

**COMMONWEALTH OF THE BAHAMAS**

**IT/NES/94/2019**

**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:**

**JOSEPH FRANKLYN STRACHAN**

APPLICANT

v.

**BAHA MAR**

RESPONDENT

**APPEARANCES:** Mr. Keith Bell on behalf of the Applicant

Mr. Allen Benjamin on behalf of the Respondent

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

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**AMENDED ORDER ON DIRECTIONS**

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**WHEREAS:**

- (1) By Certificate of Referral dated 5<sup>th</sup> June, 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 9<sup>th</sup> July, 2019 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 11<sup>th</sup> July, 2019; 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 16<sup>th</sup> July, 2019; and
- (5) That a Notice of Appearance - Form D was filed on 19<sup>th</sup> July, 2019 and a Defence – Form E was filed in the Tribunal on the 26<sup>th</sup> July, 2019 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 12<sup>th</sup> December, 2019 for the Case Management Hearing for Directions; and
- (7) That directions were given on the day of that hearing as was agreed by the parties; and
- (8) The Applicant's Attorney, Mr. Bell, wrote asking for a mention date for further directions; and
- (9) The Industrial Tribunal set a fixture on the 30<sup>th</sup> November, 2020 for the Case Management Hearing for Directions; and
- (10) On the day of the hearing the Attorney for the Applicant and the Attorney for the Respondent appeared; and
- (11) The parties were granted permission to agree amendments to the previous Order on Directions of 12<sup>th</sup> December, 2019; and

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

- a. That the Applicant will file and Skeletons, Witness Statements and Submissions, on or before 15<sup>th</sup> January, 2021.
- b. That the Respondent will file Witness Statements and Submissions Skeletons on or before 29<sup>th</sup> January, 2021.
- c. That there will be a mutually exchange of documents between the parties
- d. That the parties agreed to an estimated three (3) days of hearing.

- e. That the parties agreed that the Applicant would call four (4) witnesses and the Respondent would call four (4) witnesses.

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

DATED THIS, 30<sup>th</sup> November, 2020

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Indira N. Demeritte – Francis

President

Industrial Tribunal