

**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 (ACTING PRESIDENT)**

**(SITTING ALONE)**

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**CHARLES DUNCOMBE**

**APPLICANT**

**CLEAR BLUE MARITIME AGENCY LTD.**

**RESPONDENT**

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**ORDER OF DISMISSAL**

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**APPEARANCES**

For the Applicant

No appearance

For the Respondent

No appearance

**WHEREAS:**

- 1) On the 22<sup>nd</sup> December, 2022, **Charles Duncombe** ("the Applicant") filed a **Report of a Trade Dispute** against **Clear Blue Maritime Agency Ltd.** ("the Respondent") with The Department of Labour in Grand Bahama, The Bahamas, which stated, inter alia, that the issue relevant to the dispute was *Vacation pay*;
- 2) By a **Certificate of Referral** dated the 18<sup>th</sup> April, 2023 (received on the 8<sup>th</sup> September, 2023), the Honourable Minister of Labour & Immigration referred the said trade dispute to the Industrial Tribunal, Northern Region, ("the Tribunal");
- 3) On the 12<sup>th</sup> September, 2023, the Tribunal served the **Applicant** with notice of the referral;
- 4) The Applicant failed to file a **Form A** (Originating Application) within the 14 days limited for so doing by **Rule 3(1)** of **The Industrial Relations (Tribunal Procedure) Rules, 2010**;
- 5) By **Notice of Call Over** published in **The Nassau Guardian Newspaper, Thursday, November 16, 2023 Edition**, both parties were notified that this matter was set for call over before the Tribunal at 10:00 a.m. on Wednesday, 13<sup>th</sup> December, 2023; and
- 6) Both parties failed to appear before the Tribunal at 10:00 a.m. today (Wednesday, 13<sup>th</sup> December, 2023);

**IT IS HEREBY ORDERED THAT** this matter be dismissed pursuant to **Section 58(1)(d)** of **The Industrial Relations Act**, Chapter 321, as it appears to the Tribunal that further proceedings are unnecessary or undesirable in the public interest.

**DATED: This 13<sup>th</sup> day of December, A.D., 2023.**

**Her Honor, Helen J. Almoraes-Jones,  
(Acting) President**