

INDUSTRIAL DISPUTES TRIBUNAL

Dispute No.: IDT 59/2016

SETTLEMENT OF DISPUTE

BETWEEN

RICHARD ALEXANDER AND COMPANY LIMITED

AND

MRS. ELAINE CLARKE

AWARD

I.D.T. DIVISION

MR. ERROL MILLER, J.P. - CHAIRMAN

MR. ERROL BECKFORD - MEMBER

MR. CLINTON LEWIS - MEMBER

FEBRUARY 22, 2022

INDUSTRIAL DISPUTES TRIBUNAL

AWARD

IN RESPECT OF

AN INDUSTRIAL DISPUTE

BETWEEN

**RICHARD ALEXANDER AND COMPANY LIMITED
(THE COMPANY)**

AND

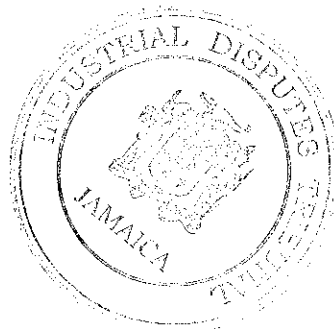
**MRS. ELAINE CLARKE
(THE AGGRIEVED)**

REFERENCE:

By letter dated November 15, 2016, 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 Richard Alexander and Company Limited on the one hand, and Mrs. Elaine Clarke on the other hand, over the termination of her employment."



DIVISION:

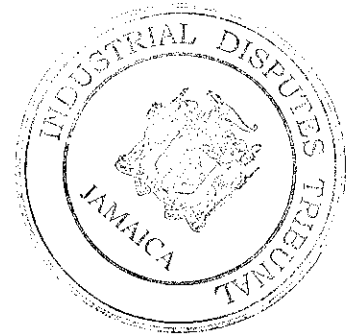
The division of the Tribunal which was selected in accordance with Section 8(2) (c) of the Act and which dealt with the matter comprised:

Mr. Errol Miller, JP	-	Chairman
Mr. Errol Beckford	-	Member, Section 8(2) (c) (ii)
Mr. Clinton Lewis	-	Member, Section 8(2) (c) (iii)

REPRESENTATIVES OF PARTIES:

The **Company** was represented by:

Mr. Emile Leiba	-	Attorney-at-Law
Mr. Nickardo Lawson	-	Attorney-at-Law



The **Aggrieved** was represented by:

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

SUBMISSIONS AND SITTINGS:

Earlier in the matter, the division selected to hear the dispute comprised:

Mr. Charles Jones, C.D, J.P	-	Chairman
Mr. Errol Beckford	-	Member, Section 8(2) (c) (ii)
Mr. D. Trevor McNish	-	Member, Section 8(2) (c) (iii)

Consequent on the expiration of the contract of Mr. Charles Jones, the death of Mr. D. Trevor McNish and other changes, Mr. Errol Miller, was selected to chair the division and Mr. Clinton Lewis was selected as a Member alongside Mr. Errol Beckford.

Briefs were submitted by the parties and oral submission made. After six (6) sittings the matter begun de novo due to the changes and one (1) sitting was held on January 18, 2021 at which the parties were reported to be having local level discussions.

REPORT TO THE TRIBUNAL:

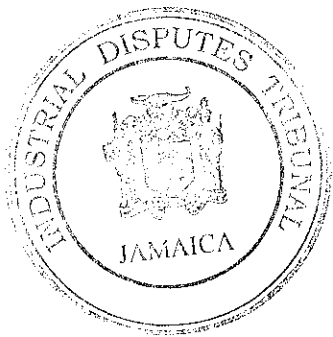
By letter dated January 25, 2022 (copy attached) the Attorney-at-Law representing the Company confirmed that the parties arrived at a settlement of the dispute.


By letter dated February 3, 2022 (copy attached) the Aggrieved representative reported that the dispute was settled at the local level.


AWARD:


The parties arrived at a settlement as communicated in the Company's letter dated January 25, 2022 and the Aggrieved's letter dated February 3, 2022, copies of which are attached, and it is that agreement that constitutes the Award. The specific terms of the agreement are not included in the Award as the parties did not disclose the settlement.

DATED THIS 22nd DAY OF FEBRUARY, 2022.





