

INDUSTRIAL DISPUTES TRIBUNAL

Dispute No.: IDT 38/2023

SETTLEMENT OF DISPUTE

BETWEEN

FIRST UNION FINANCIAL GROUP LIMITED

AND

MELISSA BAKER

AWARD

I.D.T. DIVISION

MR. BINDLEY SANGSTER	-	CHAIRMAN
MRS. JACQUELINE IRONS, J.P.	-	MEMBER
MR. PAUL HINES	-	MEMBER

APRIL 2 , 2025

INDUSTRIAL DISPUTES TRIBUNAL
AWARD
IN RESPECT OF
AN INDUSTRIAL DISPUTE
BETWEEN
FIRST UNION FINANCIAL GROUP LIMITED
(THE COMPANY)

AND

MELISSA BAKER
(THE DISMISSED WORKER)



REFERENCE:

By letter dated December 22, 2023, the Honourable Minister of Labour and Social Security, pursuant to Section 11A(1)(a)(i) of the Labour Relations and Industrial Disputes Act (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:-

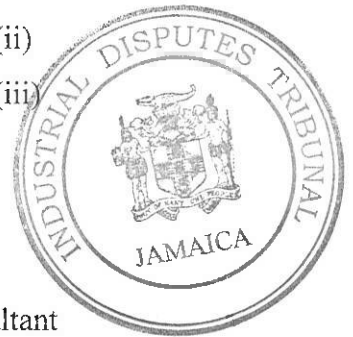
The Terms of Reference were as follows:

"To determine and settle the dispute between First Union Financial Group Limited on the one hand, and Melissa Baker 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. Bindley Sangster	-	Chairman
Mrs. Jacqueline Irons, J.P.	-	Member, Section 8(2) (c) (ii)
Mr. Paul Hines	-	Member, Section 8(2) (c) (iii)



REPRESENTATIVES OF THE PARTIES:

The **Company** was represented by:

Mr. Dillon Doyle	-	Industrial Relations Consultant
Ms. Jonalisa Brooks	-	Managing Director

The **Dismissed Worker** was represented by:

Mr. Howard Duncan	-	Industrial Relations Consultant
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In attendance was:

Ms. Melissa Baker	-	Dismissed Worker
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SUBMISSIONS AND SITTINGS:

The Panel that was initially selected to hear and settle the dispute consisted of Mrs. Sharon Anderson, Chairman, Mrs. Jacqueline Irons, Member and Mr. Paul Hines, Member. Briefs were submitted by both parties. Nine (9) sittings held between March 11, 2024 and January 15, 2025. On December 31, 2024, Mrs. Anderson demitted office and Mr. Bindley Sangster, Chairman was selected to fill the vacancy.

The parties were written to in accordance with the provisions of Section 8 (4) of the Labour Relations and Industrial Disputes Act (LRIDA) which states:

"Where three members of the Tribunal constitute a division thereof and any one of those members dies or is incapacitated or ceases to be a member thereof for any other reason

after the division begins to deal with the industrial dispute in relation to which it was constituted but before it has made its award, another person shall be selected in accordance with the provisions of paragraph (c) of subsection (2) to fill the vacancy; thereafter the proceedings of the division shall be begun de novo unless all the parties to the dispute agree in writing that those proceedings may be continued as if they had not been interrupted by reason of such death or incapacity or cessation."

Both parties agreed in writing for the Tribunal to continue hearing the dispute as though it was never interrupted.

At the 9th sitting of the Tribunal the parties were encouraged by the Tribunal to have discussions to see whether they could arrive at a settlement. They sought the assistance of the Tribunal.

In accordance with the provisions of Section 12 (5) (b) of the Labour Relations and Industrial Disputes Act (LRIDA):

"Notwithstanding anything to the contrary, where any industrial dispute has been referred to the Tribunal-

(b) it may at any time after such reference encourage the parties to endeavour to settle the dispute by negotiation or conciliation and, if they agree to do so, may assist them in their attempt to do so;"

The Tribunal conciliated the dispute but the parties were unable to reach a settlement. February 10, 2025 was scheduled for hearing to continue into the dispute. However, the Company on that day wrote to the Tribunal and requested a cancellation, citing ongoing settlement discussion. The request was granted.

