questions of Mr. Yerex as well as answers to the following questions of other officers/staffers at Local 75:

- A. Where did Mr. Sanders get information that I filed a complaint against him?
- B. If this information pertaining to my alleged complaint was "hush hush" which I take to mean confidential information, why then would Mr. Sanders in his capacity as a Director and IU staffer breach such confidentiality?

I'd like to reiterate that I believe that Mr. Yerex is not acting on his own, but perhaps, in collusion with members of the Local 75 leadership. As an example of how I believe such collusion works, I have information pertaining to a meeting that took place outside the Local 75 office where a number of Local 75 staff members gathered with Local 75 leads and discussed "how to get Nuredin and Guled." This was not the first time I have heard of threats being made against people of colour in our office.

I also have serious concerns that Mr. Yerex is abusing his position as a representative at UUHS.

I would encourage the IU as well as the Local to investigate the harassment and bullying of and/or discrimination against people of colour at UNITE HERE Local 75. As elected officers to the Local, I believe Lis Pimentel, Nuredin Bulle and Valrie Lue also bear responsibility to have an independent firm conduct an investigation. To assist in any investigation, I have evidence in terms of text, email and other documentation that I believe would be helpful to this investigation.

I believe that the rights of several of my colleagues and I are being violated under the Ontario Human Rights Code which prohibits discrimination against people on several protected grounds which include race, colour, ethnic origin, and sex among other things. <http://www.ohrc.on.ca/en/ontario-human-rights-code>. I believe we have a very strong case under this code and I am willing to file a complaint and testify under oath.

Sincerely,

Shelli Sareen

Research Analyst

UNITE HERE!

15 Gervais Drive, 3rd Floor

Toronto, ON M3C 1Y8

416-384-0983 x315

COMPLAINT 25

Statement and Demand of Local 75 Executive Board

To: President, D. Taylor, Mike Casey, Rich McCracken, Sarah Varela
From: The majority of the UNITE HERE Local 75 Executive Board

Re: Challenging Legality of Local 75 July 11, 2017 GMM and Demands of the Executive Board and Elected Officers, Valrie Lue and Nuredin Bulle

August 7, 2017

We, the clear majority of the UNITE HERE Local 75 Executive Board challenge the legality of the July 11, 2017 UNITE HERE Local 75 General Membership Meeting. We believe that the manner by which the meeting was conducted is in gross violation of our Sovereign Constitution and Local Bylaws. Therefore, we demand a thorough investigation and we demand that the International Union take all necessary steps to prevent further division and destabilization of UNITE HERE Local 75.

Executive Board and Elected Officers Nuredin Bulle and Valrie Lue Not Informed Prior to Booking Meeting Room of Extraordinary Expenses

Article IX, section 5 (b) of the UNITE HERE Local 75 Bylaws state "all applications for donations and all proposed expenditures, other than routine operating expenses, shall first be referred to the Executive Board for their recommendation; which recommendation shall be subject to membership approval by majority vote of the membership present at a regular or special meeting." Lis Pimentel booked a meeting room at the Intercontinental Hotel (not a Local 75 property) at a cost of \$8,500+ as the location for the July 11, 2017 General Membership Meeting. We have never booked a General Membership Meeting at this location prior to July 11th nor have we spent this amount of money to a book space for a General Membership Meeting prior to this meeting, and therefore it is not a routine expense. Lis's booking of this room without informing the Executive Board or other elected officers prior to booking is a clear violation of our bylaws.

Intentional Obstruction and Slow Down of Entry of Several Hundred Members to the Meeting Designed to Benefit President Lis Pimentel

Outside the entrance doors of the meeting room at the Intercontinental Hotel, several hundred members gathered to gain entrance into the meeting room. There was a registration desk that was managed by volunteers assigned either by Lis Pimentel or somebody under her structure, to check members' identification to allow them a voter card (a piece of paper that said the word "vote" on it) and gain entry into the meeting room. A separate table was managed by Anna Volpe (Admin) and Pedro Cristovao (Admin Lead) to allow members who were not in "good standing" to pay dues to "catch up" so that they could then proceed to the registration desk to gain entry to the meeting. Other members who were not in good standing were also allowed entry but were not supposed to be given a voter card.

The entry points were extremely chaotic as there were not enough individuals handling registration to allow all members to gain smooth entrance. However, certain members, namely those that were organized to attend the meeting by individuals under David Sanders' structure, and those who are clearly on Lis Pimentel's side of the political dispute were given a printout of their membership card prior to attending the meeting so that they could quickly be scanned to enter the meeting. These membership cards were not made available to all members, only the members who were organized to attend by organizers and others under David Sanders' structure.

We believe the chaotic registration process and the ease of entry provided to certain members was undemocratic and conducted in a manner to intentionally slow down and obstruct several hundred members from attending the meeting. The registration process took an extremely long time, delaying the meeting's start by approximately 1 hour and 45 minutes. Additionally, several members were denied entry by those managing the registration desk for reasons that are not clear.

The Parliamentarian Ran and Controlled the July 11, 2017 General Membership Meeting in Direct Violation of Our Local Bylaws

At the beginning of the July 11, 2017 General Membership Meeting, Lis Pimentel introduced an individual by the name of Brock C. (last name unclear) and stated that he is our Parliamentarian for the day and would be introducing us to the rules of the meeting. He then took the mic and stated that he would introduce us to Roberts Rules of Order which he indicated is in our bylaws and in the UNITE HERE Constitution.

He introduced himself as a former Teacher and a Negotiator who worked for the Ontario Catholic Teacher's Association. He also claimed to have done numerous meetings like this before. He clearly stated that his purpose there was not to be controller of the meeting but to provide direction to help where we wanted the meeting to go. He also spoke about respecting those with opinions different than our own. He said he was there to help and that the meeting was guided by the Local's bylaws, the Constitution of UNITE HERE and Roberts Rules of Order.

Later, in the meeting, the Parliamentarian also stated that according to our bylaws and the UNITE HERE Constitution, we need a Parliamentarian to have a meeting. However, our bylaws do not state that a Parliamentarian is needed to have a meeting. The IU Constitution also does not state that we need a Parliamentarian to have a meeting. We believe this is misleading and false.

While he was providing his opening remarks, the Parliamentarian, spoke of the pros and cons mics and said he would rule people out of order. But if he is ruling people out of order, then is he not essentially running the meeting since he is deciding who is out of order and who is not? So even though he stated clearly that he would not be controller of the meeting, he fully ran and controlled the General Membership Meeting to the point where he even told an Executive Board Member, Yohanes Habte, that he would have him removed.

Article IX section 1 (a) of the UNITE HERE Local 75 Bylaws clearly state that the President "shall preside at all regular and special membership meetings and at all meetings of the Executive Board..."

Article IX section 2 (a) of the UNITE HERE Local 75 Bylaws clearly state that the Vice-President "shall preside over all meetings in the absence of the President, and for the time being, be invested with the same power as though he were President."

Neither the President nor the Vice President presided over the July 11, 2017 General Membership Meeting even though they were present during the meeting.

Premeditated Misconduct Orchestrated to Divide the Membership and Provide Certain Individuals who are Allies of President, Lis Pimentel, With Unfair Advantages Throughout the Meeting

The Parliamentarian started to run the meeting and stated that he already had motions that people had given him prior to the meeting. He said that he had gone through the motions with those individuals to ensure that they made sense and accomplished what the individuals who made the motions wanted them to do, prior to the meeting. He also said any motions had to have been given to him in writing and that motions could not be made at the mic. We would like to point out, again, that the Parliamentarian claimed he already had motions prior to the meeting's start. The clear majority of Executive Board Members as well as Elected Officers Nuredin Bulle and Valrie Lue, were not given the opportunity to provide written motions, were not informed that other individuals had submitted motions, and are unclear at which point they would have even met with the Parliamentarian unless they were given prior direction to.

It must also be noted that that neither the clear majority of Executive Board Members nor Elected Officers Valrie Lue and Nuredin Bulle were given the agenda or any documents that were being voted upon (for example, financial statements) at any point (prior to or during the meeting). The only individuals who visibly had the agenda were Lis Pimentel and the Parliamentarian. In all previous General Membership

Meetings, the Executive Board and members who participate in the meeting, are given the documents that are being voted upon, including financial statements. Imagine voting on an item and most voters don't even know what they are voting on, and without being given any documentation on the matter.

In fact, at our Executive Board Meeting held on July 6, 2017 it was agreed upon between the entire Executive Board that was present, the Elected Officers (including President, Lis Pimentel) and Supervisor, Mike Casey, that we would begin the General Membership Meeting with a joint statement, announcing the positive outcome of progress and agreement that had been made between Lis Pimentel and the majority of the Executive Board, where Lis Pimentel agreed, in writing, to the demands of the Executive Board. In addition, there was an agreement regarding the amicable separation between UNITE HERE Local 75 and Legal Counsel, Jorge Hurtado. *The appendix to this document includes page 8 of the minutes to the July 6, 2017 Local 75 Executive Board Meeting, outlining the plan to report at the General Membership Meeting the positive steps taken at that meeting.*

Rather than reporting on the positive outcome of the July 6 Executive Board meeting, the first motion the Parliamentarian brought to the table was a motion made by Executive Board member, John Timoteo to amend the agenda from what was printed by moving a proposed motion concerning trusteeship to immediately following regular business prior to new business. John Timoteo is a key supporter of Lis Pimentel's and we question how he was given the opportunity to provide a written motion in advance of the meeting while the clear majority of the Executive Board and Elected Officers Valrie Lue and Nuredin Bulle, were not informed nor given the same opportunity.

Another item was later brought to the table, which was related to the \$80,000 amicable separation expenditure to release Legal Counsel, Jorge Hurtado. There was a vote on it. The Parliamentarian immediately stated that it was lost. Somebody requested a recount. A recount was conducted but once inside the room, it is unclear, who is a voting member and who is not. Non-voting members were also allowed in the room. People were asked to vote by simply raising their hands.

The item to vote upon specifically, was approving the \$80,000 expenditure for an amicable separation of Jorge Hurtado. Lis Pimentel stood at the pro mic to provide clarification on the item, stating that we've reached an agreement with Jorge Hurtado where he has agreed to go, and if it is not approved then it puts us in a bind, essentially. An Executive Board member also stood up and explained that Lis Pimentel had said it could cost us around \$200,000 to otherwise release Jorge Hurtado of his duties.

Even though the UNITE HERE Local 75 President stood up and claimed to support the settlement with the Attorney, IU and Local 75 staff under David Sanders' structure, and staff members who have been in clear support of Lis Pimentel on the Local's political dispute, were witnessed to urge members to vote down the item. To clarify, the President indicated that she supports this item going through, but some of her key staff supporters were asking members to do the opposite of what she claimed to have wanted by voting it down. Witnesses, report to have seen the following individuals urging members to vote that item down:

- Jay Yerex, IU Organizer assigned to Local 75
- Daniel Bastien, IU Grant assigned to Local 75
- Rafunzel Korngut, Newly Hired Local 75 Organizer

Additionally, several staff including Local 75 staff and IU staff assigned to Local 75 and/or working out of the Local 75 office who have been in clear support of Lis Pimentel's side in the Local's politics, were also witnessed to have voted the item down, even though the President they have been in support of, claimed to be in support of the item. We believe there was a premeditated plan, arranged with the President's knowledge, to do the opposite of what the President claimed to want to do, which we believe is what she really wanted.

Throughout the July 11, 2017 General Membership Meeting, Allan Pace was seen guiding workers on how to vote by waving a red flag and jumping up and down. Nadia Baer was also seen directing members on how to vote during parts of the meeting. It should be noted that all staff seen directing members on how to vote are under the structure of David Sanders.

Undemocratic Meeting, Silencing Elected Leaders and Members

The Parliamentarian, who indicated he was an expert in Robert's Rules, we believe, made serious errors when members called the question. In accordance with Robert's Rules, when a member calls a question, after it is seconded, it must be adopted by two-thirds vote. There was no count to determine if two-thirds of the membership had voted in favour of calling the question. But, he quickly passed those motions. In fact, on one item where a member called the question (regarding the question on trusteeship) there were several individuals (members, executive board members, and elected officer, Nuredin Bulle) who wanted to speak and had lined up to speak for a very long time, were immediately barred from speaking on the topic by the Parliamentarian. The Parliamentarian who had stated he was not the controller of the meeting, controlled the fact that many members were stripped of their democratic right to speak. But, the Parliamentarian was not the only individual who played a role in systematically silencing elected leaders; IU Organizer, Jay Yerex also played a role in silencing elected leaders. On this very important question of trusteeship, where Nuredin Bulle and Executive Board members lined up to speak on the motion, Jay Yerex ran to the opposite mic and advised one of the members in line to call the question to silence the elected leaders.

In addition, Trustee, Yosief Ogbasellaisie, put forward a motion to table the question of trusteeship. His desire and intention was to create an opportunity to explain to the members the trusteeship question is premature due to the progress that was made at the July 6th Executive Board Meeting. This progress that we believed we had made to move our organization forward by working together, was further destroyed by IU Organizer Jay Yerex when he had asked a member to call the question without giving elected leaders a chance to inform members of progress we believed we had made.

Final Recommendation

We, the majority of the Executive Board of UNITE HERE Local 75, through the guidance of the International Union, have tried everything we could, to stabilize and restore our organization; in fact, taking major steps to avoid trusteeship. Even though we, the majority, had requested for trusteeship, because of our good will, we accepted Supervision. We worked very hard with the Supervisor, Mike Casey, by dropping some of our demands for the sake of the stability of the Local. All our efforts and patience for the past ten months were crushed by a premeditated plan by Lis Pimentel even though she told us on July 6, 2017 that she agreed in writing to meet our demands. She even embraced us and we left the room with joy and a sense of relief. But, what we experienced on July 11th destroyed all the hope and good will that we had left. We lack the words to express what we experienced that day. At this point, we have done everything we possibly could. Lis Pimentel has demonstrated her intentions and desire to silence us and to divide the Local, and to take away our democratic rights by using illegal techniques. For her, what matters is power at any cost. That is what she has demonstrated to us.

Due to the serious gross misconduct, serious violations and breach of our Local Bylaws and IU Constitution at the July 11, 2017 General Membership Meeting, we demand that the Elected body of the International Union restore democracy at UNITE HERE Local 75 through any means necessary. We require an immediate investigation and stop to this divisive, undemocratic, and deceptive form of leadership. On August 3, 2017, the Local 75 Executive Board passed a motion at its Executive Board Meeting to demand that the IU investigate the legality of the July 11, 2017 General Membership Meeting.

Appendix

**MINUTES OF THE UNITE HERE LOCAL 75 EXECUTIVE BOARD & SOLIDARITY
COMMITTEE, ON THURSDAY JULY 6, 2017 AT
HELD AT 25 CECIL STREET, UNITED STEELWORKER'S HALL**

Sister Lis Pimentel stated that the next General Membership meeting was being held July 11, 2017. She asked for input for the Agenda and opened the floor to discussion.

There was an overall consensus that there were positive steps taken during the day's meeting which will assist with setting a more positive tone of the upcoming General Membership meeting. The members of the Board expressed their thoughts of how they would bring the outcome of today's meeting back to the membership. The Board agreed that they were less divided and looked forward to working together on behalf of the membership, to focus on fighting the boss and the upcoming 2018 fight.

Brother Yosief Ogbasellasi suggested that the Executive Board make a joint statement that Local 75 is unified. The leadership is together and focused on 2018 and fighting the boss. Sister Kay Ann Drummond stated that the members need to know that we are moving forward. Sister Pimentel agreed that a few members of the Board should address the membership at the start of the meeting to help set a positive tone to the evening. Sister Pimentel further suggested that the Secretary-Treasurer and President should have a report. Since it is likely to be a large meeting with some controversy, Sister Pimentel also suggested rules need to be set, including time limits, no verbal insults, speak to the motions presented, etc.

Brother Mike Casey congratulated the Officers for acknowledging the difficulties in the Union and their commitment to working together, to move forward for the betterment of the members.

NEXT ORDER OF BUSINESS:

Motion to Adjourn

Moved by Sister Christine Smalling, seconded by Brother Rik Hockley. Carried (no opposition).

The meeting was adjourned at 4:20 pm.

Lis Pimentel
President
UNITE HERE Local 75

Nuredin Bulle
Secretary-Treasurer
UNITE HERE Local 75

COMPLAINT 26

From: Nuredin Bulle [mailto:nbulle75@gmail.com]
Sent: Thursday, August 10, 2017 12:06 PM
To: D. Taylor; Gwen Mills; mcasey@unitehere2.org; Scott Cooper
Cc: rmccracken@msh.law; svarela@msh.law
Subject: Lack of response by the IU on our numerous complaints

Dar Brother D. Taylor,

We write to you today to express our complete and utter disappointment with the inaction of the International Union towards our numerous complaints thus far. We are being attacked, harassed, discriminated against and bullied in our own workplace, and we feel that IU has remained silent throughout all this abuse.

Collectively the victims of abuse at Local 75 have filed numerous complaints about the injustice that is taking place at our office and sadly we have not had any concrete response to our painful experience from the IU.

We encourage our members to fight injustice at the workplace every single day, yet, where there is an immense injustice in our own workplace, it feels as though we are turning a blind eye on it. The racism, discrimination and injustice that we are experiencing weakens our organization.

Just yesterday Mahen Krishnamoorthy, a long-time leader at Local 75 was suspended from his job, standing accused of something he did not do. With accusation alone, and not having been found guilty he has been punished and asked to turn over his office keys and Local 75 property as though he is no longer a part of the organization when he is in fact a part of the thread woven into the very fabric of the Local. He is a rank and file leader who comes out of the Chelsea Hotel. He led the 2010 strike that set the city-wide standard for Toronto. People who have built this Local stand to lose everything. After Mahen, who is next?

We have filed numerous complaints against IU employees assigned to Local 75, yet, several months later, these employees continue their abuse without repercussion. While, the victims of harassment, abuse and discrimination are having their livelihoods stripped of them. Is this what we as an organization stand for? How can we continue to allow this injustice to take place?

We can no longer remain silent about the injustice taking place within our organization. History will judge the IU on how effectively you deal with racism, discrimination and injustice within your very own organization. When there were complaints of sexual harassment, the IU took the correct action in immediately investigating the charges. We are asking for the same action to be taken on the charges of racism that we have repeatedly made.

We are writing to you with the very last ounce of hope we have that you will finally act and do the right thing. If you do not, we feel that we have absolutely no choice but to file a human rights complaint under Ontario Human Rights Code. We have an obligation to report this racial harassment. Under the Ontario Human Rights Code, we believe that the IU has an obligation to take immediate action and stop this abuse.

We'd like to bring your attention to several excerpts from the Ontario Human Rights Commission page on racial harassment:

"A poisoned environment

Racial harassment can have a bad effect on, or "poison," the places where you live, work or receive services. Even if the harassment is not directed at you, it can still poison the environment for you and others. It can make living and working together very hard.

How do you know if the environment is poisoned? One way is to look at the effect of negative comments or actions. For instance, if certain racial slurs, actions or "jokes" make you or others feel uncomfortable in the workplace or afraid to go to work, this could show that the work environment is poisoned."

"Am I responsible for making it stop?

You may need to take steps to make sure that someone in a position of authority knows you are being harassed – but you are not the one responsible for making it stop.

In Ontario, employers, contractors, professional associations, unions and people who provide rental housing accommodation and other services, must make sure that racial harassment does not happen on their property, in their workplace, or in their facilities. They cannot ignore complaints of harassment and should take steps to make sure their environments are safe and comfortable for everyone."

You can find more on the Ontario Human Rights Code by following this link: <http://www.ohrc.on.ca/en/racial-harassment-know-your-rights-brochure>

In solidarity,

Valrie Lue, Vice President, UNITE HERE Local 75

Nuredin Bulle, Secretary Treasurer, UNITE HERE Local 75

COMPLAINT 27

From: Nuredin Bulle <nbulle75@gmail.com>
Date: August 16, 2017 at 2:46:18 PM CDT
To: scooper@unitehere.org
Subject: Fwd: Fw: Witnessing Racism and living it.

----- Forwarded message -----

From: "Teferi Zemene" <teferizemene@gmail.com>
Date: Aug 14, 2017 5:15 PM
Subject: Fw: Witnessing Racism and living it.
To: "Nuredin Bulle (EEWNW) 9 ALICEWOOD. Etobicoke" <nbulle75@gmail.com>
Cc:

Sent from my BlackBerry 10 smartphone.

From: Teferi Zemene <teferizemene@gmail.com>
Sent: Monday, August 14, 2017 5:14 PM
To: T Zemene
Subject: Witnessing Racism and living it.

I would like to report about my telephone conversation with David Sanders on Wednesday, 09 August 2017 at 4:10pm when he called me from Winnipeg and lasted for 15 min.

David wanted to drop by my house on the evening of July 13 before I leave for vacation the next day, but about after 9pm he said it got let for him to make it and asked me to call him upon my arrival and which I did.

He asked about what is going on and when I answered about what I was doing with the Food Service (YorkU Aramark), he said since he is not part of it, he is not suppose to be informed about it and right away his voice changed.

He started talking with angry manner, but without yelling. He said he tolerated this betrayal by his friends for the last 10 months. He mentioned Guled, Valerie and Nuredin and an immediate action will be taken on those who are not focused on the 2017 contract fight. He could sue some people and everyone who is not following the program will be terminated including the executive board.

As I previously mentioned when David said people will be fired after the 11th of July 2017 General Membership Meeting, we saw it happened to Mahen and Nuredin got displaced.

According to David, he and Lis are the savior of the union and there is no other way except being loyal to the President.

If one is accused or expected to be not loyal, a radical measure will be taken.

My experience with David is that let alone he mentioned as a decision, whatever he floats in his conversation will happen. His words are God's words in my Local. On 9th August, he did not call me to have a friendly chat, but to threaten me and to deliver a serious warning which is going to happen next.

I firmly believe that I was hired as a union staff just to serve both two individuals needs to convert the union to a private property or not to stand on their way when they mess up with the brothers and sisters of the Royal York Hotel.

I believed I joined a social movement until last October, 2017 and did volunteered for the union for about 10 years sacrificing time energy and money in the city or out of the city free service and always less pay when on V.O. believing that a social movement will not grow with paid staff only. Yes, I am loyal to my union like I am loyal to my family.

But what I am encountering now is so disgusting I am loosing my sleep.

I would like to hope that our leaders will investigate this and bring a final solution.

Thanks,
Teferi Zemene,
Organizer, Unite Here Local 75.

Sent from my BlackBerry 10 smartphone.

COMPLAINT 28

From: Nuredin Bulle [mailto:nbulle75@gmail.com]
Sent: Saturday, August 19, 2017 10:13 AM
To: D. Taylor; Gwen Mills; mcasey@unitehere2.org; Scott Cooper; rmccracken@msh.law; svarela@msh.law
Subject: August 7th Statement of L75 Executive Board & Supplementary Complaint

Good morning,

To challenge the legality of Local 75's General Membership Meeting held on July 11, 2017, I have enclosed the Statement of the L75 Executive Board dated August 7th and a supplementary document that was prepared yesterday after we received evidence that we believe further proves that the July 11th General Membership Meeting was illegal.

Sincerely,

Nuredin Bulle

Statement and Demand of Local 75 Executive Board

To: President, D. Taylor, Mike Casey, Rich McCracken, Sarah Varela
From: The majority of the UNITE HERE Local 75 Executive Board

Re: Challenging Legality of Local 75 July 11, 2017 GMM and Demands of the Executive Board and Elected Officers, Valrie Lue and Nuredin Bulle

August 7, 2017

We, the clear majority of the UNITE HERE Local 75 Executive Board challenge the legality of the July 11, 2017 UNITE HERE Local 75 General Membership Meeting. We believe that the manner by which the meeting was conducted is in gross violation of our Sovereign Constitution and Local Bylaws. Therefore, we demand a thorough investigation and we demand that the International Union take all necessary steps to prevent further division and destabilization of UNITE HERE Local 75.

Executive Board and Elected Officers Nuredin Bulle and Valrie Lue Not Informed Prior to Booking Meeting Room of Extraordinary Expenses

Article IX, section 5 (b) of the UNITE HERE Local 75 Bylaws state "all applications for donations and all proposed expenditures, other than routine operating expenses, shall first be referred to the Executive Board for their recommendation; which recommendation shall be subject to membership approval by majority vote of the membership present at a regular or special meeting." Lis Pimentel booked a meeting room at the Intercontinental Hotel (not a Local 75 property) at a cost of \$8,500+ as the location for the July 11, 2017 General Membership Meeting. We have never booked a General Membership Meeting at this location prior to July 11th nor have we spent this amount of money to a book space for a General Membership Meeting prior to this meeting, and therefore it is not a routine expense. Lis's booking of this room without informing the Executive Board or other elected officers prior to booking is a clear violation of our bylaws.

Intentional Obstruction and Slow Down of Entry of Several Hundred Members to the Meeting Designed to Benefit President Lis Pimentel

Outside the entrance doors of the meeting room at the Intercontinental Hotel, several hundred members gathered to gain entrance into the meeting room. There was a registration desk that was managed by volunteers assigned either by Lis Pimentel or somebody under her structure, to check members' identification to allow them a voter card (a piece of paper that said the word "vote" on it) and gain entry into the meeting room. A separate table was managed by Anna Volpe (Admin) and Pedro Cristovao (Admin Lead) to allow members who were not in "good standing" to pay dues to "catch up" so that they could then proceed to the registration desk to gain entry to the meeting. Other members who were not in good standing were also allowed entry but were not supposed to be given a voter card.

The entry points were extremely chaotic as there were not enough individuals handling registration to allow all members to gain smooth entrance. However, certain members, namely those that were organized to attend the meeting by individuals under David Sanders' structure, and those who are clearly on Lis Pimentel's side of the political dispute were given a printout of their membership card prior to attending the meeting so that they could quickly be scanned to enter the meeting. These membership cards were not made available to all members, only the members who were organized to attend by organizers and others under David Sanders' structure.

We believe the chaotic registration process and the ease of entry provided to certain members was undemocratic and conducted in a manner to intentionally slow down and obstruct several hundred members from attending the meeting. The registration process took an extremely long time, delaying the meeting's start by approximately 1 hour and 45 minutes. Additionally, several members were denied entry by those managing the registration desk for reasons that are not clear.

The Parliamentarian Ran and Controlled the July 11, 2017 General Membership Meeting in Direct Violation of Our Local Bylaws

At the beginning of the July 11, 2017 General Membership Meeting, Lis Pimentel introduced an individual by the name of Brock C. (last name unclear) and stated that he is our Parliamentarian for the day and would be introducing us to the rules of the meeting. He then took the mic and stated that he would introduce us to Roberts Rules of Order which he indicated is in our bylaws and in the UNITE HERE Constitution.

He introduced himself as a former Teacher and a Negotiator who worked for the Ontario Catholic Teacher's Association. He also claimed to have done numerous meetings like this before. He clearly stated that his purpose there was not to be controller of the meeting but to provide direction to help where we wanted the meeting to go. He also spoke about respecting those with opinions different than our own. He said he was there to help and that the meeting was guided by the Local's bylaws, the Constitution of UNITE HERE and Roberts Rules of Order.

Later, in the meeting, the Parliamentarian also stated that according to our bylaws and the UNITE HERE Constitution, we need a Parliamentarian to have a meeting. However, our bylaws do not state that a Parliamentarian is needed to have a meeting. The IU Constitution also does not state that we need a Parliamentarian to have a meeting. We believe this is misleading and false.

While he was providing his opening remarks, the Parliamentarian, spoke of the pros and cons mics and said he would rule people out of order. But if he is ruling people out of order, then is he not essentially running the meeting since he is deciding who is out of order and who is not? So even though he stated clearly that he would not be controller of the meeting, he fully ran and controlled the General Membership Meeting to the point where he even told an Executive Board Member, Yohanes Habte, that he would have him removed.

Article IX section 1 (a) of the UNITE HERE Local 75 Bylaws clearly state that the President "shall preside at all regular and special membership meetings and at all meetings of the Executive Board..."

Article IX section 2 (a) of the UNITE HERE Local 75 Bylaws clearly state that the Vice-President "shall preside over all meetings in the absence of the President, and for the time being, be invested with the same power as though he were President."

Neither the President nor the Vice President presided over the July 11, 2017 General Membership Meeting even though they were present during the meeting.

Premeditated Misconduct Orchestrated to Divide the Membership and Provide Certain Individuals who are Allies of President, Lis Pimentel, With Unfair Advantages Throughout the Meeting

The Parliamentarian started to run the meeting and stated that he already had motions that people had given him prior to the meeting. He said that he had gone through the motions with those individuals to ensure that they made sense and accomplished what the individuals who made the motions wanted them to do, prior to the meeting. He also said any motions had to have been given to him in writing and that motions could not be made at the mic. We would like to point out, again, that the Parliamentarian claimed he already had motions prior to the meeting's start. The clear majority of Executive Board Members as well as Elected Officers Nuredin Bulle and Valrie Lue, were not given the opportunity to provide written motions, were not informed that other individuals had submitted motions, and are unclear at which point they would have even met with the Parliamentarian unless they were given prior direction to.

It must also be noted that that neither the clear majority of Executive Board Members nor Elected Officers Valrie Lue and Nuredin Bulle were given the agenda or any documents that were being voted upon (for example, financial statements) at any point (prior to or during the meeting). The only individuals who visibly had the agenda were Lis Pimentel and the Parliamentarian. In all previous General Membership

Meetings, the Executive Board and members who participate in the meeting, are given the documents that are being voted upon, including financial statements. Imagine voting on an item and most voters don't even know what they are voting on, and without being given any documentation on the matter.

In fact, at our Executive Board Meeting held on July 6, 2017 it was agreed upon between the entire Executive Board that was present, the Elected Officers (including President, Lis Pimentel) and Supervisor, Mike Casey, that we would begin the General Membership Meeting with a joint statement, announcing the positive outcome of progress and agreement that had been made between Lis Pimentel and the majority of the Executive Board, where Lis Pimentel agreed, in writing, to the demands of the Executive Board. In addition, there was an agreement regarding the amicable separation between UNITE HERE Local 75 and Legal Counsel, Jorge Hurtado. *The appendix to this document includes page 8 of the minutes to the July 6, 2017 Local 75 Executive Board Meeting, outlining the plan to report at the General Membership Meeting the positive steps taken at that meeting.*

Rather than reporting on the positive outcome of the July 6 Executive Board meeting, the first motion the Parliamentarian brought to the table was a motion made by Executive Board member, John Timoteo to amend the agenda from what was printed by moving a proposed motion concerning trusteeship to immediately following regular business prior to new business. John Timoteo is a key supporter of Lis Pimentel's and we question how he was given the opportunity to provide a written motion in advance of the meeting while the clear majority of the Executive Board and Elected Officers Valrie Lue and Nuredin Bulle, were not informed nor given the same opportunity.

Another item was later brought to the table, which was related to the \$80,000 amicable separation expenditure to release Legal Counsel, Jorge Hurtado. There was a vote on it. The Parliamentarian immediately stated that it was lost. Somebody requested a recount. A recount was conducted but once inside the room, it is unclear, who is a voting member and who is not. Non-voting members were also allowed in the room. People were asked to vote by simply raising their hands.

The item to vote upon specifically, was approving the \$80,000 expenditure for an amicable separation of Jorge Hurtado. Lis Pimentel stood at the pro mic to provide clarification on the item, stating that we've reached an agreement with Jorge Hurtado where he has agreed to go, and if it is not approved then it puts us in a bind, essentially. An Executive Board member also stood up and explained that Lis Pimentel had said it could cost us around \$200,000 to otherwise release Jorge Hurtado of his duties.

Even though the UNITE HERE Local 75 President stood up and claimed to support the settlement with the Attorney, IU and Local 75 staff under David Sanders' structure, and staff members who have been in clear support of Lis Pimentel on the Local's political dispute, were witnessed to urge members to vote down the item. To clarify, the President indicated that she supports this item going through, but some of her key staff supporters were asking members to do the opposite of what she claimed to have wanted by voting it down. Witnesses, report to have seen the following individuals urging members to vote that item down:

- Jay Yerex, IU Organizer assigned to Local 75
- Daniel Bastien, IU Grant assigned to Local 75
- Rafunzel Korngut, Newly Hired Local 75 Organizer

Additionally, several staff including Local 75 staff and IU staff assigned to Local 75 and/or working out of the Local 75 office who have been in clear support of Lis Pimentel's side in the Local's politics, were also witnessed to have voted the item down, even though the President they have been in support of, claimed to be in support of the item. We believe there was a premeditated plan, arranged with the President's knowledge, to do the opposite of what the President claimed to want to do, which we believe is what she really wanted.

Throughout the July 11, 2017 General Membership Meeting, Allan Pace was seen guiding workers on how to vote by waving a red flag and jumping up and down. Nadia Baer was also seen directing members on how to vote during parts of the meeting. It should be noted that all staff seen directing members on how to vote are under the structure of David Sanders.

Undemocratic Meeting, Silencing Elected Leaders and Members

The Parliamentarian, who indicated he was an expert in Robert's Rules, we believe, made serious errors when members called the question. In accordance with Robert's Rules, when a member calls a question, after it is seconded, it must be adopted by two-thirds vote. There was no count to determine if two-thirds of the membership had voted in favour of calling the question. But, he quickly passed those motions. In fact, on one item where a member called the question (regarding the question on trusteeship) there were several individuals (members, executive board members, and elected officer, Nuredin Bulle) who wanted to speak and had lined up to speak for a very long time, were immediately barred from speaking on the topic by the Parliamentarian. The Parliamentarian who had stated he was not the controller of the meeting, controlled the fact that many members were stripped of their democratic right to speak. But, the Parliamentarian was not the only individual who played a role in systematically silencing elected leaders; IU Organizer, Jay Yerex also played a role in silencing elected leaders. On this very important question of trusteeship, where Nuredin Bulle and Executive Board members lined up to speak on the motion, Jay Yerex ran to the opposite mic and advised one of the members in line to call the question to silence the elected leaders.

In addition, Trustee, Yosief Ogbasellaisie, put forward a motion to table the question of trusteeship. His desire and intention was to create an opportunity to explain to the members the trusteeship question is premature due to the progress that was made at the July 6th Executive Board Meeting. This progress that we believed we had made to move our organization forward by working together, was further destroyed by IU Organizer Jay Yerex when he had asked a member to call the question without giving elected leaders a chance to inform members of progress we believed we had made.

Final Recommendation

We, the majority of the Executive Board of UNITE HERE Local 75, through the guidance of the International Union, have tried everything we could, to stabilize and restore our organization; in fact, taking major steps to avoid trusteeship. Even though we, the majority, had requested for trusteeship, because of our good will, we accepted Supervision. We worked very hard with the Supervisor, Mike Casey, by dropping some of our demands for the sake of the stability of the Local. All our efforts and patience for the past ten months were crushed by a premeditated plan by Lis Pimentel even though she told us on July 6, 2017 that she agreed in writing to meet our demands. She even embraced us and we left the room with joy and a sense of relief. But, what we experienced on July 11th destroyed all the hope and good will that we had left. We lack the words to express what we experienced that day. At this point, we have done everything we possibly could. Lis Pimentel has demonstrated her intentions and desire to silence us and to divide the Local, and to take away our democratic rights by using illegal techniques. For her, what matters is power at any cost. That is what she has demonstrated to us.

Due to the serious gross misconduct, serious violations and breach of our Local Bylaws and IU Constitution at the July 11, 2017 General Membership Meeting, we demand that the Elected body of the International Union restore democracy at UNITE HERE Local 75 through any means necessary. We require an immediate investigation and stop to this divisive, undemocratic, and deceptive form of leadership. On August 3, 2017, the Local 75 Executive Board passed a motion at its Executive Board Meeting to demand that the IU investigate the legality of the July 11, 2017 General Membership Meeting.

Appendix

**MINUTES OF THE UNITE HERE LOCAL 75 EXECUTIVE BOARD & SOLIDARITY
COMMITTEE, ON THURSDAY JULY 6, 2017 AT
HELD AT 25 CECIL STREET, UNITED STEELWORKER'S HALL**

Sister Lis Pimentel stated that the next General Membership meeting was being held July 11, 2017. She asked for input for the Agenda and opened the floor to discussion.

There was an overall consensus that there were positive steps taken during the day's meeting which will assist with setting a more positive tone of the upcoming General Membership meeting. The members of the Board expressed their thoughts of how they would bring the outcome of today's meeting back to the membership. The Board agreed that they were less divided and looked forward to working together on behalf of the membership, to focus on fighting the boss and the upcoming 2018 fight.

Brother Yosief Ogbasellasi suggested that the Executive Board make a joint statement that Local 75 is unified. The leadership is together and focused on 2018 and fighting the boss. Sister Kay Ann Drummond stated that the members need to know that we are moving forward. Sister Pimentel agreed that a few members of the Board should address the membership at the start of the meeting to help set a positive tone to the evening. Sister Pimentel further suggested that the Secretary-Treasurer and President should have a report. Since it is likely to be a large meeting with some controversy, Sister Pimentel also suggested rules need to be set, including time limits, no verbal insults, speak to the motions presented, etc.

Brother Mike Casey congratulated the Officers for acknowledging the difficulties in the Union and their commitment to working together, to move forward for the betterment of the members.

NEXT ORDER OF BUSINESS:

Motion to Adjourn

Moved by Sister Christine Smalling, seconded by Brother Rik Hockley. Carried (no opposition).

The meeting was adjourned at 4:20 pm.

Lis Pimentel
President
UNITE HERE Local 75

Nuredin Bulle
Secretary-Treasurer
UNITE HERE Local 75

Supplementary Document to August 7, 2017 Complaint Challenging Legality of July 11th, 2017 General Membership Meeting

To: President, D. Taylor, Mike Casey, Rich McCracken, Sarah Varela
From: The majority of the UNITE HERE Local 75 Executive Board

August 18th, 2017

Today, we discovered evidence that we believe proves that Lis Pimentel orchestrated a premeditated plan to divide the membership at the July 11, 2017 General Membership Meeting (GMM). During that meeting, as is indicated in our statement from August 7, 2017, motions were given to the Parliamentarian from members prior to the meeting's start. In fact, we believe that Lis Pimentel was responsible for composing these motions which were destructive and divisive to Local 75. These motions were designed to undermine, humiliate and embarrass the Executive Board and elected officers Valrie Lue and Nuredin Bulle who worked hard with Mike Casey to come to an agreement at the July 6th Executive Board meeting.

We have in our possession evidence in terms of an invoice dated July 24, 2017 (Appendix A) from Toronto-based law firm Koskie Minsky to the attention of Ms. Lis Pimentel invoicing UNITE HERE Local 75 in the amount of **\$2,034** for services rendered to Lis Pimentel in connection to the July 11, 2017 GMM. The invoice indicates that Lis Pimentel met with Koskie Minsky on July 8th, 2017 to have them review these divisive motions - two days after Lis Pimentel reached an agreement with the executive board on July 6th. This clearly demonstrates Lis Pimentel's pre-mediated intention of deceiving the executive board, elected officers, and Supervisor, Mike Casey. According to the invoice, Koskie Minsky also provided assistance and scrutineering at the GMM. However, this was not disclosed to us or elected officers, Valrie Lue and Nuredin Bulle. In fact, at a July 10th Staff Meeting at Local 75 she mentioned to the staff that volunteers - "people from outside the union who don't know us" would be helping out and scrutineering the meeting.

In addition, during the GMM, at one point, the Parliamentarian said that the scrutineers would count the votes. A member stood up and questioned the neutrality of the scrutineers who would be counting the votes. Then Lis Pimentel took to the mic and stated that the people who would be counting the votes are volunteers who do not know us and are not part of our organization. She stated that some were students and law students who volunteered their own time and said that they were "completely, completely neutral." She also said they were people who were not involved in the debate at all and don't know what it's about. But, Koskie Minsky invoiced Local 75 for 4.3 hours of scrutineering at the GMM at a rate of \$120/hour. This not only demonstrates that the scrutineers were not in fact volunteering their time, but that they did in fact know us. These were clearly representatives of Koskie Minsky and Lis Pimentel. In fact, the attached invoice indicates that since Lis Pimentel met with Koskie Minsky about the GMM prior to the actual date of the GMM and therefore contrary to what Lis Pimentel stated at the GMM, they were in fact involved in the debate and did know what it was about. Therefore, not only did Lis Pimentel knowingly lie to the majority elected leaders of Local 75 and the Supervisor, Mike Casey, but she lied to the entire membership that was present at the GMM. This also demonstrates that the vote counts that took place were not in fact conducted by neutral third parties, but rather, representatives of Lis Pimentel. Therefore, we question the integrity of the vote count and its results.

The invoice shows the following services rendered to Local 75 by Koskie Minsky for the following dates:

June 30, 2017 "met with L. Pimentel"

July 8, 2017 "reviewing draft motions for membership meeting; discussions with L. Pimentel."

July 9, 2017 "drafting and preparing of our legal opinion"

July 11, 2017 "assisting at UNITE HERE Local 75 membership meeting"

July 11, 2017 "Scrutineering at members' meeting"

As stated earlier, according to the invoice provided to Local 75 by Koskie Minsky, the firm provided 4.3 hours of scrutineering on July 11, 2017. The same invoice indicates that a Koskie Minsky Attorney named Alex Hunsberger provided 4.3 hours of service at a rate of \$120/hour; which indicates that Alex Hunsberger provided the actual scrutineering services during the GMM. According to Zoom Info, Alex Hunsberger is a Summer Law Student at Koskie Minsky.¹ *Please see Appendix B.*

In addition, Local 75 was also billed for 2.7 hours of "assisting at UNITE HERE Local 75 membership meeting" on July 11th. The same invoice indicates that a Koskie Minsky Attorney named Amani Rauff provided 2.7 hours of service to Local 75 at a rate of \$120/hour. According to Amani Rauff's LinkedIn profile, she is a Summer Law Student at Koskie Minsky. *Please see Appendix C.*

As employees of Koskie Minsky, both Alex Hunsberger and Amani Rauff's scrutineering and assisting services were not voluntary as is indicated by the invoice provided below. Lis Pimentel did not seek nor receive authorization by the Local 75 Executive Board to use union funds for the non-routine expenditure of seeking legal opinion on reviewing motions used to divide the members nor did she seek nor receive authorization by the Local 75 Executive Board to use union funds for the non-routine expenditure of hiring scrutineers and others to assist at the GMM. The evidence laid out in this document demonstrates Lis Pimentel's pre-meditated involvement in the division and destruction caused by the July 11th GMM and also demonstrates that Lis Pimentel used unauthorized Union funds to cause this division and destruction.

We believe that this is a gross violation of the UNITE HERE Constitution and our Local 75 bylaws. In fact, we believe that this not only further proves that the July 11th GMM was illegal, but may also indicate that Lis Pimentel is involved in corruption, utilizing Local 75 funds to advance her own personal agenda and gain.

Sincerely,

The majority of the Executive Board of UNITE HERE Local 75

Appendix A

PLEASE RETURN
DUPLICATE STATEMENT
WITH YOUR REMITTANCE

**KOSKIE
MINSKY**

20 Queen Street West
Suite 900, Box 52
Toronto, ON M5H 3P3

In Account with

UNITE HERE Local 75
15 Corvair Drive
Suite 310
Toronto, ON M2C 1Y8

July 24, 2017

REGISTRATION NO. 10000747 RT

39334

Attention: Ms. Lis Pimentel

Re: Opinion re Local Meeting
Our File No: 171257

TO PROFESSIONAL SERVICES RENDERED with respect to the above matter during the period from June 30, 2017 to July 24, 2017 including receiving and reviewing all relevant facts, circumstances and documents and generally advising in connection with the same from time to time:

Jun 30, 2017	met with L. Pimentel;	RNL	2.0
Jul 8, 2017	reviewing draft motions for membership meeting, discussions with L. Pimentel;	RNL	4
Jul 9, 2017	drafting and preparing of our legal opinion;	RNL	2.5
Jul 11, 2017	assisting at UNITE HERE Local 75 membership meeting;	ASR	2.7
Jul 11, 2017	Scrutinizing at members' meeting; all other telephone conversations, correspondence, consultations and generally attending to matters herein	AEH	4.3

Lawyer	Initials	Hours	Rate	Total
Ron Lebr	RNL	4.9	425.00	2,082.50
Alex Hunsberger	AEH	4.3	120.00	516.00
Amani Rauf	ASR	2.7	120.00	324.00

Total Time \$2,922.50
 Less Courtesy Fee Reduction -\$1,122.50
OUR FEE IN ALL for the above services **\$1,800.00**

TAXES
 HST on \$1,800.00 Fees 234.00
 Total Taxes (Registration # 100093757 RT) \$234.00

Amounts due when billed. Any disbursements not posted to your account on the date of this statement will be billed to you in accordance with the Solicitors Act. Charges will be charged at the rate of 5% per annum on all amounts due. Unpaid fees, disbursements and interest will be added to the total amount due. This statement is prepared by the law firm of Koskie Minsky.

Page 10

Disburse	
Total Fees	\$1,800.00
Total Disbursements	
Total Taxes	\$2,034.00
TOTAL DUE AND OWING	\$2,034.00
BA LANCE DUE AND OWING	\$2,034.00

THIS IS OUR ACCOUNT HEREIN
KOSKIE MINSKY LLP

Ron Lebi
 Ron Lebi
 CFO

Appendix B

Screen Capture of Alex Hunsberger Profile, Zoom Info
zoominfo.com
Find on page koskie No results Options

zoominfo



Last Update
This profile was last updated on 7/14/2017 and contains contributions from the Zoominfo Community.
is this you? [Claim your profile.](#)

Profile ID: 11162278

Alex Hunsberger

Summer Law Student

[View Profile](#)

HO Phone: [\(604\) 734-8001](#)

Email: [alex@zoominfo.ca](#)

Appendix C

Screen Capture of Amani Rauff's LinkedIn Profile,



Experience

COMPLAINT 29

Begin forwarded message:

From: nbulle <nbulle@uniteherelocal75.org>
Date: August 27, 2017 at 6:22:42 PM PDT
To: "D. Taylor" <dtaylor@unitehere.org>
Subject: Fwd: Re: Josefina Palermo-Lee

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Lis Pimentel <lpimentel@uniteherelocal75.org>
Date: 2017-08-19 4:10 PM (GMT-05:00)
To: Nuredin Bulle <nbulle@uniteherelocal75.org>
Subject: Re: Josefina Palermo-Lee

Hello Nuredin,

As you are aware, these leaves are considered routine under our fund guidelines. They have not been treated as extraordinary expenditures.

Please confirm that this is understood.

Sincerely,

Lis Pimentel
President
Unite Here Local 75

Sent from my iPhone

On Aug 19, 2017, at 4:04 PM, nbulle <nbulle@uniteherelocal75.org> wrote:

Hi Lis,

As per the discussion you, Valerie, Pedro and I had on Aug 9, I will not be signing any cheques for LOA"s until:

- 1)the ex bord passes the financials of the local.
- 2) the ex bord recommends this expenditures as it is a non-routine expenses.

Thank you!
Nuredin Bulle
Secretary Treasurer

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Lis Pimentel <lpimentel@uniteherelocal75.org>

Date: 2017-08-18 12:15 PM (GMT-05:00)

To: Pedro Cristovao <pcristovao@uniteherelocal75.org>, avolpe
<avolpe@uniteherelocal75.org>

Cc: nbulle@uniteherelocal75.org

Subject: Josefina Palermo-Lee

Hello Anna and Pedro,

Please be advised that Josefina Palermo-Lee is doing a leave of absence organizing with us on the hotel conversion campaign. She is working with us from August 17 through August 25, 2017, inclusive.

Usual pay and benefits. Education Fund. If you want to fill out the LOA form for me, I can sign it for the file.

Thanks.

Sincerely,

Lis Pimentel
President
UNITE HERE Local 75

COMPLAINT 30

From: D. Taylor
Sent: Saturday, August 19, 2017 7:14 AM
To: Mahen Krishnamoorthy
Cc: Mike Casey; Nuredin; Gwen Mills
Subject: Re: Urgent intervention required

Mahen,I have asked Mike to reach out to you since he is our representative in Toronto.Let me be very clear.Your case and the cases of many at the local will be investigated.In fact,I am calling a special meeting of the International 's executive committee just on the situation in Toronto. Mike will be reaching out to you.First and foremost your health is the most important matter at hand.Get better, and you and others will not be left in the cold.
God bless and in solidarity,D.

On Aug 18, 2017, at 12:51 PM, Mahen Krishnamoorthy
<mkrishnamoorthy@uniteherelocal75.org> wrote:

Dear Mr. D Taylor

My name is Mahen Krishnamoorthy an organizer with Local 75 since 2009. Before I became a staff organizer I was a Rank and file leader from Chelsea hotel. I have lead and taken part in many fights to raise the standard of the worker. I have volunteered many, many times before I became paid LOA organizer. I had 2 full time jobs (Chelsea and Park Hyatt) then. I sacrificed the Park Hyatt earning to do more free volunteering for the Local. The only reason I came out of the Chelsea hotel job is to serve more people and grow the Union. Strathcona and Park Hyatt are some of my organizing. I involved in 2006 Hotel workers rising campaign and 2010 setting standard through indefinite strike at the Chelsea.

Sir, since joining the Local 75 the life is not easy. Its challenging But I took it with courage. Why I am saying all this is to let you know that we have sacrificed a lot to this Union. But the way we are being treated now is very humulative. Recently since last 9 month's things have taken in different direction. The President of the Local started treating staff in undignified way. Lis isolated all the visible minority(black). They were not included in the collective decision making. White staff had more privillages than black staff in many ways. What we get is Insults, bad looks, harrasements, discriminations, yelling and using F words in front of everyone and calling us lazy. These are few examples. As union leader our fundamental value is bringing all together regardless of color gender or origin. This is not what is happening under Lis' leadership. She is very divisive and creating a very poisonous environment in the office and in hotels as well.

I wrote to you 2 month's back how I am being treated. I told you in that letter that my health is detoriating. So far I haven't received any response or any action from you to stop this harrasements and discrimination. Justice delayed means justice denied. See what happened to me now. Lis sent me home for serious false alegation. I didnt do anything. This is purely a political decision. All black staff believe she is targeting us all.

My current health condition is very bad. I am badly depressed and suicidal. I have two children. They need me for their well being. They are still in High school and University. My family is very worried about my health condition. Son took me to the Emergency yesterday for my confusion state of mind. He is worried that I will do something for myself. Its very sad that my son,daughter and wife have to suffer for no fault of theirs.

Sir, I know you well. You treat your members in your local in a dignified way. You are a caring family person. I expect you treat me like your brother and do the right thing.

I am depressed and suicidal because of the situation created by the Local 75 President and her husband David. Sadly the International Union also did nothing to protect me. If anything happens to me my family will hold both you as the general President of IU and Local 75 accountable.

Thanks
Sincerely
Mahen Krishnamoorthy
Union Organizer
UNITEHERE LOCAL 75

COMPLAINT 31

From: Nuredin Bulle <nbulle75@gmail.com>

Date: Sunday, August 20, 2017 at 6:13 PM

To: "D. Taylor" <dtaylor@unitehere.org>, Gwen Mills <gmills@unitehere.org>, "mcasey@unitehere2.org" <mcasey@unitehere2.org>, Scott Cooper <scooper@unitehere.org>, "rmccracken@msh.law" <rmccracken@msh.law>, "svarela@msh.law" <svarela@msh.law>

Subject: Formal Complaint Against Lis Pimentel

Good afternoon,

Attached, please find a formal complaint I am filing against UNITE HERE Local 75 President, Lis Pimentel related to the unjust ban placed against me at several Local 75 properties as well as false allegations and defamation of character.

Sincerely,

Nuredin Bulle

To: D. Taylor, Gwen Mills, Mike Casey, Scott Cooper, Richard McCracken, Sarah Varela

From: Nuredin Bulle

Re: Formal Complaint Against Lis Pimentel

August 20, 2017

On Wednesday August 9, 2017, as soon as we finished our staff meeting at around 11 AM Lis Pimentel asked me to come to her office because she wanted to talk about Mahen Krishnamoorthy for a few minutes. Lis had already asked Mahen to be there. I asked Valrie Lue, Vice President, to join us and we went to Lis's office. Lis also called Pedro Cristovao, Administrative Lead, into her office. Mahen, Valrie, Lis, Pedro and I were all in Lis's office.

Lis pulled out a paper from her desk and she read it. She read that Mahen is suspended for two weeks pending an investigation for allegedly stating that Lis already signed the Royal York contract without workers' knowledge. She also claimed that Mahen told workers that she is racist. Lis claimed to have witnesses for the allegations. Mahen stated that the allegations are untrue. He also asked how she could suspend him on "he said/she said" claims, and given the political turmoil that our Local is currently in, he said something along the lines of "anyone could make up anything." Lis then said we would talk about that later but for now Mahen would need to leave the office but he would have to turn in all union property including laptop and keys. Mahen told Lis he did not have the laptop on him. She said she wanted it by the following day. Mahen left. I started to leave after Mahen, and Lis said to me "sit down Nuredin, we didn't finish." I sat down. Lis then told me that I was banned from the Royal York because my being there would be divisive and some people did not want me there. It should be noted that with 900 members, the Royal York is one of Local 75's largest units and since 2005 there have been repeated decertification attempts by the workers. Mahen and I had been assigned to the Royal York since around 2009; since our being there, there have been no decertification attempts and in fact we brought the workers together, built a strong committee there, and we changed the culture there from one of filing grievances to that of delegating the boss and winning in that way. Before Mahen and I took on the Royal York, the costs of arbitrations alone were around \$100,000+. Since we came on, by changing the culture to strengthen the membership, we cut the costs of arbitrations by about 80% for the past several years. To be called divisive when we in fact we unified and strengthened the Union at the Royal York, is not only hurtful but it is simply untrue.

Lis then said to me, "you are also banned from going to the Chelsea Hotel." As soon as she mentioned that, I felt a sharp pain in my chest. It reminded me of when I left my country when I was young and was separated from my family. I am shocked that the President of Local 75 was responsible for causing me the very same pain I experienced when I was younger. I come out of the Chelsea Hotel. The majority of the leaders and members at the Chelsea are like family to me; we have known each other for over 20 years. We fought many, many fights together and won. The Chelsea Hotel is one of Local 75's leading fighting hotels; this is the hotel where workers had a strike during the last recession (2010) and won and set the City standard. Mahen and I led that fight.

The Chelsea workers and I attend each others' children's graduations, we celebrate each other's birthdays, and we share in one another's mourning when one of us experiences a loss. They are my family. Lis is very aware of the deep connection I have with the Chelsea Hotel and workers there. Words

cannot express the pain that Lis caused me by separating me from my Chelsea Hotel family. First and foremost, Lis has very rarely visited the Chelsea Hotel over the last 10 years and she does not know the workers at the property. It is unclear to me what she hopes to accomplish by banning me from the Chelsea Hotel.

Lis then informed me that I was also banned from the Holiday Inn Downtown due to conflict of interest, and I was shocked when she said that. I said, "what conflict of interest?" She said she was going to investigate and let me know, she did not specify for me what conflict of interest she was referring to and did not tell me. Lis informed Supervisor, Mike Casey that I have a girlfriend at the hotel. If I have a girlfriend at the Holiday Inn, I certainly am not aware of that. To be abundantly clear, I do not have a girlfriend at the Holiday Inn. I want the International Union to investigate this as a gross example of defamation of character. I want this allegation to be investigated immediately to clear my name, and I will seek legal advice and consider my options.

On Thursday August 10th, 2017, I went to the Chelsea Hotel around 12:00 – 12:30 pm and I was immediately approached by the Chelsea Hotel Security Director, Gary Myers. He asked me to leave the property and said I was no longer assigned there. I told him that I am not here as a business rep., I am here as an Officer and I have a previous appointment with the workers and I have some work to do and that I am not leaving. He then said, let me call Lis and he immediately went into the office and claimed to have called her. He said he spoke to Lis and she said that I should not be allowed on the property. I did not believe him when he told me that he was calling Lis so I then asked him to give me a document that indicates that Lis told him that I was not allowed to be there. Then Gary Myers presented me with an email from Lis to him that stated that both Mahen and myself were not assigned to the Chelsea Hotel. *Please see Appendix A.* I finished my work at the Chelsea and left.

I returned to the Chelsea Hotel on August 11th and I was approached by Assistant HR Director, Jim Stewart, and he told me I was not allowed to be there. I told him I am an Officer and have a right to be there. He then said, Lis does not want you to be here, she is the President. I said I am an Officer, I want to see a letter that Lis does not want me to be on the property. He said he was going to communicate with her and he went into his office. He was there for a very long time and I had another appointment so I left.

After I left the Chelsea, Jim Stewart sent me an email with a letter attached that confirmed that Lis Pimentel sent the Hotel a confirmation that I am no longer assigned to the Hotel and as such I was no longer authorized to be on the property. He also gave Abdula Idris, Executive Board Member and Shop Steward, a hard copy of the letter, and Abdula provided me with this hard copy. *Please see Appendix B.*

On Wednesday August 16, 2017 about 50 – 60 Chelsea Hotel workers delegated the Local 75 office to talk to Lis about all the changes she had made without their knowledge and they wanted to know the justification for it. The office door was locked and so workers could not enter the office.

On Friday August 18th, 2017 around 12:15 pm, I went to the Chelsea Hotel to have another meeting with the workers. Security and Jim Stewart approached me and said that I was not authorized to be there and that if I did not leave they would call the police. Medhin Gebri, Executive Board Member and Shop Steward, was there and she told them to go ahead and call the police and we continued our meeting. After several minutes, the police arrived and a police officer approached a few workers. As soon as the workers saw the police, they surrounded me and said to the Police Officer, "he is an elected officer, he

has a right to be here. How can you listen to one side and ban him from the hotel? This is wrong." I also introduced myself to the Police officer, I told him I am an elected officer, I believe I have the right to be here. The Police Officer said that this is their property and that I must leave, he did not even want to listen to what I had to say. He told me if I come back I will be arrested. He then said he would escort me to where my car is. Before I left, some of the workers were really upset and crying so I gave them a hug. The Police Officer escorted me to my car and as he was escorting me out he remarked, "you are like Justin Bieber, here, eh?"

As a person of colour and given the current racial climate and fear that black men, especially, have of police in general, to be escorted out like a criminal by the police due to our own President, is the absolute lowest point for our Union. This is the absolute lowest a so-called Union leader could go. This further reinforces the level of racism that exists within Local 75 and that is perpetuated by Lis Pimentel. I believe this is a clear violation of my human rights. I will also be seeking other legal options. But, I am encouraging the IU to take immediate steps and intervene in this crisis immediately. I also would like to request that this complaint be shared with my colleagues on the International Executive Board, but I leave that at President, D. Taylor's discretion.

Sincerely,

Nuredin Bulle

Appendix A

Jim Stewart

From: Ed Chumbley [mailto:ed@unite-benelocal75.org]
Sent: Tuesday, August 14, 2012 12:54 PM
To: jim.stewart@unite-benelocal75.org
Cc: Jim Stewart
Subject: Unionsigns

hello Mr. Barnes,

I am confirming that Musefin Balle and Mark Kristiansen are not assigned as union representatives at the Division Toronto for the time being.

Many thanks for your cooperation.

Sincerely,

Lis Pimental
President
Unite Here Local 75

Sent from my iPhone

Appendix B



August 11, 2011

Michael Ball,
Chelsea FC

Dear Michael,

This letter will confirm that the President of the men's Local 1001 (the "Local") will view your resignation as the end of your assignment as a Union Representative for the Chelsea FC.

As such, you are no longer authorized to be on the property.

I trust these matters have been handled in a manner consistent with the policies required.

We will welcome you back upon notification from the Local regarding any such

possibilities.

Jim Stewart
SVP, Director, Human Resources

c/ Gary Myers, Director of Security and Services

COMPLAINT 32

Begin forwarded message:

From: nbulle <nbulle@uniteherelocal75.org>
Date: August 27, 2017 at 6:25:18 PM PDT
To: "D. Taylor" <dtaylor@unitehere.org>
Subject: Fwd:

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Nuredin Bulle <nbulle75@gmail.com>
Date: 2017-08-20 7:34 PM (GMT-05:00)
To: nbulle@uniteherelocal75.org
Subject:

Hi Lis,

To be very clear, on August 3rd, the Executive Board did not pass the financials including any funds. Therefore, I am not going to sign the cheques. Whether those funds are considered routine or extraordinary, that is a discussion for a future date, with the governing body.

Regards,

Nuredin Bulle

COMPLAINT 33

To: President D. Taylor, Gwen Mills, Mike Casey, Scott Cooper, Rich McCracken, Sarah Varela
From: Nuredin Bulle
Re: Additional Formal Complaint against Jay Yerex
Date: August 23, 2017

I hereby file yet another complaint against IU Staffer, Jay Yerex. As you are all aware, Jay Yerex has been harassing, bullying, and defaming myself and other staff and elected leaders of colour at Local 75. The President of Local 75, Lis Pimentel, is aware of many of the complaints that both staff and elected leaders of colour have made against Jay Yerex around the harassment and bullying of people of colour. Yet, knowing that there are various complaints against Jay Yerex, Lis Pimentel, appears to have recently rewarded his poor behaviour by promoting him into a Lead Organizer position. As of Wednesday August 16, 2017, Jay Yerex has started attending the Local's weekly Lead's meetings. This reinforces an already established, but dangerous precedent¹ at Local 75 of promoting individuals who should be under investigation for racism and/or discrimination. Below, I describe two recent incidents concerning Jay Yerex and his continuous attack against me.

August 3, 2017

Jay Yerex sent an email to Josh Cuasay, Executive Board Member who works at One King West, and cc'd myself, Lis Pimentel, Mike Casey and Allan Pace. Jay Yerex accused Josh Cuasay of "harassing" members at One King West "to attend a secret meeting" with myself. Josh Cuasay replied to Jay Yerex's email and wrote, "I'm not Harassing anybody. I just mentioned to PATROCINIA when I talked to her last Wednesday that I said I am rebuilding a committee for the preparation of 2018 fights that Royal York and Renaissance up to and that we might meet them for the clarity of the July 11 meeting.