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


.....
Mr. Errol Beckford
Member


.....
Mr. Clinton Lewis
Member

Witness:


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



ATTORNEYS-AT-LAW, NOTARIES PUBLIC, PATENT & TRADE MARK AGENTS

JEROME I. LEE, B.Sc. (GOVT.), LL.B.
JANICE A. CAUSWELL
MARGARET A. MOODIEJERVIS, LL.B.
PAULINE A. FINDLAY, LL.B.
HELEN E. EVELYN, LL.B.
JOANNE E. WOOD RATTRAY, LL.B.
JULIANNE E. MAIS COX, B.A., LL.B.
COURTNEY A. BAILEY, LL.B.
EMILE G. R. LEIBA, LL.B.
TOPAZ L. M. JOHNSON, B.Sc., LL.B. (LON), M.Sc., LL.M.
TRUDY-ANN DIXON-FRITH, LL.B.
ROXANNE A. MILLER, LL.B. (LMU)
JONATHAN D. K. MORGAN, LL.B.

NICKARDO M. LAWSON, B.Sc., LL.B.
PAULETTE R. E. NEIL, LL.B.
CHANTAL S. BENNETT, B.Sc., LL.B.
CHRISTINA M. BROWN, LL.B.
KELLY A. AKIN, B.Sc., LL.B., LL.M.
DANIELLE A. REID, LL.B.

CONSULTANTS
C. D. R. BOVELL, C.D., M.A., LL.M. (CANTAB)
LINCOLN A. C. EATMON
JOHN G. LEIBA
W. JOHN VASSELL, Q.C., LL.B.
O. A. CAROL AINA, B.A. (SUSSEX), M.A.
HYACINTH F. LIGHTBOURNE, BBA., J.D. (MIAMI)
NARDA G. GRAHAM, B.A., LL.B., LL.M.

☐ KINGSTON
P.O. BOX 365
48 DUKE STREET
KINGSTON
JAMAICA, W.I.
TEL: (876) 922-1500 | (876) 618-3862
VoIP (U.S.A.): (678) 202-9818
FAX: (876) 922-9002 | (876) 924-9106

☐ MONTEGO BAY
P.O. BOX 296
UNIT 17, FAIRVIEW TOWNE CENT
MONTEGO BAY, ST. JAMES
JAMAICA, W.I.
TEL: (876) 958-6574 | (876) 979-8746
U.S.A.: (305) 744-3501
FAX: (876) 979-8746

E-MAIL: info@dunncox.com

WEBSITE: www.dunncox.com

OUR REF. NML/sp

YOUR REF.

WRITER'S EXTENSION NUMBER:

January 25, 2022

Industrial Disputes Tribunal
4 Ellesmere Road
Kingston 10

BY EMAIL

Attention Mrs. Nicola Smith Marriott

Dear Sirs,

**Re: IDT 59/2016 - Dispute between Richard Alexander and Company Limited and
Mrs. Elaine Clarke over the termination of her employment**

We refer to the captioned matter and previous correspondence herein ending with your letter dated January 5, 2022, which was received on January 10, 2022.

We write to confirm that the parties have arrived at a settlement of the dispute herein.

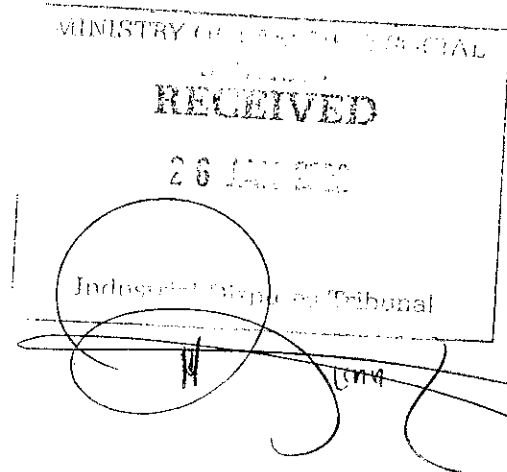
Counsel for Mrs. Clarke has been copied on this correspondence.

Yours faithfully,
DunnCox

Per: 
NICKARDO M. LAWSON

Copy: Richard Alexander & Company

Mr. Howard Duncan



HOWARD DUNCAN INDUSTRIAL RELATIONS CONSULTANCY SERVICES
52 DUKE STREET, KINGSTON

February 3, 2022

The Secretary Industrial Dispute Tribunal
4 Ellesmere Road
Kingston 4

Re: Dispute between Grand Palladium and Ms. Sylvia Anderson

Attention: Mrs. Nicola Marriott

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

