

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)

DWIGHT FERGUSON III

APPLICANT

**ADVANCE CONTROLS AND EQUIPMENT
COMPANY (BAHAMAS) LIMITED**

RESPONDENT

ORDER OF DISMISSAL

APPEARANCES

For the Applicant

No appearance

For the Respondent

No appearance

WHEREAS:

- 1) On the 18th May, 2022, **Dwight Ferguson III** filed a **Report of a Trade Dispute** against **Advanced Control and Equipment Company (Bahamas) Limited** with The Department of Labour in Grand Bahama, The Bahamas, which stated, inter alia, that the issues relevant to the dispute were *Vacation pay* and *Salary owed*;
- 2) By a **Certificate of Referral** dated the 11th July, 2023 (received on the 8th September, 2023), the Honourable Minister of Labour & Immigration referred the trade dispute between **Dwight Ferguson III** ("the Applicant") and **Advanced Controls and Equipment Company (Bahamas) Limited** ("the Respondent") to the Industrial Tribunal, Northern Region, ("the Tribunal");
- 3) On the 12th 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, 13th December, 2023; and
- 6) Both parties failed to appear before the Tribunal at 10:00 a.m. today (Wednesday, 13th 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 13th day of December, A.D., 2023.

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