

INDUSTRIAL TRIBUNAL

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

Before

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

TRISTAN BROWN

APPLICANT

**ISLAND SITE DEVELOPMENT
(ISD)**

RESPONDENT

ORDER ON DIRECTIONS

APPEARANCES

For the Applicant

Mr. Troy Kellman
Attorney
Hanna Kellman &
Associates
Nassau, The Bahamas

For the Respondent

Mr. David Cash
Attorney
Nassau, Bahamas

WHEREAS:

- (1) By Certificate of Referral dated September 15, 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 October 6, 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 13, 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 October 19, 2022; and
- (5) That a Notice of Appearance - Form D was filed on October 27, 2022 and no Defence – Form E was filed 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 Kellman appeared for the Applicant and David Cash appeared for the Respondent for the Case Management Hearing; and
- (8) The matter was adjourned to March 31, 2023 to allow the parties to have settlement discussions; and
- (9) The parties appeared on March 31, 2023 and completed the Case Management; 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 14, 2023.
- c. That the Respondent will file Skeletons Witness Statements and or Submissions on or before April 28, 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 two (2) witnesses and the Respondent will call three (3) witnesses.

AND THIS IS THE ORDER OF THIS TRIBUNAL

DATED THIS, March 31, 2023

Indira N. Demeritte – Francis
President
Industrial Tribunal