



EXTRAORDINARY
OFFICIAL GAZETTE
THE BAHAMAS
PUBLISHED BY AUTHORITY

NASSAU

7th December, 2010

INDUSTRIAL RELATIONS (TRIBUNAL PROCEDURE)
RULES 2010

**OFFICE OF THE ATTORNEY GENERAL
AND MINISTRY OF LEGAL AFFAIRS**

S.I. No. 136 of 2010

THE INDUSTRIAL RELATIONS ACT
(Chapter 321)
THE INDUSTRIAL RELATIONS (TRIBUNAL PROCEDURE)
RULES 2010

In exercise of the powers conferred by section 66 of the Industrial Relations Act ("the Act"), the Industrial Tribunal ("the Tribunal") hereby replaces The Industrial Relations (Tribunal Procedure) Rules 1997 as follows:

Citation. 1. These Rules may be cited as the Industrial Relations (Tribunal Procedure) Rules, 2010.

Interpretation. 2. (1) In these Rules -

"Applicant" means a person by whom, or on behalf of whom, a trade dispute within an essential service or a non-essential service has been reported under section 68 of the Act;

"Judge" means the President or the Vice-President of the Tribunal presiding at a Hearing;

"Full Tribunal" has the meaning assigned to that expression by section 56 of the Act;

"Hearing" means a sitting of the Tribunal duly constituted for the purpose of

receiving evidence, hearing addresses and witnesses or doing anything lawfully requisite to enable the Tribunal to reach a Decision on any question;

"party" means the Applicant or the Respondent;

"President" means the member appointed under section 54(3)(a) of the Act as President of the Tribunal;

"Register" means the Register kept by the Secretary pursuant to Rule 11(3);

"Respondent" means a person against whom relief is sought by or on behalf of an Applicant;

"Secretary" means the person appointed, under paragraph 19 of the Fourth Schedule to the Act, as the Secretary of the Tribunal;

"sexual offence" means any offence under section 6 to 14 or section 16 of the Sexual Offences and Domestic Violence Act, 1991;

"Tribunal" means the Industrial Tribunal and includes a Full Tribunal;

"Vice-President" means a member appointed under section 54(3)(b) of the Act as Vice-President of the Industrial Tribunal.

**Mode of Addressing
Members of the
Tribunal.**

(2) The members of the Tribunal shall be addressed orally as, "Your Honour" and in correspondence shall be addressed as, "His Honour" or "Her Honour" followed by their names as appropriate.

**Originating
Application.**

3.(1) Where the Minister has referred a dispute to the Tribunal pursuant to sections 72 or 73 of the Act, the Applicant shall within fourteen days of receiving notice of the referral present to the Secretary an Originating Application in **Form A** in the Schedule, which shall be signed by the Applicant.

(2) The Originating Application shall contain -

- (a) the name and address of the Applicant;
- (b) the name and address of the Respondent;
- (c) the relief sought; and
- (d) the grounds, with particulars

thereof, upon which the relief is sought.

(3) Where the judge having carriage of a trade dispute is of the opinion that any of the matters specified under paragraph (2) are not sufficiently particularised in the Originating Application, he may give Notice in **Form B** in the Schedule to that effect to the Applicant stating the reasons for his opinion and requiring the Applicant within fourteen days of receipt of the Notice, to furnish in writing to the Secretary sufficient particulars in support of the Originating Application.

(4) If the requirement under paragraph (3) is not complied with, the Tribunal may strike out the whole or part of the Originating Application.

(5) If a party to the proceedings is represented by counsel or other representative pursuant to section 57(3) of the Act a Brief or skeleton arguments may be submitted by the said counsel or representative to the Secretary of

the Tribunal and a copy thereof served on the other parties to the proceedings no later than seven days prior to the commencement of the Hearing.

(6) If an unrepresented party wishes to submit representations in writing for consideration by the Tribunal at the Hearing of the Originating Application he shall present his representations to the Secretary no later than seven days before the commencement of the Hearing and shall at the same time serve a copy thereof on the other parties to the proceedings.

