

COMMONWEALTH OF THE BAHAMAS

IT/NES/140/2019

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:

WENDALYN DAVIS

APPLICANT

v

CREATIVE DESIGNS BY MUNROE LANDSCAPING

RESPONDENT

APPEARANCES: Ms. Wendalyn Davis on behalf of the Applicant

Ms. Nadine Munroe on behalf of the Respondent

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

ORDER

- (1) By Certificate of Referral dated 26th September, 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 5th November, 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 19th November, 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 25th November, 2019; and

- (5) That an Notice of Appearance - Form D was filed 28th November, 2019 and a Defence – Form E was filed 17th December, 2019 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 for the Case Management Hearing for Directions on the 14th January, 2020; and
- (7) The Applicant and Respondent appeared on the day of hearing, after a brief adjournment, both parties informed the Tribunal that the matter has been settled; and
- (8) The Respondent has agreed to pay the Applicant One Thousand Two Hundred and Thirty Dollars and Twenty-Four Cents (\$1,230.24) as final settlement in instalment payments, commencing with Five Hundred Eighty-Three Dollars and Sixty-Two (\$583.62) down payment and One Hundred and Forty-Five Dollars and Ninety-Five Cents (\$145.95) every two weeks thereafter beginning 17th January, 2020; second payment 31st January, 2020; third payment 14th February, 2020 and fourth payment 28th February, 2020 until the agreed settlement amount is paid to the Applicant.

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

- (9) The Originating Application filed in the Industrial Tribunal on 19th November, 2019 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, 14th January, 2020

Indira N. Demeritte – Francis
President
Industrial Tribunal