

COMMONWEALTH OF THE BAHAMAS

IT/NES/187/2018

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:

FREDERICKA BOWLEG-ROBERTS

APPLICANT

v.

BAHAMAS UNION OF TEACHERS

RESPONDENT

APPEARANCES: Mr. Errol McKinney on behalf of the Applicant

Ms. Belinda Wilson on behalf of the Respondent

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

ORDER

WHEREAS:

- (1) By Certificate of Referral dated 23rd November, 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 7th 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 29th January, 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 1st February, 2019; and
- (5) That a Notice of Appearance - Form D was filed on 12th February, 2019 and a Defence – Form E was filed in the Tribunal on the 8th March, 2019 by the Respondent; and
- (6) A Notice of Hearing - Form J dated 8th August, 2019 listed the matter for Case Management hearing for the 12th September, 2019 and was sent in accordance with Rule 8 (2) by the Secretary to the Tribunal to the Applicant and the Respondent respectively; and
- (7) The parties appeared before the Tribunal on the 12th September, 2019 and asked for an adjournment as they were having settlement discussions; and
- (8) On the 3rd October, 2019 the Representative for the Applicant appeared before the Industrial Tribunal to inform the Tribunal that they had entered into an agreement; and
- (9) The Respondent has agreed to pay to the Applicant the sum of Twenty-Five Thousand Two Hundred and Fifteen Dollars and Fifty-Six Cents (\$25,215.56) in six instalment payments of Four Thousand Two Hundred and Two Dollars and Fifty-Nine Cents (\$4,202.59) the 15th of each month beginning on the 15th November, 2019 to the 15th April, 2019 being the final date of payment by the Respondent to the Applicant; and

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

- (10) The Originating Application filed in the Industrial Tribunal on 29th January, 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 DECISION OF THIS TRIBUNAL

DATED THIS, 3rd October, 2019

Indira N. Demeritte – Francis

President

Industrial Tribunal