

4 Ellesmere Road
Kingston 10

IDT 10/2022

July 26, 2022

Mrs. Colette Roberts Riden
Permanent Secretary
Ministry of Labour
1F North Street
Kingston

Dear Mrs. Roberts Riden,

**Re: Dispute between Everoy H. Chin & Co. Ltd. and Mrs. Alicia White Ogata over the
termination of her employment**

Enclosed please see copy of the Award handed down by the Industrial Disputes Tribunal in
connection with the above dispute.

Yours faithfully,



Nicola Smith Marriott (Mrs.)
for Secretary/Director

Encl.

Similar letters sent to:

Hon. Minister of Labour	
Ms. Gillian Corrodus	- Director, Industrial Relations & Allied Services
Mr. Michael Kennedy	- Chief Director, Industrial Relations
Mr. Karl Salmon	- Attorney-at-Law
Mr. Howard Duncan	- Industrial Relations Consultant

INDUSTRIAL DISPUTES TRIBUNAL

Dispute No.: IDT 10/2022

SETTLEMENT OF DISPUTE

BETWEEN

EVEROY H. CHIN & CO. LTD.

AND

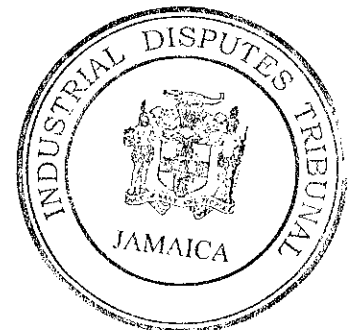
MRS. ALICIA WHITE OGATA

AWARD

I.D.T. DIVISION

MR. ERROL MILLER, J.P.	-	CHAIRMAN
MR. LESLIE HALL, J.P.	-	MEMBER
MRS. CHELSIE SHELLIE VERNON	-	MEMBER

JULY 26, 2022



INDUSTRIAL DISPUTES TRIBUNAL

AWARD

IN RESPECT OF

AN INDUSTRIAL DISPUTE

BETWEEN

**EVEROY H. CHIN & CO. LTD
(THE COMPANY)**

AND

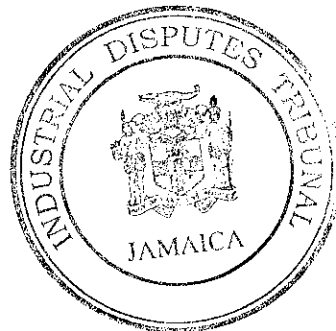
**MRS. ALICIA WHITE OGATA
(THE AGGRIEVED)**

REFERENCE:

By letter dated January 10, 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 Everoy H. Chin & Co. Ltd. on the one hand, and Mrs. Alicia White Ogata on the other hand, over the termination of her 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:

- Mr. Errol Miller, JP - Chairman
- Mr. Leslie Hall, JP. - Member, Section 8(2) (c) (ii)
- Mrs. Chelsie Shellie Vernon - Member, Section 8(2) (c) (iii)

REPRESENTATIVES OF PARTIES:

The **Company** was represented by:

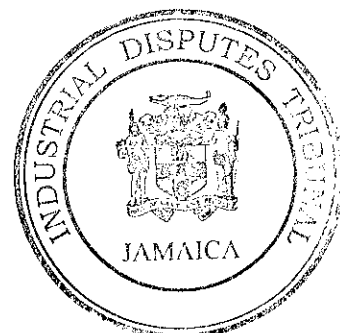
- Mr. Karl Salmon - Legal Counsel

The **Aggrieved** was represented by:

- Mr. Howard Duncan - Industrial Relations Consultant
- Mr. Glenville Panton - Industrial Relations Consultant

In attendance was:

- Mrs. Alicia White Ogata - Aggrieved Worker



SUBMISSIONS AND SITTINGS:

Brief was submitted by both parties and oral submission made during four (4) sittings held between March 31, 2022 and July 12, 2022.

REPORT TO THE TRIBUNAL:

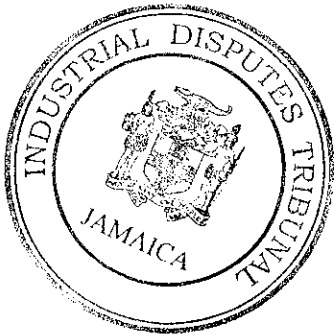
At the 3rd Sitting of the Tribunal at which the Company was absent, the Aggrieved representative informed the Tribunal that the parties were to engage in local level discussions and the Company was informed of the next date set for hearing to continue.

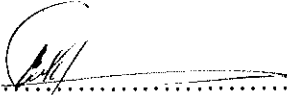
At the 4th Sitting both parties agreed to engage in a mediation session by the Tribunal. This resulted in the parties arriving at a settlement by Heads of Agreement dated July 12, 2022, which was submitted to the Tribunal.

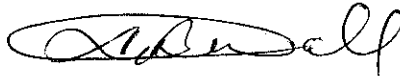
AWARD:

The parties arrived at a settlement as communicated in the Heads of Agreement dated July 12, 2022, copy of which is attached, and it is that agreement that constitutes the Award.

DATED THIS 26th DAY OF JULY, 2022.

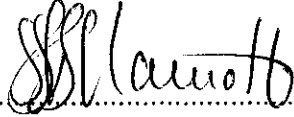



.....
Mr. Errol Miller, JP
Chairman


.....
Mr. Leslie Hall, JP
Member


.....
Mrs. Chelsie Shellie-Vernon
Member

Witness:

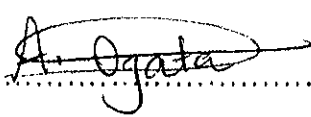

.....
Nicola Smith Marriott (Mrs.)
Secretary to the Division

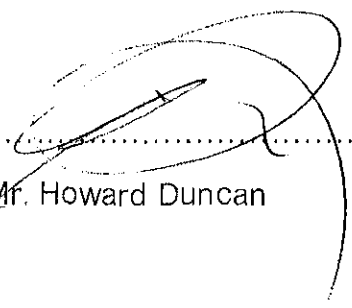
Heads of Agreement reached between Everoy H. Chin & Company Limited and Mrs. Alicia White-Ogata on July 12, 2022

The parties have agreed to the following:

- (1) That the Company will pay to Mrs. Alicia White-Ogata the sum of One Million Six Hundred Thousand Dollars (\$1,600,000.00) as a settlement in the case of unjustified termination.
- (2) That the letter of termination is withdrawn.
- (3) That the payment will be made payable over three (3) months as follows:
 - July 15, 2022, August 15, 2022 and September 15, 2022, payable as under
 - a. To Mr. Glenville Panton 25%
 - b. To Mrs. Alicia White-Ogata 75%
- (4) There will be no victimization on either side.

Sign:..... 
 Everoy H. Chin & Company Limited

Sign:..... 
 Mrs. Alicia White-Ogata

Sign:..... 
 Mr. Howard Duncan