

**INDUSTRIAL TRIBUNAL**

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

**Before**

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

**(SITTING ALONE)**

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**MICHAEL WILLIAMS**

APPLICANT

**ISLAND HOTEL COMPANY LIMITED**

RESPONDENT

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**ORDER**

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**APPEARANCES**

For the Applicant

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

For the Respondent

Mr. Kenneth Lightbourne  
Attorney  
Island Hotel Company Ltd.  
Atlantis  
Paradise Island, Bahamas

**WHEREAS:**

- (1) By Certificate of Referral dated June 17, 2019 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 9, 2019 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 July 17, 2019; and
- (4) A Notice of Application to the Respondent – Form C and a Notice of Appearance - Form D was sent to the Respondent on July 31, 2019; and
- (5) That a Notice of Appearance - Form D was filed in the Tribunal on September 9, 2019 and a Defence –Form E was filed in the Tribunal on October 2, 2019 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 August 13, 2020 for the Case Management Hearing for Directions; and
- (7) That Mr. McKinney appeared for the Applicant and Mr. Lightbourne appeared for the Respondent for the Case Management Hearing; and
- (8) During the Case Management Hearing the parties agreed Directions; and
- (9) The Directions agreed to were not complied with; and
- (10) Pursuant to Rule 15(1) of the Industrial Relations (Tribunal Procedure) Rules 2010, the Industrial Tribunal set a fixture on July 7, 2022 for a further Case Management Hearing for Directions; and
- (11) The parties appeared and informed the Tribunal that they were in settlement discussions and requested an adjournment; and
- (12) That the Applicant filed into the Tribunal Notice of Withdrawal - Form K on October 26, 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 July 17, 2019 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 October 26, 2022

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Indira N. Demeritte – Francis  
President  
Industrial Tribunal