

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)

DANSELL BAIN JR.

APPLICANT

EXECUTIVE MARINE MANAGERMENTS LTD.

RESPONDENT

ORDER

APPEARANCES

For the Applicant

Applicant, pro se
Freeport, Grand Bahama

For the Respondent

Paul Mellor
Freeport, Grand Bahama

WHEREAS:

- 1) On the 26th August, 2022, **Dansell Bain Jr.** filed a **Report of a Trade Dispute Form** against **Executive Marine Management Ltd.** with the Department of Labour in Grand Bahama, The Bahamas, which stated, inter alia, that the issues relevant to the dispute were *Overtime pay and double pay for days off*,
- 2) By a **Certificate of Referral** dated the 18th October, 2022 (received on the 15th November, 2022), the Honourable Minister of Labour & Immigration referred the trade dispute between **Dansell Bain Jr.** ("the Applicant") and **Executive Marine Managements Ltd.** ("the Respondent") to the Industrial Tribunal, Northern Region ("the Tribunal");
- 3) The Applicant filed a **Form A** (Originating Application) on the 22nd November, 2022;
- 4) In accordance with **Rule 4 of The Industrial Relations (Tribunal Procedure) Rules, 2010** ("The Rules"), the Tribunal served the Respondent with a Form C (Notice of Originating Application) together with a copy of the **Form A** (Originating Application);
- 5) The **Respondent** failed to file a **Form D** (Notice of Appearance) within the time limited for so doing by **Rule 5(1) of The Rules**;
- 6) The **Respondent** failed to file a **Form E** (Defence) within the time limited for so doing by **Rule 6 of The Rules**;
- 7) The Tribunal today conducted a **Case Management** hearing in this matter pursuant to **Rule 15 of The Rules**;;
- 8) Pursuant to **Rule 14(2) of The Rules**, the Respondent today filed a **Form L** (Notice of Application for Extension of Time) applying for leave to file a **Form D** (Notice of Appearance) and **Form E** (Defence) after the time limited for so doing had expired;
- 9) With the consent of the Applicant, the Tribunal acceded to the Respondent's **Form L** application and granted the Respondent leave to file a **Form D** (Notice of Appearance) and **Form E** (Defence) today;
- 10) The Respondent filed a **Form D** (Notice of Appearance) and **Form E** (Defence) today; and

11)The Applicant today filed a **Form K** (Notice of Withdrawal) in this matter;

IT IS HEREBY ORDERED THAT this matter be dismissed pursuant to **Rule 12(1)(a)** of **The Rules**.

AND THIS IS THE ORDER OF THE TRIBUNAL.

DATED: This 2nd day of February, A.D., 2023.

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