

INDUSTRIAL DISPUTES TRIBUNAL

Dispute No: IDT 11/2017

SETTLEMENT OF DISPUTE

BETWEEN

SELF START FUND

AND

MR. ANTHONY PINNOCK

AND THE

AWARD

I.D.T. DIVISION

HON. MRS. JUSTICE MARJORIE COLE-SMITH - CHAIRMAN
(Retd.)

MRS. JACQUELINE IRONS, J.P. - MEMBER

MRS. CHELSIE SHELLIE-VERNON - MEMBER



SEPTEMBER 8, 2020

IDT 11/2017

INDUSTRIAL DISPUTES TRIBUNAL

AWARD

IN RESPECT OF

AN INDUSTRIAL DISPUTE

BETWEEN

**SELF START FUND
(THE COMPANY)**

AND

**MR. ANTHONY PINNOCK
(THE DISMISSED WORKER)**

REFERENCE:

By letter dated February 14, 2017, the Honourable Minister of Labour and Social Security in accordance with 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 was as follows:

***“To determine and settle the dispute between Self Start Fund on the one hand and
Mr. Anthony Pinnock 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:

Hon. Mrs. Justice Marjorie Cole-Smith (Retd.)	-	Chairman
Mrs. Jacqueline Irons, J.P.	-	Member, Section 8(2) (c) (ii)
Mrs. Chelsie Shellie-Vernon	-	Member, Section 8(2) (c) (iii)

REPRESENTATIVES OF THE PARTIES:

The Company was represented by:

Ms. Tashell Powell	-	Attorney-at-Law
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The Dismissed Worker was represented by:

Mr. Philmore H. Scott	-	Attorney-at-Law
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SUBMISSIONS AND SITTINGS:

Briefs were submitted by both parties and one (1) sitting held on May 15, 2017. At that sitting which was chaired by Mr. Dwight Nelson now deceased, the Panel was informed by the Attorney representing the Company that an Application for Leave to apply for Judicial Review was filed on May 12, 2017 challenging the Minister's referral to the Tribunal. Mr. Dwight Nelson, Chairman, died in December 2018 and as result was replaced by Ms. Marsha Smith, Chairman, who later re-assigned the dispute to Hon. Mrs. Justice Marjorie Cole Smith, Chairman. This was done in accordance with Section 8 (4) of the Labour Relations and Industrial Disputes Act.

On July 19, 2019 the matter went before the Supreme Court for the hearing of the Leave Application. However, the Application for Leave to apply for Judicial Review was discontinued and consequently, the matter was returned to the Industrial Disputes Tribunal for determination and settlement.



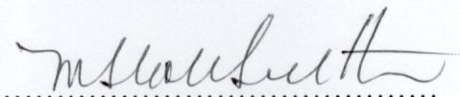
REPORT TO THE TRIBUNAL

By letter dated July 28, 2020 from the Attorney representing the Aggrieved and letter dated August 13, 2020 from the Attorney representing the Company (copies of which are attached) the Tribunal was informed that the matter was settled.

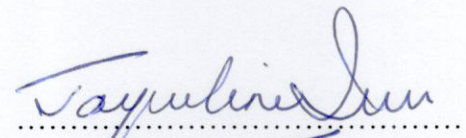
AWARD:

The parties having settled the dispute at the local level without the assistance of the Tribunal, and have by way of letters dated July 28, 2020 and August 13, 2020 from the Attorneys representing the parties informing the Tribunal of the Settlement, it is that settlement agreement which constitutes the Award.

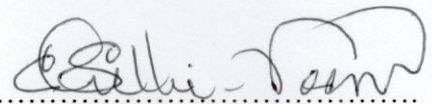
DATED THE 8th DAY OF SEPTEMBER 2020.



Justice Marjorie Cole-Smith (Retd.)
Chairman

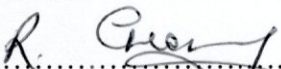


Jacqueline Irons, J.P.
Member



Chelsie Shellie-Vernon
Member

Witness:



Royette Creary (Miss)
Secretary to the Division



PHILMORE H. SCOTT & ASSOCIATES

ATTORNEYS-AT-LAW

Philmore H. Scott
Dip Mass Com. (Hons), B.A. (Hons), LLB (Hons)

Camille A.D. Scott, LLB (Hons)

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July 28, 2020

The Secretary/Director
The Industrial Disputes Tribunal,
4 Ellesmere Road
Kingston 10.

BY HAND & EMAIL

Attention: Mr. Gary Lediard

Dear Sirs;

Re: Dispute between Self Start Fund and Mr. Anthony Pinnock over the termination of his employment.

The captioned refers.

Please be advised that the captioned matter was settled between our client, Mr. Anthony Pinnock and Self Start Fund represented by Attorneys-at-Law, Zavia Mayne & Co. in June 2020.

Please be guided accordingly.

Yours faithfully,

PHILMORE H. SCOTT & ASSOCIATES

PER: _____

MELISSA C. SCOTT
Attorney's No. 4217



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Attorneys-at-law

▪ Zavia T. Mayne, B.S c, LLB (Hons), CLE

Associates

- Shanique Gaye, LLB (Hons), CLE
- Shantel Jarrett, LLB (Hons), CLE
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Zavia Mayne & Co.

Attorneys-at-Law

BY HAND
WITHOUT PREJUDICE

August 13, 2020

Industrial Disputes Tribunal

4 Ellesmere Road,
Kingston 10.
Jamaica, WI

Attention: Rovette Creary

Dear Madam,

Re: Termination of Employment dispute between Anthony Pinnock and Self Start Fund (SSF)

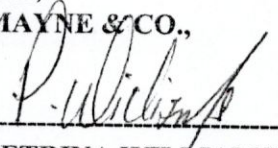
Reference is made to the captioned matter and Williams/Creary telephone conversation on July 28, 2020.

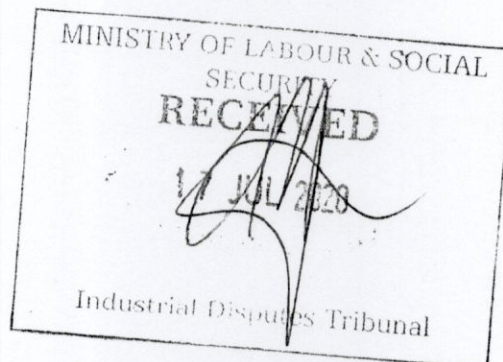
I have been advised that a letter dated **July 28, 2020** was sent to **Mr. Gary Lediard** from **Philmore Scott & Associates, Attorneys-at-Law** indicating that the captioned matter has been settled.

This letter serves to confirm the position as furnished in the aforementioned letter dated **July 28, 2020** from **Philmore Scott & Associates, Attorneys-at-Law**.

Do be guided accordingly.

Kind regards,
ZAVIA MAYNE & CO.,

PER: 
PETRINA WILLIAMS



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