

INDUSTRIAL TRIBUNAL

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

Before

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

DEVARD BAIN

APPLICANT

S.M.G MILLWORK

RESPONDENT

ORDER OF SETTLEMENT

APPEARANCES

For the Applicant

Mr. Hilbert Collie
Representative
Hilbert Collie & Associates
#83 Dowdswell Street
Nassau, The Bahamas

For the Respondent

Mr. Darren Bain
Attorney-at-Law
Lignum Advisors
Suit E-1, Union Court
Shirley St. & Elizabeth Ave.

WHEREAS:

- (1) By Certificate of Referral dated January 27, 2022 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 February 14, 2022 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 on February 28, 2022; 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 March 2, 2022; and
- (5) That a Notice of Appearance - Form D was filed on March 11, 2022 and a Defence – Form E was filed on April 25, 2022 in the Tribunal by the Respondent.
- (6) Pursuant to Rule 15(1) of the Industrial Relations (Tribunal Procedure) Rules 2010, the Industrial Tribunal set a fixture on the November 28, 2022 for the Case Management Hearing for Directions; and
- (7) On the date for the Case Management Hearing Mr. Collie appeared for the Applicant and Mr. Bain appeared for the Respondent; and
- (8) During the Hearing the parties informed the Tribunal that they had reached a settlement; and

- (9) The Respondent agrees to pay the Applicant Three Thousand Dollars (\$3,000.00) in full and final settlement; and
- (10) The Applicant filed a Notice of withdrawal – Form K in the Tribunal on December 8, 2022; and

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

- (11) The Originating Application filed in the Industrial Tribunal on February 28, 2022 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, December 8, 2022

Indira N. Demeritte – Francis
President
Industrial Tribunal