

INDUSTRIAL DISPUTES TRIBUNAL

Dispute No.: IDT 43/2014

SETTLEMENT OF DISPUTE

BETWEEN

MEGAMART WHOLESALE CLUB

AND

MR. KEDESHA CRAWFORD

AND THE

AWARD

I.D.T. DIVISION

MR. DONOVAN HUNTER - CHAIRMAN

MR. TREVOR GRAHAM - MEMBER

MR. CLINTON LEWIS - MEMBER

MARCH¹⁴, 2016

INDUSTRIAL DISPUTES TRIBUNAL

AWARD

IN RESPECT OF

AN INDUSTRIAL DISPUTE

BETWEEN

MEGAMART WHOLESALE CLUB

(THE COMPANY)

AND

MS. KEDESHA CRAWFORD

(THE AGGRIEVED)

REFERENCE:

By letter dated December 17, 2014 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 Megamart Wholesale Club on the one hand and Ms. Kedesha Crawford 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. Donovan Hunter	-	Chairman
Mr. Trevor Graham	-	Member, Section 8(2) (c) (ii)
Mr. Clinton Lewis	-	Member, Section 8(2) (c) (iii)

REPRESENTATIVES OF PARTIES:

The **Company** was represented by:

Mr. Howard Duncan	-	Industrial Relations Consultant
Mr. Sachin Gupte	-	Direction of Operations
Mrs. Andrea Bryan	-	Personnel Assistant

The **Aggrieved worker** was represented by:

Mr. Garfield Harvey	-	Industrial Relations Consultant
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In attendance was:

Ms. Kedesha Crawford	-	Aggrieved worker
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SUBMISSIONS AND SITTINGS:

Briefs were submitted by the parties and at the 5th sitting of the Tribunal, both parties requested to have local level discussions.

REPORT TO THE TRIBUNAL:

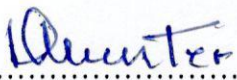
An Agreement dated February 8, 2016 between Cost Club Limited and Ms. Kedesha Crawford on the letter head of Megamart Wholesale Club was submitted to the Tribunal on March 4, 2016.

AWARD:

The attached Heads of Agreement dated February 8, 2016 executed under the Signature of both parties to the dispute constitutes this Award.

DATED THIS 14th DAY OF MARCH 2016

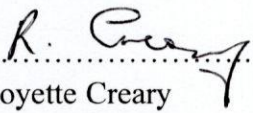



.....
Donovan Hunter
Chairman


.....
Trevor Graham
Member


.....
Clinton Lewis
Member

Witness:


.....
Royette Creary
Secretary to the Division



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Lot #2 Bloomfield Mandeville, Manchester. Tel: 962-9165, 962-9284

HEADS OF AGREEMENT REACHED BETWEEN COST CLUB LIMITED AND MS KEDESHA CRAWFORD ON FEBRUARY 8, 2016

The parties have agreed to the following:

- | | |
|--|----------------------|
| 1. That Ms Kedesha Crawford will be paid the amount of:- | |
| Gross salary for 2 YEARS | - J\$740,480.00 |
| 4 WEEKS PAY IN LIEU OF VACATION | - J\$ 28,480.00 |
| TOTAL | J\$768,960.00 |

2. This payment represents full and final payment to Ms. Crawford as it relates to all matters under discussion with her since February 2014.

3. The termination of employment has been withdrawn and all matters related to the period since February 24, 2014 have been removed from her records.

4. The final payment will be available on Monday February 15, 2016 at our head office 21 Orange Street, KINGSTON. As per your instructions the cheque will be drawn to the University & Allied Workers Union.

5. That this payment is not an admission of guilt or liability by Cost Club Limited, its Principals, Directors, Agents or Servants.

Signed by

Kedesha Crawford

Kedesha Crawford

Witnessed by: [Signature]

Signed by

[Signature]
Cost Club Ltd.

Witnessed by: [Signature]

11/2/16

Date

Date 11-2-2016

9/2/2016

Date

Date 9/2/2016



[Signature] seen 4/3/16