

COMMONWEALTH OF THE BAHAMAS

IT/NES/188/2018

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:

CLARENCE FINLAYSON

APPLICANT

v

CABLE BAHAMAS

RESPONDENT

APPEARANCES: Malcolm Adderley on behalf of the Applicant

John Minns on behalf of the Respondent

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

ORDER

- (1) By Certificate of Referral dated 21st November, 2018 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 7th January, 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 the 7th February, 2019; 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 18th February, 2019; and

- (5) That a Notice of Appearance - Form D was filed on the 1st March, 2019 and a Defence – Form E was filed on the 19th March, 2019 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 for the Case Management Hearing for Directions on the 1st April, 2019; and
- (7) That several adjournments were given and the parties appeared on the 8th May, 2019 to complete the Case Management Hearing and an Order on Directions was issued; and
- (8) That on the 5th June, 2019, the parties informed the Tribunal that a settlement had been reached and the necessary documents were to be filed in the Tribunal; and
- (9) The Respondent without admitting any liability to the Applicant whatsoever has agreed to pay the Applicant Six Thousand Dollars (\$6,000.00) as final payment; and
- (10) On the 5th June, 2019 the Applicant filed into the Industrial Tribunal a Notice of Withdrawal – Form K.

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

- (11) The Originating Application filed in the Industrial Tribunal on 7th February, 2019 is decided accordingly pursuant to Rule 12(1)(b) of the Industrial Relations (Tribunal Procedures) Rule 2010 and is hereby marked Settled.

AND THIS IS THE ORDER OF THIS TRIBUNAL

DATED THIS, 5th June, 2019

Indira N. Demeritte – Francis

President

Industrial Tribunal