**Action upon receipt
of Originating
Application.**

4. Upon receiving an Originating Application, the Secretary shall send to the Respondent -

- (a) a copy of the Application;
- (b) a copy of any additional particulars required to be furnished by the Applicant; and
- (c) a Notice in **Form C** in the Schedule which includes information, as appropriate to the case, about the means

and time for entering an Appearance and Defence, the consequences of failure to do so, and the right to receive a copy of the Decision.

Appearance by Respondent.

5. (1) A Respondent shall within seven days of receiving the copy of the Originating Application enter an Appearance to the proceedings by presenting to the Secretary a written Notice of Appearance in **Form D** in the Schedule -

(a) setting out his full name and address; and

(b) stating whether or not he intends to resist the Application.

(2) Upon receipt of a Notice of Appearance the Secretary shall send a copy of it to the Applicant.

(3) A Respondent who has not entered an Appearance shall not be entitled to take part in the proceedings except -

- (a) to apply under Rule 14 for an extension of the time appointed by this Rule for entering an Appearance;
- (b) to make an application under Rule 7(1)(a); or
- (c) to be called as a witness.

Defence.

6. A Respondent who intends to resist the Application shall within fourteen days of entering an Appearance to the proceeding, present to the Secretary in writing a Defence in **Form E** in the Schedule setting out sufficient particulars to show on what grounds he intends to resist the Application.

**Power to
require further
particulars, etc.**

7. (1) The Tribunal may, on the application of a party made by Notice in **Form F** in the Schedule to the Secretary or at the Hearing of the Originating Application, or of its own motion -

- (a) require a party to furnish in writing to the person specified by the Tribunal, further particulars of the grounds upon which that party relies and of any facts and

contentions relevant thereto,
or

- (b) require one party to grant to another such discovery or inspection (including the taking of copies) of documents as might be granted by the Supreme Court,

and may appoint the time at or within which and the place at which any act required in pursuance of this Rule is to be done.

(2) The Tribunal may, on the application of a party made either by notice in **Form G** in the Schedule to the Secretary or at the Hearing of the Originating Application, or of its own motion

- (a) require the attendance of any person including a party, as a witness; and
- (b) if it does so require the attendance of a person, require him to produce any document relating to the matter to be determined,

and may appoint the time and place at which the person is to attend and, where appropriate, the time at or within which and the place at which any such document is to be produced.

(3) The Tribunal may on the application of a party made by notice in **Form H** in the Schedule to the Secretary or of its own motion, require a party in writing to furnish to the Tribunal a written answer to any question if it considers -

(a) that the answer of the party to that question may help to clarify any issue likely to arise for determination in the proceedings; and

(b) that it would be likely to assist the progress of the proceedings for that answer to be available to the

Tribunal before the Hearing,

and may appoint the time within which the written answer is to be furnished.

(4) Upon the imposition of a requirement under paragraph (3), the Secretary shall send a copy of the requirement and a copy of the answer to each other party.

(5) The Tribunal shall take account of a written answer furnished pursuant to paragraph (3) in the same way as it takes

account of representations in writing presented by a party pursuant to Rule 3(5) and (6).

(6) Where a requirement has been imposed under paragraph (1), (2) or (3) -

- (a) on a party in his absence; or
- (b) on a person other than a party,

that party or person may make an application to the Tribunal to vary or set aside the requirement by Notice in **Form I** in the Schedule to the Secretary given before the time at which or, as the case may be, the expiration of the time within which the requirement is to be complied with; and the Secretary shall give notice of the application to each party or, where applicable, to each party other than the party making the application.

(7) If a requirement under paragraph (1) or (3) is not complied with, the Tribunal, before or at the Hearing, may strike out the whole or part of the Originating Application, or, as the case may be, of the Notice of Appearance, and where appropriate, direct that a Respondent shall be debarred from defending altogether.

**Time and place
of Hearing.**

8. (1) The judge shall instruct the Secretary to fix the date, time and place of the Hearing of the Originating Application and the Secretary shall send to each party a Notice of Hearing in **Form J** in the Schedule together with information and guidance as to attendance at the Hearing, witnesses and the bringing of documents, representation by another person and the making of written representations.

(2) The Secretary shall send the Notice of Hearing to every party not less than fourteen days before the date fixed for the Hearing except where the Secretary has agreed a shorter time with the parties.

