

COMMONWEALTH OF THE BAHAMAS

IT/NES/62/2018

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:

TONYA LONGLEY

APPLICANT

v

EUNISON COMPANY LIMITED D/B/A SHOE DEPOT

RESPONDENT

APPEARANCES: Mr. Errol McKinney on behalf of the Applicant

Mr. Alexander Maillis on behalf of the Respondent

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

ORDER

- (1) By Certificate of Referral dated 26th March, 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 April, 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 10th May, 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 16th May, 2018; and

- (5) That a Notice of Appearance - Form D dated 30th May, 2018 was filed by the Respondent and the Defence – Form E has been filed in the Tribunal on 14th June, 2018 by the Respondent; and
- (6) Pursuant to Rule 15(1) of the Industrial Relations (Tribunal Procedure) Rules 2010, the Industrial Tribunal set a fixture for the Case Management Hearing for Directions on the 2nd July, 2018; and
- (7) The parties returned on the several mention dates following the issuance of Orders on Direction; and
- (8) That on the 29th November, 2018 the parties informed the Tribunal that a settlement had been reached and the necessary documents would be filed in the Tribunal on the completion of payment to the Applicant by the Respondent; and
- (9) That on the aforementioned date the Respondent presented the Applicant's Representative with a cheque of settlement; and
- (10) The Applicant's Representative received the cheque from the Respondent's Attorney and signed a document acknowledging that same was received by the Applicant; and
- (11) On the 4th January, 2019 the Applicant filed into the Industrial Tribunal a Notice of Withdrawal – Form K.

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

- (12) 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 ORDER OF THIS TRIBUNAL

DATED THIS, 4th January, 2019



Indira N. Demeritte – Francis

President

Industrial Tribunal