

# **INDUSTRIAL DISPUTES TRIBUNAL**

**Dispute No.: IDT 20/2018**

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## **SETTLEMENT OF DISPUTE**

**BETWEEN**

**JACDEN ENTERPRISE COMPANY LIMITED**

**AND**

**MS. SHERYL JONES**

**AND THE**

***AWARD***

**I.D.T. DIVISION**

<b>MR. RUDYARD SPENCER, CD</b>	<b>-</b>	<b>CHAIRMAN</b>
<b>MR. ERROL BECKFORD</b>	<b>-</b>	<b>MEMBER</b>
<b>MR. FREDRICK EVANS</b>	<b>-</b>	<b>MEMBER</b>

**JULY 29 , 2020**

**IDT 20/2018**

**INDUSTRIAL DISPUTES TRIBUNAL**  
**IN RESPECT OF**  
**AN INDUSTRIAL DISPUTE**  
**BETWEEN**  
**JACDEN ENTERPRISE COMPANY LIMITED**  
**(THE COMPANY)**  
**AND**  
**MS. SHERYL JONES**  
**(THE AGGRIEVED)**

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**REFERENCE:**

By letter dated May 1, 2018, 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 JACDEN Enterprise Company Limited on the one hand and Ms. Sheryl Jones 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. Rudyard Spencer, C.D. - Chairman
- Mr. Errol Beckford - Member, Section 8(2) (c) (ii)
- Mr. Fredrick Evans - Member, Section 8(2) (c) (iii)

**REPRESENTATIVES OF PARTIES:**

The **Company** was represented by:

- Ms. Symone Mayhew - Attorney-at-Law
- Ms. Lesley-Ann Stewart - Attorney-at-Law
- Mr. Anserd Williams - President (Jacden)
- Ms. Donnasha Dunkley - Human Resources Officer

Mrs. Mayhew by letter dated March 14, 2019 wrote to the Tribunal informing us that she was no longer representing the Company in the matter.

The **Aggrieved** was represented by:

- Ms. Ava Hussey - Industrial Relations Consultant
- Mr. James Francis - Industrial Relations Consultant

In attendance was:

- Ms. Sheryl Jones - Aggrieved Worker

Ms. Marsha Smith, Chairman, Mr. Leslie Hall, Member and Mr. Clinton Lewis, Member had started hearing the dispute, however, after the 1<sup>st</sup> sitting the matter was re-allocated to the division comprising Mr. Charles Jones, Chairman to the division, Mr. Errol Beckford, Member and Mr. Trevor McNish, Member. Mr. McNish died on July 25, 2019 and was subsequently replaced by Mr. Fredrick Evans, Member. On June 15, 2020 Mr. Charles Jones, Chairman was replaced by Mr. Rudyard Spencer, Chairman. This was done in accordance with Section 8(4) of the Labour Relations and Industrial Disputes Act.



*Tate*

**SUBMISSIONS AND SITTINGS:**

Briefs were submitted by both parties and two (2) sittings held between July 9, 2018 and August 21, 2018. At the 2<sup>nd</sup> sitting of the Tribunal, the Company requested additional time to have local level discussions with a view to settling. This request was granted with the understanding that if the parties failed to arrive at a settlement the Tribunal would proceed to hear the dispute.

September 3, 2018 was scheduled for the Tribunal to continue hearing the dispute if the parties did not arrive at a settlement.

**REPORT TO THE TRIBUNAL:**

The Tribunal by way of letter dated May 3, 2019, from Mr. Anserd Williams, President of Jacden Enterprise Company Limited was informed that a settlement had been arrived at by the parties to the dispute. By letter dated May 15, 2019, the Tribunal wrote to Ms. Ava Hussey, Industrial Relations Consultant, representing the Aggrieved and enclosed letter dated May 3, 2019, from Mr. Anserd Williams inviting her to comment on the contents therein.

The Tribunal again wrote to Ms. Hussey on May 21, 2020, referring to our letter of May 15, 2019 and informing her that if no reply was received by May 28, 2020, the Tribunal will conclude that the matter has been satisfactorily settled.

