

**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 (VICE-PRESIDENT)**

**(SITTING ALONE)**

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**GUSTAVO GONZALEZ**

**APPLICANT**

**BLUE MARLIN COVE RESORT & MARINA**

**RESPONDENT**

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**ORDER OF DISMISSAL**

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**APPEARANCES**

For the Applicant

None

For the Respondent

None

**WHEREAS:**

- 1) On the 22<sup>nd</sup> August, 2023, **Gustavo Gonzalez** ("the Applicant") filed a **Report of a Trade Dispute** against **Blue Marlin Cove Resort & Marina** ("the Respondent") with The Department of Labour in Grand Bahama, The Bahamas, which stated, inter alia, that the issues relevant to the dispute were *Breach of Section 9 of The Employment Act 2001, days in lieu, Amendment 3 weeks' notice for period September 22<sup>nd</sup> to October 14<sup>th</sup>, 2023*;
- 2) By a **Certificate of Referral** dated the 24<sup>th</sup> October, 2023 (received on the 13<sup>th</sup> November, 2023), the Honourable Minister of Labour & The Public Service referred the said trade dispute to the Industrial Tribunal, Northern Region, ("the Tribunal");
- 3) In accordance with **Rule 3(1) of The Industrial Relations (Tribunal Procedure) Rules, 2010** ("The Rules"), the Tribunal served the **Applicant** with notice of the referral on the 14<sup>th</sup> November, 2023;
- 4) On the same date, the **Applicant** filed a **Form A** (Originating Application) on the 14<sup>th</sup> November, 2023;
- 5) On the same date, the **Tribunal** served a copy of the **Form A** (Originating Application), a **Form C** (Notice of Originating Application) and a blank **Form D** (Notice of Appearance) on the **Respondent's place of business**;
- 6) The **Respondent** failed to file a **Form D** (Notice of Appearance) and **Form E** (Defence) within the time limited for so doing by **Rules 5(1) and 6 of The Rules**; and
- 7) The **Applicant** today filed a **Form K** (Notice of Withdrawal) in this matter;

**IT IS HEREBY ORDERED THAT** this matter be dismissed pursuant to **Rule 12(1)(a) of The Rules**.

**DATED: This 5<sup>th</sup> day of December, A.D., 2023.**

**Her Honor, Helen J. Almorales-Jones,  
Vice-President**