

INDUSTRIAL TRIBUNAL

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

Before

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

ETHELYN FERGUSON

APPLICANT

VXL LIMITED

RESPONDENT

ORDER ON DIRECTIONS

APPEARANCES

For the Applicant

Ms. Raquel Huyler
Attorney
242-807-8521
Nassau, The Bahamas

For the Respondent

Mr. Frederick Ferguson
Grand Force Command
VXL Ltd.
Nassau, The Bahamas

WHEREAS:

- (1) By Certificate of Referral dated September 2, 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 September 16, 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 October 27, 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 November 4, 2022; and
- (5) That a Notice of Appearance - Form D was filed on November 10, 2022 and a Defence – Form E was filed November 28, 2022 in the Tribunal 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 the March 30, 2023 for the Case Management Hearing for Directions; and
- (7) That Ms. Huyler appeared for the Applicant and Mr. Ferguson along with Kenny Crain appeared for the Respondent for the Case Management Hearing; and

IT IS HEREBY ORDERED by consent of the parties:

- a. That there will be no settlement pursuant to Section 60 of the Industrial Relations Act.
- b. That the Applicant will file Skeletons Witness Statements and or Submissions on or before April 17, 2023.

- c. That the Respondent will file Skeletons Witness Statements and or Submissions on or before May 1, 2023.
- 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 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, March 30, 2023

Indira N. Demeritte – Francis
President
Industrial Tribunal