

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)

BENNIKA MILLER

APPLICANT

EASY DENTAL CARE

RESPONDENT

ORDER

APPEARANCES

For the Applicant

Justin Palacious
Labour Advocate
Freeport, Grand Bahama
The Bahamas

For the Respondent

Samuel L. Rahming, Esquire
Law Chambers
Freeport, Grand Bahama
The Bahamas

WHEREAS:

- 1) On the 1st September, 2022, **Bennika Miller** ("the Applicant") filed a **Report of a Trade Dispute** against **Easy Dental Care** ("the Respondent") with The Department of Labour in Grand Bahama, The Bahamas, which stated that the issues relevant to the dispute were *Wrongful* and *Unfair Dismissal*;
- 2) By a **Certificate of Referral** dated the 13th February, 2023 (received on the 24th February, 2023), the Honourable Minister of Labour & Immigration referred the said trade dispute to the Industrial Tribunal, Northern Region, ("the Tribunal");
- 3) On the 27th February, 2023, the Tribunal served the **Applicant** with notice of the referral;
- 4) The Applicant filed a **Form A** (Originating Application) on the 1st March, 2023, in accordance with **Rule 3(1)** of **The Industrial Relations (Tribunal Procedure) Rules, 2010** ("The Rules");
- 5) In accordance with **Rule 4** of **The Rules**, on the 1st March, 2023, the Tribunal served the Respondent with:-
 - a copy of the **Form A** (Originating Application);
 - a **Form C** (Notice of Originating Application); and
 - a blank **Form D** (Notice of Appearance) on the Respondent's place of business (received by *Fendi Percentie*);
- 6) The **Respondent** filed a **Form D** (Notice of Appearance) on the 10th March, 2023, in accordance with **Rule 5(1)** of **The Rules**;
- 7) The **Respondent** failed to file a **Form E** (Defence) within the 14 days limited for so doing by **Rule 6** of **The Rules**;
- 8) On the 19th April, 2023, the **Respondent** filed:-
 - a **Form L** (Notice of Application for Extension of Time) applying for an extension of time to file a **Form E** (Defence); and
 - a **Form E (Defence)**;
- 9) The Tribunal conducted a **Case Management** hearing on the 20th April, 2023, in accordance with **Rule 15** of **The Rules**;
- 10) The Applicant appeared with his Representative and the Respondent's Proprietor and Counsel appeared;

- 11) With the consent of the Applicant's Representative, the Tribunal acceded to the Respondent's **Form L** (Notice of Application for Extension of Time) application for an extension of time to file a **Form E** (Defence);
- 12) Pursuant to **Section 58(1)(a)** of **The Industrial Relations Act, Cap. 321**, the **Tribunal** remitted the dispute to the parties for further consideration, with a view to settling or reducing all the issues in dispute; and
- 13) 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 17th day of May, A.D., 2023.

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