

COMMONWEALTH OF THE BAHAMAS

IT/NES/181/2019

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:

SKY BAHAMAS EMPLOYEES

APPLICANT

v.

SKY BAHAMAS AIRLINE LIMITED

RESPONDENT

APPEARANCES: Mr. Damian Gomez on behalf of the Applicant

No Appearance on behalf of the Respondent

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

ORDER ON DIRECTIONS

WHEREAS:

- (1) By Certificate of Referral dated 15th November, 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, 2010a Notice for an Originating Application – Form A was sent on 12th December, 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 27th December, 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 9th January, 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 23rd November, 2020 and Notice for the said hearing was Gazetted in the Nassau Guardian Newspaper on the 16th October, 2020; and
- (7) That Mr. Gomez appeared on the day of the Call Over and there was no appearance by or on behalf of the Respondent

IT IS HEREBY ORDERED:

- a. That the Applicant undertakes to have the Certificate of Referral amended to include the names of the Applicants which were deleted from the list attached to the Referral Documents.
- b. That Substituted Service is necessary for further proceedings.
- c. That the Applicant will file Skeletons, Witness Statements and Submissions on or before 8th January, 2021.
- d. That there will be an estimated five (5) days of hearing.
- e. That the Applicant will call forty (40) witnesses.

AND THIS IS THE ORDER OF THIS TRIBUNAL

DATED THIS, 12th November, 2020

Indira N. Demeritte – Francis

President

Industrial Tribunal