

In the Matter of the Industrial Relations Act, Chapter 321

And

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

**BETWEEN:**

**EUGENE MICHET**

APPLICANT

v.

**DREAM YACHT CHARTER HARBOUR VIEW MARINA, MARSH HARBOUR, ABACO**

RESPONDENT

**APPEARANCES:** Mr. Clinton Clarke on behalf of the Applicant

Mr. Alpin Russell behalf of the Respondent

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

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**ORDER ON DIRECTIONS**

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**WHEREAS:**

- (1) By Certificate of Referral dated 5<sup>th</sup> March, 2020 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 16<sup>th</sup> June, 2020 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 7<sup>th</sup> July, 2020; 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 14<sup>th</sup> July, 2020; and
- (5) That a Notice of Appearance - Form D was filed on 8<sup>th</sup> September, 2020 and a Defence – Form E was filed on 24<sup>th</sup> September, 2020 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 on the 8<sup>th</sup> December, 2020 for the Case Management Hearing for Directions; and

**IT IS HEREBY ORDERED** by consent of the parties:

- a. That Wilbert Odeus v Dream Yacht Charter, Harbour View Marina, Marsh Harbour, Abaco NP2020-63 is consolidated with Eugene Michet v Dream Yacht Charter, Harbour View Marina, Marsh Harbour, Abaco NP2020-46 to be heard as one matter; and
- b. That the Applicant will file Skeletons, Witness Statements and Submissions on or before 28<sup>th</sup> January, 2021.
- c. That the Respondent will file Skeletons, Witness Statements and Submissions on or before 29<sup>th</sup> January, 2021.
- d. That the parties agreed to an estimated one (1) day of hearing.
- e. That the parties agreed that the Applicant will call four (4) witnesses and the Respondent will call two (2) witnesses.
- f. That the parties will continue settlement discussions and will inform the Tribunal if a position is agreed.

**AND THIS IS THE ORDER OF THIS TRIBUNAL**

DATED THIS, 17<sup>th</sup> December, 2020

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Indira N. Demeritte – Francis

President

Industrial Tribunal