I didn't set any date when. That's it . I said being in the committee as part of the communication for what's happening for us in the Union.

Concerning the incidents happened last July 11, membership meeting you mislead and dividing us so please don't go in OKW property..."

Jay Yerex then replied to Josh Cuasay's email and added the Chief Shop Steward, Junard Estrella to the email chain and stated that he has statements from members that Josh Cuasay had requested a secret meeting with myself and wrote: "I would request that an investigation be opened into this conduct and I will be including this in the complaint I have previously filed with the International Union."

I believe that this frivolous complaint made by Jay Yerex against both Josh Cuasay and myself is another example of the harassment, disrespect and bullying that I am being subjected to at the hands of IU Staffer, Jay Yerex. Josh Cuasay has worked at One King West for over a decade, is a leader in that hotel and is an elected member of the Local 75 Executive Board. Even though I knew nothing of this meeting, and was not informed of it, Josh Cuasay has every right to request a meeting between myself, an Elected Officer of this union, and her colleagues at One King West. To clarify, there was no plan for a "secret meeting" as Jay Yerex has put it. And, if there was a request by workers to meet with me, then I would be more than happy to meet with those workers and have every right to do so. I fail to see where the

¹ Allan Pace was also promoted during the time he was supposed to be under investigation for alleged racism.

crime is here, except the crime that Jay Yerex is clearly committing by continuing to harass myself and other elected leaders of colour. *Please see email exchange in Appendix.*

August 9, 2017

Jay Yerex arrived at the Local 75 staff meeting around 10:00 AM. He arrived a little late while each person on staff was going through their highs and lows for the week (we start each staff meeting by stating our highs and lows). After Jay Yerex had taken a seat, and his turn had arrived to state his highs and lows, Jay Yerex started off with his high, by stating, "we beat D. Taylor and we got a good contract. Even though he tried to freeze our wages." I was sitting directly across the table from Jay Yerex. Lis Pimentel was at the head of the table, but seated directly adjacent to both Jay Yerex and myself. Then while speaking, Jay Yerex, pointed his finger at me, and said "Nuredin, I filed a grievance against you. It is going through. People are talking, that we do not have a union. We do have a union." Then Jay Yerex paused, and looked at Valrie Lue, who was sitting directly to my right, and said "People who came to my wedding, sitting in this room, signed a petition to get rid of me."

Lis Pimentel, the President of the Local, sat at the meeting, and did not intervene while Jay Yerex pointed his finger at me and out right disrespected me, an elected officer of our union, in front of the entire staff. This is not the first time that I have been openly disrespected and humiliated in meetings where Lis Pimentel has been present, and has not stepped in to put a stop to it. This is a clear example of Lis Pimentel's encouragement of the harassment and bullying of people of colour at UNITE HERE Local 75.

I strongly believe that the only way for us to start to have any form of stability at the Local is by the International Union taking the immediate step to terminate the employment of Jay Yerex and to ensure that this type of behaviour is not tolerated. Jay Yerex has played a key role in creating a toxic work environment for myself and various others on staff. This can not be tolerated in any organization.

Appendix

----- Original message -----

From: Jay Yerex <jyerex@unitehere.org>
 Date: 2017-08-03 2:48 PM (GMT-05:00)
 To: josh cuasay <joshmcuasay@yahoo.ca>
 Cc: Nuredin Bulle <nbulle@uniteherelocal75.org>, Lis Pimentel
 <lpimentel@uniteherelocal75.org>, Mike Casey <mcasey@unitehere2.org>, Alan Pace
 <apace@uniteherelocal75.org>, junarde <junarde@yahoo.ca>
 Subject: Re: Meeting Requests

Also with all due respect Josh I have been assigned to be the staff representative at One King West.

I have a very good working relationship with the steward team, as well as your co-workers.

I will continue to work for and represent our members at One King West as long as my lead organizer and immediate director have assigned me to the property.

I would be more than happy to schedule a meeting with Mike Casey and Junard the Chief Shop Steward, and the Shop Stewards to discuss any concerns you may have, as well as concerns members at One King West have expressed regarding your recent conduct.

Regards

Jay Yerex

----- Original message -----

From: josh cuasay <joshmcuasay@yahoo.ca>
 Date: 2017-08-03 1:10 PM (GMT-05:00)
 To: Jay Yerex <jyerex@unitehere.org>
 Cc: Nuredin Bulle <nbulle@uniteherelocal75.org>, Lis Pimentel
 <lpimentel@uniteherelocal75.org>, Mike Casey <mcasey@unitehere2.org>, Alan Pace
 <apace@uniteherelocal75.org>
 Subject: Re: Meeting Requests

I'm not Harassing anybody. I just mentioned to PATROCINIA when I talked to her last Wednesday that I said I am rebuilding a committee for the preparation of 2018 fights that Royal York and Renaissance up to and that we might meet them for the clarity of the July 11 meeting. I didn't set any date when. That's it . I said being in the committee as part of the communication for what's happening for us in the Union.

Concerning the incidents happened last July 11, membership meeting you mislead and dividing us so please don't go in OKW property.

I do hope you respect me for my decision.

Josh Cuasay
 Unite Here local 75
 Executive Board Member

Sent from my iPhone

On Aug 3, 2017, at 12:12 PM, Jay Yerex <jyerex@unitehere.org> wrote:

Hello Josh and Nuredine

I have received several complaints from members at 1kw alleging that you have been harassing them to attend a secret meeting with Nuredine.

This is concerning to me for a number of reasons.

Firstly as the Rep why did you or Nuredine not approach me to schedule a membership meeting.

What is the purpose of the meeting and the reason for it to be secret.

What is the nature of the Shop Stewards meeting you want to schedule with Nuredin.

Pls advise

Jay

----- Original message -----

From: Jay Yerex <jyerex@unitehere.org>

Date: 2017-08-03 2:22 PM (GMT-05:00)

To: josh cuasay <joshmcuasay@yahoo.ca>

Cc: Nuredin Bulle <nbulle@uniteherelocal75.org>, Lis Pimentel <lpimentel@uniteherelocal75.org>, Mike Casey <mcasey@unitehere2.org>, Alan Pace <apace@uniteherelocal75.org>, junarde <junarde@yahoo.ca>

Subject: Re: Meeting Requests

I have statements from members stating you requested them to meet with Nuredin for a secret meeting.

I would request that an investigation be opened into this conduct and I will be including this in the complaint I have previously filed with the International Union.

I am also copying Junard Estrella the Chief Shop Steward and Key Leader for One King West Hotel.

Regards

Jay

----- Original message -----

From: josh cuasay <joshmcuasay@yahoo.ca>

Date: 2017-08-03 1:10 PM (GMT-05:00)

To: Jay Yerex <jyerex@unitehere.org>

Cc: Nuredin Bulle <nbulle@uniteherelocal75.org>, Lis Pimentel <lpimentel@uniteherelocal75.org>, Mike Casey <mcasey@unitehere2.org>, Alan Pace <apace@uniteherelocal75.org>

Subject: Re: Meeting Requests

I'm not Harassing anybody. I just mentioned to PATROCINIA when I talked to her last Wednesday that I said I am rebuilding a committee for the preparation of 2018 fights that Royal York and Renaissance up to and that we might meet them for the clarity of the July 11 meeting.

I didn't set any date when. That's it . I said being in the committee as part of the communication for what's happening for us in the Union.

Concerning the incidents happened last July 11, membership meeting you mislead and dividing us so please don't go in OKW property.

I do hope you respect me for my decision.

Josh Cuasay
Unite Here local 75

Executive Board Member

COMPLAINT 34

Begin forwarded message:

From: abdalla idris <abdallaidris3@gmail.com>
Date: August 29, 2017 at 8:01:06 AM PDT
To: Dtaylor@unitehere.org
Subject: Save our Local

Dear Dtaylor

On behalf of the people of the Chelsea Hotel, I greet you with the union greetings solidarity.

When you put the supervision for our local 75 we see nothing except division and discrimination. As you know, our organizer (Mahen) has been suspended from the union and banned from coming to Chelsea and he was replaced by five organizers. And the worst thing is the president of local 75 was telling the company to call the police on Nuredin Bulle who is the first elected black officer. And as a result, we see an elected officer from the people of color was thrown out from Chelsea Hotel by the police in front of all the members which is a big shame to our local and The International Union. We the members of the Chelsea Hotel think this supervision is nothing but buying time and giving more chance to the president of Unite Here Local 75 to go after the people of color and get rid of them from the union. And we believe this is a big shame and has never happened in the history of our local. We are just writing you this letter to let you know that we are not going to work with someone whose intention is to divide and rule for their own interest. And also, we want you to end this supervision as soon as you can because the president of our local said it before that the supervision is nothing and the supervisor is not going to do anything and we all see now that what she said is becoming true.

WHAT ARE YOU WAITING FOR?

DO YOU WANT TO SEE ALL THE BLACK ORGANIZERS BANNED?

DON'T YOU THINK BLACK LIVES MATTER?

Solidarity
Abdalla Idris

COMPLAINT 35

From: Nuredin Bulle <nbulle75@gmail.com>

Date: August 31, 2017 at 2:16:34 AM EDT

To: dtaylor@unitehere.org, gills@unitehere.org,

mcasey@unitehere2.org, scooper@unitehere.org, rmccracken@msh.law, svarela@msh.law

Subject: Memo: Financial Mismanagement and Unethical Practices at Local 75

Hello all,

Please review the attached document.

Sincerely,

Nuredin Bulle

To: President, D. Taylor, Gwen Mills, Mike Casey, Scott Cooper, Rich McCracken, Sarah Varela
From: The majority of the UNITE HERE Local 75 Executive Board and Elected Officers Valrie Lue and Nuredin Bulle

Re: Breach of IU Constitution and Local 75 Bylaws: Financial Mismanagement and Unethical Practices at UNITE HERE Local 75

August 30, 2017

Dear President D. Taylor and the Executive Board Committee of UNITE HERE,

We, the majority of the Executive Board of UNITE HERE Local 75 and Elected Officers Valrie Lue and Nuredin Bulle, wish to outline for you some key issues at the heart of the dispute at Local 75. We represent the membership and are the governing body of Local 75. But, we have been stripped of our voice in governing Local 75 by Local 75 President, Lis Pimentel.

At the heart of this dispute is a lack of accountability and transparency in Lis Pimentel's unilateral-decision making style of leadership. We have been stripped of our voice and there is no democracy at Local 75.

Since the implementation of the Supervision whereby Mike Casey has been assigned to Supervise Local 75, Ms. Pimentel has become much more aggressive and has become even more defiant, in terms of following the Local's bylaws and UNITE HERE Constitution.

While there are many more issues, below, we outline, several key issues related only to the union's finances, which are at the heart of Local 75's internal dispute, which we believe demonstrate a lack of leadership, transparency, accountability and democracy in the way Ms. Pimentel is running Local 75. We also have very serious concerns around potential corruption, whereby, we believe that Ms. Pimentel may be using union funds for her own personal gain, at a detriment to the Local.

1. Use of Union Funds to Pay for Ms. Pimentel's Personal Legal Fees

In violation of:

- Article 25 Ethical Practices Code Section 4 (c) of the UNITE HERE Constitution: "No officer or employee of the International Union or its affiliates shall convert or divert any funds or property of the Union to such individual's personal use except for incidental personal use of cars, computers and telephones in accordance with published policies of the International Union."
- Article 25 Financial Practices Section 2 (a) of the UNITE HERE Constitution: "All officers and employees of the International Union and its affiliates have a fiduciary duty to safeguard the funds of the Union and to use them only for proper and prudent purposes. The members are entitled to full disclosure concerning the use and investment of all Union funds."
- Article 25 Financial Practices Section 2 (b) of the UNITE HERE Constitution: "The International Union and its affiliates shall conduct their financial transactions in accordance with sound business practices, including full approval of all expenditures in accordance with the applicable constitutions or by-laws, and the securing of competitive bids for major contracts."

An invoice dated July 31, 2017 from Toronto-based law firm Koskie Minsky to the Attention of Ms. Lis Pimentel and Mr. Jorge Hurtado indicates that Koskie Minsky invoiced UNITE HERE Local 75 in the amount of **\$1,017** for services rendered to Ms. Pimentel as her representative in reviewing various emails between Ms. Pimentel and UNITE HERE International Union Director of Operations, Scott Cooper. We question why Ms. Pimentel would use Local 75 funds for legal representation while being interviewed by a Director of the International Union. We also question why Ms. Pimentel would use Local 75 funds to have her attorney review emails between Ms.

Pimentel and Mr. Cooper. The invoice indicates that the following services were rendered to Ms. Pimentel from Koskie Minsky:

May 16, 2017 discussion with L. Pimentel, review various Pimentel/Cooper emails

May 17, 2017 meet with L. Pimentel; attend interview with W. Scott

June 1, 2017 email exchange with L. Pimentel; all other telephone conversations, correspondence, consultations and generally attending to matters herein.

The invoice to UNITE HERE Local 75 indicates that Koskie Minsky attorney Ron Lebi billed Local 75 \$1,615 less \$715 for a *courtesy fee reduction* for a total of \$1,017 including fees and taxes.

If Ms. Pimentel felt she needed legal representation to meet with members from the UNITE HERE International Union, she has no authority to use Local 75 funds to pay for such representation and should have used personal funds. This is a clear case of the unethical use of Union funds for personal use and we believe this to be a gross violation of the UNITE HERE Constitution. *Please see Appendix A for a copy of the invoice from Koskie Minsky to UNITE HERE Local 75.*

As an officer of an IU affiliate, Local 75, Ms. Pimentel has a duty to safeguard the funds of the Union and to use those funds for proper and prudent purposes. We do not believe that Ms. Pimentel's use of union funds to pay for legal representation in her dealings with the IU constitutes proper and prudent union expenditures. In addition, these costs, which are certainly not routine costs, were not approved by the Local 75 executive board as is required under Article IX, section 5 (b) of the UNITE HERE Local 75 bylaws which state that "all applications for donations and all proposed expenditures, other than routine operating expenses, shall first be referred to the Executive Board for their recommendation..."

This expenditure therefore violates several sections of the IU constitution and violates the Local 75 bylaws.

2. Unauthorized Use of Union Funds in Hiring

a) Unauthorized Use of Union Funds to Hire 5 New Staff

In violation of:

- Article 25 Financial Practices Section 2 (a) of the UNITE HERE Constitution: "All officers and employees of the International Union and its affiliates have a fiduciary duty to safeguard the funds of the Union and to use them only for proper and prudent purposes. The members are entitled to full disclosure concerning the use and investment of all Union funds."
- Article 25 Financial Practices Section 2 (b) of the UNITE HERE Constitution: "The International Union and its affiliates shall conduct their financial transactions in accordance with sound business practices, including full approval of all expenditures in accordance with the applicable constitutions or by-laws, and the securing of competitive bids for major contracts."

At a cost of approximately \$500,000 during the 2016/2017 period Ms. Pimentel hired five staff persons at Local 75 without the approval or recommendation of elected officers Valrie Lue and Nuredin Bulle or the Executive Board of Local 75. In fact, we question how Ms. Pimentel's signature alone could authorize the payments to hire and compensate these individuals at a cost of about half a million dollars. Our Local bylaws clearly stipulate that two elected officer signatures are required for the Local to make any payments (see further below in this section).

The most recent new hires prior to the hiring of the individuals listed below were Jennifer Chotalal and Monica McKenzie who were hired between 2013 and 2015. Both Ms. Chotalal and Ms. McKenzie were hired upon the approval by a majority vote of the Executive Board of Local 75; this had been the established precedent on new hires at Local 75, as per the advice of the Supervisor at the time, Bill Lewis. In fact, Bill Lewis, was present during the Executive Board vote to hire Ms. Chotalal. Because we were all recently elected officers, including Lis Pimentel, Mr. Lewis was providing us with "best practices" and appropriate ways to conduct our business. He advised us that the Executive Board must provide approval on any money matters.

The five most recent hires by Ms. Pimentel where no approval was sought or granted are:

- Teferi Zemene, Organizer
- Rafunzel Korngut, Organizer
- David Anderson, Researcher
- Kumsa Baker, Researcher
- Milton Catia, Admin

Article IX, section 5 (b) of the UNITE HERE Local 75 Bylaws state "all applications for donations and all proposed expenditures, other than routine operating expenses, shall first be referred to the Executive Board for their recommendation; which recommendation shall be subject to membership approval by majority vote of the membership present at a regular or special meeting."

The five recently hired staff include an Organizer who does not have a driver's license and therefore does not fulfill the job requirements of an Organizer. The five recently hired staff also include two Researchers. The local has about 8,000 members and now has four Researchers. The majority of the elected leaders of Local 75 do not believe that we need four Researchers for a local of our size.

No approvals of the Executive Board or elected officers Valrie Lue and Nuredin Bulle were sought or received prior to these individuals being hired onto the Local 75 payroll by Ms. Pimentel.

Article IX Section 3 (c) of our Local 75 bylaws states that Secretary Treasurer "shall co-sign all cheques for disbursement of Union funds." The Secretary Treasurer did not authorize salary payments to certain staff who have been added to the Local 75 payroll and we question how they were added to our direct deposit payroll without the signed authorization of the Secretary Treasurer as is outlined in our Local bylaws.

b) Unauthorized Use of Union Funds to Compensate Individuals Who Had IU Grant Funding Cut

In violation of:

- Article 25 Financial Practices Section 2 (a) of the UNITE HERE Constitution: "All officers and employees of the International Union and its affiliates have a fiduciary duty to safeguard the funds of the Union and to use them only for proper and prudent purposes. The members are entitled to full disclosure concerning the use and investment of all Union funds."
- Article 25 Financial Practices Section 2 (b) of the UNITE HERE Constitution: "The International Union and its affiliates shall conduct their financial transactions in accordance with sound business practices, including full approval of all expenditures in accordance with the applicable constitutions or by-laws, and the securing of competitive bids for major contracts."

During the August 3-2017, Executive Board meeting, the following motion was passed:

"Any Local 75 expenditures associated with/or resulting from cuts to funding or grants to UNITE HERE Local 75 from the International Union must be approved by a majority vote of the Executive Board. For example, if the International Union cuts a grant to Local 75 for a

staff person, then prior to Local 75 absorbing the cost of keeping that staff person, approval must be granted by a majority vote of the Executive Board. Please see Article IX, Section 5 (b) of the UNITE HERE Local 75 Bylaws.”

In breach of the bylaws of UNITE HERE Local 75, through Ms. Pimentel’s direction, Local 75 has absorbed the cost of two employees who recently had their IU grants cut, even though the motion passed by the UNITE HERE Local 75 Executive Board on August 3, 2017 stipulates that any Local 75 expenditure that arises from cuts to IU funding or grants must be approved or recommended by a majority vote of the Executive Board. No such approval was sought or granted. In fact, one such IU grant employee (Kumsa Baker) had not been contributing to the work of Local 75 while on an IU grant, and once the grant was cut from the IU, Ms. Pimentel had Local 75 absorb the unauthorized costs of keeping this employee. Any expenditure associated with keeping these individuals are unauthorized and in breach of our Local bylaws and in breach of Local 75’s fiduciary duty to safeguard the funds of the Union. We believe that the unauthorized use of union funds to compensate individuals who had their IU funding cut is in breach of Article 25, Section 2 (a) and (b) of the IU Constitution and in direct violation of our Local 75 bylaws.

3. **Unauthorized Use of Union Funds to Book Meeting Space**

In violation of:

- Article 25 Financial Practices Section 2 (a) of the UNITE HERE Constitution: “All officers and employees of the International Union and its affiliates have a fiduciary duty to safeguard the funds of the Union and to use them only for proper and prudent purposes. The members are entitled to full disclosure concerning the use and investment of all Union funds.”
- Article 25 Financial Practices Section 2 (b) of the UNITE HERE Constitution: “The International Union and its affiliates shall conduct their financial transactions in accordance with sound business practices, including full approval of all expenditures in accordance with the applicable constitutions or by-laws, and the securing of competitive bids for major contracts.”

Article IX, section 5 (b) of the UNITE HERE Local 75 bylaws state “all applications for donations and all proposed expenditures, other than routine operating expenses, shall first be referred to the Executive Board for their recommendation; which recommendation shall be subject to membership approval by majority vote of the membership present at a regular or special meeting.” Ms. Pimentel booked a meeting room at the Intercontinental Hotel (not a Local 75 property) at a cost of \$8,500+ as the location for the July 11, 2017 General Membership Meeting. We have never booked a General Membership Meeting at this location prior to July 11th nor have we spent this amount of money to a book space for a General Membership Meeting prior to this meeting, and therefore it is not a routine expense. Ms. Pimentel’s booking of this room without informing the Executive Board or other elected officers prior to booking is a clear violation of our bylaws. We believe this unreasonable cost to be in direct violation of Ms. Pimentel’s fiduciary duty to safeguard the funds of the Union and to use them for proper and prudent purposes. We believe this transaction was not completed in accordance with sound business practices as it was not approved in accordance with our Local 75 bylaws as was required. *Please see invoice for meeting space in Appendix B.*

4. **Potential Corruption and Unauthorized Use of Union Funds in Pre-Meditated Plan Around Illegal and Undemocratic General Membership Meeting**

In violation of:

- Article 25 Ethical Practices Code Section 4 (c) of the UNITE HERE Constitution: "No officer or employee of the International Union or its affiliates shall convert or divert any funds or property of the Union to such individual's personal use except for incidental personal use of cars, computers and telephones in accordance with published policies of the International Union."
- Article 25 Financial Practices Section 2 (a) of the UNITE HERE Constitution: "All officers and employees of the International Union and its affiliates have a fiduciary duty to safeguard the funds of the Union and to use them only for proper and prudent purposes. The members are entitled to full disclosure concerning the use and investment of all Union funds."
- Article 25 Financial Practices Section 2 (b) of the UNITE HERE Constitution: "The International Union and its affiliates shall conduct their financial transactions in accordance with sound business practices, including full approval of all expenditures in accordance with the applicable constitutions or by-laws, and the securing of competitive bids for major contracts."

An invoice dated July 24, 2017 from Toronto-based law firm Koskie Minsky to the Attention of Ms. Lis Pimentel indicates that Koskie Minsky invoiced UNITE HERE Local 75 in the amount of **\$2,034** for services rendered to Ms. Pimentel in connection to a July 11, 2017 General Membership Meeting. We filed a separate complaint against Ms. Pimentel prior to receiving this invoice in which we challenged the legality of the meeting and accused Ms. Pimentel of orchestrating aspects of that meeting. During that meeting, certain motions were made by members that served to be destructive to Local 75. We believe that the invoice from Koskie Minsky indicates that Ms. Pimentel was involved in orchestrating this illegal and destructive and divisive meeting to undermine the majority of the elected leaders of Local 75. In fact, the invoice indicates that the motions for the membership meeting were reviewed by Koskie Minsky for Ms. Pimentel prior to the meeting, which indicates she played a role in composing the motions that were brought forward by members. As such, the expenditures of \$2,034 were not brought to the executive board, nor were these expenditures authorized or approved. In fact, the invoice indicates that Local 75 was charged \$824 plus tax for scrutineers and assisting during the membership meeting, when Ms. Pimentel had indicated, prior to the meeting, that all scrutineers were volunteers and did not disclose Koskie Minsky's involvement during the meeting. Therefore, these expenditures are not approved or authorized. This invoice also suggests that Ms. Pimentel used unauthorized union funds for personal gain at the detriment of Local 75 since the services provided by Koskie Minsky only served to benefit Ms. Pimentel at the expense of the membership. *If further explanation is required please see Appendix C – the complaint by the Local 75 Executive Board challenging the legality of the July 11, 2017 General Membership Meeting and supplementary document regarding the aforementioned invoice.*

Appendix A

Koskie Minsky Invoice dated July 31, 2017

P. L. KOSKIE, B.A., LL.B.
BARRISTER & SOLICITOR
AND NOTARY PUBLIC

KOSKIE MINSKY

16 Queen Street West
 Suite 200, Box 10
 Toronto, ON M5H 3P3

In Accord with
 UTAKE HERE Letter 75
 75 Dundas Drive
 Suite 310
 Toronto, ON M5G 1Y8

July 31, 2017
 REGISTRATION NO. 170001741
39374

Attention: Ms. Lili Pimentel and Mr. Jorge Hurtado

Re: Investigation by International Office
Our Fee No: 171020

TO PROFESSIONAL SERVICES RENDERED with respect to the above matter during the period from May 16, 2017 to July 31, 2017 including receiving and reviewing all relevant facts, circumstances and documents and generally acting in connection with the same from time to time.

May 16, 2017	discussion with L. Pimentel; review various Pimentel/Cooper details.	RNL	10
May 17, 2017	meet with L. Pimentel, advise interview with W. Scott	RNL	30
Jun 1, 2017	email exchange with L. Pimentel; all other telephone conversations, correspondence, consultations and generally attending to matters herein	RNL	2

Lawyer Ron LeBl	Initials RNL	Hours 3.8	Rate 425.00	Total 1,615.00
Total Time				
<i>Less Courtesy Fee Reduction</i>				318.75.00
OUR FEE IN ALL for the above services				1,296.25.00
				\$900.00
TAXES				
HST on	\$900.00 Fees			117.00
Total Taxes (Registration # 109093757 RT)				\$117.00

KOSKIE MINSKY

7/24/11

Receipts
Total Paid
Less: Overpayment
Tax/Taxes
TOTAL DUE AND OWING

5000.00
517.00
\$1,017.00

BALANCE DUE AND OWING

\$1,017.00

THIS IS OUR ACCOUNT HEREIN
KOSKIE MINSKY LLP



Ron Lebl
By
TAXP

=
=
=
=

Appendix B

July 11th, 2017 Invoice for Meeting Space

banquet Check

Created: 7/11/2017
Page: 1 of 1
REQ# 179158

Event Date: 7/11/2017	
Contact:	Mr. Pedro Cristovao
Phone:	416-384-0983 Ext: 311
Fax:	
On-Site:	Mr. Pedro Cristovao
Phone:	416-384-0983 Ext: 311

Room	Qty	Actual
The Ballroom		

	PRICE	SUBTOTAL
MTG	4,000.00	4,000.00
TOTAL		4,000.00
Administrative Fee %	18.00	720.00
Tax %	13.00	613.60
		5,333.60

Grand Total: 5,333.60

Balance Due: 5,333.60

DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
TAX				
PERCH.				
LABOUR				
EQUIPMENT				
SERVICES				
SERVICE CHARGE				
H.S.T.				
03:00 HOUR		70.00		420.00
04:00 HOUR		70.00		280.00
02:30 HOUR		70.00		175.00

EQUIPMENT	1,000.00
LABOUR	1,000.00
SERVICES	500.00
SERVICE CHARGE	400.00
H.S.T.	200.00

ED IN ACCORDANCE WITH THE LEGISLATION OF
 (TPS) SERCHT APPLIQUEES EN VERTU DE LA

TOTAL	3,000.00
--------------	-----------------

WE SUBJECT TO THE CONDITIONS ON THE
 (TPS) TMC 1000000000

POUR LA PRESENTE SOUMISSION, AUX CONDITIONS

PER PAR _____ DATE _____

Appendix C

Statement and Demand of Local 75 Executive Board

To: President, D. Taylor, Mike Casey, Rich McCracken, Sarah Varela

From: The majority of the UNITE HERE Local 75 Executive Board

Re: Challenging Legality of Local 75 July 11, 2017 GMM and Demands of the Executive Board and Elected Officers, Valrie Lue and Nuredin Bulle

August 7, 2017

We, the clear majority of the UNITE HERE Local 75 Executive Board challenge the legality of the July 11, 2017 UNITE HERE Local 75 General Membership Meeting. We believe that the manner by which the meeting was conducted is in gross violation of our Sovereign Constitution and Local Bylaws. Therefore, we demand a thorough investigation and we demand that the International Union take all necessary steps to prevent further division and destabilization of UNITE HERE Local 75.

Executive Board and Elected Officers Nuredin Bulle and Valrie Lue Not Informed Prior to Booking Meeting Room of Extraordinary Expenses

Article IX, section 5 (b) of the UNITE HERE Local 75 Bylaws state "all applications for donations and all proposed expenditures, other than routine operating expenses, shall first be referred to the Executive Board for their recommendation; which recommendation shall be subject to membership approval by majority vote of the membership present at a regular or special meeting." Lis Pimentel booked a meeting room at the Intercontinental Hotel (not a Local 75 property) at a cost of \$8,500+ as the location for the July 11, 2017 General Membership Meeting. We have never booked a General Membership Meeting at this location prior to July 11th nor have we spent this amount of money to a book space for a General Membership Meeting prior to this meeting, and therefore it is not a routine expense. Lis's booking of this room without informing the Executive Board or other elected officers prior to booking is a clear violation of our bylaws.

Intentional Obstruction and Slow Down of Entry of Several Hundred Members to the Meeting Designed to Benefit President Lis Pimentel

Outside the entrance doors of the meeting room at the Intercontinental Hotel, several hundred members gathered to gain entrance into the meeting room. There was a registration desk that was managed by volunteers assigned either by Lis Pimentel or somebody under her structure, to check members' identification to allow them a voter card (a piece of paper that said the word "vote" on it) and gain entry into the meeting room. A separate table was managed by Anna Volpe (Admin) and Pedro Cristovao (Admin Lead) to allow members who were not in "good standing" to pay dues to "catch up" so that they could then proceed to the registration desk to gain entry to the meeting. Other members who were not in good standing were also allowed entry but were not supposed to be given a voter card.

The entry points were extremely chaotic as there were not enough individuals handling registration to allow all members to gain smooth entrance. However, certain members, namely those that were organized to attend the meeting by individuals under David Sanders' structure, and those who are clearly on Lis Pimentel's side of the political dispute were given a printout of their membership card prior to attending the meeting so that they could quickly be scanned to enter the meeting. These membership cards were not made available to all members, only the members who were organized to attend by organizers and others under David Sanders' structure.

We believe the chaotic registration process and the ease of entry provided to certain members was undemocratic and conducted in a manner to intentionally slow down and obstruct several hundred

members from attending the meeting. The registration process took an extremely long time, delaying the meeting's start by approximately 1 hour and 45 minutes. Additionally, several members were denied entry by those managing the registration desk for reasons that are not clear.

The Parliamentarian Ran and Controlled the July 11, 2017 General Membership Meeting in Direct Violation of Our Local Bylaws

At the beginning of the July 11, 2017 General Membership Meeting, Lis Pimentel introduced an individual by the name of Brock C. (last name unclear) and stated that he is our Parliamentarian for the day and would be introducing us to the rules of the meeting. He then took the mic and stated that he would introduce us to Roberts Rules of Order which he indicated is in our bylaws and in the UNITE HERE Constitution.

He introduced himself as a former Teacher and a Negotiator who worked for the Ontario Catholic Teacher's Association. He also claimed to have done numerous meetings like this before. He clearly stated that his purpose there was not to be controller of the meeting but to provide direction to help where we wanted the meeting to go. He also spoke about respecting those with opinions different than our own. He said he was there to help and that the meeting was guided by the Local's bylaws, the Constitution of UNITE HERE and Roberts Rules of Order.

Later, in the meeting, the Parliamentarian also stated that according to our bylaws and the UNITE HERE Constitution, we need a Parliamentarian to have a meeting. However, our bylaws do not state that a Parliamentarian is needed to have a meeting. The IU Constitution also does not state that we need a Parliamentarian to have a meeting. We believe this is misleading and false.

While he was providing his opening remarks, the Parliamentarian, spoke of the pros and cons mics and said he would rule people out of order. But if he is ruling people out of order, then is he not essentially running the meeting since he is deciding who is out of order and who is not? So even though he stated clearly that he would not be controller of the meeting, he fully ran and controlled the General Membership Meeting to the point where he even told an Executive Board Member, Yohanes Habte, that he would have him removed.

Article IX section 1 (a) of the UNITE HERE Local 75 Bylaws clearly state that the President "shall preside at all regular and special membership meetings and at all meetings of the Executive Board..."

Article IX section 2 (a) of the UNITE HERE Local 75 Bylaws clearly state that the Vice-President "shall preside over all meetings in the absence of the President, and for the time being, be invested with the same power as though he were President."

Neither the President nor the Vice President presided over the July 11, 2017 General Membership Meeting even though they were present during the meeting.

Premeditated Misconduct Orchestrated to Divide the Membership and Provide Certain Individuals who are Allies of President, Lis Pimentel, With Unfair Advantages Throughout the Meeting

The Parliamentarian started to run the meeting and stated that he already had motions that people had given him prior to the meeting. He said that he had gone through the motions with those individuals to ensure that they made sense and accomplished what the individuals who made the motions wanted them to do, prior to the meeting. He also said any motions had to have been given to him in writing and that motions could not be made at the mic. We would like to point out, again, that the Parliamentarian claimed he already had motions prior to the meeting's start. The clear majority of Executive Board Members as well as Elected Officers Nuredin Bulle and Valrie Lue, were not given the opportunity to provide written motions, were not informed that other individuals had submitted motions, and are unclear at which point they would have even met with the Parliamentarian unless they were given prior direction to.

It must also be noted that that neither the clear majority of Executive Board Members nor Elected Officers Valrie Lue and Nuredin Bulle were given the agenda or any documents that were being voted upon (for example, financial statements) at any point (prior to or during the meeting). The only individuals who visibly had the agenda were Lis Pimentel and the Parliamentarian. In all previous General Membership Meetings, the Executive Board and members who participate in the meeting, are given the documents that are being voted upon, including financial statements. Imagine voting on an item and most voters don't even know what they are voting on, and without being given any documentation on the matter.

In fact, at our Executive Board Meeting held on July 6, 2017 it was agreed upon between the entire Executive Board that was present, the Elected Officers (including President, Lis Pimentel) and Supervisor, Mike Casey, that we would begin the General Membership Meeting with a joint statement, announcing the positive outcome of progress and agreement that had been made between Lis Pimentel and the majority of the Executive Board, where Lis Pimentel agreed, in writing, to the demands of the Executive Board. In addition, there was an agreement regarding the amicable separation between UNITE HERE Local 75 and Legal Counsel, Jorge Hurtado. *The appendix to this document includes page 8 of the minutes to the July 6, 2017 Local 75 Executive Board Meeting, outlining the plan to report at the General Membership Meeting the positive steps taken at that meeting.*

Rather than reporting on the positive outcome of the July 6 Executive Board meeting, the first motion the Parliamentarian brought to the table was a motion made by Executive Board member, John Timoteo to amend the agenda from what was printed by moving a proposed motion concerning trusteeship to immediately following regular business prior to new business. John Timoteo is a key supporter of Lis Pimentel's and we question how he was given the opportunity to provide a written motion in advance of the meeting while the clear majority of the Executive Board and Elected Officers Valrie Lue and Nuredin Bulle, were not informed nor given the same opportunity.

Another item was later brought to the table, which was related to the \$80,000 amicable separation expenditure to release Legal Counsel, Jorge Hurtado. There was a vote on it. The Parliamentarian immediately stated that it was lost. Somebody requested a recount. A recount was conducted but once inside the room, it is unclear, who is a voting member and who is not. Non-voting members were also allowed in the room. People were asked to vote by simply raising their hands.

The item to vote upon specifically, was approving the \$80,000 expenditure for an amicable separation of Jorge Hurtado. Lis Pimentel stood at the pro mic to provide clarification on the item, stating that we've reached an agreement with Jorge Hurtado where he has agreed to go, and if it is not approved then it puts us in a bind, essentially. An Executive Board member also stood up and explained that Lis Pimentel had said it could cost us around \$200,000 to otherwise release Jorge Hurtado of his duties.

Even though the UNITE HERE Local 75 President stood up and claimed to support the settlement with the Attorney, IU and Local 75 staff under David Sanders' structure, and staff members who have been in clear support of Lis Pimentel on the Local's political dispute, were witnessed to urge members to vote down the item. To clarify, the President indicated that she supports this item going through, but some of her key staff supporters were asking members to do the opposite of what she claimed to have wanted by voting it down. Witnesses, report to have seen the following individuals urging members to vote that item down:

- Jay Yerex, IU Organizer assigned to Local 75
- Daniel Bastien, IU Grant assigned to Local 75
- Rafunzel Korngut, Newly Hired Local 75 Organizer

Additionally, several staff including Local 75 staff and IU staff assigned to Local 75 and/or working out of the Local 75 office who have been in clear support of Lis Pimentel's side in the Local's politics, were also witnessed to have voted the item down, even though the President they have been in support of, claimed to be in support of the item. We believe there was a premeditated plan, arranged with the President's

knowledge, to do the opposite of what the President claimed to want to do, which we believe is what she really wanted.

Throughout the July 11, 2017 General Membership Meeting, Allan Pace was seen guiding workers on how to vote by waving a red flag and jumping up and down. Nadia Baer was also seen directing members on how to vote during parts of the meeting. It should be noted that all staff seen directing members on how to vote are under the structure of David Sanders.

Undemocratic Meeting, Silencing Elected Leaders and Members

The Parliamentarian, who indicated he was an expert in Robert's Rules, we believe, made serious errors when members called the question. In accordance with Robert's Rules, when a member calls a question, after it is seconded, it must be adopted by two-thirds vote. There was no count to determine if two-thirds of the membership had voted in favour of calling the question. But, he quickly passed those motions. In fact, on one item where a member called the question (regarding the question on trusteeship) there were several individuals (members, executive board members, and elected officer, Nuredin Bulle) who wanted to speak and had lined up to speak for a very long time, were immediately barred from speaking on the topic by the Parliamentarian. The Parliamentarian who had stated he was not the controller of the meeting, controlled the fact that many members were stripped of their democratic right to speak. But, the Parliamentarian was not the only individual who played a role in systematically silencing elected leaders; IU Organizer, Jay Yerex also played a role in silencing elected leaders. On this very important question of trusteeship, where Nuredin Bulle and Executive Board members lined up to speak on the motion, Jay Yerex ran to the opposite mic and advised one of the members in line to call the question to silence the elected leaders.

In addition, Trustee, Yosief Ogbasellaisie, put forward a motion to table the question of trusteeship. His desire and intention was to create an opportunity to explain to the members the trusteeship question is premature due to the progress that was made at the July 6th Executive Board Meeting. This progress that we believed we had made to move our organization forward by working together, was further destroyed by IU Organizer Jay Yerex when he had asked a member to call the question without giving elected leaders a chance to inform members of progress we believed we had made.

Final Recommendation

We, the majority of the Executive Board of UNITE HERE Local 75, through the guidance of the International Union, have tried everything we could, to stabilize and restore our organization; in fact, taking major steps to avoid trusteeship. Even though we, the majority, had requested for trusteeship, because of our good will, we accepted Supervision. We worked very hard with the Supervisor, Mike Casey, by dropping some of our demands for the sake of the stability of the Local. All our efforts and patience for the past ten months were crushed by a premeditated plan by Lis Pimentel even though she told us on July 6, 2017 that she agreed in writing to meet our demands. She even embraced us and we left the room with joy and a sense of relief. But, what we experienced on July 11th destroyed all the hope and good will that we had left. We lack the words to express what we experienced that day. At this point, we have done everything we possibly could. Lis Pimentel has demonstrated her intentions and desire to silence us and to divide the Local, and to take away our democratic rights by using illegal techniques. For her, what matters is power at any cost. That is what she has demonstrated to us.

Due to the serious gross misconduct, serious violations and breach of our Local Bylaws and IU Constitution at the July 11, 2017 General Membership Meeting, we demand that the Elected body of the International Union restore democracy at UNITE HERE Local 75 through any means necessary. We require an immediate investigation and stop to this divisive, undemocratic, and deceptive form of leadership. On August 3, 2017, the Local 75 Executive Board passed a motion at its Executive Board Meeting to demand that the IU investigate the legality of the July 11, 2017 General Membership Meeting.

Appendix

**MINUTES OF THE UNITE HERE LOCAL 75 EXECUTIVE BOARD & SOLIDARITY
COMMITTEE, ON THURSDAY JULY 6, 2017 AT
HELD AT 25 CECIL STREET, UNITED STEELWORKER'S HALL**

Sister Lis Pimentel stated that the next General Membership meeting was being held July 11, 2017. She asked for input for the Agenda and opened the floor to discussion.

There was an overall consensus that there were positive steps taken during the day's meeting which will assist with setting a more positive tone of the upcoming General Membership meeting. The members of the Board expressed their thoughts of how they would bring the outcome of today's meeting back to the membership. The Board agreed that they were less divided and looked forward to working together on behalf of the membership, to focus on fighting the boss and the upcoming 2018 fight.

Brother Yosief Oghasellasi suggested that the Executive Board make a joint statement that Local 75 is unified. The leadership is together and focused on 2018 and fighting the boss. Sister Kay Ann Drummond stated that the members need to know that we are moving forward. Sister Pimentel agreed that a few members of the Board should address the membership at the start of the meeting to help set a positive tone to the evening. Sister Pimentel further suggested that the Secretary, Treasurer and President should have a report. Since it is likely to be a large meeting with some controversy, Sister Pimentel also suggested rules need to be set, including time limits, no verbal insults, speak to the motions presented, etc.

Brother Mike Casey congratulated the Officers for acknowledging the difficulties in the Union and their commitment to working together, to move forward for the betterment of the members.

NEXT ORDER OF BUSINESS:

Motion to Adjourn

Moved by Sister Christine Smalling, seconded by Brother Rik Hockley. Carried (no opposition).

The meeting was adjourned at 4:20 pm.

Lis Pimentel
President
UNITE HERE Local 75

Nuredin Bulle
Secretary-Treasurer
UNITE HERE Local 75

Supplementary Document to August 7, 2017 Complaint Challenging Legality of July 11th, 2017 General Membership Meeting

To: President, D. Taylor, Mike Casey, Rich McCracken, Sarah Varela
From: The majority of the UNITE HERE Local 75 Executive Board

August 18th, 2017

Today, we discovered evidence that we believe proves that Lis Pimentel orchestrated a premeditated plan to divide the membership at the July 11, 2017 General Membership Meeting (GMM). During that meeting, as is indicated in our statement from August 7, 2017, motions were given to the Parliamentarian from members prior to the meeting's start. In fact, we believe that Lis Pimentel was responsible for composing these motions which were destructive and divisive to Local 75. These motions were designed to undermine, humiliate and embarrass the Executive Board and elected officers Valrie Lue and Nuredin Bulle who worked hard with Mike Casey to come to an agreement at the July 6th Executive Board meeting.

We have in our possession evidence in terms of an invoice dated July 24, 2017 (Appendix A) from Toronto-based law firm Koskie Minsky to the attention of Ms. Lis Pimentel invoicing UNITE HERE Local 75 in the amount of **\$2,034** for services rendered to Lis Pimentel in connection to the July 11, 2017 GMM. The invoice indicates that Lis Pimentel met with Koskie Minsky on July 8th, 2017 to have them review these divisive motions - two days after Lis Pimentel reached an agreement with the executive board on July 6th. This clearly demonstrates Lis Pimentel's pre-mediated intention of deceiving the executive board, elected officers, and Supervisor, Mike Casey. According to the invoice, Koskie Minsky also provided assistance and scrutineering at the GMM. However, this was not disclosed to us or elected officers, Valrie Lue and Nuredin Bulle. In fact, at a July 10th Staff Meeting at Local 75 she mentioned to the staff that volunteers – "people from outside the union who don't know us" would be helping out and scrutineering the meeting.

In addition, during the GMM, at one point, the Parliamentarian said that the scrutineers would count the votes. A member stood up and questioned the neutrality of the scrutineers who would be counting the votes. Then Lis Pimentel took to the mic and stated that the people who would be counting the votes are volunteers who do not know us and are not part of our organization. She stated that some were students and law students who volunteered their own time and said that they were "completely, completely neutral." She also said they were people who were not involved in the debate at all and don't know what it's about. But, Koskie Minsky invoiced Local 75 for 4.3 hours of scrutineering at the GMM at a rate of \$120/hour. This not only demonstrates that the scrutineers were not in fact volunteering their time, but that they did in fact know us. These were clearly representatives of Koskie Minsky and Lis Pimentel. In fact, the attached invoice indicates that since Lis Pimentel met with Koskie Minsky about the GMM prior to the actual date of the GMM and therefore contrary to what Lis Pimentel stated at the GMM, they were in fact involved in the debate and did know what it was about. Therefore, not only did Lis Pimentel knowingly lie to the majority elected leaders of Local 75 and the Supervisor, Mike Casey, but she lied to the entire membership that was present at the GMM. This also demonstrates that the vote counts that took place were not in fact conducted by neutral third parties, but rather, representatives of Lis Pimentel. Therefore, we question the integrity of the vote count and its results.

The invoice shows the following services rendered to Local 75 by Koskie Minsky for the following dates:

June 30, 2017	"met with L. Pimentel"
July 8, 2017	<u>"reviewing draft motions for membership meeting; discussions with L. Pimentel."</u>
July 9, 2017	"drafting and preparing of our legal opinion"

July 11, 2017 "assisting at UNITE HERE Local 75 membership meeting"

July 11, 2017 "Scrutineering at members' meeting"

As stated earlier, according to the invoice provided to Local 75 by Koskie Minsky, the firm provided 4.3 hours of scrutineering on July 11, 2017. The same invoice indicates that a Koskie Minsky Attorney named Alex Hunsberger provided 4.3 hours of service at a rate of \$120/hour; which indicates that Alex Hunsberger provided the actual scrutineering services during the GMM. According to Zoom Info, Alex Hunsberger is a Summer Law Student at Koskie Minsky.¹ *Please see Appendix B.*

In addition, Local 75 was also billed for 2.7 hours of "assisting at UNITE HERE Local 75 membership meeting" on July 11th. The same invoice indicates that a Koskie Minsky Attorney named Amani Rauff provided 2.7 hours of service to Local 75 at a rate of \$120/hour. According to Amani Rauff's LinkedIn profile, she is a Summer Law Student at Koskie Minsky. *Please see Appendix C.*

As employees of Koskie Minsky, both Alex Hunsberger and Amani Rauff's scrutineering and assisting services were not voluntary as is indicated by the invoice provided below. Lis Pimentel did not seek nor receive authorization by the Local 75 Executive Board to use union funds for the non-routine expenditure of seeking legal opinion on reviewing motions used to divide the members nor did she seek nor receive authorization by the Local 75 Executive Board to use union funds for the non-routine expenditure of hiring scrutineers and others to assist at the GMM. The evidence laid out in this document demonstrates Lis Pimentel's pre-meditated involvement in the division and destruction caused by the July 11th GMM and also demonstrates that Lis Pimentel used unauthorized Union funds to cause this division and destruction.

We believe that this is a gross violation of the UNITE HERE Constitution and our Local 75 bylaws. In fact, we believe that this not only further proves that the July 11th GMM was illegal, but may also indicate that Lis Pimentel is involved in corruption, utilizing Local 75 funds to advance her own personal agenda and gain.

Sincerely,

The majority of the Executive Board of UNITE HERE Local 75

Appendix A

PLEASE RETURN
DUPLICATE STATEMENT
WITH YOUR REMITTANCE

**KOSKIE
MINSKY**

30 Queen Street West
Suite 900, Box 52
Toronto, ON M5H 3R3

In Account with

UNITE HERE Local 75
15 Gervais Drive
Suite 310
Toronto ON M8C 1Y8

July 24, 2017

REGISTRATION NO. 18900144 RT

39334

Attention: Ms. Lis Pimentel

Re: Opinion re Local Meeting
Our File No: 171257

TO PROFESSIONAL SERVICES RENDERED with respect to the above matter during the period from June 30, 2017 to July 24, 2017 including receiving and reviewing all relevant facts, circumstances and documents and generally advising in connection with the same from time to time:

Jun 30, 2017	met with L. Pimentel:	RNL	2.0
Jul 8, 2017	reviewing draft motions for membership meeting, discussions with L. Pimentel,	RNL	4
Jul 9, 2017	drafting and preparing of our legal opinion	RNL	2.5
Jul 11, 2017	assisting at UNITE HERE Local 75 membership meeting.	ASR	2.7
Jul 11, 2017	Scrutinizing at members' meeting, all other telephone conversations, correspondence, consultations and generally attending to matters herein	AEH	4.3

Lawyer	Initials	Hours	Rate	Total
Ron Lebl	RNL	4.9	425.00	2,082.50
Alex Hunsberger	AEH	4.3	120.00	516.00
Amari Rauff	ASR	2.7	120.00	324.00

Total Time \$2,922.50
 Less Courtesy Fee Reduction -\$1,122.50
OUR FEE IN ALL for the above services \$1,800.00

TAXES
 HST on \$1,800.00 Fees 234.00

Total Taxes (Registration # 10900144 RT) \$234.00

Payments due when rendered. Any disbursements not posted to your account by the date of this statement will be billed to you in accordance with the Solicitors Act. Interest will be charged at the rate of 3.00% per annum on unpaid fees, charges or disbursements. Certified true and correct which is the true and correct statement of the law firm.

STUDIES
Total Fees
Total Disbursements
Total Taxes
TOTAL DUE AND OWING

\$1,500.00

\$234.00

\$2,034.00

BALANCE DUE AND OWING

\$2,034.00

THIS IS OUR ACCOUNT HEREIN
KOSKIE MINSKY LLP



Ron Lebi
CPA

Appendix B

Screen Capture of Alex Hunsberger Profile, Zoom Info

zoominfo.com 2715-Hunsberger, Alex George

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Last Update

This profile was last updated on 7/14/2017 and contains contributions from the ZoomInfo Community.

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View Skills (0)

Alex Hunsberger

Summer Law Student

[Koskie Minsky LLP](#)

HQ Phone: [\(504\) 734-8001](#)

Local Area: [\(504\) 734-8001](#)

Appendix C

Screen Capture of Amani Rauff's LinkedIn Profile



Experience

¹ <http://www.zoominfo.com/p/Alex-Hunsberger/-1185252736>

COMPLAINT 36

From: jayyrex6 <jayyrex6@gmail.com>

Date: Thursday, August 31, 2017 at 6:27 PM

To: Lis Pimentel <lpimentel@uniteherelocal75.org>

Cc: Gwen Mills <gmills@unitehere.org>, John McCaffrey <jmccaffrey@unitehere.org>

Subject: Violation of disclosure and document retention

Lis

UUHS has reason to believe Nuredine Bulle the Secretary Treasurer of Local 75 and an officer of the international union is in violation of UNITE HERE! International Document Retention policies in order to avoid legal disclosure under the UUHS CBA, as well as upcoming legal proceedings.

UUHS requests that UNITEHERE! IU and Local 75 complete an investigation into Nuredine Bulle's sending confidential union documents and emails to his personal email address.

UUHS would like a copy of all emails related to the outstanding complaints and grievances that have been filed as well as referred to arbitration that Mr. Bulle has forwarded improperly to his personal email.

UUHS also requests that either UNITEHERE! IU or Local 75 complete a legal review of Mr. Bulle's personal emails related to the above litigation and forward all necessary relevant documentation to UUHS as to whom Mr. Bulle has colluded with to undermine and violate the UUHS CBA.

UUHS reserved the right to file additional charges under the union Constitution, as well as grievances and charges at the Ontario Labour Board if Mr. Bulle has been coached or instructed to violate Ontario Law, and the UUHS CBA by any staff or officers of the international union.

UUHS requests the above documents be remitted no later than end of business day September 6, 2017.

Regards

Jay Yerex

UUHS

Sent from my Samsung Galaxy smartphone.

COMPLAINT 37

To: D. Taylor, Gwen Mills, Mike Casey, Scott Cooper, Rich McCracken, Sarah Varela

From: Nuredin Bulle

Re: Structural Racism: Promotion by Harassment of People of Colour

September 3, 2017

I have serious concerns regarding the recent promotion of IU Organizer Jay Yerex to a Lead Organizer position by Lis Pimentel, President of UNITE HERE Local 75. Mr. Yerex has been the source of harassment and bullying of, and discrimination against people of colour at Local 75. There are several outstanding complaints against Mr. Yerex by various UNITE HERE employees and Executive Board member, Josh Cuasay. Even though there are several complaints against Mr. Yerex, Lis Pimentel recently promoted him to a Lead position at Local 75. This demonstrates that attacking people of colour at Local 75 results in a reward by promotion. In this memo, I outline, several issues pertaining to Mr. Yerex's conduct.

1. Harassment of myself through Jay Yerex's abuse of his UUHS Position

Below, I reference several emails Mr. Yerex has sent out in the month of June of 2017 which I believe are harassing and bullying in nature. *Please see all emails I have referenced in the Appendix.*

June 1, 2017: Jay Yerex sent an email to Lis Pimentel, Scott Cooper and I stating that he had "been advised to contact" us to arrange an interview with some Local 75 members and staff and officers (myself and Valrie Lue) "regarding a UUHS grievance regarding inappropriate conduct and abuse of management rights." The email did not provide any information on who advised Mr. Yerex to contact us, nor did it provide any specifics on the nature of the "investigation." (Appendix A)

June 12, 2017: Mr. Yerex sent another email to Lis Pimentel, Scott Cooper and myself, but cc'd John McCaffrey, and stated that he did not receive a response to his request (June 1st email) and wrote "Pls advise before end of business day June 14th, 17 or UUHS reserves the right to file additional charges at the International Union or additional grievances." I believe this email to be a bullying tactic – although Mr. Yerex did not provide any information on the nature of this so-called grievance, he threatened to "file additional charges...or additional grievances."

June 19, 2017: Mr. Yerex sent an email to myself, Lis Pimentel, John McCaffrey, Gwen Mills, and Pedro Cristovao with the subject line "Litigation hold." The email which is included below requests a litigation hold on emails related to the alleged "abuse of management rights by Scott Cooper." In the email, Mr. Yerex requests correspondence regarding Nadia Baer between several individuals including myself and Scott Cooper, Lloyd Manning (E-board member), Jim Dupont, and Steve Matthews.

----- Original message -----

From: jayyerex6 <jayyerex6@gmail.com>

Date: 2017-06-19 2:42 PM (GMT-05:00)

To: Lis Pimentel <lpimentel@uniteherelocal75.org>, Nuredine Bulle <nbulle@uniteherelocal75.org>, John McCaffrey <jmccaffrey@unitehere.org>, Gwen Mills <gmills@unitehere.org>, Pedro Cristovao <pcristovao@uniteherelocal75.org>

Subject: Litigation hold

Please be advised that UUHS requests a litigation hold on all emails related the the grievance regarding abuse of management rights by Scott Cooper.

Including but not limited to the following correspondence

All emails related to Nadia Baer between Scott Cooper and Nuredine Bulle

All emails to and from Scott Cooper related to Nadia Baer.

From: Nuredin Bulle <nbulle75@gmail.com>

Date: Sunday, September 3, 2017 at 11:17 PM

To: "D. Taylor" <dtaylor@unitehere.org>, Gwen Mills <gmills@unitehere.org>, "mcasey@unitehere2.org" <mcasey@unitehere2.org>, Scott Cooper <scooper@unitehere.org>, "rmccracken@msh.law" <rmccracken@msh.law>, "svarela@msh.law" <svarela@msh.law>

Subject: Structural Racism Complaint

Hello all,

Please review the attached complaint regarding structural racism at Local 75.

Sincerely,

Nuredin Bulle

All emails or statements from Lloyd Manning related to Nadia Baer sent to Nuredine Bulle or Scott Cooper.

All emails to and from Jim DuPont regarding Nadia Baer.

All emails to and from Steve Mathews regarding Nadia Baer.

Any emails regarding the abuse of management rights from any employee or officer of Local 75 and UNITE HERE! International Union

Pls confirm as soon as possible as UUHS will consider any destruction of emails as a breach of Ontario Labour Law and will be seeking disclosure for arbitration of the above.

Regards

Jay Yerex

UUHS

I have several questions about how Mr. Yerex came to even ask about the individuals listed in his email:

1. How did Mr. Yerex come up with the list of individuals he had requested an email hold be placed upon?
2. Why does Mr. Yerex believe that any of the individuals listed in his email would have any correspondence related to Nadia Baer?
3. Who did Mr. Yerex consult with at UUHS when compiling the list of individuals to have an email hold placed upon?
4. Who did Mr. Yerex consult with outside of UUHS when compiling the list of individuals to have an email hold placed upon?
5. What is the specific reason Mr. Yerex is requesting an email hold be placed upon each specific individual?
6. Did Mr. Yerex consult with anyone at UNITE HERE Local 75 (outside the UUHS bargaining unit) in making his request for a litigation hold?

On the same date, Mr. Yerex sent Lis and I another email in which he wrote that he did not receive any follow up regarding UUHS's desire to interview Lloyd Manning and Christine Smalls "regarding an ongoing investigation of abuse of management rights." He also stated that UUHS reserves the right to subpoena Ms. Smalls and Mr. Manning regarding any potential arbitration or legal hearings. Both Ms. Smalls and Mr. Manning are Executive Board members. Again, Mr. Yerex provided no clarification on this "ongoing investigation." (Please see Appendix C)

On the same date, again, Mr. Yerex sent me an email stating that he wants to conduct an interview with me in his capacity as a UUHS representative "regarding very serious potential breaches of the Collective Agreement of the International Union as well as Ontario Labour Law." The email mentioned "an outstanding policy grievance regarding abuse of management rights by Scott Cooper." (Please see Appendix D)

June 29, 2017

Lis Pimentel sent Mr. Yerex and I an email stating that she and I spoke and that we have a few questions. She also stated that we intend "to comply with any legal obligations with respect to the grievance procedure." The questions she asked of Mr. Yerex, via email are:

"1) Which grievance is this for?

2) Are these people you want to interview accused of anything? If so, the specific allegations should be put to them in writing with reasonable time to review and consult counsel or their union before being interviewed.

3) Are they witnesses to something but not accused?"

Mr. Yerex responded providing a list of individuals he wanted to interview and gave reasons why. He also made threats against me and made more frivolous accusations against me. He wrote:

"I will not be attempting to interview Mr. Bulle as I do not credibly believe that it would be of value until his serious misconduct is investigated, and this writer suspects due to events that occurred today that it is Mr. Bulle who is the source of the improper disclosure of information

Today I will also be filing a grievance and requesting charges under the IU constitution against Local 75 Secretary Treasurer, and International Union Vice President Nuredine Bulle regarding serious violations of the UUHS CBA, and IU Constitution.

I will not be including Mr. Bulle in any further correspondence due to serious breach of privacy concerns, as well as Mr. Bulle's recent attempt to harass and disparage me to a third party."

I have several questions:

1. What "serious misconduct" is Mr. Yerex referring to in the above email excerpt?
2. What "events that occurred today" was Mr. Yerex referring to?
3. What recent attempts to harass and disparage Mr. Yerex to a third party is Mr. Yerex referring to, and who is that third party?

I've referenced several emails Mr. Yerex has sent me over a very brief timeline; between June 1st and June 29th, Mr. Yerex sent me six emails so to harass me, discriminate against me, threaten me and bully me under the guise of "his duties" as a UUHS representative. Even though I've been harassed and discriminated against, for something I do not have any clue about, I asked Lis Pimentel what is the issue that I am being grieved on since to this date, I have not seen a copy of any grievance, nor have I received an explanation on the nature of this grievance. Instead of providing me with the information that I requested about the issue, I was insulted for simply asking what is the nature of the grievance. As an example, if there is a grievance against an employer, and the employer asks Mr. Yerex as a representative of the Union to provide them with the nature of the grievance, then Mr. Yerex would provide the employer with that information, without insulting the employer, as would be appropriate. Why then, must I endure humiliation, insults and bullying for simply asking a common question? Further to this harassment, I write about an incident that occurred on August 9, 2017:

Mr. Yerex arrived at a Local 75 staff meeting around 10:00 AM. He arrived a little late while each person on staff was going through their highs and lows for the week (we start each staff meeting by stating our highs and lows). After Jay Yerex had taken a seat, and his turn had arrived to state his highs and lows, Mr. Yerex started off with his high, by stating, "we beat D. Taylor and we got a good contract. Even though he tried to freeze our wages." I was sitting directly across the table from Mr. Yerex. Lis Pimentel was at the head of the table, but seated directly adjacent to both Jay Yerex and myself. Then while speaking, Mr. Yerex, pointed his finger at me, and said "Nuredin, I filed a grievance against you. It is going through. People are talking, that we do not have a union. We do have a union." Then Mr. Yerex paused, and looked at Valrie Lue, who was sitting directly to my right, and said "People who came to my wedding, sitting in this room, signed a petition to get rid of me."

Ms. Pimentel, the President of the Local, sat at the meeting, and did not intervene while Mr. Yerex pointed his finger at me and out right disrespected me, an elected officer of our union, in front of the entire staff. This is not the first time that I have been openly disrespected and humiliated in meetings where Ms. Pimentel has been present, and has not stepped in to put a stop to it.

I, a person of colour, and Secretary Treasurer, Executive Vice President and Staff Director, being treated this way - if this is not racism then what is it? For all IU Executive Committee, do you tolerate this type of conduct by IU employees in your own Local? Would you promote such an employee immediately following this type of conduct?

2. Complaints by Executive Board Member Josh Cuasay Against Jay Yerex

June 21, 2017

Executive Board member Josh Cuasay sent Lis Pimentel, Valrie Lue and myself a complaint against Jay Yerex, writing:

"Hi Lis,

How are you? It's me Josh. I just want to report to you what happened today.

This morning my co- worker Imelda (Room Attendant) came to me that PATROCINIA (Shop Steward) told her that there will be a Vote on July 11, I am one of the Executive Board so I know what's happening but to make sure who told PATROCINIA that's why I asked her, she said it's Jay and Allan. They disrespect me for not talking to me and organizing such lies in my hotel(One King West)

I 'be seen Jay at lunch in cafeteria so I confronted him. Jay is the one saying that we would like to get rid of you on your position as president and at the same time angry with Valrie for not signing the Cheque for Josephina .Jay suppose to be organizing for the Rally and not for July 11.

If Jay will continue to organize to divide the workers in my hotel That is not acceptable and it needs to stop.

