

**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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**LESLIE JOHN**

**APPLICANT**

**ENDEAVOR DEVELOPMENT INTERNATIONAL LTD.**

**RESPONDENT**

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**ORDER ON DIRECTIONS**

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**APPEARANCES**

For the Applicant

No appearance  
Freeport, Grand Bahama  
The Bahamas

For the Respondent

Wallace R. Allen, Esquire  
Cambridge Law Chambers  
Holding brief for Ernie E. Wallace, Esquire  
Wallace Law Chambers  
Freeport, Grand Bahama  
The Bahamas

**WHEREAS:**

- 1) On the 2<sup>nd</sup> May, 2023, **Leslie John** ("the Applicant") filed a **Report of a Trade Dispute** against **Endeavor Development International Ltd.** with The Department of Labour in Grand Bahama, The Bahamas, which stated, inter alia, that the issues relevant to the dispute were *Wages owed, Unfair Dismissal, Wrongful Dismissal, Breach of contract, Notice pay and Severance*;
- 2) By a **Certificate of Referral** dated the 7<sup>th</sup> June, 2023 (received on the 5<sup>th</sup> July, 2023), the Honourable Minister of Labour & Immigration referred the trade dispute between the Applicant and **Endeavor Development International Ltd.** ("the Respondent") to the Industrial Tribunal, Northern Region, ("the Tribunal");
- 3) The Tribunal served the **Applicant** with notice of the referral on the 5<sup>th</sup> July, 2023;
- 4) On the 21<sup>st</sup> July, 2023, the **Applicant** filed a **Form A** (Originating Application) which stated, inter alia, that:- the Grounds for his application were: *The Company owed them some moneys owed, Vacation pay, Breach of contract, In lieu of Notice and Severance pay*, and the Reason for his Dismissal (in his opinion) was: *they shut down the job*;
- 5) On the 19<sup>th</sup> July, 2023, the Tribunal served a copy of the **Form A** (Originating Application) together with a **Form C** (Notice of Originating Application) and a **Form D** (Notice of Appearance) on the **Respondent**;
- 6) On the 26<sup>th</sup> July, 2023, the **Respondent** filed a **Form D** (Notice of Appearance) and **Form E** (Defence);
- 7) The Respondent's **Form D** (Notice of Appearance) did not indicate whether or not it intended to resist the application and stated, inter alia, that the name of the Respondent was *Wallace Law Chambers, Ernie E. Wallace*;
- 8) The Respondent's **Form E** (Defence) stated, inter alia, that:-
  - the name of the Respondent was *Endeavor Dev. Int. Ltd.*;
  - the Applicant was not dismissed;
  - the dates the Applicant gave as to his period of employment were not correct;
  - the details of remuneration stated by the Applicant were not correct; and
  - the Respondent intends to resist the application on the grounds that the Respondent never hired the Applicant, who was hired in Abaco by persons who were not agents of the Respondent;

- 9) The Respondent's President gave written authorization for *Wallace R. Allen, Esquire* and the Respondent's Communications Director, *Peter Adderley*, to represent the Respondent at the **Case Management** hearing today, in the absence of the Respondent's Counsel, *Ernie E. Wallace, Esquire*;
- 10) Although the Applicant failed to appear at the **Case Management** hearing today, in the absence of proof that the Tribunal served the **Form J** (Notice of Hearing) on him giving him at least 14 days' notice of the hearing and at the request of the Respondent's Counsel, the Tribunal adjourned the matter for trial;
- 11) The **Respondent's Counsel** advised that the Respondent:- will call about 2 witnesses in its defence; preferred that the witnesses give *viva voce* testimony; and will file its **List of Documents** and **Bundle of Documents** by the end of October 2023;
- 12) The **Tribunal** estimated that the trial may last 1 day; and
- 13) The **Tribunal** advised the **Respondent's Counsel** that **The Industrial Relations (Tribunal Procedure) Rules, 2010**, require that they file any **Brief/Skeleton Arguments** [pursuant to **Rule 3(5)**] or **Written Representations** [pursuant to **Rule 3(6)**] at least 7 days before the trial date;

**IT IS HEREBY ORDERED** as follows:-

1. The **Applicant** provide the Tribunal and the Respondent's Counsel with particulars of his claim for *Unfair Dismissal* by Monday, 18<sup>th</sup> September, 2023;
2. The trial be done at **10:00 a.m.** on **Monday, 20<sup>th</sup> November, 2023**;
3. The parties file their **List of Documents** and **Bundle of Documents** (if any) with the Tribunal by **3:00 p.m.** on **Tuesday, 31<sup>st</sup> October, 2023**, and at the same time serve a copy thereof on the other party; and
4. The parties file their **Written Representations** or **Brief/Skeleton Arguments** (if any) with the Tribunal by **3:00 p.m.** on **Monday, 13<sup>th</sup> November, 2023**, and at the same time serve a copy thereof on the other party.

**DATED: This 4<sup>th</sup> day of September, A.D., 2023.**

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