

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)

DEREK SAUNDERS

APPLICANT

WIDE WORLD FORWARDING LIMITED

RESPONDENT

ORDER OF DISMISSAL

APPEARANCES

For the Applicant

None

For the Respondent

Martin Munroe
President of Respondent
Freeport, Grand Bahama
The Bahamas

WHEREAS:

- 1) On the 2nd October, 2023, **Derek Saunders** ("the Applicant") filed a **Report of a Trade Dispute** against **Wide World Forwarding Limited** ("the Respondent") with The Department of Labour in Grand Bahama, The Bahamas, which stated, inter alia, that the issue relevant to the dispute was ***Unfair Dismissal, Wrongful Dismissal*** and ***Severance Pay***;
- 2) By a **Certificate of Referral** dated the 15th February, 2024 (received on the 11th March, 2024), the Honourable Minister of Labour & The Public Service referred the said trade dispute 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 12th March, 2024, the Tribunal served the **Applicant** with notice of the referral;
- 4) The Applicant filed a **Form A** (Originating Application) on the 18th March, 2024, which did not name a Representative;
- 5) In accordance with **Rule 4 of The Rules**, on the 18th March, 2024, the Tribunal served the Respondent with a **Form C** (Notice of Originating Application) together with a copy of the **Form A** (Originating Application) and a blank **Form D** (Notice of Appearance);
- 6) On the 25th March, 2024, the Respondent filed a **Form D** (Notice of Appearance);
- 7) On the 9th April, 2024, the Respondent filed a **Form E** (Defence), which named *Martin Munroe* as its Representative;
- 8) Neither the **Form D** (Notice of Appearance) nor the **Form E** (Defence) stated the name of the Respondent's Representative;
- 9) Pursuant to to **Rule 15(1) of The Rules** on the 9th April, 2024, the Tribunal issued a **Form J** (Notice of Hearing) setting this matter down for Case Management at 10:00 a.m. today, Friday, the 17th May, 2024;
- 10) Pursuant to to **Rule 18(3)(a) of The Rules**, the Tribunal served the said **Form J** (Notice of Hearing) on both parties: on the Applicant at 2:28 p.m. on the 9th April, 2024, and on the Respondent at 1:26 p.m. on the 11th April, 2024;
- 11) The Applicant failed to appear at the Case Management hearing set for 10:00 a.m. today;

- 12)The Respondent's Representative and Accountant appeared;
- 13)The Respondent's Representative advised that he is the President of the Respondent Company;
- 14)The Tribunal was satisfied that the Applicant had at least 14 days' notice of the Case Management hearing; and
- 15)The Tribunal did not receive a request for an adjournment of the case on behalf of the Applicant;

IT IS HEREBY ORDERED that the Applicant's **Form A** (Originating Application) be struck out for want of prosecution and this matter be dismissed pursuant to **Rule 12(1)(f)** of **The Rules**.

DATED: This 17th day of May, A.D., 2024.

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