

IN THE INDUSTRIAL COURT OF
ANTIGUA AND BARBUDA



REFERENCE NO: C/19 of 2022
BETWEEN:

AVON ROBERTS

Employee

AND

BERTRAND BURKE and JENNIFER BURKE
t/a JENNY TOURS - MONTSERRAT

Employer

ORDER

Before: The Hon. Charlesworth O.D Brown President

Dated the 05th day of September 2023

Entered the 07th day of Sept. 2023

Appearances:

Mr. Anderson Carty, Antigua and Barbuda Tradesmen & United Workers' Federation
for the Employee

Mr. Bertrand Burke, in person and Ms. Jennifer Burke, in person

THIS REFERNECE having come up for an ex parte trial;

HAVING REGARD to the presence of the Employers, and their "response to the
Employee's statements" filed on July 17, 2023.

AND THE COURT DETERMINING that the trial should proceed inter partes;

AND UPON CONSIDERATION of the evidence and oral submissions of the parties.

IT IS HEREBY DECLARED that the Employee was temporarily terminated on March
31, 2020, with no date of recall and was not recalled within three months thereafter or at
all;

AND IT IS FURTHER DECLARED that the Employee is entitled to severance pay at
the rate of his average monthly pay for the 15 months' immediately before his
temporary termination, in the sum of \$2,266.67 for each of his 9 years of employment.

AND IT IS HEREBY ORDERED that:

1. the Employer do pay to the Employee severance pay, with interest thereon at the rate of 10% per annum, and costs as follows:
 - (a) Severance pay in the sum of \$20,400.03
 - (b) Interest to date for 3 ½ years in the sum of \$7,140.00
 - (c) Additional interest pro-rated up to the date of payment
 - (d) Costs in the sum of \$1,500.00
2. The Employer shall pay the aggregate sum of **\$29,040.03** plus the additional interest calculated under 1 (c) above no later than 30th September 2023.

BY THE COURT

Lancille

Registrar

