

COMMONWEALTH OF THE BAHAMAS No. IT/NES/NP2023-067
INDUSTRIAL TRIBUNAL

In The Matter of The Industrial Relations Act

And

In the Matter of the Industrial Relations (Tribunal Procedure) Rules 2010)

CHARLES ROLLE

APPLICANT

vs

AETOS HOLDINGS LIMITED

RESPONDENT

BEFORE: Her Honour, Vice President
Mrs. Rionda Y. Godet

ORDER ON DIRECTIONS

APPEARANCES

CHARLES ROLLE

Lesley Brown & Roberta Quant -Attorneys

Cedric Parker & Co.

AETOS HOLDINGS LIMITED

Asha Lewis-Attorney

Baycourt Chambers

WHEREAS:

- 1) By Certificate of Referral dated 12th May 2023, 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 the Originating Application Form A was sent on 12th June 2023 by Her Honour, President Indira Demeritte Francis, to the Applicant; and
- 3) Upon receipt by the Applicant of the Notice for an Originating Application, the Applicant filed an Originating Application in the Tribunal on 20th June 2020; and
- 4) A copy of the Notice of Originating Application, Form C, and a Notice of Appearance, Form D, was issued to the Respondent on 26th June 2023.
- 5) A Notice of Appearance, Form D, was entered by the Respondent on the 12th July, 2023 and
- 6) On 17th August 2023, a Notice was sent to the Respondent's representative, pursuant to Rule 6 of the Industrial Relations (Tribunal Procedure) Rules, 2010 for a Form E to be submitted in accordance with the said rule; and
- 7) A Defence, Form E, was filed by the Respondent on 1st September 2023.
- 8) Pursuant to Rule 15 (1) of the Industrial Relations (Tribunal Procedure) Rules 2010, the Industrial Tribunal, By way of Form J dated 1st February 2024, Notice of Case Management was set for instant date. Accordingly;

IT IS HEREBY ORDERED, BY CONSENT, as follows:

1. The trial of this matter shall be set down for two days;
2. The Applicant has indicated that he intends to call up to two witnesses and the Respondent has indicated that it intends to call up to six witnesses.
 - 2.1 There shall be an inspection of documents at a place and time to be agreed between the parties on or before 16th February 2024, with an agreed Bundle of Documents to be presented on or before 22nd February 2024.
 - 2.2 The Applicant shall file his Witness Statements no later than 3:00 p.m. on 8th March 2024 and the Respondent shall file its Witness Statements no later than 3:00 p.m. on 28th March 2024 and, upon filing, the Applicant and the Respondent shall provide a hard copy of each to the Secretary to Court No. 5 and a copy of which shall be retained for the Court's use. Should the parties have their witnesses appear in person, a second hard copy of all documents to be relied upon at the hearing hereof, shall be presented to the secretary to Court No. 5.
 - 2.3 The witness statements shall stand as evidence in chief at the trial and should any witness not attend, the witness statements will not be accepted as evidence.
3. The Applicant and the Respondent shall file their Skeleton Arguments with two copies to the Secretary to Court No. 5 of the Tribunal no later than 3:00 p.m. on 10th April 2024.
4. The trial of this matter is set for two days, to be determined by the Registry.

AND THIS IS THE ORDER OF THIS TRIBUNAL

Dated this 1st February 2024

Rionda Yvette Godet
Vice President
Industrial Tribunal