

**INDUSTRIAL TRIBUNAL**

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

**Before**

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

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**SEAN V. FERGUSON**

**APPLICANT**

**BCPOU PENSION PLAN &  
TRUST FUND**

**RESPONDENT**

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**ORDER ON DIRECTIONS**

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**APPEARANCES**

For the Applicant

Mr. Sidney Cambridge  
Attorney  
Munroe Law & Associates  
Nassau, The Bahamas

For the Respondent

Ms. Leslie Brown  
Attorney  
Cedric L. Parker & Co.  
Bethel Drive  
Nassau, The Bahamas

**WHEREAS:**

- (1) By Certificate of Referral dated September 14, 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 21, 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 24, 2022; and
- (5) That a Notice of Appearance - Form D was filed on November 17, 2022 and a Defence – Form E was filed December 21, 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 February 1, 2023 for the Case Management Hearing for Directions; and
- (7) That Mr. Cambridge appeared for the Applicant and Roberta Quant appeared for the Respondent for the Case Management Hearing; and
- (8) That the matter was adjourned to allow the parties an opportunity to have settlement discussions; and
- (9) The Industrial Tribunal listed the matter on April 25, 2023 to continue the Case Management Hearing for Directions; and
- (10) That on this hearing date Mr. Cambridge appeared for the Applicant and Ms. Leslie Brown appeared for the Respondent; and

**IT IS HEREBY ORDERED** by consent of the parties:

- a. That there will be further settlement discussions pursuant to Section 60 of the Industrial Relations Act.
- b. That if a settlement is agreed the Parties will notify the Industrial Tribunal immediately.
- c. That the Applicant will file Skeletons Witness Statements and or Submissions on or before May 25, 2023.
- d. That the Respondent will file Skeletons Witness Statements and or Submissions on or before June 8, 2023.
- e. That there will be a mutual exchange of bundles
- f. That the parties agreed to an estimated four (4) days of hearing.
- g. That the parties agreed that the Applicant will call four (4) witnesses and the Respondent will call three (3) witnesses.

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

DATED THIS, May 4, 2023

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Indira N. Demeritte – Francis  
President  
Industrial Tribunal