

COMMONWEALTH OF THE BAHAMAS
INDUSTRIAL TRIBUNAL

No. NR/NES/021/2025

In The Matter of The Industrial Relations Act

And

In the Matter of the Industrial Relations (Tribunal Procedure) Rules 2010)

MARY FERNANDER

APPLICANT

Vs

ALBANY RESORT

RESPONDENT

BEFORE: Her Honour, Vice President
Mrs. Rionda Y. Godet

ORDER ON DIRECTIONS

APPEARANCES

MARY FERNANDER

BARRY SAWYER

Vs

ALBANY RESORT

SAMUEL RAHMING

WHEREAS:

1. By Certificate of Referral dated 8th July 2024, the Minister referred the subject Trade Dispute to the Industrial Tribunal;
2. Pursuant to Rule 3(1) of the Industrial Relations (Tribunal Procedure) Rules 2010, a Notice for an Originating Application (Form A) was served on and signed by the Applicant's attorney, Barry Sawdd on July 30th 2024.
3. Up to the time that the matter was set for Call Over on the 26th March 2025, the Applicant had not filed the required Originating Application (Form A) and through her attorney Barry Sawyer, requested an extension of time to file the said Originating Application. By Order of President Indira Demeritte-Francis, the Applicant was granted extension to file her Originating Application on or before April 9th 2025. Once again, the Applicant failed to comply with directions given.
4. Pursuant to Rule 8(1) of the aforementioned provisions, the Form J Notice of Hearing (Form J) advising of the scheduled date of the Case Management Hearing was served and for almost a year, the Applicant has failed to comply with the Case Management Order which granted the extension of time for the filing of her Originating Application. Nonetheless, the Applicant's attorney appeared with the Originating Application in his hand and undertook to have it filed and uploaded immediately.
5. Given the length of time since the last Order of the Tribunal, the Applicant is provided one final opportunity to file her Originating Application before the end of day today. Should she fail to do so, the matter will be dismissed.
6. In anticipation of the Applicant's compliance, the Respondent shall file its Defence on or before 8th April 2026.
7. Inspection of documents shall take place on or before 15th April and the Applicant shall prepare and file the Agreed Bundle of Documents on or before the 30th April 2026 with hard copy to be provided to the Clerk of Court #5.
8. The Applicant has indicated that she intends to call up to 4 witnesses and the Respondent has indicated that it will call up to 3 witnesses.

9. The Applicant is to file her Witness Statements and Skeletal Arguments on or before 15th May 2025. The Respondent shall file its Witness Statements and Skeletal Arguments on or before 5th June 2026. Hard copies shall be provided to the Clerk of Court #5. The Witness Statements shall stand as Evidence in Chief.
10. The Trial hereof is set for 2 days, on such dates as may be determined by the Registry.

AND THIS IS THE ORDER OF THE TRIBUNAL

Dated this 16th day of March A.D., 2026

Rionda Y. Godet
Vice President
Industrial Tribunal

