

B E T W E E N

LOUELLA BOWE

Applicant

AND

EBCO CLEANING COMPANY & JANITORIAL LIMITED

Respondent

APPEARANCES: Mr Errol McKinney for the Applicant
Mr Owen Wells for the Respondent

BEFORE: Her Honour Vice President Simone Fitzcharles

ORDER ON SETTLEMENT

- 1) This is a claim for wrongful dismissal and/or unfair dismissal.
- 2) By Certificate of Referral of a Trade Dispute dated 5 March 2019, the Minister referred the subject dispute to the Industrial Tribunal and subsequently, on 18 April 2019, the Applicant filed her Originating Summons. The Respondent filed its Defence on 18 June 2019.
- 3) The trial of this action was postponed due to settlement discussions between the parties and the illness of a key witness for the Respondent, Mr Sheron Forbes, who eventually passed away. The trial was last scheduled to proceed before the Tribunal on 19 January 2022.
- 4) At the hearing on 19 January 2022, the parties agreed upon a settlement of all issues in dispute. In particular, the full and final settlement by the Applicant and the Respondent in

relation to the action before the Tribunal, is for a global agreed award of **Twelve Thousand Dollars** in the currency of the Commonwealth of The Bahamas (**B\$12,000.00**) to be paid by the Respondent to the Applicant.

BY CONSENT

IT IS ORDERED that:

1. The Respondent shall pay to the Applicant in full and final settlement of all disputes in this matter the sum of **Twelve Thousand Dollars** in the currency of the Commonwealth of The Bahamas (**B\$12,000.00**) (“the agreed award”) payable in equal monthly installments the first of which shall commence on 31 January 2022. Thereafter, the remaining installments shall be paid continuously in accordance with the schedule in paragraph 2 below until the agreed award is fully discharged by the Respondent.
2. The installments referred to in this Order shall be paid by the Respondent to the Applicant by way of cheque delivered from legal counsel for the Respondent (Mr Owen Wells or his firm) to the legal advocate for the Applicant (Mr Errol McKinney or his office). For the avoidance of doubt, all installments paid in discharge of the agreed award shall be paid on the last day of each month over a 6-month period and shall each be equal payments of Two Thousand dollars (B\$2,000.00) as follows:

Date	Amount of Payment
31 January 2022	\$ 2,000.00
28 February 2022	\$ 2,000.00
31 March 2022	\$ 2,000.00
30 April 2022	\$ 2,000.00
31 May 2022	\$ 2,000.00
30 June 2022	\$ 2,000.00
TOTAL:	\$ 12,000.00

3. This Order on Settlement on reference by the Minister pursuant to section 73 shall be subject to enforceability in accordance with section 61 of the Industrial Relations Act (Chapter 321).
4. In light of the foregoing and pursuant to the Tribunal's powers under Section 58(1)(d) of the Industrial Relations Act to refrain from further determination of a matter, the Tribunal hereby refrains from further adjudication of this trade dispute by reason that the parties have by consent settled the same.

AND THIS IS THE ORDER OF THIS TRIBUNAL

Dated this 19th day of January 2022.

Simone Fitzcharles

Vice President