**Entitlement to
bring or contest
the proceedings.**

9. (1) The Tribunal may at any time before the Hearing of an Originating Application, on the application of a party made by Notice to the Secretary or of its own motion, determine any issue relating to the entitlement of any party to bring or contest the proceedings

to which the Originating Application relates.

(2) The Tribunal shall not determine such an issue unless the Secretary has sent notice to each of the parties giving them an opportunity to submit representations in writing and to advance oral argument before the Tribunal.

The Hearing.

10. (1) Any Hearing of an Originating Application shall be heard by the Tribunal composed pursuant to sections 54 or 56 of the Act.

(2) Any Hearing of or in connection with an Originating Application shall take place in public except where the Minister has directed the Tribunal to sit in private on grounds of national security.

(3) Notwithstanding paragraph (2), the Tribunal may sit in private for the purpose of -

(a) hearing evidence which in the opinion of the Tribunal relates to matters of such a

- nature that it would be against the interest of national security to allow evidence to be given in public; or
- (b) hearing evidence from any person which in the opinion of the Tribunal is likely to consist of -
 - (i) information which he could not disclose without contravening a prohibition imposed by or under any written law; or
 - (ii) any information which has been communicated to him in confidence, or which he has otherwise obtained in consequence of the confidence reposed in him by another person.

**Decision of
the Tribunal.**

11. (1) The Decision of the Tribunal, which may be given orally at the end of a Hearing or reserved, shall be recorded in a document signed by the judge.

(2) The Tribunal shall give reasons for its Decision in a document signed by the judge and where the Tribunal makes an award of compensation, the document shall also contain a statement of the amount of compensation awarded, followed either by a table showing how the amount or sum has been calculated or by a description of the manner in which it has been calculated.

(3) The Secretary shall keep a Register at the office of the Tribunal and the Register shall be open to the inspection of any person without charge at all reasonable hours.

(4) The Secretary shall enter the documents referred to in paragraphs (1) and (2) in the Register and shall send a copy of the entry to each of the parties and to the Minister.

(5) The document referred to in paragraph (2) shall be

omitted from the Register in
any case in which -

- (a) the Minister has directed
the Tribunal to sit in
private on grounds of
national security; or
- (b) evidence has been heard
in private and the
Tribunal so directs.

(6) Clerical mistakes in the
documents referred to in
paragraphs (1) and (2), or
errors contained in those
documents from an accidental
slip or omission, may at any
time be corrected by the judge
by certificate under his hand.

(7) If a document is corrected
by certificate under paragraph
(6), the Secretary shall alter
any entry in the Register
which is affected to conform
with the certificate and send
a copy of any entry so altered
to each of the parties and to
the Minister.

(8) Where a document omitted
from the Register pursuant to

paragraph (5) is corrected by certificate under paragraph (6), the Secretary shall send a copy of the corrected document to each of the parties and to the Minister.

(9) Where this Rule requires a document to be signed by the judge having carriage of the matter but by reason of death or incapacity he or she is unable to sign it, the document shall be signed by another judge of the Tribunal who shall certify that the judge having carriage of the matter is unable to sign.

**Miscellaneous
powers.**

12. (1) The Tribunal may -

(a) if the Applicant at any time gives Notice of the withdrawal of his Originating Application in **Form K** in the Schedule, deem the proceedings to have been dismissed.

(b) if both or all of the parties agree in writing upon the terms of a Decision to be made by the Tribunal, decide accordingly;

- (c) consider representations in writing which have been submitted by or on behalf of a party to the Secretary pursuant to Rule 3(5) and 3(6) but less than seven days before the Hearing;
- (d) at any stage of the proceedings, order to be struck out or amended any Notice of Appearance or Defence on the grounds that it is scandalous, frivolous or vexatious;
- (e) at any stage of the proceedings, order to be struck out any Originating Application, Notice of Appearance or Defence, on the grounds that the manner in which the proceedings have been conducted by or on behalf of the Applicant or, as the case may be, the Respondent has been scandalous, frivolous or vexatious; and
- (f) on the application of the Respondent, or of its own motion, order an Originating Application to be struck out for want of prosecution.

