

COMMONWEALTH OF THE BAHAMAS
INDUSTRIAL TRIBUNAL

IT / NES / NP2021-144

In The Matter of The Industrial Relations Act

And

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

BETWEEN

EDWARD ROACH

Applicant

AND

PUBLIC HOSPITALS AUTHORITY

Respondent

APPEARANCES: Mr Errol McKinney for the Applicant
Ms Sandra Moncur for the Respondent

BEFORE: Her Honour Vice President Simone I. Fitzcharles

ORDER ON SETTLEMENT

WHEREAS:

- 1) By Certificate of Referral of a Trade Dispute dated 31 May 2021, 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 17 June 2021;
- 3) The Applicant filed an Originating Application (Form A) in the Industrial Tribunal on 30 June 2021;
- 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 Respondents on 5 July 2021;
- 5) A Notice of Appearance (Form D) was entered by the Respondents on 13 July 2021 and a Defence (Form E) on 20 July 2021;
- 6) This matter was listed for a Case Management hearing before Court #3 on 27 October 2021. During the hearing the parties indicated that they arrived at a settlement of the trade dispute in its entirety before the Industrial Tribunal, which had to be finalized in writing.
- 7) The parties have now fully and finally settled the action as indicated by a Deed of Settlement and Release dated 4 November 2021 between the parties. The settlement of the action was given for the mutual covenants contained in the said Deed, for the sum of Twenty-one Thousand Three Hundred and Twenty-two dollars and Thirty cents in the currency of the Commonwealth of The Bahamas (B\$21,322.30) paid by the Respondent to the Applicant, and upon the withdrawal of the dispute by the Applicant, which was effected in the Industrial Tribunal on 4 October 2021.

NOW IT IS HEREBY ORDERED:

In light of the foregoing, and pursuant to Section 58(1)(d) of the Industrial Relations Act, and Rule 12(1)(a) of the Industrial Relations (Tribunal Procedure) Rules 2010, the

Tribunal refrains from any further hearing or determination of the dispute brought by the Originating Application (Form A), the same having been fully disposed of.

AND THIS IS THE ORDER OF THIS TRIBUNAL

Dated this 4th day of October 2021.

Simone Fitzcharles

Vice President