

COMMONWEALTH OF THE BAHAMAS

IT/NES/135/2018

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:

DEVONYA FLOWERS

APPLICANT

v

MARLINS V.I.P LOUNGE

RESPONDENT

APPEARANCES: Ms. Devonya Flowers on behalf of the Applicant

Mr. Wilton Taylor on behalf of the Respondent

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

ORDER

- (1) By Certificate of Referral dated 11th May, 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 30th August, 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 17th September, 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 18th September, 2018; and

- (5) That no Notice of Appearance - Form D or 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 27th March, 2019; and
- (7) On the day of the Case Management the Applicant and Respondent appeared and after negotiation discussions the parties were able to settle the matter; and
- (8) After several adjournments the parties returned to the Tribunal on 24th June, 2019 and the necessary documents were filed in the Tribunal on the completion of payment to the Applicant by the Respondent; and
- (9) On the 24th June, 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:

- (10) The Originating Application filed in the Industrial Tribunal on 17th September, 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, 24th June, 2019

Indira N. Demeritte – Francis

President

Industrial Tribunal