(2) The Tribunal may, before determining an Application under Rule 7 or Rule 16, require the party making the Application to give notice of it to every other party; and such notice shall give particulars of the Application and indicate the address to which and the time within which any objection to the Application shall be made, being an address and time specified for the purposes of the Application by the Tribunal.

(3) The judge may postpone the day or time fixed for, or adjourn any Hearing and vary such postponement or adjournment.

(4) Any function of the Secretary may be performed by a person acting with the authority of the Secretary.

**Restricted
reporting
orders.**

13. (1) In any case which involves allegations of sexual misconduct the Tribunal may at any time before the promulgation of its Decision in respect of an

Originating Application, either on the application of a party made by notice to the Secretary or of its own motion, make a restricted reporting order.

- (2) Where the Tribunal makes a restricted reporting order -
 - (a) it shall specify in the order the persons who may not be identified;
 - (b) the order shall remain in force until the promulgation of the Decision of the Tribunal on the Originating Application to which it relates unless revoked earlier; and
 - (c) the Secretary shall ensure that a notice of that fact is displayed on the door to the Court in which the relevant proceedings are taking place.

- (3) For the purposes of this Rule "promulgation" occurs on the date recorded as being the date on which the document recording the determination of the Originating Application was

sent to the parties.

**Extension of
time.**

14. (1) The judge may on the application of a party or of his own motion extend the time for doing any act appointed by or under these Rules (including this Rule) and may do so whether or not the time so appointed has expired.

(2) An application under paragraph (1) shall be made by presenting to the Secretary a Notice of Application in **Form I** in the Schedule which shall state the title of the proceedings and shall set out the grounds of the Application.

(3) The Secretary shall give Notice to each of the parties of any extension of time granted under this Rule.

Directions.

15. (1) The Tribunal may at any time on the application of a party or of its own motion, give directions on any matter arising in connection with the proceedings.

(2) An application under paragraph (1) shall be made by presenting to the Secretary a Notice of Application , which shall state the title of the proceedings and set out the grounds of the Application.

**Joinder and
representative
Respondents.**

16. (1) The Tribunal may at any time on the application of any person made by Notice to the Secretary in **Form M** in the Schedule or of its own motion, direct any person against whom any relief is sought to be joined as a party, and give such consequential directions as it considers necessary.

(2) The Tribunal may likewise, on such application or of its own motion, order that any Respondent named in the Originating Application or subsequently added, who appears to the Tribunal not to have been, or to have ceased to be directly interested in the subject of the Originating Application, be dismissed from the proceedings.

(3) Where a number of persons have the same interest in an Originating Application, one or more of them may be cited as the person or persons against whom relief is sought, or may be authorised by the Tribunal before or at the Hearing, to defend on behalf of all the persons so interested.

Combined
proceedings.

17. (1) Where, in relation to two or more Originating Applications pending before the Tribunal, it appears to the Tribunal on the application of a party made by Notice to the Secretary in **Form N** in the Schedule or of its own motion, that -

- (a) a common question of law or fact arises in some or all of the Originating Applications;
- (b) the relief claimed in some or all of those Originating Applications is in respect of or arises out of the same set of facts; or
- (c) for any other reason it is desirable to make an order under this Rule,

the Tribunal may order that some (as specified in the order) or all of the Originating Applications shall be considered together, and may give such consequential directions as may be necessary.

(2) The Tribunal shall only make an order under this Rule if -

(a) each of the parties concerned has been given an opportunity at a Hearing to show cause why such an order should not be made; or

(b) it has sent notice to all of the parties concerned giving them an opportunity to show such cause.

(3) The Tribunal may, on the application of a party made by Notice to the Secretary in **Form O** in the Schedule or of its own motion, vary or set aside an order made under this Rule but shall not do so unless it has given each party an opportunity to make either oral or written representations before the order is varied or set aside.

Notices, etc.

18. (1) Any notice given under these Rules shall be in writing.

(2) All notices and documents required by these Rules to be presented to the Secretary may be presented at the Office of the Tribunal or such other office as may be notified by the Secretary to the parties.

