

**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)**

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**TEKYO GARDINER**

**APPLICANT**

**LAMONT FARQUHARSON  
T/A Double L Construction**

**RESPONDENT**

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**ORDER OF DISMISSAL**

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**APPEARANCES**

For the Applicant

Kevin M. Russell, Esquire  
Chambers  
Kevin M. Russell & Co.  
Freeport, Grand Bahama  
The Bahamas

For the Respondent

Clinton Clarke, Esquire  
Chambers  
C3 Chambers  
Nassau, New Providence  
The Bahamas

**WHEREAS:**

1) On the 15<sup>th</sup> November, 2023, **Tekyo Gardiner** (“the Applicant”) filed a **Report of a Trade Dispute** against **Double L Construction** (“the Respondent”) at The Department of Labour in Grand Bahama, The Bahamas, which stated, inter alia:-

**(2a) Job Title of Employee:** Semi-skilled Carpenter; &

**(5) Issues relevant to dispute:** Unfair Dismissal, Wrongful Dismissal, Notice pay, Wages owed & Overtime pay;

2) By a **Certificate of Referral** dated 27<sup>th</sup> November, 2023 (received on the 21<sup>st</sup> November, 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 22<sup>nd</sup> November, 2024, the Tribunal served the **Applicant** with notice of the referral and a blank **Form A** (Originating Application);

4) The **Applicant** filed a **Form A** (Originating Application) on the 2<sup>nd</sup> December, 2024;

5) In accordance with **Rule 4 of The Rules**, on the 17<sup>th</sup> December, 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;

6) On the 17<sup>th</sup> March, 2025, the **Respondent** filed a **Form D** (Notice of Appearance) and a **Form E** (Defence);

7) At the **Case Management hearing** on the 21<sup>st</sup> March, 2025, the Tribunal:-

- Of its own motion, and with the consent of the parties, joined **Lamont Farquharson, Trading as DOUBLE L CONSTRUCTION** as a party (the Respondent) and dismissed **DOUBLE L CONSTRUCTION** from the proceedings, pursuant to **Section 59(1)(b)(ii) of The Industrial Relations Act, Cap. 321** and **Rule 16(1) & (2) of The Rules;**
- dismissed the Applicant’s claim for **Wages** is dismissed; and
- made an **Order On Directions** pursuant to **Rule 15 of The Rules;**

- 8) On the 12<sup>th</sup> May, 2025, the Tribunal made a further **Order On Directions** in this matter;
- 9) This matter was set for trial at 10:00 a.m. on Monday, 26<sup>th</sup> January, 2026 and Tuesday, 27<sup>th</sup> January, 2026;
- 10) At the hearing on Monday, 26<sup>th</sup> January, 2026, the Tribunal dismissed the Applicant's claims for **Overtime pay** and **Unfair Dismissal**, pursuant to **Rule 7(7) of The Rules**; and
- 11) The **Applicant** today (Tuesday, 27<sup>th</sup> January, 2026) filed a **Form K** (Notice of Withdrawal) in this matter;

**IT IS HEREBY ORDERED THAT** this matter be dismissed pursuant to **Rule 12(1)(a) of The Rules**.

**DATED: This 27<sup>th</sup> day of January, A.D., 2026.**

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