

INDUSTRIAL DISPUTES TRIBUNAL

Dispute No.: 6/2020

SETTLEMENT OF DISPUTE

BETWEEN

GLOBAL VILLA HOTEL

AND

MS. MONI-SIANN BROWN

AND THE

AWARD

I.D.T. DIVISION

MS. SADEERA SHAW - CHAIRMAN

MR. RODCLIFFE ROBERTSON - MEMBER

MR. KEITH FAGAN - MEMBER

SEPTEMBER 30/2021

INDUSTRIAL DISPUTES TRIBUNAL

AWARD

IN RESPECT OF

AN INDUSTRIAL DISPUTE

BETWEEN

GLOBAL VILLA HOTEL
(THE COMPANY)

AND

MS. MONI-SIANN BROWN
(THE DISMISSED WORKER)

REFERENCE:

By letter dated May 6, 2020, the Honourable Minister of Labour and Social Security in accordance with Section 11A(1)(a)(i) of the Labour Relations and Industrial Dispute 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 was as follows:

“To determine and settle the dispute between Global Villa Hotel on the one hand and Moni-Siann Brown 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:

Ms. 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

Mr. Lambert Johnson	-	Attorney-at-Law
Ms. Gloria Spence	-	Managing Director



The **Dismissed Worker** was represented by:

Mr. Alexander Nicholson	-	Industrial Relations Consultant
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In attendance:

Ms. Moni-Siann Brown	-	Dismissed Worker
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SUBMISSIONS AND SITTINGS:

Briefs were submitted by the Dismissed Worker and at the 1st sitting of the Tribunal scheduled for December 15, 2020 at 10:00 a.m., the Company's representative didn't attend. He subsequently called requesting a cancellation and for the matter to commence at the 2nd sitting scheduled for 2:00 p.m. At the 2nd sitting of the Tribunal also held on December 15, 2020, the parties requested to go back to the local level which was granted. At the 3rd and 4th sittings, the parties informed the Tribunal that they were still having discussions but close to a settlement. They requested additional time with the understanding that if the parties failed to reach a settlement, the Tribunal would proceed to hear the dispute on June 3, 2021.


At the 5th sitting of the Tribunal held on June 3, 2021, the Company's Representative again failed to attend. It was outlined that the parties had received sufficient time to have local level discussions and that the matter will not be delayed any further. As such, the parties were written to informing them of the date set for the hearing and that failure to attend, the Tribunal would proceed to hear the matter ex-parte. At the 6th sitting of the Tribunal held on August 16, 2021, the parties appeared and informed the Tribunal that they have reached a settlement. An agreement of even date was submitted to the Tribunal disclosing the settlement of the dispute.

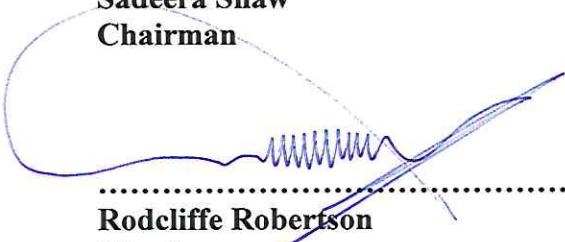



AWARD:

The parties having arrived at a settlement as manifested in Agreement dated August 16, 2021 executed under the signatures of all parties to this dispute, a copy of which is attached, constitutes the Award.

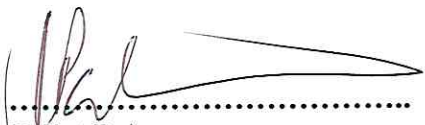
DATED THIS 30th DAY OF SEPTEMBER 2021


.....
Sadeera Shaw
Chairman


.....
Rodcliffe Robertson
Member


.....
Keith Fagan
Member

Witness:


.....
Juliet Palmer
Secretary to the Division



AGREEMENT BETWEEN GLOBAL VILLA HOTEL AND
MISS MONI – SIANN BROWN

Whereas there is a claim made by Moni – Siann Brown that she was unjustifiably terminated by Global /villa Hotel on October 30, 2018.

And

Whereas the matter was placed before the Industrial Disputes Tribunal. It is hereby agreed as follows without acceptance of any misconduct by Global Villa Hotel that Miss Moni – Siann Brown will be paid the sum of three hundred and fifty thousand (\$350,000.00) dollars in three equal installments commencing on the 3rd September 2021 with other payments being made on the 1st October 2021 and 5th November 2021 in full and final settlement of any and all claims arising from the dismissal on October 30, 2018.

Payments will be made to Alexander Nicholson. Industrial Relations Consultant to Bank of Nova Scotia Account # 950880, savings account at St. James Street.

We are therefore requesting that the Tribunal withdraw this matter.

Moni – Siann Brown
(Aggrieved)

M. Brown

Alexander Nicholson
(Aggrieved Representative)

[Signature]

Gloria Spence
(Managing Director)

[Signature]

Lambert S. Johnson
(Attorney – at – Law (Company))

[Signature]

Date : August 16, 2021

