

INDUSTRIAL TRIBUNAL

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

Before

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

VALENE WINTERS

APPLICANT

HABOURSIDE RESORT AT ATLANTIS

RESPONDENT

ORDER ON DIRECTIONS

APPEARANCES

For the Applicant

Mr. Ednel Rolle
Representative
Obie Ferguson & Co.
Nassau, The Bahamas

For the Respondent

Ms. Helga Knowles
Human Resources
Habourside Resort
Paradise Island, Bahamas

WHEREAS:

- (1) By Certificate of Referral dated February 19, 2021 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 March 4, 2021 to the Applicant by the Secretary to the Tribunal; and
- (3) Upon receipt by the Applicant of the Notice for an Originating Application the Applicant filed an Originating Application on March 17, 2021 in the Tribunal; and
- (4) A Notice of Application to the Respondent – Form C and a Notice of Appearance - Form D was sent to the Respondent on May 12, 2021; and
- (5) The matter was listed for Call Over on February 28, 2022 and Notice for the said hearing was Gazetted in the Nassau Guardian Newspaper on February 4, 2022; and
- (6) That on the day of the Call Over there was representation on behalf of the Applicant but the Respondent failed to appear; and
- (7) The Tribunal noted that the Respondent Company refused service of the Notice document on several occasions; and
- (8) The matter was advertised again in the Guardian Newspaper on March 31, 2022 which listed the matter for Call Over on April, 25, 2022; and
- (9) That Mr. Rolle appeared for the Applicant and Ms. Knowles appeared for the Respondent for the Case Management Hearing; and

IT IS HEREBY ORDERED by consent of the parties:

- a. That the Applicant and the Respondent will file Skeletons Witness Statements and or Submissions on or before May 12, 2022.
- b. That the letters written by other staff members regarding the Applicant will be produced.

- c. That there will be a mutual exchange of bundles.
- d. That the parties agreed to an estimated one (1) day of hearing.
- e. That the parties agreed that the Applicant will call one (1) witness and the Respondent will call three (3) witnesses.
- f. That the parties will not have further settlement discussions.

AND THIS IS THE ORDER OF THIS TRIBUNAL

DATED THIS, April 25, 2022

Indira N. Demeritte – Francis
President
Industrial Tribunal