

INDUSTRIAL TRIBUNAL

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

Before

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

DANIEL S. FERGUSON

APPLICANT

MINISTRY OF FINANCE

RESPONDENT

ORDER

APPEARANCES

For the Applicant

Mrs. Ciji Smith-Curry
Attorney
BRF Chambers
#122 Collins Avenue
Nassau, The Bahamas

For the Respondent

Mr. Rashard Edgecombe
Attorney
Office of the Attorney
General
Nassau, Bahamas

WHEREAS:

- (1) By Certificate of Referral dated August 20, 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 September 1, 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 in the Tribunal September 7, 2021; and
- (4) A Notice of Application to the Respondent – Form C and a Notice of Appearance - Form D was sent to the Respondent on September 23, 2021; and
- (5) That a Notice of Appearance - Form D was filed in the Tribunal on October 18, 2021 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 April 6, 2022 for the Case Management Hearing for Directions; and
- (7) That Mrs. Smith-Curry appeared for the Applicant and Mr. Edgecombe appeared for the Respondent for the Case Management Hearing; and
- (8) During that Case Management Hearing the Applicant was ordered to provide Further and Better Particulars of the claim; and
- (9) That on April 12, 2022 the Applicant filed Further and Better Particulars in the Tribunal; and
- (10) The Industrial Tribunal set another fixture on July 28, 2022 for a Case Management Hearing for further Directions; and
- (11) On the day of the Case Management Hearing both parties appeared, and further directions were agreed and ordered by the Industrial Tribunal; and
- (12) That the Applicant filed into the Tribunal Notice of Withdrawal - Form K on August 22, 2022; 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 September 7, 2021 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 August 22, 2022

Indira N. Demeritte – Francis
President
Industrial Tribunal