

In the Matter of the Industrial Relations Act, Chapter 321

And

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

BETWEEN:

YOLANDA ALBURY

APPLICANT

v.

THE ISLAND SPA-HARBOUR ISLAND, ELEUTHERA

RESPONDENT

APPEARANCES: Ms. Yolanda Albury on behalf of the Applicant

No Appearance for or on behalf of the Respondent

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

ORDER

WHEREAS:

- (1) By Certificate of Referral dated 8th March, 2013 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 15th May, 2013 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 3rd June, 2013; and

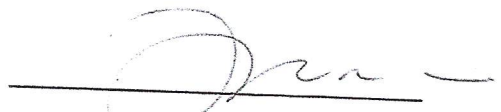
- (4) A Notice of Application to the Respondent – Form C and a Notice of Appearance - Form D was sent to the Respondent on the 24th June, 2013; and
- (5) That no Notice of Appearance - Form D and no Defence – Form E was filed in the Tribunal by the Respondent; and
- (6) That the Industrial Tribunal attempted to serve the Respondent for several years and was unsuccessful with compelling the Respondent to make an appearance or attend a case management; and
- (7) Therefore, Pursuant to Rule 15(1) of the Industrial Relations (Tribunal Procedure) Rules 2010, the Industrial Tribunal set a fixture on the 1st December, 2020 for the Case Management Hearing for Directions; and
- (8) That on the day of the Hearing the Applicant appeared Pro se and that there was no appearance by or on behalf of the Respondent; and
- (9) The Applicant withdrew the claim against the Respondent at the Hearing.

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

- (10) The Originating Application filed in the Tribunal on the 3rd June, 2013 is decided accordingly pursuant to Rule 12(1)(a) of the Industrial Relations (Tribunal Procedures) Rule 2010 and is hereby withdrawn and marked Dismissed.

AND THIS IS THE DECISION OF THIS TRIBUNAL

DATED THIS, 1st December, 2020



Indira N. Demeritte – Francis

President

Industrial Tribunal