

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)

TYEOSHA M^cKENZIE

APPLICANT

versus

**HENRY GLINTON,
Trading as BONANZA BAR & GRILL**

FIRST RESPONDENT

and

**TORY GLINTON,
Trading as BONANZA BAR & GRILL**

SECOND RESPONDENT

ORDER OF DISMISSAL

APPEARANCES

For the Applicant

Pro se
Freeport, Grand Bahama
The Bahamas

For the Respondents

None

HEREAS:

- 1) On the 25th September, 2020, **Tyeosha McKenzie** ("the Applicant") filed a **Report of a Trade Dispute** against **Bonanza Bar & Grill** ("the Respondent") at The Department of Labour in Grand Bahama, The Bahamas, which stated that the issues relevant to the dispute were *Severance pay, Back pay, Redundancy payment, National Insurance not paid up to date and Unemployment benefits*;
- 2) By a **Certificate of Referral** dated the 23rd May, 2023 (received on the 8th September, 2023), the Honourable Minister of Labour & Immigration referred the said trade dispute to the Industrial Tribunal, Northern Region, ("the Tribunal");
- 3) On the 18th September, 2023, the Applicant filed a **Form A** (Originating Application), which stated, inter alia, that the grounds for her application were *Back pay, NIB Contributions and Severance pay*;
- 4) On the 21st September, 2023, the **Respondent** filed a **Form D** (Notice of Appearance) which stated, inter alia, that it intended to resist the application;
- 5) The Respondent failed to file a **Form E** (Defence) within the 14 days limited for so doing by **Rule 6 of The Industrial Relations (Tribunal Procedure) Rules, 2010** ("The Rules");
- 6) The Tribunal conducted a **Case Management hearing** in this matter on Monday, 30th October, 2023, and made an **Order On Directions**;
- 7) At the hearing on the 1st November, 2023, pursuant to **Section 59(1)(b)(ii) of The Industrial Relations Act** and **Rule 16(1) & (2) of The Rules** and with no objections by the parties, the Tribunal joined **Henry Ginton and Tory Ginton, Trading as Bonanza Bar & Grill** as a party ("the Respondents") and dismissed **Bonanza Bar & Grill** from the proceedings;
- 8) The parties entered into settlement talks and the Tribunal adjourned the matter to 10:00 a.m. on Thursday, the 18th January, 2024, for trial;
- 9) The Tribunal subsequently re-listed the matter for trial at 10:00 a.m. on Thursday, the 25th January, 2024;
- 10) The Applicant failed to appear at the hearing on Thursday, the 25th January, 2024;
- 11) The Respondents' Counsel appeared and the Tribunal adjourned the matter to 10:00 a.m. on Thursday, 22nd February, 2024, for trial;

12)The Tribunal subsequently re-listed the matter for trial at 10:00 a.m. on Thursday, 9th May, 2024;

13)On the 26th February, 2024, the Tribunal served the Applicant and the Respondents' Counsel with a **Form J** (Notice of Hearing), dated the 20th February, 2024, returnable before the Tribunal at 10:00 a.m. on Thursday, the 9th May, 2024; and

14)The Applicant, the 2 Respondents and the Respondent's Counsel failed to appear before the Tribunal at 10:00 a.m. on the trial date today (Thursday, 9th May, 2024);

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 9th day of May, A.D., 2024.

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