

COMMONWEALTH OF THE BAHAMAS

IT/NP2020-30

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:

KENDRA CLARKE-LIMA

APPLICANT

v.

MELIA NASSAU BEACH RESORT

RESPONDENT

APPEARANCES: Mr. Franklyn Carter on behalf of the Applicant

Ms. Kimberly Miller on behalf of the Respondent

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

ORDER ON DIRECTIONS

WHEREAS:

- (1) By Certificate of Referral dated 21st January, 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, 2010 a Notice for an Originating Application – Form A was sent on 11th February, 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 21st February, 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 24th February, 2020; and

- (5) That a Notice of Appearance - Form D was filed on 29th October, 2021 and no Defence – Form E was filed 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 on the 5th October, 2020 for the Case Management Hearing for Directions; and
- (7) That on the day of the Case Management the parties asked for an adjournment to have a discussion; and
- (8) The parties returned on the 7th October, 2020 to complete the Case Management; 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 on or before 19th October, 2020
- b. That the Respondent will file Skeletons, Witness Statements and Submissions on or before 2nd November, 2020.
- c. That the parties agreed to an estimated two (2) days of hearing.
- d. That the parties will confirm the number of witnesses each side will call.
- e. That the matter will be called back for further directions as the Applicant was not present.
- f. That the parties will continue settlement discussions and will inform the Tribunal if a position is agreed.

AND THIS IS THE ORDER OF THIS TRIBUNAL

DATED THIS, 7th October, 2020

Indira N. Demeritte – Francis

President

Industrial Tribunal