

In the Matter of the Industrial Relations Act, Chapter 321

And

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

**BETWEEN:**

**HENRY BAIN**

APPLICANT

v.

**PEARL INVESTMENT MANAGEMENT GROUP LTD.**

RESPONDENT

**APPEARANCES:** Rionda Godet on behalf of the Applicant

Phillip McKenzie and Dee Mohan on behalf of the Respondent

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

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**ORDER ON DIRECTIONS**

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**WHEREAS:**

- (1) By Certificate of Referral dated 10<sup>th</sup> September, 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 16<sup>th</sup> November, 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 29<sup>th</sup> November, 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 12<sup>th</sup> December, 2018; and

- (5) That a Notice of Appearance - Form D was filed on the 4<sup>th</sup> January, 2019 and no 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 2<sup>nd</sup> April, 2019.
- (7) That a small adjournment was given and the parties appeared on the 12<sup>th</sup> April, 2019 to complete the Case Management Hearing.

**IT IS HEREBY ORDERED** by consent of the parties:

- a. That the Applicant will file Skeletons, Witness Statements and Submissions on or before 30<sup>th</sup> April, 2019.
- b. That the Respondent will file Skeletons, Witness Statements and Submissions on or before 16<sup>th</sup> May, 2019.
- c. That the parties agreed to an estimated three (3) days of hearing.
- d. That the parties agreed that the Applicant would call five (5) witnesses and the Respondent would call five (5) witnesses.
- e. That the parties will continue to have settlement discussions and if an agreement is met they will inform the Tribunal of same.
- f. That a Change of Attorney will be filed by the Respondent by 17<sup>th</sup> April, 2019.
- g. That the Applicant will file in the Tribunal a Form G for Discovery of Documents by 30<sup>th</sup> April, 2019.

**AND THIS IS THE ORDER OF THIS TRIBUNAL**

DATED THIS, 12<sup>th</sup> April, 2019

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Indira N. Demeritte – Francis  
President  
Industrial Tribunal