If you would like to contact me here is my # (416) 400-1469"

August 3, 2017

Mr. Yerex sent an email to Josh Cuasay, Executive Board Member who works at One King West, and cc'd myself, Lis Pimentel, Mike Casey and Allan Pace. Mr. Yerex accused Josh Cuasay of "harassing" members at One King West "to attend a secret meeting" with myself. Josh Cuasay replied to Mr. Yerex's email and wrote, "I'm not Harassing anybody. I just mentioned to PATROCINIA when I talked to her last Wednesday that I said I am rebuilding a committee for the preparation of 2018 fights that Royal York and Renaissance up to and that we might meet them for the clarity of the July 11 meeting.

I didn't set any date when. That's it . I said being in the committee as part of the communication for what's happening for us in the Union.

Concerning the incidents happened last July 11, membership meeting you mislead and dividing us so please don't go in OKW property..."

Mr. Yerex then replied to Josh Cuasay's email and added the Chief Shop Steward, Junard Estrella to the email chain and stated that he has statements from members that Josh Cuasay had requested a secret meeting with myself and wrote: "I would request that an investigation be opened into this conduct and I will be including this in the complaint I have previously filed with the International Union."

I believe that this frivolous complaint made by Mr. Yerex against both Josh Cuasay and myself is another example of the harassment, disrespect and bullying that I am being subjected to at the hands of IU Staffer, Mr. Yerex. Josh Cuasay has worked at One King West for over a decade, is a leader in that hotel and is an elected member of the

Local 75 Executive Board. Even though I knew nothing of this meeting, and was not informed of it, Josh Cuasay has every right to request a meeting between myself, an Elected Officer of this union, and her colleagues at One King West. To clarify, there was no plan for a "secret meeting" as Mr. Yerex has put it. And, if there was a request by workers to meet with me, then I would be more than happy to meet with those workers and have every right to do so. I fail to see where the crime is here, except the crime that Mr. Yerex is clearly committing by continuing to harass myself and other elected leaders of colour.

Also on August 3, 2017, Josh Cuasay submitted the following complaint to Ms. Pimentel, Ms. Lue and myself:

"----- Original message -----

From: josh cuasay <joshmcuasay@yahoo.ca>
Date: 2017-08-03 1:20 PM (GMT-05:00)
To: Lis Pimentel <lpimentel@uniteherelocal75.org>
Cc: Valrie Lue <vlue@uniteherelocal75.org>, nbulle@uniteherelocal75.org
Subject: Request

Hi Lis,

I would like to request for Jay Yerex not to come in OKW property for the reason on what happened last July 11 meeting which he misled my co workers and disrespecting me the other Organizer and our elected officer. Thank you.

Sincerely,
Josh Cuasay
Unite Here Local 75
Executive Board Member"

3. Complaint Against Jay Yerex by Valrie Lue, Vice President

Mr. Yerex filed a frivolous complaint against Ms. Lue related to alleged harassment and bullying during the Pride Parade even though Ms. Lue had not even had any direct communication with Mr. Yerex and therefore could not have harassed Mr. Yerex. In fact, below I have included both the complaint from Mr. Yerex against Ms. Lue and Ms. Lue's complaint against Mr. Yerex. Mr. Yerex complained:

"----- Original message -----

From: jayyerex6 <jayyerex6@gmail.com>
Date: 2017-06-26 11:05 AM (GMT-05:00)
To: Lis Pimentel <lpimentel@uniteherelocal75.org>, Nuredin Bulle <nbulle@uniteherelocal75.org>
Subject: Bullying complaint at Pride 2017

Hi Lis and Nuredine

I'd like to make an official complaint regarding Valrie Lue's conduct before and during Pride 2017.

Pls advise if I should address this through the local or the International Union Human Resources or Mike Casey the supervisor.

Since I have worked for the union I have been part of or organized every single year for the union's presence in Toronto Pride.

This year Valrie intentionally attempted to exclude my participation in the parade and humiliate me in front of the membership. Valrie ignored repeated attempts I made to reach out to her after she indicated she wanted to assist in the organizing.

Despite an announced meeting location Valrie deliberately organized a different meeting location and intentionally excluded me, and would not respond to me by either emails or texts.

When I located the group at approximately 2:15pm June 24th near the corner of Bloor and Jarvis I observed Nuredine, and Valrie, and when I called out to them Valrie gave me what appeared to be a smirk and turned her back on me ignoring me.

I was completely humiliated as there were other members present, and I did not want a confrontation in front of members so I left.

Over an hour later when I located the the group while Marching I asked Valrie why she didn't respond to my text and she again ignored me completely.

This is the 2nd year in a row that Valrie has deliberately attempted to undermine me at Pride.

During 2016 Valrie and Jennifer Chotalal were supposed to meet me with the t-shirts and stickers and both of them never arrived at the pre determined meeting sight and claimed they decided to go to another location.

This workplace bullying caused me alot of stress as well as caused what is supposed to be a special day in my community to instead be filled with sadness at the attempt to exclude me.

I consider this unprofessional conduct and workplace harassment and bullying and I would like an investigation into her behaviour as well as an apology.

Pls advise how to proceed

Jay Yerex"

Mr. Yerex has since then withdrawn his complaint, however, Ms. Lue had submitted her own complaint against Mr. Yerex. Ms. Pimentel is aware of the complaint Ms. Lue has filed against Mr. Yerex. Ms. Lue's complaint is as follows:

"----- Original message -----

From: Valrie Lue <vlue@uniteherelocal75.org>

Date: 2017-07-10 11:41 AM (GMT-05:00)

To: Lis Pimentel <lpimentel@uniteherelocal75.org>, Nuredin Bulle <nbulle@uniteherelocal75.org>

Subject: My Statement Regarding Jay Yerex's complaint and my own complaint

July 9, 2017

I understand there is a complaint against me by Jay Yerex regarding the Pride Parade. I do not have the details of Jay's complaint, but understand that there is some concern around my alleged treatment of Jay. There was no ill-treatment of Jay by myself. I will respond to the fact that Jay made a complaint, and this will be followed by my own complaint against Jay Yerex.

Response:

There was no mention of a formal plan for Local 75 to participate in this year's Pride Parade. The Pride Parade was held on Sunday June 25th. We, local 75 staff, normally march in the Pride Parade.

I sent out an email to all Local 75 staff on Thursday June 22nd at 10:43 pm reminding staff that the Pride Parade would be held on Sunday, and that it would be great for folks to attend. I wrote:

"Hi everyone,
Just a reminder to let you know that the Pride parade is on Sunday June 25th. It would be great for everyone to attend. Let's meet at Jarvis and Bloor at 1:30 pm. Hope to see you all there.

Valrie Lue"

At 11:04 pm on Thursday June 22nd, 21 minutes after I sent out my email, Jay Yerex replied, sending the following email to all staff:

"Thank you Valrie for offering to assist with logistics. Could all staff pls confirm who will be attending. Pls also advise all staff who are able to attend the trans march Friday evening. The trans community just has a momentous victory having recently obtained federal human rights protections. It would be great to see some staff who have never participated in Pride to show solidarity with our community. I'm very excited!

Valrie could you and I touch base tomorrow to confirm what supplies are needed.

In Pride

Jay"

Jay's email seemed passive aggressive. There was no formal Local 75 plan to attend the Parade so I took the initiative to plan a gathering of Local 75 to attend Pride. My email made no mention of "offering to assist with logistics" or "confirming what supplies" would be needed, as this was an informal plan since clearly there was no other plan. The passive aggressive tone of Jay's email suggests that he had an issue with my sending out that email. I am an elected officer; Jay's passive aggressive tone was disrespectful towards me. As the individual who planned the gathering, where there was none before, I chose the location of Jarvis and Bloor at 1:30 pm on Sunday June 25th.

The following day, on June 23rd at 11:16 AM, Jay sent another email to all staff. He wrote:

"Hi Val

Do you know our march location and what time we meet with the steelworkers?"

Jay's mention of staff meeting with the Steelworkers was peculiar; as mentioned before, there was no formal plan for us to march and it was I who initiated the plan and I had not mentioned anything about the Steelworkers.

Later that same day on June 23rd at 1:34 pm, Lis Pimentel sent an email out to all staff, which stated:

"Thanks for sending this out Valrie!

We march with Steel this year, and the meeting point is G26 on Rosedale Valley Road at 1pm. Someone should make sure to get the materials into their cars - Pedro, can you please let everyone know if the IU stuff arrived and where it is?

Thanks everyone."

I have had to go back and read through all the emails because after I had sent my initial email about meeting for Pride, there were various responses from staff and I did not pay attention to the full thread.

To repeat, there was no formal plan for Local 75 to march at the Pride Parade and it was I who set the plan. After I had already set the plan and informed staff as well as worker leaders of the plan and location, Jay appears to have decided to change the plan. I felt it was disrespectful and a way to undermine by leadership on something that was supposed to be celebratory but instead was turned into something political and divisive.

Sunday June 25th, 2017: Pride Parade

Several staff persons and workers met at Bloor and Jarvis to gather for the Pride event between 1:30 pm and 2:30 pm.

Later, we started to march in the Parade and were joined by Jay Yerex at some point. Jay approached me and said "thanks for replying to my texts Valrie" and he walked off without even waiting for a response. His tone was sarcastic.

Later when I checked my phone, I saw Jay's text messages. Jay texted me the following messages at the following times:

June 25th at 1:49 pm: Are you coming?

June 25th at (no time stamp): You have absolutely no compassion or dignity. Thanks for ruining my Pride.

I did not reply to Jay's text messages and in fact there had been no direct communication from me to Jay. The only email I sent out was my initial email on June 22nd to all staff about gathering for Pride. It appears that Jay had also sent some emails to all staff during the Pride Parade. The emails were as follows:

Sunday June 25th, 2017 at 1:51 pm Jay Yerex sent the following email to all staff:

"It's almost 2pm and no one is here from our union and the Steelworkers float is loaded to go. I'm not sure if this was some sort of jome on me but I get to miss the parade and walk around with a bag of t-shirts. Thx for the solidarity"

Sunday June 25th, 2017 at 2:00 PM, Marc Hollin replied to Jay's email:

"There's a group of folks in front of the Starbucks. Where's the usw crew?"

Sunday June 25th, 2017 at 2:09 PM, Jay replied to Marc's email:

"They were at g26 on Rosedale valley Rd. It's really nice people chose a new location without telling me. Guess no one wanted me there."

Sunday June 25th, 2017 2:18 pm, Lis replied to Jay's email:

"Location is below in this thread. It was sent out to all."

As is outlined above, there was no communication on my end to Jay other than the initial email I sent out to all staff. Therefore I am not sure how there is a complaint from Jay about me and the Pride Parade. In addition to my response, I am filing a complaint against Jay Yerex. See my complaint below:

Valrie Lue Complaint against Jay Yerex

I have been harassed and disrespected by Jay Yerex. I am Vice President, an elected officer of our union. I am filing a complaint against Jay Yerex. My notes above demonstrate communication I received from Jay where I felt disrespected:

- When I sent out the email suggesting we meet for Pride, I did so to create unity among our staff and because I had planned to attend and thought it would be great for staff to join. It was a simple email. I am Vice President of the local, I have every right to send out an email to staff without being made to feel that I don't have any voice in the local. Jay's response to my email to celebrate pride went out to the entire staff. I felt it was passive aggressive as I mentioned earlier and it was clear that Jay had an issue with the fact that I sent out such an email. This is no way to treat an officer of our union. It is extremely disrespectful and hurtful.
- Jay sent me text messages that were abusive. As is outlined above he had texted me and said that I have no respect or dignity. This is no way to speak to an officer or any human being. I do not take these text messages lightly. This is harassment.
- On June 21st, 2017 Lis, Nuredin and I received a complaint about Jay from Josh, reporting his inappropriate actions at One King West. The complaint states that Jay expressed anger about my not signing a cheque for Josephina to an Executive Board Member. This indicates that Jay is in our properties trashing my name, to our membership by misinforming them. This is a very serious act of insubordination and must be dealt with.
- There is also evidence of Jay trashing my name by sending text messages about me to coworkers. When it is necessary, I will provide this information to whomever is appropriate to send to.

I have additional information about being disrespected by Jay, where I was sworn at by him and I will discuss this further in the next step of this complaint process.

I have reported on some very serious matters regarding Jay Yerex's actions. These will need to be investigated promptly.

Sincerely,

Valrie Lue"

4. Complaint Against Jay Yerex by IU Researcher, Shelli Sareen

On July 3, 2017, IU Researcher, Shelli Sareen, another person of colour, filed a complaint against Mr. Yerex on a very serious matter – the harassment and bullying of people of colour. In addition to some individuals at the IU, Ms. Sareen submitted her complaint to the Local 75 elected officers Ms. Pimentel, Ms. Lue, and myself. Both Ms. Lue and I did not receive Ms. Sareen's complaint because we believe that our Local 75 emails are being monitored and we are blocked from receiving certain emails. Ms. Pimentel has not yet acknowledged Ms. Sareen's complaint to her. Please see Ms. Sareen's complaint below:

"From: Shelli Sareen <ssareen@unitehere.org>
Date: July 3, 2017 at 3:32:51 PM EDT
To: Gwen Mills <gmills@unitehere.org>, Jim DuPont <jdupont@unitehere.org>, John McCaffrey <jmccaffrey@unitehere.org>, "mcasey@unitehere2.org" <mcasey@unitehere2.org>, "rmccracken@msh.law" <rmccracken@msh.law>, "svarela@msh.law" <svarela@msh.law>
Cc: Lis Pimentel <lpimentel@uniteherelocal75.org>, Nuredin Bulle <nbulle@uniteherelocal75.org>, "vlue@uniteherelocal75.org" <vlue@uniteherelocal75.org>
Subject: Formal complaint

I hereby file a formal complaint against Jay Yerex and potentially others for creating an environment where the harassment and bullying of people of colour is not only tolerated, but encouraged.

On Friday June 30th while I was leaving the office around 11:00 AM, Mr. Yerex approached me and said, "Just to give you a heads up, I've requested your statements from the IU." I said, "okay" and left because I did not want to engage in this discussion with Mr. Yerex. It is not clear to me what statements Mr. Yerex is referring to, or why he believes he has the authority to make such requests of me or about me. I have several questions:

- A) What statements is Mr. Yerex referring to?
- B) What is the nature of these alleged statements?
- C) How did Mr. Yerex learn of these alleged statements?
- D) Why does Mr. Yerex think I submitted a statement and to whom?

On May 18th, I received a series of text messages from Mr. Yerex. I felt they were accusatory and I felt bullied. Our text conversation is as follows:

Mr. Yerex: What's going on with Kumsa

Mr. Yerex: They want to transfer him?

Myself: No, that's not what's happening.

Myself: Where did you get that information?

Mr. Yerex: Kumsa

Mr. Yerex: JJ told him that the IU has cut the funding to Local 75

Mr. Yerex: This is Theresa's doing

Myself: I'll talk to Jj tmw.

Mr. Yerex: She told me the other day that all research funding gets cut from Toronto

Myself: Who?

Mr. Yerex: Theresa told me

Mr. Yerex: They are also removing me from all my hotels

Mr. Yerex: I don't even know what to tell the Park Hyatt workers

Mr. Yerex: I'm in the middle of negotiating their Severance

Mr. Yerex: Valerie refused to pay Josefina so she has to go back into the shop

Mr. Yerex: I'm not going to let Theresa use Kumsa as a political pawn

Mr. Yerex: Have you spoken to Kendra about Scott Cooper

Myself: Just come by the office tmw so we can discuss with Jj.

Mr. Yerex: I'm not sure I'll have time. I have to say goodbye to all my committee. It's my last chance before I'm not allowed to talk to them

Mr. Yerex: I'm going to grieve tomorrow and do an information request on what Theresa is doing

It is my assessment that Mr. Yerex decided to send me these text messages to target me because I have been vocal about my distaste for the treatment of Valrie, Nuredin, and the other people of colour under Nuredin's structure. I also felt that I was being accused of Kumsa being transferred; when no such thing was even occurring.

On June 19th, 2017 Mr. Yerex had sent me an email with the subject: "UUHS Investigation"

The email states:

"Hi Shelli

As the UUHS representative for Canada I would like to conduct an interview with you regarding very serious potential breaches of the Collective Agreement of the International Union as well as Ontario Labour Law.

There is currently an outstanding policy grievance regarding abuse of management rights by Scott Cooper. UUHS reserves the right to file additional grievances as well as charges with the International Union as well as the public review board against other staff and officers of both the International Union as well as Local 75.

UUHS also reserves the right to subpoena you in potential arbitration or hearings at the Ontario Labour Board.

Pls advise your potential availability prior to end of business day June 23, 2017

Regards

Jay Yerex
UUHS"

This was the second time Mr. Yerex had mentioned Scott Cooper to me; I do not know Kendra and had not even had a conversation with Mr. Cooper other than hello when he had previously been in Toronto. I am unclear why Mr. Yerex would send me this email, but after speaking to several others on staff, it appears to be some sort of activity to further target people of colour. In fact, I would be curious to know if Mr. Yerex sent an email such as this to anyone on staff who is not a person of colour.

Since revealing at a leads meeting that I am neutral in the political dispute at the Local in November, 2016, I have felt bullied and harassed. I would encourage the International Union to investigate Mr. Yerex for his role in harassing and bullying a number of people of colour on staff. I would also encourage the IU to investigate other Local 75 and/or IU staff working for Local 75 for their role in Mr. Yerex's activities around harassment and bullying of people of colour. The harassment and bullying of and/or discrimination against people of colour in our office has been encouraged and perpetuated by a number of people on staff and in leadership. I do not believe Mr. Yerex is acting alone and I believe that he may be getting his direction from a superior in his insistent request for my alleged statement. Mr. Yerex is not the first person to mention that I filed a complaint.

Wednesday May 24th, 2017

Jorge Hurtado sent me a text message saying "Hey call me for a sec" and then after "no rush." I called Jorge from an office phone and he said that I should call him from my cell phone instead and so I did. He told me that David Sanders had told him earlier that day that there is a complaint filed against him and that I was involved. I told Jorge to tell David Sanders to get his facts straight and that I did not file a complaint against him. I had also told Jorge that if David Sanders has something to ask me he should come ask me himself. Jorge told me that this was very "hush hush" and that there are IU charges and I am involved. Jorge mentioned something about racism and classism in our office and I told him that there is and that I have examples and that if asked I have to tell the truth. It was my belief that David Sanders had encouraged Jorge to get information from me.

So Mr. Yerex is the second person to insinuate that I made some sort of statement or complaint. Therefore I would like answers to my questions of Mr. Yerex as well as answers to the following questions of other officers/staffers at Local 75:

- A. Where did Mr. Sanders get information that I filed a complaint against him?

B. If this information pertaining to my alleged complaint was “hush hush” which I take to mean confidential information, why then would Mr. Sanders in his capacity as a Director and IU staffer breach such confidentiality?

I’d like to reiterate that I believe that Mr. Yerex is not acting on his own, but perhaps, in collusion with members of the Local 75 leadership. As an example of how I believe such collusion works, I have information pertaining to a meeting that took place outside the Local 75 office where a number of Local 75 staff members gathered with Local 75 leads and discussed “how to get Nuredin and Guled.” This was not the first time I have heard of threats being made against people of colour in our office.

I also have serious concerns that Mr. Yerex is abusing his position as a representative at UUHS.

I would encourage the IU as well as the Local to investigate the harassment and bullying of and/or discrimination against people of colour at UNITE HERE Local 75. As elected officers to the Local, I believe Lis Pimentel, Nuredin Bulle and Valrie Lue also bear responsibility to have an independent firm conduct an investigation. To assist in any investigation, I have evidence in terms of text, email and other documentation that I believe would be helpful to this investigation.

I believe that the rights of several of my colleagues and I are being violated under the Ontario Human Rights Code which prohibits discrimination against people on several protected grounds which include race, colour, ethnic origin, and sex among other things. <http://www.ohrc.on.ca/en/ontario-human-rights-code>. I believe we have a very strong case under this code and I am willing to file a complaint and testify under oath.

Sincerely,

Shelli Sareen
Research Analyst
UNITE HERE!
15 Gervais Drive, 3rd Floor
Toronto, ON M3C 1Y8

416-384-0983 x315”

Conclusion

The above cases demonstrate that there are currently several outstanding complaints, with evidence, that have been filed against IU Organizer Jay Yerex by several people of colour (including Local 75 officers and Executive Board member, as well as IU staff), mainly on the very serious matter of harassment of people of colour. Rather than disciplinary action being taken against Mr. Yerex, his misconduct is being rewarded by Local 75 President Lis Pimentel, through a promotion. This is a clear example of structural racism at UNITE HERE Local 75. At this point, it is the International Union’s responsibility to put an immediate stop to this injustice. Since Jay Yerex is an IU Organizer, it is the IU’s responsibility to do its part and immediately remove him from our organization. What more evidence does the IU require to remove an employee who relentlessly abuses leaders of colour?

Appendix A

Email: June 1, 2017

----- Original message -----

From: jayyerex6 <jayyerex6@gmail.com>

Date: 2017-06-01 7:38 PM (GMT-05:00)

To: Lis Pimentel <lpimentel@uniteherelocal75.org>, Scott Cooper <scooper@unitehere.org>, Nuredine Bulle <nbulle@uniteherelocal75.org>

Subject: UUHS Investigation

As the UUHS representative for Canada I have been advised to contact you to arrange to interview the following Local 75 staff and Local 75 members regarding a UUHS grievance regarding inappropriate conduct and abuse of management rights.

Please advise potential times and availability for me to interview the following:

Cornetta Mason
Lloyd Manning
Christine Small
Valerie Lue
Nuredine Bulle

· UUHS reserves the right to request additional interviews as part of the ongoing investigation.

Regards

Jay Yerex

UUHS

Appendix B

Email: June 12, 2017

----- Original message -----

From: jayyerex6 <jayyerex6@gmail.com>

Date: 2017-06-12 3:17 PM (GMT-05:00)

To: Lis Pimentel <lpimentel@uniteherelocal75.org>, Scott Cooper <scooper@unitehere.org>, Nuredine Bulle <nbulle@uniteherelocal75.org>

Cc: John McCaffrey <jmccaffrey@unitehere.org>

Subject: Re: UUHS Investigation

I've received no response to the below request.

Pls advise before end of business day June 14th, 17 or UUHS reserves the right to file additional charges at the International Union or additional grievances.

Jay

Appendix C

Email: June 19, 2017

----- Original message -----

From: jayyerex6 <jayyerex6@gmail.com>

Date: 2017-06-19 2:55 PM (GMT-05:00)

To: Lis Pimentel <lpimentel@uniteherelocal75.org>, Nuredine Bulle <nbulle@uniteherelocal75.org>

Subject: Investigation of witnesses

Lis and Nuredine

I've not received any follow up regarding UUHS desire to interview Lloyd Manning and Christine Small regarding an ongoing investigation of abuse of management rights.

UUHS reserves the right to subpoena the above two potential witnesses as part of any potential arbitration or any other potential legal hearings.

Regards

Jay Yerex

UUHS

Appendix D

Email: June 19, 2017

----- Original message -----

From: jayyerex6 <jayyerex6@gmail.com>
Date: 2017-06-19 2:52 PM (GMT-05:00)
To: Nuredine Bulle <nbulle@uniteherelocal75.org>
Subject: UUHS investigation

As the UUHS representative for Canada I would like to conduct an interview with you regarding very serious potential breaches of the Collective Agreement of the International Union as well as Ontario Labour Law.

There is currently an outstanding policy grievance regarding abuse of management rights by Scott Cooper. UUHS reserves the right to file additional grievances as well as charges with the International Union as well as the public review board against other staff and officers of both the International Union as well as Local 75.

UUHS also reserves the right to subpoena you in potential arbitration or hearings at the Ontario Labour Board.

Pls advise your potential availability prior to end of business day June 23, 2017

Regards

Jay Yerex

UUHS

Appendix E

Email: June 29, 2017

----- Original message -----

From: Jay Yerex <jayverex6@gmail.com>

Date: 2017-06-29 8:15 PM (GMT-05:00)

To: Lis Pimentel <lpimentel@uniteherelocal75.org>, Nuredine Bulle <nbulle@uniteherelocal75.org>, John McCaffrey <jmccaffrey@unitehere.org>, Gwen Mills <gmills@unitehere.org>

Subject: Re: Investigation of witnesses

Lloyd Manning regarding statements to Nadia Baer regarding a punitive transfer prior to it being disclosed to Ms Baer and violation of her employee privacy. UUHS is seeking to ascertain who released this information to Mr. Manning

Christine Small regarding comments made to Josefina Palomo-Lee regarding Nadia Baer and Scott Cooper regarding private employee matters on the day that Scott Cooper and Theresa McGuire interrogated Nadia regarding what UUHS considers spurious allegations. UUHS is seeking to ascertain who informed Ms. Small of this confidential information

Cornetta Mason regarding comments on Social Media regarding potentially confidential employee information regarding Ms. Baer and UUHS decision to grieve

Monica McKenzie as she is the organizer for both Ms. Small and Mr. Manning's workplaces and as such may have insight into the source of the improper disclosure

Shelli Sareen regarding complaints filed against Ms. Baer

I would also like to interview Yosief Ogbasellasi regarding violations of Ms. Baer's personal medical information at a recent June 20, 17 executive board meeting.

I have spoken with Guled Warsame the Organizer for the Sheraton Center who stated that he did not disclose the information regarding Ms. Baer.

I will not be attempting to interview Mr. Bulle as I do not credibly believe that it would be of value until his serious misconduct is investigated, and this writer suspects due to events that occurred today that it is Mr. Bulle who is the source of the improper disclosure of information

Today I will also be filing a grievance and requesting charges under the IU constitution against Local 75 Secretary Treasurer, and International Union Vice President Nuredine Bulle regarding serious violations of the UUHS CBA, and IU Constitution.

I will not be including Mr. Bulle in any further correspondence due to serious breach of privacy concerns, as well as Mr. Bulle's recent attempt to harass and disparage me to a third party.

I also request confirmation of a litigation hold being placed on all requested documents, as UNITE HERE has a document retention policy which routinely deletes correspondence, and with such notice would be a violation of the UUHS collective agreement, as well as potentially a violation of Ontario Labour Law.

I will be filing the grievance at Step 1. shortly.

I have also referred the previous grievance to arbitration due to the lack of disclosure from the International Union.

UUHS also requests disclosure of Ms. Lue, Ms. McKenzie, Mr. Bulle and Mr. Warsame's email related to either of the two grievances be forwarded to UUHS under article 13.2 of the UUHS CBA.

UUHS requests all information be sent to this writer no later than end of business day July 6, 17.

UUHS also seeks disclosure from Local 75 any forwarding or deletion of private or confidential information sent by Ms. Lue, Ms. McKenzie, Mr. Bulle and Mr. Warsame to either private emails, or 3rd parties.

UUHS also requests copies of UNITE HERE! Local 75's Document Retention Policy.

regards

Jay Yerex

UUHS

COMPLAINT 38

From: "Nuredin Bulle" <nbulle75@gmail.com>
To: "D. Taylor" <dtaylor@unitehere.org>, "Scott Cooper" <scooper@unitehere.org>
Subject: **Petition for President D. Taylor to Interpret Local 75 Bylaw**

Dear Brother D.,

I have attached a petition signed by a majority of the Local 75 Executive Board and Officers requesting your interpretation of one of our bylaws.

I hope to hear from you on this urgent matter at your earliest convenience.

Sincerely,

Brother Nuredin

To: President, D. Taylor

From: Majority of the Executive Board of UNITE HERE Local 75

RE: Mediation of General President of UNITE HERE, D. Taylor on interpretation of Local 75 Bylaw.

September 5, 2017

Dear President Taylor,

As per Article 3, Section 3 (g) of the UNITE HERE Constitution, we, the undersigned majority of the Executive Board of UNITE HERE Local 75, request that you to resolve the controversy within Local 75 on the interpretation of the following bylaw:

Article IX, Section 5 (b) All applications for donations and all proposed expenditures, other than routine operating expenses, shall first be referred to the Executive Board for their recommendation; which recommendation shall be subject to membership approval by majority vote of the membership present at a regular or special meeting.

Our interpretation: A non-routine expense must first be brought to the Executive Board to vote upon. If the Executive Board, recommends such non-routine expense, only then, would that non-routine expense be subject to membership vote. If the Executive Board does not recommend such non-routine expense, then it would not be presented to the membership for a vote.

Cases of controversy:

1. Since October 2016 five staff members were hired without the approval and knowledge of the Executive Board or elected officers, Nuredin Bulle and Valrie Lue. Prior to October 2016 our practice was to have a majority vote of the Executive Board for all new hires, as per the guidance of the previous Supervisor to Local 75, Bill Lewis. For example, when Jennifer Chotalal, former Administrative Lead was hired in 2013, there was an Executive Board vote to hire her during which Bill Lewis was present.
2. Two IU grants to Local 75 were recently cut. On August 3, 2017, the Executive Board passed the following motion: "Any Local 75 expenditures associated with/or resulting from cuts to funding or grants to UNITE HERE Local 75 from the International Union must be approved by a majority vote of the Executive Board. For example, if the International Union cuts a grant to Local 75 for a staff person, then prior to Local 75 absorbing the cost of keeping that staff person, approval must be granted by a majority vote of the Executive Board. Please see Article IX, Section 5 (b) of the UNITE HERE Local 75 Bylaws." On this matter, the Executive Board simply asks, that before the Local absorb the cost of IU grant cuts, the matter be voted upon by the Executive Board. Even though the above motion was passed, Lis Pimentel ignored the motion and Article IX, Section 5 (b) of the Local 75 bylaws by making the unilateral and undemocratic decision to have Local 75 absorb the cost of these grant cuts.
3. Lis Pimentel booked a meeting room at the Intercontinental Hotel (not a Local 75 property) at a cost of \$8,500+ as the location for the July 11, 2017 General Membership Meeting. We have never booked a General Membership Meeting at this location prior to July 11th nor have we spent this amount of money to a book space for a General Membership Meeting prior to this meeting, and therefore it is not a routine expense. Prior to booking the room, Lis Pimentel should have brought this non-routine expense to the Executive Board for recommendation, she did not. On this matter, Lis Pimentel, clearly interprets the bylaws as her not requiring the recommendation of the Executive Board, we clearly disagree.
4. An invoice dated July 31, 2017 from Toronto-based law firm Koskie Minsky to the Attention of Ms. Lis Pimentel and Mr. Jorge Hurtado indicates that Koskie Minsky invoiced UNITE HERE Local 75 in the amount of \$1,017 for services rendered to Ms. Pimentel as her representative in reviewing various emails between Ms. Pimentel and UNITE HERE International Union Director of Operations, Scott Cooper. Since this was a non-routine expense, it should have been brought to the Executive Board for their recommendation. It was not.
5. An invoice dated July 24, 2017 from Toronto-based law firm Koskie Minsky to the Attention of Ms. Lis Pimentel indicates that Koskie Minsky invoiced UNITE HERE Local 75 in the amount of \$2,034 for services rendered to Ms. Pimentel in connection to a July 11, 2017 General Membership Meeting. The expenditures of \$2,034 were not brought to the executive board, nor were these expenditures authorized or approved. In fact, the invoice

This signature, to confirm that
my request to our White Here
International president D. Taylor
to interpret our by laws.

Name, AVENEBA JOHNSON

Signature [Signature]

Date 26/12/11

September 26th, 2017

Supplementary document to petition dated September 5, 2017 regarding "Mediation of General President of UNITE HERE, D. Taylor on interpretation of Local 75 Bylaw."

Additional Case of Controversy:

6. On August 3rd, 2017, the UNITE HERE Local 75 Executive Board passed the following motion:

"All future UNITE HERE Local 75 General Membership Meetings must be held at a UNITE HERE Local 75 organized property selected by a majority vote of the UNITE HERE Local 75 Executive Board unless such meetings are held at 25 Cecil Street, Toronto, ON (Steel Workers Hall). Please see Article III, Section 1 of the UNITE HERE Local 75 Bylaws."

Further to this motion, on September 14th, 2017, the Local 75 Executive Board passed the following motion:

The October 10th, 2017 UNITE HERE Local 75 General Membership meeting will be held at the Sheraton Centre Hotel located at 123 Queen St. W, Toronto, Ontario M5H 2M9 at 5:00 p.m. as long as the cost is equal to or less than the cost of the last Local 75 General Membership meeting held at the Intercontinental Hotel. That cost was approximately \$8,500. If the cost was going to exceed then it would be put up for bid in other Local 75 hotels.

In violation of both motions Lis Pimentel, unilaterally booked a meeting room for the October 10th Local 75 General Membership Meeting other than the Sheraton Centre at a cost of \$12,800 (room only) and has yet to book PSAV services, for which she was quoted an additional \$21,694.42. This was not discussed with nor recommended by the Executive Board.

COMPLAINT 39

Monica McKenzie
21 Dewridge court
Brampton Ontario
L6R 3C2

September 16, 2017

Hello my brother Nuredin,

Today I sat down and reflecting on my life and even questioning myself. I am feeling nervous, scared, unhappy, disgust and ashamed. I decided to write to you my brother because I trust you, and you care about the working class and overall human being. I saw those qualities while working with you for the past ten years as a volunteer organizer.

Please don't show or tell anyone of this letter because I don't want anyone to know how I am feeling or know that I am afraid of losing my job. I am just putting the best outside for the workers but deep inside I am hurting.

Nuredin, I started volunteering with my union from 2006-2013 in and out of the Hilton Airport Hotel & Suite. Managing thirteen or more properties with over a thousand workers, building committees, advocating for employees, leading strikes and other programs of the union. I just run and get things done for my union and my coworkers.

I am committed to build a stronger union and a movement to change my life and others. Around the month of September 2014. I continued in the position as volunteer organizer and never went back to my workplace at the Hilton Airport & Suite.

My union Unite here local 75 union needed me and I continued to work and I did not return to the Hilton Airport & Suites as a result I lost all other employee benefits with the Hilton. I didn't let it bother me as I was building the union and helping to change working people lives.

May 1, 2016, I met with Lis, you and Guled over lunch. All three of you said welcome Monica, you are now hired on fulltime and we are going to continue to build this organization. I was happy, filled with joy to know that after all these years I am now fulltime.

I asked myself in April 2017 why am I still on probation? I observed four other team members being hired after me and their probation was never extended except mine, why after four years I am still on probation? I looked at the situation and ask myself is it because I am black? why this is happening to me?

I receive two letters, one dated April 24 and April 28, 2017 via email and courier. On April 24, 2017 courier and via email to my home from Lis, the letter stated that if my union cope 343 does not respond to approve the extension for six more month I will be terminated as of April 28, 2017.

The letter dated April 24, 2017 mentioned that I seriously jeopardised the Four Points by Sheraton Meadowvale bargaining, the letter stated workers alleged that I asked management to hire one of my relatives. The company subsequently did hire your relative. The workers' perception is that this affected your willingness to challenge management on the members behalf. This is not true, I always

recommend people to all the properties to be hired most of the people are minorities and happen to be people of colour because as you know most people who want these jobs are people of colour. Its that wrong to recommend people of colour? In fact, that allegation is not true also. I need you to conduct a DNA show that person is my relative. Is it because I am black?

The letter April 24,2017 also mentioned the Sheraton Airport which is a key part of the Larco campaign. And The level of mobilization there has not met expectations. She stated in the letter that she continues to receive complaints from the Chief Shop Steward who says he has not been informed by the steps they need to take in the campaign. As a result, the property has been a weak link in the campaign and now require intervention. Again, that also is not true, wherein that Shop Steward is a white man that once told me I was "fat, I am a cunt and he don't want to work with the black organizers," Mike's exact words to a worker another Shop Steward "I get rid of Cornetta the other black organizer and I will get rid of Monica also. On all the unions campaign and programs that we have, he has always degraded me, he never attends a Shop Steward training or union meetings.

I tightened my belt and continued to organize that workplace. When it came to grievances, he never showed up for is own or any other workers grievance meeting. Now he has more voice than I he is white and privileged this is because I am a black woman. I also have witnesses to his remarks and I would like this to be investigated.

April 24, 2017 another part of the letter stated during mobilizing for food service strike we were doing a union-wide petition in our hotels. The stated that I turned in multiple petition with fake signatures and numbers that was not real and we were unable to delegate the management and Provincial Parliament. I told David Sanders in a meeting that the Airport Area that I cover is very slow in this time of the year a lot of members are on holiday or not on schedule so I cannot get anymore numbers or signature. David told me don't worried take them home sign your family, neighbours and other people, so that is what I did. I give the petition to workers in the hotels and they signed for the worker that were not on schedule or away. If he didn't say that to me I wouldn't let them sign who was not there. If there was an issue, some should have come to me and have the conversation. I was just discipline by having my probation extending for six months. If you are black you have no rights and may be fired, defamed, stripped of your dignity.

Nuredin my brother, I answer my own question, Yes, it is because I am black. I am having sleepless nights; my blood pressure is very high. I have never been so uncertain in my life, I feel discriminated against, racism, humiliated and bigotry. I was and I am still disappointed that my union that I built and fought alongside to ensure these kind of racism, discrimination and abuse don't happen to workers. In my own union, Allan Pace called me a fat chiwawa, kiss ass and other nasty words and I complained to Cornetta my shop steward who then complain to Guled my lead organizer then brought it to Lis, David and others and nothing happened. I also told Allan several times I did not like those words he used to describe me and it is offensive and not acceptable and if you continue I will file a written complain on you. **STOP NOW.**

In fact, I was surprized when Allan was immediately promoted to a lead organizer position this answered my owned question yes, indeed, t is because I am black. Allan also said many derogatory things to Valrie and called her names like stupid, illiterate, lazy, loser, team blind leading blind, he said Valerie and Josh are stupid. I felt it was a happening too often and it was going too far and he never apologised. I could not see how my union would give Allan a promotion and my probation was extended.

COMPLAINT 40

From: Nuredin Bulle <nbulle75@gmail.com>

Date: Tuesday, September 26, 2017 at 7:13 PM

To: "D. Taylor" <dtaylor@unitehere.org>, Gwen Mills <gmills@unitehere.org>, "mcasey@unitehere2.org" <mcasey@unitehere2.org>, Scott Cooper <scooper@unitehere.org>, "rmccracken@msh.law" <rmccracken@msh.law>, "svarela@msh.law" <svarela@msh.law>

Subject: Urgent Attention Required: Additional Complaint Regarding Abuse of Democracy

Hi all,

Please review an additional complaint against Lis Pimentel on abuse of democracy. This is a very time sensitive matter and I ask for your urgent attention to it.

Sincerely,

Nuredin Bulle
Secretary Treasurer

Urgent Attention Required: Additional Complaint Regarding Violation of Democratic Practices of UNITE HERE Local 75

To: President, D. Taylor, Gwen Mills, Mike Casey, Scott Cooper, Rich McCracken, Sarah Varela
From: Nuredin Bulle, Secretary Treasurer

September 26, 2017

On August 3rd, 2017, the UNITE HERE Local 75 Executive Board passed the following motion:

“All future UNITE HERE Local 75 General Membership Meetings must be held at a UNITE HERE Local 75 organized property selected by a majority vote of the UNITE HERE Local 75 Executive Board unless such meetings are held at 25 Cecil Street, Toronto, ON (Steel Workers Hall). Please see Article III, Section 1 of the UNITE HERE Local 75 Bylaws.”

Further to this motion, on September 14th, 2017, the Local 75 Executive Board passed the following motion:

The October 10th, 2017 UNITE HERE Local 75 General Membership meeting will be held at the Sheraton Centre Hotel located at 123 Queen St. W, Toronto, Ontario M5H 2M9 at 5:00 p.m as long as the cost is equal to or less than the cost of the last Local 75 General Membership meeting held at the Intercontinental Hotel. That cost was approximately \$8,500. If the cost was going to exceed then it would be put up for bid in other Local 75 hotels.

Brother Mike Casey was present at both Executive Board Meetings. After extensive discussion amongst the Executive Board and the Local 75 Executive Board, the motions were democratically passed.

On September 15th Local 75 Trustee, Yosef Ogbasellasi reserved a room at the Sheraton Center, his workplace, for the October 10th GMM. He asked the contact person at the Hotel to confirm the room and get in touch with Local 75 Administrative Lead, Pedro Cristavao for account and payment information and to confirm the booking.

The Hotel reached out to Mr. Cristavao, Lis Pimentel and myself on September 15th, as per Mr. Ogbasellasi request, explaining what was required to move to contract and in her email, the Hotel's contact person, also outlined that the room would be set up for 600 people in theatre style. The room rental cost was about \$1,500.

Mr. Cristavao responded on the same date and said “let's connect Monday to work out logistics” and that he would also need to reach out to PSAV to get final pricing details. This suggests that Mr. Cristavao was okay with the size of the room and all other details, but just required PSAV pricing before confirming.

The confirmation process was not completed due to Mr. Cristavao's failure to book the room, which we firmly believe, he did under the direction of Local 75 President Ms. Pimentel.

In fact, email evidence that we will provide with this complaint, we believe, suggests that there was an intentional move from Mr. Cristavao to inflate the price of the booking to hinder us from having the meeting at the Sheraton Centre. **Please see Appendix A for Mr. Cristavao's PSAV request.**

The cost was inflated by requesting the following unnecessary PSAV items with the booking:

“...solid internet access for up to 20 computers for our registration. I would prefer the hookup be wired and not wireless.”

The PSAV quote we were given for what Mr. Cristavao asked for was approximately \$16,000. Mr. Ogbasellasié, surprised at the high price, reached out to the Hotel and was told that the price was so high because our Union was requesting unnecessary items that even large corporation do not request. For example, 20 wired computer connections at a rate of \$620 each when the Hotel was offering wireless connections at a rate of \$10 each or for free that can easily accommodate our needs.

On September 20th, after it was clear that Mr. Cristavao, we believe, intentionally failed to book the room, I sent him an email urging him to book the room that day. I also explained to him that we did not require all the PSAV items he had requested and that the Hotel was willing to provide us with everything we needed within our budget. **(Please see Appendix B)**

Mr. Cristavao did not book the room as I had asked, nor did he respond to my email. On September 22nd, I again, emailed Mr. Cristavao urging him to book the meeting room and expressed my concerns around him not having yet booked the room. I reminded him that the Executive Board passed a motion that the meeting would be held at the Sheraton Centre and that failing to book the room was a serious violation of our bylaws.

Mr. Cristavao replied several hours later stating that he was informed that we needed a room that can seat 1,000 people and that the Sheraton Centre could only seat 670 people and that he reached out to 8 venues and “the only space large enough that was available for the October 10th meeting was the Westin Harbour Castle.” Please see Mr. Cristavao’s full email as well as my response as **Appendix C**.

Since then it has been brought to my attention that Mr. Cristavao had been in touch with the Westin Harbour Castle sine September 20th trying to secure a meeting space; I was not informed that he was reaching out to other venues even when I had repeatedly emailed him and spoke with him in person urging him to confirm the Sheraton Centre. **Please see Mr. Cristavao’s email exchange with the Westin Harbour Castle beginning September 20th, 2017 as Appendix D.**

This clearly demonstrates the lengths that were taken by Mr. Cristavao, likely under the direction of Ms. Pimentel, to avoid booking the meeting space at the Sheraton Centre.

The Executive Board passed two motions regarding the GMM in the two most recent Executive Board Meetings (August 3rd and September 14th). The motions make clear that the Executive Board: a) decides the location of the meeting and b) decides that the GMM would be held at the Sheraton Centre.

Ms. Pimentel booked the Westin Harbour Castle – not a UNITE HERE Local 75 property – without consulting with or informing the officers myself and Valrie Lue, or the Executive Board (the Governing Body) at a rate of \$12,800 (room only). **See Contract between Ms. Pimentel and Westin Harbour Castle as Appendix E.** This is not only in violation of the two passed motions mentioned above but in direct violation of Article IX, Section 5 (b) of the Local 75 bylaws as it is a non-routine expenditure which requires the recommendation of a majority of the Executive Board.

The \$12,800 cost for the room at the Westin Harbour Castle excludes PSAV costs. I’d like to point out that the correspondence between Mr. Cristavao and the Westin Harbour Castle indicates that when asking the Westin Harbour Castle for a quote on the AV equipment Mr. Cristavao did not ask for wired

internet connections as he did for the Sheraton. This further suggests that the request for wired internet connections from the Sheraton was done for the sole purpose of inflating the costs. **See Appendix F for Mr. Cristavao's email to Westin Harbour Castle regarding AV equipment.** The Westin Harbour Castle provided Mr. Cristavao with a quote of **\$21,694.42** for PSAV equipment rental and services. **Please See PSAV quote from Westin Harbour Castle as Appendix G.** The Local 75 Executive Board has made it very clear that they will hold the official General Membership Meeting at the Sheraton Centre as per the motion that was passed at the September 14th Executive Board Meeting. The Executive Board has also made it very clear that we will not authorize any payments towards the unauthorized meeting at the Westin Harbour Castle.

We'd like to point out several key takeaways:

1. The Executive Board passed two motions regarding the GMM in the two most recent Executive Board Meetings (August 3rd and September 14th). The motions make clear that the Executive Board: a) decides the location of the meeting and b) decides that the GMM would be held at the Sheraton Centre.
2. For almost a week between when the Sheraton Centre contacted Local 75 with a quote for a space that accommodates 670 people, Mr. Cristavao did not raise any concerns about the capacity of the room, and in fact, Ms. Pimentel was cc'd on all correspondence.
3. It appears that Mr. Cristavao attempted to inflate the costs of booking the Sheraton Centre so that it would prevent us from having the meeting at the Sheraton Centre.
4. When Mr. Cristavao's attempt to inflate costs did not work, it appears that, suddenly the 670-person capacity was no longer sufficient and there was an effort to seek alternative space to avoid booking the space at the Sheraton Centre.
5. There was a discussion on the motion on the meeting space at the September 14th Executive Board Meeting. The bench mark price of \$8,500 was set based on the previous GMM meeting room costs at the Intercontinental Hotel on July 11th which has a capacity of 600 people. There was no mention of requiring a larger capacity. If that was Ms. Pimentel's intention, it ought to have been raised at the September 14th meeting.
6. Ms. Pimentel unilaterally decided to book a meeting space at the Westin Harbour Castle at a cost of \$12,800 in violation of the aforementioned passed motions as well as the Local 75 bylaws regarding non-routine expenditures. The cost to hold the meeting at the Westin Harbour Castle could cost nearly \$34,500.
7. The Local 75 Executive Board will hold the official General Membership Meeting at the Sheraton Centre on October 10th, 2017 and we will not authorize any payments towards the unauthorized meeting at the Westin Harbour Castle.

The unilateral decision to violate both motions that were passed by the Executive Board pertaining to the GMM meeting space is a gross violation of our democratic rights and our bylaws. We ask that the International Union intervene immediately to stop the unauthorized meeting that Ms. Pimentel intends to hold at the Westin Harbour Castle Hotel on October 10th, 2017. We request that this violation of our democracy and our bylaws be investigated immediately as an additional item to our previous complaint on democracy (Challenging legality of July 11th GMM). We further that this investigation be completed prior to the October 10th General Membership Meeting to avoid of further destruction and destabilization of Local 75.

Appendix A: Email from Mr. Cristovao to Sheraton Centre Regarding PSAV

**From: Pedro Cristovao [mailto:pcristovao@uniteherelocal75.org]
Sent: Tuesday, September 19, 2017 12:46 PM
To: Punit Shetty
Cc: lpimentel@uniteherelocal75.org; nbulle@uniteherelocal75.org; Walicki, Helena
Subject: Re: FW: Sheraton Centre Toronto: Unite HERE Local 75, Oct 10, 2017**

Hi Punit,

Here is what we are looking for.

We will have the room setup in classroom/theatre style. Will need two projectors, and two screens. They should be connected to one laptop sitting off to the side of the stage, with sound.

3 Mics, one for the stage, a podium mic would be ideal for this, the other two for the floor, on stands in the isles. Need to have the isles mic be controlled as for our meeting people will have a time limit of how long they can talk. At our last meeting we had a AV personal standing by controlling this for us.

We will need to have solid internet access for up to 20 computers for our registration. I would prefer the hookup be wired and not wireless.

Let me know what you can do for us.

Thank you

Pedro Cristovao
Operations Manager
UNITE HERE Local 75
Tel 416-384-0983x311 Fax 416-384-0991
15 Gervais Dr. Suite 300
Toronto, ON, Canada

M3C 1Y8

Appendix B: My Email to Mr. Cristavao Regarding Cost Inflation

----- Original message -----

From: nbulle <nbulle@uniteherelocal75.org>

Date: 2017-09-20 12:05 PM (GMT-05:00)

To: Pedro Cristovao <pcristovao@uniteherelocal75.org>

Cc: Lis Pimentel <lpimentel@uniteherelocal75.org>, Michael Casey <mcasey@unitehere2.org>, yogbasellasie@aol.com

Subject: RE: FW: Sheraton Centre Toronto: Unite HERE Local 75, Oct 10, 2017

Hi Pedro,

As per our discussion this morning, I urge you to secure the meeting room for us by this afternoon. As you are aware this is a time sensitive matter.

Further, as we also discussed, we do not need wired internet connections that cost over \$600 per connection for 20 connections. The Hotel is providing wifi at a rate of \$10 per connection. Even large corporations, with more money than us, use Sheraton's wifi for their meetings without any issues. In fact, the Hotel was surprised at the unusual request of wired internet connections for each computer; a request that they do not typically even receive from large corporations.

Additionally, we only require basic equipment for the other items (projectors, microphones etc.), which are sufficient for our needs and are available for a reasonable cost. Yosef has already spoken with the Hotel and they are willing to provide all those items as well as the meeting room within our budget.

Please book this meeting space today as the Sheraton is providing us with everything we require to have this meeting within our budget, as Yosef has confirmed with them.

Thank you,

Nuredin Bulle

Secretary Treasurer

Appendix C: Mr. Cristavao's Email Regarding Booking the Westin Harbour Castle and My Response

From: nbulle <nbulle@uniteherelocal75.org>
Date: 2017-09-22 8:02 PM (GMT-05:00)
To: Pedro Cristovao <pcristovao@uniteherelocal75.org>
Cc: Lis Pimentel <lpimentel@uniteherelocal75.org>, Michael Casey <mcasey@unitehere2.org>, yogbasellasi@aol.com
Subject: Re: Sheraton Centre Toronto: Unite HERE Local 75, Oct 10, 2017

Pedro, a majority of the Executive Board as well as myself disagree with unilaterally changing the meeting location from what was democratically voted upon. As Secretary Treasurer I am to be informed of all money matters. I raised my concerns about the undemocratic booking of the venue for the July 11th GMM, where I, as Secretary Treasurer was not informed of the costs prior to booking. I was promised that in the future I will be consulted about costs prior to booking the room. I believe this undermines me as as an Elected officer/Secretary Treasurer.

I will respond to your email more fully at a later time, but in the meantime please send me all costs associated with this booking as well as all of your correspondence with the Westin Harbour Castle.

Regards,

Nuredin Bulle
Secretary Treasurer I

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Pedro Cristovao <pcristovao@uniteherelocal75.org>
Date: 2017-09-22 4:26 PM (GMT-05:00)
To: nbulle <nbulle@uniteherelocal75.org>
Cc: Lis Pimentel <lpimentel@uniteherelocal75.org>, Michael Casey <mcasey@unitehere2.org>
Subject: Re: Sheraton Centre Toronto: Unite HERE Local 75, Oct 10, 2017

Hi Nuredin,

I apologize for not getting back to you sooner. Helena from the Sheraton Centre did reach out to me with a quote for a room that can seat 600. I was informed that we needed a room that can seat 1,000 as we had a problem with our last meeting where we had a room for 600 and we registered over 750, and on top of that we had those that were not registered, and/or left as reported by staff. It was also noted that at the upcoming October 10 meeting, the Union is providing transportation which will increase attendance.

I asked for a larger room and the best they could do at the Sheraton Centre was 670, as their room for 1,000 was already booked.

Since I was told to get a room for 1,000 I pursued other venues for that capacity.

I reached out to 8 venues by a mix of emails and phones calls including other Local 75 properties, MTCC, Universities, churches, and other Union Hotels.

The only space large enough that was available for the October 10th meeting was at the Westin Harbour Castle.

I was asked to move forward with booking with The Westin Harbour Castle.

Letters will be sent out today to each property with the location which will allow more than 2 weeks notice. This is in accordance of our past practice of adequate notice.

I will also put hard copies in all staff boxes today so that they can also post it.

Hope I was able to answer your questions.

Thank you

Pedro Cristovao
Operations Manager
UNITE HERE Local 75
Tel 416-384-0983x311 Fax 416-384-0991
15 Gervais Dr. Suite 300
Toronto, ON, Canada
M3C 1Y8

Appendix D: Mr. Cristavao's email exchange with the Westin Harbour Castle beginning September 20th, 2017

RE: Meeting for 1000 Theatre Style - Westin Harbour Castle - 500...

Subject: RE: Meeting for 1000 Theatre Style - Westin Harbour Castle - 500-8FNZU8K
From: "Meixueiro pastrana, Luis alejandro" <alejandro.pastrana@westin.com>
Date: 2017-09-25 12:20 PM
To: "pcristovao@uniteherelocal75.org" <pcristovao@uniteherelocal75.org>
CC: "Da rocha, Morgan" <Morgan.Darocho@westin.com>

Good Afternoon Pedro,

Please find attached a copy of your countersigned contract for your records.

Kindly note that a Meeting & Event Manager will soon be in touch to further detail your event.
Thank you for booking your group at Westin Harbour Castle, we look forward to welcoming your group!

Alejandro Pastrana
Sales Coordinator

THE WESTIN HARBOUR CASTLE, TORONTO

1 Harbour Square
Toronto, ON M5V 1A6
Canada
Westintoronto.com

T +1 416 361 7481 ext. 4273 F +1 416 869 0777

From: Pedro Cristovao [mailto:pcristovao@uniteherelocal75.org]
Sent: September 22, 2017 4:30 PM
To: Da rocha, Morgan <Morgan.Darocho@westin.com>
Subject: Re: Meeting for 1000 Theatre Style - Westin Harbour Castle - 500-8FNZU8K

Hi Morgan,

All done.

Thanks

Pedro Cristovao
Operations Manager
UNITE HERE Local 75
Tel: 416-364-0903x311 Fax: 416-364-0904
15 Gerrard St. Suite 303
Toronto, ON, Canada
M5C 1Y9

On 2017-09-22 4:16 PM, Da rocha, Morgan wrote:

Thanks Pedro,
Let me know once the Electronic Credit Card link is complete.

Regards,

Morgan Da Rocha
Catering Sales Executive

RE: Meeting for 1000 Theatre Style - Westin Harbour Castle - 500...

THE WESTIN HARBOUR CASTLE, TORONTO

1 Harbour Square
Toronto, ON M5J 1A6
Canada
Westintoronto.com

T +1 416 261 7466 M +1 416 964 5166

From: Pedro Cristovao (mailto:pcristovao@uniteherelocal75.org)
Sent: September 22, 2017 3:53 PM
To: Da rocha, Morgan <Morgan.Darocha@westin.com>
Cc: Garnett, Sharon <Sharon.Garnett@westin.com>
Subject: Re: Meeting for 1000 Theatre Style - Westin Harbour Castle - 500-8FNZU8K

Hi Morgan,

See the attached.

Thanks

Pedro Cristovao
Operations Manager
1000 THEATRE LOCAL 75
Tel: 416-394-0611x311 Fax: 416-394-0911
10 Cervais Dr. Suite 200
Toronto, ON, Canada
M5C 1Y9

On 2017-09-21 3:24 PM, Da rocha, Morgan wrote:

Hi Pedro,
Hope you're having a great Thursday thus far!

Please find attached the contract as per your request.

The signed contract can be sent via email or along with the following procedures on **Friday, September 22nd 2017** :

- ... The contract should be signed by the legal representative (signature, name and title)
- ... All the pages should be initialed
- ... The contract should be dated
- ... The complete credit card details are required

Also my colleague Sharon will be sending an email request from eCCAauthorization@starwoodhotels.com to complete eCredit Card Authorization for the event to pc@uniteherelocal75.org . This will be used for deposit and final payment. Kindly follow the link and instructions to complete the online secure form in order for us to process information safely and correctly.

Should you have any questions or concerns, please do not hesitate to ask me.

RE: Meeting for 1000 Theatre Style - Westin Harbour Castle - 500...

Looking forward to hosting your group at the Westin Harbour Castle

Thank you and have a wonderful day.

Morgan Da Rocha

Catering Sales Executive

THE WESTIN HARBOUR CASTLE, TORONTO

1 Harbour Square
Toronto, ON M5J 1A6
Canada
Westintoronto.com

T +1 416 361 7456 M +1 416 994 5166

From: Da rocha, Morgan

Sent: September 20, 2017 5:03 PM

To: 'pc@unitehere.local75.org' <pc@unitehere.local75.org>

Subject: RE: Meeting for 1000 Theatre Style - Westin Harbour Castle

Hey Pedro my email and phone number can be found below.

Regards,

Morgan Da Rocha

Catering Sales Executive

THE WESTIN HARBOUR CASTLE, TORONTO

1 Harbour Square
Toronto, ON M5J 1A6
Canada
Westintoronto.com

T +1 416 361 7456 M +1 416 994 5166

From: Da rocha, Morgan

Sent: September 20, 2017 1:39 PM

To: 'pc@unitehere.local75.org' <pc@unitehere.local75.org>

Subject: Meeting for 1000 Theatre Style - Westin Harbour Castle

Hi Peter!

Thank you for considering the WHC as the host for your upcoming meeting on October 10th 2017.

I am looking into space availability and will be back to you shortly.

Regards,

Morgan Da Rocha

Catering Sales Executive

THE WESTIN HARBOUR CASTLE, TORONTO

Appendix E: Contract between Ms. Pimentel and Westin Harbour Castle for Meeting Room on October 10th, 2017

Printed: Thursday, September 21, 2017
Quote# 569 3FRZL8K

Agreement between The Westin Harbour Castle, Toronto and Unite Here Local 75

<p>Customer Unite Here Local 75 Lis Pimentel President 15 Gervais Dr Toronto, ON, M3C 1Y8 Canada Phone: 6475359431 Fax: Email: lpimentel@uniteherelocal75.org</p>	<p>Property The Westin Harbour Castle, Toronto Morgan Da Rocha Sales Manager 1 Harbour Sq Toronto, ON, M5J 1A6 Canada Phone: +1 416.361.7455 Fax: +1 416.994.5168 Email: morgan.darocha@westin.com</p>
--	---

RE: Local 75 General Membership Meeting

This Agreement between Unite Here Local 75 ("Customer") and SCG Aquarius Toronto Hotel, Inc. d/b/a The Westin Harbour Castle, Toronto ("Hotel") is effective as of the date it is signed by Hotel ("Agreement Date").

Between now and Friday, September 22, 2017, unless both parties have agreed upon and fully executed this agreement should another organization request the dates and be in a position to confirm immediately, we will advise you and you will have three (3) business days to confirm on a definite basis. If this agreement is not mutually executed by date noted above, the meeting space may be automatically released.

Event Dates: Tuesday, October 10, 2017 - Wednesday, October 11, 2017

Function Space/Schedule of Events:
This Agreement applies to the following events and function space

Date	Function Description	Start - End Time	Function Space	Set Up	# PPL	Room Rental
Tue, 10-Oct-2017	Meeting	3:00PM- 8:00PM	Metropolitan East/Centre	Theater Style	1,000	\$10,000.00
Total						\$10,000.00

Function Space Rental Fee: \$10,000.00 (excluding taxes and other charges). A service charge, currently 18% of the function space rental fee (plus all applicable taxes) will be added to the function space rental fee. See schedule of events, if applicable. A setup charge of \$1.50 per person will be charged per meeting room if classroom setup is required. 372,500

Assignment of Function Space: Hotel will provide Customer with Function Space in accordance with the schedule of events, based on the contracted number of people attending the event. Hotel may make reasonable substitutes to Function Space by notifying Customer.

Final Program: Customer agrees to provide its final program to Hotel no later than 15 days prior to Arrival Date. In the event that a final program is not submitted by this date, Customer agrees that Hotel may at its option release all or part of space held for Customer.

Banquet Event Orders: Hotel will provide Customer with Banquet Event Orders ("BEOs") that specify and confirm the specific details and terms and conditions for each event including, final menu selections, pricing, room set up and decor.

Food & Beverage: Due to licensing requirements and for quality control, all food and beverage served at Hotel must be supplied and prepared by Hotel. Menu prices will be confirmed on Banquet Event Orders (BEOs). A service charge, currently 18% of the total food and beverage revenue (plus all applicable taxes), will be added to all food and beverage charges. No other fee or charge, including administrative fees, set up fees, labor fees, or bartender or food station fees, is a tip, gratuity, or service charge for any employee.

Customer Initials: Lis P Hotel Initials: MDR

Minimum Revenue: This Agreement will generate revenue for Hotel from a variety of sources, including food & beverage, and charges for ancillary services. The minimum revenue anticipated by Hotel under this Agreement (excluding taxes and other charges) is:

Rental:	\$10,000.00
Total Minimum Revenue:	\$10,000.00

If Customer does not fulfill all of its commitments or cancels this Agreement, Customer agrees that Hotel will suffer damages that will be difficult to determine. The "Cancellation" provisions below provide for liquidated damages agreed upon by the parties as a reasonable estimate of Hotel's losses and do not constitute a penalty of any kind.

If Customer does not fulfill its Minimum Food & Beverage Revenue commitment, it will pay the difference between its Minimum Food & Beverage Revenue commitment and its actual food & beverage revenue (plus all applicable taxes).

Cancellation: If Customer cancels this Agreement, Customer will provide written notice to Hotel, accompanied (except in the case of a Force Majeure) by payment of the amounts indicated below:

From the Agreement Date or less prior to Arrival Date:	100% of Total Minimum Revenue = \$10,000.00
--	---

The parties agree that the amounts included in this Cancellation clause are reasonable estimates of the losses that would be incurred by Hotel and factor in Hotel's ability to mitigate its losses through resale.

