

INDUSTRIAL TRIBUNAL

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

Before

MRS. SHARADA D. FERGUSON (VICE-PRESIDENT)

(SITTING ALONE)

KIMSLEY FERGUSON

APPLICANT

DEPARTMENT OF STATISTIC

RESPONDENT

ORDER ON DIRECTIONS

APPEARANCES

For the Applicant

Khalil Parker, KC
Roberta Quant
Cedric Parker & Co.
Kimsley Ferguson
BPSU

For the Respondent

Nyannea Orlander &
Monique Miller
Office of the Attorney
General

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 7, 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 November 30, 2021; and
- (4) A Notice of Appearance, Form D and a Defence, Form E was sent to the Respondent on May 6, 2022; and
- (5) The Respondent failed to file a Notice of Appearance - Form D within the time limit for doing so pursuant to Rule 5(1) of the Industrial Relations (Tribunal Procedure) Rules 2010;; and
- (6) The Respondent failed to file a Defence - Form E within the time limit for doing so pursuant to Rule 6 of the Industrial Relations (Tribunal Procedure) Rules 2010;; and
- (7) Pursuant to Rule 15(1) of the Industrial Relations (Tribunal Procedure) Rules 2010, the Industrial Tribunal set a fixture on October 20, 2022 for the Case Management Hearing for Directions; and
- (8) That the Mr. Khalil Parker KC, Ms. Roberta Quant and Mr. Kimsley Ferguson appeared for the Applicant and Ms. Nyannea Olander and Ms. Monique Miller appeared for the Respondent on October 20, 2022 for the Case Management Hearing; and

IT IS HEREBY ORDERED by consent of the parties:

- a. The Respondent would file Form D, Notice of Appearance, Form E, Defence and Form L, Notice of application for Extension of Time on or before November 24, 2022.

- b. The Applicant will file Witness Statements, Bundle of Documents and Skeleton Arguments on or before December 8, 2022.
- c. The Respondent will file Witness Statements, Bundle of Documents and Skeleton Arguments on or before December 22, 2022.
- d. That there will be a mutual exchange of bundles.
- e. That the parties agreed to an estimated two (2) days of hearing.
- f. That the parties agreed that both the Applicant and the Respondent will call four (4) witnesses.
- g. That the parties are at liberty to apply for an extension or variation.

AND THIS IS THE ORDER OF THIS TRIBUNAL

DATED THIS, October 20, 2022

Sharada D. Ferguson
Vice-President
Industrial Tribunal