On June 18, 2020, the Tribunal received a response from Ms. Hussey informing us that the parties had reached an amicable settlement.



A handwritten signature or set of initials, possibly "P. A.", located at the bottom right of the page.

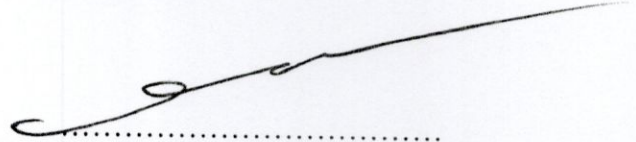
**AWARD:**

The attached letters dated May 3, 2019 and June 18, 2020 from the Company and the Industrial Relations Consultant representing the aggrieved worker constitute this Award.

**DATED THIS 29 DAY OF JULY 2020**



.....  
Mr. Rudyard Spencer  
Chairman

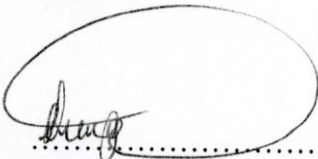


.....  
Mr. Errol Beckford  
Member



.....  
Mr. Fredrick Evans  
Member

**Witness:**



.....  
Mrs. Sandra Foote-Wright  
Secretary to the Division



UNITED UNION OF JAMAICA  
UNITE IN UNITY FOR JUSTICE

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UNITED UNION OF  
JAMAICA  
UNITE IN UNITY FOR JUSTICE

25 Studio One Boulevard  
Shop #11, Kingston 5  
Jamaica W.I.

James Francis  
-President & Founder-

Aimesh Francis  
-Vice President-

Winston Walters  
-Trustee-

Ava Hussey  
-General Secretary-  
-Union Organizer-

Phone:

876-539-4709 | 876-376-9374  
876-808-5458 | 876-378-8982



1876-808-5458



United Union of Jamaica

REF# 20/2018

June 18, 2020

The Director  
Industrial Disputes Tribunal  
4 Ellesmere Road  
Kingston 10

Attention: Mrs. Nicole Smith-Marriott

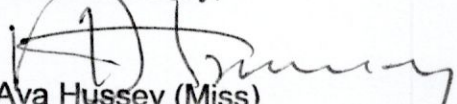
Dear Madam,

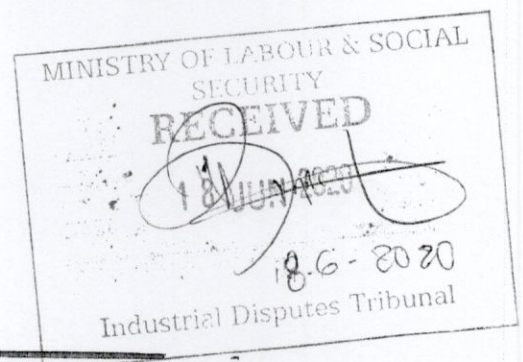
**Re: Dispute between Jacden Enterprise Company  
Limited and Sheryl Jones over Termination of  
Her Employment**

Please be informed that the Industrial Relations Consulting Services and Jacden Enterprise Company Limited had reached an amicable settlement regarding the captioned matter.

I would like to confirm that I had signed for and received a cheque with a total sum of **Three Hundred and Fifty Thousand Dollars (\$350,000.00)** which was paid over to Ms. Sheryl Jones on **March 28<sup>th</sup> 2019** for compensation for unfair dismissal. Therefore, all matters concerning this case have resolved.

Yours sincerely,

  
Ava Hussey (Miss)  
Industrial Relations Consultant



E-mail: [unitedunionofjamaica@gmail.com](mailto:unitedunionofjamaica@gmail.com)



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Tel: 908-4871, 906-5542, 908-3190  
Fax: 906-3936  
Email: [jacdenenterprises@gmail.com](mailto:jacdenenterprises@gmail.com)  
18 3/4 Lyndhurst Road, Kingston 5.