REPORT TO THE TRIBUNAL:

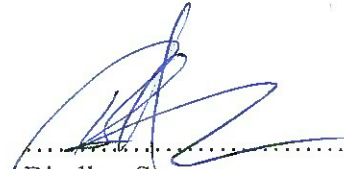
The Tribunal was advised by way of letter dated February 21, 2025 from the Aggrieved Representative that the parties have reached a settlement. This was confirmed by letter from the Company which was received by the Tribunal on March 11, 2025. The contents of the letters further advised the Tribunal that the dispute was settled in terms that the parties wish to remain confidential.




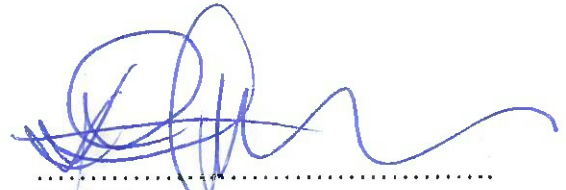
AWARD:

The parties having settled the dispute at the local level and have by way of letter dated February 21, 2025 and letter received March 11, 2025 (copies of which are attached) informing the Tribunal of the settlement, it is that settlement which constitutes the Award.


DATED THIS 2nd DAY OF APRIL 2025


.....
Bindley Sangster
Chairman


.....
Jacqueline Irons, J.P.
Member


.....
Paul Hines
Member

Witness:


.....
Royette Creary (Miss)
Secretary to the Division

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HOWARD DUNCAN INDUSTRIAL RELATIONS CONSULTANCY SERVICES
WEST PROSPECT DISTRICT
WEST PROSPECT P.A.
ST. CATHERINE

February 21, 2025

The Secretary Industrial Dispute Tribunal
4 Ellesmere Road
Kingston 4

Re: Dispute between First Union Financial Group Limited and Ms. Melissa Baker

Attention: Ms. Royette Creary

We refer to the caption subject matter.

Please be advised that the mentioned dispute was settled at the local level

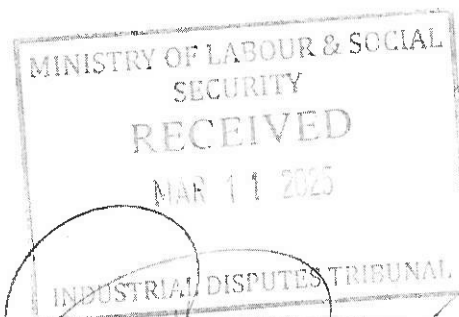
Based on the details contained in the settlement, we cannot disclose same to any third party except with the written consent of the company.

Such consent is not received.

We are therefore, officially advising the Tribunal that this matter should be removed from your list of disputes

Regards

Howard Duncan
IR Consultant



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The Chairman
Industrial Disputes Tribunal
Ministry of Labour and Social Security
4 Ellesmere Road, Kingston 10.

RE: LOCAL LEVEL SETTLEMENT OF INDUSTRIAL DISPUTE - BETWEEN FIRST UNION
FINANCIAL LIMITED AND MS. MELLISSA BAKER

Attention Ms. Royette Creary,

I am writing on behalf of First Union Financial regarding the above-referenced matter currently before the Industrial Disputes Tribunal.

We are pleased to inform the Tribunal that, following constructive discussions between the parties concerned, the industrial dispute between First Union Financial and Ms. Mellissa Baker has been amicably resolved at the local level. Consequently, both parties have reached a mutually acceptable settlement agreement.

Furthermore, as part of the settlement terms, both parties have expressly agreed that the details of the resolution shall remain strictly private and confidential. Therefore, we respectfully request that the Tribunal acknowledges this settlement and, accordingly, withdraws the matter from its docket without requiring disclosure of the specific terms agreed upon.

We wish to express our sincere gratitude to the Tribunal for its patience and understanding throughout this process. Additionally, we appreciate the Tribunal's respect for the confidentiality of the settlement terms, which has facilitated this resolution.

Should the Tribunal require any further information or clarification regarding this matter, please do not hesitate to contact the undersigned at akssbiznizsolutions@gmail.com.

Yours Sincerely,



Dillon Doyle
Industrial Relations Consultant
cc: Ms. Mellissa Baker
Mr. Howard Duncan

