

**INDUSTRIAL TRIBUNAL**

**COURT #2 FREEPORT INSURANCE CENTER, 21B WEST MALL & POINCIANA  
DRIVE, FREEPORT, GRAND BAHAMA, COMMONWEALTH OF THE BAHAMAS**

**Before**

**MRS. HELEN J. ALMORALES-JONES (VICE-PRESIDENT)**

**(SITTING ALONE)**

---

**LEWIS SEYMOUR**

**APPLICANT**

**SOUTH BIMINI WATER TAXI BUS SERVICE AND  
CONSTRUCTION COMPANY LIMITED**

**RESPONDENT**

---

**ORDER**

---

**APPEARANCES**

For the Applicant

No appearance

For the Respondent

No appearance

**WHEREAS:**

- 1) By a **Certificate of Referral** dated the 1<sup>st</sup> December, 2021 (received on the 16<sup>th</sup> December, 2021), the Honourable Minister of Labour & Immigration referred this matter to the Industrial Tribunal, New Providence, The Bahamas;
- 2) On the 21<sup>st</sup> January, 2022, the Applicant filed a **Form A** (Originating Application) with the Industrial Tribunal, New Providence, The Bahamas;
- 3) The matter was transferred to the Industrial Tribunal, Northern Region, ("the Tribunal") by a **Memorandum** from the President of The Industrial Tribunal dated the 14<sup>th</sup> November, 2022;
- 4) The Tribunal exhausted all efforts to serve the Respondent with a **Form C** (Notice of Originating Application) and copy of the **Form A** (Originating Application) in accordance with **Rule 4 of The Industrial Relations (Tribunal Procedure) Rules, 2010** ("The Rules");
- 5) The Tribunal published a **Notice of Call Over** in The Nassau Guardian Newspaper, Thursday, October 6, 2022, Edition, requiring the Applicant and the Respondent to appear before the Industrial Tribunal, Freeport, Grand Bahama, The Bahamas, at 10:00 a.m. on Friday, the 28<sup>th</sup> day of October, 2022;
- 6) Only the Applicant's Representative, Labour Advocate Mr. Franklin Carter, appeared at the hearing on the 28<sup>th</sup> October, 2022, and the Tribunal adjourned the matter to the 16<sup>th</sup> January, 2023;
- 7) Neither the parties nor their Representatives appeared at the hearing on the 16<sup>th</sup> January, 2023, and the Tribunal further adjourned the matter to the 3<sup>rd</sup> February, 2023;
- 8) On the 16<sup>th</sup> January, 2023, the Tribunal served the Applicant's Representative and the Respondent's registered office, Seymour & Co., with a **Form J** (Notice of Hearing) dated the 16<sup>th</sup> January, 2023 and setting this matter down for hearing before the Industrial Tribunal, Freeport, Grand Bahama, The Bahamas, at 10:00 a.m. on Friday, the 3<sup>rd</sup> day of February, 2023;
- 9) At 8:58 a.m. on Friday, the 3<sup>rd</sup> February, 2023, the Tribunal e-mailed the ZOOM link to the hearing to both the Applicant's Representative and the Respondent's registered office, Seymour & Co.;
- 10) The Applicant, Respondent and their Representatives failed to appear before the Tribunal at 10:00 a.m. on Friday, the 3<sup>rd</sup> February, 2023;

11)The Tribunal was satisfied that both the Applicant's Representative and the Respondent's registered office were duly served with the **Form J** (Notice of Hearing) at least 14 days before the hearing date, as required by **Rule 8(1)** of **The Rules**;

**IT IS HEREBY ORDERED THAT** the Applicant's **Form A** (Originating Application) be struck out for want of prosecution pursuant to **Rule 12(1)(f)** of **The Rules** and this matter be dismissed.

**AND THIS IS THE ORDER OF THE TRIBUNAL.**

**DATED: This 3<sup>rd</sup> day of February, A.D., 2023.**

**Her Honor, Helen J. Almorales-Jones,  
Vice-President**