

COMMONWEALTH OF THE BAHAMAS

IT/NP2020-2

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:

KATRINA DARLING

APPLICANT

v

DAN KNOWLES TOURS

RESPONDENT

APPEARANCES: Katrina Darling on behalf of the Applicant

Daniel Knowles on behalf of the Respondent

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

ORDER

- (1) By Certificate of Referral dated 4th December, 2019 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 28th January, 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 21st February, 2020; and

- (4) 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 8th December, 2020; and
- (5) The Applicant appeared Pro se and Mr Daniel Knowles appeared on behalf of the Respondent on the day of hearing; and
- (6) The Respondent agreed that the Applicant was owed Eight Thousand Four Hundred and Ninety-Nine Dollars and Ninety-Two Cents (\$8,499.92) and that there had been several payments totalling Eight hundred Dollars (\$800.00) made to the Applicant as of February, 2020; and
- (7) That the Applicant agreed that the Respondent had made some payments and that the sum of Seven Thousand Six Hundred and Ninety-Nine Dollars and Ninety-Two Cents (\$7,699.92) was now outstanding to complete payments to the Applicant; and
- (8) However, due to the loss of business and the restriction due to the COVID19 Pandemic the Respondent has not been able to generate funds to pay the Applicant, however the Respondent does agree that they do owe the Applicant; and
- (9) The Respondent has agreed to pay the Applicant Seven Thousand Six Hundred and Ninety-Nine Dollars and Ninety-Two Cents (\$7,699.92) as final payment as soon as they are in a position to do so; and

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

- (10) The Originating Application filed in the Industrial Tribunal on 21st February, 2020 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, 8th December, 2020


Indira N. Demeritte – Francis

President

Industrial Tribunal