Payment Options: Payment will be made as indicated below. *Please check applicable option.*

	Customer Pays	Guest Pays
Guest rooms (including taxes and automatic or mandatory charges):		
Event Food & Beverage (including taxes, service charges, and administrative charges):		
Incidental charges:		

Rooming List: All reservations made by rooming list will be guaranteed for arrival to the Master Account.

Master Account: Hotel will set up a "Master Account" for Customer for payment of charges under this Agreement. Customer must review all charges billed to the Master Account to ensure accurate billing.

Payment Options: *Please check applicable option.*

<input type="checkbox"/> Credit Card (Secure link to be sent to client)	<input checked="" type="checkbox"/>
<input type="checkbox"/> Direct Billing (Application must be approved by our Accounting Department prior to event)	<input type="checkbox"/>
<input type="checkbox"/> Cheque (Credit must be established prior to event, unless pre-paid)	<input type="checkbox"/>

Deposit Schedule: Customer will pay deposits to Hotel as follows:

Type	Due Date	Amount
1st Deposit	Tuesday, September 26, 2017	\$2,500.00

Payment: A minimum of \$5,000.00 is required in order to be considered for direct billing. Unless direct billing has been established, Customer will pay the estimated amount of the Master Account as shown on the deposit schedule. Customer will advise Hotel of its expected method of payment of the Master Account at least 30 days in advance of Arrival Date. If Customer will pay using a credit card honored by Hotel, a valid credit card must be provided to Hotel no later than Arrival Date, and all Master Account charges will be charged to such credit card at departure. Any amounts not paid at departure will accrue interest at 1 1/2% per month from the date of departure. Upon application and review by Hotel, Hotel may elect to extend direct billing privileges to Customer. If direct billing has been established, payment of all undisputed amounts is due within 30 days of Customer's receipt of invoice from Hotel, and if not paid within 30 days will accrue interest at 1 1/2% per month from date of departure. Customer must notify Hotel of any disputes within 5 business days of Customer's receipt of invoice from Hotel or disputes will be considered waived. If Hotel determines after establishing direct billing or a deposit schedule that Customer's credit status has changed negatively, Hotel may require payment of all estimated Master Account charges no later than 14 days before Arrival Date.

Dispute Resolution: The parties will resolve any controversy, claim or dispute of any kind or description arising out of or relating to this Agreement through binding arbitration before one arbitrator conducted in accordance with the Rules of Arbitration of the International Chamber of Commerce or the Canadian Commercial Arbitration Centre. The arbitration will be held in the city where Hotel is located with all proceedings conducted in English. The law of the province where Hotel is located will be the governing law. The parties agree that the Arbitration Award will be enforceable in any court in any country or location having jurisdiction over a party against whom enforcement is sought. The prevailing party in any arbitration or court proceeding relating to this Agreement or enforcement of any arbitration award will be entitled to recover attorneys' fees and costs including expert witness and arbitration fees and pre and post judgment interest. Each party will be responsible for attorneys' fees and interest associated with the other party's efforts to collect monies owed under this Agreement.

Force Majeuro: If acts of God or government authorities, natural disasters, or other emergencies beyond a party's reasonable control make it illegal or impossible for such party to perform its obligations under this Agreement, such party may terminate this Agreement upon written notice to the other party without liability.

Notice: Any notice required or permitted by the terms of this Agreement must be in writing.

Assignment: Customer may not assign or delegate its rights or duties under this Agreement without Hotel's prior approval.

Sovereignty: If any provision of this Agreement is held to be invalid or unenforceable that provision will be eliminated or limited to the minimum extent possible, and the remainder of the Agreement will have full force and effect.

Waiver: If either party agrees to waive its right to enforce any term of this Agreement, it does not waive its right to enforce any other terms of this Agreement.

This Agreement constitutes the entire agreement between the parties, supersedes all other written and oral agreements between the parties concerning its subject matter, and may not be amended except by a writing signed by Hotel and Customer.

ACCEPTED AND AGREED TO:

Unite Hero Local 75

SCG Aquarius Toronto Hotel, Inc., as general partner of SWA Toronto L.P., a Manitoba limited partnership as Owner of The Westin Harbour Castle Toronto By: Westin Hotel Management, L.P., a Delaware limited partnership; its Operator, as owner of The Westin Harbour Castle, Toronto

By [Signature]
Lis Pimentel
President

By [Signature]
Stacey Rodrigues
Director of Sales and Marketing

Date 9/22/17

Date SEPT 22, 2017

Award of Benefits to Group: Certain benefits awarded through the Starwood Preferred Guest program ("SPG"), including Starpoints and eligible nights (collectively, "Benefits"), are available for business contracted through the sales and catering departments of participating Starwood hotels. Group acknowledges that such Benefits have been offered in connection with this Agreement, and Group consents to the awarding of Benefits to the individual(s) listed below (each a "Group Recipient"). Once Group has departed the Hotel's facilities and full payment is received by Hotel, Benefits will be awarded in accordance with the SPG terms and conditions http://www.starwoodhotels.com/preferredguest/faq/spg_terms.html (the "SPG T&Cs").

Group Recipients:	
Member Name	Starwood Preferred Guest Membership Number
1.	
2.	

Each Group Recipient will earn (a) an amount of Starpoints based on (i) his or her status in SPG and (ii) the total amount of eligible event charges that are paid for the Event ("Event Charges") divided by the number of Group Recipients and (b) an amount of eligible nights based on the total number of guest rooms paid for under this Agreement ("Paid Rooms") divided by the number of Group Recipients, in each case, subject to the SPG T&Cs.

Appendix F: Correspondence Between Mr. Cristovao and Westin Harbour Castle Regarding AV Equipment Quote

Director of Sales - PSAV®
■ office: 416.361.7466 Ext.4606

On 2017-09-25, 12:55 PM, "Pedro Cristovao" <pcristovao@unitehere.local75.org> wrote:

Hi there,

I have a meeting being held at Harbour Westin Castle on October 10, 2017 from 3-8pm.

Here is what we are looking for.

We will have the room setup in classroom/theatre style. The room will be the Metropolitan Centre/East Rooms. Will need two projectors, and two screens. They should be connected to one laptop sitting off to the side of the stage, with sound.

2017-09-25 3

harbour Castle Meeting October 10, 2017

3 Mics, one for the stage, a podium mic would be ideal for this, the other two for the floor, on stands in the isles. Need to have the isles mic be controlled as for our meeting people will have a time limit of how long they can talk. At our last meeting we had a AV personal standing by controlling this for us.

We will need to have solid internet access for up to 20 computers for our registration.

Let me know what you can do for us.

Thank you

--

Pedro Cristovao
Operations Manager
UNITE HERE Local 75
Tel 416-384-0983x311 Fax 416-384-0991
15 Gervais Dr. Suite 300
Toronto, ON, Canada
M3C 1Y8

Appendix G: PSAV Quote from Westin Harbour Castle



The Westin Harbour Castle
 1 Harbour Sq
 Toronto, ON M5J 1A6
 Tel (416) 304-0282

Currency: CAD Page 1 of 7

Quote # 2354-1974

Unite Hero Local 75
 Attn: Pedro Cristovao
 310-15 Gervais Dr
 North York, ON M3C 1Y8

Contact Name:	Pedro Cristovao	Show Date(s):	2017/10/10 - 2017/10/10
Email:	pcristovao@uniteherelocal75.org	Show Name:	Local 75 General Membership Meeting - 500-8FNZU8K
Quote No:	2354-1974	Show Location:	The Westin Harbour Castle 1 Harbour Sq Toronto, ON M5J 1A6
Master Account:	500-8FNZU8K		
Sales Representative:	Azad Zerasvand	Conveyance Method:	Pickup
		Billing Method:	Master

	Ext. Price
Equipment Rental	\$9,870.00
HSIA - WiFi Services	\$220.00
Power	\$735.00
Operator Labour	\$855.00
Power Labour	\$190.00
Setup Charges	\$4,400.00
Subtotal	\$16,270.00
Service Charge	\$2,928.60
GST/HST Tax	\$2,495.82
Total Estimate	\$21,694.42

COMPLAINT 41

From: Nuredin Bulle <nbulle75@gmail.com>

Date: Tuesday, October 10, 2017 at 11:50 PM

To: "D. Taylor" <dtaylor@unitehere.org>, Gwen Mills <gmills@unitehere.org>, "mcasey@unitehere2.org" <mcasey@unitehere2.org>, Scott Cooper <scooper@unitehere.org>, "rmccracken@msh.law" <rmccracken@msh.law>, "svarela@msh.law" <svarela@msh.law>, Ian Robb <ian@irhere.ca>

Subject: Letter signed by Executive Board submitted to Lis Pimentel

Hello all,

Attached is a letter that was presented to Lis Pimentel at our recent Executive Board meeting held on October 5th.

Thanks,

Nuredin Bulle

Lis Pimentel
President
UNITE HERE Local 75

October 4, 2017

Dear Ms. Pimentel,

We, the majority of the democratically elected Executive Board and Officers of UNITE HERE Local 75, write to express our strong disagreement with your unilateral decision to move the General Membership Meeting from the Sheraton Centre to the Westin Harbour Castle in violation of our Local bylaws and democratic practices.

To remind you, two motions were recently passed in the two most recent Executive Board meetings (August 3rd and September 14th) which make clear that the Executive Board: a) decides the location of the meeting and b) decided that the GMM would be held at the Sheraton Centre. A further reminder, there was extensive discussion on the later motion at the September 14th Executive Board Meeting. A bench mark price of \$8,500 was established for the cost of the meeting based on the previous GMM meeting room costs at the Intercontinental Hotel on July 11th which has a capacity of 600 people. There was no mention of requiring a larger capacity.

In fact, upon a review of all communication between the Sheraton Centre and Local 75 Administrative Lead, Pedro Cristovao, it appears that there was a clear attempt by Mr. Cristovao, on your behalf, to inflate the price of the meeting space at the Sheraton Centre by requesting unnecessary items, which we believe was done so that the price would exceed the \$8,500 budget to avoid having the meeting at the Sheraton Centre. When it became evident that the intentional attempt to inflate the price by requesting unnecessary PSAV items (wired internet connection) surfaced, it was communicated to you and Mr. Cristovao that without unnecessary items, the price of the Sheraton Centre booking with all equipment was below our budget. When it became clear that the Sheraton Centre would have to be booked, suddenly a new criterion surfaced to, again, avoid having to book the Sheraton Centre. To our surprise, suddenly the 670-person capacity at the Sheraton Centre was no longer "sufficient" and we now suddenly required a 1000-person meeting space.

If there was in fact a genuine requirement for a room with a 1000-person capacity, which we have never required or recorded in the history of Local 75, then that ought to have been raised and discussed with the Executive Board as there was ample opportunity to raise it during the extensive discussion that was had at the Executive Board meeting on September 14th.

The evidence in our possession strongly suggests that there was a clear act to move the meeting from the Sheraton Centre to the Westin Harbour Castle, at any cost in order to promote your interests. In fact, the meeting space alone is \$12,800, and this does not even include the other items needed for the meeting to take place.

Your unilateral decision making is a gross violation of our democratic rights and our Local bylaws. Therefore, we, the undersigned, have decided the following:

1. Since the Executive Board did not approve the costs associated with your booking at the Westin Harbour Castle, we will not be authorizing any payments towards this unauthorized meeting.
2. We are protesting this unauthorized meeting and therefore will not be participating in this meeting as we consider it to be illegal.
3. Any motions, any votes (i.e. financial reports, minutes), any new business or any related activity that takes place on October 10th, 2017 at Westin Harbour Castle is unauthorized and therefore such items will have no legitimacy and no merit and shall not be implemented by Local 75.

4. If any attempt is made to implement any unauthorized motions, unauthorized business reports, unauthorized results of votes etc. as a result of the unauthorized meeting held on October 10th, 2017 at Westin Harbour Castle, then the Executive Board shall instruct the officers to take all necessary action to safeguard our union.
5. We have asked our International Union to investigate your misconduct around booking the Westin Harbour Castle as an additional violation of our democratic rights and our bylaws.


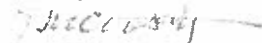
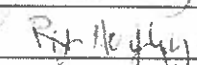







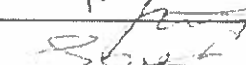



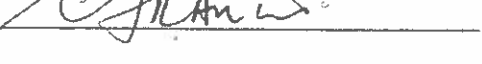


Sincerely,

The Majority of the UNITE HERE Local 75 Executive Board and Officers

CC: D. Taylor, General President, UNITE HERE
 Mike Casey, UNITE HERE
 Ian Robb, Canadian Director, UNITE HERE
 Rich McCracken
 Sarah Varela

Name

Signature

- | | |
|-----------------------|--|
| 1. MEDIAN-CHEBRE |  |
| 2. JULYAN CUNY |  |
| 3. RIK HOCKLEY |  |
| 4. Halsten Oghmichael |  |
| 5. Christine Smalling |  |
| 6. LLOYD MANNING |  |
| 7. IANNA SYZYANNA |  |
| 8. YOHANNES HABBE |  |
| 9. Abella Iliis |  |
| 10. Nigel Blair |  |
| 11. FRIANDE GUZMAN |  |
| 12. Nuria Belle |  |
| 13. SALLI HANNA |  |
| 14. Karyn Drummond |  |
| 15. Maria Richards |  |
| 16. Wendell Johnson |  |
| 17. Colin Francis |  |
| 18. _____ | _____ |
| 19. _____ | _____ |
| 20. _____ | _____ |

COMPLAINT 42

From: "D. Taylor" <dtaylor@unitehere.org>
Date: Wednesday, October 4, 2017 at 10:04 PM
To: Richard McCracken <rmccracken@msh.law>, Gwen Mills <gmills@unitehere.org>
Subject: Fwd: Supplement to Petition on bylaw interpretation (Evidence)

Sent from my iPhone

Begin forwarded message:

From: "Nuredin Bulle" <nbulle75@gmail.com>
To: "D. Taylor" <dtaylor@unitehere.org>
Cc: "mcasey@unitehere2.org" <mcasey@unitehere2.org>
Subject: Supplement to Petition on bylaw interpretation (Evidence)

Dear President Taylor,

We wish to provide you with a supplementary document to the petition we sent you dated September 5th asking you to interpret a Local 75 bylaw for us.

In that document as well as the supplementary document included with the petition we submitted, we outlined several cases of controversy between us and Local 75 President, Lis Pimentel. In the attached document, we provide our evidence for each of those cases of controversy.

We hope to receive your urgent and immediate attention to this matter.

Sincerely,

The majority Executive Board and Officers of Local 75

October 4, 2017

To: President D. Taylor

From: Majority of the Executive Board and Officers of Local 75

Re: Supplement to September 5, 2017 petition regarding mediation of General President of UNITE HERE, D. Taylor on interpretation of Local 75 Bylaw and September 26th Supplementary Document.

Dear President Taylor,

We wish to provide you with our evidence for the cases of controversy we referenced in our petition dated September 5, 2017.

Cases of controversy plus evidence:

1. **Case of Controversy:** Since October 2016 five staff members were hired without the approval and knowledge of the Executive Board or elected officers, Nuredin Bulle and Valrie Lue. Prior to October 2016 our practice was to have a majority vote of the Executive Board for all new hires, as per the guidance of the previous Supervisor to Local 75, Bill Lewis. For example, when Jennifer Chotalal, former Administrative Lead was hired in 2013, there was an Executive Board vote to hire her during which Bill Lewis was present.

Evidence: The minutes from our August 1, 2013 Executive Board Meeting demonstrate that prior to Ms. Chotalal being hired for Administrative Lead (Office Manager) a vote was held. Further to this, the below minutes also indicate that prior to Pedro Cristovao being moved from a part-time contract position to a full-time position, also required a vote of the Executive Board:

MINUTES OF THE UNITE HERE LOCAL 75 EXECUTIVE BOARD & SOLIDARITY
COMMITTEE, ON THURSDAY, August 1, 2013, HELD AT THE ONTARIO
FEDERATION OF LABOUR BUILDING, 15 GERVAS DRIVE

NEXT ORDER OF BUSINESS

Supervisor's Report

The Local's Supervisor, Brother Bill Lewis, provided an overview of the Local's financial situation, a short explanation of why a dues increase is necessary, and a proposal about minimum staffing levels for this year, which included the proposal to turn Brother Pedro Cristovao's contractor position into a full-time position with the Local and to hire a full-time Office Manager to oversee the business and administration of the Local.

Roll Call Vote.

In favour: Lisabeth Pimentel, Nuredin Bulle, Justin Brown, Filomena Canedo, Lyndie Hill, Bill Hockley, Linda Kammer, Cla Kodovinsky, Priscilla Nanyavara, Maria Richards, Jaska Stoyanova, John Timoteo

Opposed: Carlos Almeida, Kayann Drummond, Mathieu Ghebre, Sami Hanna, Andreia Henriques, Monica McKenzie, Halilom Ogoamunsel, Maria Stollen, John Sultana, Teferi Zemenes

Carried 12 Yes - 10 No.

NEXT ORDER OF BUSINESS

LUNCH

NEXT ORDER OF BUSINESS

Dues Campaign

Brother Richie Ross joined us from the International Union and helped us craft our message around the need for a dues increase. He presented a rough draft of a video and received feedback on it. The video was generally well received by all.

NEXT ORDER OF BUSINESS.

Motion to Adjourn

Moved by Brother John Sultana, seconded by Brother Sami Hanna. Carried (no opposition).

The meeting was adjourned at 3:40 pm.

- Case of Controversy:** Two IU grants to Local 75 were recently cut. On August 3, 2017, the Executive Board passed the following motion: "Any Local 75 expenditures associated with/or resulting from cuts to funding or grants to UNITE HERE Local 75 from the International Union must be approved by a majority vote of the Executive Board. For example, if the International Union cuts a grant to Local 75 for a staff person, then prior to Local 75 absorbing the cost of keeping that staff person, approval must be granted by a majority vote of the Executive Board. Please see Article IX, Section 5 (b) of the UNITE HERE Local 75 Bylaws." On this matter, the Executive Board simply asks, that before the Local absorb the cost of IU grant Cuts, the matter be voted upon by the Executive Board. Even though the above motion was passed, Lis Pimentel ignored the motion and Article IX, Section 5 (b) of the Local 75 bylaws by making the unilateral and undemocratic decision to have Local 75 absorb the cost of these grant cuts.

Evidence: Please see email exchange regarding grant cost absorption between Ms. Pimentel and Mr. Bulle. Ms. Pimentel's response to Ms. Bulle's email also highlights her interpretation of our bylaws.

----- Original message -----

From: Lis Pimentel <lpimentel@uniteherelocal75.org>

Date: 2017-08-21 11:48 AM (GMT-05:00)

To: Nuredin Bulle <nbulle@uniteherelocal75.org>

Cc: Michael Casey <mcasey@unitehere2.org>, Valrie Lue <vlue@uniteherelocal75.org>

Subject: Re: Clarification of Executive Board Motion (August 3rd, 2017)

Nuredin,

I would like to add one additional concern or clarification to those I expressed below. I am concerned about the impact on individuals and the Local if the motion is approved by the executive board and then reversed by the membership. For example, if the following happens:

- 1) The executive board votes, in this case, to reduce the staffing budget by approximately \$200,000.
- 2) We proceed to do that in between membership meetings, following the recommendation of the executive board. We lay off or terminate two employees - in this case probationary employees.
- 3) Then the membership reverses this decision.

Given the substantial impact of such a motion on individual staff and the local's ability to run its programs, it may cause a very significant disruption for both the individuals and the local if we were to act on this particular motion, then reverse it. For this reason, it is most responsible and least disruptive to make sure it is not reversed by a membership vote.

This is, for example, what we do when we ratify a staff collective agreement or salary levels for non-bargaining unit positions, to avoid the disruption of giving raises and then potentially finding that they are not approved and taking them away. We put it through the executive board, then the membership, then implement it.

Please do let me know if you have questions about this.

Sincerely,

Lis Pimentel

President

Unite Here Local 75

Sent from my iPhone

On Aug 20, 2017, at 10:30 PM, Lis Pimentel <lpimentel@uniteherelocal75.org> wrote:

Nuredin,

First, executive board motions do not become final until they are approved by the membership. Given the last membership meeting, there is no reason to assume the membership will approve the executive board's recent motions. If they are approved, then they will be implemented. If not, then they will not be.

With respect to "absorbing the cost" of the grants that have been cut, there are three things to consider:

One is that the cost is already approved in our budget, which was approved by the membership.

The second is that you suggested at the last executive board meeting that we should look at this more closely at the next meeting, rather than voting on the implementation of layoffs at the last meeting.

The third is that under our CBA, there are three main ways to reduce the size of the staff - termination of probationary employees within the probationary period, layoffs by seniority, or termination for just cause.

For your information, the people who were on grants are not the least senior, nor are they probationary, so they are not the ones who will be cut if the membership approves cuts. Therefore they will continue to be paid.

I remind you that you have already been provided with a legal opinion about the fact that the responsibility of directing, assigning, hiring, firing and disciplining of staff rests with my role.

I trust this answers your question.

Sincerely,

Lis Pimentel

President

Unite Here Local 75

Sent from my iPhone

On Aug 20, 2017, at 7:46 PM, nbulle <nbulle@uniteherelocal75.org> wrote:

Hi Lis,

During the August 3, 2017, Executive Board meeting, the following motion was passed: "Any Local 75 expenditures associated with/or resulting from cuts to funding or grants to UNITE HERE Local 75 from the International Union must be approved by a majority vote of the Executive Board. For example, if the International Union cuts a grant to Local 75 for a staff person, then prior to Local 75 absorbing the cost of keeping that staff person, approval must be granted by a majority vote of the Executive Board. Please see Article IX, Section 5 (b) of the UNITE HERE Local 75 Bylaws."

However, the Local has continued to pay some individuals who had their IU grants cut, even though this motion stipulates that any Local 75 expenditure that arises from cuts to IU funding or grants must be approved or recommended by a majority vote of the Executive Board. To my knowledge, no such approval was sought or granted. Who is responsible for the unauthorized payments to keep these individuals without appropriate approvals? I am concerned about this matter. Please respond to me in writing.

Thanks,

Nuredin

- 3. Case of Controversy:** Lis Pimentel booked a meeting room at the Intercontinental Hotel (not a Local 75 property) at a cost of \$8,500+ as the location for the July 11, 2017 General Membership Meeting. We have never booked a General Membership Meeting at this location prior to July 11th nor have we spent this amount of money to a book space for a General Membership Meeting prior to this meeting, and therefore it is not a routine expense. Prior to booking the room, Lis Pimentel should have brought this non-routine expense to the Executive Board for recommendation, she did not. On this matter, Lis Pimentel, clearly interprets the bylaws as her not requiring the recommendation of the Executive Board, we clearly disagree.

Evidence: Below is a copy of the receipt for the room and equipment rental for the July 11, 2017 GMM.

banquet Check

Order # 172251
 Check # 1051
 P. Or 122548

Event Date: 7/11/2011
 Contact: Mr. Pedro Costas
 Phone: 416-384-0983 Ext: 311
 Fax:
 On-Site: Mr. Pedro Costas
 Phone: 416-384-0983 Ext: 311

Room	Qty	Actual
The Ballroom:		
	PRICE	SUBTOTAL
MTG	4,000.00	4,000.00
TOTAL		4,000.00
Administrative Fee %	18.00	720.00
Tax %	13.00	613.60
		5,333.60

Grand Total: 5,333.60
 Balance Due: 5,333.60



4. An invoice dated July 31, 2017 from Toronto-based law firm Koskie Minsky to the Attention of Ms. Lis Pimentel and Mr. Jorge Hurtado indicates that Koskie Minsky invoiced UNITE HERE Local 75 in the amount of \$1,017 for services rendered to Ms. Pimentel as her representative in reviewing various emails between Ms. Pimentel and UNITE HERE International Union Director of Operations, Scott Cooper. Since this was a non-routine expense, it should have been brought to the Executive Board for their recommendation. It was not.

Evidence: Below is the receipt from Koskie Minsky referenced above:

PLEASE PRINT
BUSINESS RECEIPT
WITH PROPER RECEIPT NO.

KOSKIE MINSKY

26 Queen Street West
Suite 950, Box 52
Toronto, ON M5H 3R3

in Account with

UNITE HERE Local 20
15 Gervais Drive
Suite 310
Toronto, ON M4C 1Y8

July 21, 2017

REGISTRATION NO. 100093757

39374

Attention: Ms. Lisa Pimentel and Mr. Jorge Hurtado

Re: Investigation by International Office
Our File No: 171020

TO PROFESSIONAL SERVICES RENDERED with respect to the above matter during the
period from May 16, 2017 to July 31, 2017 including receiving and reviewing all relevant facts,
circumstances and documents and generally advising in connection with the same from time to
time.

May 16, 2017	discussion with L. Pimentel, review various Pimentel/Cooper emails;	RNL	6
May 17, 2017	meet with L. Pimentel, attend interview with W. Scott;	RNL	2.0
Jun 1, 2017	email exchange with L. Pimentel, all other telephone conversations, correspondence, consultations and generally attending to matters herein	RNL	3

Lawyer	Initials	Hours	Rate	Total
Ron Lebl	R/L	h:m	\$25.00	1,815.00

Total Time
 Less Courtesy Fee Reduction
OUR FEE IN ALL for the above services

TAXES
 HST on \$900.00 Fees 117.00

Total Taxes (Registration # 100093757 RT)

\$117.00

KOSKIE MINSKY

Balance Forward	\$0.00
Legal Fees	1,815.00
Taxes	117.00
TOTAL DUES AND CHARGES	2,117.00
BALANCE DUE AND OWING	\$2,117.00

THIS IS OUR ACCOUNT HEREIN
KOSKIE MINSKY LLP

Ron Lebl
Ron Lebl
Partner

5. An invoice dated July 24, 2017 from Toronto-based law firm Koskie Minsky to the Attention of Ms. Lis Pimentel indicates that Koskie Minsky invoiced UNITE HERE Local 75 in the amount of \$2,034 for services rendered to Ms. Pimentel in connection to a July 11, 2017 General Membership Meeting. The expenditures of \$2,034 were not brought to the executive board, nor were these expenditures authorized or approved. In fact, the invoice indicates that Local 75 was charged \$824 plus tax for scrutineers and assisting during the membership meeting, when Ms. Pimentel had indicated, prior to the meeting, that all scrutineers were volunteers and did not disclose Koskie Minsky's involvement during the meeting. These non-routine expenditures were not brought to the Executive Board for their recommendation, as they should have been.

Evidence: Below is the receipt from Koskie Minsky referenced above:

PLEASE RETURN
DUPLICATE STATEMENT
WITH YOUR REMITTANCE

**KOSKIE
MINSKY**

30 Queen Street West
Suite 900, Box 52
Toronto, ON M5H 3R3

Account with:
UNITE HERE Local 75
15 Gerrard Drive
Suite 310
Toronto, ON M3C 1Y6

July 24, 2017
REGISTRATION NO. 106893757 RT
39334

Attention: Ms. Lis Pimentel

Re: Opinion re Local Meeting
Our File No: 171257

TO PROFESSIONAL SERVICES RENDERED with respect to the above matter during the period from June 30, 2017 to July 24, 2017 including reviewing and reviewing all relevant facts, circumstances and documents and generally advising in connection with the same from time to time:

Jun. 30, 2017	met with L. Pimentel	RNL	2.0
Jul 8, 2017	reviewing draft motions for membership meeting; discussions with L. Pimentel	RNL	.4
Jul 9, 2017	drafting and preparing of our legal opinion	RNL	2.5
Jul 11, 2017	assisting at UNITE HERE Local 75 membership meeting	ASR	2.7
Jul 11, 2017	Scrutineering at members' meeting; all other telephone conversations, correspondence, consultations and generally attending to matters herein	ASH	4.3

Lawyer	Initials	Hours	Rate	Total
Ron Lebl	RNL	4.9	475.00	2,082.50
Alex Hamburger	ASH	4.3	120.00	516.00
Amani Raulf	ASR	2.7	120.00	324.00

Total Time \$2,922.50
Less Courtesy Fee Reduction -81,120.50
OUR FEE IN ALL for the above services \$1,800.00

TAXES
HST on \$1,800.00 Fees 234.00

Total Taxes (Registration # 106893757 RT) \$234.00

ANDERSON'S PRINTING has been selected to print this invoice on the name of the printer. All business transactions with Anderson's Print are subject to change. If the name of the printer or the printer's address changes, please refer to the printer's website for the most current information.

SUBTOTAL	
Total Fees	\$1,800.00
Total Disbursements	
Total Taxes	\$234.00
TOTAL DUE AND OWING	\$2,034.00
BALANCE DUE AND OWING	\$2,034.00

THIS IS OUR ACCOUNT HEREIN
KOSKIE MINSKY LLP

Ron Lebl
Ron Lebl
1-800-

6. Case of Controversy:

On August 3rd, 2017, the UNITE HERE Local 75 Executive Board passed the following motion:

“All future UNITE HERE Local 75 General Membership Meetings must be held at a UNITE HERE Local 75 organized property selected by a majority vote of the UNITE HERE Local 75 Executive Board unless such meetings are held at 25 Cecil Street, Toronto, ON (Steel Workers Hall). Please see Article III, Section 1 of the UNITE HERE Local 75 Bylaws.”

Further to this motion, on September 14th, 2017, the Local 75 Executive Board passed the following motion:

The October 10th, 2017 UNITE HERE Local 75 General Membership meeting will be held at the Sheraton Centre Hotel located at 123 Queen St. W, Toronto, Ontario M5H 2M9 at 5:00 p.m. as long as the cost is equal to or less than the cost of the last Local 75 General Membership meeting held at the Intercontinental Hotel. That cost was approximately \$8,500. If the cost was going to exceed then it would be put up for bid in other Local 75 hotels.

In violation of both motions Lis Pimentel, unilaterally booked a meeting room for the October 10th Local 75 General Membership Meeting other than the Sheraton Centre at a cost of \$12,800 (room only) and has yet to book PSAV services, for which she was quoted an additional \$21,694.42. This was not discussed with nor recommended by the Executive Board.

*Update: The total cost for the room plus PSAV equipment is \$17,320.

Evidence: Below is a receipt for room rental and PSAV costs associated with holding the October 10th meeting at the Westin Harbour Castle.

Agreement between The Westin Harbour Castle, Toronto and Unite Here Local 75

Customer Unite Here Local 75 Lis Pimentel President 15 Gervais Dr Toronto, ON, M3C 1Y3 Canada Phone: 6475359431 Fax: Email: lpimentel@uniteherelocal75.org	Property The Westin Harbour Castle, Toronto Morgan Da Rocha Sales Manager 1 Harbour Sq Toronto, ON, M5J 1A8 Canada Phone: +1 416.994.5166 Fax: +1 416.994.5166 Email: morgan.darocha@westin.com
--	---

RE: Local 75 General Membership Meeting

This Agreement between Unite Here Local 75 ("Customer") and SGC Aquarius Toronto Hotel, Inc. d/b/a The Westin Harbour Castle, Toronto ("Hotel") is effective as of the date it is signed by Hotel ("Agreement Date")

Between now and Friday, September 22, 2017, unless both parties have agreed upon and fully executed this agreement, should another organization request the dates and be in a position to confirm immediately, we will advise you and you will have three (3) business days to confirm on a definite basis. If the agreement is not mutually executed by date noted above, the meeting space may be automatically released.

Event Dates: Tuesday, October 10, 2017 - Wednesday, October 11, 2017

Function Space/Schedule of Events:

This Agreement applies to the following events and function space

Date	Function Description	Start - End Time	Function Space	Set Up	# PPL	Room Rental
Tue, 10-Oct-2017	Meeting	3:00PM- 3:00PM	Metropolitan East/Centre	Theater Style	1,000	\$10,000.00
Total						\$10,000.00

Function Space Rental Fee: \$10,000.00 (excluding taxes and other charges). A service charge, currently 18% of the function space rental fee (plus all applicable taxes) will be added to the function space rental fee. *See schedule of events, if applicable.* A setup charge of \$1.50 per person will be charged per meeting room if classroom setup is required. #12,840

Assignment of Function Space: Hotel will provide Customer with Function Space in accordance with the schedule of events, based on the contracted number of people attending the event. Hotel may make reasonable substitutes to Function Space by notifying Customer.

Final Program: Customer agrees to provide its final program to Hotel no later than 15 days prior to Arrival Date. In the event that a final program is not submitted by this date, Customer agrees that Hotel may at its option release all or part of space held for Customer.

Banquet Event Orders: Hotel will provide Customer with Banquet Event Orders ("BEOs") that specify and confirm the specific details and terms and conditions for each event including, final menu selections, pricing, room set up and decor.

Food & Beverage: Due to licensing requirements and for quality control, all food and beverage served at Hotel must be supplied and prepared by Hotel. Menu prices will be confirmed on Banquet Event Orders (BEOs). A service charge, currently 18% of the total food and beverage revenue (plus all applicable taxes), will be added to all food and beverage charges. No other fees or charge, including administrative fees, set up fees, labor fees, or bartender or food station fees, is a tip, gratuity, or service charge for any employee.

Dispute Resolution: The parties will resolve any controversy, claim or dispute of any kind or description arising out of or relating to this Agreement through binding arbitration before one arbitrator conducted in accordance with the Rules of Arbitration of the International Chamber of Commerce or the Canadian Commercial Arbitration Centre. The arbitration will be held in the city where Hotel is located with all proceedings conducted in English. The law of the province where Hotel is located will be the governing law. The parties agree that the Arbitration Award will be enforceable in any court in any country or location having jurisdiction over a party against whom enforcement is sought. The prevailing party in any arbitration or court proceeding relating to this Agreement or enforcement of any arbitration award will be entitled to recover attorneys' fees and costs including expert witness and arbitration fees and pre and post judgment interest. Each party will be responsible for attorneys' fees and interest associated with the other party's efforts to collect monies owed under this Agreement.

Force Majeure: If acts of God or government authorities, natural disasters, or other emergencies beyond a party's reasonable control make it illegal or impossible for such party to perform its obligations under this Agreement, such party may terminate this Agreement upon written notice to the other party without liability.

Notice: Any notice required or permitted by the terms of this Agreement must be in writing.

Assignment: Customer may not assign or delegate its rights or duties under this Agreement without Hotel's prior approval.

Severability: If any provision of this Agreement is held to be invalid or unenforceable that provision will be eliminated or limited to the minimum extent possible, and the remainder of the Agreement will have full force and effect.


Waiver: If either party agrees to waive its right to enforce any term of this Agreement, it does not waive its right to enforce any other terms of this Agreement.

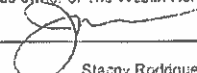
This Agreement constitutes the entire agreement between the parties, supersedes all other written and oral agreements between the parties concerning its subject matter, and may not be amended except by a writing signed by Hotel and Customer.

ACCEPTED AND AGREED TO:

United Here Local 75

SCG Aquarius Toronto Hotel, Inc., as general partner of SWA Toronto L.P., a Manitoba limited partnership as Owner of The Westin Harbour Castle Toronto By: Westin Hotel Management, L.P., a Delaware limited partnership; its Operator, as owner of The Westin Harbour Castle, Toronto

By 
Lis Pimentel
President

By 
Stacey Rodrigues
Director of Sales and Marketing

Date 9/22/17

Date SEPT 22, 2017

Award of Benefits to Group: Certain benefits awarded through the Starwood Preferred Guest program ("SPG"), including Starpoints and eligible nights (collectively, "Benefits"), are available for business contracted through the sales and catering departments of participating Starwood hotels. Group acknowledges that such Benefits have been offered in connection with this Agreement, and Group consents to the awarding of Benefits to the individual(s) listed below (each a "Group Recipient"). Once Group has departed the Hotel's facilities and full payment is received by Hotel, Benefits will be awarded in accordance with the SPG terms and conditions http://www.starwoodhotels.com/preferredguest/eaal/spg_terms.html (the "SPG T&Cs").

Group Recipients:

Member Name	Starwood Preferred Guest Membership Number
1.	
2.	

Each Group Recipient will earn (a) an amount of Starpoints based on (i) his or her status in SPG and (ii) the total amount of eligible event charges that are paid for the Event ("Event Charges") divided by the number of Group Recipients and (b) an amount of eligible nights based on the total number of guest rooms paid for under this Agreement ("Paid Rooms") divided by the number of Group Recipients, in each case, subject to the SPG T&Cs.

Customer Initials: LAP Hotel Initials: SR



2440 TEDLO STREET
 MISSISSAUGA, ONTARIO
 L5A 3V3
 905-201-6000
 (888) AV-RENT8
 (887-3687)

Proposal # R1772045-1
 UNITE HERE LOCAL 78
 16 GERRARD DR. SUITE 300
 TORONTO, ON, CANADA
 M5C 1Y8

Equipment

Qty	Description	Duration	
AUDIO EQUIPMENT			
1	ALLEN & HEATH QU 16 CHANNEL DIGITAL MIXING CONSOLE	1.00 D	
1	QU 16 CH AUDIO SYSTEM ACC. C/W 16-50' MIC CABLE	1.00 D	
2	SHURE SMS8 MICROPHONE C/W DESK STAND	1.00 D	
2	SHURE SMS8 MICROPHONE C/W FLOOR STAND	1.00 D	
1	SHURE SHURE W/LECTERN MICROPHONE WX412	1.00 D	
2	JBL EQN S15 SELF-POWERED SPEAKER	1.00 D	
1	TRIPOD SPEAKER STAND	1.00 D	
	Sub total		1,110.00
	Discount		(1,368.50)
	Total		721.50
STAGING EQUIPMENT			
	COMPLIMENTARY DRAPE LINE		
	VENUE TO PROVIDE STAGE		
	VENUE TO PROVIDE PODIUM		
Total Equipment			2,800.00

Labour

Qty	Task(s)	Speciality(s)	Duration
Tue 10 Oct 2017			
12:00 to 13:00	1 SETUP/OPERATE	LEAD AUDIO	7.00 Hour(s)
12:00 to 16:00	3 SETUP	GENERAL AUDIOVISUAL	4.00 Hour(s)
Total Labour			1,400.00

Total 4,000.00
 GST/NET 520.00
 PST 0.00

Your current payment terms are: **ADVANCE 100%**. Grand Total CAD **4,520.00**

Print & Signature: LIGABETH PIMENTEL, Pimentel

Date: 9/30/17

Please remit payment to: 2440 TEDLO STREET
 MISSISSAUGA, ON
 L5A 3V3

COMPLAINT 43

From: Andrea Henry <andrea_online@hotmail.com>
Date: Thursday, October 5, 2017 at 11:35 PM
To: "mcasey@unitehere2.org" <mcasey@unitehere2.org>
Cc: "lpimentel@uniteherelocal75.org" <lpimentel@uniteherelocal75.org>, Gwen Mills <gmills@unitehere.org>
Subject: Chelsea Hotel Downtown

Hello Mr. Casey,

I'm writing to let you know of my recent visit to Chelsea Hotel.

When last I spoke with you , you and I were in agreement to do what's best for the members and to unite all hotel workers in this upcoming bargaining season.

Our visit was marred by the rude reception we (Nathan and I) received from Abdullah and Medhin.

Abdullah said we were not welcomed and proceeded to argue and insult us when we came in good faith to talk to workers about the upcoming vote and rallies to stop the condo development downtown at Chelsea and Courtyard Marriott.

We were trying to inform workers that they need to be strong, and to join in the fight for better contracts and most importantly, stop the development of the condominiums that are scheduled to be built and the loss of jobs, and preparation for the future.

Medhin and Abdullah are not telling the workers the truth. They are telling them that there's nothing they can do and if it closes, it closes.

I sat with many members who felt that their contracts have not been enforced by their union reps...seniority, schedules, reprimanded, and there has not been proper union representation, information and structure by Nuredin and Mahen.

Why has this once strong leading hotel been reduced to almost anti-union.

The workers are confused, upset and neglected. I'm still in shock of being yelled at by Abdullah in the cafeteria when I approached him to work together, put politics aside and do what is best for the members.

How can you be a leader and not want what's in the best interest for your fellow brothers and sisters?

Where does this lead the International, local or members in our 2018 Bargaining?

They have turned the hotel upside down and seem to get favours from this.

Perhaps you should visit the workers and listen to their complaints. The Executive board

has voted not to pass the budget for resources to fight the condo development and that is outrageous! We are a Union that likes to win, aren't we still that Union?

In my 27 years at my Hotel, I have always wanted Hotel workers to win, secure their jobs and benefits. I couldn't imagine why they do not want to talk with us, join forces and put differences aside.

Lots of workers were in the dark about events concerning their hotel. They seem to have been influenced by negative talk about Lis, Jay and any other representatives sent to Chelsea.

Medhin has told me personally that Chelsea set the standard for all the Hotels and they don't need other outside help.

This is the wrong attitude to have and I know many other hotel workers, including myself went to march, picket and lend support to Chelsea in their bargaining over the years. They were not alone in the fight for worker's rights throughout the years.

I'm writing to tell you this because it saddened me so much to be berated in public by Medhin and Abdullah in front of other workers. This should not have happened, nevertheless we will continue to speak to workers, build back confidences and repair relations with those workers at Chelsea.

Please feel free to contact me if you have any questions. I felt you should be aware of what is really going on from the rank and file workers.

Thanking you for your time.

Sister Andrea Henry
Westin Prince Hotel
Chief Shop Steward-Local 75
UNITE HERE

Toronto, Canada
Sent from my ASUS

COMPLAINT 44

From: jayyerex6 <jayyerex6@gmail.com>
Date: Tuesday, October 10, 2017 at 11:17 PM
To: John McCaffrey <jmccaffrey@unitehere.org>, Gwen Mills <gmills@unitehere.org>
Cc: Mike Casey <mcasey@unitehere2.org>, Lis Pimentel <lpimentel@uniteherelocal75.org>
Subject: Inappropriate behavior of Shelli Sareen

This evening October 10th, 2017 I had several Local 75 members complain to me that Shelli Sareen was making them uncomfortable and recording them voting against their will.

I also observed Shelli recording me also as I exercised my democratic right to vote.

I discreetly approached Shelli to inform her of the concerns members were expressing as well as myself... Shelli responded by shouting loudly in an inappropriate manner not to harass her attempting to create a scene.

I then walked away without further comment.

Numerous staff and members have expressed concern regarding Shelli's inappropriate and unprofessional behaviour.

It is also clear under the constitution that meetings are not to be recorded, I also would like to know why Shelli was recording the meeting as an employee of the international union.

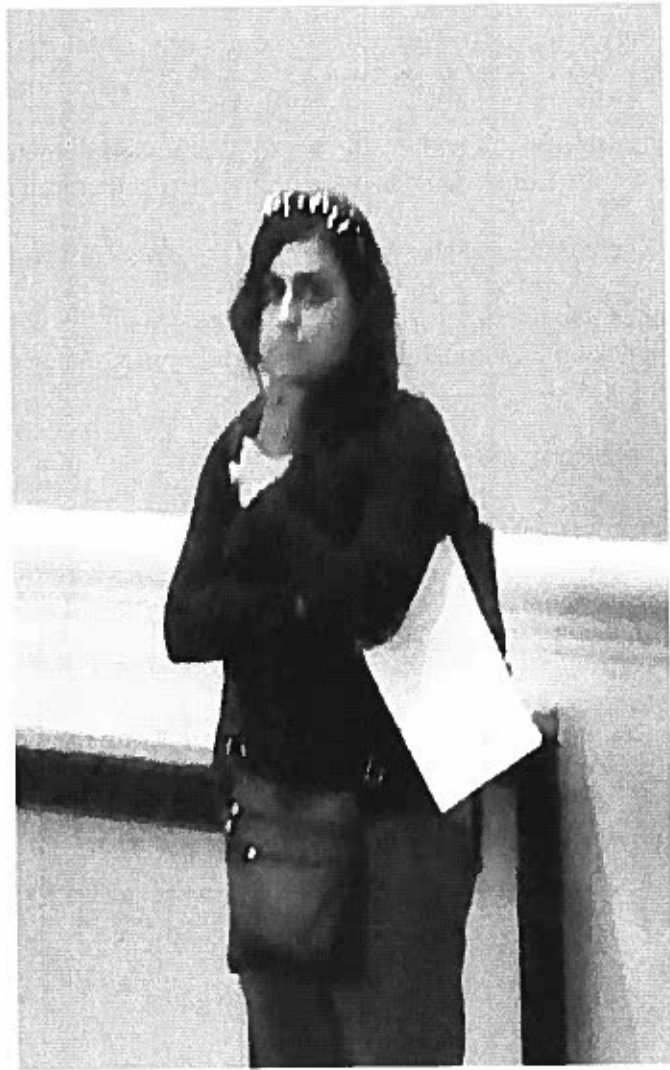
I would again hope that the international takes some action in order to cease the constant bullying and harassment of bargaining unit staff assigned to Canada.

I would appreciate a response by the end of the week or I will need to grieve this incident also.

Regards

Jay Yerex
UUHS

Sent from my Samsung Galaxy smartphone.



COMPLAINT 45

From: "Nuredin Bulle" <nbulle75@gmail.com>

To: "D. Taylor" <dtaylor@unitehere.org>

Subject: Re: Request for interpretation on contested Local 75 Meeting (October 10, 2017)

Hello Brother D.,

Please see correction on document from October 16th requesting your interpretation on the contested Local 75 Meeting held on October 10th. We inadvertently included Minutes of the July 11th meeting instead of the Agenda for the October 10th meeting in the previous version which has now been corrected.

Thanks,

Nuredin

On 16 October 2017 at 10:08, Nuredin Bulle <nbulle75@gmail.com> wrote:
Good morning Brother D,

A majority of the Local 75 Executive Board and Officers request your immediate attention on the attached document.

Thanks,

Nuredin and Valrie

Request for Interpretation of General President, D. Taylor Regarding Contested Local 75 Meeting

To: President, D. Taylor

From: Valrie Lue, Nuredin Bulle, and Majority of Local 75 Executive Board

Re: Another Major Violation of Democratic Practices of Our Local Regarding Unauthorized Membership Meeting Held on October 10th, 2017

Dear President D. Taylor,

We require your immediate attention at interpreting our bylaw violations on the Unauthorized October 10th Membership Meeting held by Lis Pimentel at Westin Harbour Castle Conference Centre. During this meeting, numerous motions were passed, illegally in our opinion. In fact, the motions were pre-prepared including all movers and seconders (**please see Appendix A**). We question whether this is even appropriate; we require your interpretation on this as well as your interpretation on several key matters:

1. The Local 75 Executive Board recently passed two motions regarding the location of the October 10th General Membership Meeting:
 - a. The Executive Board decides the location of the GMM, and;
 - b. Decided that the GMM would be held at the Sheraton Centre.

Ms. Pimentel alleged that she changed the meeting from the Sheraton Centre to the Westin Harbour Castle because she required a meeting room with a 1000-person capacity. However, Ms. Pimentel is fully aware that in the history of Local 75, we have never required or recorded a meeting space of that capacity. In fact, the meeting that she ran on October 10th did not have anywhere near 1000 attendees; in fact, there were less than 300 attendees.

Can President, Lis Pimentel, unilaterally change the location of the GMM without the approval of the Executive Board?

2. During the unauthorized meeting Lis Pimentel put forward a motion to disapprove of and reject six key motions passed by the Executive Board:
 - a. Moved: To **disapprove of and reject** the following Executive Board motion: "Motion to have the UNITE HERE International Union investigate: 1. The legality of how the UNITE HERE Local 75 Membership Meeting held on July 11, 2017, was conducted. UNITE HERE Local 75 to immediately release the video of the meeting to the International Union. 2. All expenditures associated with the UNITE HERE Local 75 General Membership Meeting held on July 11th, 2017, at the Intercontinental Hotel on Front Street, Toronto, On. Please refer to Article IX, Section 5 (b) of the Local 75 by-laws."

Can Lis Pimentel stop the investigation into the legality of the July 11th GMM by having the membership vote on that matter in an unauthorized meeting?

- b. Moved: To **disapprove of and reject** the following Executive Board motion: "Motion that all future UNITE HERE Local 75 General Membership Meetings must be held at a

UNITE HERE Local 75 organized property selected by a majority vote of the UNITE HERE Local 75 Executive Board unless such meetings are held at 25 Cecil Street, Toronto, ON (Steelworkers Hall). Please see Article III, Section 1, of the UNITE HERE Local 75 By-laws.”

Can Lis Pimentel, take to the membership:

- **an Executive Board motion that had passed, after violating it?**
- **Asking the membership to vote on it at an unauthorized meeting, after already having violated the motion?**

- c. Moved: To **disapprove of and reject** the following Executive Board motion: “Motion that the UNITE HERE Local 75 Executive Board must approve by a majority vote, the assignment (temporary or permanent) of any UNITE HERE staff from any UNITE HERE affiliate (including UNITE HERE Local 40) to Local 75.’ (Motion ruled out of order by the President).”

Can Lis Pimentel ask the membership, during an unauthorized meeting, to approve the reversal of an Executive Board motion that passed? On this motion, the concern of the Executive Board is the use of union funds to bring outside staff (Local 40) to attack a majority of the Executive Board who are opposing Lis Pimentel.

- d. Moved: To **disapprove of and reject** the following Executive Board motion: “Motion that any Local 75 expenditures with/or resulting from cuts to funding or grants to UNITE HERE Local 75 from the International Union must be approved by a majority vote of the Executive Board. For example, if the International Union cuts a grant to Local 75 for a staff person, then prior to Local 75 absorbing the cost of keeping that staff person, approval must be granted by a majority vote of the Executive Board. Please see Article IX, section 5 (b) of the UNITE HERE Local 75 by-laws.”

Can Lis Pimentel ask the membership, during an unauthorized meeting, to approve the reversal of an Executive Board motion that passed, given that our bylaws specifically note that the Executive Board must recommend all non-routine expenditures to the membership (not Lis Pimentel)?

- e. Moved: To **disapprove of and reject** the following Executive Board motion: The October 10th, 2017 Unite Here Local 75 General Membership meeting will be held at the Sheraton Centre Hotel located at 123 Queen St. W, Toronto, Ontario provided that the cost is the same or less than the July 11, 2017, meeting.”

After already violating an Executive Board motion that passed, can Lis Pimentel bring that violated motion to the membership to approve rejecting that motion?

- f. Moved: To **disapprove of and reject** the following Executive Board motion: “Motion to reinstate Brother Mahen Krishnamoorthy and assign him to the Chelsea Hotel.”

Can Lis Pimentel ask the membership, during an unauthorized meeting, to approve the reversal of an Executive Board motion that passed?

3. During the unauthorized meeting Lis Pimentel brought forward several motions to disempower the Executive Board, without first bringing such motions to the Executive Board. Several of these motions, you will notice, would result in huge expenditures to the Local, to be approved only by Ms. Pimentel (i.e. \$200,000 for LOA's, \$300,000 for "2018 fight", expenditures associated with placing IU staff on Local payroll).

Please see Motions (N, Q – DD); I'd like to comment on some of the specific motions:

- Motion (Q) Moved: To **disapprove of and reject** the positions taken by the Local 75 Secretary Treasurer and 13 (now 16) Executive Board members in their letter of October 4, 2017.

Can Lis Pimentel unilaterally overrule the majority Executive Board's decision? (See Appendix B)

- Motion (X) Moved: That Local 75 change its policy regarding payment of lost time for attendance at Executive Board meetings to compensate all members for lost time at the same rate, which shall be the Room Attendant wage rate at either the Hilton Downtown, the Sheraton Centre, or the Eaton Chelsea, whichever is highest (no lost gratuities)."

This is an unjustifiable attack on the Executive Board who built Local 75. They are only asking for their lost income, that we established they would be paid a long time ago, with the evidence of their lost gratuities. To further the division within the membership, Ms. Pimentel passed **Motion DD (iii)** which grants all lost time and lost gratuities be paid to Solidarity Committee (to be appointed by her).

"The membership approves the reinstatement of monthly Solidarity Committee meetings, one day a month, all lost time and lost gratuities to be paid from the Education Fund in accordance with past practice; Solidarity Committee to be appointed by the President in accordance with criteria that are clear and transparent to all."

- Motion (Z) Moved: "That Local 75 increase its current retainer with Koskie Minsky by \$50,000 to defend the Local and its President against the various complaints filed by members of the Executive Board and to deal with other general legal matters required by the Local, as authorized by the President. Noted that complaints made so far against the President have been found to be unsubstantiated."

To use the members' money to fight the membership leaders when their sole objective is to hold her accountable to the membership is unethical and unjustifiable.

4. During the unauthorized meeting, Ms. Pimentel brought motions that were rejected by the Executive Board and some of the minutes were flagged by the Executive Board as incorrect, however, Ms. Pimentel did not correct them (after saying she would) and still brought them uncorrected to the membership.
 - Motion B related to adopting the minutes of the July 11th GMM was voted by the Executive Board to be deferred. Additionally, her minutes contain numerous inaccuracies.
 - Motion J pertaining to approving the expenditure of \$2,000 for legal education costs was rejected by the Executive Board.
 - Motion L to appoint Susana Desillos to fill a vacant spot on the Executive Board was rejected.
 - Motion M to appoint Andrea Henry to fill a vacant spot on the Executive Board was rejected.
 - Motion O pertaining to the President's appointment of Local 75 delegates to the OFL Convention was rejected.

This document clearly demonstrates a desire by Ms. Pimentel to silence and disempower the Executive Board so that she can run the organization as though she owns it. At this meeting, Ms. Pimentel passed a budget of over \$1 million in new expenditures without the approval of the Executive Board. In short, we are asking for your interpretation on the following items:

- Can Lis Pimentel, unilaterally change the location of the GMM without the approval of the Executive Board and without discussion with the Elected Officers?
- Can a Parliamentarian, who is not a member of Local 75 run our meetings?
- Can Lis Pimentel take to the membership new expenditures for approval that have been rejected by the Executive Board?
- Can Lis Pimentel bring motions to the membership without first taking them to the Executive Board:
 - a) on governance issues; and
 - b) on new expenditures/finances

Appendix A: Contested October 10th Meeting Agenda

UNITE HERE Local 75 Membership Meeting
October 10, 2017, 5pm
Westin Harbour Castle Conference Centre, 11 Bay Street

Agenda

- 1) Call to order/roll call
- 2) Rules for the meeting: Parliamentary (Brother Brock Commeford)
- 3) MOVED: To adopt agenda as printed.
- 4) President's Report (Sister Lis Pimentel)
- 5) Secretary Treasurer's Report (Brother Nuredin Bulle)
- 6) Regular business as of October 10, 2017, Membership Meeting
 - a. MOVED: To approve the minutes of the Executive Board Meeting held on July 6, 2017. Moved by Brother John Timoteo, seconded by Sister Josefina Palermo-Lee.
 - b. MOVED: To approve the minutes of the General Membership Meeting held on July 11, 2017. Moved by Brother Abu Azam, seconded by Brother Kiran Panikar.
 - c. MOVED: To approve the minutes of the Executive Board Meeting held on August 3, 2017. Moved by Sister Myrna Stoller, seconded by Sister Grace Guanzon.
 - d. MOVED: To approve the minutes of the Executive Board Meeting of September 14, 2017. Moved by Brother John Timoteo, seconded by Sister Josefina Palermo-Lee.
 - e. MOVED: To approve the June 2017 financial reports and all transactions reported therein. Moved by Brother Abu Azam, seconded by Brother Kiran Panikar.
 - f. MOVED: To approve the July 2017 financial reports and all transactions reported therein. Moved by Sister Myrna Stoller, seconded by Sister Grace Guanzon.
 - g. MOVED: To approve the August 2017 financial reports and all transactions reported therein. Moved by Brother John Timoteo, seconded by Sister Josefina Palermo-Lee.

- h. MOVED: To accept the 2016 audited financial reports. Moved by Brother Abu Azam, seconded by Brother Kiran Panikar.
- i. MOVED: To accept the Budget Progress Report, January – July 2017. Moved by Sister Myrna Stoller, seconded by Sister Grace Guanson.
- j. MOVED: To approve the expenditure of \$2,000 from the General Fund to sponsor the translation cost for the Canadian Association of Labour Lawyers Conference hosting Cuban lawyers, September 14-15, 2017 (legal education cost). Moved by Brother John Timoteo, seconded by Sister Josefina Palermo-Lee.
- k. MOVED: To approve sending up to 2 organizers, researchers, and/or health and welfare/pension trustees to the SHARE pension basics course, registration cost of \$675 per person from the General Fund. Moved by Brother Abu Azam, seconded by Brother Kiran Panikar.
- l. MOVED: To approve the President's appointment of Susana Desillos to fill the vacant position as a UNITE HERE Local 75 Trustee. Moved by Brother Abu Azam, seconded by Sister Bobbie Redden.
- m. MOVED: To approve the President's appointment of Andrea Henry to fill the vacant position on the UNITE HERE Local 75 Executive Board. Moved by Brother Chris Koehler, seconded by Brother Kumsa Baker.
- n. MOVED: To approve the additional expense associated with adding a combined maximum benefit of \$7,000 annually for all paramedical disciplines, currently a cost of \$22.64 per person per month (\$271.68 per person per year), for UNITE HERE Local 75 staff, subject to the approval of our staff union, COPE 343. This improvement brings Local 75's benefit coverage to parity with UNITE HERE International Union's coverage for its staff. Moved by Brother Abu Azam, seconded by Sister Myrna Stoller.
- o. MOVED: to approve the President's appointment of the following as UNITE HERE Local 75's 11 delegates to the Ontario Federation of Labour Convention, November 2017:

Delegates:

Lis Pimentel (by virtue of office)
 Nuredin Eulle (by virtue of office)
 Valrie Lue
 Kumsa Baker
 Nigel Blair
 Malka Paracha

Lei Eigo
Rafunzel Korngut
David Sanders
Abu Azam
Suleman Basharat

Alternates:

Kenan Hamit
Abdalla Idris
Josefina Palermo-Lee
David Anderson

Registration fees, lost time and food/expenses for members to be paid from the Education Fund for members; all other costs from the General Fund.

Moved by Sister Andrea Henry, seconded by Sister Myrna Stoller.

- p. Motions to disapprove of and reject the following motions passed by the Executive Board (including those motions properly ruled out of order):
- i. MOVED: To disapprove of and reject the following Executive Board motion: "Motion to have the UNITE HERE International Union investigate:
1. The legality of how the UNITE HERE Local 75 Membership Meeting held on July 11, 2017, was conducted. UNITE HERE Local 75 to immediately release the video of the meeting to the International Union. 2. All expenditures associated with the UNITE HERE Local 75 General Membership Meeting held on July 11th, 2017, at the Intercontinental Hotel on Front Street, Toronto, ON. Please refer to Article IX, Section 5 (b) of the Local 75 by-laws."

Moved by Sister Andrea Henry, seconded by Sister Josefina Palermo-Lee.
 - ii. MOVED: To disapprove of and reject the following Executive Board motion: "Motion that all future UNITE HERE Local 75 General Membership Meetings must be held at a UNITE HERE Local 75 organized property selected by a majority vote of the UNITE HERE Local 75 Executive Board unless such meetings are held at 25 Cecil Street, Toronto, ON (Steelworkers Hall). Please see Article III, Section 1 of the UNITE HERE Local 75 By-laws."

Moved by Brother Chris Koehler, seconded by Brother Abu Azam.

- iii. MOVED: To disapprove of and reject the following Executive Board motion: "Motion that the UNITE HERE Local 75 Executive Board must approve by a majority vote, the assignment (temporary or permanent) of any UNITE HERE Staff from any UNITE HERE affiliate (including UNITE HERE Local 40) to Local 75." (Motion ruled out of order by the President)

Moved by Brother John Timoteo, seconded by Sister Andrea Henry.

- iv. MOVED: To disapprove of and reject the following Executive Board motion: "Motion that any Local 75 expenditures with/or resulting from cuts to funding or grants to UNITE HERE Local 75 from the International Union must be approved by a majority vote of the Executive Board. For example, if the International Union cuts a grant to Local 75 for a staff person, then prior to Local 75 absorbing the cost of keeping that staff person, approval must be granted by a majority vote of the Executive Board. Please see Article IX, section 5 (b) of the UNITE HERE Local 75 by-laws."

Moved by Brother Suleman Basharat, seconded by Sister Grace Guanzon.

- v. MOVED: To disapprove of and reject of and reject the following Executive Board motion: "Motion to have the October 10, 2017, UNITE HERE Local 75 General Membership Meeting to be held at the Sheraton Centre Hotel, located at 123 Queen Street West, Toronto, Ontario, provided that the cost is the same or less than the July 11, 2017, meeting."

Moved by Brother Abu Adam, seconded by Sister Myrna Stoller.

- vi. MOVED: To disapprove of and reject the following Executive Board motion: "Motion to reinstate Brother Mahen Krishnamoorthy and assign him to the Chelsea Hotel." (Motion ruled out of order by the President)

Moved by Sister Josefina Palermo-Lee, seconded by Brother John Timoteo.

- q. MOVED: To disapprove of and reject the positions taken by the Local 75 Secretary Treasurer and 13 Executive Board members in their letter of October 4, 2017.

Moved by Sister Andrea Henry, seconded by Sister Lei Eigo.

- r. MOVED: To endorse the actions taken by Local 75's President in arranging for the location and cost of this General Membership Meeting and to affirm the

legitimacy and legality of this Meeting and of decisions made by the members at this Meeting, even if a number of Executive Board members disapprove of the location or cost of the Meeting and consider this Meeting to be unauthorized or illegal.

Moved by Brother John Timoteo, seconded by Sister Josefina Palermo-Lee.

- s. MOVED: To direct the Secretary Treasurer to pay all expenses mandated by the membership, including all routine expenditures as defined by the UNITE HERE Local 75 Fund Guidelines, as well as all other expenditures authorized by the membership through motions adopted at this General Membership Meeting.

Moved by Brother Abu Azam, seconded by Brother Kiran Panikar.

- t. MOVED: That the membership approves all expenses, including legal bills, associated with the General Membership Meeting of July 11, 2017, held at the Intercontinental Hotel, and directs UNITE HERE Local 75 and its officers to pay any and all outstanding associated bills immediately.