(3) All notices and documents required or authorised by these Rules to be sent or given to any person hereinafter mentioned may be sent by post (subject to paragraph (5)) or delivered to or at -

(a) in the case of a notice or document directed to a party

(i) the address specified in his Originating Application or Notice of Appearance to which notices and documents are to be sent, or in a notice under paragraph (4), or

(ii) if no such address has been specified, or if a notice sent to such an

address has been returned, to any other known address or place of business in The Bahamas or, if the party is a corporate body, the body's registered or principal office in The Bahamas, or, in any other case, such address or place outside of The Bahamas as the judge may allow; or

(b) in the case of a notice or document directed to any person (other than a party to the proceedings), his address or place of business in The Bahamas or, if the person is a corporate body, the body's registered or principal office in The Bahamas;

and a notice or document sent or given to the authorised representative of a party shall be deemed to have been sent or given to that party.

(4) A party may at any time by Notice to the Secretary in **Form P** in the Schedule and to the other party or parties change the address to which

notices and documents are to be sent to him.

(5) The registered postal service shall be used instead of the ordinary post -

- (a) when a second set of notices or documents is sent to a Respondent who has not entered an Appearance under Rule 5(1); and
- (b) for service of an order under Rule 7(2).

(6) The judge may direct that there shall be substituted service in such manner as he may deem fit in any case he considers appropriate.

SCHEDULE

The forms contained in this Schedule may be adapted as the circumstances of each case may require.

ORIGINATING APPLICATION

COMMONWEALTH OF THE BAHAMAS
INDUSTRIAL TRIBUNAL
NASSAU/FREEPORT

No. of

In the matter of the Industrial Relations Act

			APPLICANT
X		Y	
	v.		
A		B	RESPONDENT

To: The Secretary of the Industrial Tribunal
Office of the Industrial Tribunal
(address)

1. I hereby apply to the Tribunal for a Decision on a dispute referred by the Minister pursuant to the provisions of the Industrial Relations Act, Chapter 321 as between myself and the Respondent(s) mentioned herein.

2. My name is *Mr./Mrs./Miss (Surname in block capitals first)

.....

My address is

Telephone No.

My date of Birth is

3. If a representative has agreed to act for you in this case please give his or her name address below and note that further communications will be sent to your representative and not to you.

Name of Representative

Address:

.....

Telephone No.

4. Name of Respondent(s) (in block capitals) (ie the employer, person or body against whom a decision is sought)

.....

Address(es)

Telephone No.

Respondent's relationship to you for the purpose of the application (e.g. employer, trade union, employment agency, employer recognizing the union making application, etc.)

5. Place of employment to which this application relates, or place where complained about

.....
6. My occupation or position held/applied for, or other relationship to the Respondent named above is (e.g. user of a service supplied in relation to employment)
.....

7. Dates employment began Termination Date

8. Basic wages/salary

9. Other remuneration of benefits

10. Normal basic weekly hours of work

11. Please explain the grounds for your Application below. It will be helpful to the Tribunal if you can give details of the reasons for the application; you will be able to amplify them at the hearing.....
.....

12. If you wish to state what in your opinion was reason for your dismissal, please do so here.....
.....

13. If the Tribunal decides that you were wrongfully/unfairly dismissed, please state which of the following you would prefer: reinstatement: to carry on working in your old job as before; re-engagement: to start another job, new contract with your old employer; or compensation: to get an award of money. You can change your mind later. The Tribunal shall consider your preference but shall not be bound by it.
.....
.....

Dated the day of 20 ..

*Delete inappropriate items.

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Received at IT	Initials

.....
(signature)
The Applicant/Counsel for
Applicant/Representative
for Applicant

NOTICE FOR FURTHER AND BETTER PARTICULARS TO THE ORIGINATING APPLICATION

COMMONWEALTH OF THE BAHAMAS INDUSTRIAL TRIBUNAL NASSAU/FREEPORT

No. of

In the matter of the Industrial Relations Act

X Y v. A B

Applicant Respondent

The Office of the Industrial Tribunal (address)

To:
.....

