

COMMONWEALTH OF THE BAHAMAS

No. IT/NR/NES/008

IN THE INDUSTRIAL TRIBUNAL

Year: 2022

NORTHERN REGION

In the matter of THE EMPLOYMENT ACT, 2001, Cap. 321A

BETWEEN:-

SONOVIEA PENN

Applicant

VERSUS

N & E

First Respondent

and

N & E ENTERPRISES LTD.

Second Respondent

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BEFORE: Her Honour, Helen J. Almorales-Jones, Vice-President

APPEARANCES: Applicant, pro se & Sherilyn V. Cooper (President of the Respondent Company), for the Respondent

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### **ORDER**

**WHEREAS** on the 23<sup>rd</sup> February, 2022, **Sonoveia Penn** ("the Applicant") filed a Report of a Trade Dispute against **N & E** ("the First Respondent") with the Department of Labour in Abaco, The Bahamas;

**AND WHEREAS** by a **Certificate of Referral** dated the 9<sup>th</sup> March, 2022 (received on the 20<sup>th</sup> April, 2022), the Honourable Minister of Labour & Immigration referred the trade dispute between the Applicant and the First Respondent to the Industrial Tribunal, Northern Region ("the Tribunal");

**AND WHEREAS** the Applicant filed a **Form A** (Originating Application) on the 21<sup>st</sup> April, 2022;

**AND WHEREAS** the Second Respondent filed a **Form D** (Notice of Appearance) on the 2<sup>nd</sup> May, 2022;

**AND WHEREAS** the Second Respondent filed a **Form E** (Defence) on the 11<sup>th</sup> May, 2022;

**AND WHEREAS** the Tribunal (Vice-President Ingrid Cooper-Brooks) conducted a Case Management hearing on the 21<sup>st</sup> June, 2022, and made an **Order on Directions**;

**AND WHEREAS** at the hearing today, the Tribunal (Vice-President Helen Almorales-Jones), of its own motion, and with the consent of the parties, joined **N & E Enterprises Ltd.** ("the Second Respondent") as a party pursuant to **Rule 16(1)** of **The Industrial Relations (Tribunal Procedure) Rules, 2010** ("the said Rules") and dismissed the First Respondent from the proceedings pursuant to **Rule 16(2)** of the said **Rules**;

**AND WHEREAS** the Applicant agreed that:- the Report of a Trade Dispute she filed at The Department of Labour only listed "*termination*" as the issue relevant to the dispute; and the Form A (Originating Application) she filed at The Tribunal did not claim Wrongful and/or Unfair Dismissal;

**AND WHEREAS** the Applicant requested to withdraw this application and file a trade dispute against the Second Respondent for Wrongful and/or Unfair Dismissal;

**AND WHEREAS** the Applicant filed a **Form K** (Notice of Withdrawal) on the 25<sup>th</sup> July, 2022;

**IT IS HEREBY ORDERED THAT** this matter be dismissed pursuant to **Rule 12(1)(a)** of the said **Rules**.

**DATED: This 25<sup>th</sup> day of July, A.D., 2022.**



**Her Honor, Helen J. Almorales-Jones,  
Vice-President**