Moved by Brother Abu Azam, seconded by Brother Kiran Panikar.

- u. MOVED: That all expenses associated with this General Membership Meeting and future General Membership Meetings are considered routine and will be paid by UNITE HERE Local 75.

Moved by Brother Abu Azam, seconded by Brother Kiran Panikar.

- v. MOVED: That the location of future membership meetings will be determined in accordance with the following guidelines:

- Neutral downtown spaces, accessible by transit, will be given preference
- Unionized locations will be given preference
- The Local will continue its practice of pursuing a minimum of three bids from three locations for future membership meetings, in accordance with Article 25, Section 2(b) (Financial Practices) of the UNITE HERE International Constitution regarding major contracts.

Moved by Brother John Timoteo, seconded by Sister Josefina Palermo-Lee.

- w. MOVED: To affirm the UNITE HERE Local 75 Fund Guidelines, as adopted by the Local 75 Executive Board on June 5, 2014, and the Local 75 General Membership

on October 14, 2014, and amended by the Executive Board on March 3, 2016, and the Local 75 General Membership on April 12, 2016.

Moved by Sister Josefina Palermo Lee, seconded by Sister Bobbie Redden

- x. MOVED: That Local 75 change its policy regarding payment of lost time for attendance at Executive Board meetings to compensate all members for lost time at the same rate, which shall be the Room Attendant wage rate at either the Hilton Downtown, the Sheraton Centre, or the Eaton Chelsea, whichever is highest (no lost gratuities).

Moved by Sister Andrea Henry, seconded by Thillaiyannan Tillainathan ("Nathan").

- y. MOVED: That, in the interests of transparency and openness, Solidarity Committee members are permitted to attend Executive Board meetings, restoring the past practice.

Moved by Brother Suleman Basharat, seconded by Sister Bobbie Redden.

- z. MOVED: That Local 75 increase its current retainer with Koskie Minsky by \$50,000 to defend the Local and its President against the various complaints filed by members of the Executive Board and to deal with other general legal matters required by the Local, as authorized by the President. Noted that the complaints made so far against the President or others have been found to be unsubstantiated.

Moved by Brother John Timoteo, seconded by Brother Abu Azam.

- aa. MOVED: That Local 75 increase its retainer with Aird Berlis by \$25,000 to represent our members' interests with respect to hotel conversion to condominiums, including but not limited to the conversions occurring at the Eaton Chelsea and the Courtyard by Marriott.

Moved by Brother Louie Nacarrato, seconded by Sister Josefina Palermo-Lee.

- bb. MOVED: That the membership is entitled to a high degree of accountability by UNITE HERE Local 75 staff as follows:

- i. Every member deserves to have their grievances tracked and handled in a timely manner
- ii. Every member deserves to have their inquiries answered in a timely manner

- iii. Every member deserves to have their collective agreements printed in a timely manner
- iv. Every member deserves to have their union representative visit their property on a regular basis

Moved by Sister Aida Habon, seconded by Brother Chris Koehler.

- cc. MOVED: That the membership recommends that the President develop a policy of greater accountability for staff, including the weekly reporting of work completed and regular and specific reporting on the servicing and organizing work that Organizers perform.

Moved by Sister Aida Habon, seconded by Brother Chris Koehler.

dd. 2018 Preparations

WHEREAS Local 75 is committed to making sure that no food service workers are left behind and that all achieve the standard set by Aramark workers earlier this year; and

WHEREAS Local 75 has already begun its bargaining with the Fairmont Royal York, the Local's largest hotel employer; and

WHEREAS more than forty other properties begin bargaining in 2018; and

WHEREAS the union is preparing to face significantly larger corporations in this round of bargaining, due to the acquisition of Starwood by Marriott, as well as the acquisition of Fairmont by Accor; and

WHEREAS we are allied with all the other major UNITE HERE cities that are bargaining together across North America in 2018; and

WHEREAS we are committed to continuing to organize new members to join UNITE HERE and achieve the UNITE HERE standard; and

WHEREAS we have significant opportunities to increase the power of hospitality workers in our city, across Canada and across North America through this next round of bargaining; and

WHEREAS the passage of Bill 148 will present significant organizing opportunities for UNITE HERE to grow and thrive in Ontario; and

WHEREAS we face significant threats to hospitality workers' power due to the conversion of hotels to condominiums, as well as the growth of Airbnb and similar platforms:

Whereas's moved by Brother Suleman Easharat, seconded by Sister Lei Eigo

THEREFORE BE IT RESOLVED that:

- i. Staff and visitors from other cities may visit and assist Local 75 at the President's discretion in order to build solidarity among the cities in this fight

Moved by Brother Stefan Sandu, seconded by Sister Myrna Stoller.

- ii. The membership approves the expenditure of up to \$200,000 from the Education Fund, to support training opportunities for rank-and-file members, including Leave of Absence organizing, at the discretion of the President

Moved by Sister Bobbie Redden, seconded by Sister Myrna Stoller.

- iii. The membership approves the reinstatement of monthly Solidarity Committee meetings, one day a month, all lost time and lost gratuities to be paid from the Education Fund in accordance with past practice; Solidarity Committee to be appointed by the President in accordance with criteria that are clear and transparent to all.

Moved by Sister Bobbie Redden, seconded by Sister Grace Guanzon.

- iv. The membership approves the additional expenditure of up to \$300,000 from the General Fund reserves to fund any aspect of the upcoming 2018 fight, including organizing, research, campaigning, political work, etc.

Moved by Brother Abu Azam, seconded by Sister Myrna Stoller.

- v. In the interests of flexibility and being able to assign Organizers where they are needed, the membership approves moving any and all International Union organizers assigned to Local 75 to the Local 75 payroll at the President's discretion; the salary and benefits of bargaining unit employees will be set by the COPE 343 collective agreement; the salary of non-bargaining unit employees will be the same as their current salary with the International Union and benefits will be the same as provided for other non-bargaining unit employees of the Local.

Moved by Brother John Timoteo, seconded Sister Andrea Henry.

- 7) New Business (please bring any motions from the floor up to the Parliamentarian)
- 8) Motion to Adjourn

Appendix B: Letter from Executive Board to Lis Pimentel that she moved to disapprove of and reject at unauthorized meeting on October 10, 2017

Lis Pimentel
President
UNITE HERE Local 75

October 4, 2017

Dear Ms. Pimentel,

We, the majority of the democratically elected Executive Board and Officers of UNITE HERE Local 75, write to express our strong disagreement with your unilateral decision to move the General Membership Meeting from the Sheraton Centre to the Westin Harbour Castle in violation of our Local bylaws and democratic practices.

To remind you, two motions were recently passed in the two most recent Executive Board meetings (August 3rd and September 14th) which make clear that the Executive Board: a) decides the location of the meeting and b) decided that the GMM would be held at the Sheraton Centre. A further reminder, there was extensive discussion on the later motion at the September 14th Executive Board Meeting. A bench mark price of \$8,500 was established for the cost of the meeting based on the previous GMM meeting room costs at the Intercontinental Hotel on July 11th which has a capacity of 600 people. There was no mention of requiring a larger capacity.

In fact, upon a review of all communication between the Sheraton Centre and Local 75 Administrative Lead, Pedro Cristovao, it appears that there was a clear attempt by Mr. Cristovao, on your behalf, to inflate the price of the meeting space at the Sheraton Centre by requesting unnecessary items, which we believe was done so that the price would exceed the \$8,500 budget to avoid having the meeting at the Sheraton Centre. When it became evident that the intentional attempt to inflate the price by requesting unnecessary PSAV items (wired internet connection) surfaced, it was communicated to you and Mr. Cristovao that without unnecessary items, the price of the Sheraton Centre booking with all equipment was below our budget. When it became clear that the Sheraton Centre would have to be booked, suddenly a new criterion surfaced to, again, avoid having to book the Sheraton Centre. To our surprise, suddenly the 670-person capacity at the Sheraton Centre was no longer "sufficient" and we now suddenly required a 1000-person meeting space.

If there was in fact a genuine requirement for a room with a 1000-person capacity, which we have never required or recorded in the history of Local 75, then that ought to have been raised and discussed with the Executive Board as there was ample opportunity to raise it during the extensive discussion that was had at the Executive Board meeting on September 14th.

The evidence in our possession strongly suggests that there was a clear act to move the meeting from the Sheraton Centre to the Westin Harbour Castle, at any cost in order to promote your interests. In fact, the meeting space alone is \$12,800, and this does not even include the other items needed for the meeting to take place.

Your unilateral decision making is a gross violation of our democratic rights and our Local bylaws. Therefore, we, the undersigned, have decided the following:

1. Since the Executive Board did not approve the costs associated with your booking at the Westin Harbour Castle, we will not be authorizing any payments towards this unauthorized meeting.
2. We are protesting this unauthorized meeting and therefore will not be participating in this meeting as we consider it to be illegal.
3. Any motions, any votes (i.e. financial reports, minutes), any new business or any related activity that takes place on October 10th, 2017 at Westin Harbour Castle is unauthorized and therefore such items will have no legitimacy and no merit and shall not be implemented by Local 75.

4. If any attempt is made to implement any unauthorized motions, unauthorized business reports, unauthorized results of votes etc. as a result of the unauthorized meeting held on October 10th, 2017 at Westin Harbour Castle, then the Executive Board shall instruct the officers to take all necessary action to safeguard our union.
5. We have asked our International Union to investigate your misconduct around booking the Westin Harbour Castle as an additional violation of our democratic rights and our bylaws.

Sincerely,

The Majority of the UNITE HERE Local 75 Executive Board and Officers

CC: D. Taylor, General President, UNITE HERE
 Mike Casey, UNITE HERE
 Ian Robb, Canadian Director, UNITE HERE
 Rich McCracken
 Sarah Varela

Name	Signature
1. MEDINA CHERIE	
2. TOLLYN QUADRY	
3. RIL HARTLEY	
4. Habtemichael	
5. Christine Smalling	
6. LLOYD MANNING	
7. IANKA SUTYANITA	
8. YONNICK'S HARRIS	
9. Jhelicia Ellis	
10. Nigel Blair	
11. FRANK DE GROOTMAN	
12. Nicolea Belle	
13. SALLI HANUSA	
14. Kuyana Drummond	
15. Maria Richards	
16. Marcelle Johnson	
17. Colin Francis	
18. _____	_____
19. _____	_____
20. _____	_____

COMPLAINT 46

From: Lis Pimentel <lpimentel@uniteherelocal75.org>
Date: Monday, October 16, 2017 at 10:11 AM
To: Nuredin Bulle <nbulle@uniteherelocal75.org>
Cc: Andrea Henry <andrea_online@hotmail.com>, Valrie Lue <vlue@uniteherelocal75.org>, "mcasey@unitehere2.org" <mcasey@unitehere2.org>, Gwen Mills <gmills@unitehere.org>, "yogbasellasie@aol.com" <yogbasellasie@aol.com>
Subject: Re: Wages to be paid.

Nuredin,

As you know, the by-laws allow me to hire. The Local has been provided with one written opinion about this and two verbal ones concurring with it.

The membership also provided a mandate for spending on LOAs on October 10, 2017.

I trust that you will follow your fiduciary duties. If you choose not to, please confirm either way by the end of today.

Lis

Lis Pimentel
President
Unite Here Local 75

On Oct 16, 2017, at 9:48 AM, nbulle <nbulle@uniteherelocal75.org> wrote:

Hi Andrea,

I am not sure if you were informed, as you ought to have been, but, the Executive Board did not approve the finances, which includes LOA's.

In fact, on August 27th, I informed Lis Pimentel that I would be signing a cheque for an LOA under protest, for the last time, until the Executive Board says otherwise.

Andrea, I want you to recognize the situation that I am in. I do not have the ability to override any decision made by the Executive Board, therefore, I am not in a position to sign your cheque. However, I am willing to speak with a majority of the Executive Board, who did not pass our finances to see if they will make this exception to sign your cheque on the condition that you are going back to work and will not be on LOA until this matter has been resolved.

Thank you,

Nuredin Bulle

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Andrea Henry <andrea_online@hotmail.com>

Date: 2017-10-15 9:32 PM (GMT-05:00)

To: nbulle@uniteherelocal75.org, vluue@uniteherelocal75.org

Cc: lpimentel@uniteherelocal75.org, mcasey@unitehere2.org, gills@unitehere.org

Subject: Wages to be paid.

Hello Nuredine, Valrie,

It has come to my attention that you have not signed the paycheck (wages) for myself and a few other LOA employees on Friday October 13, 2017.

We worked for 2 weeks for the Union and expect to be paid in full. Under ESA, we are due to be paid for work performed.

I do not understand why you or Valrie in your capacity as Secretary Treasurer and Vice President will not do your duties while you hold these position in office.

Whatever the case is, you have a duty to pay us for work we have done for Local 75.

Please sign our paycheck immediately and govern yourself accordingly.

Thank you,

Andrea Henry
Chief Shop Steward, Westin Prince Prince Hotel
UNITE HERE local 75

cc:

Mike Casey UNITE HERE IU
Gwen Mills UNITE HERE IU
Lis Pimentel, President Local 75

Sent from my ASUS

COMPLAINT 47

From: Nuredin Bulle <nbulle75@gmail.com>

Date: Monday, October 16, 2017 at 10:26 AM

To: "D. Taylor" <dtaylor@unitehere.org>, Gwen Mills <gmills@unitehere.org>, "mcasey@unitehere2.org" <mcasey@unitehere2.org>, Scott Cooper <scooper@unitehere.org>, "rmccracken@msh.law" <rmccracken@msh.law>, "svarela@msh.law" <svarela@msh.law>

Subject: Request for Immediate Investigation on Contested Local 75 Meeting

Good morning all,

Attached is a statement by the majority Executive Board and Officers of Local 75 requesting an immediate investigation into the legality of the contested October 10th, 2017 Local 75 members meeting.

Thanks,

Nuredin Bulle

Request for Investigation on Legality of Contested Local 75 Members Meeting Held on October 10, 2017

To: President, D. Taylor, Gwen Mills, Mike Casey, Scott Cooper, Rich McCracken, Sarah Varela
From: The majority of the UNITE HERE Local 75 Executive Board

October 16, 2017

Re: Another Major Violation of Democratic Practices of Our Local Regarding Unauthorized Membership Meeting Held on October 10th, 2017

We require your immediate attention at investigating our bylaw violations on the Unauthorized October 10th Membership Meeting held by Lis Pimentel at Westin Harbour Castle Conference Centre. During this meeting, numerous motions were passed, illegally in our opinion. In fact, the motions were pre-prepared including all movers and seconders (**please see Appendix A**). We question whether this is even appropriate; we require your investigation on this as well as your investigation on several key matters:

1. The Local 75 Executive Board recently passed two motions regarding the location of the October 10th General Membership Meeting:
 - a. The Executive Board decides the location of the GMM, and;
 - b. Decided that the GMM would be held at the Sheraton Centre.

Ms. Pimentel alleged that she changed the meeting from the Sheraton Centre to the Westin Harbour Castle because she required a meeting room with a 1000-person capacity. However, Ms. Pimentel is fully aware that in the history of Local 75, we have never required or recorded a meeting space of that capacity. In fact, the meeting that she ran on October 10th did not have anywhere near 1000 attendees; in fact, there were less than 300 attendees.

2. During the unauthorized meeting Lis Pimentel put forward a motion to disapprove of and reject six key motions passed by the Executive Board:
 - a. Moved: To **disapprove of and reject** the following Executive Board motion: "Motion to have the UNITE HERE International Union investigate: 1. The legality of how the UNITE HERE Local 75 Membership Meeting held on July 11, 2017, was conducted. UNITE HERE Local 75 to immediately release the video of the meeting to the International Union. 2. All expenditures associated with the UNITE HERE Local 75 General Membership Meeting held on July 11th, 2017, at the Intercontinental Hotel on Front Street, Toronto, On. Please refer to Article IX, Section 5 (b) of the Local 75 by-laws."
 - b. Moved: To **disapprove of and reject** the following Executive Board motion: "Motion that all future UNITE HERE Local 75 General Membership Meetings must be held at a UNITE HERE Local 75 organized property selected by a majority vote of the UNITE HERE Local 75 Executive Board unless such meetings are held at 25 Cecil Street, Toronto, ON (Steelworkers Hall). Please see Article III, Section 1, of the UNITE HERE Local 75 By-laws."

- c. Moved: To **disapprove of and reject** the following Executive Board motion: "Motion that the UNITE HERE Local 75 Executive Board must approve by a majority vote, the assignment (temporary or permanent) of any UNITE HERE staff from any UNITE HERE affiliate (including UNITE HERE Local 40) to Local 75.' (Motion ruled out of order by the President)."
 - d. Moved: To **disapprove of and reject** the following Executive Board motion: "Motion that any Local 75 expenditures with/or resulting from cuts to funding or grants to UNITE HERE Local 75 from the International Union must be approved by a majority vote of the Executive Board. For example, if the International Union cuts a grant to Local 75 for a staff person, then prior to Local 75 absorbing the cost of keeping that staff person, approval must be granted by a majority vote of the Executive Board. Please see Article IX, section 5 (b) of the UNITE HERE Local 75 by-laws."
 - e. Moved: To **disapprove of and reject** the following Executive Board motion: The October 10th, 2017 Unite Here Local 75 General Membership meeting will be held at the Sheraton Centre Hotel located at 123 Queen St. W, Toronto, Ontario provided that the cost is the same or less than the July 11, 2017, meeting."
 - f. Moved: To **disapprove of and reject** the following Executive Board motion: "Motion to reinstate Brother Mahen Krishnamoorthy and assign him to the Chelsea Hotel."
3. During the unauthorized meeting Lis Pimentel brought forward several motions to disempower the Executive Board, without first bringing such motions to the Executive Board. Several of these motions, you will notice, would result in huge expenditures to the Local, to be approved only by Ms. Pimentel (i.e. \$200,000 for LOA's, \$300,000 for "2018 fight", expenditures associated with placing IU staff on Local payroll).

Please see Motions (N, Q – DD); We'd like to comment on some of the specific motions:

- Motion (Q) Moved: To **disapprove of and reject** the positions taken by the Local 75 Secretary Treasurer and 13 (now 16) Executive Board members in their letter of October 4, 2017. **(See Appendix B)**
- Motion (X) Moved: That Local 75 change its policy regarding payment of lost time for attendance at Executive Board meetings to compensate all members for lost time at the same rate, which shall be the Room Attendant wage rate at either the Hilton Downtown, the Sheraton Centre, or the Eaton Chelsea, whichever is highest (no lost gratuities)."

This is an unjustifiable attack on the Executive Board who built Local 75. They are only asking for their lost income, that we established they would be paid a long time ago, with the evidence of their lost gratuities. To further the division within the membership, Ms.

Pimentel passed **Motion DD (iii)** which grants all lost time and lost gratuities be paid to Solidarity Committee (to be appointed by her).

“The membership approves the reinstatement of monthly Solidarity Committee meetings, one day a month, all lost time and lost gratuities to be paid from the Education Fund in accordance with past practice; Solidarity Committee to be appointed by the President in accordance with criteria that are clear and transparent to all.”

- **Motion (Z) Moved:** “That Local 75 increase its current retainer with Koskie Minsky by \$50,000 to defend the Local and its President against the various complaints filed by members of the Executive Board and to deal with other general legal matters required by the Local, as authorized by the President. Noted that complaints made so far against the President have been found to be unsubstantiated.”

To use the members’ money to fight the membership leaders when their sole objective is to hold her accountable to the membership is unethical and unjustifiable.

4. During the unauthorized meeting, Ms. Pimentel brought motions that were rejected by the Executive Board and some of the minutes were flagged by the Executive Board as incorrect, however, Ms. Pimentel did not correct them (after saying she would) and still brought them incorreccted to the membership.

- Motion B related to adopting the minutes of the July 11th GMM was voted by the Executive Board to be deferred. Additionally, her minutes contain numerous inaccuracies.
- Motion J pertaining to approving the expenditure of \$2,000 for legal education costs was rejected by the Executive Board.
- Motion L to appoint Susana Desillos to fill a vacant spot on the Executive Board was rejected.
- Motion M to appoint Andrea Henry to fill a vacant spot on the Executive Board was rejected.
- Motion O pertaining to the President’s appointment of Local 75 delegates to the OFL Convention was rejected.

This document clearly demonstrates a desire by Ms. Pimentel to silence and disempower the Executive Board so that she can run the organization as though she owns it. **At this meeting, Ms. Pimentel passed a budget of over \$1 million in new expenditures without the approval of the Executive Board.** In short, we are asking for your investigation on the legality of this meeting and the following items:

- Lis Pimentel unilaterally changed the location of the GMM without the approval of the Executive Board and without discussion with the Elected Officers
- A Parliamentarian, who is not a member of Local 75 ran the meeting.
- Lis Pimentel took to the membership new expenditures for approval that have been rejected by the Executive Board.
- Lis Pimentel brought motions to the membership without first taking them to the Executive Board:
 - a) on governance issues; and
 - b) on new expenditures/finances

Appendix A: Contested October 10th Meeting Agenda

**Minutes of the UNITE HERE Local 75 Membership Meeting
Tuesday, July 11, 2017, 5pm
Held at the Intercontinental Hotel, 225 Front Street West**

The meeting was called to order by Sister Lis Pimentel at 6:45pm.

First order of business:

Roll Call (Attendance attached)

Next order of business:

Parliamentarian and rules for the meeting

Sister Lis Pimentel introduced the parliamentarian, Brother Brock Commerford.

Brother Commerford gave some introductory remarks about his union experience and his qualifications as a parliamentarian.

Brother Commerford has served as the parliamentarian for the Canadian Labour Congress and OECTA General Meetings all over Ontario. Brother Commerford is a former President and Chief Negotiator for the Dufferin Peel Secondary Teachers as well as a former Provincial Negotiator for OECTA. Brother Commerford is an expert in Robert's Rules of Order and has thoroughly reviewed UNITE HERE Local 75's by-laws and the UNITE HERE Constitution.

Brother Commerford explained that he will be an impartial arbiter of Robert's Rules of Order in the meeting, and that the meeting will be guided by Robert's Rules of Order, the UNITE HERE International Union Constitution and the UNITE HERE Local 75 By-laws.

He explained the process of 1) moving and seconding a motion (mover and seconder may speak to the motion), 2) discussing the motion (alternating between the pro and con microphones), 3) asking questions/seeking more information, 4) voting on the motion.

He explained that members must speak at the appropriate microphone, pro or con, or else be ruled out of order. He explained that going to the microphone twice on any particular motion calls the question.

He explained that all motions and/or amendments from the floor must be in writing and properly moved and seconded. No friendly amendments – all amendments will be in writing.

He explained that members must speak to the motion at hand and do so in a civil and orderly way that is mindful of the rights and privileges of all brothers and sisters in the room. He explained that people speaking to motions will not address other members at the microphone.

He explained that not following the rules will lead to the parliamentarian ruling the person out of order, turning off the microphone, and possibly removing the person from the meeting if they are being disruptive.

He asked if anyone had any questions or concerns. No one did.

Next order of business:

Adopting the agenda

Motion to amend the agenda of the meeting by moving the proposed motion concerning trusteeship from "new business" to immediately following the regular business portion of the meeting (before #6 on the agenda).

Moved by Brother John Timoteo, seconded by Brother Stefan Sandu.

The mover spoke to the motion. He explained that the meeting started very late, this is the most pressing issue, and it is important to have everyone in the room for this motion.

Motion carried.

Motion to adopt the agenda as amended.

Motion carried.

Next order of business:

Motion to reconsider the UNITE HERE Local 75 General Membership Meeting minutes of April 11, 2017, and all business transacted therein (items a-o on the agenda).

Moved by Brother Junard Estrella, seconded by Brother Andres Vargas.

The parliamentarian explained reconsideration. The motion is to look at those items again from the previous meeting.

Motion carried.

Reconsidered items from the UNITE HERE Local 75 General Membership Meeting of April 11, 2017 (already moved and seconded):

- a. Motion to approve the minutes of the General Membership Meeting held on October 11, 2016, and all business transacted therein.

Carried.

- b. Motion to approve the minutes of the General Membership Meeting held on January 10, 2017, and all business transacted therein.

Carried.

- c. Motion to approve the minutes of the Executive Board Meeting held on January 5, 2017, and all business transacted therein.

Carried.

- d. Motion to approve the minutes of the Executive Board Meeting held on February 2, 2017, and all business transacted therein.

Carried.

- e. Motion to approve the minutes of the Executive Board Meeting held on March 2, 2017, and all business transacted therein.

Carried.

- f. Motion to approve the October 2016 financial reports and all transactions reported therein.

Carried.

- g. Motion to approve the November 2016 financial reports and all transactions reported therein.

Carried.

- h. Motion to approve the December 2016 financial reports and all transactions reported therein.

Carried.

- i. Motion to approve the January 2017 financial reports and all transactions reported therein.

Carried.

- j. Motion to approve the February 2017 financial reports and all transactions reported therein.

Carried.

- k. Motion to approve the 2015 Audit – statement of financial position.

Carried.

- l. Motion to approve the 2015 Audit – Report and Financial Statements

Carried.

- m. Motion to approve the Local 75 2017 proposed budget.

• Carried.

- n. Motion to acknowledge the wage increase (2.6%) that comes into effect on March 2, 2017, as per our staff collective agreement with COPE 343 (which was approved by the Executive Board on June 4, 2015, and the Membership Meeting on July 14, 2015).

Carried.

- o. Motion to acknowledge the non-bargaining unit staff wage increases that come into effect on March 2, 2017 (which were approved by the Executive Board on July 2, 2015, and the Membership Meeting on July 14, 2015):

- i. Secretary Treasurer = \$2000/year increase effective March 2, 2017
- ii. Operations Manager = pegged to Lead Organizer salary (\$1379.41/week)

Carried.

Next order of business:

Regular business as of July 11, 2017, Membership Meeting

- a. Motion to approve the minutes of the Executive Board Meeting held on April 6, 2017, and all business transacted therein.

Moved by Brother Ross Vasil, seconded by Brother Abu Azam. Carried.

- b. Motion to approve the minutes of the Executive Board Meeting held on May 11, 2017, and all business transacted therein.

Moved by Sister Suzanne Smith, seconded by Brother John Timoteo. Carried.

- c. Motion to approve the minutes of the Executive Board Meeting of June 20, 2017, and all business transacted therein.

Moved by Brother Suleman Basharat, seconded by Brother Ross Vasil. Carried.

- d. Motion to approve the March 2017 financial reports and all transactions reported therein.

Moved by Brother Kiran Panikar, seconded by Brother Abu Azam. Carried.

- e. Motion to approve the April 2017 financial reports and all transactions reported therein.

Moved by Sister Carol Lynn Jones, seconded by Brother Kiran Panikar. Carried.

- f. Motion to approve the May 2017 financial reports and all transactions reported therein.

Moved by Brother Suleman Basharat, seconded by Sister Evelyn Padilla. Carried.

- g. Motion to approve the expenditure of up to \$80,000 to finalize an amicable separation agreement with our legal counsel (Jorge Hurtado) – approved by the Executive Board at its July 6, 2017, meeting.

Moved by Brother Habtom Ogbamichael, seconded by Brother Yohannes Habte.

No one went to the microphones to speak to it.

Motion failed.

Motion to call for a recount of vote cards. Moved by Brother Yosief Ogbasellasi, seconded by Sister Christine Smalling. Carried.

The parliamentarian explained recounts and talked about standing votes. People asked questions about how this would work if the room is packed and many people are standing already. He asked if people could kneel. People laughed. The consensus was to stand and put hands up with the vote cards.

Motion was read again.

A standing vote occurred. The result was not clear.

The scrutineers were called in. The doors were tiled.

A member raised a point of order, asking how the count was going to work and also why a secret ballot vote wasn't happening. This was rejected by the parliamentarian, as the meeting wasn't set up to conduct a secret ballot vote on this issue.

The parliamentarian explained that the scrutineers will count people, then they will sit down.

Discussion of the motion began.

One Executive Board member spoke in favour of the motion, stated that the President recommended the amicable separation agreement at the Executive Board meeting.

One member asked about the neutrality of the scrutineers. Sister Pimentel explained that the scrutineers are neutral parties who are not part of the union, some are lawyers, some are students. None is part of the union.

One Executive Board member spoke about our accountability to the members, concerns and complaints that the members have about our legal counsel.

Someone interrupted and was ruled out of order.

The Executive Board member continued, explaining that the President had come up with this solution of an amicable separation agreement instead of risking litigation over the issue.

A member asked the President "How did we get in this situation?" He spoke against division and in favour of unity.

Sister Pimentel spoke in favour of the motion and explained that there were concerns raised by the Executive Board about our lawyer, the Executive Board said they didn't have confidence in our legal counsel, which created a problem with our counsel being able to represent us collectively as a client, possibly frustrating the employment relationship. An amicable separation agreement was discussed and agreed upon. She asked for the ability to go ahead with the separation agreement if that is where this ends up.

Various members spoke for and against the motion. One of the members explained that the organizer assigned to her property hadn't dealt with a number of recent terminations properly. The lawyer was helping them and was needed to deal with these cases. Some of the cases are now settled, and some are still pending.

One Executive Board member spoke about matters unrelated to the motion. She said that this all started when Sister Pimentel wanted to recommend David Sanders as the next Canadian Director. She stated that Sister Pimentel wanted to pay him \$300,000. She stated that "there was a man who said he would do it for free." She stated that Sister Pimentel said she would "burn the house down." She said that Sister Pimentel wasn't listening, that she segregated us, separated us.

One member, Brother Kenan Hamit, called the question.

The parliamentarian explained "calling the question," that we are voting to end debate, not voting on the actual motion.

Attempts to make additional statements as a points of information were ruled out of order.

The question was called. Members voted in favour of calling the question.

The motion was read aloud again. Scrutineers counted vote cards.

Vote card count: 234 in favour of the motion, 351 against. Motion fails.

Next order of business:

New business item regarding Trusteeship issue

Moved that we the members of UNITE HERE Local 75 oppose any request made by anyone that a trusteeship be imposed on UNITE HERE Local 75.

Moved by Brother Abu Azam, seconded by Brother Kiran Panikar.

Brother Abu Azam spoke to the motion as the Mover, stated that our elected officers and board are perfectly capable to govern the Local.

Discussion began.

A member spoke in favour of the motion. He stated that it is important to get on with the negotiations and stop the "colour bullsh**." He said we don't need more distractions.

One of the Trustees moved that this item be tabled.

Moved by Brother Yosief Ogbasellasi, seconded by Brother Habtom Ogbamichael.

The parliamentarian explained what tabling means. It means the motion will be voted upon in this meeting.

People started shouting. The parliamentarian directed people to go to the microphones to speak for or against tabling the motion.

A member spoke against tabling the issue. He said this can't go to some secret room behind closed doors. It needs to be dealt with right here. The members haven't had their say about this.

The parliamentarian reminded people to speak through the speaker, not to each other. He explained that tabling means the motion could come to a future meeting, just not this meeting.

A member spoke against the main motion because she supports trusteeship, doesn't support fighting against each other, and thinks members are being lied to.

The parliamentarian reminded members that we are currently dealing with the tabling issue, not the main motion.

A member, Brother Kenan Hamit, called the question. Members voted in favour of calling the question.

Motion to table was lost.

The parliamentarian read out the original motion again.

A member, Brother Kenan Hamit, called the question. Discussion started about calling the question.

A member asked why he can call the question. The parliamentarian explained why he can. He said that the member can go ahead and speak at the con microphone. The member asked a number of questions unrelated to the motion – for example, who paid for the busses?

A member spoke in favour of calling the question. He said that the people who are speaking against the majority are trouble makers and don't want to let the members speak. He says he was told "You're a black man, you should vote with us." He said he has a mind of his own and can think for himself. He said to those opposing the motion, "there's no winning for you here today."

An Executive Board member spoke. The Parliamentarian called everyone to order. She spoke against the motion, saying the Executive Board works hard, representing everyone. She stated that some hotels got all the flyers they needed, all the rides they needed, and this room was selected because it's near the Royal York to bring Royal York members here.

The parliamentarian cautioned her that she shouldn't make presumptions that she isn't sure about.

She asked the President about the hotel that the meeting was being held at – why are we meeting at this hotel and not another one?

The parliamentarian said it is disturbing that it seems that when women speak, they have to wait until it's quiet. It's not the same way with the brothers.

A member, Sister Lei Eigo, spoke in favour of calling the question and in favour of the motion, stating that everyone has a right to vote on this. She stated that we need to serve our members, not our personal interests.

The question was called. Members voted in favour of calling the question.

An Executive Board member continued to make comments about the main motion when the question had been called. He was ruled out of order.

An Executive Board member continued to speak out of order and was told he was out.

The original motion opposing trusteeship carried.

Next order of business:

President's Report (Sister Lis Pimentel)

Sister Pimentel gave her report. She stated that this has been a difficult number of months, and there has been considerable debate and division. She said it has been challenging for everyone, and she is trying to figure out how to be a better leader for everyone through this. She stated her commitment to deliver what the union needs to do in 2018. She stated the importance of unity, that unity is how we have always won, and that everyone in the room – regardless of what side they were on today – has been on the same side before and will be again. She stated her commitment to working with everyone in this organization, including the other two officers, and the board, to find common ground. She talked about the fight ahead: the Royal York, the Renaissance, and more than 40 more hotels expiring January 31 and working with all the other cities that expire in 2018.

Sister Pimentel showed a slideshow about the past fights we have done to get ready for 2011.

Next order of business:

Meeting adjourned at 8pm.

Appendix B: Letter from Executive Board to Lis Pimentel that she moved to disapprove of and reject at unauthorized meeting on October 10, 2017

Lis Pimentel
President
UNITE HERE Local 75

October 4, 2017

Dear Ms. Pimentel,

We, the majority of the democratically elected Executive Board and Officers of UNITE HERE Local 75, write to express our strong disagreement with your unilateral decision to move the General Membership Meeting from the Sheraton Centre to the Westin Harbour Castle in violation of our Local bylaws and democratic practices.

To remind you, two motions were recently passed in the two most recent Executive Board meetings (August 3rd and September 14th) which make clear that the Executive Board: a) decides the location of the meeting and b) decided that the GMM would be held at the Sheraton Centre. A further reminder, there was extensive discussion on the later motion at the September 14th Executive Board Meeting. A bench mark price of \$8,500 was established for the cost of the meeting based on the previous GMM meeting room costs at the Intercontinental Hotel on July 11th which has a capacity of 600 people. There was no mention of requiring a larger capacity.

In fact, upon a review of all communication between the Sheraton Centre and Local 75 Administrative Lead, Pedro Cristovao, it appears that there was a clear attempt by Mr. Cristovao, on your behalf, to inflate the price of the meeting space at the Sheraton Centre by requesting unnecessary items, which we believe was done so that the price would exceed the \$8,500 budget to avoid having the meeting at the Sheraton Centre. When it became evident that the intentional attempt to inflate the price by requesting unnecessary PSAV items (wired internet connection) surfaced, it was communicated to you and Mr. Cristovao that without unnecessary items, the price of the Sheraton Centre booking with all equipment was below our budget. When it became clear that the Sheraton Centre would have to be booked, suddenly a new criterion surfaced to, again, avoid having to book the Sheraton Centre. To our surprise, suddenly the 670-person capacity at the Sheraton Centre was no longer "sufficient" and we now suddenly required a 1000-person meeting space.

If there was in fact a genuine requirement for a room with a 1000-person capacity, which we have never required or recorded in the history of Local 75, then that ought to have been raised and discussed with the Executive Board as there was ample opportunity to raise it during the extensive discussion that was had at the Executive Board meeting on September 14th.

The evidence in our possession strongly suggests that there was a clear act to move the meeting from the Sheraton Centre to the Westin Harbour Castle, at any cost in order to promote your interests. In fact, the meeting space alone is \$12,800, and this does not even include the other items needed for the meeting to take place.

Your unilateral decision making is a gross violation of our democratic rights and our Local bylaws. Therefore, we, the undersigned, have decided the following:

1. Since the Executive Board did not approve the costs associated with your booking at the Westin Harbour Castle, we will not be authorizing any payments towards this unauthorized meeting.
2. We are protesting this unauthorized meeting and therefore will not be participating in this meeting as we consider it to be illegal.
3. Any motions, any votes (i.e. financial reports, minutes), any new business or any related activity that takes place on October 10th, 2017 at Westin Harbour Castle is unauthorized and therefore such items will have no legitimacy and no merit and shall not be implemented by Local 75.

4. If any attempt is made to implement any unauthorized motions, unauthorized business reports, unauthorized results of votes etc. as a result of the unauthorized meeting held on October 10th, 2017 at Westin Harbour Castle, then the Executive Board shall instruct the officers to take all necessary action to safeguard our union.
5. We have asked our International Union to investigate your misconduct around booking the Westin Harbour Castle as an additional violation of our democratic rights and our bylaws.

Sincerely,

The Majority of the UNITE HERE Local 75 Executive Board and Officers

CC: D. Taylor, General President, UNITE HERE
 Mike Casey, UNITE HERE
 Ian Robb, Canadian Director, UNITE HERE
 Rich McCracken
 Sarah Varela

Name	Signature
1. <u>MEDINA CHERIE</u>	<u>[Signature]</u>
2. <u>CELEYN COLLADY</u>	<u>[Signature]</u>
3. <u>RH. HOCKLEY</u>	<u>[Signature]</u>
4. <u>Habtem Legemichael</u>	<u>[Signature]</u>
5. <u>Christine Smalling</u>	<u>[Signature]</u>
6. <u>LOYD MANNING</u>	<u>[Signature]</u>
7. <u>TANEA STYVANIA</u>	<u>[Signature]</u>
8. <u>YOHANNES HAJJE</u>	<u>[Signature]</u>
9. <u>Abelita Jelis</u>	<u>[Signature]</u>
10. <u>Nigel Blake</u>	<u>[Signature]</u>
11. <u>FRANCOIS GAZDAR</u>	<u>[Signature]</u>
12. <u>Nancy Belle</u>	<u>[Signature]</u>
13. <u>SALI HANISA</u>	<u>[Signature]</u>
14. <u>Kyanna Drummond</u>	<u>[Signature]</u>
15. <u>MARIA RICHARDS</u>	<u>[Signature]</u>
16. <u>Michael Francis</u>	<u>[Signature]</u>
17. <u>Colin Francis</u>	<u>[Signature]</u>
18. _____	_____
19. _____	_____
20. _____	_____

COMPLAINT 48

From: Lis Pimentel <lpimentel@uniteherelocal75.org>
Date: October 17, 2017 at 9:27:09 AM PDT
To: "nbulle@uniteherelocal75.org" <nbulle@uniteherelocal75.org>
Cc: Michael Casey <mcasey@unitehere2.org>
Subject: Fwd: Individual Grievance - Milton Catita

Nuredin,

It has come to my attention that you have refused to sign Milton Cantita's expense cheques related to October 10 membership meeting expenses. As you know, the Local does not have a credit card and individual staff often put charges on their own credit cards and get reimbursed by the Local with appropriate documentation.

Milton has now filed the attached grievance given the fact that the Local owes him approximately \$17,000.

This grievance will likely be successful, which means that the Local will end up paying him not only the outstanding money and interest charges, but also unnecessary arbitration costs, due to your actions.

I would suggest that you pay his expenses and take up your issues with the membership meeting either with me directly or in a more appropriate venue. Punishing a bargaining unit member with \$17,000 of unpaid expenses is truly beyond the pale.

Please let me know by the end of the day that these have been signed. If they have not, you can expect that additional charges will be filed with respect to your continued failure to fulfill your fiduciary duties. The Union also reserves the right to take legal action if necessary.

Sincerely,

Lis Pimentel
President
UNITE HERE Local 75

----- Forwarded Message -----

Subject:Individual Grievance - Milton Catita

Date:Mon, 16 Oct 2017 13:27:58 -0400

From:Maggie Lima <mlima@uniteherelocal75.org>

To:Lis Pimentel <lpimentel@uniteherelocal75.org>

CC:Mary Stalteri <mstalteri@copeontario.ca>, Cornetta Mason <cmason@uniteherelocal75.org>

Good Afternoon Lis,

Please find attached a grievance for Milton Catita regarding failure to pay outstanding invoices/expenses.

I am filing the grievance on behalf of our Shop Steward Cornetta Mason as she is off sick today.

Thank you.

Maggie



COPE LOCAL 343 - GRIEVANCE FORM -

October 16, 2017

Date:

Employer:

UNITE HERE Local 75

Grievor:

Milton Catita

Statement of Grievance:

Failure to pay outstanding invoices/expenses of approx. \$17,000 accrued at the Employer's request.

Violation of Article 1: Purpose and Aims

Remedy Sought:

To have any and all outstanding invoices/expenses paid in full, with interest, and ensure any employment related expenses be paid in a timely manner.

GRIEVOR

REPRESENTATIVE

[Faint signature]

Maggie Lima

as per

Cornelia Mason

COMPLAINT 49

From: jayyerex6 <jayyerex6@gmail.com>

Date: Monday, October 23, 2017 at 10:53 AM

To: Lis Pimentel <lpimentel@uniteherelocal75.org>, Mike Casey <mcasey@unitehere2.org>

Cc: Nuredine Bulle <nbulle@uniteherelocal75.org>, Gwen Mills <gmills@unitehere.org>, Allan Pace <apace@uniteherelocal75.org>

Subject: Inappropriate correspondence

I received the following text this morning from Abdalla Idris the executive board member from the Chelsea Hotel.

Hi Jay

This is me Abdalla

I don't know why you keep harassing me asking for the grievance forms whereas you can get this information from the human resource just like the other organizers do. I feel this is a harassment from you for your own political reasons. I am already stressed from my bosses fighting for my workers. Can you please stop. This bullying this is your final warning. I will give you what you ask tomorrow.

Thank you

Abdalla Idris

Rank and file leader/shop Steward

To be clear I've had no correspondence with Abdalla since sending him a letter requesting the return of union property.

I was advised by Mike Casey to follow-up with Nuredine regarding the Grievances that Abdalla was refusing to return, Nuredine not once returned either my calls or emails.

This is the first response I have been given. I'd like both Nuredine and Abdalla's inappropriate conduct investigated, holding members grievances is not just inappropriate but it is also puts in jeopardy the union's duty of fair representation.

Im also tired of the orchestrated attempt to undermine my job performance, and file spurious complaints against me.

Also today in staff meeting Valerie Lue revealed that she was aware in advance turn out for the day of action on Oct 19th from the Chelsea hotel that was deliberately kept from me.

I was responsible for organizing transportation to the rally on Oct 19th, and due to the fact the the additional Chelsea turnout was kept from me I was unable to organize sufficient transportation.

Meluka from the Westin Prince hotel who is Nuredine's cousin was attempting to arrange a secret meeting with Nuredine and Andrea Henry the chief shop Stewart.

Meluka also advised Andrea that Nuredine needed permission from "the white man" in reference to an IU officer or staff before he could sign any cheques

Nuredine attempt to extort Andrea by stating he would only agree to pay her if she returned to her workplace and ended her leave of absence earlier.

As the harassment from Nuredine and other officers and staff from the International Union continues, and thus far the employer has made absolutely no attempt to investigate, I will be contacting my legal counsel.

I expect better from an elected officer of the International Union.

Pls advise

Regards

Jay Yerex
UUHS

Sent from my Samsung Galaxy smartphone.

COMPLAINT 50



From: Lenis Hernandez <lhernandez@unitehere.org> on behalf of "D. Taylor" <dtaylor@unitehere.org>
Date: Tuesday, October 31, 2017 at 11:41 AM
To: "nbulle@uniteherelocal75.org" <nbulle@uniteherelocal75.org>, "Lis (Lisabeth) Pimentel" <lpimentel@uniteherelocal75.org>
Cc: "rmccracken@msh.law" <rmccracken@msh.law>, Gwen Mills <gmills@unitehere.org>
Subject: Interpretation of Bylaws

UNITEHERE!

Office of The President

1630 South Commerce Street, Las Vegas, NV 89102 • Tel (702) 386-5120 • Fax (702) 386-5290-3415
WWW.UNITEHERE.ORG • facebook.com/UNITEHERE • @UNITEHERE

To: Nuredin Bulle and Lis Pimentel
Cc: Executive Committee and Richard McCracken
From: D. Taylor, President of UNITE HERE International Union
Re: Interpretation of Bylaws

A majority of the Executive Board of Local 75 has asked me to resolve a series of controversies concerning the interpretation of Local 75's Bylaws. I am required to do so under Article 3, Section 3(g) of the UNITE HERE Constitution.

The list of controversies is attached. I will address them in the same order.

1. The Local 75 Bylaws do not give any officer--or the Executive Board--any explicit authority to hire or fire employees. This power is not implicit in the President's status as a chief executive officer. Most commonly, local union bylaws provide for the authority of the executive officer to hire and fire employees subject to the approval of the executive board but the Local 75 bylaws are silent on this important point. Because under Article IX, Section 5(a) of the Local 75 bylaws the Executive Board is "the governing body of the Union" with "complete authority" between meetings to exercise the Local Union's authority, it can claim at least as much authority in personnel matters as the President.

Sister Lis Pimentel, President of Local 75, has provided Executive Board meeting minutes going back to 2009. They show many instances of the Executive Board voting on the hiring of staff, approving staff compensation and approving severance arrangements for staff terminating their employment with the local. For instance, on August 1, 2013, before the present controversies between the President and the Executive Board began, the Executive Board voted on the hiring of Pedro Cristovao as a regular employee and an unnamed person to be the office manager to oversee the business and administration of Local 75.^[1] This appears to have been the main way in which personnel matters were handled but it was not completely consistent. The May 5, 2016 minutes contain a report from Secretary-Treasurer Bulle that Monica McKenzie was hired as a full-time organizer. There was no vote taken and the minutes do not state who made the decision to make McKenzie full time. The Executive Board had previously voted to hire her on a "leave of absence." A summary of the minutes containing information about hirings and terminations is attached as Appendix A.

I believe that the best balance of authority between the President and the Executive Board in the absence of any specific direction in the bylaws is that the President initiates employment actions and these

^[1] This vote was sharply divided. It was not a "rubber stamp".

are subject to approval of the Executive Board. This is the predominant pattern shown in the minutes. It is consistent with the principle that the Executive Board serves as the members' check and balance against wayward executive authority, while leaving with the executive officer the initiative in personnel matters. I do not believe that Article IX, Section 5(b) bears very much if at all this question. I do not consider hiring and firing decisions to be donations or expenditures. In almost every other UNITE HERE local, the provision about approval of expenditures is separate from provisions concerning hiring and the setting of compensation and Section 5(b) of the Local 75 bylaws should be given the same interpretation as prevails throughout the rest of the Union. Instead, I rest my interpretation on the broad powers given to the Executive Board under Section 5(a).

2. This was essentially a hiring decision. Whether the employees paid for by the grants that were cut were direct International Union employees or Local 75 employees for whom Local 75 reimbursed the IU, retaining them at Local 75's expense had the effect of increasing the number of employees on Local 75's payroll. Therefore, it is governed by the same interpretation as question 1. The President needed Executive Board approval to take this action.
 3. Arranging for meeting space for regular union meetings is generally a routine operating expense. But an extreme departure from past practice would not be. Certainly holding a meeting at a non-union hotel is itself significant but I cannot judge whether the arrangements for the July 11 meeting were so unusual that they could not be considered "routine" without knowing more about where Local 75 has held its meetings in the past and at what cost.
 4. Officers of the union meeting with legal counsel is a routine operating expense. The main exception, which should be obvious, is that an officer may not incur legal expenses for personal purposes. The invoice in question is for legal work concerning communications between the International Union and the President of Local 75, not any personal business.
 5. See Answer to question 4. In this case, the invoice was for work associated with a union meeting, not personal business. There may have been political undertones but union meetings are inherently political.
 6. The Executive Board had the authority to set policy about where union meetings would be held, pursuant to Article IX, Section 5(a). This authority is further supported by Article III, Section 1, which empowers the Executive Board to set the meeting times. The President of Local 75 was obligated to obey the policies set by these motions. The minutes of membership meetings, provided by Sister Pimentel, demonstrate that before the highly-contested meetings on July 11 and October 10 this year, all membership meetings were held either at the Steelworkers hall or at Local 75-represented hotels, so the Executive Board resolutions were a reaffirmation of established practice.
-

⁽¹⁾ This vote was sharply divided. It was not a “rubber stamp”.

APPENDIX A

- Executive Board Meeting – 7/9/2009
 - Officer’s Report: Brother Frank Piserchia explained the plan for clearing WSIB cases.
 - Moved and seconded by Brother Mahen Krishnamoorthy and Sister Prasanna Nanayakkara to retain Tom Bullock as WSIB consultant and trainer at \$100 per day and \$25 per diem for expenses.
- Executive Board Meeting – 4/1/2010
 - Resolution on Continued Employment of Local 75 In-House Legal Counsel
 - Voted on by the Board
- Executive Board Meeting – 6/3/2010
 - Proposal to hire Jorge Hurtado for a period of six month on the following terms
 - Voted on by the Board
- Executive Board Meeting – 11/3/2011
 - Brother Clifford announced that the Local had from the MCTU – a Labour Market Partnership Grant for \$90,000 for the next eight months, which would allow the Local to hire Sara Rousseau and Karne Lior
 - Voted on by the Board
 - Officer’s Report
 - There was discussion about the layoff of two administrative staff. Regrettable but necessary. The Local is in deficit spending, and needs to reduce costs and increase and improve dues collection
 - No vote
- Executive Board Meeting – 12/1/2011
 - Brother Piserchia reviews the consultant agreement between Local 75 and Tom Bullock to complete the outstanding WSIB cases.
 - Voted on by the Board
- Executive Board Meeting – 2/2/2012
 - Update-Hospitality Workers Training Centre REPORT
 - Funding Updates
 - As of February 1st, 2012 Sarah Rousseau has been re-hired and will be working with the training centre on this project.
 - Request
 - The Training Centre is requesting an investment of \$15,000-\$20,000 from the Equal Opportunity Training Fund to hire Karen Lior.
 - Voted on by the Board
- Executive Board Meeting – 4/5/2012
 - Settlement offer to the staff union regarding a grievance based on the layoff of Pauline Russell
 - Voted on by the Board
 - Offer of settlement and severance pay regarding the layoff of Kiran Ajwani
 - Voted on by the Board
 - Three resolutions regarding the setting of staff salaries
 - Voted on by the Board
 - Resolution Regarding Budgeting Approval of Leave of Absence Organizers – resolving that the Local may hire up to ten LOA organizers at any one time, and setting the conditions of employment

- Voted on by the Board
- Executive Board Meeting – 5/3/2012
 - Motion to provide health benefits to professional artist that does work for the local
 - Voted on by the Board
 - Motion to continue consultant arrangement with an IT provider
 - Voted on by the Board
 - Motion to provide supplemental insurance to Employee Jorge Hurtado
 - Voted on by the Board
 - Motion regarding Secretary Treasurer service and compensation
 - Voted on by the Board
- Executive Board Meeting – 7/5/2012
 - Motion on staff salaries for Local 75 lawyers
 - Voted on by the Board
- Executive Board Meeting – 10/4/2012
 - Motion regarding hiring at the Hospitality Workers Training Centre
 - Voted on by the Board
 - Extraordinary Expenditures Requiring a Vote of the Executive Board
 - Multiple motions regarding staff salaries
 - Voted on by the Board
 - Motion to approve extension of Brother Tom Bullock’s contract
 - Voted on by the Board
- Executive Board Meeting – 1/3/2013
 - Motion regarding Heather Ann McConnell’s personal leave of absence request
 - Voted on by the Board
 - Motion regarding the Executive Director, Training Centre (paying 25% of salary)
 - Voted on by the Board
- Executive Board Meeting – 2/7/2013
 - Motion to affirm the signed agreement between UNITE HERE 75 and Kiran Ajwani with respect to her layoff
 - Voted on by the Board
- Executive Board Meeting – 4/4/2013
 - There was discussion about the termination of one of the union staff. Sister Lis Pimentel stated that the matter was the subject of a grievance and would be dealt with in that forum. Details would not be shared in the interests of protecting the Union and the fired employee’s chances of pursuing other employment.
 - No vote
- Executive Board Meeting – 7/4/2013
 - Motion regarding the Executive Director, Training Centre (paying 25% of salary)
 - Voted on by the Board
- Executive Board Meeting – 8/1/2013
 - The Local’s Supervisor Brother Bill Lewis, provided an overview of the Local’s financial situation, a short explanation of why a dues increase is necessary, and a proposal about minimum staffing levels for this year, which included the proposal to turn Brother Pedro Crisovao’s contractor position into a full-time position with the Local and to hire a full-time Office Manager to oversee the business and administration of the Local.
 - Roll Call Vote by the Board
- Executive Board Meeting – 10/3/2013

- Acknowledgement of last round of raises in the current staff CBA between COPE and UNITE HERE Local 75. \$10/week increase for all current admin staff (3 people) and \$20/week for all organizers (8 people) in the bargaining unit.
 - Voted on by the Board
- Executive Board Meeting – 10/2/2014
 - Motion to approve the expenditure of up to \$40,000 to support Monica McKenzie's leave-of-absence training and education around union representation and organizing for a six-month period... This funding would cover her LOA salary, benefits, and normal work-related expense during the training period.
 - Roll Call Vote by the Board
 - Motion to continue engaging Mr. Tom Bullock to work with us on WSIB cases
 - Voted on by the Board
- Executive Board Meeting – 3/5/2015
 - Motion to approve expenditure of up to \$500 a week from the General Fund for Susan Kolompar to handle and clear up all outstanding WSIB claims.
 - Voted on by the Board
- Executive Board Meeting – 4/2/2015
 - Sister Lis Pimentel presented a motion to accept the second proposal of the Education Fund, to include a six month extension of Sister Monica McKenzie's training on a leave of absence.
 - Voted on by the Board
- Executive Board Meeting – 6/4/2015
 - Motion to approve the Memorandum of Agreement between COPE 343 and UNITE HERE Local 75 and all its contents therein.
 - Voted on by the Board
- Executive Board Meeting – 7/2/2015
 - Non-bargaining unit staff wage increases
 - Affected personnel were asked to recuse themselves and leave the room
 - Multiple motions for various staff
 - Voted on by the Board
- Executive Board Meeting – 1/7/2016
 - Motion to approve the UNITE HERE 75 General Fund, Profit and Loss, November 2015, and all transactions therein.
 - Brother Azam questioned the reasoning behind the reimbursement of IU staffs' salaries and requested documentation for clarification.
 - Voted on by the Board
- Executive Board Meeting – 3/3/2016
 - Motion to approve the expenditure of up to \$42,900 plus benefits and expenses (up to \$60,000) for the Culture and Community Fund to add to the CORD organizing effort in Rexdale and Jane Finch. This will fund, for example, one LOA for a year or 2 LOA's for six months.
 - Voted on by the Board
- Executive Board Meeting – 5/5/2016
 - Brother Nuredin Bulle announced that Sister Monica McKenzie has been hired as a permanent full time staff organizer. Brother Bulle stated that her commitment and leadership of the Local are some of her strongest qualities.
 - No Vote
- Executive Board Meeting – 10/6/2016

- Motion to approve the use of Equal Opportunity Training Fund for the purpose of hiring 2 people, for 6 weeks, to act as outreach for the Training Centre to member and establishing the foundation of a hiring hall.
 - Voted on by the Board
-

To: President, D. Taylor

From: Majority of the Executive Board of UNITE HERE Local 75

RE: Mediation of General President of UNITE HERE, D. Taylor on interpretation of Local 75 Bylaw.

September 5, 2017

Dear President Taylor,

As per Article 3, Section 3 (g) of the UNITE HERE Constitution, we, the undersigned majority of the Executive Board of UNITE HERE Local 75, request that you to resolve the controversy within Local 75 on the interpretation of the following bylaw:

Article IX, Section 5 (b) All applications for donations and all proposed expenditures, other than routine operating expenses, shall first be referred to the Executive Board for their recommendation; which recommendation shall be subject to membership approval by majority vote of the membership present at a regular or special meeting.

Our interpretation: A non-routine expense must first be brought to the Executive Board to vote upon. If the Executive Board, recommends such non-routine expense, only then, would that non-routine expense be subject to membership vote. If the Executive Board does not recommend such non-routine expense, then it would not be presented to the membership for a vote.

Cases of controversy:

1. Since October 2016 five staff members were hired without the approval and knowledge of the Executive Board or elected officers, Nuredin Bulle and Valrie Lue. Prior to October 2016 our practice was to have a majority vote of the Executive Board for all new hires, as per the guidance of the previous Supervisor to Local 75, Bill Lewis. For example, when Jennifer Chotala, former Administrative Lead was hired in 2013, there was an Executive Board vote to hire her during which Bill Lewis was present.
2. Two IU grants to Local 75 were recently cut. On August 3, 2017, the Executive Board passed the following motion: "Any Local 75 expenditures associated with/or resulting from cuts to funding or grants to UNITE HERE Local 75 from the International Union must be approved by a majority vote of the Executive Board. For example, if the International Union cuts a grant to Local 75 for a staff person, then prior to Local 75 absorbing the cost of keeping that staff person, approval must be granted by a majority vote of the Executive Board. Please see Article IX, Section 5 (b) of the UNITE HERE Local 75 Bylaws." On this matter, the Executive Board simply asks, that before the Local absorb the cost of IU grant cuts, the matter be voted upon by the Executive Board. Even though the above motion was passed, Lis Pimentel ignored the motion and Article IX, Section 5 (b) of the Local 75 bylaws by making the unilateral and undemocratic decision to have Local 75 absorb the cost of these grant cuts.
3. Lis Pimentel booked a meeting room at the Intercontinental Hotel (not a Local 75 property) at a cost of \$8,500+ as the location for the July 11, 2017 General Membership Meeting. We have never booked a General Membership Meeting at this location prior to July 11th nor have we spent this amount of money to a book space for a General Membership Meeting prior to this meeting, and therefore it is not a routine expense. Prior to booking the room, Lis Pimentel should have brought this non-routine expense to the Executive Board for recommendation, she did not. On this matter, Lis Pimentel, clearly interprets the bylaws as her not requiring the recommendation of the Executive Board, we clearly disagree.
4. An invoice dated July 31, 2017 from Toronto-based law firm Koskie Minsky to the Attention of Ms. Lis Pimentel and Mr. Jorge Hurtado indicates that Koskie Minsky invoiced UNITE HERE Local 75 in the amount of \$1,017 for services rendered to Ms. Pimentel as her representative in reviewing various emails between Ms. Pimentel and UNITE HERE International Union Director of Operations, Scott Cooper. Since this was a non-routine expense, it should have been brought to the Executive Board for their recommendation. It was not.
5. An invoice dated July 24, 2017 from Toronto-based law firm Koskie Minsky to the Attention of Ms. Lis Pimentel indicates that Koskie Minsky invoiced UNITE HERE Local 75 in the amount of \$2,034 for services rendered to Ms. Pimentel in connection to a July 11, 2017 General Membership Meeting. The expenditures of \$2,034 were not brought to the executive board, nor were these expenditures authorized or approved. In fact, the invoice

indicates that Local 75 was charged \$824 plus tax for scrutineers and assisting during the membership meeting, when Ms. Pimentel had indicated, prior to the meeting, that all scrutineers were volunteers and did not disclose Koskie Minsky's involvement during the meeting. These non-routine expenditures were not brought to the Executive Board for their recommendation, as they should have been.

Sincerely,

Majority of UNITE HERE Local 75 Executive Board

Name

Signature

1. LLOYD C. MANNING

2. MEDHIE G. HEBBE

3. Jocelyn Curran

4. JOHANNES HAISTE

5. Habtem Ugraimichael

6. Kayann Drummond

7. FABIAN DE GENTIL

8. Maria Michaels

9. Nigel Brian

10. Colin Francis

11. Christine Smalling

12. JANET STORRETT

13. RIK HOCKLEY

14. Abdalla Idnis

15. Valerie Lee

16. Meredith Bullie

17. _____

18. _____


19. _____

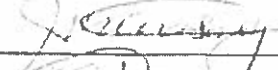
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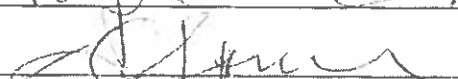




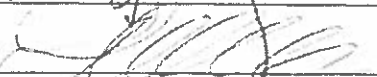




















This signature, to confirm that
my request to our knife Here
International president D. Taylor
to interpret our by laws.

Name, AVENEH JOHNSON

Signature A. Johnson

Date 26.12.17

September 26th, 2017

Supplementary document to petition dated September 5, 2017 regarding "Mediation of General President of UNITE HERE, D. Taylor on interpretation of Local 75 Bylaw."

Additional Case of Controversy:

6. On August 3rd, 2017, the UNITE HERE Local 75 Executive Board passed the following motion:

"All future UNITE HERE Local 75 General Membership Meetings must be held at a UNITE HERE Local 75 organized property selected by a majority vote of the UNITE HERE Local 75 Executive Board unless such meetings are held at 25 Cecil Street, Toronto, ON (Steel Workers Hall). Please see Article III, Section 1 of the UNITE HERE Local 75 Bylaws."

Further to this motion, on September 14th, 2017, the Local 75 Executive Board passed the following motion:

The October 10th, 2017 UNITE HERE Local 75 General Membership meeting will be held at the Sheraton Centre Hotel located at 123 Queen St. W, Toronto, Ontario M5H 2M9 at 5:00 p.m. as long as the cost is equal to or less than the cost of the last Local 75 General Membership meeting held at the Intercontinental Hotel. That cost was approximately \$8,500. If the cost was going to exceed then it would be put up for bid in other Local 75 hotels.

In violation of both motions Lis Pimentel, unilaterally booked a meeting room for the October 10th Local 75 General Membership Meeting other than the Sheraton Centre at a cost of \$12,800 (room only) and has yet to book PSAV services, for which she was quoted an additional \$21,694.42. This was not discussed with nor recommended by the Executive Board.

