

COMMONWEALTH OF THE BAHAMAS

IT/NES/35/2017

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:

BAHAMAS PUBLIC SERVICE UNION ON BEHALF OF THOMAS MILLER

APPLICANT

v.

BAHAMAS AGRICULTURAL INDUSTRIAL CORPORATION

RESPONDENT

APPEARANCES: Mr. Hilbert Collie on behalf of the Applicant

Mr. Kirkland Mackey on behalf of the Respondent

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

ORDER

WHEREAS:

- (1) By Certificate of Referral dated 6th April, 2017 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 9th May, 2017 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 1st November, 2017; 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 November, 2017; and

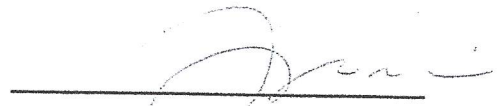
- (5) That no Notice of Appearance - Form D or Defence – Form E has been filed in the Tribunal by the Respondent; and
- (6) Pursuant to Rule 15(1) of the Industrial Relations (Tribunal Procedure) Rules 2010, the Industrial Tribunal set a fixture for the Case Management Hearing for Directions on the 15th January, 2018; and
- (7) That several adjournments were given and the parties appeared on numerous occasions to complete the Case Management Hearing; and
- (8) That the Bahamas Public Service Union on behalf of Thomas Miller filed into the Tribunal a signed Notice of Withdrawal - Form K on 2nd May, 2019; and

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

- (9) Trade Dispute referred to the Industrial Tribunal on 1st November, 2017 is decided accordingly pursuant to Rule 12(1)(a) of the Industrial Relations (Tribunal Procedures) Rule 2010 and is hereby withdrawn and marked Dismissed.

AND THIS IS THE DECISION OF THIS TRIBUNAL

DATED THIS, 2nd May, 2019



Indira N. Demeritte – Francis

President

Industrial Tribunal