

INDUSTRIAL TRIBUNAL

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

Before

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

RAPHAEL KLEIN

APPLICANT

**TIAMO RESORTS ONLY
LIMITED**

RESPONDENT

ORDER ON DIRECTIONS

APPEARANCES

For the Applicant

Mr. Errol McKinney
Representative
EM & Associates
Suit 5 Colonial Hill Plaza
72 University Drive

For the Respondent

Mr. Carl Bethel, KC
Attorney
Halsbury Chambers
Nassau, The Bahamas

WHEREAS:

- (1) By Certificate of Referral dated March 28, 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 April 4, 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 on April 20, 2022 in the Tribunal; and
- (4) A Notice of Application to the Respondent – Form C and a Notice of Appearance - Form D was sent to the Respondent on April 25, 2022; and
- (5) That the Notice of Appearance - Form D was filed on May 11, 2022 and the Defence –Form E was filed in the Tribunal on June 29, 2022 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 December 6, 2022 for the Case Management Hearing for Directions; and
- (7) Due to a scheduling conflict with the Applicant’s Representative, both sides agreed to have the Case Management Hearing moved to December 7, 2022; and
- (8) That on the day of the Case Management Hearing Mr. McKinney appeared on behalf of the Applicant and Mr. Bethel appeared for the Respondent; and

IT IS HEREBY ORDERED by the Industrial Tribunal and by consent of the parties:

- a. That the Applicant and the Respondent will file Skeletons, Witness Statements and or Submissions on or before January 25, 2023.
- b. That there will be a mutual exchange of documents.

- c. That there will be an estimated one (1) day of hearing.
- d. That the Applicant will call one (1) witness and the Respondent will call two (2) witnesses.

AND THIS IS THE ORDER OF THIS TRIBUNAL

DATED THIS, December 7, 2022

Indira N. Demeritte – Francis

President

Industrial Tribunal