COMPLAINT 51

From: Jay Yerex <jyerex@unitehere.org>
Date: Friday, November 3, 2017 at 1:06 PM
To: Gwen Mills <gmills@unitehere.org>
Cc: Lis Pimentel <lpimentel@uniteherelocal75.org>, Mike Casey <mcasey@unitehere2.org>
Subject: Fwd: Shop stewards

Confirmation from the employer that this occurred while Nuredine was supervising Mahen at the Chelsea and that Nuredine was aware he was presenting false accusations.

This proves what I have been saying regarding the deliberate false accusations that Nuredine has been soliciting against me.

I expect action to be taken regarding if other IU staff or officers were also involved in this, and whether Casey was also aware that Nuredine was going to attempt to humiliate me.

What ended happening is Nuredine essentially humiliated a long time leader of our union and further polarized her against me without any truth or merit.

Pls advise what steps the international union will be taking.

Regards

Jay

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Jay Yerex <jyerex@unitehere.org>
Date: 2017-11-02 10:48 AM (GMT-05:00)
To: Allan Pace <apace@uniteherelocal75.org>
Subject: Fwd: Shop stewards

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Jim Stewart <jim.stewart@chelseatoronto.com>
Date: 2017-11-02 10:47 AM (GMT-05:00)
To: Jay Yerex <jyerex@unitehere.org>
Subject: FW: Shop stewards

Hi Jay

In response to your email, you will see that Mahen sent me an email last October advising us that Patricia is a temporary shop steward.
She was to replace Otis Anderson – who is currently on Medical leave.

As for Eula Marcos, I do not remember a time when Eula was ever a shop steward.
She was always just part of the Union Executive.
Hope this helps.
Jim

Jim Stewart
Assistant Director, Human Resources
Chelsea Hotel, Toronto
33 Gerrard Street West,
Toronto, Ontario M5G 1Z4
T: +1(416) 585-4349 F: +1(416)581-8936 E: jim.stewart@chelseatoronto.com



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From: Mahen Krishnamoorthy [<mailto:mkrishnamoorthy@uniteherelocal75.org>]
Sent: Wednesday, October 12, 2016 7:56 PM
To: Jim Stewart
Subject: Re: Shop stewards

Hi Jim,
Here we go the shop steward list.

Lynne Hill- Chief steward
Manny Memita- Recreation
Feliz- outlets
Eduardo- Maintenance
Medhin- Housekeeping
Patricia- Housekeeping (temporary)
Abdalla- Houseperson
Eddie Medirious- Guest service
Daniel - Guest service(alternate)
Dalton- Banquet
Kong Lim- On the Go Attendant
Holden Brown- Kitchen

Lucia- Market Garden

Patricia will represent Otis.
Thanks

Mahen Krishnamoorthy
Union Organizer
Unite Here Local 75

Sent from my LG Mobile

----- Original message-----

From: Jim Stewart
Date: Wed, Oct 12, 2016 4:55 PM
To: Mahen Krishnamoorthy;
Cc: Bud Harvey;
Subject:Shop stewards

Could you please send me a list of current departmental shop stewards for the Chelsea?
Abdalla just mentioned that Eduardo is the shop steward for maintenance, however we have never been informed.

Also, Abdalla advised that Patricia is filling in while Eula is away.

Is Eula filling Otis's position?

Jim

Jim Stewart
Assistant Director, Human Resources
Chelsea Hotel, Toronto
33 Gerrard Street West,
Toronto, Ontario M5G 1Z4
T: +1(416)585-4349 F: +1(416)581-8936 E: jim.stewart@chelseatoronto.com



COMPLAINT 52

From: Nuredin Bulle <nbulle75@gmail.com>
Date: November 3, 2017 at 1:54:17 PM PDT
To: dtaylor@unitehere.org
Subject: Further interpretation of Local 75 bylaws

Dear President D. Taylor,

We, the majority of the Executive Board and officers of Local 75 request your interpretation of our bylaws on charges filed against Nuredin Bulle and Brother Yosief Ogbasellasi.

In addition, we have attached email evidence which demonstrated that the charges filed against Nuredin and Yosief are unsubstantiated and unfounded.

We look forward to your response.

Thank you

November 2, 2017

Dear President D. Taylor, General President of UNITE HERE,





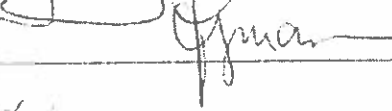
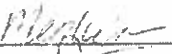
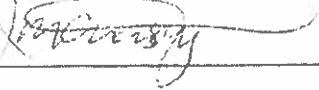
As per Article 3, Section 3 (g) of the UNITE HERE Constitution, we, the undersigned majority of the Executive Board of UNITE HERE Local 75, request that you interpret Article XI (Trials and Appeals) of UNITE HERE Local 75's bylaws for the following reason:

Recently Local 75 President Lis Pimentel, sent Secretary Treasurer Nuredin Bulle and Trustee, Yosief Ogbasellasi notification indicating that she is charging them with violations under the UNITE HERE Local 75 bylaws and the UNITE HERE Constitution pertaining to unsubstantiated allegations. According to Ms. Pimentel, Mr. Bulle has been charged twice and Mr. Ogbasellasi was charged once; copies of the charges were also, we believe, sent to Rich McCracken's firm. According to the letters, trials will be conducted on November 14th, 2017 and December 1st, 2017, in accordance with Article XI (Trials and Appeals) of UNITE HERE Local 75's bylaws. We, the officers of Local 75 and Executive Board disagree with the unjust charges on the grounds that all allegations against Mr. Bulle and Mr. Ogbasellasi are false and Ms. Pimentel, is in fact, the one that is in violation of the Local 75 bylaws and the International Union Constitution on several grounds.

Since these charges are unsubstantiated and false, we require your interpretation on all of the unjust charges filed against Mr. Bulle and Mr. Ogbasellasi by Ms. Pimentel; specifically, we ask that prior to participating in any such trial, we require your interpretation of Article XI Trials and Appeals of the Local 75 bylaws to determine whether such trial is warranted. Therefore, Mr. Bulle and Mr. Ogbasellasi will not be participating in any such unjust trials until we have received your interpretation on the aforementioned Article.

We believe that the IU's legal team should have a copy of all charges, but if this is not the case, please notify us so that we can send you a copy.

Thank you,

Name	Signature
Abdalla Isais	
COLIN FRANCIS	
Kayann Drummond	
Habtom Ogbarichael	
FROILAN DE GUZMAN	
Medhin Gebre	
Jocelyn Cursey	



Nuredin Bulle <nbulle75@gmail.com>

Fwd: RE:

Yosief <yogbasellasia@aol.com>
To: mcasey@unitehere2.org
Cc: nbulle75@gmail.com

3 November 2017 at 12:05

Sent from my iPhone

Begin forwarded message:

From: "Walicki, Helena" <Helena.Walicki@sheraton.com>
Date: November 3, 2017 at 11:33:27 AM EDT
To: Yosief <yogbasellasia@aol.com>
Subject: RE:

Hi Yosief!

It's not that it was an "employee rate" per se as we do not have set prices for employees, but a heavy discount was provided because you are an employee, the close turnaround time, what needed to be done for set-up, good fit for the hotel, etc.

Does that help?

HELENA WALICKI
Catering Sales Executive
T 416 814 1297 F 416 947 4875
sheraton.com | like us on Facebook

SHERATON CENTRE TORONTO HOTEL
123 Queen Street West, Toronto, ON M5H 2M9

-----Original Message-----

From: Yosief [mailto:yogbasellasia@aol.com]
Sent: November 3, 2017 11:30 AM
To: Walicki, Helena <Helena.Walicki@sheraton.com>
Subject:

Hi Helena, how're you been I just want to ask you the October 10 2017 Dominion ballroom you reserved for me, the discounted price you gave me was an employee rate or not. I am just curious.

Thanks
Yosief.

Sent from my iPhone

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COMPLAINT 53

From: nbulle <nbulle@uniteherelocal75.org>

Date: Friday, November 3, 2017 at 10:40 PM

To: Lis Pimentel <lpimentel@uniteherelocal75.onmicrosoft.com>

Cc: "D. Taylor" <dtaylor@unitehere.org>, Gwen Mills <gmills@unitehere.org>, "mcasey@unitehere2.org" <mcasey@unitehere2.org>, Richard McCracken <rmccracken@msh.law>, "svarela@msh.law" <svarela@msh.law>

Subject: Not participating in trials

Hi Lis,

This is to inform you that I will not be participating in the trials that you intend to hold at 15 Gervais Drive on November 14, 2017 and on December 1, 2017 charging me with violations of UNITE HERE Local 75's bylaws and the UNITE HERE International Constitution. The charges filed against me are unsubstantiated.

The majority Executive Board and Officers of Local 75 have asked President D. Taylor, to interpret Article XI (Trials and Appeals) of Local 75's bylaws on this matter as per Article 3, Section 3 (g) of the UNITE HERE Constitution. Until, such interpretation has been completed and a decision made, I will not participate in any trials.

Regards,

Nuredin Bulle
Secretary Treasurer
UNITE HERE Local 75

COMPLAINT 54

From: Nuredin Bulle <nbulle75@gmail.com>

Date: Friday, November 3, 2017 at 6:58 PM

To: "D. Taylor" <dtaylor@unitehere.org>, Gwen Mills <gmills@unitehere.org>, "mcasey@unitehere2.org" <mcasey@unitehere2.org>, "rmccracken@msh.law" <rmccracken@msh.law>, "svarela@msh.law" <svarela@msh.law>

Subject: Statement Regarding Additional Democracy Violation at Local 75

Good evening all,

Attached is a statement I've prepared on additional violations of our democracy at Local 75. Please review at your earliest convenience.

Thank you,

Nuredin Bulle

To: President, D. Taylor, Gwen Mills, Mike Casey, Rich McCracken, Sarah Varela
From: The majority of the UNITE HERE Local 75 Executive Board

Re: Statement Regarding Intentional Disruption of Local 75 Executive Board Meeting by Lis Pimentel that Forced the Majority of the Executive Board to Walk Out of the Meeting

November 3, 2017

On November 2, 2017 the Local 75 Executive Board Meeting was held at 15 Gervais Drive, basement meeting room at 10:00 AM. President Lis Pimentel invited the Solidarity Committee (the majority of whom are new) and Local 75 and IU staff working out of the Local 75 office. A total of 16 Executive Board members, and Elected officers walked out of the meeting, therefore, there was no quorum.

Within 10 minutes from when President Pimentel raised starting the meeting with the business first, a majority of the Executive Board and elected officers Nuredin Bulle and Valrie Lue were forced to walk out of the meeting. Here are the reasons:

President Pimentel brought the solidarity committee and Local 75 and IU staff to the Executive Board meeting despite there being a carried motion in place that the Executive Board would meet separately for union business. According to our bylaws between meetings, the Executive Board shall be the governing body of the Union.

President Pimentel started by saying that we would discuss the Business first, followed by the 2018 campaign. I responded by stating, let's have the Executive Board meeting separately, and after we finish the business part, the rest can join us. As I was speaking, newly hired Local 75 staff person, Kumsa Baker, cut me off and started shouting, "I thought it was a democracy, let's open it up for everybody. Let everybody be here. It's a democracy, right? Why do you want to meet behind closed doors." At that point the meeting started to get disruptive. Brother Habtom, reminded President Pimentel that there is a motion that we implemented that the Executive Board would meet alone because of the current conflict, and that it is not reversed until a resolution has been passed to reverse it. He said that we need to follow our bylaws; that is democracy. He asked the President why is everybody here when we have not reversed the motion back. President Pimentel responded by acknowledging that the Executive Board did pass that motion a number of months ago. She said that the supreme decision-making body of our union is the membership and the solidarity committee, and her staff started to cheer; further disrupting the meeting. President Pimentel said that the membership had voted to reinstate the solidarity committee, and that is why we are here. She then said, I think there is a motion to do our business in camera. She then asked, "is there a motion on the floor to do the business in camera?" I said to her, there is no motion, because there was already a motion in place that had not been reversed; I asked, Madam Chair, can you ask everyone to leave so that we can continue our meeting? She said there has to be a motion. The Executive Board responded, and said there is no motion, we already had one, and there is no motion needed. Brother Yosief asked President Pimentel, "Are you going to stay with us and chair the meeting? It's your decision now. We already had the motion before, we don't need another one. Follow the rules." President Pimentel said that the motion has been reversed by the membership. At that point the meeting grew out of control and a majority of the Executive Board got up to leave while her staff (particularly IU staff person Jay Yerex and his Lead Allan Pace) lead a chant shouting "election, election, election, election," repeatedly.

In addition to the violations mentioned above, without the approval of the Executive Board as is required under Article VI of the Local 75 bylaws (**see Appendix A**), President Pimentel filled two vacancies, one on the Executive Board by adding Sister Andrea Henry and one on the Trustees, by adding Sister Susana Desillos. Even though a motion brought by President Pimentel at the October 5th Executive Board meeting to fill these vacancies with the aforementioned individuals was not carried (denied) (**see Appendix B**), in violation of this President Pimentel filled the vacancies (**see Appendix C**).

Dear President D. Taylor, this meeting further demonstrates that not only was the meeting purposely disrupted but that, yet again, our democracy at Local 75 has been further violated. We require that this additional violation urgently be included as a part of the investigation on democracy.

Thank you,

Nuredin Bulle
UNITE HERE Local 75
Secretary Treasurer

Article VI Vacancies of UNITE HERE Local 75 Bylaws

counting of the ballots. All observers must be active members in good standing in this Local Union.

Section 7: The votes cast by members of the Local shall be counted and the results for each office shall be announced and published separately. The Secretary -Treasurer shall preserve for one (1) year the ballots and all other records pertaining to the election.

Section 8: The installation of all officers-elect shall take place within one month following the election. If any officer-elect fails to make an appearance at the installation, he shall forfeit the office to which he was elected, unless he has been excused by the Executive Board because of illness or other justifiable reason.

ARTICLE VI **VACANCIES**

Section 1: Vacancies in any office shall be filled for the unexpired term by appointment of the President, subject to the approval of the Executive Board.

Section 2: In the event of a vacancy in the office of President, such vacancy shall be filled for the unexpired term by appointment of the Executive Board, subject to approval by the membership.

Appendix B: Motion to approve President's Appointment of Vacancies Not Carried

**MINUTES OF THE UNITE HERE LOCAL 75 EXECUTIVE BOARD & SOLIDARITY
COMMITTEE, ON THURSDAY OCTOBER 5, 2017 AT
HELD AT 25 CECIL STREET, UNITED STEELWORKER'S HALL**

Jocelyn	Cuasay	No
Nigel	Blair	Yes
Yohannes	Habte	Abstain
Christine	Smalling	No
Froilan	De Guzman	Yes

Vote results – 6 No, 15 Yes. 1 abstain

Motion Carried.

6. Motion to approve the President's appointment of Susana Desillos to the vacant position as Trustee of UNITE HERE Local 75.

Moved by Brother Chris Koehler, seconded by Brother Kiran Panikar.

Brother Nuredin Bulle stated it was important for this body to know the candidate. He also stated that Sister Valrie Lue and himself have not met this candidate and should get to know any candidate before they take office.

Same motion. Same vote. (as per the Balance Sheet August 31, 2017)

Moved by Brother Yohannes Habte, seconded by Brother Sami Hanna. Carried (no opposition).

Motion not carried.

7. Motion to approve the President's appointment of Andrea Henry to the vacant position on the Executive Board of UNITE HERE Local 75.

Moved by Brother John Timoteo, seconded by Brother Prasanna Nanayakkara.

Same motion. Same vote. (as per the Balance Sheet August 31, 2017)

Moved by Sister Christine Smalling, seconded by Sister Ianka Stoyanova. Carried (no opposition).

Motion not carried.

Appendix C: November 2, 2017 Executive Board Agenda Page demonstrating violation of President Pimentel by filling vacant positions



MEETING AGENDA

MEETING DESCRIPTION: UNITE HERE LOCAL 75: EXECUTIVE BOARD/SOLIDARITY MEETING

DATE: Thursday, November 2, 2017 **TIME:** 10:00 a.m.

LOCATION: 15 Gervais Drive, Basement Meeting Room

Officers:

Sister Lis Pimentel	President
Brother Nuredin Bulle	Secretary-Treasurer
Sister Valrie Lue	Vice-President

Executive Board:

Sister Kay Ann Drummond	Executive Board Member
Brother Sami Hanna	Executive Board Member
Brother Rik Hockley	Executive Board Member
Sister Medhin Ghebre	Executive Board Member
Brother Prasanna Nanayakkara	Executive Board Member
Brother Habtom Ogbamichael	Executive Board Member
Sister Avenell Johnson	Executive Board Member
Sister Myrna Stoller	Executive Board Member
Sister Ianka Stoyanova	Executive Board Member
Brother John Timoteo	Executive Board Member
Sister Maria Richards	Executive Board Member
Sister Jocelyn Cuasay	Executive Board Member
Brother Nigel Blair	Executive Board Member
Brother Colin Francis	Executive Board Member
Brother Abdalla Idris	Executive Board Member
Brother Yohannes Habte	Executive Board Member
Brother Kiran Panikar	Executive Board Member
Brother Lloyd Manning	Executive Board Member
Sister Christine Smalling	Executive Board Member
Brother Rajesh Thomas	Executive Board Member
Sister Josefina Palomo-Lee	Executive Board Member
Brother Chris Koehler	Executive Board Member
Brother Froilan De Guzman	Executive Board Member
Sister Evelyn Redden	Executive Board Member
Sister Andrea Henry	Executive Board Member

Trustees:

Brother Yosief Ogbasellasie	Trustee
Brother Abu Ahmed Azam	Trustee
Sister Susana Desillos	Trustee

Executive Board Meeting - Local 75
Thursday, November 2, 2017

COMPLAINT 55

From: Teferi Zemene <teferizemene@gmail.com>

Date: Sunday, November 5, 2017 at 11:11 PM

To: "D. Taylor" <dtaylor@unitehere.org>, Gwen Mills <gmills@unitehere.org>, "mcasey@unitehere2.org" <mcasey@unitehere2.org>, "rmccracken@msh.law" <rmccracken@msh.law>, "svarela@msh.law" <svarela@msh.law>

Subject: November 2nd e-board meeting

Hello all,

Attached is my statement pertaining to the local 75 executive board meeting that was held, November 2nd at the OFL building (15 Gervais st, toronto)

Thank you for your attention, I await you response,

Best,

Teferi Zemene

Statement about November 2, 2017 Local 75 Executive Board Meeting by Teferi Zemene

November 5, 2017

I want to report what I witnessed on November 2nd, after the Executive Board and officers Nuredin and Valrie left the E-board meeting.

Using about 25-30 new workers and IU and Local staff to Disrupt the Executive Board Meeting

Lis Pimentel and David Sanders brought about 25-30 new workers and also staff to the Executive Board meeting to disrupt the Executive Board from doing any business, and to trash the democratic procedures and bylaws and our Constitution. The examples below will demonstrate this point.

Demonizing Executive Board and Elected Officers, International Union and Brother Mike Casey

Throughout the meeting, the International Union, Mike Casey, the majority of the Local 75 Executive Board, and Officers Valrie Lue and Nuredin Bulle were demonized by the following IU and Local 75 staff:

IU Staff:

- Lis Pimentel (Local 75 President)
- David Sanders
- Jay Yerex
- Marc Hollin

Local 75 Staff:

- Allan Pace
- Kumsa Baker
- Rafunzel Korngut

The following comments were made by the above-named individuals:

Lis Pimentel, President:

- After a majority of the Executive Board and elected officers left the meeting, Lis stated, “[it feels like today that we are getting our union back. This dispute is not going to get resolved. There is no other way other than we shall put our own bylaws or election, or both. I will call an emergency General Membership Meeting on the 12th of December. That is absolutely critical.]”
- She talked about being under investigation “non-stop.” She said, “investigation non-stop? It sucks.” She said there were allegations about her and David covering up sexual abuse, and said that it was soul crushing. She said that “they” are alleging that she is abusing hiring and firing.
- She said that the complainants (Local 75 Executive Board and officers etc.) should not even go to the IU about their complaints that the bylaws don’t allow it. She said, the charges should be filed privately by hiring their own private lawyer. She said the only thing to do is make allegations. She said, she’s happy to run again and that there is a tipping point and that she is not afraid of investigation. She added, “No way over my fucking dead body will I be intimidated. I’m the first woman leader of this local. You know it is not going to be fair for women, people of colour...I wake up in a fucked-up world. I do know that there are some guys from the International union who got involved. I know their names. I see it when I check the telephone bills.” She alleged that Nuredin told her that the IU is behind this. She said, “this is our local...I’m sick and tired of this. I’m not going to be silent. I’ll be loud in the next year. There will be an emergency meeting in December, hundreds and hundreds of people will change the bylaws.”
- Lis said that “they” are trying to unseat an elected officer and that the IU is supporting that. She said that the IU is supporting Nuredin.

- Lis said filing false complaints is illegal in Canada, suggesting that the complaints filed are false. Later on, in the meeting Lis said, "I am under investigation right now. I don't hang this around my neck. The house is rumbling. I'll seek legal advice. Worst case scenario, the members decide." Lis said that the IU is funding an attorney to represent the complainants (Executive Board and elected officers) who have made allegations against her.
- Lis said that asking that Kumsa's grant be cut hurts families. She said "we put up with this shit for a year. Enough is enough." Later to agitate the crowd, she asked, when the IU cuts grants do I have the authority to absorb those staff? She added, the IU agreed with Nuredin.
- In reference to her meeting with Scott Cooper, Lis stated: "I was dragged to the airport and interrogated about the petition" (this was a petition that was being circulated at our properties by staff aligned with Lis and David which demonized the majority of the Local 75 Executive Board and Elected officers and referred to them as the "other group").

Lis was agitating everyone in the meeting; it was clear that she was campaigning by misinforming new members. Lis did not release the veteran solidarity committee members that built this local from their workplace to attend this meeting. Instead of focusing on 2018 as she claimed she wanted to, the real conversation that took place was how Lis could take over the union and wipe out the majority Executive Board and Elected officers (through election). Lis is providing false and misleading information to members by making false allegations (i.e. that the IU is funding lawyers, that the complaints are false etc.)

David Sanders, International Organizing Director:

- David said that at the October 10th meeting people chose change by overturning all the Executive Board's decisions.
- David said that "Nuredin and that group are supported by the International Union." He said, "I was told by two of them that there are two people from the IU to screw up this union." He claimed he was warned not to go against Nuredin. He claimed he was warned by a character assassination attempt. He said, "I was put under investigation, threatened to be fired. I don't know now who is under investigation... It's all pretty fucked up... this will be sorted out."
- David said that none of us would like to see Trump as we are Canadians. He said we are not like the US, we don't have Trump and that we are progressive here. He also said that Canada and the US are two separate countries and that we still have a Queen and King. He said we have the NDP governments in provinces, the CLC and that that nobody should be afraid of democracy. He said, "we can fight, but I hope people do not fight to stop us." David suggested that Canada and the US are separate countries, and said that the past practices and common law here in Canada are different. He said that the people decide and that's why we need a special membership meeting on December 12th to discuss potential bylaw changes.

Even though David was clearly told not to be involved in any politics of the Union as an IU employee; not only is he involved, but he is leading the campaign with Lis against elected leaders of our Local. He is also misleading the members by creating what is my belief are false stories (that he was threatened etc.). David is demonizing the Executive Board without explaining what their concerns are which is accountability, transparency, democracy and having a voice in the workers organization that they built.

Jay Yerex, IU Organizer:

- Jay cut Nuredin off while he was speaking at the meeting, he also made false accusations against Nuredin that he is responsible for removing Eula as Shop Steward/Solidarity Committee from the board at the Chelsea Hotel.
- Jay was loudly chanting "election" over and over again at different points during the meeting.
- Jay was yelling at Mike Casey by saying that Mike didn't have time to meet with his people.
- He also accused Mike Casey and the IU of sexism and misogyny and said, "how dare you send an email" and not respect Lis. He added, "we will teach you like we taught Alex Dagg. I will not

meet with you (Mike Casey) any more... You tell D., you tell Scott, you can fire me." Jay was using the F-word a lot. Mike Casey stayed calm the entire time he was being abused.

- Jay also said, "I know the IU and you (by pointing his finger at Mike Casey) are behind all of this., Jay also said, fuck you to Mike Casey, that you came here and instead of fixing the problem you made it worse. He said that Scott Cooper came and disrespected Nadia and Lis at the Hilton. He said, People call me faggot, I report it to the IU, and they do nothing about it. I don't care if I lose my job today. Fuck you (to Mike Casey) and Fuck the International.
- At one point, Ashley Hayes asked Mike Casey, "why do you think the election is wrong?" As Mike started to respond, he was cut off by Jay and others (mainly Jay), and was not permitted to speak. I believe this was done so that Mike would be prevented from speaking truthfully to the new members who were in the room, because it appears that everything that is being told to them to agitate them is a lie.

Jay, an IU Organizer, has been told many times to stay out of the politics. But, not only is he heavily involved, he is agitating workers and organizing them against the elected officers and majority executive board of Local 75, and the IU. He was also very disrespectful to Mike Casey and Nuredin during the meeting. It was difficult to watch. On a personal note, I am wondering how Jay as an employee of the IU is insulting his employer and has still been promoted and it bothers me that the IU has been silent on this part.

Marc Hollin, IU Researcher:

- In speaking to D. Taylor's interpretation of Local 75 bylaws by letter sent by the Local 75 Executive Board, Marc said, "It (the interpretation) is legally absurd. It's a popularity contest." To which executive board member Chris Koehler commented, "Is D. Taylor well?" (implying mentally well).
- Throughout the meeting, Marc was commenting on things David Sanders was saying, by agreeing with him on his interpretation of Canadian law, basically speaking against the IU.

It is important to note that Marc Hollin is an IU employee, paid by the IU. He leads three Researchers in Toronto – David Anderson, Kumsa Baker, and Thorben Wieditz (grant), and his views, I believe, have shaped the views and behaviour of the Researchers he leads. All three of those Researchers appear to be against the majority executive board and officers of Local 75, and Kumsa, in particular, has been openly disparaging the IU in front of members. Where is this type of defamation and misleading open attack of your employer, especially in front of members, allowed in any organization?

Local 75 Staff:

Allan Pace, Local 75 Organizer:

- Throughout the entire meeting Allan Pace was chanting "election" and he was swearing at the IU and Mike Casey. He said D. Taylor is behind all of this. He said to Mike Casey, you should not be here.
- He also distributed the petition for the special meeting to change the bylaws and said, "fuck the International."

I believe this clearly demonstrates the Organizers were instructed to mislead and agitate workers. Despite all these false allegations and misleading of the membership by people under her structure, the President did not say a word to stop him. This is absurd and abnormal to me.

Kumsa Baker, Former IU Grant, Local Researcher:

- As Nuredin started to speak about having the meeting with just the Executive Board, Kumsa interrupted and started shouting "I thought this is a democracy" and he said, "why do you want to have the meeting behind closed doors" and kept shouting about democracy.

- Kumsa said to the members, "the amount of discrimination by the International Union we are facing, you'll never imagine." He complained that the IU is racist.

Rafunzel Korngut, Local 75 Organizer:

- Rafunzel was screaming and yelling at Mike Casey and I could not even understand what she was saying.

Lis Pimentel Led the Meeting by not practicing any Democratic Procedures

As is outlined in the examples above, the meeting was extremely disruptive and political campaign oriented (for Lis's election and by demonizing the Executive Board and IU), with no focus on the real work of the union.

Throughout the meeting, Mike Casey attempted to answer questions, but he was interrupted, yelled at, and sworn at, particularly by IU staff person Jay Yerex, so that he could not answer the questions asked of him. Lis, as the Chair of the meeting, did not intervene to allow him the opportunity to answer. At one point while Mike was trying to speak, she was not even listening to what he was saying or paying attention, she had her head down and was fiddling with her papers and stuff (to show disrespect); he even asked her if she could please listen. Even after he asked that, she continued not to listen. He requested her attention, and did not get it. Mike was sworn at in the meeting, and not once did she comment that it was inappropriate or ask people (particularly her staff) to stop. This is not how you run a democratic organization, as she claims to be running.

Democracy is about accountability, about having a voice, about following the procedures, and about having mutual respect for different opinions; I have not witnessed that in this meeting. In fact, individual respect was taken away by silencing individuals with different opinions, or those who might offer an appropriate explanation or the truth. What I witnessed was the demonizing of the majority of the governing body of our Local, and the IU. Mike Casey came here to create peace and in fact, many of us, and he himself thought he succeeded. He showed us humbleness and his openness to different opinions, allowing democracy to flourish during the time he has been here. I did not like what I witnessed; the dehumanization and humiliation of leaders of our Union who gave their life to advance the interest of the working class (like Mike Casey) by our own local leadership and staff.

COMPLAINT 56

Begin forwarded message:

From: Nuredin Bulle <nbulle75@gmail.com>

Date: November 13, 2017 at 5:04:27 PM EST

To: smarks@unitehere.org

Cc: dtaylor@unitehere.org, mpcooper@unitehere.org,

pboyd@unitehere.org, pnelson@unitehere.org, Nwinston@24.unitehere.org,

pstitts@unitehere.org, skiser@unitehere.hostpilot.org, klamb@unitehere.org,

mellis@unitehere.org, apalmer@unitehere.org, mrdonaldboyd@yahoo.com,

MarvinJ@878.unitehere.org, csmith@unitehere.org, lvashon@culinary226.org,

cbrandon@100.unitehere.org, nhunt@unitehere.org, walker@yaleunions.org,

tharvey@uniteherelocal54.com

Subject: Letter regarding Racism and Discrimination at Local 75

Dear Brother Scott Marks and Members of the Black Leadership Committee of UNITE HERE,

As your fellow committee member, I have written a letter to all of you regarding some very serious issues at Local 75 related to racism and discrimination against black leaders in our organization.

I hope that you will give this letter your utmost attention.

I look forward to hearing from you.

In solidarity,

Nuredin Bulle

To: Scott Marks, Chair, UNITE HERE Black Leadership Committee

CC: D. Taylor, General President, UNITE HERE
Black Leadership Committee, UNITE HERE

Re: Discrimination and Racism at UNITE HERE Local 75

November 13, 2017

Dear Brother Scott Marks,

I am writing you on behalf of the racialized staff leaders of Local 75 who have been subjected to discrimination, racism, and harassment over the last year in our workplace. Because you are a leader of the Black Leadership Committee at UNITE HERE, I believe it is imperative that you know the extent of what has been taking place at Local 75. Some of the goals of the Black Leadership Committee are to promote black leadership within our organization, to ensure that black voices are heard, and to ensure that black people are given equal opportunities to achieve their maximum potential in our organization in order to make a difference. However, at Local 75, the opposite is happening. Let me explain some of what is happening at Local 75:

Demoting, Silencing and Discriminating Against Black Staff Leaders

Valrie Lue: Our Vice President, Valrie Lue, a long-time, rank-and-file leader of Local 75, was one of the key leaders to rebuild our Local. For over 20 years, Valrie, a single mother, has made numerous sacrifices to put our Local ahead of everything else in her life. Some of her accomplishments include:

- Leading strikes;
- Organizing non-union hotels, directly contributing to the Local's growth in membership;
- Developing numerous staff.

The list of Valrie's contributions to our Local goes on and on. But, in December 2016, after a Special Meeting that was called by the Local 75 majority Executive Board to meet with General President D. Taylor, our Local's President Lis Pimentel demoted Valrie as a Lead Organizer for speaking up at the meeting. During that meeting, D. Taylor encouraged the elected leadership of our Local to speak freely about their concerns. Valrie voiced her concerns in her capacity as Vice President. Because she exercised her freedom to speak freely as an equal human being, she faced reprisal. The message here was very clear: as a black leader who built this Local, you actually don't have the right to speak freely, and you are not in fact equal and black voices do not actually matter at Local 75. Not only did Lis demote Valrie, but, she also reduced her salary. This is not the practice for white leads, who have never had their salaries reduced. In fact, they can choose, at free will, when they want to be "Leads" and when they don't feel like being "Leads" and their salary remains intact.

Valrie says that this is how she felt:

"Throughout my lifetime and in all my years in Canada, I have never experienced the level of racism that I experienced over this past year in my own Local, and at the hands of people that I never expected to have it come from; people I deeply cared for and loved."

Solomon Asfaha: Solomon has been with Local 75 for more than 20 years. He, too, is a rank-and-file leader who helped build this Local and made numerous sacrifices for the benefit of Local 75. Solomon was a Lead Organizer. He was also demoted in December 2016 and he, too, had his salary reduced. The alleged reason for his demotion was a “performance issue.” For years, Solomon has been a Lead Organizer and during the time he was most vulnerable (going through a divorce) is the time that rather than showing one of our staff leaders humanity and care (the way it has been shown to white staff at Local 75), Solomon was instead, punished. White staff who have also gone through personal struggles at work for several years have never been demoted and in fact, have always been accommodated.

Brother Scott Marks, if this is not racism, what is?

The level of discrimination and unequal treatment that Solomon has endured, according to him, has had an immense impact on his health. Solomon had a massive heart attack on October 5th, 2017 in which he nearly lost his life. He believes that the level of stress he has endured due to his mistreatment at Local 75, played a key role in causing his heart attack. These are words he spoke from his hospital bed on the day he nearly lost his life.

Mahen Krishnamoorty: Mahen is another rank-and-file leader of Local 75; his leadership started over 20 years ago when he worked at the Chelsea Hotel. It is his capabilities and leadership that led to his being hired onto staff at Local 75 in 2009.

Some of Mahen’s accomplishments include:

- Led the 2010 Chelsea Hotel strike (about 600+ workers). This strike set a standard for the City of Toronto;
- Organizing several non-union workplaces;
- Led one of the largest key leader and committee groups at Local 75.

Mahen is currently not working with us. Why? Because Lis suspending him on allegations that have not been substantiated. To be clear, this is another case of unequal treatment and discrimination. There is one white staff person, in particular, who has had numerous allegations and complaints filed against him. Many are on the very serious matter of harassment of racialized leaders at Local 75. Rather than any disciplinary action taken against this individual, Lis recently promoted him to a Lead position.

Mahen is currently also facing issues with his health; which he believes has diminished as a direct result of his unequal treatment at Local 75. This has had an immense impact on his family. His son who was supposed to continue his University education this year, has had to drop out of school to care for his father. Is this how we build our Union – by not only destroying the leaders who built it, but by also destroying their families? What do we call this? I leave it for you to decide.

Monica McKenzie: Monica McKenzie, another rank-and-file leader at Local 75 who volunteered as a LOA for over ten years, was threatened with termination, and in fact, was only reinstated after agreeing to extend her probation period after already having completed her probation. Again, this threat and this disciplinary action taken against Monica was based on unsubstantiated allegations. The saddest part is that I, as a Staff Director, and Guled Warsame, her direct Lead and someone who directly oversees Monica, were not consulted or informed of the decision that Lis made regarding Monica’s employment. One thing is very apparent here – all three of us, Monica, Guled, and I are all black and our voices and opinions did not matter, and our leadership was again, undermined and discounted. This is

in direct contrast of how white leaders are treated in our organization. There is a structure that needs to be respected. But, when it comes to black leaders at Local 75, that structure is not respected or followed.

I want you to hear from Monica directly. On September 16, 2017 she sent me a heart felt letter in which she expressed her feelings and fears. With Monica's permission, I have enclosed that letter as Appendix A. I would encourage you to read it.

Brother Scott, there is one part of Monica's letter that I really want you to focus on; something, that I believe is dear to you and the mission of the Black Leadership Committee, according to our previous discussions – good jobs for black youth. Monica wrote,

"The letter dated April 24,2017 mentioned that I seriously jeopardised the Four Points by Sheraton Meadowvale bargaining, the letter stated workers alleged that I asked management to hire one of my relatives. The company subsequently did hire your relative. The workers' perception is that this affected your willingness to challenge management on the members behalf. This is not true, I always recommend people to all the properties to be hired most of the people are minorities and happen to be people of coloured because as you know most people who want these jobs are people of colour. Its that wrong to recommend people of colour? In fact, that allegation is not true also. I need you to conduct a DNA show that person is my relative. Is it because I am black?"

Imagine the level of fear Monica felt to say, 'check my DNA' for doing the right thing. Where is the crime in recommending racialized people to get good unionized jobs? Because at the end of the day, this is what Lis is alleging is the crime. In this era, in an institution that is meant to be progressive, a black leader is asking that her DNA be checked because she feels demonized and is being criminalized, and is deemed untrustworthy. We are unfortunately in a time where innocent black people are being criminalized; not only in the United States, but also in Canada. The words "conduct a DNA" to be written by Monica, hurts my heart.

In fact, Brother Scott, in an email dated September 7, 2017, you wrote to both Lis and I, "With the rise of income inequality, the increase in hate crimes and racism, police brutality and profiling in the black community, and the targeting of the immigrant and Muslim communities across the country, President D Taylor has asked us to look for ways to **increase the number of black leaders within our union and the number of black workers in the hospitality industry...**"

Do you think that Lis's action in punishing Monica for doing what our Union leadership is promoting – to increase the number of black workers in the hospitality industry – is justified? Do you believe that this penalty would encourage or discourage other staff leaders, particularly black staff leaders, from referring black workers to good unionized jobs? **This is one of the reasons that Monica's probation was extended.** Brother Scott, I encourage you to think about this deeply and how it affects you as a black leader of our Union.

Cornetta Mason: Cornetta, another rank-and-file leader of Local 75, has worked on staff for twenty years. During her time at Local 75, Cornetta accomplished a lot. Some of these accomplishments include:

- Recently she led a strike at the Holiday Inn Norfinch against one of the most anti-union corporation we have dealt with. This was an extremely tough fight. Cornetta led that strike day in and day out during the coldest months of the year, and she led us to victory.
- She organized numerous non-union hotels including Novotel Downtown, Holiday Inn Airport, Radisson Airport, Holiday Inn East, Holiday Inn International, Holiday Inn Scarborough, Grand Hotel and residual units at the Travelodge and DoubleTree. The list goes on.

Currently, every white Organizer at Local 75 has been promoted to a Lead position, with less accomplishments than Cornetta. Since I joined this organization, I have not witnessed a white Organizer wait anywhere close to 20 years before being promoted. This is unheard of. In fact, not only does this hurt Cornetta, but it also hurts our organization. Cornetta's example further demonstrates the racial inequality at Local 75.

Guled Warsame: Guled joined our organization as a Community Organizer ten years ago after having played a vital role in the Workers United fight. He was instrumental in moving the Food Service units from under Alex Dagg's structure to Local 75. Guled currently leads two staff members in the hotels, while he also continues to lead the Community Organizing. He is a black leader with huge capacity; in fact, in January 2017 there had been an agreement in place to promote him to a Director-level position due to his track-record and capacity. He was stripped of that opportunity because he voiced his opinion on the injustice that was taking place at Local 75. Not only does this hurt Guled, but it hurts our organization. Black leaders with immense capabilities to move our organization forward are denied those opportunities.

Criminalizing and Defaming Rank-and-file Trustee of Local 75, Yosief Ogbasellasi, Another Black Leader

On October 4th, Yosief Ogbasellasi received a notice stating that he was being charged under the Local 75 bylaws, and that a trial would be held by Lis Pimentel. The grounds for the charge is getting a meeting space for a Local 75 General Membership Meeting for a 'discounted price.' To be perfectly clear, Yosief only asked the Sheraton Centre, his place of employment, if there was a room available for our General Membership Meeting, and then passed that information to Local 75. There was no request for a discount.

Yosief has been on the Local 75 Executive Board for over twenty years; starting as an Executive Board member and is now Trustee. He is one of our veteran leaders who built our Local. The 'crime' he stands accused of was simply asking his employer for the availability of a room and passing that information to Local 75. To be perfectly clear, there is evidence that proves that no discount was requested. Yet, he has been treated like a criminal to the point where Lis is having him face trial. This not only affects Yosief, but also, his family and his daughter in particular, who read the charges filed against her father, and had this to say:

'Dad, why are they charging you? You always volunteer for this Union, you've given your life to the Union. You always talk about it. Are they treating you like this because you are black?' Visibly shaken with fear, she asked her father, "Are you going to jail?"

Imagine how a frivolous complaint and a trial would feel to a black man and his family, in this day and age.

Brother Scott, these are just some of the examples of what we, as black leaders face at Local 75 on a daily basis.

I also want to share some of my experiences with discrimination, racism, and harassment at Local 75. I am one of the highest ranking black leaders in the entire UNITE HERE International Union. I am Staff Director and Secretary Treasurer of Local 75. Imagine if I go through this, which black leaders are immune?

Leadership Taken Away

- A year ago, Lis took away my Staff Director position without informing me. I used to run our staff meetings since 2012. On one occasion in November 2016, I started running the staff meeting and she openly humiliated me in front of the entire staff by cutting me off while I was speaking and ran the meeting herself. I used to sit on one end of the table when I ran them, and she sat at the other end with David Sanders. Then she started sitting where I usually sat, and David took the other end of the table. This entire thing was hard for my staff to watch. I told them don't worry things will get better, but they got worse. Since then, I have not been permitted to run staff meetings; if, for example, both Lis and David are away on a staff meeting day, then the meeting will be cancelled or rescheduled. How does this type of decision benefit our organization?
- Jay Yerex was on my team and he was removed from my team in November 2016 and put under Allan Pace's team under David Sanders' structure – to move him from under my structure to under David Sanders' structure as if I am not good enough to lead white staff. Currently all staff under my structure are black.
- I have been stripped of all decision-making abilities, and I have been deliberately cut out from even being informed of all key decisions that affect our Local (including hiring).

Insulted by Local 75 Staff in front of Lis Pimentel

At Local 75, I have been insulted and sworn at by staff, in front of Lis, who did nothing to stop them. I outline one such incident, below. But, please note there are many more examples.

On April 12th, during a leads meeting, an Organizer under David Sanders' structure, yelled at me and Guled, stating, 'Who the fuck do you guys think you are? Who are you people? You guys walk into the office with your head held up high all confident and smiling? Who the fuck do you think you are?' I said to this Organizer, 'so as black leaders, are you expecting us to bow our heads down when we get to the office? Is that what you're expecting of us?' Let me reverse it for you; imagine a white leader with my position (Secretary Treasurer, Staff Director, and International Vice President) being sworn at the way I was by a black Organizer. Do you think that the black Organizer would still be employed? Lis and David were both present when this incident occurred in the leads meeting. They did not do anything to stop it. In fact, a racialized IU staff person, jumped in to stop it and said, 'how is it okay for her to speak to him like that and nobody is going to say anything? He's an elected officer? That is so disrespectful.' The white people in the room who were the majority, said nothing. Why do racialized people in our Local have to fight this alone?

Banned from Hotels, Defamation of Character, Removed by Police

In August 2017 Lis banned me from three major hotels. At one of the properties, Lis alleged that I was removed due to conflict of interest, the nature of which she would not tell me at the time, even though I

asked. Both Mike Casey and the CEO of the Hotel were informed by Lis, that there is conflict of interest due to a personal relationship. First and foremost, to be clear, there is no personal relationship between myself and anyone at the Hotel, except for informing workers (black female employees) that there is an opening at the front of the house, and that they should apply. As stated earlier, our Union, and the Black Leadership Committee supports the hiring of black people into good union jobs in our properties, and especially in the front of the house when we have a shortage. I referred people, who all happen to be black women who needed these good jobs, to these good jobs. As a human being, and a leader of our Union, I sincerely felt that I did the right thing, which is to help elevate the standard of living for racialized workers in our industry. For the President of our Local to approach the Hotel's CEO and suggest there is some sort of personal relationship and that I am under investigation on an item that was never brought to me, is defamation and character assassination. It is, in fact, exactly what happened to Monica McKenzie; we refer people to good jobs, and we are criminalized.

On the flip side, David Sanders' partner is employed at Hawthorne, our Training Centre Restaurant. Both Lis and David sit on the Board of the Training Centre. In this situation, no 'conflict of interest' was flagged. I believe it is because David is white, and I am black. The Training Centre is an organization that our Local controls, where our Local has influence. To put it bluntly, if I refer someone to a Hotel job opening, I have no say on what happens from there; it is up to the Hotel to hire them or not. The Training Centre, is a different story.

At another property, the Chelsea Hotel, the police were called on August 18th to remove me from the Hotel. I was removed by police because the Hotel followed Lis's direction to ban me from the Hotel. As a person of colour and given the current racial climate and fear that black men, especially, have of police in general, to be escorted out like a criminal by the police due to our own President, is the absolute lowest point for our Union. This is the absolute lowest a so-called Union leader could go. The individuals who witnessed me, a black leader of our Union, being hauled out of the Hotel by the police, like a criminal, were our members who are predominantly people of colour. What kind of message is our Local's President sending to our racialized members? My two sons also heard about this incident from their aunt who works in the hotel industry. My sons asked me, 'why is the police escorting you out of the Hotel?' Up to now, I do not have an answer for them. Brother Scott, I might need your help in explaining to my sons how to address the question that they raised.

I have many more examples; many more experiences of abuse, defamation, and discrimination that have been imposed on us. We should ask ourselves, is this the type of movement that encourages racialized people to participate; witnessing top racialized leaders being silenced, not having a voice, and being stripped of all decision-making abilities in the Union that they helped to build, and watching the families of these racialized leaders also impacted. You should also note that, according to Lis, the solution to our painful experience, is to call for a Special Meeting to change the Local 75 bylaws so she can run an election to replace a majority of the Executive Board and officers, who are predominantly racialized individuals, three years prior to our Local election. *Please see Appendix B.* How can this be justified?

Brother Scott, as the leader of the Black Leadership Committee in our Union, you have a profound responsibility to address our pain. We ask you, what will you do to ease our pain, to save our leaders' souls which have been deeply hurt, and what will you do to stop the further destruction of the black leaders of Local 75? Brother Scott, history will judge you, on where you stand on this, given everything that I have expressed to you. Because, at the end of the day, we cannot say 'Black Lives Matter' without their voices also mattering.

In Solidarity,

Nuredin Bulle,
Secretary Treasurer, UNITE HERE Local 75
International Executive Vice President, UNITE HERE

Appendix A: Letter from Monica McKenzie to Nuredin Bulle

Monica McKenzie
21 Dewridge court
Brampton Ontario
L6R 3C2

September 16, 2017

Hello my brother Nuredin,

Today I sat down and reflecting on my life and even questioning myself. I am feeling nervous, scared, unhappy, disgust and ashamed. I decided to write to you my brother because I trust you, and you care about the working class and overall human being. I saw those qualities while working with you for the past ten years as a volunteer organizer.

Please don't show or tell anyone of this letter because I don't want anyone to know how I am feeling or know that I am afraid of losing my job. I am just putting the best outside for the workers but deep inside I am hurting.

Nuredin, I started volunteering with my union from 2006-2013 in and out of the Hilton Airport Hotel & Suite. Managing thirteen or more properties with over a thousand workers, building committees, advocating for employees, leading strikes and other programs of the union. I just run and get things done for my union and my coworkers.

I am committed to build a stronger union and a movement to change my life and others. Around the month of September 2014, I continued in the position as volunteer organizer and never went back to my workplace at the Hilton Airport & Suite.

My union Unite here local 75 union needed me and I continued to work and I did not return to the Hilton Airport & Suites as a result I lost all other employee benefits with the Hilton. I didn't let it bother me as I was building the union and helping to change working people lives.

May 1, 2016, I met with Us, you and Guled over lunch. All three of you said welcome Monica, you are now hired on fulltime and we are going to continue to build this organization. I was happy, filled with joy to know that after all these years I am now fulltime.

I asked myself in April 2017 why am I still on probation? I observed four other team members being hired after me and their probation was never extended except mine, why after four years I am still on probation? I looked at the situation and ask myself is it because I am black? why this is happening to me?

I receive two letters, one dated April 24 and April 28, 2017 via email and courier. On April 24, 2017 courier and via email to my home from Lis, the letter stated that if my union cope 343 does not respond to approve the extension for six more month I will be terminated as of April 28, 2017.

The letter dated April 24, 2017 mentioned that I seriously jeopardised the Four Points by Sheraton Meadowdale bargaining, the letter stated workers alleged that I asked management to hire one of my relatives. The company subsequently did hire your relative. The workers' perception is that this affected your willingness to challenge management on the members behalf. This is not true, I always recommend people to all the properties to be hired most of the people are minorities and happen to be people of coloured because as you know most people who want these jobs are people of colour. Its that wrong to recommend people of colour? In fact, that allegation is not true also. I need you to conduct a DNA show that person is my relative. Is it because I am black?

The letter April 24, 2017 also mentioned the Sheraton Airport which is a key part of the Lanco campaign. And The level of mobilization there has not met expectations. She stated in the letter that she continues to receive complaints from the Chief Shop Steward who says he has not been informed by the steps they need to take in the campaign. As a result, the property has been a weak link in the campaign and now require intervention. Again, that also is not true, whersin that Shop Steward is a white man that once told me I was "fat, I am a cunt and he don't want to work with the black organizers." Mike's exact words to a worker another Shop Steward "I get rid of Cornetta the other black organizer and I will get rid of Morica also. On all the unions campaign and programs that we have, he has always degraded me, he never attends a Shop Steward training or union meetings.

I tightened my belt and continued to organize that workplace. When it came to grievances, he never showed up for is own or any other workers grievance meeting. Now he has more voice than I he is white and privileged this is because I am a black woman. I also have witnesses to his remarks and I would like this to be investigated.

April 24, 2017 another part of the letter stated during mobilizing for food service strike we were doing a union-wide petition in our hotels. The stated that I turned in multiple petition with fake signatures and numbers that was not real and we were unable to delegate the management and Provincial Parliament.

I told David Sanders in a meeting that the Airport Area that I cover is very slow in this time of the year a lot of members are on holiday or not on schedule so I cannot get anymore numbers or signature. David told me don't worried take them home sign your family, neighbours and other people. so that is what I did. I give the petition to workers in the hotels and they signed for the worker that were not on schedule or away. If he didn't say that to me I wouldn't let them sign who was not there. If there was an issue, some should have come to me and have the conversation. I was just discipline by having my probation extending for six months. If you are black you have no rights and may be fired, defamed, stripped of your dignity.

Nuredin my brother, I answer my own question, Yes, it is because I am black. I am having sleepless nights, my blood pressure is very high. I have never been so uncertain in my life. I feel discriminated against, racism, humiliated and bigotry. I was and I am still disappointed that my union that I built and fought alongside to ensure these kind of racism, discrimination and abuse don't happen to workers.

In my own union, Allan Pace called me a fat chihuahua, kiss ass and other nasty words and I complained to Cornetta my shop steward who then complain to Guled my lead organizer then brought it to Lis, David and others and nothing happened. I also told Allan several times I did not like those words he used to describe me and it is offensive and not acceptable and if you continue I will file a written complain on you. **STOP NOW.**

In fact, I was surprized when Allan was immediately promoted to a lead organizer position this answered my ownned question yes, indeed, it is because I am black. Allan also said many derogatory things to Valerie and called her names like stupid, illiterate, lazy, loser, team blind leading blind, he said Valerie and Josh are stupid. I felt it was a happening too often and it was going too far and he never aplogised. I could not see how my union would give Allan a promotion and my probation was extended.

My twenty-six years old son saw me crying and he said mom your crying is not a sign of weakness you are cleansing your heart. He encouraged me not to give up on the fight for justice if I give up, no changes will be made. Those who are privileged and in position of power, will continue to perpetuate the behaviour and still get away with it if no one calls it out.

I did not know that people of colour still need to fight injustice in the workplace on a daily basic just to feed their family and keep a roof over their head. Racism still is stumbling block that prevent many people of colour from the opportunity to have good paid jobs, promotions and lack of respect in the work place.

People of colour died for the same cause he says: the police stops me once per week so now its becomes the norm but I will never and cannot stop fighting for justice as a black person in this land of injustice.

Please pray for me my brother and continue to be my fence and my Rock. I hold on to your encouraging words.

You and my sister always remind me of the Martin Luther King Junior quote that says, "True peace is not merely the absent of tension is the present of justice."

Sincerely,

Monica McKenzie

Appendix B: Lis Pimentel's Petition to Replace the Local 75 Executive Board



Whereas the overwhelming majority of the members of Local 75 are entering into bargaining for new collective agreements at the beginning of 2018;

And Whereas in August of 2016, the existing officers and executive board members of Local 75 were elected unopposed by acclamation as a slate in unity and on the same program without the need of a vote for the membership;

And Whereas since July of 2017, Secretary Treasurer Nuredin Bulle and Vice-President Valrie Lue and members of the Local Executive Board supporting them have disagreed with the decisions of Local President Lisabeth Pimentel, members of the Executive Board supporting her, and the membership of the union as expressed in two consecutive membership meetings with the highest levels of attendance in the recent history of our Local Union;

And Whereas **Unity is crucial to our success and victory in 2018** as we engage in bargaining in Toronto along with many other Locals in Unite Here across North America;

And Whereas, as a democratic organization, the membership of Unite Here Local 75 should always have the ultimate say in which direction our union should take

We the **Undersigned** do hereby call for the following:

1. a **special membership meeting for the purposes of introducing any required changes to our Local By-Laws in order to hold a new election for Local Union Officers and the Executive Board. This election should be held as soon as possible but no later than early 2018:**
2. **in the same meeting, to introduce any required changes to our Local By-Laws in order to introduce a process for the recall of any Local union officers or Executive Board members who have lost the confidence of the membership now or in the future.**

Our union is strong because the membership is strong. **The membership should decide.**

NAME	WORKPLACE	SIGNATURE
_____	_____	_____
_____	_____	_____

COMPLAINT 57

From: Jay Yerex <jyerex@unitehere.org>
Date: Tuesday, November 14, 2017 at 1:06 PM
To: Gwen Mills <gmills@unitehere.org>, Lis Pimentel <lpimentel@uniteherelocal75.org>
Cc: Mike Casey <mcasey@unitehere2.org>
Subject: Re: False allegations

Hi Lis and Gwen

I am formally requesting an investigation into the inappropriate conduct, and attempt to lie and discredit me by Nuredine.

I also formally request that the Local also investigate.

I would also like to be advised whether Mike Casey was aware of this stunt in advance.

Will the International Union be investigating or not?

Pls advise ASAP

Jay

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Jay Yerex <jyerex@unitehere.org>
Date: 2017-11-02 11:52 AM (GMT-05:00)
To: Gwen Mills <gmills@unitehere.org>, Lis Pimentel <lpimentel@uniteherelocal75.org>
Cc: Mike Casey <mcasey@unitehere2.org>
Subject: False allegations

I would like an investigation into Nuredine's involvement in the false allegations against me this morning.

And I would like action taken regarding his continued targetting of me.

Jay

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Jim Stewart <jim.stewart@chelseatoronto.com>

Date: 2017-11-02 10:47 AM (GMT-05:00)
To: Jay Yerex <jyerex@unitehere.org>
Subject: FW: Shop stewards

Hi Jay

In response to your email, you will see that Mahen sent me an email last October advising us that Patricia is a temporary shop steward.
She was to replace Otis Anderson – who is currently on Medical leave.

As for Eula Marcos, I do not remember a time when Eula was ever a shop steward.
She was always just part of the Union Executive.
Hope this helps.

Jim

Jim Stewart
Assistant Director, Human Resources
Chelsea Hotel, Toronto
33 Gerrard Street West,
Toronto, Ontario M5G 1Z4
T: +1(416) 585-4349 F: +1(416)581-8936 E: jim.stewart@chelseatoronto.com



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TORONTO
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From: Mahen Krishnamoorthy [<mailto:mkrishnamoorthy@uniteherelocal75.org>]
Sent: Wednesday, October 12, 2016 7:56 PM
To: Jim Stewart
Subject: Re: Shop stewards

Hi Jim,
Here we go the shop steward list.

Lynne Hill- Chief steward
Manny Memita- Recreation
Feliz- outlets
Eduardo- Maintenance
Medhin- Housekeeping
Patricia- Housekeeping (temporary)
Abdalla- Houseperson
Eddie Medirious- Guest service
Daniel - Guest service(alternate)

Dalton- Banquet
Kong Lim- On the Go Attendant
Holden Brown- Kitchen
Lucia- Market Garden

Patricia will represent Otis.
Thanks

Mahen Krishnamoorthy
Union Organizer
Unite Here Local 75

Sent from my LG Mobile

----- Original message-----

From: Jim Stewart
Date: Wed, Oct 12, 2016 4:55 PM
To: Mahen Krishnamoorthy;
Cc: Bud Harvey;
Subject: Shop stewards

Could you please send me a list of current departmental shop stewards for the Chelsea?
Abdalla just mentioned that Eduardo is the shop steward for maintenance, however we have never been informed.

Also, Abdalla advised that Patricia is filling in while Eula is away.

Is Eula filling Otis's position?

Jim

Jim Stewart
Assistant Director, Human Resources
Chelsea Hotel, Toronto
33 Gerrard Street West,
Toronto, Ontario M5G 1Z4
T: +1(416)585-4349 F: +1(416)581-8936 E: jim.stewart@chelseatoronto.com



COMPLAINT 58

From: jayerex6 <jayerex6@gmail.com>
Date: Thursday, November 16, 2017 at 4:38 PM
To: Gwen Mills <gmills@unitehere.org>
Cc: John McCaffrey <jmccaffrey@UNITEHERE.hostpilot.com>, Lis Pimentel <lpimentel@uniteherelocal75.org>, Les Lewis <lesl530@gmail.com>
Subject: Re: Sexual Harassment and inappropriate conduct

I would like a written apology from Nuredine regarding the false accusations made about me regarding Eula Marcos. This letter of apology should also be posted at the Chelsea.

The false accusations are now being spread at the Chelsea Hotel this is unacceptable.

Why does the international union continue to ignore and disregard my very serious complaints and requests into the ongoing defamation and serious harassment.

It appears that the International Union is not at all concerned with rampant mysoginy and homophobia from your officers and staff.

Jay Yerex

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Gwen Mills <gmills@unitehere.org>
Date: 2017-11-16 4:29 PM (GMT-05:00)
To: Jay Yerex <jyerex@unitehere.org>
Cc: John McCaffrey <jmccaffrey@UNITEHERE.hostpilot.com>, Lis Pimentel <lpimentel@uniteherelocal75.org>
Subject: Re: Sexual Harassment and inappropriate conduct

Hi Jay,

We are in the process of developing those protocols. In the meantime, if there is something to report, please use the previous established practice of contacting Human Resources, and contact Sheena Washington.

Thanks,

Gwen

From: Jay Yerex <jyerex@unitehere.org>
Date: Tuesday, November 14, 2017 at 1:26 PM
To: Gwen Mills <gmills@unitehere.org>
Cc: John McCaffrey <jmccaffrey@UNITEHERE.hostpilot.com>, Lis Pimentel <lpimentel@uniteherelocal75.org>
Subject: Sexual Harassment and inappropriate conduct

Hi Gwen and John

What is the protocol regarding contacting Meg Robertson for accusations of sexual harassment.

Pls advise

Jay

Sent from my Samsung Galaxy smartphone.

COMPLAINT 59

From: jayverex6 <jayverex6@gmail.com>
Date: Monday, November 27, 2017 at 3:30 PM
To: Gwen Mills <gmills@unitehere.org>, John McCaffrey <jmccaffrey@UNITEHERE.hostpilot.com>
Cc: Theresa McGuire <tmcguire@unitehere.org>, Les Lewis <lesl530@gmail.com>
Subject: Inappropriate conduct

Hi Gwen and John

I've had several bargaining unit staff, as well as local staff bring concerns to me regarding Shelli Sareen's ongoing inappropriate behavior.

Many people feel uncomfortable with her ongoing actions, and are concerned.

Pls explain why IU Organizing staff are being overseen by an IU representative who comes to Toronto regularly, as opposed to research staff who are not overseen in the same manner.

Shelli has surveilled staff and members at the last membership meeting, and has disrupted meetings including with Mike Casey.

The optics appear that the IU condones Shelli's behavior as she is supporting Nuredine Bulle whom the international union appears also to be assisting.

It was also concerning despite grievances and complaints Shelli has had about the IU and her departmental directors, and her multi-year request for a promotion, she was suddenly promoted retroactively after she was solicited for a complaint to be filed against Nadia Baer.

UUHS believes that the IU should be treating all IU staff assigned to Canada equally, and not be receiving preferential treatment for perceived political views.

Pls advise

Regards

Jay Yerex

Sent from my Samsung Galaxy smartphone.

COMPLAINT 60

From: Shelli Sareen <ssareen@unitehere.org>
Date: Monday, November 27, 2017 at 2:48 PM
To: "D. Taylor" <dtaylor@unitehere.org>, Gwen Mills <gmills@unitehere.org>, "mcasey@unitehere2.org" <mcasey@unitehere2.org>, Lis Pimentel <lpimentel@uniteherelocal75.org>, Nuredin Bulle <nbulle@uniteherelocal75.org>, "vlue@uniteherelocal75.org" <vlue@uniteherelocal75.org>
Cc: "rmccracken@msh.law" <rmccracken@msh.law>, "svarela@msh.law" <svarela@msh.law>
Subject: Formal Complaint against Allan Pace, Local 75 Organizing Lead

Good afternoon all,

Please see attached formal complaint.

Thank you,

Shelli Sareen
Research Coordinator
UNITE HERE!
15 Gervais Drive, 3rd Floor
Toronto, ON M3C 1Y8
416-384-0983 x315

To: D. Taylor, General President, UNITE HERE
Gwen Mills, UNITE HERE
Mike Casey, UNITE HERE
Lis Pimentel, UNITE HERE Local 75
Nuredin Bulle, UNITE HERE Local 75
Valrie Lue, UNITE HERE Local 75
Cc: Rich McCracken, Counsel to UNITE HERE
Sarah Varela, Counsel to UNITE HERE

From: Shelli Sareen, UNITE HERE

Re: Formal Complaint against Allan Pace, Local 75 Organizing Lead

November 27, 2017

I hereby file a formal complaint against Allan Pace, a Local 75 Organizing Lead, who's actions, I believe, pose a serious threat to my physical safety. The severity of this complaint is such that it requires the immediate intervention of the Local 75 leadership, and if the Local 75 leadership fails to take immediate, appropriate action, I ask that the International Union intervene. To be very clear, I believe that Mr. Pace's behaviour constitutes workplace violence and is an offence under Canada's Criminal Code. If appropriate action is not taken immediately, I will be naming Local 75 in a lawsuit for failing to provide a safe work environment.

