

# INDUSTRIAL DISPUTES TRIBUNAL

Dispute No: IDT 16/2015

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SETTLEMENT OF DISPUTE

BETWEEN

BRAHAMS EQUIPMENT LIMITED

AND

CHRISTOPHER GOPIE

AND THE

*AWARD*

I.D.T. DIVISION

MR. DONOVAN HUNTER	-	CHAIRMAN
MR. TREVOR GRAHAM, J.P.	-	MEMBER
MR. CLINTON LEWIS	-	MEMBER

DECEMBER 21, 2015

**INDUSTRIAL DISPUTES TRIBUNAL**

**AWARD**

**IN RESPECT OF**

**AN INDUSTRIAL DISPUTE**

**BETWEEN**

**BRAHAMS EQUIPMENT LIMITED  
(THE COMPANY)**

**AND**

**CHRISTOPHER GOPIE  
(THE DISMISSED)**

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**REFERENCE:**

By letter dated June 18, 2015, 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 were as follows:

*"To determine and settle the dispute between Brahams Equipment Limited on the one hand, and Mr. Christopher Gopie 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:

- Mr. Donovan Hunter - Chairman
- Mr. Trevor Graham, J.P. - Member, Section 8(2) (c) (ii)
- Mr. Clinton Lewis - Member, Section 8(2) (c) (iii)

**REPRESENTATIVES OF THE PARTIES:**

The **Company** was represented by:

- Mr. Leon Palmer - Attorney-at-Law
- Mr. Donald Braham - Managing Director

The **Dismissed Worker** was represented by:

- Mr. Arthur Grant - Industrial Relations Consultant

In attendance was:

- Mr. Christopher Gopie - The Dismissed Worker

**SUBMISSIONS AND SITTINGS:**

Briefs were submitted by both parties and at the third sitting of the Tribunal both parties agreed to go back to the local level.

**REPORT TO THE TRIBUNAL**

By letter dated December 1, 2015, the Company wrote to the Tribunal and enclosed a copy of the Heads of Agreement between Brahams Equipments Limited and Mr. Christopher Gopie disclosing the settlement of the dispute.

**AWARD:**

The attached Heads of Agreement dated November 18, 2015 executed under the Signature of all parties to this dispute constitutes this Award.

DATED THIS 21<sup>st</sup> DAY OF DECEMBER, 2015



.....  
Donovan Hunter  
Chairman



.....  
Trevor Graham, J.P.  
Member



.....  
Clinton Lewis  
Member

Witness:




.....  
Royette Creary (Miss)  
Secretary to the Division

**HEADS OF AGREEMENT ARRIVED AT BRAHAMS EQUIPMENT LTD ON  
WEDNESDAY, NOVEMBER 18, 2015 BETWEEN BRAHAMS EQUIPMENT  
LTD. AND MR. CHRISTOPHER GOPIE**

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The parties have agreed that:


1. Brahams Equipment Ltd. will make a payment of two hundred and ten thousand dollars(\$210,000.00) as separation Package to Mr. Christopher Gopie
2. There will be a refund of \$5000 withdrawn from his last salary for a refrigerator which was returned.
3. The above sum total \$215,000 is made in FULL settlement of the dispute relating to the termination of his contract of employment and any issue arising from his employment to Brahams Equipment Ltd.
4. Payment will be made on the 18<sup>th</sup> day of November, 2015
5. Mr. Christopher Gopie will be given a general recommendation from the company.
6. This payment is not to be considered as an admission of liability on the part of the company or Mr. Christopher Gopie.

  
Leon R. Palmer  
Attorney at Law  
1 Eureka Crescent  
Kingston 5

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Signed for and behalf of  
Brahams Equipment Ltd.

  
Signed for and behalf of  
Christopher Gopie

  
Witness