

INDUSTRIAL DISPUTES TRIBUNAL
Dispute No.: 5/2022

SETTLEMENT OF DISPUTE
BETWEEN
CAPTAIN'S WATERSPORTS
AND
MR. CORNI KERR
AND THE
AWARD
I.D.T. DIVISION



MISS. SADEERA SHAW - **CHAIRMAN**
MR. RODCLIFFE ROBERTSON - **MEMBER**
MR. KEITH FAGAN - **MEMBER**

NOVEMBER 10, 2022

IDT 5/2022

INDUSTRIAL DISPUTES TRIBUNAL

AWARD

IN RESPECT OF

AN INDUSTRIAL DISPUTE

BETWEEN

**CAPTAIN'S WATERSPORT
(THE COMPANY)**

AND

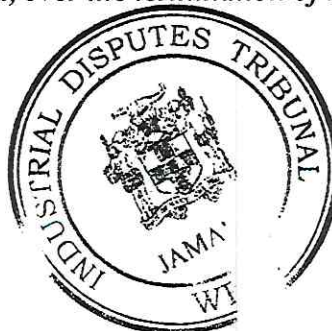
**MR. CORNI KERR
(THE AGGRIEVED)**

REFERENCE

By letter dated January 7, 2022, the Honourable Minister of Labour and Social Security pursuant to Section 11A(1)(a)(i) of the Labour Relations and Industrial Disputes Act of 1975 (hereinafter called "the Act"), referred to the Industrial Disputes Tribunal for settlement in accordance with the following Terms of Reference, the industrial dispute described therein:-

The Terms of Reference were as follows:

"To determine and settle the dispute between Captain's Watersports on the one hand, and Mr. Corni Kerr on the other hand, over the termination of his employment."



DIVISION

The Division of the Tribunal which was selected in accordance with Section 8 (2) (c) of the Act and which dealt with the matter comprised:

- | | | |
|-------------------------|---|--------------------------------|
| Miss Sadeera Shaw | - | Chairman |
| Mr. Rodcliffe Robertson | - | Member, Section 8(2) (c) (ii) |
| Mr. Keith Fagan | - | Member, Section 8(2) (c) (iii) |

REPRESENTATIVES OF THE PARTIES

The **Company** was represented by:

- | | | |
|------------------------|---|-------------------|
| Captain Bryan Langford | - | Managing Director |
|------------------------|---|-------------------|

The **Aggrieved** was represented by:

- | | | |
|-------------------|---|-----------------|
| Mr. Conrad George | - | Attorney-at-Law |
|-------------------|---|-----------------|



SUBMISSIONS AND SITTINGS

A Brief was submitted by the Company and May 17 and 18, 2022 were confirmed for the matter to commence. However, before the scheduled date for the sitting, the Tribunal was advised by the Aggrieved's representative, Mr. Conrad George, that the dispute was settled at the local level. This was confirmed in a subsequent email from Mr. George dated June 21, 2022.

REPORT TO THE TRIBUNAL

By letter dated September 1, 2022 the Attorney representing the Aggrieved wrote to the Tribunal confirming that the parties arrived at a settlement. By letter dated October 4, 2022, the Company's Managing Director, Captain Bryan Langford, confirmed that the dispute was settled.

AWARD

The parties having arrived at a settlement as manifested in the Aggrieved's letter dated September 1, 2022 and the Company's letter dated October 4, 2022, copies of which are attached, it is that agreement that constitutes the Award. The parties have agreed that the terms of the said settlement remain confidential.

DATED THIS 10th, DAY OF NOVEMBER 2022



Sadeera Shaw
Chairman

Rodcliffe Robertson
Member

Keith Fagan
Member

Witness

Secretary to the Division
Jody-Ann Lindo (Ms)

**D & E Marine Limited
Lot 26, Mahoe Bay, Ironshore
Saint James. Jamaica**

October 4, 2022

Attn: Jody-Ann Lindo

Industrial Disputes Tribunal – Western Division Office

Saint James, Jamaica

RE: Dispute Settlement between Corni Kerr and Captain's Watersports Ltd., May 2022

Dear Ms. Lindo.

Please be advised that I, Captain Bryan Langford, Director of Captain's Watersports Ltd. affirm that the dispute between Mr. Corni Kerr and Captain's Watersports Ltd. has been settled as per the terms agreed by both parties. This follows the outlined terms provided in the letter dated on the 21st of June of 2022 from Mr. Conrad George of Hart Muirhead Fatta. The parties agree that the terms of the settlement remain confidential. Should there be anything further required, please feel free to contact me.

Yours,

Bryan Langford



1st September 2022

Our ref: CEG/aoH

Industrial Disputes Tribunal
4 Ellesmere Road
Kingston 10

Attention : Ms. Royette Creary

Dear Madam,

Re: Captain's Watersports v Mr. Corni Kerr- termination of employment

Reference is made to the captioned matter and your letter to us dated August 8, 2022.

Please be informed that this matter has now been concluded.

Kindly acknowledge receipt by signing and returning copy letter attached.

Yours sincerely,

HART MUIRHEAD FATTA

PER:



CONRAD GEORGE