

COMMONWEALTH OF THE BAHAMAS

IT/NES/136/2018

INDUSTRIAL TRIBUNAL

NEW PROVIDENCE

In the Matter of the Industrial Relations Act, Chapter 321

And

In the Matter of the Industrial Relations (Tribunal Procedure) Rules 2010

BETWEEN:

CEPHAS C. BROWN

APPLICANT

v.

JOHN F. DUNN AND ASSOCIATES

RESPONDENT

APPEARANCES: Mr. Cephas Brown on behalf of the Applicant

Mr. Rawson McDonald on behalf of the Respondent

BEFORE: Her Honour, President Indira N. Demeritte-Francis

ORDER

WHEREAS:

- (1) By Certificate of Referral dated 9th August, 2018 the Minister referred the subject dispute to the Industrial Tribunal; and
- (2) In accordance with Rule 3 (1) of the Industrial Relations (Tribunal Procedure) Rules, 2010 a Notice for an Originating Application – Form A was sent on 30th August, 2018 by the Secretary, to the Tribunal, to the Applicant; and
- (3) Upon receipt by the Applicant of the Notice for an Originating Application the Applicant filed an Originating Application in the Tribunal on the 12th September, 2018; and
- (4) A Notice of Application to the Respondent – Form C and a Notice of Appearance - Form D was sent to the Respondent on the 17th September, 2018; and

- (5) That a Notice of Appearance - Form D dated 2nd October, 2018 was filed in the Tribunal by the Respondent and that the Defence – Form E was filed in the Tribunal on 15th October, 2018 by the Respondent; and
- (6) A Notice of Hearing - Form J dated 29th October, 2018 listed the matter for Case Management hearing for the 29th November, 2018 and was sent in accordance with Rule 8 (2) by the Secretary to the Tribunal to the Applicant and the Respondent respectively; and
- (7) The Applicant and the Respondent's Attorney appeared before the Industrial Tribunal and agreed to a settlement; and
- (8) The Respondent without admitting any liability to the Applicant whatsoever has agreed to pay the Applicant Three Thousand Five Hundred Dollars (\$3,500.00) as final payment; and
- (9) That on the 5th December, 2018 the Respondent filed into the Tribunal a Deed of Release signed by the Applicant and a copy of a cheque representing the amount agreed by the parties, made out to the Applicant; and

THE DECISION OF THE TRIBUNAL IS AS AGREED AND THEREFORE IT IS SO ORDERED:

- (10) The Originating Application filed in the Industrial Tribunal on 10th May, 2018 is decided accordingly pursuant to Rule 12(1)(b) of the Industrial Relations (Tribunal Procedures) Rule 2010 and is hereby marked Settled.

AND THIS IS THE DECISION OF THIS TRIBUNAL

DATED THIS, 5th December, 2018



Indira N. Demeritte – Francis

President

Industrial Tribunal