

INDUSTRIAL TRIBUNAL

**COURT #3 SAFFREY SQUARE, EAST & BAY STREETS, NEW PROVIDENCE
COMMONWEALTH OF THE BAHAMAS**

Before

SHARADA D. FERGUSON (Vice-President)

(Sitting Alone)

GRANVILLE DON THOMAS BUTLER III

APPLICANT

MINISTRY OF FOREIGN AFFAIRS

RESPONDENT

ORDER ON DISMISSAL

APPEARANCES

For the Applicant

No appearance

For the Respondent

Mr. Keith Cargill
Office of the Attorney-General
John F. Kennedy Drive
Nassau, New Providence
The Bahamas

WHEREAS:

1. By a Certificate of Referral dated the 31st day of March, 2021, the Minister of Labour and Immigration referred this matter to the Industrial Tribunal; and
2. The Applicant filed an Originating Application (Form A) in the Industrial Tribunal on the 31st day of May, 2021 and a Notice of Appearance (Form D) was filed in the Industrial Tribunal by the Respondent on the 1st day of February, 2022;
3. Pursuant to **Rule 15(1) of the Industrial Relations (Tribunal Procedure) Rules, 2010**, the Industrial Tribunal conducted a Case Management Hearing for Directions on the 30th day of November, 2022; and
4. The Industrial Tribunal exhausted all efforts to contact the Applicant to serve him with notice of the hearing in accordance with **Rule 8(1) and 8(2) of the Industrial Relations (Tribunal Procedure) Rules, 2010**, including by substituted service, namely the publication of a **Notice of Call Over** in The Tribune newspaper on Monday the 5th day of June, 2023, requiring the Applicant and the Respondent to appear before the Industrial Tribunal, Nassau, New Providence, The Bahamas at 10:00 a.m. on Monday the 31st day of July, 2023; and
5. That the Respondent appeared before the Tribunal but that the Applicant failed to appear before the Tribunal on Monday the 31st day of July, 2023.

IT IS HEREBY ORDERED THAT the Originating Application filed in the Industrial Tribunal on the 31st day of May, 2021 is struck out for Want of Prosecution pursuant to **Rule 12(1)(f) of the Industrial Relations (Tribunal Procedure) Rules, 2010**.

AND THIS IS THE ORDER OF THIS TRIBUNAL

DATED this 31st day of July, A.D., 2023

Sharada D. Ferguson
Vice-President