

INDUSTRIAL DISPUTES TRIBUNAL

Dispute No.: 7/2024

SETTLEMENT OF DISPUTE

BETWEEN

SALES, SALES MANAGEMENT CONSULTANCY
LIMITED
(t/a SSMC EXPRESS INTERNATIONAL)

AND

MR. DARNELL CLEGHORNE

AND THE

AWARD



I.D.T. DIVISION

MS. SADEERA SHAW	-	CHAIRMAN
MR. RODCLIFFE ROBERTSON, JP.	-	MEMBER
MR. KEITH FAGAN	-	MEMBER

SEPTEMBER 4, 2024

IDT 7/2024

INDUSTRIAL DISPUTES TRIBUNAL

AWARD

IN RESPECT OF AN INDUSTRIAL DISPUTE

BETWEEN

**SALES, SALES MANAGEMENT CONSULTANCY LIMITED
(t/a SSMC EXPRESS INTERNATIONAL)
(THE COMPANY)**

AND

**MR. DARNELL CLEGHORNE
(THE AGGRIEVED WORKER)**

REFERENCE:

By letter dated February 16, 2024, 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 describe therein:-

The Terms of Reference were as follows:

"To determine and settle the dispute between Sales, Sales Management Consultancy Limited (t/a SSMC Express International) on the one hand, and Darnell Cleghorne on the other hand, over the termination of his employment".



DIVISION

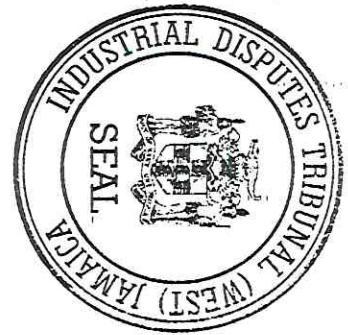
The Division of the Tribunal which was selected in accordance with section 8(2)(c) of the Act and which dealt with the matter comprised:

Ms. Sadeera Shaw	-	Chairman
Mr. Rodcliffe Robertson, JP.	-	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. Clive Mullings	-	Attorney-at-Law
Mr. Felix Evans	-	Managing Director
Ms. Preceita Gray	-	General Manager/Director



The **Aggrieved Worker** was represented by:

Mr. Alexander Nicholson	-	Industrial Relations Consultant
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In attendance:

Mr. Darnell Cleghorne	-	Aggrieved Worker
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SUBMISSIONS AND SITTINGS

Briefs were submitted by the Aggrieved Representative and two (2) sittings were held on May 28, 2024 and August 22, 2024.

SETTLEMENT AGREEMENT

At the 1st sitting of the Tribunal, the parties were encouraged and granted time to have discussions to ascertain whether the dispute could be settled. At the 2nd sitting, the parties informed the Tribunal that they were unable to resolve the dispute and sought the assistance of the Tribunal in accordance with the provisions of sections 12 (5) (b) of the Labour Relations and Industrial Disputes Act (LRIDA), which states:

5. *“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 at the 2nd sitting which resulted in an agreement being reached by the parties. The agreement forms the basis of this Award.

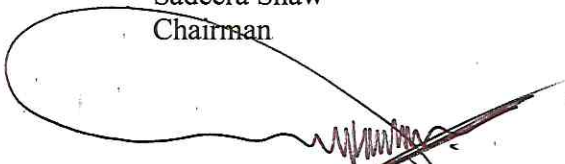
AWARD

The attached Heads of Agreement dated August 22, 2024 executed under the signature of all parties to this dispute constitutes the Award.

DATED THIS 4th DAY OF SEPTEMBER 2024





Sadeera Shaw
Chairman


Rodcliffe Robertson, JP
Member


Keith Fagan
Member

Witness


Jody-Ann Lindo (Ms.)
Secretary to the Division

HEADS OF AGREEMENT REACHED BETWEEN SALES, SALES MANAGEMENT CONSULTANCY LIMITED (t/a SSMC Express International) AND MR. DARNELL CLEGHORNE on August 22, 2024.

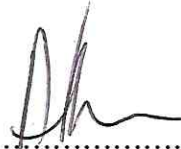
The parties have agreed to the following:

1. Mr. Darnell Cleghorne will be paid the amount of Two Million Eight Hundred Thousand Dollars (\$2,800,000) by way of wire transfer by September 13, 2024.
2. Sales, Sales Consultancy Limited (t/a SSMC Express International), will remit to, Mr. Nicholson, Industrial Relations Consultant, the settlement sum and delivery of the same transfer to Mr. Nicholson constitutes delivery to Mr. Darnel Cleghorne.
3. This payment represents full and final settlement of all claims relating to the termination of Mr. Darnel Cleghorne's employment from Sales, Sales Consultancy Limited (t/a SSMC Express International).

Sign

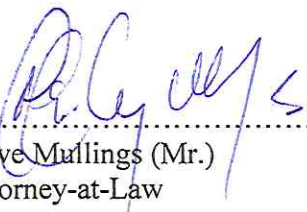


Preceita Gray (Miss)
General Manager/Director



Alexander Nicholson (Mr.)
IR Consultant

Signed on behalf of Mr. Darnell Cleghorne



Clive Mullings (Mr.)
Attorney-at-Law