1. By virtue of the powers conferred upon him under Rule 3(3) and (4) of the Industrial Relations (Tribunal Procedure) Rules, 2010, the President/Vice- President of the Tribunal makes the following directions -

2. Sufficient particulars in support of the Originating Application required under paragraph 1 of this Notice should be furnished in writing to the Secretary to this office within fourteen days of the date of this Notice.

3. Your attention is drawn to the fact that Rule 3(4) provides that if a direction made under Rule 3(3) is not complied with, the Tribunal may strike out the whole or part of the Originating Application.

Date the day of 20 . . .

(signature)
President/Vice-President
Industrial Tribunal

NOTICE OF ORIGINATING APPLICATION

COMMONWEALTH OF THE BAHAMAS

No. of

INDUSTRIAL TRIBUNAL
NASSAU/FREEPORT

In the matter of the Industrial Relations Act

X Y APPLICANT

v.

A B RESPONDENT

Office of the Industrial Tribunal
(address)

To: The Respondent(s)
(name and address)

.....

I enclose a copy of an Originating Application for a Decision of the Tribunal in which you are named as Respondent. Under the Rules of Procedure you are required to enter an Appearance within 7 days of receiving the copy of the Originating Application. You can do this by completing and sending to me the enclosed Form of Notice of Appearance. This Form and any other communications addressed to me may be sent by post or delivered to me at the above address.

The proceedings on this Application will be regulated by the rules of procedure contained in the Industrial Relations (Tribunal Procedure) Rules, 2010. The case number and year of the Application is indicated above and should be quoted in any communications with regard to these proceedings.

If you name a representative, further communications regarding the case will be sent to him and not to you, and you should arrange to be kept informed of the progress of the case and of the Hearing date. When the application is heard by the Tribunal the parties (other than a Respondent who has not entered an Appearance) may appear and be heard in person or be represented by anyone they choose.

If you do not send me the completed Form you will not be entitled to take any part in the proceedings (except to apply for an extension of time to enter an Appearance) or to receive any further Notice of the proceedings and a Decision which may be enforceable in the Supreme Court may be given against you in your absence. Whether or not you enter an Appearance you will be sent a copy of the Tribunal's Decision.

Dated theday of..... 20.....

(signature)
Secretary
Industrial Tribunal

NOTICE OF APPEARANCE

COMMONWEALTH OF THE BAHAMAS
INDUSTRIAL TRIBUNAL -
NASSAU/FREEPORT

No. of

In the matter of the Industrial Relations Act

X Y

APPLICANT

v.

A B

RESPONDENT

To: The Secretary of the Industrial Tribunal
Office of the Industrial Tribunal
(address)

- 1. I *do / do not intend to resist the claim made by the Applicant(s).
- 2. *My / Our Name is *Mr. / Mrs. / Miss / title (if company or organization)

.....
My address:

Telephone No.:

- 3. If you have arranged to have a representative to act for you, give his name and address below and noted that further communications will be sent to him and not to you

Name of Representative:

Address:

.....
Telephone No.:

Dated the day of 20

(signature)
The Respondent(s)

*Delete inappropriate items.

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Date of receipt	Initials

DEFENCE

No. of

COMMONWEALTH OF THE BAHAMAS
INDUSTRIAL TRIBUNAL
NASSAU/FREEPORT

In the matter of the Industrial Relations Act

X

Y

APPLICANT

v.

A

B

RESPONDENT

To: The Secretary of the Industrial Tribunal
Office of the Industrial Tribunal
(address)

1. I hereby submit a Defence to the Tribunal pursuant to Rule 6 of the Industrial Relations (Tribunal Procedure) Rules, 2010 in relation to this matter.
2. *My/Our name is *Mr./Mrs./Miss/title (if company or organization)
.....
Address:.....
.....
Telephone number:
3. If you have arranged to have a representative to act for you, give his name and address below:
Name of Representative:
Address:
Telephone No.:
4. (a) Was the Applicant dismissed? *YES/NO
(b) If YES, what was the reason for the dismissal?
.....
.....
(c) Are the dates given by the Applicant as to his period of employment correct? *YES/NO
(d) If NO, give dates of commencementand termination
.....
(e) Are details of remuneration stated by the applicant correct? *YES/NO
.....
(f) If not, or if the Applicant has not stated such details, give the correct remuneration here
.....
Basic wages/salaryother pay or remuneration
5. Give below sufficient particulars to show the grounds on which you intend to resist the application. It will be helpful to the Tribunal if you give details of your reasons for resisting it; you will be able to add to them at the Tribunal hearing (continue on reverse if there is insufficient space below).

