

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)

QUENTIN HALL

APPLICANT

GOLD ROCK CORP. LTD.

RESPONDENT

ORDER ON DIRECTIONS

APPEARANCES

For the Applicant

Pro se
Freeport, Grand Bahama
The Bahamas

For the Respondent

Counsel Mrs. A. Kenra Parris-Whittaker (ParrisWhittaker)
Freeport, Grand Bahama
The Bahamas

WHEREAS:

- 1) On the 11th April, 2023, **Quentin Hall** ("the Applicant") filed a **Report of a Trade Dispute** against **Gold Rock Corp** at **The Department of Labour** ("The DOL") in Grand Bahama, The Bahamas, which stated, inter alia, that the issues relevant to the dispute were *Wrongful & Unfair Termination, claiming Notice pay, Severance pay and Time owed*;
- 2) By a **Certificate of Referral** dated the 24th October, 2023 (received on the 13th November, 2023), the Honourable Minister of Labour & The Public Service ("the Minister") referred the trade dispute between the Applicant and **Gold Rock Corp. Ltd.** ("the Respondent") 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"), on the 14th November, 2023, the Tribunal served the **Applicant** with notice of the referral;
- 4) The Applicant filed a **Form A** (Originating Application) on the 15th November, 2023;
- 5) On the 17th November, 2023, the Tribunal served a copy of the **Form A** (Originating Application), a **Form C** (Notice of Originating Application) and a **Form D** (Notice of Appearance) on the Respondent (received by *Antonio Fawkes*);
- 6) The **Respondent** filed a **Form D** (Notice of Appearance) on the 22nd November, 2023;
- 7) On the 28th November, 2023, the Tribunal served a blank **Form E** (Defence) on the Chambers of the Respondent's Counsel (received by *Machel Hepburn*);
- 8) The **Respondent** filed a **Form E** (Defence) on the 5th December, 2023.
- 9) On the 5th December, 2023, the Tribunal issued a **Form J** (Notice of Hearing) setting this matter for Case Management at 10:00 a.m. today and served a copy of it on the Applicant and Chambers of the Respondent's Counsel;
- 10) The Applicant appeared in person and the Respondent's Counsel and Human Resources Manager (*Krista Deleveaux*) appeared virtually (via ZOOM);
- 11) The Tribunal requested that the Respondent's Counsel produce a copy of the Respondent's **Certificate of Incorporation** to confirm its correct name;

- 12)Both parties agreed that 2 conciliation meetings were held at The DOL;
- 13)The **Applicant** advised that the Respondent has since paid him his wages, so he is no longer proceeding with his claim for "time owed";
- 14)Both parties agreed that the parties working relationship was governed by a written **Employment contract** and **Employee Handbook**;
- 15)The **Tribunal** questioned the parties to ascertain which facts were agreed and which were in dispute;
- 16)The **Tribunal** ascertained that the issues for trial included *Whether the Respondent dismissed the Applicant or the Applicant resigned from the job?*
- 17)Pursuant to **Section 58(1)(a) of The Industrial Relations Act, Cap. 321**, the **Tribunal** remitted the dispute to the parties for further consideration, with a view to settling it out of Court;
- 18)The **Applicant** advised that if the matter proceeds to trial, he will testify and call about 2 witnesses on her behalf;
- 19)The **Respondent's Counsel** advised that the Respondent will call about 3 to 4 witnesses in its defence;
- 20)Both parties elected to file **Witness Statements** at least 3 days before the commencement of the trial, which will serve as the evidence-in-chief of the witnesses;
- 21)The **Tribunal** estimated that the trial may last 2 days;
- 22)The **Tribunal** directed that both parties file any **List of Documents** and **Bundle of Documents** at least 3 days before the commencement of the trial;
- 23)The **Tribunal** advised the parties that **Rule 3(5) of The Rules** provides they may submit a *Brief/Skeleton Arguments* to the Tribunal and serve a copy thereof on the other party no later than 7 days prior to the commencement of the hearing;

IT IS HEREBY ORDERED THAT:-

1. The matter is adjourned to 10:00 a.m. on Tuesday, 19th and Thursday, 21st March, 2024, for trial;

2. The **Respondent** provide the Tribunal with a copy of the Respondent's **Certificate of Incorporation** as soon as practicable;
3. By Friday, 15th March, 2024, **each party** file with the Tribunal, and at the same time, serve a copy thereof on the other party the following documents:-
 - **Witness Statements** for their witnesses;
 - A **List of Documents** (in triplicate) itemizing all documents upon which they will be relying at the trial; and
 - a **Bundle of Documents** (in triplicate) containing the original (if available) and 2 copies of all the documents named in their List of Documents;
4. The parties file any **Written Representations** or **Brief** or **Skeleton Arguments** by no later than Tuesday, 12th March, 2024; and
5. The Tribunal serve a new **Form J** (Notice of Hearing) on both parties.

DATED: This 8th day of February, A.D., 2024.

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