

INDUSTRIAL TRIBUNAL

In The Matter of The Industrial Relations Act

BETWEEN

**ADAM RAYMOND**

Applicant

AND

**BAHAMA BEACH CLUB OWNERS ASSOCIATION**

Respondent

**APPEARANCES:** Mr Kenny Thompson for the Applicant  
Ms Serenity Forbes for the Respondent

**BEFORE:** Her Honour Vice President Simone Fitzcharles

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**ORDER ON SETTLEMENT**

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- 1) This is a claim for severance pay due to alleged wrongful dismissal.
- 2) By Certificate of Referral of a Trade Dispute given on 17 September 2020, the Minister referred the subject dispute to the Industrial Tribunal and subsequently, on 25 November 2020, the Applicant filed his Originating Application. The Respondent has not entered a Defence to the trade dispute.
- 3) The Tribunal set down the trial of this action to take place on Thursday 14 April 2022 in Court #3. On that date the Tribunal granted the parties an adjournment to complete settlement discussions for the full disposal of the matter by consent. The return date given for the hearing was 28 April 2022.

- 4) The Tribunal takes cognizance of the fact that Counsel and Attorney-at-Law Kenny Thompson is authorized to represent the Applicant and by letter dated 17 September 2021 from President of the Respondent, Craig Howard Roberts, to the Industrial Tribunal, the Respondent confirmed that Serenity Forbes is authorized to represent the Respondent in this matter.
  
- 5) At today's hearing, the parties' representatives appeared and confirmed that the Applicant and Respondent have agreed upon a settlement of all issues in dispute and effected such settlement. In particular, the full and final settlement by the Applicant and the Respondent in relation to the action before the Tribunal, is for compensation to the Applicant in the amount of **Eleven Thousand One Hundred Dollars (B\$11,100.00)** and an *ex gratia* payment for legal costs of the Applicant in the amount of **Two Thousand Five Hundred Dollars (B\$2,500.00)** in the currency of the Commonwealth of The Bahamas (receipt of which the Applicant's counsel confirmed on his behalf).

**BY CONSENT**

**IT IS ORDERED** that in light of the full and final settlement achieved and effected between the parties, and in particular the confirmation by the parties that the agreed upon sums of compensation to the Applicant in the amount of **Eleven Thousand One Hundred Dollars (B\$11,100.00)** and an *ex gratia* payment for legal costs of the Applicant in the amount of **Two Thousand Five Hundred Dollars (B\$2,500.00)** in the currency of the Commonwealth of The Bahamas have today been tendered by the Respondent and accepted by the Applicant to fully dispose of the dispute, the Tribunal hereby exercises its powers under **Section 58(1)(d)** of the **Industrial Relations Act** to refrain from further adjudication of this trade dispute, the determination of which has been rendered unnecessary or undesirable in the public interest.

**AND THIS IS THE ORDER OF THIS TRIBUNAL**

Dated this 28<sup>th</sup> day of April 2022.

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**Simone Fitzcharles**  
**Vice President**