

INDUSTRIAL TRIBUNAL

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

Before

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

LINDESHA MONCUR

APPLICANT

VIVIANN & WARREN PUSTAM

RESPONDENT

ORDER OF SETTLEMENT

APPEARANCES

For the Applicant

Lindesha Moncur
Pro se Applicant
Nassau, The Bahamas

For the Respondent

Viviann Pustam &
Warren Pustam
Pro se Respondent
Nassau, The 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 in the Tribunal on October 18, 2022; and
- (4) A Notice of Application to the Respondent – Form C and a Notice of Appearance - Form D was sent to the Respondent on the October 19, 2022; and
- (5) That a Notice of Appearance - Form D was filed on November 1, 2022 and a Defence – Form E was filed November 23, 2022 in the Tribunal by the Respondent.
- (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) On the date for the Case Management Hearing Lindesha Moncur appeared Pro se for the Applicant and Viviann and Warren Pustam appeared Pro se for the Respondent; and
- (8) During the Hearing both parties agreed to a settlement; and

- (9) The Respondent agrees to pay the Applicant Three Hundred Dollars (\$300.00) in full and final settlement; and
- (10) That during the Hearing the Respondent made a bank transfer of the settlement amount to the Applicant; and
- (11) The Applicant filed in the Tribunal a Notice of Withdrawal - Form K on February 1, 2023; and

THE DECISION OF THE TRIBUNAL IS AS AGREED AND THEREFORE IT IS SO ORDERED:

- (12) The Originating Application filed in the Industrial Tribunal on October 18, 2022 is decided accordingly pursuant to Rule 12(1)(b) of the Industrial Relations (Tribunal Procedures) Rule 2010 and is hereby marked Settled.

AND THIS IS THE ORDER OF THIS TRIBUNAL

DATED THIS, February 1, 2023

Indira N. Demeritte – Francis
President
Industrial Tribunal