.....
.....
.....
.....

Dated the day of20

(signature)
The Respondent(s)

*Delete inappropriate items.

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Date Of Receipt	Initials

NOTICE FOR FURTHER AND BETTER PARTICULARS

No. of

COMMONWEALTH OF THE BAHAMAS
INDUSTRIAL TRIBUNAL
NASSAU/FREEPORT

In the matter of the Industrial Relations Act

X	Y	Applicant
v.		
A	B	Respondent

To: The Secretary of the Industrial Tribunal
Office of the Industrial Tribunal
(address)

*I/We, the Applicant/Respondent in this matter, hereby apply to the Tribunal, pursuant to Rule 7(1) of the Industrial Relations (Tribunal Procedure) Rules, 2010 for an Order directing the *Applicant/ Respondent -

(a) to furnish me/us with Further and Better Particulars of the grounds relied upon. The particulars requested are as follows:

.....
.....
.....

(b) to provide me/us with a list of documents which are or have been in his possession or power relating to the matter in these proceedings;

(c) to produce for inspection at (address).....

the following documents: (specify).....

.....
.....

and that the *Applicant/Respondent be at liberty to inspect and peruse the documents so produced and to take copies and extracts therefrom at

(specify)..... expense.

Dated the.....day of 20.....

(signature)
The *Applicant/Respondent

*Delete inappropriate items.

For Official Use

Date of receipt	Initials

NOTICE FOR ATTENDANCE AS A WITNESS AND PRODUCTION OF DOCUMENTS AT HEARING

COMMONWEALTH OF THE BAHAMAS
INDUSTRIAL TRIBUNAL
NASSAU/FREEPORT

No. of

In the matter of the Industrial Relations Act

X

Y

Applicant

v.

A

B

Respondent

To: The Secretary of the Industrial Tribunal
Office of the Industrial Tribunal
(address)

*I/We, the *Applicant/Respondent in this matter hereby apply to the Tribunal, pursuant to Rule 7(2) of the Industrial Relations (Tribunal Procedure) Rules, 2010, for a direction that

(name)

of (address)

attend to give evidence in the above matter at

(address)

on the day of at o'clock a.m./p.m. and at

any adjourned Hearing of the proceedings and to produce the following documents: (specify).

Dated the day of 20

(signature)

The *Applicant/Respondent

*Delete inappropriate item.

For Official Use

Date of receipt	Initials

NOTICE FOR INTERROGATORIES

COMMONWEALTH OF THE BAHAMAS
INDUSTRIAL TRIBUNAL
NASSAU/FREEPORT

No. of

In the matter of the Industrial Relations Act

X	Y	Applicant
	v.	
A	B	Respondent

To: The Secretary of the Industrial Tribunal
Office of the Industrial Tribunal
(address)

*I/We, the *Applicant/Respondent in this matter, hereby apply to the Tribunal, pursuant to Rule 7(3) of the Industrial Relations (Tribunal Procedure) Rules, 2010, for an Order directing the *Applicant /Respondent to furnish *me/us with written answers to the following questions: (Here set out our interrogatories in the form of concise questions, each interrogatory to be set out in a separate paragraph and numbered consecutively.)

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

Dated theday of 20....

(signature)
The *Applicant/Respondent

*Delete inappropriate items.

For Official Use	
Date of receipt	Initials

NOTICE OF HEARING

COMMONWEALTH OF THE BAHAMAS
INDUSTRIAL TRIBUNAL
NASSAU/FREEPORT

No. of

In the matter of the Industrial Relations Act

X Y APPLICANT
 v.
A B RESPONDENT

NOTICE IS HEREBY GIVEN that the Application of(name), of(address)has been listed for Hearing by the Tribunal at (place of Hearing)on..... day20.....ato'clock.....a.m./p.m.

