

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)

CECILE LEWIS

APPLICANT

GRAND SUN INVESTMENT LIMITED

RESPONDENT

ORDER ON DIRECTIONS

APPEARANCES

For the Applicant

Samuel L. Rahming, Esquire
Chambers
Freeport, Grand Bahama
The Bahamas

For the Respondent

Larell Hanchell, Esquire
Dupuch & Turnquest
Chambers
Nassau, New Providence
The Bahamas

WHEREAS:

- 1) On the 3rd August, 2023, **Cecile Lewis** ("the Applicant") filed a **Report of a Trade Dispute** against **Grandson Investment Limited** with The Department of Labour in Grand Bahama, The Bahamas, which stated, inter alia, that the issues relevant to the dispute were that she was *Wrongfully and Unfairly dismissed by her employer on Friday, 14th July, 2023*;
- 2) By a **Certificate of Referral** dated the 31st January, 2024 (received on the 22nd February, 2024), the Honourable Minister of Labour & The Public Service referred the trade dispute between the Applicant and **Grand Sun Investment Limited** ("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 26th February, 2024, the Tribunal served the **Applicant** with notice of the referral;
- 4) The Applicant filed a **Form A** (Originating Application) on the 4th March, 2024;
- 5) On the 4th March, 2024, the Tribunal served a copy of the **Form A** (Originating Application), a **Form C** (Notice of Originating Application) and a blank **Form D** (Notice of Appearance) on the Respondent (received by *Anthonique Nairn*);
- 6) 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**;
- 7) On the 28th March, 2024, the **Respondent** filed:-
 - a **Form L** (Notice of Application For Extension of Time) to file a **Form D** (Notice of Appearance);
 - a **Form D** (Notice of Appearance); and
 - a **Form E** (Defence);
- 8) The Respondent did not complete **No. 1** of the **Form D** (Notice of Appearance), which requested that they indicate whether or not they intended to resist the application;
- 9) The Respondent did not complete **No. 4(c)(d)(e) & (f)** of the **Form E** (Defence), which requested that they indicate whether or not the dates given by the Applicant as to her period of employment was correct; the date of commencement; the date of termination; whether or not the details of remuneration stated by the Applicant was correct; the correct remuneration and her basic wage/salary;

- 10)The Tribunal today conducted a **Case Management** hearing in this matter;
- 11)The Tribunal directed that the Respondent's Counsel e-mail the Respondent's **Certificate of Incorporation** to the Tribunal and Applicant's Counsel in order to confirm its correct name;
- 12)With the consent of the Applicant's Counsel, the Tribunal acceded to the Respondent's **Form L** (Notice of Application For Extension of Time) and granted an extension of time for the late filing of their **Form D** (Notice of Appearance);
- 13)Pursuant to **Rule 12(1)(d)** of **The Rules**, with the consent of the Applicant's Counsel, the Tribunal granted the Respondent leave to file an amended **Form D** (Notice of Appearance) & **Form E** (Defence) with the missing particulars; and
- 14)The parties agreed to use Case No. **NR/NES/003/2024, *Santana Pinder v. Grand Sun Investment Limited***, as a test case and abide by the Tribunal decision in that case;

IT IS HEREBY ORDERED THAT this matter be adjourned sine die, pending the outcome of the trial in Case No. **NR/NES/003/2024, *Santana Pinder v. Grand Sun Investment Limited***.

DATED: This 19th day of April, A.D., 2024.

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