

**COMMONWEALTH OF THE BAHAMAS**

**IT/NES/110/2018**

**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:**

**RASHARD PATTON**

**APPLICANT**

v.

**BTC SHIRLEY STREET/MACKEY STREET FRANCHISE**

**RESPONDENT**

**APPEARANCES:** Hilbert Collie on behalf of the Applicant

Constance McDonald on behalf of the Respondent

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

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**ORDER**

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**WHEREAS:**

- (1) By Certificate of Referral dated 5<sup>th</sup> June, 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 11<sup>th</sup> July, 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 22<sup>nd</sup> June, 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 24<sup>th</sup> August, 2018; and
- (5) That a Notice of Appearance - Form D was filed on 6<sup>th</sup> September, 2018 and a Defence – Form E was filed on 1<sup>st</sup> October, 2018 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 20<sup>th</sup> November, 2018; and
- (7) That several adjournments were given and the parties appeared on the 26<sup>th</sup> September, 2019 to complete the Case Management Hearing.
- (8) During the hearing, the parties agreed a settlement and 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 One Thousand Seven Hundred Dollars (\$1,700.00) as final payment; and
- (10) On the 26<sup>th</sup> September, 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 11<sup>th</sup> July, 2018 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, 26<sup>th</sup> September, 2019

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Indira N. Demeritte – Francis

President

Industrial Tribunal