1. Attendance should be at the above time and place. The parties (other than a Respondent who has not entered an Appearance) are entitled to appear at the Hearing and to state their case in person or be represented by any one they wish. A party can choose not to appear and can rely on written representations (which if additional to any already submitted must be sent to the Tribunal and copied to the other party not less than 7 days before the Hearing). However, experience has shown that it is normally in the interest of each party and his witnesses (if any) to attend in person even if they have made statements or representations in writing.

2. It is very important that each party should bring to the Hearing any documents that may be relevant (e.g. a letter of appointment, contract of employment, pay slips, evidence of unemployment and national insurance benefits, wages book; details of benefits and contributions under any pension or superannuation scheme etc.)

3. If the complaint is one of unfair dismissal the Tribunal may wish to consider whether to make an order for reinstatement or re-engagement. In these cases the Respondent should be prepared to give evidence at the Hearing as to the availability of the job from which the Applicant was dismissed or of comparable or suitable employment and generally as to the practicability of reinstatement or re-engagement of the Applicant by the Respondent.

4. If for any reason a party (other than a Respondent who has not entered an appearance) does not propose to appear at the Hearing, either personally or by a representative, he should inform me immediately, in writing, giving the reason and the case number and year. He should also state whether he wishes the Hearing to proceed in his absence, relying on any written representations which he may have made.

5 The Hearing of this case will take place at the time stated above or as soon thereafter as the Tribunal can hear it. If the Applicant fails to appear at the hearing the Tribunal may dismiss or dispose of the Application in his absence.

Date the day of 20.....

.....
(Signature)
Secretary
Industrial Tribunal

For Official Use

Date receipt	of	Initials

)

NOTICE OF WITHDRAWAL

COMMONWEALTH OF THE BAHAMAS
INDUSTRIAL TRIBUNAL
NASSAU/FREEPORT

No. of

In the matter of the Industrial Relations Act

X

Y

Applicant

v.

A

B

Respondent

To: Secretary of the Industrial Tribunal
Office of the Industrial Tribunal
(address)

I(name).....of.....(address)....., the

*Applicant/Respondent, wish to withdraw from the Tribunal the *Originating Application/
Defence I have made herein.

Dated the.....day of.....20....

.....
(signature)

The *Applicant/Respondent

*Delete inappropriate items.

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NOTICE OF CONSOLIDATION OF
ORIGINATING APPLICATIONS

No. of

COMMONWEALTH OF THE BAHAMAS
INDUSTRIAL TRIBUNAL
NASSAU/FREEPORT

In the matter of the Industrial Relations Act

X		Y	Applicant
	v.		
A		B	Respondent

To: The Secretary of the Industrial Tribunal
Office of the Industrial Tribunal
(address)

I/We, ...(name)* of*(address)*
....., *the* *Applicant/Respondent in this matter, hereby apply to the
Tribunal, in accordance with Rule 17 of the Industrial Relations (Tribunal Procedure)
Rules, 2010, for an Order that*(state the case number and year of the Originating
Applications)*..... be considered together and for such
consequential directions as it considers necessary.

Dated theday of 20

(signature)
The *Applicant/Respondent

*Delete inappropriate items.

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NOTICE TO CHANGE OF ADDRESS

No. of

COMMONWEALTH OF THE BAHAMAS
INDUSTRIAL TRIBUNAL
NASSAU/FREEPORT

In the matter of the Industrial Relations Act

X Y Applicant
 v.
A B Respondent

To: *(state the name & address of the
Secretary, party or parties to whom the
notice is being sent)*

I/We, ...(name)*..... of ...*(address)*, the
*Applicant/Respondent in this matter, hereby give notice in accordance with Rule 18(4) of the
Industrial Relations (Tribunal Procedure) Rules, 2010, of a change of address to*(state
address)*.....to
which all notices and documents in this matter are to be sent or delivered to me.

Dated theday of 20

.....
(signature)
The *Applicant/Respondent

*Delete inappropriate items.

For Official Use

Date of receipt	Initials

Made by The Industrial Tribunal this 29th day of November, A.D., 2010.

Signed
HARRISON L. LOCKHART
PRESIDENT
INDUSTRIAL TRIBUNAL