

INDUSTRIAL TRIBUNAL

**COURT #1 SAFFREY SQUARE, EAST & BAYSTREET, NEW PROVIDENCE,
COMMONWEALTH OF THE BAHAMAS**

Before

**MRS. INDIRA N. DEMERITTE-FRANCIS (PRESIDENT)
(SITTING ALONE)**

JOSEPH P. JOHNSON

APPLICANT

BAHA MAR

RESPONDENT

ORDER

APPEARANCES

For the Applicant

Mr. Sidney Campbell
Attorney
Campbell-Ebong & Co.
#51 Infant View Rd.
Nassau, The Bahamas

For the Respondent

Mrs. Jasmine Collie
Attorney
CTF BM Operations
Baha Mar, West Bay Street
Nassau, The Bahamas

WHEREAS:

- (1) By Certificate of Referral dated November 13, 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 December 12, 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 January 6, 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 January 9, 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) Pursuant to Rule 15(1) of the Industrial Relations (Tribunal Procedure) Rules 2010, the Industrial Tribunal set a fixture on November 9, 2020 for the Case Management Hearing for Directions; and
- (7) At the Hearing there was appearance for both the Applicant and the Respondent and the parties asked for an adjournment; and
- (8) The parties returned on November 30, 2020 for Case Management; and
- (9) The Applicant's Attorney at that time, Mr. Clinton Clarke, sought an adjournment as he wanted to make an Application before the Tribunal to amend the

Originating Application and he was to report to the Tribunal on said Application by December 21, 2020; and

- (10) That to date the Tribunal has not received any Application or communication from Mr. Clarke. In an effort to move the matter forward, the Tribunal listed the matter for Mention on November 15, 2021; and
- (11) On that date Mr. Sidney Campbell appeared as new counsel for the Applicant and Mrs. Collie appeared for the Respondent and an adjournment was given to allow the Applicant's Counsel to obtain documents relating to this matter; and
- (12) That the Applicant filed into the Tribunal Notice of Withdrawal - Form K on November 18, 2021; and

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

- (13) The Originating Application filed in the Industrial Tribunal on January 6, 2020 is decided accordingly pursuant to Rule 12(1)(a) of the Industrial Relations (Tribunal Procedures) Rule 2010 and is hereby Withdrawn and is Dismissed.

AND THIS IS THE DECISION OF THIS TRIBUNAL

DATED THIS, November 18, 2021

Indira N. Demeritte – Francis
President
Industrial Tribunal