

COMMONWEALTH OF THE BAHAMAS
INDUSTRIAL TRIBUNAL

IT/ NES/ 67 of 2019

In The Matter of The Industrial Relations Act

And

In the Matter of the Industrial Relations (Tribunal Procedure) Rules 2010

B E T W E E N

VAN EMMANUEL JOHNSON JR

Applicant

AND

THE PUBLIC HOSPITALS AUTHORITY

Respondent

APPEARANCES: Mr Barry Smith for the Applicant
Mr Audirio Sears for the Respondent

BEFORE: Her Honour Vice President Simone I. Fitzcharles

ORDER

WHEREAS:

- 1) By Certificate of Referral of a Trade Dispute dated 26 April 2019, the Minister referred the subject dispute to the Industrial Tribunal;
- 2) Pursuant to Rule 3(1) of the Industrial Relations (Tribunal Procedure) Rules, 2010 a Notice for presentation of an Originating Application was issued by the Secretary of the Industrial Tribunal to the Applicant on 27 May 2019;
- 3) The Applicant filed an Originating Application (Form A) in the Industrial Tribunal on 12 June 2019;

- 4) Pursuant to Rule 4 of the Industrial Relations (Tribunal Procedure) Rules, 2010 a Notice of the Originating Application (Form C) was issued by the Tribunal to the Respondent on 2 July 2019;
- 5) A Notice of Appearance (Form D) was entered by the Respondent on 21 August 2019 and a Defence (Form E) on 11 September 2019;
- 6) This matter was initially listed for a Case Management hearing on 4 November 2019. Neither party complied with the directions for trial given by the Tribunal. The matter is again listed for a Case Management hearing on 12 August 2021.

IT IS HEREBY ORDERED as follows:

1. The Respondent shall on or before Thursday 26 August 2021 comply with directions given in paragraphs a and b of the Tribunal's Case Management Order in relation to discovery of documents made on 4 November 2019, namely to provide the Applicant with the following documents in relation to the employment of the Applicant with the Respondent:
 - (i) Applicant's job letter and job description letter,
 - (ii) Letter stating Applicant's salary,
 - (iii) Show cause letter,
 - (iv) Any document giving indication of who the Applicant's supervisor was,
 - (v) Record of times the Applicant was absent or late and any documents relating to the duration of his employment, and
 - (vi) Loan document.
2. The Applicant shall file his Witness Statement(s) and Bundle of Documents and serve the same on the Respondent on or before Thursday 9 September 2021;
3. The Respondent shall file its Witness Statement(s) and Bundle of Documents and serve the same on the Applicant on or before Thursday 23 September 2021;
4. Each party shall be at liberty to call up to three (3) witnesses;

5. The Applicant shall file and serve his Skeleton Arguments and Authorities on the Respondent on or before Thursday 7 October 2021;
6. The Respondent shall file and serve its Skeleton Arguments and Authorities on the Applicant on or before Thursday 21 October 2021; and
7. The parties shall have liberty to apply for further directions and/or to vary these directions.

AND THIS IS THE ORDER OF THIS TRIBUNAL

Dated this 12th day of August A.D. 2021.

Simone I. Fitzcharles
Vice President