

CLAIM

1. The Plaintiff claims:

- (a) an order certifying this proceeding as a class proceeding and appointing the Plaintiff as representative plaintiff for the Class Members, as defined below;
- (b) \$20 million in general damages for the Class, or such other sum as this Honourable Court deems just;
- (c) a declaration that the provisions of the *Employment Standards Act, 2000*, S.O. 2000, c. 41 ("*ESA*"), as applicable, are express or implied terms of the contracts of employment of the Class Members;
- (d) a declaration that the Class Members are employees of the Defendants who are operating as a common employer, for the purposes of the *ESA*;
- (e) a declaration that the Defendants violated the terms of the *ESA*, breached the Class Members' contracts of employment and duty of good faith owed to the Class Members, and/or breached the duty of care owed to the Class Members by:
 - (i) failing to ensure that Class Members were properly classified as employees;
 - (ii) failing to advise Class Members of their entitlement to compensation equal to or above the minimum wage as stipulated by the *ESA* (the "Minimum Wage");