

COMMONWEALTH OF THE BAHAMAS
INDUSTRIAL TRIBUNAL

No. IT / No. NP2020-5

In The Matter of The Industrial Relations Act

And

In the Matter of the Industrial Relations (Tribunal Procedure) Rules 2010

BETWEEN

TYRESE STURRUP

Applicant

AND

BAHAMAS EXPERIENCE LIMOUSINE & TOURS

Respondent

BEFORE: Her Honour Vice President Simone I. Fitzcharles

APPEARANCES: Ms Judith Smith for the Applicant

Mr Errol McKinney for the Respondent

ORDER ON DIRECTIONS

WHEREAS:

- 1) By Certificate of Referral of a Trade Dispute dated 10 December 2019, the Minister referred the subject dispute to the Industrial Tribunal;
- 2) Pursuant to Rule 3(1) of the Industrial Relations (Tribunal Procedure) Rules, 2010 a Notice for presentation of an Originating Application was issued by the Secretary of the Industrial Tribunal to the Applicant on 28 January 2020;
- 3) The Applicant filed an Originating Application (Form A) in the Industrial Tribunal on 14 February 2020;
- 4) Pursuant to Rule 4 of the Industrial Relations (Tribunal Procedure) Rules, 2010 a Notice of the Originating Application (Form C) was issued by the Tribunal to the Respondent on 18 February 2020;

- 5) A Notice of Appearance (Form D) was entered by the Respondent on 21 February 2020 and a Defence (Form E) on 4 March 2020;
- 6) This matter was listed for a Case Management hearing on 21 July 2020 which was served on the Applicant and on the Respondent on 29 June 2020.
- 7) The Tribunal observed, and the parties' representatives agreed, that this trade dispute can be disposed of on Affidavits, there being a single point of law which is determinative of the entire action. That point relates to the legal effect on the parties' obligations of the communications between them, which precipitated the end of their employer-employee relationship.

IT IS HEREBY ORDERED as follows:

1. The Respondent shall file its Skeleton Arguments, Affidavits and any further documents in relation to its challenge to the Applicant's standing to bring these proceedings and strike out application on or before Tuesday 11 August 2020.
2. Applicant shall file her Affidavit(s), Documents and Skeleton Arguments in response to the Respondent's challenge on or before Monday 31 August 2020.
3. The parties shall attend on Monday 7 September 2020 at 10:00 am to be heard by the Tribunal.

AND THIS IS THE ORDER OF THIS TRIBUNAL

Dated this 21st day of July A.D. 2020.

Her Honour

Simone I. Fitzcharles

Vice President