

# INDUSTRIAL DISPUTES TRIBUNAL

Dispute No.: IDT 24/2022

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SETTLEMENT OF DISPUTE

BETWEEN

SCJ HOLDINGS LIMITED

AND

LANCELOT NARAYSINGH

AND THE

***AWARD***

I.D.T. DIVISION



<b>MRS. SHARON ANDERSON</b>	-	<b>CHAIRMAN</b>
<b>MR. ERROL BECKFORD</b>	-	<b>MEMBER</b>
<b>DR. DENESE MORRISON, JP.</b>	-	<b>MEMBER</b>

MARCH 8 , 2024

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**INDUSTRIAL DISPUTES TRIBUNAL**

**AWARD**

**IN RESPECT OF**

**AN INDUSTRIAL DISPUTE**

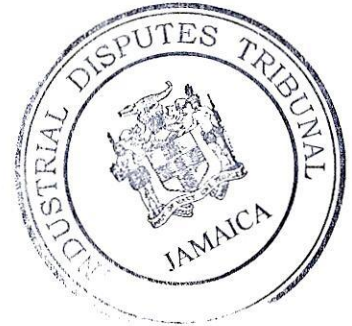
**BETWEEN**

**SCJ HOLDINGS LIMITED  
(THE COMPANY)**

**AND**

**LANCELOT NARAYSINGH  
(THE AGGRIEVED WORKER)**

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**REFERENCE:**

The Hon. Minister of Labour and Social Security, by a letter dated July 22, 2022, referred to the Industrial Dispute Tribunal (“herein after referred to as the Tribunal”) for settlement the dispute between **SCJ Holdings** and **Lancelot Naraysingh** in accordance with Section 11A(1) (a)(i) of the Labour Relations and Industrial Disputes Act, 1975 (“ herein after referred to as the Act”), with the following Terms of Reference:

*“To determine and settle the dispute between SCJ Holdings Limited on the one hand, and Lancelot Naraysingh on the other hand, over the termination of his Contract of Employment”.*

By letter dated January 31, 2024, the Terms of Reference was amended by the Honourable Minister of Labour to read as follows:

*“To determine and settle the dispute between SCJ Holdings Limited, on the one hand, and Lancelot Naraysingh on the other hand, over the termination of his Contract of Employment by reason of Redundancy”.*

**DIVISION:**

The Division of the Tribunal initially selected in accordance with Section 8(2)(c) of the Act to hear the dispute comprised:

Mrs. Sharon Anderson	-	Chairman
Mr. Errol Beckford	-	Member
Mr. Clinton Lewis	-	Member

However, with the passing of Mr. Clinton Lewis, Dr. Denese Morrison, Member was selected to fill the vacancy. Consequently, the parties were written to in accordance with Section 8(4) of the Labour Relation and Industrial Disputes Act (LRIDA).

**REPRESENTATIVES OF THE PARTIES:**

The **Company** was represented by:

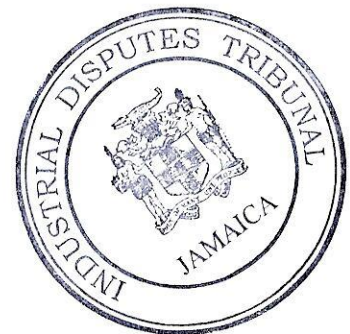
Mr. Jahmar Clarke	-	Attorney -at- law
Mr. Gavin Goffe	-	Attorney -at- law
Mr. Jovan Bowes	-	Attorney -at-law

The **Aggrieved Worker** was represented by:

Mr. Lorenzo Eccleston	-	Attorney-at-law
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In attendance was:

Mr. Lancelot Naraysingh	-	Aggrieved Worker
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**SUBMISSIONS AND SITTINGS:**

1. The Tribunal received a Brief from the Aggrieved Worker but was not in receipt of one from the Company. At the 1<sup>st</sup> sitting of the Tribunal on October 19, 2022, Mr. Jahmar Clarke, the Attorney representing the Company informed the Tribunal that he received instructions to challenge the Minister's decision to refer the matter to the Industrial Disputes Tribunal on the basis that there is no dispute. The Tribunal deliberated and in the absence of an Order from the Court decided that it would proceed to hear the

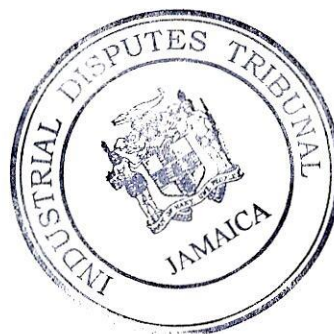
  
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matter. The Attorney representing the Company requested an adjournment until November 8, 2022 (one of the scheduled dates) at which time he will either present a Court Order to stay the proceedings or be in attendance, to present the Company's case. On November 8, 2022, the meeting was convened but had to adjourn as the Attorney for the Company was absent.

2. On November 9, 2022, the Tribunal was served with a Court Order dated October 21, 2022. Hence, the matter was stayed pending the outcome of the judicial review. On May 24, 2023, the Application for Leave to Apply for Judicial Review was refused by the Court.
3. Subsequent to the Court ruling, November 16, 2023 was scheduled for hearing. On November 16, 2023, the Company objected to the Terms of Reference and as such it was sent to the Ministry of Labour for consideration to be given to amend same. Numerous dates were selected for hearing to continue.
4. By letter dated January 31, 2024, the Ministry of Labour returned the amended Terms of Reference.

**RESPONSE FROM PARTIES:**

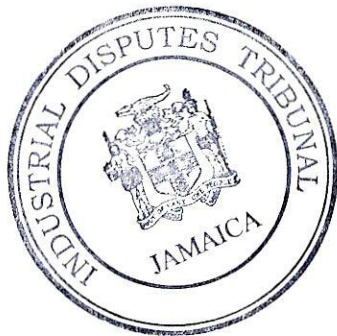
5. Preceding the commencement of the sitting, the Tribunal was advised by way of a joint letter dated February 28, 2024, and signed by both parties that a settlement has been reached. The contents of the letter further advised the Tribunal that ***“the dispute has now been fully settled on terms which are private and confidential”***.



**THE AWARD:**

6. The appropriately executed letter of February 28, 2024, herein attached has reflected the full participation of both parties in the settlement agreement, the terms of which are private and confidential. It is that settlement/agreement that constitutes this Award.

DATED THIS <sup>27</sup> DAY OF MARCH 2024



*Sharon Anderson*  
.....  
Mrs. Sharon Anderson  
Deputy Chairman

*Errol Beckford*  
.....  
Mr. Errol Beckford  
Member

*Denese Morrison*  
.....  
Dr. Denese Morrison, JP  
Member

Witness:

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