

COMMONWEALTH OF THE BAHAMAS

IT/NES/13/2019

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:

JEFFREY HERARD

APPLICANT

v

ATLANTIS RESORT

RESPONDENT

APPEARANCES: Mr. Hilbert Collie on behalf of the Applicant

Mrs. Jasmin A. Collie on behalf of the Respondent

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

ORDER

- (1) By Certificate of Referral dated 23rd 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 14th February, 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 14th March, 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 19th March, 2019; and

- (5) That a Notice of Appearance - Form D was filed on 29th March, 2019 and a Defence – Form E was filed on 5th June, 2019 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 19th June, 2019; and
- (7) On the day of the Case Management the parties appeared and an adjournment was given for negotiation discussions; and
- (8) The parties informed the Tribunal that the matter was settled and the necessary documents were filed in the Tribunal on 16th July, 2019; and
- (9) The Respondent without admitting any liability to the Applicant whatsoever has agreed to pay the Applicant Eight Thousand Eight Hundred and Thirty Six Dollars and Twenty Nine Cents (\$8,836.29) as final payment; and
- (10) On the 16th July, 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 14th March, 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, 16th July, 2019

Indira N. Demeritte – Francis

President

Industrial Tribunal