

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)

LIONEL LEROY MORLEY

APPLICANT

MINISTRY OF EDUCATION

RESPONDENT

ORDER OF DISMISSAL

APPEARANCES

For the Applicant

Pro se
Freeport, Grand Bahama
The Bahamas

For the Respondent

Kirkland Mackey, Esquire
Office of The Attorney General
Nassau, New Providence
The Bahamas

WHEREAS:

- 1) On the 14th June, 2023, **Lionel Leroy Morley** ("the Applicant") filed a **Report of a Trade Dispute** against **Ministry of Education** ("the Respondent") with The Department of Labour in Grand Bahama, The Bahamas, which stated, inter alia, that:-
 - The Employee's Job Title was *Bus Driver/Contractor*, and
 - The Issue relevant to the dispute was *Failure to compensate/remunerate employee during and after COVID-19, resulting in lost wages*;
- 2) By a **Certificate of Referral** dated the 18th July, 2023 (received on the 28th July, 2023), the Honourable Minister of Labour & Immigration referred the said trade dispute to the Industrial Tribunal, Northern Region, ("the Tribunal");
- 3) On the 1st August, 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) On the 16th October, 2023, the Applicant filed a **Form A** (Originating Application), which stated, inter alia, that the grounds for the application were that *pursuant to the contract, the Government failed to pay money owed and allocated to him during the COVID-19 period*;
- 6) On the 18th October, 2023, the Tribunal served a copy of the **Form A** (Originating Application), a **Form C** (Notice of Originating Application) and a blank a **Form D** (Notice of Appearance) on the Respondent (received by *Sheryl Johnson*);
- 7) The **Respondent** failed to file a **Form D** (Notice of Appearance), within the 7 days limited for so doing by **Rule 5(1) of The Rules**;
- 8) On the 29th November, 2023, the **Applicant** filed a **Form L** (Notice of Application for Extension of Time) seeking an extension of time to file a **Form A** (Originating Application);
- 9) On the 12th December, 2023, the **Respondent** filed a **Form D** (Notice of Appearance), which indicated that it intended to resist the application and the name of the Respondent is Office of the Attorney General;

10) Pursuant to **Rule 15** of **The Rules**, the Tribunal conducted a **Case Management** hearing in this matter at 10:00 a.m. today; and

11) The **Applicant** agreed that he had a Bus Contract with the Respondent and therefore rendered services to them pursuant to a contract for service (not a contract of employment);

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 14th day of December, A.D., 2023.

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