

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)

**BRIAN COLLIE
CLEON NEWTON &
ROSCOE BURROWS**

APPLICANTS

COMMONWEALTH ELECTRICAL WORKERS UNION

RESPONDENT

ORDER ON DIRECTIONS

APPEARANCES

For the Applicant

Pro se
Freeport, Grand Bahama
The Bahamas

For the Respondent

Carlson Shurland, K.C.
Shurland & Co.
Freeport, Grand Bahama
The Bahamas

WHEREAS:

- 1) On the 4th October, 2023, a **Report of a Trade Dispute** was filed on behalf of **Brian Collie, Cleon Newton & Roscoe Burrows** ("the Applicants") against **Commonwealth Electrical Workers Union** ("the Respondent") at **The Department of Labour** in Grand Bahama, The Bahamas;
- 2) It stated, inter alia, that the issue relevant to the dispute was *Breach of the Union Constitution and Bye-laws, Section #22-C of the Constitution, #33 and Article 24-4 of the Industrial Agreement*;
- 3) By a **Certificate of Referral** dated the 18th January, 2024 (received on the 22nd February, 2024), the Honourable Minister of Labour & The Public Service referred the said trade dispute to the Industrial Tribunal, Northern Region, ("the Tribunal");
- 4) In accordance with **Rule 3(1) of The Industrial Relations (Tribunal Procedure) Rules, 2010** ("The Rules"), on the 22nd February, 2024, the Tribunal served the **Applicants** (received by *Cleon Newton*) with notice of the referral;
- 5) The Applicants filed a **Form A** (Originating Application) on the 7th March, 2024;
- 6) On the 8th March, 2024, 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 *Edrondo Thompson*);
- 7) The **Respondent** filed a **Form D** (Notice of Appearance) on the 15th March, 2024 and a **Form E** (Defence) on the 2nd April, 2024;
- 8) The Tribunal conducted a **Case Management** hearing today;
- 9) The Tribunal directed that **Applicant Roscoe Burrows** appear before the Tribunal on the adjourned date in person if he is unable to get the microphone to work when appearing virtually (via the ZOOM platform);
- 10) Pursuant to **Rule 9 of The Rules**, the Tribunal directed that the Respondent's Counsel submit his preliminary objections to the Applicants' entitlement to bring these proceedings against the Respondent, in writing, to the Tribunal and the 3 Applicants;
- 11) The Tribunal directed that the **3 Applicants** respond to the said preliminary objections, in writing, to the Tribunal and the Respondent's Counsel;

12)The **Tribunal** acceded to the parties' request to fast-track the hearing of the matter and abridge the 14 days' notice of the hearing required by **Rule 8(1) of The Rules**;

13)The Tribunal directed that the **Applicants** e-mail the Tribunal Clerk and the Respondent's Counsel:-

- all amendments to the Respondent's Constitution; and
- the Industrial Agreement referred to in The Report of a Trade Dispute; and

14)Pursuant to **Section 58(1)(a) of The Industrial Relations Act, Cap. 321**, the Tribunal remitted the trade dispute to the parties for further consideration, with a view to settling/reducing the issues in dispute;

IT IS HEREBY ORDERED THAT:-

1. The matter is adjourned to **10:00 a.m. on Tuesday, 23rd April, 2024**, for full hearing;
2. The **Respondent's Counsel** submit his preliminary objections to the Applicants' entitlement to bring these proceedings against the Respondent, in writing, to the Tribunal and the 3 Applicants;
3. The **3 Applicants** respond to the said preliminary objections, in writing, to the Tribunal and the Respondent's Counsel; and
4. The **Applicants** e-mail the Tribunal Clerk and the Respondent's Counsel:-
 - all amendments to the Respondent's Constitution; and
 - the Industrial Agreement referred to in The Report of a Trade Dispute.

DATED: This 18th day of April, A.D., 2024.

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