In fact, although Local 75 is required under Ontario Labour Law to have implemented a policy with respect to workplace violence and workplace harassment that must be posted in the workplace, it has not, nor has any training been provided. Yet, harassment is rampant in our workplace.

On November 20th, 2017 during a Local 75 staff meeting Mr. Pace attacked me, completely unprovoked.

Please note that Mr. Pace has been leering at me from across the room throughout several recent staff meetings. I had even commented about this harassment to several people on staff.

Please further note that until November 20th, 2017 Mr. Pace and I had not exchanged any words since July 11, 2017 which was the date of a Local 75 General Membership Meeting.

During the staff meeting on Monday November 20th, Mr. Pace waged an attack upon me, unprovoked. He started by stating loudly, from across the room, 'this union is broken and Shelli, it's really disturbing for us to have a meeting and you're talking and you're making faces.'

I responded by stating, "Oh really Allan? You're one to talk." I said this because Mr. Pace has a reputation for being extremely disruptive and disrespectful to colleagues in staff meetings, leads meetings and in the office, generally. Mr. Pace's behaviour is encouraged by certain members of Local 75 leadership as he has not been stopped even though his poor behaviour has escalated. In fact, Mr. Pace was promoted to a Lead position at Local 75 during the time he ought to have been under investigation for racism; I have additional information on this and will provide it when necessary.

Mr. Pace then started to loudly shout, "What's your contribution to this Local? You tell me what's your contribution. You're so disrespectful, you're so disrespectful."

Again, I felt compelled to respond since I felt threatened. So, I responded and said, 'Allan, what's your contribution except for dividing the workers and perpetuating racism, anti-black racism in this office?' Mr. Pace then started saying, "what can you do? What can you do?" While yelling, among other things that were incoherent to me, he said, "I'm seeing you." To which I responded, "oh really Allan, because everybody has seen you for a very long time."

During the attack that was waged upon me by Mr. Pace, he was banging on the table in an extremely threatening manner, and he shouted, "Oh yeah?" He again said, "what's your contribution? Huh? What's your contribution, huh?" Since Mr. Pace was being so threatening and clearly trying to intimidate me, I responded and said, "You're so tough Allan, you're so tough." As Mr. Pace was banging the table, he started shouting, "it's disturbing." To which I replied, "look who's talking, don't make me laugh." Imagine the irony of Mr. Pace suggesting that my alleged 'facial expressions' are disturbing, all while shouting in the middle of a staff meeting and banging the table in a threatening manner.

David Sanders, Mr. Pace's Lead, attempted to stop the fighting by asking us to stop and stating if we want to fight, we should take it outside the room. I believe the appropriate response would have been to remove Mr. Pace from not only the meeting, but the building, since he was being threatening (by banging on the table), rather than suggesting that we continue the fighting outside the room. He was ultimately unsuccessful at stopping Mr. Pace.

A Local 75 member was present during our meeting. She is an Airport hotel employee who came with Monica McKenzie, a Local 75 Organizer, to attend our staff meeting. She also intervened by stating, 'we are suffering, we are the workers. We go to work and are suffering. People at my workplace have been there for seven years and are still part-time. You guys are supposed to be helping us, what is this? Workers are suffering out there, and you are in here making all this noise for what?'

Teferi Zemene, a Local 75 Organizer, spoke about the importance of respect, and remarked that a person who himself makes faces is remarking on somebody else making faces. As Mr. Zemene was trying to offer words on the importance of respect in the workplace, Mr. Sanders and others tried to stop him from speaking because they wanted to continue discussing "regular" business. But, Mr. Zemene continued to speak about the importance of respect in the workplace.

We convened with regular business after Mr. Zemene spoke. Several minutes later, Mr. Pace, again, interrupted the meeting, and started loudly shouting, 'we should be fighting the bosses, and everybody in this room should be contributing to the success, and not just sitting down making faces. I don't fucking care if I get fired, ask D. Taylor to fire me.' He again started banging the table and started to shout, "you're so disrespectful making faces." Mr. Pace continued yelling, and several people at the meeting kept saying "Allan" to stop him. Yet, he continued. I, again felt compelled to respond to the abuse inflicted upon me and I said, "Look who's talking, the most disrespectful people in this room, should we identify them? People who have been harassing black people in this office for a year. Keep perpetuating anti-black racism in this office like each of you has been." I said this because anti-black racism has been perpetuated in our office for a year. I have very compelling evidence to support these claims.

Since that meeting, nine people on Local 75 staff have asked me if I am okay, including some who did not attend the staff meeting, but had heard from others about what had happened. This, to me, is indicative that others share in my firm belief that what was waged upon me by Mr. Pace, was an attack.

One colleague even commented to me, 'do we have to worry that someone is going to bring a gun to the office next time?'

I want to address what transpired at the staff meeting where I was attacked, and comment on related matters.

- Mr. Pace's behaviour was extremely misogynistic and threatening; imagine being attacked for allegedly "making faces." It is, first of all, unclear to me what Mr. Pace was even referring to; I find it extremely bizarre. Secondly, I don't think I need to remind anyone that Mr. Pace's attack on me would be deemed unjustified simply for the fact that it is **my face**, and I am free to express my face, however, I choose. Because I am a woman, am I expected to placidly smile, even where a smile is not warranted? I think this highlights the level of misogyny and racism in our office. Black and brown women in our office face a double injustice in that we have been the victims of both racism and sexism at the hands of several individuals at Local 75, both men and women.
- I want to address Mr. Pace's comment, "I don't fucking care if I get fired. Ask D. Taylor to fire me." For Mr. Pace to mention that he doesn't care if he gets fired suggests to me that while he was attacking me, he realized what he was doing is a terminable offence (or would be in most other workplaces). Furthermore, Mr. Pace's mention of General President, D. Taylor was bizarre, but then again, there has been an ongoing campaign at Local 75 to disparage the International Union and President D. Taylor. In fact, certain members of the Local 75 staff leadership have, in my opinion, been "poisoning" staff against the IU and President D. Taylor. In fact, these disparaging remarks have seeped into our membership. On October 10th, for example, during a contested General Membership Meeting where 250 Local 75 members were present, false and misleading statements were made to members about the IU from Local 75 staff, including a staff person who has been with the Union for less than 2 years. I believe these comments were made to disparage the IU in the eyes of those 250 members.
- Mr. Pace alleged that my behaviour was "disruptive" and "disrespectful," ironically, while screaming at me and banging on the table. However, for over a year now, all the black leaders in our office have been disrespected and disparaged by several individuals at Local 75. And in fact, Mr. Pace was present during a meeting where our Local's Secretary Treasurer, Nuredin Bulle and Organizing Lead, Guled Warsame, were sworn at and yelled at. When this abusive incident occurred, Mr. Pace, along with all of the white leadership at Local 75 remained silent, which, to me, demonstrates encouragement of such behaviour. I find it bizarre that Mr. Pace would feel so strongly that an alleged facial expression, that I'm not even aware of, is disrespectful, yet say nothing about abuse of black leaders in other meetings and in the office generally. Mr. Pace has himself been the source of disrespectful behaviour, to put it mildly, towards black leaders.
- Mr. Pace commented that, "we should all be fighting the bosses," yet, Local 75 Organizers under Mr. Sanders' structure, including Mr. Pace, have been focused on the political dispute at the Local for about a year, perhaps longer, and have themselves not been focused on "fighting the bosses." In fact, certain Local 75 Organizers, including Mr. Pace, are focused on a campaign to remove the black elected officers of Local 75 and a majority of the Executive Board, most of whom are people of colour, rather than focusing on "fighting the bosses."

- I find Mr. Pace's comment suggesting that I don't contribute to Local 75 absurd and in fact Mr. Pace said that everyone should be contributing to Local 75. Is Mr. Pace suggesting that Local 75 have a fifth full-time Researcher assigned to a Local of about 8,000 members? Is it common for locals of this size to have even four Researchers?
- All forms of racism are taking place at Local 75, including such obviously blatant tokenism that it is quite outrageous and offensive; using certain racialized individuals as props to put on a façade of inclusivity as if that will somehow erase all the outright racism and discrimination at Local 75.

I want to conclude by pointing out the obvious; that I have a right to be safe in my own workplace. In fact, it is the law. Mr. Pace's threatening behaviour puts my physical well-being at risk which is unacceptable. In fact, I have evidence of Mr. Pace previously uttering threats of physical violence towards colleagues. I also have evidence that this threat was brought forward to Local 75 leadership. Clearly, nothing was done. Previously, on July 3rd, 2017 I had filed a harassment and bullying complaint against another staff person (IU staff person assigned to Local 75). Although my complaint was not even acknowledged by the Local 75 President, Lis Pimentel, this individual was subsequently promoted. It feels as though harassment and bullying of people of colour in our office has become a prerequisite to being rewarded at Local 75. To be clear, our laws make it very clear that harassment, discrimination and the various other forms of abuse that are taking place at Local 75 are unlawful. Local 75 is not immune to the laws of the land and must be held liable for ignoring and perpetuating such injustices.

I am unwilling to let this be yet another case of blatant harassment and abuse without repercussion.

Employees have a right to be safe in their workplace, but Local 75, as an employer, has a legal obligation to ensure staff safety. If this complaint is not addressed promptly and appropriately, or if it is swept under the rug as has been done with numerous other complaints made by people of colour at Local 75, I will be taking appropriate action.

Thank you,

Shellie Sareen

COMPLAINT 61

From: "cornetta mason" <cornettad2000@yahoo.com>

Date: Dec 8, 2017 4:17 PM

Subject: meeting on the 6th

To: "dtaylor@unitehere.org" <dtaylor@unitehere.org>, "gills@unitehere.org" <gills@unitehere.org>, "mcasey@unitehere2.org" <mcasey@unitehere2.org>, "nbulle75@gmail.com" <nbulle75@gmail.com>

Cc: "rmccracken@msh.law" <rmccracken@msh.law>, "svarela@msh.law" <svarela@msh.law>

Hi All ,

just an update of what we went through yesterday

To: D. Taylor, General President, UNITE HERE
Gwen Mills, Secretary-Treasurer, UNITE HERE
Mike Casey, UNITE HERE
Cc: Rich McCracken, Counsel to UNITE HERE
Sarah Varela, Counsel to UNITE HERE

From: Cornetta Mason, Local 75 Organizer

RE: Statement regarding abuse and harassment at Local 75 on December 7, 2017

December 8, 2017

The meeting of the solidarity committee was held at 15 Gervais Dr., Toronto on December 7, 2017. It was supposed to be a Local 75 Executive Board meeting but there was no quorum. It started with the President, Lis Pimentel addressing the committee by saying that the Union has been put into trusteeship and she is going to be careful about what she will be saying however; she will be fighting this she just got the notification. She said there is going to be a public fight and it's going to get messy and that she had given them two options; mediation or a new election. She also said there will be lots of witnesses.

Jay Yerex then stood up and said the Vice President is here she went to Las Vegas and needs to explain, then the crowd started calling her a puppet of the IU. Jay agitated the members in the room, and Valrie started getting attacked.

Allan Pace said that the seven workers who does not work, calling all our names (Nuredin, Valrie, Cornetta, Monica, Guled, Solomon, Mahen) are the ones who went to Las Vegas. He then said then there are four (Nadia, Jay, Ashley, Daniel) and another two "Rafunzel and myself" and he said, "look at the picture." Allan divided staff by race to essentially say that all the black Organizers don't do any work, but that the four white Organizers plus the two Filipino Organizers do - by comparing and saying, "look at the picture." He said the seven are claiming discrimination because we were asked to file a weekly report.

Jay Yerex said that the International Union is a cash cow, they take our money. He mentioned a number of millions of dollars that the IU takes, and said that they only give us \$400.00 back. He also said that the IU has given us gifts and its against the union and he will be filing a litigation complaint against the IU he said, "you all should be fired." The "gift" he referenced was the trip Nuredin, Valrie, Guled, Yosief, Shelli and I took to Las Vegas to meet with the Black Leadership Committee of UNITE HERE on the very serious issue of racism and discrimination at Local 75. Jay then said that Guled has not turned anyone out and that "they are lazy." Jay called out to Allan to announce the names of the Organizers who went to Las Vegas, and said that they are the "lazy representatives" and reiterated that "they should be fired."

Nadia Baer then stood up in front of the solidarity committee and said that "Cornetta made a deal with the employer at the Delta and that's why the organizers are not doing their job." She also said that sister Monica from the Sheraton Centre, a member of the solidarity committee did not know the full story and that she needs to know the full story.

David Sanders started to read the Constitution of the IU and claimed that Canadian laws are different. He also said that we have been in many fights, we fought with Alex and won, and that we will also win.

Lis, at one point, yelled at me accusing me of recording the meeting, she said she would press charges. She also asked me to leave the meeting. I told her that I was not recording and that she should check my phone.

Kumsa Baker also attacked me as I was taking down notes. He said, 'you've never taken notes in 19 years, but all of a sudden you're writing things down.' Imagine Kumsa, who has only been with the union for two years, referring to what I was or wasn't doing 19 years ago, when he was only 5 years old. This clearly demonstrates the level of "poisoning of the minds" against the black staff leaders of Local 75 that is occurring at the hands of the Local 75 leadership of Lis Pimentel and David Sanders.

Lis, David, Jay, Allan, Kumsa and Nadia are all staff who agitated the crowd to further attack us.

Here are just some examples of what staff's agitation of the members, led to:

- John Timoteo, a member of the Executive Board turned to me as I was sitting and said that you are all are going to be fired and he said it is coming soon.
- Suleman Basharat, who was an LOA at Local 75 and worked with Nadia and David Sanders, started attacking us, and calling us things like "fake news" and accused us of lying.
- Persauna, an Executive Board member, called us lazy and said that he was brown and that there is no racism.

I was very disappointed that Lis Pimentel did not stop anyone from attacking from Valrie and myself. David Sanders and Frank Piserchia have top leadership roles at the Local and they also did not stop the attack against Valrie and I. In fact, they agitated the crowd to attack us along with their staff. It was very disgraceful. All the black staff leaders of Local 75 were defamed and disparaged. We were harassed in that meeting as we have been in the office for a year. I believe we should have a harassment free workplace.

She stood there as the Chair of the meeting and the only time she challenged anyone was when she asked me to stop taping the meeting and when she had the floor she also ask me to leave.

I want to let you know that when I was at the meeting, it did not immediately shake me up but on my way home I had to pull over and then my body started to shake uncontrollably. I did not sleep all night, and I am afraid to face my coworkers because I know this abuse will continue. I took the day off today because of the attack that was waged on me yesterday. If this continues, I believe they would kill one of us, I truly believe that and am fearful of that. This need to stop and it needs to stop now.

Thank you,

Cornetta Mason

COMPLAINT 62

From: Nuredin Bulle <nbulle75@gmail.com>

Date: December 9, 2017 at 2:09:32 PM EST

To: Alberta Palmer <apalmer@unitehere.org>, Cheryl Brandon <cbrandon@100.unitehere.org>, Courtney Smith <csmith@unitehere.org>, mrdonaldboyd@yahoo.com, Kandiz Lamb <klamb@unitehere.org>, Leain Vashon <lvashon@culinaryunion226.org>, Margaret Ellis <mellis@unitehere.org>, Marlene Patrick-Cooper <mpcooper@unitehere.org>, Marvin Jones <MarvinJ@878.unitehere.org>, Nia Winston <Nwinston@24.unitehere.org>, Nicole Hunt <nhunt@unitehere.org>, Pam Nelson <pnelson@unitehere.org>, Pamela Stitts <pstitts@unitehere.org>, Patrick Boyd <pboyd@unitehere.org>, Scott Marks <smarks@unitehere.org>, Sam Kiser <skiser@unitehere.hostpilot.com>, Theresa Council <tcouncil@unitehere.local54.com>, Tyisha Walker <walker@yaleunions.org>

Subject: Additional letter regarding Local 75

Good afternoon Sisters and Brothers,

I have written a letter to you to update you on the crisis at Local 75. I hope to speak with you all soon.

In solidarity,

Nuredin Bulle

To: Black Leadership Committee, UNITE HERE

Re: Relentless Attack on Black Leaders at UNITE HERE Local 75

December 9, 2017

Dear Sisters and Brothers of the Black Leadership Committee,

I want to, first, thank you all for your support during this very difficult time; meeting with all of you on December 2nd meant the world to our team here in Toronto. We left our meeting feeling stronger after having spent the day with some of the most inspirational leaders of our Union who showed us compassion. You understood our pain and you gave us hope. This sentiment was shared by every single one of us from Toronto who met with you.

As you all may know the General Executive Board Committee of UNITE HERE took the very necessary step of imposing a trusteeship on Local 75. This is necessary to ensure that the damage already done to our Local does not deepen. While our International Union has taken this very important step, the crisis at Local 75 intensified immediately following this decision.

Since our meeting on December 2nd and since the General Executive Board Committee's meeting in which trusteeship was decided, the black leaders of Local 75 have been subjected to increased abuse. My sisters Valrie and Cornetta were verbally attacked on December 7th at a Local 75 Executive Board meeting in which there was no quorum because a majority of the Executive Board did not attend. In that meeting, Local 75 staff and IU staff assigned to Local 75 called us "lazy" and claimed that we "don't do any work." Local 75 and IU staff agitated the members in the room against Sister Valrie and Sister Cornetta and against the other black staff leaders of Local 75 who were not in the room, to the point where Sister Valrie could not further withstand the abuse and left. This behaviour was encouraged by the Chair of the meeting, Lis Pimentel, and Organizing Director David Sanders; people who claim to be leaders of our Union. Please read Sister Cornetta's statement as Appendix A and Sister Valrie's statement as Appendix B.

Further, we have been accused of colluding with the International Union by "taking gifts." The "gift" in reference is "travel to Las Vegas, Nevada the weekend of December 2-3, 2017." We are also being threatened with litigation for meeting with all of you. I believe this highlights the level of racism at Local 75 where black people who are the victims of racism and discrimination are being further criminalized. The crime? Meeting with the Black Leadership Committee of UNITE HERE. The saddest part of this is that most of our accusers and our abusers are International Union staff who have become increasingly emboldened to abuse us. Please see the threatening email Brother Guled and Sister Cornetta received from an IU staff person working for Local 75, Jay Yerex. Appendix C.

The harassment and abuse against black staff leaders at Local 75 has intensified since the General Executive Board Committee imposed trusteeship on Local 75. In our conversation about racism and discrimination we discussed issues like the criminalization of black leaders, the development of a racist narrative to discredit black staff leaders by using racist terms like "lazy". We also discussed tokenism, harassment, bullying, and discrimination against black staff leaders. All of this is further captured in Sister Cornetta's and Sister Valrie's statements.

As I mentioned earlier in this letter, your support has meant the world to us here in Toronto. I have an obligation to share what is happening in Toronto with this committee because, after all, in the words of Dr. Martin Luther King Jr., "injustice anywhere, is a threat to justice everywhere" and we felt the empathy from each of you during our meeting. You felt our pain. We consider you a part of our family. Together, on the day we met, we shared tears, hugs, and honesty. But our meeting is being used to further criminalize us, to threaten us, and to wage an attack upon us. This relentless attack on black leaders at Local 75 cannot be tolerated in an organization that was built on the backs of people of colour and immigrants. Black leaders have been instrumental to building this union. So, we are again asking for your support and assistance in putting a stop to our continued pain.

In solidarity,

Nuredin Bulle
Secretary-Treasurer, UNITE HERE Local 75
International Executive Vice President, UNITE HERE

Appendix A: Cornetta Mason's Statement Regarding Local 75 Meeting on December 7th, 2017

From: Cornetta Mason Local 75 Organizer

RE: Statement regarding abuse and harassment at Local 75 on December 7, 2017

December 8, 2017

The meeting of the solidarity committee was held at 15 Gervais Dr., Toronto on December 7, 2017. It was supposed to be a Local 75 Executive Board meeting but there was no quorum. It started with the President, Lis Pimentel addressing the committee by saying that the Union has been put into trusteeship and she is going to be careful about what she will be saying however she will be fighting this she just got the notification. She said there is going to be a public fight and it's going to get messy and that she had given them two options: mediation or a new election. She also said there will be lots of witnesses.

Jay Yerex then stood up and said the Vice President is here she went to Las Vegas and needs to explain, then the crowd started calling her a puppet of the IU, Jay agitated the members in the room, and Valrie started getting attacked.

Allan Pace said that the seven workers who does not work, calling all our names (Nureidin Valrie, Cornetta, Monica, Guled, Solomon, Mahen) are the ones who went to Las Vegas. He then said there are four (Nadia, Jay, Ashley, Daniel) and another two "Rafunzel and myself" and he said, "look at the picture." Allan divided staff by race to essentially say that all the black Organizers don't do any work, but that the four white Organizers plus the two Filipino Organizers do - by comparing and saying, "look at the picture." He said the seven are claiming discrimination because we were asked to file a weekly report.

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David Sanders started to read the Constitution of the IU and claimed that Canadian laws are different. He also said that we have been in many fights, we fought with Alex and won, and that we will also win.

Lis, at one point, yelled at me accusing me of recording the meeting, she said she would press charges. She also asked me to leave the meeting. I told her that I was not recording and that she should check my phone.

Kunsa Baker also attacked me as I was taking down notes. He said, "you've never taken notes in 19 years, but all of a sudden you're writing things down." Imagine Kunsa, who has only been with the union for two years, referring to what I was or wasn't doing 19 years ago, when he was only 5 years old. This clearly demonstrates the level of "poisoning of the minds" against the black staff leaders of Local 75 that is occurring at the hands of the Local 75 leadership of Lis Pimentel and David Sanders.

Lis, David, Jay, Allan, Kunsa and Nadia are all staff who agitated the crowd to further attack us.

Here are just some examples of what staff's agitation of the members led to:

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- Suleman Basharat, who was an LOA at Local 75 and worked with Nadia and David Sanders, started attacking us, and calling us things like "fake news" and accused us of lying.
- Persauna, an Executive Board member, called us lazy and said that he was brown and that there is no racism.

I was very disappointed that Lis Pimentel did not stop anyone from attacking from Valrie and myself. David Sanders and Frank Piserchia have top leadership roles at the Local and they also did not stop the attack against Valrie and I. In fact they agitated the crowd to attack us along with their staff. It was very disgraceful. All the black staff leaders of Local 75 were defamed and disparaged. We were harassed in that meeting as we have been in the office for a year. I believe we should have a harassment free workplace.

She stood there as the Chair of the meeting and the only time she challenged anyone was when she asked me to stop taping the meeting and when she had the floor she also ask me to leave.

I want to let you know that when I was at the meeting, it did not immediately shake me up but on my way home I had to pull over and then my body started to shake uncontrollably. I did not sleep all night, and I am afraid to face my coworkers because I know this abuse will continue. I took the day off today because of the attack that was waged on me yesterday. If this continues, I believe they would kill one of us. I truly believe that and am fearful of that. This need to stop and it needs to stop now.

Thank you.

Cometta Mason

Appendix B: Valrie Lue's Statement Regarding Local 75 Meeting on December 7th, 2017

From: Valrie Lue, Vice President, UNITE HERE Local 75

Date: December 7, 2017

Today, on December 7, 2017, I attended the Local 75 Executive Board Meeting. There was no quorum. The meeting was filled with solidarity committee members and Local 75 staff and IU staff working for Local 75 who were brought in by Lis.

I was verbally attacked in the meeting and I felt threatened. I am worried for my physical safety and am scared to go to work because I may be in danger. Lis Pimentel, the President of Local 75, did not call order and did not put a stop to the abuse inflicted upon me. David Sanders, my lead, did not put a stop to the abuse inflicted upon me. Frank Piserchia, a long-time senior staff person, did not put a stop to the abuse inflicted upon me. The abuse and chaos were initiated by Local 75 and IU staff and perpetuated by them throughout the entire meeting. I eventually could not take the abuse any longer and I left the meeting. The following staff from Local 75 were present:

- Lis Pimentel
- David Sanders
- Frank Piserchia
- Jay Yerex
- Nadia Baer
- Allan Pace
- Rafunzel Korngut
- Kumsa Baker
- David Anderson
- Anna Volpe
- Maggie Lima
- Cornetta Mason

At around 2:45 pm, I got to the meeting and I sat in the back of the meeting room. I was sitting beside Cornetta Mason and Monica Scarlet (solidarity committee).

A member asked the question, 'why are we being trusteehipped because we already passed in the membership that there would be trusteehip?' Lis responded by saying she does not know what the reason is for the trusteehip and there are charges against her which she does not even know what those are.

Albert Li (sp?) a member, asked 'if the International calls for trusteehip, it has to be a serious thing. Why would they call for it if it wasn't serious?'

Lis didn't respond to that question – about the seriousness of the reason for trusteeship. But she said, David Sanders is going to read the Constitution about the trusteeship about how it works.

Jay Yerex, who was facing me said, 'by the way since the Vice President of the Local is here, she should have an answer for why there is trusteeship. Because they went to Las Vegas, covered by the IU for all their expenses and so she should have answers to tell you guys' riling up the crowd. I then said, "I have no comment."

Then Louie a worker from Courtyard Marriott, a property for which Jay Yerex is the Organizer, yelled at me and said, 'if you can't answer the question you should get of the room, and you're not supposed to be in this meeting.' I said, "I have no comment and I am staying in the room."

Bobby Redding, an Executive Board member, jumped out of her chair, and said, "you need to answer the question, and tell us why there is trusteeship."

Suleman Basharat then attacked me by saying, "they said they sacrificed and built this union, and they should look in the mirror because they are just there for their own shining glory. Some of us are here to build the union, some are here for their own fame. They are puppets for the IU."

Suleman who had worked as an LOA under David Sanders' structure, riled up the crowd further. A member then stood up and called us "lazy" and said, "we don't any work." He then said, "and look at me my skin is brown, there is no racism." These are the exact insults that have been made about us by Local 75 staff and IU staff working for Local 75. These insults aimed at discrediting us have clearly spread to some members by the staff under David Sanders' structure. The comment about there not being racism has also clearly stemmed from Local 75 staff who are trying to disparage us to the members by claiming there is no racism, when in fact there is.

Lis said the trusteeship is going to go to the courts and it's going to be messy. She said there is going to be lots and lots of people to testify.

At one point, Lis yelled across the room to Cornetta and said, "stop recording or I'm going to press charges." Cornetta responded and said, "you could come and check my phone. I am not recording." It was disgraceful to watch the President of our Local call out a long-time staff member who helped build this Local in front of members. This, I believe, was done to rile the crowd up against us even further.

Jay Yerex, IU staff person, also riled up the attendees so that they could come after me and the other black leaders of Local 75 staff.

I left because I was being abused and the meeting was extremely chaotic and there was lots of yelling. I could not withstand the attack any longer, so I got up to leave. As I was leaving, the crowd started yelling "boo" and they started clapping and making noise.

Thank you,

Valrie Lue

Appendix C: Email from IU Staff Person, Jay Yerex, Accusing Black Staff Leaders of Collusion with IU

From: jayyerex6 <jayyerex6@gmail.com>
Date: December 7, 2017 at 10:56:26 AM EST
To: Cornetta Mason <cmason@uniteherelocal75.org>, gwarsame@uniteherelocal75.org
Cc: Gwen Mills <gmills@unitehere.org>, John McCaffrey <jmccaffrey@unitehere.org>, Lis Pimentel <lpimentel@uniteherelocal75.org>, Pedro Cristovao <pcristovao@uniteherelocal75.org>, Georgina Watts <watts@mmwlaw.ca>
Subject: COPE343 and UNITEHERE IU Collusion

Hi Guled and Cornetta

Pls be advised that UUHS which represents the staff of UNITEHERE international union is requesting a litigation hold be placed on all your emails, phone records and personal correspondence regarding your travel to Las Vegas, Nevada the weekend of Dec 2-3, 2017.

UUHS is investigating US federal labour law, as well as Ontario Labour law regarding COPE343 taking gifts from an employer, as well as seeking to undermine the International Union staff bargaining unit.

Pls be advised that all communications between yourselves and officers and staff of the International Union should not be destroyed, and UUHS reserves the right to call you as a witness in either the US or Canada in potential legal proceedings.

Regards

Jay Yerex
UUHS

COMPLAINT 63

From: Nuredin Bulle <nbulle75@gmail.com>

Date: December 14, 2017 at 4:42:37 PM CST

To: scooper@unitehere.org

Subject: summary

Summary of Statement regarding “Special Executive Board/Solidarity Meeting” held by Lis Pimentel at Local 75 office on December 14, 2017 with less than 24-hour notice

- Lis Pimentel called an emergency “special executive board meeting” with less than 24-hour notice provided to officers Nuredin and Valrie. Majority of Executive Board, who oppose Lis, were not notified.
- Lis removed a majority of the Executive Board, and filled vacancies today by appointing new Executive Board members, and had them swear in by repeating an oath. By-laws state you have to miss three consecutive meetings without an excuse to be removed from Executive Board, and no Executive Board member has missed three consecutive meetings.
- Lis passed motion to oppose IU trusteeship. See attached.
- Lis passed motion to hold GMM to change bylaws in January 2017 and to prepare for new election in April. Nominations to be held in March.
- Lis had someone read “trial” results against Nuredin Bulle and passed a motion to remove him as an officer immediately.
- Newly appointed executive board participated in moving and seconding motions.
- Only some Local 75 staff were permitted to attend the meeting. All black staff except for one, Kumsa Baker, who has been on staff for less than a year, were not allowed to attend the meeting.
- Lis said she and David met with D. Taylor and he said he wanted to know if they would cooperate or fight it which she said would form their decision on whether they were bringing the Packers or bringing the Ballet dancers. The conclusion was that they would fight the trusteeship.
- Lis said two options have been given by D. Taylor to fight the trusteeship or cooperate. She said “I’m not a ballet dancer” meaning they would fight it.
- Throughout the meeting, Local 75 staff person, Kumsa Baker, made disparaging remarks towards Elected officers Valrie Lue and Nuredin Bulle, and IU staff person Shelli Sareen. Some of his remarks constitute harassment.
- After the meeting Kumsa Baker said to Valrie Lue and Shelli Sareen, “ship it” and “ship out” suggesting that they were being removed.
- Local 75 officers Valrie Lue, Nuredin Bulle, plus Local 75 staff Guled Warsame, Cornetta Mason, Teferi Zemene, Monica McKenzie, and IU staff person Shelli Sareen were locked out of the office. Frank Piserchia, Assistant to Lis Pimentel, commented that they would be changing the locks today. Later on today, Nuredin Bulle and Valrie Lue tried using their keys to enter the office. There was a sign on the door that said, “Closed” and their keys no longer worked, indicating that the locks had been changed. Nuredin and Valrie knocked on the door several times, it was clear that there were people inside the office, however, nobody would open the door. David Sanders’ vehicle was still in the parking lot.
- In the afternoon all admin staff, except for Pedro Cristavao, were told to leave the office and to not return tomorrow.
- IU staff including Jay Yerex, Jj Fueser, Nadia Baer were in the office, but not inside the room. It was clear that they were aware of the “plot” against the IU. In fact, Jj Fueser was commenting, “I don’t think we are supposed to be at this meeting.”

Motions "Passed" at "Special Executive Board/Solidarity Meeting" held by Lis Pimentel at Local 75 office on December 14, 2017

Motion to oppose the trusteeship of UNITE HERE Local 75 by UNITE HERE International Union.

Moved by: _____, seconded by _____ Carried YES/NO

Motion to reaffirm UNITE HERE Local 75's July 11, 2017, General Membership Meeting motion, which stated:

Moved that we the members of UNITE HERE Local 75 oppose any request made by anyone that a trusteeship be imposed on UNITE HERE Local 75.

Moved by: _____, seconded by _____, Carried YES/NO

Motion to withdraw or rescind any request for trusteeship of Local 75 by the International Union, if any request has been made.

Moved by: _____, seconded by _____, Carried YES/NO

COMPLAINT 64

From: "Nuredin Bulle" <nbulle75@gmail.com>
To: "Scott Cooper" <scooper@unitehere.org>
Subject: Statement

To: D. Taylor, General President, UNITE HERE
Gwen Mills, Secretary-Treasurer, UNITE HERE
Mike Casey, UNITE HERE
Cc: Rich McCracken, Counsel to UNITE HERE
Sarah Varela, Counsel to UNITE HERE
From: Nuredin Bulle, UNITE HERE Local 75
Valrie Lue, UNITE HERE Local 75

Date: December 14, 2017

Re: Draft Statement regarding "Special Executive Board/Solidarity Meeting" held by Lis Pimentel at Local 75 office on December 14, 2017 with less than 24-hour notice (Appendix A)

On Thursday December 14, 2017 Lis Pimentel held a "UNITE HERE Local 75 Special Executive Board/Solidarity Meeting" at the Boardroom of the Local 75 office at 15 Gervais Drive, 3rd Fl, Toronto, Ontario at 10:00 AM.

The meeting was attended by a number of members who are not on either the Executive Board, or the Solidarity committee, in addition to some Executive Board members that have been in support of Lis Pimentel in the Local's political dispute (John Timoteo, Evelyn (Bobby) Redding, Prasanna Nanayakkara, Chris Koehler, Josefina Paloma-Lee, Kiran Paniker, Myrna Stoller), and approximately 15 "new" members, and only some individuals from Local 75 staff (David Anderson, Kumsa Baker, Allan Pace, Rafunzel Korngut). Valrie Lue asked Lis why are only some staff in the meeting and why not others? She responded and said, "this is all the staff I want in the meeting." Please note, that except for Kumsa Baker who was newly hired by Lis, all black Local 75 staff were excluded from the meeting. Staff who were excluded were Guled Warsame, Cornetta Mason, Monica McKenzie, Teferi Zemene. Valrie Lue and Nuredin Bulle also attended. IU staff Shelli Sareen attended the meeting due to her having serious concerns of Lis Pimentel excluding black staff leaders from Local 75.

At the start of the meeting, Lis Pimentel addressed the room, by calling out the names of the Executive Board members and Trustee that she removed from their positions as elected leaders for not attending three Executive Board meetings, according to Lis. The fact of the matter is, however, on November 2nd, 2017 all the Executive Board members and Trustee that she claims to now remove, attended the Executive Board meeting. However, they walked out of the meeting because Lis Pimentel was not following the democratic procedures pertaining to Local 75 bylaws. Specifically, the Executive Board had previously passed a motion that all Executive Board meetings would be held in camera, and that motion had not been reversed. However, Lis brought new solidarity committee members as well as IU and Local 75 staff to the meeting to disrupt it. Please refer to document dated November 3, 2017 entitled "*Statement Regarding Intentional Disruption of Local 75 Executive Board Meeting by Lis Pimentel that Forced the Majority of the Executive Board to Walk Out of the Meeting.*" At the following Executive Board meeting held on December 7, 2017, she again brought the members and staff (including both Local 75 and IU staff) to, again, disrupt the meeting. The majority of the Executive Board boycotted that meeting. Lis then passed a motion to replace a majority of the Local 75 Executive Board and Trustee, Yosief Ogbasellasi, (who are opposing her policies). She passed motions that replaced the members with new members. She later proceeded to run the regular business of Local 75 with the new

“Executive Board” who participated in moving and seconding various motions, including, motions to “oppose the trusteeship.”

Lis replaced the “removed” Local 75 Executive Board members with new Executive Board members by passing a motion to approve certain new members to the Executive Board. She swore them in by having them repeat an oath. She then welcomed them to the Executive Board.

She started by saying that on Tuesday evening she and David Sanders met with President D. Taylor and Secretary Treasurer Gwen Mills regarding the trusteeship. She said that D. Taylor wanted to know if they would cooperate or fight it which she said would form their decision on whether they were bringing the Packers or bringing the Ballet dancers. She then said, so basically, D. Taylor said, ‘are you going to fight it because we’re going to bring in the troops, or cooperate?’ She said that she has asked if he had any terms in mind. She said, if you’re normally going to agree to a voluntary trusteeship there are going to be terms. She said she asked if he had those and he said no. She said he didn’t make any particular proposals around it. She said that was surprising to her because she assumed he was asking to meet because he had proposals. She said that he didn’t put any framework forward on why we would voluntarily accept the trusteeship in light of the fact we don’t think there are grounds for trusteeship. She said that at no point did he suggest terms that would form a basis of a voluntary trusteeship.

She said that David and she suggested a number of things that they thought would need to be agreed upon as soon as possible. She said that “we didn’t put absolute specifics to these things” but they said that the length of the trusteeship would need to be agreed, that they wanted it to be as short as possible, we would want an election as soon as possible, who the trustee would be, she said it would have to be a part of the discussion, she said the assignment of staff and what properties people had would have to be a part of the discussion, and who was on staff. She said various complaints would need to be dropped and that there would need to be some sort of dispute resolution mechanism. She said that, ‘we said that we wanted Local 75 to participate in IU programs and 2018 bargaining.’

She said that she and David expressed their appreciation for Bill Grantfield [as trustee] and she said they wanted to make sure that Local 75 gets to seat delegates for the IU’s 2019 Convention because when you’re in trusteeship you don’t get to seat delegates. She said it was a “friendly meeting” and that there was no hostility on either side, but that D. Taylor argued with ‘every one of these points and didn’t agree with any of them.’ She said he left the impression that the trusteeship is happening whether there are proven grounds are not, that he would assign the trustee and that the trustee would bring in a team and that the trusteeship would last more than a year. She said there would be an election at the end, which she said was the “up shot” of it. She said she didn’t find these terms acceptable but that she wanted to see what other people (in the room) thought. She then said she was going to open up the queue.

Andrea Henry, a member, appeared to be reading from her cell phone, and asked that a motion be passed to remove all IU staff from the meeting. Lis responded and said there are no IU staff in the meeting. Shelli Sareen said, that she is an IU staff person and that she is not leaving and that the meeting was not legitimate, and she stayed. Jay Yerex is Andrea Henry’s direct Lead; we believe, he was texting her.

Bobby Redding alleged that people in her hotel are saying that “we’re in trusteeship, and you’re saying we’re not.” Lis responded, with “people will say things.” She said the Executive Committee voted to

authorize trusteeship, but they did not decide to implement it right away. She said she can't control if people lie or don't lie or whatever. She said it's authorized but that there is a whole process under the Constitution and she said once they trigger it they would notify her and the Local of the charges, a hearing would be set, and even if there are findings of things that need to be fixed, there'd be 60 days to cure the problems.

There were various comments made by members. Lis said there are a lot of different questions, but let's stay on the topic of [the trusteeship]. She said we should figure out how to react to this. She said the options being put to us are "I can't remember if (A) is friendly or (B) is not or vice versa, but basically one option is accept it and allow this to happen, the other option is fight it." Lis said those are the options and we should hear from folks what they think about that.

Some people spoke, comments were made like "we're asking for an election to be done quickly," comments that Lis and Local 75 and IU staff in support of her in the Local's political dispute have been pushing in the membership to try and replace elected officers Nuredin Bulle and Valrie Lue and a majority of the Executive Board. One member even admitted not fully knowing what had been going on since he has only been involved in this for the last two months.

Some comments were made in the room pertaining to, 'the Americans can't tell us what to do.'

Suleman Basharat who had been an LOA under David Sanders' structure asked that we move on with business. John Timoteo, an Executive Board member, said he was going to say the same thing. Lis asked if they were "moving these motions." He said yes. She then read aloud motions. A sheet of paper was handed out to everyone in the room which had motions written on it. Motions were to oppose and rescind the trusteeship of Local 75 by the IU. **Please see motions as Appendix B.**

Lis then said we have trial results. She referenced a December 1st trial against Secretary Treasurer, Nuredin Bulle. She asked a member, Louie, who is the same member who said he had only been "involved" in this for the last 2 months, to read the trial results, since, she said, Louie was on the trial Committee. He read the trial results. **Appendix C.** The document concludes by stating that, Nuredin "should be removed from his office as Secretary Treasurer effective immediately."

Nuredin explained that our Locals bylaws are superseded by the International Constitution. He said that they had sent a letter to the President for his interpretation of the trial itself, and that we're awaiting that and that is the reason "we didn't participate." He also explained why he didn't sign the cheques because he followed a majority of the governing body's guidance. He said he also signed some cheques when he had been guided to.

Someone wanted to ask a question, but Lis said that "we're not going to redo the trial."

The room started to get chaotic. This chaos stemmed from Kumsa Baker (former IU grant who was unilaterally hired by Lis Pimentel in violation of Local 75 bylaws) and Suleman Basharat through their undisciplined attack on Nuredin and Valrie.

Nuredin said he had another comment and said, "you called for the Executive Board meeting today. This is the Executive Board meeting, is it? He said, "they are not informed from what I know." Lis replied, "they forfeited their offices, Nuredin. They had three unexcused absences in a row." Nuredin asked, "oh you fired them all? Wow." Lis replied, "when we skip three meetings in a row without being

excused..." Nuredin replied, "none of them skipped three meetings in a row." Lis then asked if there was a motion to accept the charges from the trial. There was a mover and seconder and it was passed.

Lis then said that the next order of business is possible bylaw changes. She said she raised the possibility of proposing bylaw changes at the October Executive Board meeting and then again at the October membership meeting. She said, she would go away and work on some. She then said, "in your packet, you'll see what I suggest we look at and then put to the membership." The packet in reference is a thick booklet entitled, "Meeting Agenda." See cover page/agenda as Appendix D.

Lis asked attendees to turn to the proposed by-law changes in the packet. **Appendix D, page 3.** She talked about the section on "how to fill vacancies." This pertains to filling vacancies on the Executive Board. She said that right now we have a very slim article on how to fill vacancies, and she said that the idea is that we all want a new election.

She said the first bylaw change, if it were implemented, if we were to have a nomination meeting in March and an election in April, the second adds an additional level of democracy to our bylaws that when vacancies appear, the President appoints, and the Executive Board approves to fill the vacancies, or you can have an election for those vacancies. She said that an election makes sense, and to fill the vacancies seems like a reasonable thing to do. She said, "looking at a situation like this, what would be the best way to fill those vacancies. Having an election to fill those seems like a reasonable thing to do." She said that the proposed additions to add an election process for vacancies are lifted from the model bylaws in the Constitution. She said we would be able to do an internal election on vacancies when they arise. She said, we should have a mover and a seconder. She passed a motion to put in place the proposed by-law changes.

She said that the next order of business is that the next membership meeting is currently scheduled for January 9th, and that this is a reminder. She also said we passed a motion at the October 10th membership meeting regarding locations of membership meetings. She said the idea is that we get three bids, and we give preference to neutral downtown spaces. She asked if there were suggestions on possible locations. There were none, and Suleman Basharat commented, 'I feel like the officers are doing a great job in choosing the location and accommodating everybody, and we leave it to you and trust you. Lis said then we don't need a motion, but just wanted to put the option out there.

She then moved on to routine business. The motions, under "regular business" that were passed pertained to:

- Accepting minutes of October 10, 2017 GMM
- Accepting minutes of October 5, 2017 Executive Board.
- Accepting minutes of November 2, 2017 Executive Board.
- Passing Financial reports for September 2017 and October 2017.
- Passing extraordinary expenditures related to new computer equipment for the training centre and for training members, and for "Operation Cheer" which Lis said provides donations and help for workers on strike.

The meeting was adjourned.

Please note:

- Throughout the meeting, Local 75 staff person, Kumsa Baker, made disparaging remarks towards Elected officers Valrie Lue and Nuredin Bulle, and IU staff person Shelli Sareen. Some of his remarks constitute harassment.
- After the meeting Kumsa Baker said to Valrie Lue and Shelli Sareen, "ship it" and "ship out" suggesting that they were being removed.
- Local 75 officers Valrie Lue, Nuredin Bulle, plus Local 75 staff Guled Warsame, Cornetta Mason, Teferi Zemene, Monica McKenzie, and IU staff person Shelli Sareen were locked out of the office. Frank Piserchia, Assistant to Lis Pimentel, commented that they would be changing the locks today. Later on today, Nuredin Bulle and Valrie Lue tried using their keys to enter the office. There was a sign on the door that said, "Closed" and their keys no longer worked, indicating that the locks had been changed. Nuredin and Valrie knocked on the door several times, it was clear that there were people inside the office, however, nobody would open the door. David Sanders' vehicle was still in the parking lot.
- IU staff including Jay Yerex, Jj Fueser, Nadia Baer were in the office, but not inside the room. It was clear that they were aware of the "plot" against the IU. In fact, Jj Fueser was commenting, "I don't think we are supposed to be at this meeting."

Appendix A: Email from Lis Pimentel to Nuredin Bulle and Valrie Lue regarding Special Meeting with less than 24-hour notice

----- Original message -----

From: Lis Pimentel <lpimentel@uniteherelocal75.org>

Date: 2017-12-13 3:50 PM (GMT-05:00)

To: Nuredin Bulle <nbulle@uniteherelocal75.org>, Valrie Lue <vlue@uniteherelocal75.org>

Subject: IMPORTANT: Special Executive Board Meeting tomorrow

Hello Nuredin and Valrie,

I am calling a Special Executive Board Meeting for tomorrow morning so that we can discuss what's happening at the moment and update everyone.

Please attend and let me know if you cannot.

We will meet at the office at 10am.

Thank you.

Lis

Lis Pimentel
President
Unite Here Local 75

Appendix B: Motions "Passed" at "Special Executive Board/Solidarity Meeting" held by Lis Pimentel at Local 75 office on December 14, 2017

Motion to oppose the trusteeship of UNITE HERE Local 75 by UNITE HERE International Union.

Moved by: _____ seconded by _____ Carried YES/NO

Motion to reaffirm UNITE HERE Local 75's July 11, 2017, General Membership Meeting motion, which stated,

Moved that we the members of UNITE HERE Local 75 oppose any request made by anyone that a trusteeship be imposed on UNITE HERE Local 75.

Moved by: _____ seconded by _____ Carried YES/NO

Motion to withdraw or rescind any request for trusteeship of Local 75 by the International Union, if any request has been made.

Moved by: _____ seconded by _____ Carried YES/NO

Trial December 1, 2017

Charges filed against secretary treasurer Nuredin Bulle under Unite Here local 75 by-laws article IX, section 3-Secretary Treasurer.

These charges were filed by Andrea Henry, Josefina Palomo Lee and John Timoteu members of Unite Here local 75.

Violations of unite here local 75 byelaws article IX section 3 – secretary treasurer

Violations of the Unite Here international union constitution, article 16, section 1:

(a) Knowingly and materially violating any provisions of this Constitution or the constitution or byelaws of an affiliate, all lawful decision of the convention or the executive committee made in accordance with this constitution or of an affiliate acting within the scope of their authority, or deliberately and materially aiding or abetting another member in such a violation.

(b) Gross disloyalty or conduct on becoming a member.

(c) Gross inefficiency of an officer of Unite here or an affiliate that substantially hinders or in Paris the interests of you night here or an affiliate.

(d) violating a fiduciary duty to unite here or any of its affiliates.

(e) actually , or attempted misappropriation, fraud or financial malpractice involving the assets of Unite here or any of its affiliates or any employee benefit plan.

(f) deliberately and materially creating a disturbance in a local union meeting in a manner that prevents the conduct of union business, or recording by any means the proceedings of any official meeting of the local union.

(g) Such other deliberate acts and conducts which materially interfere with the performance of legal or contractual obligations of Unite here or an affiliate.

Background, secretary treasurer duties.

Mr. Bulle has at no time preformed the majority of his duties under the by-laws of local 75 these duties are clearly outlined in article IX, section 3 of the Unite here local 75 bylaws. At no time has he been willing to get trained on the performance of any of these tasks so that he could begin to take them on.

Mr. Bulle has attended at least two official financial trainings performed by the chief auditors of the international union and has had many opportunities to learn best practices during and after the supervision by Unite Here international union CIO, Bill Lewis.

Mr. Bulle has regularly abstained from voting on financial matters, even though it is part of his responsibilities to perform the duties of secretary treasurer, including ensuring that the proper financial records are kept by the local, which he is then required to present to the executive board monthly and the membership quarterly.

in his failure to perform his duties, he has routinely violated article IX, section 3, part B and D of the local 75 by-laws.

Refusal to sign cheques.

Recently, Mr. Bulle has refused to sign cheques that he politically disagrees with, even though they are properly incurred and authorized expenses either routine or approved by the membership meeting, the

supreme decision-making authority in the local. His refusal to sign these cheques materially interferes with the performance of the local's legal and contractual obligations, knowing creates unnecessary cost and liability to the local, and represents a flagrant violation of his fiduciary responsibilities. His refusal to sign checks interferes with the local's ability to operate and conduct its operations.

Local 75 has a legal and contractual obligation to honor employment obligations to its permanent and temporary employees work for local 75.

Mr. Bulle refused to sign Josefina Palomo-Lee's cheque for working with local 75 during the period of August 17-25, 2017, even though this was a routine expenditure under the local funding guidelines, presumably because she is an executive board member who opposes him.

The letter signed under protest is attached as exhibit B.

His refusal to sign these checks is problematic for at least three reasons:

First, it is not the Secretary Treasure's role to hire or approve or disapprove of hiring union staff under the local bylaws, the local has been provided with one written, and two verbal legal opinions confirming this. Mr. Bulle has received the written legal opinions on this question and is acting against legal advice, which is included.

It is clear that in blocking certain hires, he is attempting usurp or override the authority of the principal officer under local 75 by-laws.

Legal opinion is attached Exhibit D.

Secondly, these costs are considered routine expenditures under the local's funding guidelines, which were adopted and approved in 2014, amended in 2016, and reaffirmed in 2017. Funding guidelines attached as exhibit E

Third, the local has an additional mandate from the membership to put on a significant number of leave of absence organizers for the 2018 bargaining campaign, as per the motion passed on October 10, 2017, at the local general membership meeting agenda attached as exhibit F.

The local incurred two separate legal expenses for the July 11, 2017, membership meeting

One was prudently incurred. The president asked for legal advice about the motions that were going to come before the membership meeting, including about reopening business from the previous meeting, which was necessary, and about whether the motion of opposing trusteeship was in order.

Mr. Bulle refused to sign the cheque for this bill for work that was prudent to do given the business that was brought forward at the membership meeting, presumably because he politically disagrees with that opinion and Bill attached as exhibit G.

After his refusal to sign the cheque for the bill, it was specifically authorized for payment by the membership at the October 10, 2017 general membership meeting, even though it would have normally been considered routine. Meeting agenda attached as exhibit F.

Even after this additional approval by the membership, Mr. Bulle continues to refuse to pay the bill, in direct contravention of the membership's specific directions regarding this expenditure.

The second legal bill was not prudent to incur but the legal work requested was approved by the president after supervisor Mike Casey recommended she do so.

Mr. Bulle requested a legal opinion about which members are eligible to participate and vote in the local membership meeting. On this question, the language of the unite here constitution is clear on its face. It states that article 13, section 8:

Only members who are current in the payment of their dues shall have the right to vote, attend meetings or otherwise participate in the affairs of the affiliate.

Instead of reading the constitution himself, Mr. Bulle demanded a legal opinion on this question, incurring unnecessary costs. Mr. Bulle signed the cheque to pay this bill and therefore must have had considered this bill routine. Opinion and Bill attached as exhibit H.

It appears that he is only signing legal bills that he personally or politically approves off, and not legal costs approved by the president, who directs all legal work for the local. To pay the one bill and not the other is a failure to abide by his fiduciary responsibility as an officer of the local.

Because the local does not have a company credit card, various employees of the local are regularly asked to charge union expenses on their personal credit cards and submit appropriate back up documentation for expense reimbursement. Milton Catita was asked by the local to put the room cost of the October 10, 2017, membership meeting on his credit card. This was a substantial cost approximately \$17,000.

Mr. Bulle has refused to sign the cheque for his expenses, leaving him with the \$17,000 of union expenses on his credit card, potentially bankrupting a bargaining unit member of the local staff, by his failure to approve the expense reimbursement request attached as exhibit I.

A grievance has been filed by COPE343, which is likely to be successful. Grievance attached as exhibit J.

Mr. Bulle is inappropriately potentially incurring unnecessary arbitration costs as well as significant potential liability to the local.

Mr. Bulle has also refused to pay other membership meeting cost including the bill of the parliamentarian bill, attached as exhibit K.

All bills associated with the October 10, 2017, general membership meeting, even though normally considered routine, were additionally and specifically approved by the membership at that meeting, agenda attached as exhibit F.

Mr. Bulle maintains that the October membership meeting was somehow improper because he did not agree with decisions that members have made there. He maintains the position that the membership meeting should have been at the Sheraton Centre and that the union should have accepted an improper discount from the employer, even after charges have been filed. He has been provided with all relative information about the membership meeting, as well as legal opinion regarding its validity, attached as

exhibit L. and continues to pretend that it did not occur and that it is approved motions are not binding on him.

The total cost so far of the properly authorized cheques that Mr. Bulle will not sign is over \$31,000. Due to his failure to pay within a timely manner, the expenses that are old likely have grounds to take legal action against local, which may in turn cause the vendors to legal action against Mr. Bulle for negligence and failure to fill his fiduciary duty.

The above example shows a clear pattern of Mr. Bulle letting his political motivations overshadow his fiduciary responsibilities. His failure to fill his fiduciary responsibilities now puts the local in an untenable situation and risks additional liability, as well as deliberately disrupts the day-to-day operations of the local, and which renders him unfit to hold office. It is urgent that he be removed from office so that he could not continue to obstruct the local's operations.

Creating disturbances at membership meetings.

Mr. Bulle created a disturbance at April 2017 membership meeting, organizing members to come to the meeting to attack the president with blatantly defamatory accusations. It was clear that he and his group had instructed people to shout the president down in the meeting and that they had been provided with dishonest and defamatory information, which they repeatedly raised in the meeting. His failure in the meeting to attempt to intervene or restore order was clear evidence of his support for this conduct, even though he knew the accusations were false and defamatory.

Presumably because Mr. Bulle did not like the outcome of the July 11, 2017, membership meeting and knew that he did not have majority support going into the October membership meeting, he attempted to create a second disturbance at the October meeting. He first attempted to circulate a fake notice, stating that the membership meeting would be held at the Sheraton Centre when he had already been informed that the meeting would be held at the Westin Harbour Castle. Exhibit J from previous charges.

He then attempted to create a second disturbance by encouraging members not to enter the room where the membership Meeting was held and instead protesting outside his own local's membership meeting with approximately 100 members he failed to enter the room at all, and for the second membership meeting in a row, did not provide the memberships with a secretary treasurers report, as per article 1X, section 3, part D of the local 75 by-laws.

The above is a failure to perform his duties under the bylaws as well as conduct unbecoming an officer of the local.

Remedy sought:

Mr. Bulle has committed serious breaches of secretary treasurer's duties, has shown no understanding of his fiduciary responsibilities, and has knowingly creates serious liabilities to the local. He is currently obstructing the day-to-day operations of the local, including the performance of legal and contractual obligations, and therefore should be removed from his office of secretary treasurer.

The trial

The trial was to take place in the basement meeting room of the Ontario Federation of Labour 15 Gervais Dr., Toronto Ontario M3C1Y3. On December 1, 2017 at 1 PM.

The three members of the panel were Susanna Desilles the chief shop Steward at the Omni King Edward Hotel Abu Azam, chief shop Steward at the Hilton Toronto hotel and Louie Naccarato chief shop Steward at the Marriott Courtyard hotel.

The meeting was chaired by Louie Naccarato.

The meeting was to commence at 1 PM the record shows that we waited until 1:20 PM brother Nuredin Bulkle did not show and was not represented by any other persons.

We confirmed that notice of this meeting was given to brother Nuredin and was provided Canada post records that he received the letter.

Finding of the Panel

We the three members of this panel find that Nuredine did violate his fiduciary duty to Unite Here local 75.

We have come to the unmistakable conclusion that he is signing cheques which he only politically agrees with.

We believe that he knowingly and materially violated provisions of the Constitution and the by-laws of Unite Here local 75.

We base our opinion on an email exchange between Nuredin and Sister Andrea Henry. There were several other items but not one as clear as this exchange with Sister Andrea Henry chief shop Steward Westin Prince Hotel.

In an email Andrea Henry states; " it is come to my attention that you have not signed the paycheck (wages) for myself and a few other LOA employees on Friday, October 13, 2017. We worked for two weeks for the union and expect to be paid in full. Under ESA we are due to be paid for work performed. I do not understand why you or Valerie in your capacity as secretary treasurer and vice president will not do your duties while you hold these positions in office. Whatever the case is, you have a duty to pay us for work we have done for local 75. Please sign our paycheck immediately and govern yourself accordingly, thank you Andrea Henry Chief shop steward, Westin Prince Hotel."

The response from Nuredin was self-incriminating.

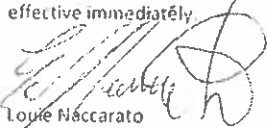
"Hi Andrea, I'm not sure if you were informed, as you are of been, but, the executive board did not approve the finances, which includes LOA. In fact, I'm August 27, I am formed Liz Pimental that I would be signing a check for an LOA under protest, for the last time, until the executive board says otherwise."

Andrea, I want you to recognize the situation that I'm in. I do not have the ability to override any decisions made by the executive board, therefore, I am not in a position to sign your cheque. However, I am willing to speak with the majority of the executive board, who did not pass our finances to see if they will make this exception to sign your check on the condition that you are going back to work and will not be on LOA until this matter has been resolved.


Thank you Nuredin Bulle."

We collectively did not understand why a member who is requesting payment for work that was performed was being told that she needed to go back to work. This was a political decision. We believe that this was a routine expenditure that was approved by the members at the October 10, 2017 meeting.


We believe that Mr. Bulle has committed serious breaches of his duties and knowingly risks serious liabilities to this local, and that he is currently obstructing the day-to-day operations therefore we the three members of this panel believe that he should be removed from his office of secretary treasurer effective immediately.



Louie Neccarato
Chief Shop Steward
Courtyard Marriott Downtown Toronto



Abu Azam
Chief Shop Steward
Toronto Hilton Downtown



Susanna Desillos
Chief Shop Steward
Omni King Edward Hotel

Appendix D: "Special Meeting" Agenda



MEETING AGENDA

MEETING DESCRIPTION: UNITE HERE LOCAL 75 SPECIAL EXECUTIVE BOARD/SOLIDARITY MEETING (HELD IN ACCORDANCE WITH ARTICLE IX, SECTION 1 [A])

DATE: Thursday, December 14, 2017 **TIME:** 10:00 a.m.

LOCATION: 15 Gervais Drive, Union Office

Officers:

Sister Lis Pimentel	President
Brother Nuredin Bulle	Secretary-Treasurer
Sister Valrie Lue	Vice-President

Executive Board:

Brother Sami Hanna	Executive Board Member
Brother Prasanna Nanayakkara	Executive Board Member
Sister Avenell Johnson	Executive Board Member
Sister Myrna Stoller	Executive Board Member
Brother John Timoteo	Executive Board Member
Brother Nigel Blair	Executive Board Member
Brother Kiran Panikar	Executive Board Member
Brother Rajesh Thomas	Executive Board Member
Sister Josefina Palomo-Lee	Executive Board Member
Brother Chris Koehler	Executive Board Member
Brother Froilan De Guzman	Executive Board Member
Sister Evelyn Redden	Executive Board Member
Sister Andrea Henry	Executive Board Member
(12 vacancies)	

Trustees:

Brother Abu Ahmied Azam	Trustee
Sister Susana Desillos	Trustee
(1 vacancy)	

1. CALL TO ORDER
2. ROLL CALL
3. VACANCIES
4. OATH/SWEARING IN

5. REPORT BACK ON DISCUSSION WITH D TAYLOR AND GWEN MILLS RE: TRUSTEESHIP OF LOCAL 75
6. MOTIONS
7. TRIAL RESULTS
 - a. November 14, 2017, trial: Brothers Nuredin Bulle and Yosief Ogbasellasi
 - b. December 1, 2017, trial: Brother Nuredin Bulle
8. POSSIBLE BY-LAW CHANGES FOR CONSIDERATION
9. JANUARY 2018 MEMBERSHIP MEETING – JANUARY 9, 2018
10. MINUTES
 - a. General Membership Meeting Agenda for October 10, 2017
 - b. Executive Board minutes for October 5, 2017
 - c. Executive Board minutes for November 2, 2017
11. FINANCIAL REPORTS
 - a. September 2017 Financial Reports
 - b. October 2017 Financial Reports
12. EXTRAORDINARY EXPENDITURES REQUIRING A VOTE
 - a. HWTC Computer Lab and Guest Services programs
 - b. Operation Cheer
13. MOTION TO ADJOURN

Proposed By-law Changes:

Existing Article V, Section 2: A reasonable opportunity shall be given to the members to nominate candidates for office. Nominations of officers shall be received in the month of August, 2008, and every four years thereafter.

Replace "August, 2008" with "March, 2018"

Article VI, new Sections:

Section 3: The Executive Board may, in its discretion, call a special election at any time to fill a vacancy in any elective office, in which event the person selected by the Executive Board to fill the vacancy shall serve only until the successful candidate at such special election assumes office.

Section 4: Special elections shall be conducted in accordance with the by-laws governing regular elections. The officers so elected shall serve until the next regular election and until their successors are elected and assume office.

COMPLAINT 65

From: cornetta mason <cornettad2000@yahoo.com>
Date: 15 December 2017 at 23:26
Subject: joint statement
To: "nbulle75@gmail.com" <nbulle75@gmail.com>

Hi Nuredin,

Here is a statement from Monica and I about what happened yesterday.

