

COMMONWEALTH OF THE BAHAMAS

IT/NES/06/2019

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:

WINFIELD ROLLE

APPLICANT

v.

LUMINA POINT RESORT AND SPA

RESPONDENT

APPEARANCES: Errol McKinney on behalf of the Applicant

Berchel Wilson on behalf of the Respondent

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

ORDER

WHEREAS:

- (1) By Certificate of Referral dated 2nd January, 2019 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 31st January, 2019 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 5th February, 2019; 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 7th February, 2019; and
- (5) That the Applicant filed in the Tribunal a Notice of Joinder of Parties - Form M on 5th February, 2019 and subsequently another Notice of Joinder of Parties - Form M, (seeking to join another party separate from the former identified in the previous Form M), was filed on the 18th March, 2019; 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 9th May, 2019; and
- (7) That several adjournments were given and the parties appeared on the 3rd June, 2019 to complete the Case Management Hearing.
- (8) The parties informed the Tribunal that the matter has been settled; and
- (9) The Respondent without admitting any liability to the Applicant whatsoever has agreed to pay the Applicant Seventy-Six Thousand Dollars (\$76,000.00) as final payment; and
- (10) On the 1st August, 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:

- (11) The Originating Application filed in the Industrial Tribunal on 17th May, 2019 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, 1st August, 2019

Indira N. Demeritte – Francis

President

Industrial Tribunal