

INDUSTRIAL TRIBUNAL

**COURT #4 SAFFREY SQUARE, EAST & BAY STREET, NEW PROVIDENCE,
COMMONWEALTH OF THE BAHAMAS**

Before

MRS. SHARADA D. FERGUSON (VICE-PRESIDENT)

(SITTING ALONE)

ANITA MOXEY

APPLICANT

**HARBOURSIDE AT ATLANTIS
MANAGEMENT LIMITED, T/A
HARBOURSIDE RESORT**

RESPONDENT

ORDER ON DIRECTIONS

APPEARANCES

For the Applicant

Mrs. Erica Munroe
E.D.M. Law Group
Suite 2 Upstairs Workers House
Harrold Road
Nassau, New Providence
Bahamas.

For the Respondent

Ms. Shantillya Sands &
Ms. Glendira McKenzie
Harbourside Resort
Nassau, New Providence
Bahamas.

WHEREAS:

- (1) By Certificate of Referral dated July 5, 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 July 16, 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 on September 1, 2021; and
- (4) A Notice of Originating Application to the Respondent – Form C and a Notice of Appearance - Form D was sent to the Respondent on September 1, 2022; and
- (5) That the Respondent failed to file a Notice of Appearance - Form D and Form E, Defence within the time for doing so or at any time ; and
- (6) Pursuant to Rule 15(1) of the Industrial Relations (Tribunal Procedure) Rules 2010, the Industrial Tribunal set a fixture on April 25, 2022 for Case Management Hearing; and
- (7) Pursuant to Rule 8(1) of the Industrial Relations (Tribunal Procedure) Rules 2010, the Industrial Tribunal set a fixture on December 5, 2022 for Hearing ; and
- (8) That Mrs. Erica Munroe appeared for the Applicant and Ms. Shantillya Sands and Ms. Glendira McKenzie appeared for the Respondent on December 5, 2022 for the Hearing; and

IT IS HEREBY ORDERED by consent of the parties:

- a. That pursuant to Rule 14(1) of the Industrial Relations (Tribunal Procedure) Rules 2010, the Tribunal of its own motion granted an extension of time for the Respondent to file its Notice of Appearance – Form D and Defence – Form E to December 19, 2022.
- b. That the Applicant will file Witness Statements, Bundle of Documents & Skeleton Arguments on or before January 3, 2023.

- c. That the Respondent will file Witness Statements, Bundle of Documents, and Skeleton Arguments on or before January 9, 2023.
- d. Both the Applicant and the Respondent will call three (3) witnesses.
- e. That the parties agreed to an estimated two (2) days of hearing.
- f. That the parties are at liberty to apply for an extension or variation.
- g. That there will be a mutual exchange of Bundles.

AND THIS IS THE ORDER OF THIS TRIBUNAL

DATED THIS, December 5, 2022

Sharada D. Ferguson
Vice-President
Industrial Tribunal