Cornetta Mason and Monica McKenzie Joint Statement regarding Events at Local 75 on December 14, 2017

Date: 12/15/17

Cornetta:

I went to the Local 75 office at 15 Gervais Drive on December 14, 2017 at around 1:10 pm. As I got to the office door, I try opening it to go in, but it was locked. I could hear the doors inside (individual office doors) also being locked. I also tried the other door to get inside the office, it was also locked. I started knocking on the door to enter the office. Lis Pimentel and David Anderson came to the door and opened it, while Jj Fueser was standing inside by Maggie Lima's desk. When Lis opened the door, she said to me, "you cannot come in the office. The office is closed." Then she closed the door. I took the elevator down to the Main floor of the OFL building. I was in shock. I saw Jay Yerex and Monica McKenzie on the Main Floor; they were talking in between the main entrance doors. I approached Monica and Jay, and I said, "Lis locked the door." Monica asked, "are you sure?" Then Jay said, "Valrie said she is D. Taylor's puppet and asked for a trusteeship of the Union." Then he said, "I'm locked out too." I said, "but Jay, you didn't go upstairs, how do you know the door is locked?" He said, "Pedro sent me a text."

Jay started to argue with us, jumping from topic to topic. He said:

'It's not yours and Monica's fault. You guys are the victims of the IU. This is bigger than us and it's happening in nine cities. You guys going to Vegas is costing the IU \$15,000 a day. You know how much it's costing the IU? Guled is an Executive member of COPE and Cornetta, you are the shop steward of Cope. If you guys sent Monica and Mahen it wouldn't be a problem." He accused Guled and I of taking gifts from the IU. I said, Jay, "in the last Executive Board meeting, you lied about me telling you to go file a grievance." (he said in Executive Board meeting that I advised him to file a grievance against the IU for the weekly reports). Jay said, "I retract that back. It wasn't you. It's Guled." Then he said, "Oh what Nadia said about you (in Executive Board meeting) she should have never said that." (Nadia claimed I made a deal with the employer at the Delta).

Kiran Panicker walked up to the three of us on his way out and Jay said to Kiran, "Valrie said she's the puppet of D. Taylor and because of her the Local is trustee." Kiran shook his head in agreement. I said to Jay in front of Kiran and Monica, "all the white people are in the office." Then Jay said, "cut that shit out Cornetta. One of the most racist people is Scott Cooper. You should ask Kendra. You're talking about black and white. You should see the way they're treating my friend Kendra and she's a black person." Kiran agreed with Jay's comment "cut that shit out" and left.

Allan Pace then walked up the stairs from the basement to the main floor, and he said, "Jay, come." Then Jay and Allan walked down to the basement together.

Monica then told me she was going to go upstairs and try the door. Monica left to go upstairs. I waited downstairs for Monica.

Monica:

I took the elevator up to the 3rd floor. I started knocking on the door, and shaking the door knob. Nobody answered. Cornetta came up on the elevator after I did, and said, "continue knocking." I did,

nobody came to the door. We then took the elevator downstairs to the Main Floor. We were at the entrance where we were standing earlier with Jay Yerex. I was facing the elevators. We saw Kumsa Baker come out of the elevator with a cardboard box (the type that printer paper comes in) and he walked past us, and he walked to the parking lot with the box. This was at roughly 1:45 pm. Kumsa appeared to be removing files from the office. Cornetta and I left.

COMPLAINT 66

From: Shelli Sareen <ssareen@unitehere.org>
Date: Sunday, December 17, 2017 at 8:17 PM
To: Scott Cooper <scooper@unitehere.org>
Subject: Statement regarding activity at office during closure

December 17, 2017 Statement Regarding Office Closure

On Wednesday December 13, 2017 Jay Yerex was seen removing a box/files from the Local 75 office building.

On Thursday December 14, 2017 at around 11 AM Lis Pimentel locked certain staff out of the office and had the office door locks changed of the Local 75 office located at 15 Gervais Drive, Toronto, ON without informing elected officers Valrie Lue and Nuredin Bulle and certain staff.

While some staff returned to try and get into the office since the "lock out" they were denied entry. However, other staff have been provided entry. The following individuals have been spotted in the office and/or have had their vehicles spotted in the office building's parking lot after the office has supposedly been "closed."

- Lis Pimentel
- David Sanders
- Kumsa Baker
- David Anderson
- Jj Fueser
- Rafunzel Korngut

On Thursday December 14, 2017 Kumsa Baker was seen removing a box/files from the Local 75 office building.

On Friday December 15, 2017 at 10:01 AM Pedro Cristovao 10:21 sent an email to all staff saying, "that the office is closed until Wednesday December 20th, 2017 pending the outcome of legal proceedings held on Tuesday December 18th, 2018." Please see email in reference as well as related email from Pedro Cristovao as **Appendix A**.

While the office is supposedly closed, several staff members have since been inside the office even though elected officers Valrie Lue and Nuredin Bulle and several others have been denied entry.

Valrie Lue tried to gain entry to the office on December 15th, but was not allowed in even though Rafunzel Korngut was inside the office, and Lis Pimentel was likely also inside the office as her vehicle was parked in the parking lot.

December 16, 2017

In an email to Valrie Lue, on December 16th at around 4:15 pm, Lis Pimentel wrote, "The office is closed to all staff in order to secure the premises until the outcome of legal proceedings, occurring on Tuesday, are known." However, staff were spotted in the office while it ought to have been "closed to all staff" as per Lis Pimentel's email. **Please see full email chain as Appendix B.**

Lis Pimentel's vehicle was parked in the OFL parking lot (where Local 75 office is located) at 10:21 AM, which indicates that she arrived at the office sometime prior to that on that date. She left the Local 75 office at 9:08 pm, entered her vehicle and drove away. She did not leave the OFL building at any time between 10:21 AM until she drove away at 9:08 pm. She later returned to the OFL building parking lot at around 11:00 pm and was driving around the parking lot.

The lights of the Local 75 offices were on for most of the day. From the windows outside the building, individuals were seen inside going from office to office.

At least two individuals were seen simultaneously in the office, throughout the entire day, and at least three individuals were spotted simultaneously at certain points.

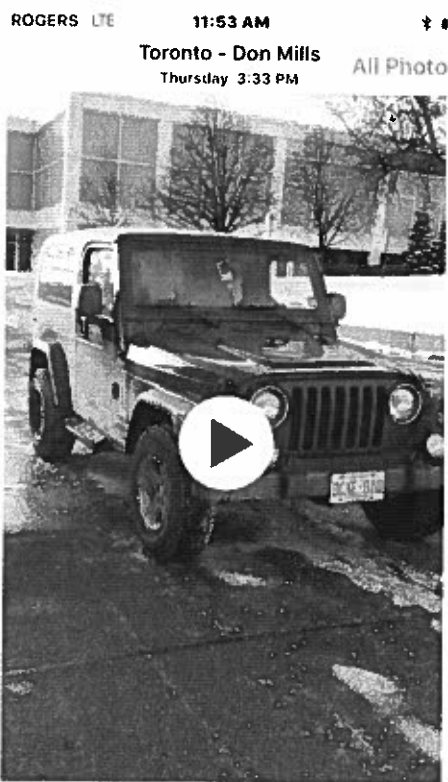
David Anderson arrived to the OFL building at 8:30 p.m. and presumably went to the Local 75 office on the third floor.

Kumsa Baker arrived to the OFL building at 9:13 pm. **Please see video footage (video #1) of Mr. Baker inside the OFL building.** He took the elevator upon entry, and was spotted a few minutes later walking around inside the Local 75

office from the windows. Please see attached video #2. Mr. Baker can be seen walking inside the Local 75 office at 1 minute and 9 seconds into the attached video (or within the last 20 seconds).

- There are video cameras in various parts of the OFL building and can provide evidence of Local 75 and IU staff removing files from the Local 75 office. This footage may need to be subpoenaed.
- Local 75 staff were inside the office past 11:00 PM on Saturday December 16th, which is an unusual time to be in the office. In fact, staff were inside the office even after the office was closed, and throughout the weekend. Given the political dispute at the Local, there is a concern that Union property was removed, or evidence destroyed. It may be beneficial to subpoena Pedro Cristovao in relation to what staff were doing inside the office after it was closed.
- Since David Anderson, David Sanders, Kumsa Baker, Rafunzel Korngut, Jj Fueser and Lis Pimentel were also seen inside the office after it had been closed, it may also be beneficial to subpoena these individuals to determine what activities were taking place inside the office.

Photographs December 14 – 16, 2017 During office Closure



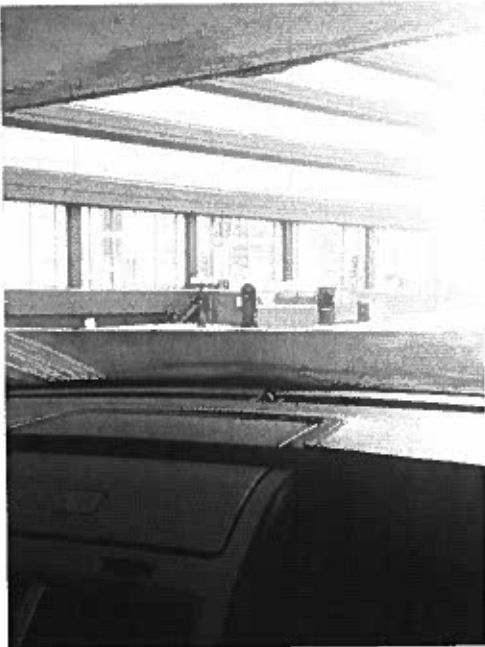
David Sanders' vehicle Dec. 14, 2017



Lis Pimentel's Vehicle December 15, 2017



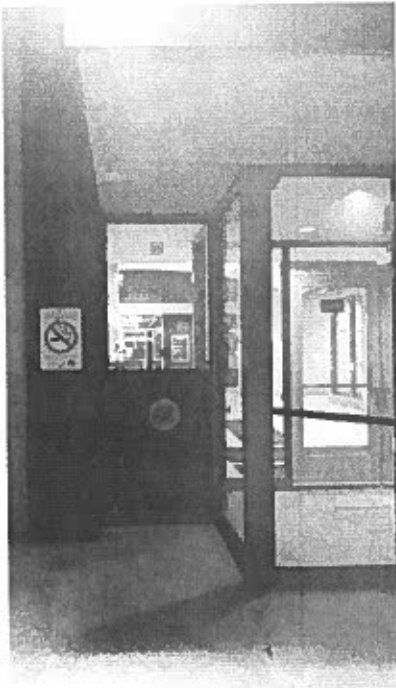
Lis Pimentel's Vehicle December 16, 2017



Lights on at Local 75 Office at 3:14 PM on Sat. December 16, 2017



Lights on at Local 75 Office at 8:50 PM on Sat. December 16, 2017



Kumsa Baker in OFL building, December 16, 2017 at 9:13 PM

Appendix A: Emails to Staff from Pedro Cristovao

From: Pedro Cristovao [mailto:pcristovao@uniteherelocal75.org]

Sent: Friday, December 15, 2017 10:01 AM

To: Allan Pace <apace@uniteherelocal75.org>; Andria Abbington <ababbington@uniteherelocal75.org>; Anna Volpe <avolpe@uniteherelocal75.org>; Ashley Hayes <ahayes@unitehere.org>; Cornetta Mason <cmason@uniteherelocal75.org>; Daniel Bastien <dbastien@uniteherelocal75.org>; David Anderson Local 75 <danderson@uniteherelocal75.org>; David Sanders <dsanders@unitehere.org>; Frank Piserchia <fpiserchia@uniteherelocal75.org>; Guled Warsame <gwarsame@uniteherelocal75.org>; Jay Yerex <jyerex@unitehere.org>; JJ Fueser <jjfueser@unitehere.org>; Jorge Hurtado <jhurtado@uniteherelocal75.org>; Kumsa Baker <kbaker@uniteherelocal75.org>; Lis Pimentel <lpimentel@uniteherelocal75.org>; Maggie Lima <mlima@uniteherelocal75.org>; Mahen Krishnamoorthy <mkrishnamoorthy@uniteherelocal75.org>; Marc Hollin <mhollin@unitehere.org>; Milton Catita <mcatita@uniteherelocal75.org>; Monica Mckenzie <mmckenzie@uniteherelocal75.org>; Nadia Baer <nbaer@unitehere.org>; Nuredin Bulle <nbulle@uniteherelocal75.org>; Rafunzel Korngut <rkorngut@uniteherelocal75.org>; Shelli Sareen <ssareen@unitehere.org>; Solomon Asfaha <sasfaha@uniteherelocal75.org>; Teferi Zemene <tzemene@uniteherelocal75.org>; Thorben Wieditz <twieditz@uniteherelocal75.org>; Valrie Lue <vlue@uniteherelocal75.org>

Subject: Office closed.

Importance: High

Hello everyone,

Please be advised that the office is closed until Wednesday December 20th, 2017 pending the outcome of legal proceedings held on Tuesday December 18th, 2018.

To be clear only the office is closed. Organizers should still be working. We understand that this may cause an inconvenience, and thank you for your understanding.

Thank you

Pedro Cristovao
 Operations Manager
UNITE HERE Local 75
 Tel 416-384-0983x311 Fax 416-384-0991
15 Gervais Dr. Suite 300
 Toronto, ON, Canada
 M3C 1Y8

----- Forwarded message -----

From: "Pedro Cristovao" <pcristovao@uniteherelocal75.org>

Date: Sun, Dec 17, 2017 at 5:05 PM -0500

Subject: Staff meeting

To: "Allan Pace" <apace@uniteherelocal75.org>, "Andria Abbington" <ababbington@uniteherelocal75.org>, "Anna Volpe" <avolpe@uniteherelocal75.org>, "Ashley Hayes" <ahayes@unitehere.org>, "Cometta Mason" <cmason@uniteherelocal75.org>, "Daniel Bastien" <dbastien@uniteherelocal75.org>, "David Anderson Local 75" <danderson@uniteherelocal75.org>, "David Sanders" <dsanders@unitehere.org>, "Frank Piserchia" <fpiserchia@uniteherelocal75.org>, "Guled Warsame" <gwarsame@uniteherelocal75.org>, "Jay Yerex" <jyerex@unitehere.org>, "JJ Fueser" <jfueser@unitehere.org>, "Jorge Hurtado" <jhurtado@uniteherelocal75.org>, "Kumsa Baker" <kbaker@uniteherelocal75.org>, "Lis Pimentel" <lpimentel@uniteherelocal75.org>, "Maggie Lima" <mlima@uniteherelocal75.org>, "Mahen Krishnamoorthy" <mkrishnamoorthy@uniteherelocal75.org>, "Marc Hollin" <mhollin@unitehere.org>, "Milton Catita" <mcatita@uniteherelocal75.org>, "Monica Mckenzie" <mmckenzie@uniteherelocal75.org>, "Nadia Baer" <nbaer@unitehere.org>, "Nuredin Bulle" <nbulle@uniteherelocal75.org>, "Rafunzel Komgut" <rkorngut@uniteherelocal75.org>, "Shelli Sareen" <ssareen@unitehere.org>, "Solomon Asfaha" <sasfaha@uniteherelocal75.org>, "Teferi Zemene" <tzemene@uniteherelocal75.org>, "Thorben Wieditz" <twieditz@uniteherelocal75.org>, "Valrie Lue" <vlue@uniteherelocal75.org>

Hello,

Tomorrows staff meeting is postponed. Also the office is closed until Wednesday.

Thank you

Pedro Cristovao
 Operations Manager
UNITE HERE Local 75
 Tel [416-384-0983](tel:416-384-0983) x3111 Fax [416-384-0991](tel:416-384-0991)
 15 Gervais Dr. Suite 300
 Toronto, ON, Canada
[M3C 1Y8](tel:416-384-0983)

Appendix B: Valrie Lue and Lis Pimentel Email Chain

From: Lis Pimentel <lpimentel@uniteherelocal75.org>
Date: December 16, 2017 at 4:14:25 PM EST
To: Valrie Lue <vlue@uniteherelocal75.org>
Subject: Re: Locks changed/require key

Valrie,

The office is closed to all staff in order to secure the premises until the outcome of legal proceedings, occurring on Tuesday, are known.

Our lawyer spoke with the lawyer for the International yesterday, and the International will not undertake not to try and send in a trustee, which is why this measure is necessary.

Do let me know if you have items in the office that you need before Wednesday. I will arrange to give them to you.

Sincerely,

Lis Pimentel

Lis Pimentel
 President
 Unite Here Local 75

On Dec 16, 2017, at 10:50 AM, Valrie Lue <vlue@uniteherelocal75.org> wrote:

Dear Lis,

I needn't remind you that I am an elected officer and I have the right to get my materials, myself. I am puzzled at how you've given access to the office to certain staff, while discriminating against others, particularly black staff and officers. How do you justify yourself as a trade union leader by this discriminatory behaviour, particularly towards black people? Lis, your unjust practices hurt all of us and it seems as though that does not seem to bother you since you continue to cause this pain. This is not the prison system for you to say that you will make sure my items are provided to me. By whom will they be provided?

Please stop these unjust practices and provide me with a key to the office immediately. I am an equal human being.

Sincerely,

Valrie Lue

On Dec 16, 2017, at 10:18 AM, Lis Pimentel <lpimentel@uniteherelocal75.org> wrote:

Good morning Valrie,

The office is closed until the end of day Tuesday.

Please let me know what materials you require and where they are. I will make sure they are provided to you.

Sincerely,

Lis Pimentel
President
Unite Here Local 75

Lis Pimentel
President
Unite Here Local 75

On Dec 16, 2017, at 9:19 AM, Valrie Lue <vlue@uniteherelocal75.org> wrote:

Hi Lis,

Since you had the locks changed to our office doors, and because I am the Vice President, I require a key as I need to access some materials to do my job. Please confirm that you will provide me with a key to the office prior to Monday morning.

Thank you,

Valrie Lue

COMPLAINT 67

Teferi Zemene Statement

December 18, 2017

This morning I went to the office building to go to the Local 75 office. David Sanders called me and was very angry because he knew somehow that I was at the office. It was clear there were people watching the building to see who comes and goes. He said on the phone, while angry I was at the office, that he needed to meet with me. At 11:40am, he wanted to meet me in the Starbucks by 505 University Ave at the Labour Board Office and we met.

He said repeatedly that he will win the fight against the international and he knew in advance that he is winning the fight. He said that it's Nuredin who brought the trusteeship over us and who follows him doesn't care about the members and the 2018 Negotiations.

He said the Union Office is closed and is watched by some staff to prevent brake inns. He said because Vallery and some staff were roaming around until 9:30pm. yesterday. He said there is a judge order and the police has been notified. He said repeatedly that I should not be there since Lis and Pedro sent an email notifying the closure of the office. But some staff have been inside the office. This is unjust. How can the judge order only apply to some staff. When I mentioned that I was promised by Pedro to receive a C.B.A. Book which I need urgently to file a grievance for a terminated member before the time runs out, his answer is just to contact him.

When I said why is the office denied only for the black leaders, his answer is Kumsa is there. As if Kumsa represents the seasoned leaders. Poor kid whom we believed we could develop and instead who fall victim of the wrong masters David and Nadia, who will do any harm to the right people constantly inflicting fear about not to be "Off The Program" and prove himself to be loyal to the masters. Kumsa is now abusing seasoned leaders under David's leadership.

The saddest thing which hurts me to witness is all young leaders I developed and did utmost effort to bring them out, but are now claimed by Nadia, are led with the wrong teachings and principles and become disconnected from the real social movement. They became zombies. They speak against the International Union under the guidance of Lis, David, and Nadia.

While speaking, I asked David why I did not get an email like every week this time regarding paycheque? David said that everyone is being paid, except for Nuredin. He also said "we fired the Eboard except for 2." David is an International staff person saying "we fired" the Local 75 elected executive board members. This is absurd.

Now the International "Leaders" of our local are fighting their own union and declare 'we will burn down the house' unless we get what we want. The International leader, David, trashes the Elected Officers of the local at will and the international seems like gave him a Licence to Kill!

After 14 months of fighting with our hands tied behind our back, our movements curtailed through not useful drafted plans which serve as obstacles and our mouth shut. Without using the union's resources and staff / L.O.As at will and spending our own money, in our free time we fought for the principle seeking only for the blessing of our predecessors who handed our Local 75 intact and strong to us working hard and standing united for us to keep a union strong and free of prejudice. We will stay stronger and that is for forever

David Sanders feels entitled to use his power at will, create false stories nonstop, and will never stop to destabilize the establishment. He put me in such awkward position, I have to chose side, according to him.

My twenty-six years old son saw me crying and he said mom your crying is not a sign of weakness you are cleansing your heart. He encouraged me not to give up on the fight for justice if I give up, no changes will be made. Those who are privileged and in position of power, will continue to perpetuate the behaviour and still get away with it if no one calls it out.

I did not know that people of colour still need to fight injustice in the workplace on a daily basic just to feed their family and keep a roof over their head. Racism still is stumbling block that prevent many people of colour from the opportunity to have good paid jobs, promotions and lack of respect in the work place.

People of colour died for the same cause he says; the police stops me once per week so now its becomes the norm but I will never and cannot stop fighting for justice as a black person in this land of injustice.

Please pray for me my brother and continue to be my fence and my Rock. I hold on to your encouraging words.

You and my sister always remind me of the Martin Luther King Junior quote that says, "True peace is not merely the absent of tension is the present of justice."

Sincerely,

Monica McKenzie

This is Exhibit "B" referred to in the Affidavit of Donald Taylor
sworn December, 2017

Commissioner for Taking Affidavits (or as may be)



From: "D. Taylor" <dtaylor@unitehere.org>
Date: May 24, 2017 at 8:49:12 AM PDT
To: "Lis (Lisabeth) Pimentel" <lpimentel@unitehere.local75.org>
Cc: "mcasey@unitehere2.org" <mcasey@unitehere2.org>, Richard McCracken <rmccracken@msh.law>, "D. Taylor" <dtaylor@unitehere.org>
Subject: Supervision of Local 75

UNITEHERE!

Office of The President

1630 South Commerce Street, Las Vegas, NV 89102 • Tel (702) 386-5120 • Fax (702) 386-5290-3415

WWW.UNITEHERE.ORG • facebook.com/UNITEHERE • @UNITEHERE

TO: Liz Pimentel

CC: Mike Casey, Richard McCracken

RE: Supervision of Local 75

On May 18, 2017 the Executive Committee of UNITE HERE adopted a resolution placing Local 75 under supervision. Mike Casey has been appointed to be the supervisor. He will exercise the full extent of the authority granted to supervisors under Article 4, Section 7 of the UNITE HERE Constitution. You are required to cooperate with the supervisor and I urge you to do so in good faith and in the best interest of Local 75's members.

This is Exhibit "C" referred to in the Affidavit of Donald Taylor
sworn December, 2017

Commissioner for Taking Affidavits (or as may be)

9/5/17

To: UNITE HERE Officers and Executive Committee

From: Mike Casey

CC: Local 75 Officers

RE: Local 75

The International Union's three month supervision of Local 75 effectively began at the end of May of this year. Since then, as Supervisor I have traveled to Toronto on ten occasions, meeting with members, staff and rank and file leaders during my visits, which lasted between 2 and 4 days each time.

This report will present the highlights or summary of those visits, interspersed with some observations to date, and a couple of recommendations for next steps.

SUMMARY OF VISITS

#1--May 24-26--I was first briefed by President Lis Pimentel on her over-arching concerns related to a prospective trusteeship in light of the history of other Canadian unions raiding Local 75's jurisdiction during times of instability.

In meeting with Secretary-Treasurer Nuredin Bulle, I was informed of a petition being circulated in certain Local 75 hotels and food service units that sought to diminish and undermine the Local 75 Executive Board by referring to the board as a "group that seek to create division within our union."

The first afternoon I was there, Scott Cooper and I met with the Executive Board without any of the three executive officers. During that meeting, the majority of members raised strong objections to the petition referenced above being circulated because it was divisive and disrespectful of that body. It was the first time that I heard in full the recitation of two different narratives as to why the local was in the shape it's in. The first narrative, proffered by those leaders aligned with Nuredin, Vice-president Valrie Lue and a clear majority of board members, is that it all began at a Local 75 Executive Board meeting held on October 2, 2016 during which Lis made a passionate appeal that the local support David Sanders to replace Nick Worhaug, who was retiring as

Canadian Director. Executive Board members recounted how Lis made inflammatory statements related to the consequences of David not being named as Canadian Director, as well as remarks that Local 75's IU subsidies were likely going to be denied in the future. Nuredin was not at this meeting. When it was later reported to board members that David was not the choice of President D Taylor, those members of the board felt they had been lied to and used in an International Union political dispute.

The other narrative, put forth by those board members aligned with Lis, stated that all the internal Local 75 upheaval was started by certain Local 75 staff members who refuse to be held accountable for their assignments and was, in fact, a coup in the making over the past two years. Both these narratives are repeated by staff and other leaders of Local 75 on a regular and ongoing basis.

At the meeting with the Executive Board, a majority of members also expressed their frustration with being disrespected by Lis and that they felt excluded from decision-making. Other members disagreed with that assertion and stated that this was a big distraction from the upcoming city-wide contract negotiations, particularly at the Royal York Hotel, the first contract to expire.

A list of demands directed to Lis was presented at that meeting, which was supported by a majority of board members.

On my last day of this first visit I met with Lis who expressed a willingness to meet some of the Executive Board's demands and we began to work on those.

#2--June 8--As I was on the east coast for other meetings, I travelled to Toronto to meet with Lis to work on finding some common ground with the other two officers and the Executive Board. In that meeting with Lis, we discussed which demands could be agreed upon. Also in that meeting I was told that turnout for the July 11 regularly-scheduled membership meeting was already underway in anticipation of the Executive Board yet again not approving the minutes, financials and other business at the next meeting, scheduled for July 6.

Later, in a meeting with Nuredin and Valrie, Nuredin expressed his profound frustration and disappointment that over the last several months four staff had been hired without

either he or Valrie ever being consulted (Since then, I've learned it's five staff and several LOA's who have been hired in which they had not been included in the decision-making).

In meeting later that day with all three officers, they all expressed a desire to move beyond the division and work together. In that meeting, Lis reported on the measures she was prepared to take to restore a working relationship with Nuredin, Valrie and the Executive Board. It was the only meeting I've conducted with the three officers that I can characterize as constructive.

#3--June 19-21--In addition to meetings with staff and officers, the primary purpose of this visit to Toronto was the Executive Board meeting on June 20. That meeting, which lasted over four hours, was also attended by Scott Cooper. At that meeting, Lis expressed a willingness to meet several of the Executive Board's demands, including stopping and not acting on the petition referenced earlier; to restore Valrie and Nuredin to positions of leadership and include them in strategy and other key meetings; to develop a training plan to restore another staff member to a lead position; that those staff working on IU grants would work exclusively on those projects; a commitment to transparency; that she was working with the staff attorney on an exit plan, including severance pay, in light of a majority of the Executive Board's statement of "no confidence" in him.

In addition to addressing many of the Executive Board's issues, Lis accepted responsibility for the "breakdown in the working relationship" and stated that she hoped things could return to the way things used to be.

Following a lengthy discussion, the Executive Board adjourned for a meeting with only members of the board and Scott and myself where a number of board members expressed skepticism of Lis' good faith. After that caucus, the majority of the board asked that the changes she described be reduced to writing, that the staff attorney issue be quickly resolved, and that David Sanders be transferred to another local. That meeting ended without passage of the union's business (approval of minutes, financials, etc.) but it was agreed to continue the meeting to July 6.

On 6/21, I attended a meeting with the local's leads where a report and discussion about pending AirBnB legislation was discussed. The local's researchers and staff are doing an impressive job of keeping AirBnB, now the employer of Alex Dagg and Danny Glover, on the defense in Toronto.

In a meeting later that day, Nuredin and Valrie agreed that a possible alternative to David being transferred would be to assign a staff director from outside Local 75 to lead the overall staff, including David, while he focused exclusively on external organizing.

#4--July 4-7--In separate meetings with Lis and Nuredin, each one charged the other with divisive behavior; Lis expressed a belief that Nuredin was trying to drive certain staff out of the union while Nuredin alleged that Lis' unilateral decision to change the July 11 membership meeting location was an underhanded attempt to achieve favorable turnout from her side.

On July 5, Nuredin, Valrie and I spent over six and a half hours in a meeting with two Executive Board leaders (representing the rest of the majority) to see if see if it was possible to break the deadlocked business of the board. It was a successful meeting. The next day the Executive Board met. Lis distributed a memo memorializing her commitments to the board. By the conclusion of the five hour meeting, the Executive Board had passed all outstanding business from several previous months including the most recent month's minutes and financial reports. Good will and relief was expressed from both sides.

The next day when I asked Lis if she and her allies were still planning to introduce a motion at the upcoming membership meeting to oppose an International Union trusteeship, she said yes. I responded that the good will generated from the previous day's meeting would evaporate and that it would be divisive to pit the membership against the Executive Board. She expressed that the membership had a right to be on record against the board's earlier appeal for trusteeship. I strongly recommended that she take the floor at the membership meeting and lead everyone to table the motion, thereby preventing a divisive showdown.

#5--July 11-12--Throughout the weeks leading up to the July 11 membership meeting, I received reports of both Lis' and Nuredin's factions spreading misleading and defamatory statements about the other side. It was evident that a significant amount of staff time was being spent to turnout for that meeting.

On July 11, I arrived at the Intercontinental Hotel at 4:30 for the start of the 5 pm meeting. The check-in process had bogged down and long lines of members waited to get into the room. The meeting began at 6:45 pm. There are separate charges related to the way in which the meeting was conducted and I will not go into detail of the meeting itself. To summarize, by use of parliamentary procedure and having a majority of votes at the meeting, Lis' side changed the order of business, passed the business items (previous minutes, financials, etc.), closed debate, and voted to oppose a trusteeship. As the vote related to trusteeship was being conducted, Executive Board leaders and members allied with them marched out of the room in protest. Their departure was sizable enough and the cheers of Lis' side loud enough to reinforce just how deep this division appears to go.

#6--July 24-25--Since the July membership meeting, there has been a definite increased level of recriminations and overall distrust among leaders and staff. Following a staff meeting on July 24, however, I became somewhat more hopeful since I observed most of the staff engaged in a productive discussion about the contract and organizing campaigns. But in a meeting the next day with all three officers, I was disheartened by the level of distrust and dysfunction that was exhibited.

During the past three months, I have met with different members of the staff, both in groups and one-on-one. Caribbean and African staff have expressed anger and frustrations with Lis' diminishing and actual demotion of leaders (both on staff and in the membership) of the union. Other staff aligned with Lis have complained of Nuredin protecting staff who don't do the hard work of building the union.

On more than one occasion, I have strongly recommended to Lis that she allow a campaign or staff director(s) from elsewhere in the union to serve as a non-partisan staff director at Local 75 since no one currently at the local has the trust or credibility to oversee and direct the work of everyone. To date, she has rejected that

recommendation.

#7--August 2-4--In addition to taking on AirBnB with their community partners, Local 75 is mounting a spirited campaign against a number of impending conversions of union hotels to condominiums. There is also the potential to overhaul Ontario provincial labor law in some very favorable ways, which Local 75--together with other unions--is helping to advance.

In meetings with r&f leaders from the Delta Chelsea Hotel and with organizers and researchers it is evident that there is real commitment, but a challenging path, to beat back these developers.

On August 3, the Executive Board meeting once again ended in gridlock on almost all of the union business. Except for the minutes of the July 6 meeting and a handful of donations, the board voted down by a 15-8 vote all financial-related motions. A majority of the board did, however, move and pass four motions: to call on UniteHere to investigate the conduct surrounding the membership meeting; to require that all future membership meetings be held at the USW union hall or at a location approved by the Executive Board; to require board approval to invite staff from other locals to assist in Toronto; and to require board approval to hire or replace staff displaced by the cessation of IU subsidies, grants, or support.

Around these dates, 19 Executive Board members signed and sent a statement to IU officers demanding that all IU organizers be removed from Local 75.

#8--August 16-17--Between my visits to Toronto, Nuredin was barred from three hotels: the Delta Chelsea, Royal York, and Holiday Inn and a senior staff member was suspended pending an investigation over alleged lies and defamatory statements made in the run-up to the July 11 membership meeting. I was told that Nuredin was barred from the first two hotels to prevent any interference in the investigation of the staff member's conduct and was barred from the third hotel for an alleged conflict of interest, a charge he forcefully denies. Predictably, these actions have enflamed the faction aligned with Nuredin and Valrie.

I have repeatedly strongly recommended to Lis that she rescind the Nuredin ban, to no avail.

It strikes me as surreal at times that the level of distrust and animosity among staff is so pervasive and yet meetings are conducted as if nothing's up. But at the start of the staff meeting on August 17, Nuredin made a statement protesting his treatment by Lis and the prevailing atmosphere of disrespect. He then departed the meeting. Other staff expressed their anger, resentment, and demoralization with the actions and counter-actions being taken by the opposing forces as well as those taken by the IU.

#9--August 20-23--On August 18, Nuredin entered the Chelsea Hotel, the police were called and he was escorted out of the property.

In addition to more meetings with individual members and staff during this week, on August 22, Valrie, David and I met to discuss the local's current organizing campaigns and potential targets. David outlined, as well, the relative threat posed by five or six other unions that are now, or have in the past, attempted to organize hotels in Ontario.

#10--August 28-30--In my most recent visit to Toronto, I met with an investigator from the agency charged with investigating charges of structural or institutional racism and discrimination at Local 75. In addition to these allegations, there are also charges that Lis' conduct at the membership meeting and on other occasions has undermined democratic procedures at Local 75. These also need to be investigated. Finally, there are three staff union grievances that are outstanding and interconnected with the conflict. Two of the three grievances have been heard. Once the third has been heard this week, further investigation will be pursued either through the Human Resources process or, where the issues overlap, along with the other investigators noted here.

OBSERVATIONS/RECOMMENDATIONS

The officers, rank and file leaders, and staff of Local 75 have proven their mettle over the years. They are unafraid to take on the boss and strike more often than almost any other local in our union or in the Toronto area.

Moreover, for years they were on the front lines of the fight to protect our union from SEIU's attempted hostile takeover. In Toronto, the war with Workers United was bitter, nasty, and often personal. Sadly, the team that saved UniteHere in Toronto (and contributed mightily to the broader fight with SEIU) are now at each other's throats. These are all steeled warriors who've become sideways with each other; unfortunately, they're all too expert at waging an effective internal fight. I worry, though, that each side in this dispute significantly underestimates the other side.

With the open periods for raiding and decerts fast approaching, there's a compelling case to be made for caution. On top of that, employers are obviously aware of the division and will seek to exploit the confusion, defamation, and undermining that always accompanies that division.

There are a host of issues that are yet to be investigated, many of the most serious reduced to writing in the past month or so. As recent as August 30, new charges have been filed alleging financial improprieties.

The standard to impose a trusteeship under our constitution is a high bar, only to be used as "a last resort." In consideration of that high standard and that these investigations are not yet completed, I do not recommend a trusteeship at this time.

In light of all the above, I recommend the following course of action:

- Conclude the investigations as quickly as possible without compromising the integrity of the investigations themselves.
- Recruit and assign a staff or campaign director (or two, if possible) to direct the work of IU staff in Toronto; strongly encourage Lis to accept that person (or persons) as the overall 2018 campaign/staff director(s) for all staff in Local 75.

This is Exhibit "D" referred to in the Affidavit of Donald Taylor
sworn December, 2017

Commissioner for Taking Affidavits (or as may be)



UNITE HERE Local 75 CLC-FTO
15 Gerrard Drive, Suite 300, Toronto, ON M3C 1Y8
Lisa Beth Pimentel, President Valrie Lue, Vice-President Nuredin Bulle, Secretary-Treasurer
(416) 364-0983 info@uniteherelocal75.org www.uniteherelocal75.org

Memorandum

To: The Local 75 Executive Board
cc: Nuredin Bulle, Valrie Lue, Mike Casey
From: Lis Pimentel
Re: **CONFIDENTIAL**: Issues Discussed at the June 20, 2017, Executive Board Meeting
Date: July 5, 2017

CONFIDENTIAL – NOT FOR CIRCULATION

As we talked about in the June 20, 2017, Executive Board Meeting, there are a number of issues that we still have to work on together. However, there are a number of requests that you made that I am implementing right away:

- The petition has been suspended and is no longer being circulated.
- I am finalizing minutes of settlement with COPE 343 (the staff union) to settle Valrie Lue's grievance so that she is reinstated as a Lead and receives the Lead Premium.
- Nuredin and I have agreed to develop a training plan for Solomon.
- I confirm that Local staff who are on IU grants perform the work that the grant is for, and we file a detailed report on progress with the International Union every six months.
- Nuredin, Valrie and I have agreed to meet regularly to discuss strategy and joint decision-making in a meaningful way.
- Nuredin and Valrie will participate in strategy meetings of the Local.
- Nuredin will jointly lead staff meetings with me.
- The Executive Board can meet on its own and/or in camera at any time. For now, the Executive Board will meet on its own until we collectively decide to include the Solidarity Committee in meetings (or part of the meeting).
- Valrie and I have a plan to discuss with Monica the concerns that have come up so that we can resolve them and move her off of probation.

The other issues are still under consideration and we are working to find solutions to the underlying concerns identified in those items.

This is Exhibit "E" referred to in the Affidavit of Donald Taylor
sworn December, 2017

Commissioner for Taking Affidavits (or as may be)



TOGETHER, WE WIN!

AS MEMBERS OF UNITE HERE LOCAL 75, we have fought to achieve breakthrough standards in the hospitality industry.

And we have been successful.

In the last round of bargaining for the hotels in 2014, together we achieved the highest standard for a new contract of any union – not only in the hotel sector – but at the time it was the best settlement achieved by any union in any sector of the economy in Ontario.

Every year, more hotel workers are joining us by organizing their workplaces into the union. We are growing.

And now we have done it again in our bargaining with the food service companies. This year we achieved a breakthrough standard with those companies that includes average yearly raises of between 5-8% and extends full benefits for both full-timers and part-timers for the first time.

Together, we are changing what it means to work in the hospitality sector across the GTA.

We know how to win.

We have done so by bringing together many leaders to build a city-wide movement.

We have done so because we focus on the broad participation of Local 75 members in any fight we take on.

We have done so because we strive to be as open and transparent as possible in everything we do.

And we have done so because, through all of the challenges we have ever faced, we have sought at every turn to build unity between one another across the GTA.

In 2017, we need to finish our bargaining with the food service companies. And we will be beginning the 2018 round of hotel bargaining where we must continue to move our standard forward.

For this reason, now more than ever, we are committed to standing together as a team with our President and Chief Negotiator, Lisabeth Pimentel.

We will not be distracted or confused by anyone or any group that seek to create division within our Union at this time undermining our ability to work together and to win.

For all of these reasons – for our future, for ourselves, our families, our communities, and our Union:

WE THE UNDERSIGNED, are committed to standing together in unity as we continue to change the lives of hospitality workers across the GTA for the better.

Name

Department

Property

Phone

This is Exhibit "F" referred to in the Affidavit of Donald Taylor
sworn December, 2017

Commissioner for Taking Affidavits (or as may be)

From: Lenis Hernandez <lhernandez@unitehere.org> on behalf of "D. Taylor" <dtaylor@unitehere.org>
Date: Tuesday, October 31, 2017 at 11:41 AM
To: "nbulle@uniteherelocal75.org" <nbulle@uniteherelocal75.org>, "Lis (Lisabeth) Pimentel" <lpimentel@uniteherelocal75.org>
Cc: "rmccracken@msh.law" <rmccracken@msh.law>, Gwen Mills <gmills@unitehere.org>
Subject: Interpretation of Bylaws

UNITEHERE!

Office of The President

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To: Nuredin Bulle and Lis Pimentel
Cc: Executive Committee and Richard McCracken
From: D. Taylor, President of UNITE HERE International Union
Re: Interpretation of Bylaws

A majority of the Executive Board of Local 75 has asked me to resolve a series of controversies concerning the interpretation of Local 75's Bylaws. I am required to do so under Article 3, Section 3(g) of the UNITE HERE Constitution.

The list of controversies is attached. I will address them in the same order.

1. The Local 75 Bylaws do not give any officer--or the Executive Board--any explicit authority to hire or fire employees. This power is not implicit in the President's status as a chief executive officer. Most commonly, local union bylaws provide for the authority of the executive officer to hire and fire employees subject to the approval of the executive board but the Local 75 bylaws are silent on this important point. Because under Article IX, Section 5(a) of the Local 75 bylaws the Executive Board is "the governing body of the Union" with "complete authority" between meetings to exercise the Local Union's authority, it can claim at least as much authority in personnel matters as the President.

Sister Lis Pimentel, President of Local 75, has provided Executive Board meeting minutes going back to 2009. They show many instances of the Executive Board voting on the hiring of staff, approving staff compensation and approving severance arrangements for staff terminating their employment with the local. For instance, on August 1, 2013, before the present controversies between the President and the Executive Board began, the Executive Board voted on the hiring of Pedro Cristovao as a regular employee and an unnamed person to be the office manager to oversee the business and administration of Local 75.^[1] This appears to have been the main way in which personnel matters were handled but it was not completely consistent. The May 5, 2016 minutes contain a report from Secretary-Treasurer Bulle that Monica McKenzie was hired as a full-time organizer. There was no vote taken and the minutes do not state who made the decision to make McKenzie full time. The Executive Board had previously voted to hire her on a "leave of absence." A summary of the minutes containing information about hirings and terminations is attached as Appendix A.

I believe that the best balance of authority between the President and the Executive Board in the absence of any specific direction in the bylaws is that the President initiates employment actions and these

^[1] This vote was sharply divided. It was not a "rubber stamp".

are subject to approval of the Executive Board. This is the predominant pattern shown in the minutes. It is consistent with the principle that the Executive Board serves as the members' check and balance against wayward executive authority, while leaving with the executive officer the initiative in personnel matters. I do not believe that Article IX, Section 5(b) bears very much if at all this question. I do not consider hiring and firing decisions to be donations or expenditures. In almost every other UNITE HERE local, the provision about approval of expenditures is separate from provisions concerning hiring and the setting of compensation and Section 5(b) of the Local 75 bylaws should be given the same interpretation as prevails throughout the rest of the Union. Instead, I rest my interpretation on the broad powers given to the Executive Board under Section 5(a).

2. This was essentially a hiring decision. Whether the employees paid for by the grants that were cut were direct International Union employees or Local 75 employees for whom Local 75 reimbursed the IU, retaining them at Local 75's expense had the effect of increasing the number of employees on Local 75's payroll. Therefore, it is governed by the same interpretation as question 1. The President needed Executive Board approval to take this action.
 3. Arranging for meeting space for regular union meetings is generally a routine operating expense. But an extreme departure from past practice would not be. Certainly holding a meeting at a non-union hotel is itself significant but I cannot judge whether the arrangements for the July 11 meeting were so unusual that they could not be considered "routine" without knowing more about where Local 75 has held its meetings in the past and at what cost.
 4. Officers of the union meeting with legal counsel is a routine operating expense. The main exception, which should be obvious, is that an officer may not incur legal expenses for personal purposes. The invoice in question is for legal work concerning communications between the International Union and the President of Local 75, not any personal business.
 5. See Answer to question 4. In this case, the invoice was for work associated with a union meeting, not personal business. There may have been political undertones but union meetings are inherently political.
 6. The Executive Board had the authority to set policy about where union meetings would be held, pursuant to Article IX, Section 5(a). This authority is further supported by Article III, Section 1, which empowers the Executive Board to set the meeting times. The President of Local 75 was obligated to obey the policies set by these motions. The minutes of membership meetings, provided by Sister Pimentel, demonstrate that before the highly-contested meetings on July 11 and October 10 this year, all membership meetings were held either at the Steelworkers hall or at Local 75-represented hotels, so the Executive Board resolutions were a reaffirmation of established practice.
-

⁽¹⁾ This vote was sharply divided. It was not a “rubber stamp”.

APPENDIX A

- Executive Board Meeting – 7/9/2009
 - Officer’s Report: Brother Frank Piserchia explained the plan for clearing WSIB cases.
 - Moved and seconded by Brother Mahen Krishnamoorthy and Sister Prasanna Nanayakkara to retain Tom Bullock as WSIB consultant and trainer at \$100 per day and \$25 per diem for expenses.
- Executive Board Meeting – 4/1/2010
 - Resolution on Continued Employment of Local 75 In-House Legal Counsel
 - Voted on by the Board
- Executive Board Meeting – 6/3/2010
 - Proposal to hire Jorge Hurtado for a period of six month on the following terms
 - Voted on by the Board
- Executive Board Meeting – 11/3/2011
 - Brother Clifford announced that the Local had from the MCTU – a Labour Market Partnership Grant for \$90,000 for the next eight months, which would allow the Local to hire Sara Rousseau and Karne Lior
 - Voted on by the Board
 - Officer’s Report
 - There was discussion about the layoff of two administrative staff. Regrettable but necessary. The Local is in deficit spending, and needs to reduce costs and increase and improve dues collection
 - No vote
- Executive Board Meeting – 12/1/2011
 - Brother Piserchia reviews the consultant agreement between Local 75 and Tom Bullock to complete the outstanding WSIB cases.
 - Voted on by the Board
- Executive Board Meeting – 2/2/2012
 - Update-Hospitality Workers Training Centre REPORT
 - Funding Updates
 - As of February 1st, 2012 Sarah Rousseau has been re-hired and will be working with the training centre on this project.
 - Request
 - The Training Centre is requesting an investment of \$15,000-\$20,000 from the Equal Opportunity Training Fund to hire Karen Lior.
 - Voted on by the Board
- Executive Board Meeting – 4/5/2012
 - Settlement offer to the staff union regarding a grievance based on the layoff of Pauline Russell
 - Voted on by the Board
 - Offer of settlement and severance pay regarding the layoff of Kiran Ajwani
 - Voted on by the Board
 - Three resolutions regarding the setting of staff salaries
 - Voted on by the Board
 - Resolution Regarding Budgeting Approval of Leave of Absence Organizers – resolving that the Local may hire up to ten LOA organizers at any one time, and setting the conditions of employment

- Voted on by the Board
- Executive Board Meeting – 5/3/2012
 - Motion to provide health benefits to professional artist that does work for the local
 - Voted on by the Board
 - Motion to continue consultant arrangement with an IT provider
 - Voted on by the Board
 - Motion to provide supplemental insurance to Employee Jorge Hurtado
 - Voted on by the Board
 - Motion regarding Secretary Treasurer service and compensation
 - Voted on by the Board
- Executive Board Meeting – 7/5/2012
 - Motion on staff salaries for Local 75 lawyers
 - Voted on by the Board
- Executive Board Meeting – 10/4/2012
 - Motion regarding hiring at the Hospitality Workers Training Centre
 - Voted on by the Board
 - Extraordinary Expenditures Requiring a Vote of the Executive Board
 - Multiple motions regarding staff salaries
 - Voted on by the Board
 - Motion to approve extension of Brother Tom Bullock’s contract
 - Voted on by the Board
- Executive Board Meeting – 1/3/2013
 - Motion regarding Heather Ann McConnell’s personal leave of absence request
 - Voted on by the Board
 - Motion regarding the Executive Director, Training Centre (paying 25% of salary)
 - Voted on by the Board
- Executive Board Meeting – 2/7/2013
 - Motion to affirm the signed agreement between UNITE HERE 75 and Kiran Ajwani with respect to her layoff
 - Voted on by the Board
- Executive Board Meeting – 4/4/2013
 - There was discussion about the termination of one of the union staff. Sister Lis Pimentel stated that the matter was the subject of a grievance and would be dealt with in that forum. Details would not be shared in the interests of protecting the Union and the fired employee’s chances of pursuing other employment.
 - No vote
- Executive Board Meeting – 7/4/2013
 - Motion regarding the Executive Director, Training Centre (paying 25% of salary)
 - Voted on by the Board
- Executive Board Meeting – 8/1/2013
 - The Local’s Supervisor Brother Bill Lewis, provided an overview of the Local’s financial situation, a short explanation of why a dues increase is necessary, and a proposal about minimum staffing levels for this year, which included the proposal to turn Brother Pedro Crisovao’s contractor position into a full-time position with the Local and to hire a full-time Office Manager to oversee the business and administration of the Local.
 - Roll Call Vote by the Board
- Executive Board Meeting – 10/3/2013

- Acknowledgement of last round of raises in the current staff CBA between COPE and UNITE HERE Local 75. \$10/week increase for all current admin staff (3 people) and \$20/week for all organizers (8 people) in the bargaining unit.
 - Voted on by the Board
- Executive Board Meeting – 10/2/2014
 - Motion to approve the expenditure of up to \$40,000 to support Monica McKenzie's leave-of-absence training and education around union representation and organizing for a six-month period... This funding would cover her LOA salary, benefits, and normal work-related expense during the training period.
 - Roll Call Vote by the Board
 - Motion to continue engaging Mr. Tom Bullock to work with us on WSIB cases
 - Voted on by the Board
- Executive Board Meeting – 3/5/2015
 - Motion to approve expenditure of up to \$500 a week from the General Fund for Susan Kolompar to handle and clear up all outstanding WSIB claims.
 - Voted on by the Board
- Executive Board Meeting – 4/2/2015
 - Sister Lis Pimentel presented a motion to accept the second proposal of the Education Fund, to include a six month extension of Sister Monica McKenzie's training on a leave of absence.
 - Voted on by the Board
- Executive Board Meeting – 6/4/2015
 - Motion to approve the Memorandum of Agreement between COPE 343 and UNITE HERE Local 75 and all its contents therein.
 - Voted on by the Board
- Executive Board Meeting – 7/2/2015
 - Non-bargaining unit staff wage increases
 - Affected personnel were asked to recuse themselves and leave the room
 - Multiple motions for various staff
 - Voted on by the Board
- Executive Board Meeting – 1/7/2016
 - Motion to approve the UNITE HERE 75 General Fund, Profit and Loss, November 2015, and all transactions therein.
 - Brother Azam questioned the reasoning behind the reimbursement of IU staffs' salaries and requested documentation for clarification.
 - Voted on by the Board
- Executive Board Meeting – 3/3/2016
 - Motion to approve the expenditure of up to \$42,900 plus benefits and expenses (up to \$60,000) for the Culture and Community Fund to add to the CORD organizing effort in Rexdale and Jane Finch. This will fund, for example, one LOA for a year or 2 LOA's for six months.
 - Voted on by the Board
- Executive Board Meeting – 5/5/2016
 - Brother Nuredin Bulle announced that Sister Monica McKenzie has been hired as a permanent full time staff organizer. Brother Bulle stated that her commitment and leadership of the Local are some of her strongest qualities.
 - No Vote
- Executive Board Meeting – 10/6/2016

- Motion to approve the use of Equal Opportunity Training Fund for the purpose of hiring 2 people, for 6 weeks, to act as outreach for the Training Centre to member and establishing the foundation of a hiring hall.
 - Voted on by the Board
-

To: President, D. Taylor

From: Majority of the Executive Board of UNITE HERE Local 75

RE: Mediation of General President of UNITE HERE, D. Taylor on interpretation of Local 75 Bylaw.

September 5, 2017

Dear President Taylor,

As per Article 3, Section 3 (g) of the UNITE HERE Constitution, we, the undersigned majority of the Executive Board of UNITE HERE Local 75, request that you to resolve the controversy within Local 75 on the interpretation of the following bylaw:

Article IX, Section 5 (b) All applications for donations and all proposed expenditures, other than routine operating expenses, shall first be referred to the Executive Board for their recommendation; which recommendation shall be subject to membership approval by majority vote of the membership present at a regular or special meeting.

Our interpretation: A non-routine expense must first be brought to the Executive Board to vote upon. If the Executive Board, recommends such non-routine expense, only then, would that non-routine expense be subject to membership vote. If the Executive Board does not recommend such non-routine expense, then it would not be presented to the membership for a vote.


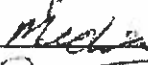
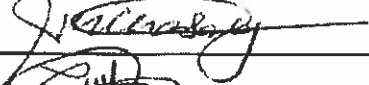





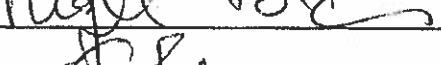
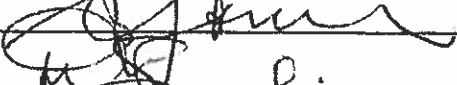

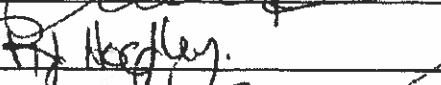

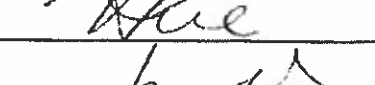
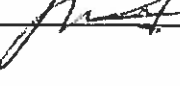

Cases of controversy:

1. Since October 2016 five staff members were hired without the approval and knowledge of the Executive Board or elected officers, Nuredin Bulle and Valrie Lue. Prior to October 2016 our practice was to have a majority vote of the Executive Board for all new hires, as per the guidance of the previous Supervisor to Local 75, Bill Lewis. For example, when Jennifer Chotalal, former Administrative Lead was hired in 2013, there was an Executive Board vote to hire her during which Bill Lewis was present.
2. Two IU grants to Local 75 were recently cut. On August 3, 2017, the Executive Board passed the following motion: "Any Local 75 expenditures associated with/or resulting from cuts to funding or grants to UNITE HERE Local 75 from the International Union must be approved by a majority vote of the Executive Board. For example, if the International Union cuts a grant to Local 75 for a staff person, then prior to Local 75 absorbing the cost of keeping that staff person, approval must be granted by a majority vote of the Executive Board. Please see Article IX, Section 5 (b) of the UNITE HERE Local 75 Bylaws." On this matter, the Executive Board simply asks, that before the Local absorb the cost of IU grant cuts, the matter be voted upon by the Executive Board. Even though the above motion was passed, Lis Pimentel ignored the motion and Article IX, Section 5 (b) of the Local 75 bylaws by making the unilateral and undemocratic decision to have Local 75 absorb the cost of these grant cuts.
3. Lis Pimentel booked a meeting room at the Intercontinental Hotel (not a Local 75 property) at a cost of \$8,500+ as the location for the July 11, 2017 General Membership Meeting. We have never booked a General Membership Meeting at this location prior to July 11th nor have we spent this amount of money to a book space for a General Membership Meeting prior to this meeting, and therefore it is not a routine expense. Prior to booking the room, Lis Pimentel should have brought this non-routine expense to the Executive Board for recommendation, she did not. On this matter, Lis Pimentel, clearly interprets the bylaws as her not requiring the recommendation of the Executive Board, we clearly disagree.
4. An invoice dated July 31, 2017 from Toronto-based law firm Koskie Minsky to the Attention of Ms. Lis Pimentel and Mr. Jorge Hurtado indicates that Koskie Minsky invoiced UNITE HERE Local 75 in the amount of \$1,017 for services rendered to Ms. Pimentel as her representative in reviewing various emails between Ms. Pimentel and UNITE HERE International Union Director of Operations, Scott Cooper. Since this was a non-routine expense, it should have been brought to the Executive Board for their recommendation. It was not.
5. An invoice dated July 24, 2017 from Toronto-based law firm Koskie Minsky to the Attention of Ms. Lis Pimentel indicates that Koskie Minsky invoiced UNITE HERE Local 75 in the amount of \$2,034 for services rendered to Ms. Pimentel in connection to a July 11, 2017 General Membership Meeting. The expenditures of \$2,034 were not brought to the executive board, nor were these expenditures authorized or approved. In fact, the invoice

indicates that Local 75 was charged \$824 plus tax for scrutineers and assisting during the membership meeting, when Ms. Pimentel had indicated, prior to the meeting, that all scrutineers were volunteers and did not disclose Koskie Minsky's involvement during the meeting. These non-routine expenditures were not brought to the Executive Board for their recommendation, as they should have been.

Sincerely,

Majority of UNITE HERE Local 75 Executive Board

Name	Signature
1. <u>LLOYD C. MANNING</u>	
2. <u>MEDHIA G. HEBBE</u>	
3. <u>Jocelyn Curaway</u>	
4. <u>JOHANNES HARTE</u>	
5. <u>Habtam Ogoinichael</u>	
6. <u>Kayann Drummond</u>	
7. <u>PHILLIP DE GENTRE</u>	
8. <u>Manu Richards</u>	
9. <u>Nigel Blair</u>	
10. <u>Colin Francis</u>	
11. <u>Christine Smelling</u>	
12. <u>IANKA STOYANOVA</u>	
13. <u>RIK HOCKLEY</u>	
14. <u>Abdalla Idnis</u>	
15. <u>Valerie Lee</u>	
16. <u>Muhammad Bulte</u>	
17. _____	_____
18. _____	_____
19. _____	_____
20. _____	_____
21. _____	_____
22. _____	_____

This signature, to confirm that
my request to our United Here
International president D. Taylor
to interpret our by laws.

Name, AVENELL JOHNSON

Signature [Handwritten Signature]

Date 2/6/17

September 26th, 2017

Supplementary document to petition dated September 5, 2017 regarding "Mediation of General President of UNITE HERE, D. Taylor on interpretation of Local 75 Bylaw."

Additional Case of Controversy:

6. On August 3rd, 2017, the UNITE HERE Local 75 Executive Board passed the following motion:

"All future UNITE HERE Local 75 General Membership Meetings must be held at a UNITE HERE Local 75 organized property selected by a majority vote of the UNITE HERE Local 75 Executive Board unless such meetings are held at 25 Cecil Street, Toronto, ON (Steel Workers Hall). Please see Article III, Section 1 of the UNITE HERE Local 75 Bylaws."

Further to this motion, on September 14th, 2017, the Local 75 Executive Board passed the following motion:

The October 10th, 2017 UNITE HERE Local 75 General Membership meeting will be held at the Sheraton Centre Hotel located at 123 Queen St. W, Toronto, Ontario M5H 2M9 at 5:00 p.m. as long as the cost is equal to or less than the cost of the last Local 75 General Membership meeting held at the Intercontinental Hotel. That cost was approximately \$8,500. If the cost was going to exceed then it would be put up for bid in other Local 75 hotels.

In violation of both motions Lis Pimentel, unilaterally booked a meeting room for the October 10th Local 75 General Membership Meeting other than the Sheraton Centre at a cost of \$12,800 (room only) and has yet to book PSAV services, for which she was quoted an additional \$21,694.42. This was not discussed with nor recommended by the Executive Board.

This is Exhibit "G" referred to in the Affidavit of Donald Taylor
sworn December, 2017

Commissioner for Taking Affidavits (or as may be)

From: "Habtom O." <habogba@hotmail.com>

Date: 5/2/17 5:53 PM (GMT-08:00)

To: "D. Taylor" <dtaylor@unitehere.org>

Cc: Chris Walker <cwalker@unitehere.org>

Subject: UNITE HERE LOCAL 75 EXECUTIVE BOARD MEMBERS TRUSTEESHIP AUTHORIZATION SIGNATURES

Dear Brother D. TAYLOR

Unfortunately Brother Rick Hockley signiture is missing, because he is in Hong Kong for vacation.

We are trying to connect with him by electronic means.

I will forward you his email confirmation, whenever I get one.

In Solidarity,

Habtom Ogbamichael.
Unite Here Local 75
Executive Board Member

We the Executive Board of UNITE HERE Local 75, following the majority vote by the membership of Unite Here Local 75 on Tuesday April 11, 2017, asking our UNITE HERE General President under your duties under the constitution to trustee the Local.

For the last 6 months, you personally intervened to help us to work together to build our organization. Sadly that did not happen. In fact the opposite is happening. Every effort you made so far has failed.

The general membership rejected all the business of the Union at the membership meeting while sending a strong no confidence vote.

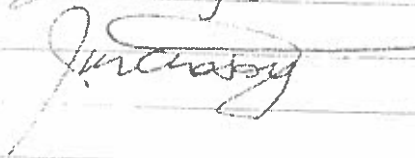
We the Executive Board want to avoid further damage to the Union, we therefore demand a trusteeship of the Local.

Name	Signature	Date
Mary Christine Smalling		April 26, 2017
LLOYD MANNING		April 26, 2017
Kayann Drummond		April 26, 2017
Habtom Dabromic haw		April, 26, 2017
MEDHIN-G. HEBRA		APR. 26 - 2017
Abdalla Idris		APR - 26 - 2017
YOHANNES HASTE		APR - 26 2017
FLOKAN DEGAZMAN		APR 26/2017
SALI HANNA		APR - 26 - 2017
Colin Francis		APR - 26 - 2017
Maria Richards		April - 27 - 2017
NIGEL Blair		APRIL - 27 - 2017
Prasanna Narayakone		27/APR/2017
Wendell Johnson		25/4/2017
Janna Stojanovic		May 1/2017
Rajesh Thomas	willing to work together with partners	

April 20, 2017

I, Jocelyn Cunniff authorize
my signature to be use for
Trusteeship of our Union
Unite Here Local 750

Sincerely,



This is Exhibit "H" referred to in the Affidavit of Donald Taylor
sworn December, 2017

Commissioner for Taking Affidavits (or as may be)

Notice of Charges

1. Local 75 has been embroiled in a debilitating internal conflict between two factions for more than a year. The internal conflict and the resulting chaos severely threatens the ability of the Local and the International to effectively bargain on behalf of its members in 2018, when the collective agreements with nearly every hotel company with which Local 75 and most other UNITE HERE local unions have an agreement are all set to expire.
2. Membership meetings meant to prepare for the upcoming contract fights in 2018 have been used in large part to address the internal conflict and not the business of the Local Union.
3. The conflict between factions in the Local has caused the Local to become completely non-functional on a daily basis. Staff members are refusing to speak to other staff members and others are outwardly attacking each other in the office, in Executive Board meetings which break down into shouting matches, and in public meetings.
4. Due to the conflict, checks are either not being signed or are delayed in being signed causing the business of the Local to be adversely affected.
5. Certain leaders of Local 75 have administered membership meetings in an undemocratic fashion solely for political purposes in violation of the Local's bylaws and UNITE HERE's Constitution. During at least one of those meetings those undemocratic practices were used to bring and pass motions that impacted the Local's finances in a significant way.
6. Certain leaders at Local 75 hired staff members in contravention of the rules, regulations and processes required by the UNITE HERE Constitution.
7. The President of the Local temporarily banned the Secretary Treasurer of the Local from some of the hotels with bargaining unit members without any due process and apparently for political purposes.

