

**COMMONWEALTH OF THE BAHAMAS**

**IT/NP2020-61**

**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:**

**RICARDO BURROWS**

APPLICANT

v.

**CLEARVIEW MANAGEMENT COMPANY LTD D/B/A SANDALS EMERALD BAY EXUMA**

RESPONDENT

**APPEARANCES:** Mr. Errol McKinney on behalf of the Applicant

Mr. Dwight Ginton 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 11<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, 2010a Notice for an Originating Application – Form A was sent on 23<sup>rd</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 2<sup>nd</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 6<sup>th</sup> July, 2020; and

- (5) That no Notice of Appearance - Form D and no Defence – Form E was filed in the Tribunal by the Respondent; and
- (6) Therefore, the matter was set for Call Over on the 2<sup>nd</sup> November, 2020 and Notice for the said hearing was Gazetted in the Nassau Guardian Newspaper on the 16<sup>th</sup> October, 2020; and
- (7) That Mr. Mckinney and Mr. Glinton appeared on the day of the Call Over and the matter was adjourned to the 12<sup>th</sup> November, 2020 for further directions; and

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

- a. That the Respondent will file a Notice of Appearance - Form D and a Defence – Form E within fourteen days.
- b. That the Applicant will file Skeletons, Witness Statements and Submissions on or before 18<sup>th</sup> December, 2020.
- c. That the Respondent will file Witness Statements on or before 29<sup>th</sup> January, 2021.
- d. That the Respondent will file Submissions on or before 15<sup>th</sup> January, 2021.
- e. That the parties agreed to an estimated one (1) day of hearing.
- f. That the parties agreed that the Applicant will call one (1) witness and the Respondent will call two (2) witnesses.
- g. That the parties will continue settlement discussions and will inform the Tribunal if a position is agreed.
- h. That the sole issue for determination is wrongful dismissal.

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

DATED THIS, 12<sup>th</sup> November, 2020

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Indira N. Demeritte – Francis  
President  
Industrial Tribunal