May 3, 2019

Mrs. Nicola Smith-Marriott  
Director  
Industrial Dispute Tribunal  
4 Ellesmere Road  
Kingston 10

Dear Mrs. Smith-Marriott,

**RE: Dispute between JAC DEN Enterprise Company Limited and Miss. Sheryl Jones –  
Your ref # IDT 20/2018**

Please be advised that the matter was settled at the local level after discussions between the United Union of Jamaica and Mrs. Symone Mayhew, Attorney at law representing JAC DEN Enterprise Company Limited.

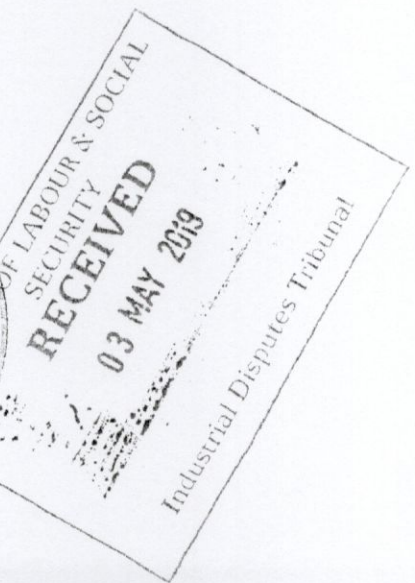
The sum agreed as settlement was **Three Hundred and Fifty Thousand Dollars (J\$350,000.00)**. This was paid over to the United Union of Jamaica.

Please see copies of the relevant payment vouchers enclosed herewith.

Trusting this information is of assistance.

Sincerely yours,  
**JAC DEN ENTERPRISE COMPANY LIMITED**

Anserd Williams (Mr.)  
**President**



**CHEQUE REQUISITION**  
**JAC DEN ENTERPRISE CO LTD.**  
**18<sup>3/4</sup> LYNTHURST ROAD, KINGSTON 5.**

ACCOUNT: Administrative A/C # 6844

DATE: March 13, 2019 VOUCHER: \_\_\_\_\_

PAYEE: United Union of Jamaica

RECOVERABLE: \_\_\_\_\_ NON-RECOVERABLE: \_\_\_\_\_

DETAILS OF EXPENDITURE	ACCOUNT INVOICE #	AMOUNT ON INVOICE
Ms Sheryl Jones (Legal Settlement) "Final Payment"		\$ 200,000

CHEQUE NUMBER: NCB#4 ( 1002186 )

PREPARED BY: KENDRON BYFIELD/DONNASHA DUNKLEY

CHECKED BY: KENDRON BYFIELD

AUTHORIZED BY: [Signature]

**RECEIVED BY**

PRINT NAME: Ava Hussey ID# \_\_\_\_\_

PRINT SIGNATURE: [Signature]

DATE: 20/03/2019

OFFICE USE ONLY ISSUED BY:		
<u>Draine Conners</u> Name	<u>[Signature]</u> Signature <small>Jac Den Enterprise Co Ltd Representative</small>	<u>19/03/2019</u> Date

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**CHEQUE REQUISITION**  
**JAC DEN ENTERPRISE CO LTD.**  
**18<sup>3/4</sup> LYNTHURST ROAD, KINGSTON 5.**

ACCOUNT: Administrative A/C # 6844

DATE: Feb 20, 2019 VOUCHER: \_\_\_\_\_

PAYEE: United Union of Jamaica

RECOVERABLE:

NON-RECOVERABLE:

DETAILS OF EXPENDITURE	ACCOUNT INVOICE #	AMOUNT ON INVOICE
Sheryl Jones (Legal Settlement)		\$150,000.00
"Payment 1 of 3"		

CHEQUE NUMBER: NCB#4 ( 1002168 )

PREPARED BY: KENDRON BYFIELD/DONNASHA DUNKLEY

CHECKED BY: KENDRON BYFIELD

AUTHORIZED BY: \_\_\_\_\_

**RECEIVED BY**

PRINT NAME: AVA HUSSEY ID# \_\_\_\_\_

PRINT SIGNATURE: A Hussey

DATE: 20/3/2019

OFFICE USE ONLY  
ISSUED BY:

Draine Chambers  
Name

Jac Den Enterprise Co Ltd Representative

[Signature]  
Signature

19/03/2019  
Date