



# TRINIDAD AND TOBAGO GAZETTE (EXTRAORDINARY)

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No. 198

1660

IN THE INDUSTRIAL COURT OF TRINIDAD AND TOBAGO

IN THE MATTER OF THE INDUSTRIAL RELATIONS ACT

**IN THE MATTER OF AN APPLICATION BY THE HONOURABLE MINISTER OF  
LABOUR FOR AN INJUNCTION UNDER SECTIONS 7 (1) AND/OR 10 (1) (b)  
AND/OR 65 AND/OR 67 (2) OF THE INDUSTRIAL RELATIONS ACT CHAPTER  
88:01 AND/OR UNDER THE INHERENT JURISDICTION/POWERS OF THE  
INDUSTRIAL COURT**

**Application No. GSD-A 004 of 2022**

**BETWEEN**

**THE HONOURABLE MINISTER OF LABOUR**

**Party No. 1**

**AND**

**TRINIDAD AND TOBAGO UNIFIED TEACHERS' ASSOCIATION**

**Party No. 2**

**ORDER**

**OF AN UNDERTAKING TO THE INDUSTRIAL COURT  
IN LIEU OF AN INJUNCTION**

**BEFORE:**

|  |                         |
|--|-------------------------|
| <b>Her Honour Mrs. D. Thomas-Felix</b> | <b>- President</b>      |
| <b>His Honour Mr. H. Soverall</b>      | <b>- Vice President</b> |
| <b>His Honour Mr. L. Achong</b>        | <b>- Chairman, ESD</b>  |
| <b>His Honour Mr. G. Rousseau</b>      | <b>- Member</b>         |

**Dated: the 4<sup>th</sup> day of November, 2022**

**Entered: the 4<sup>th</sup> day of November, 2022**

**APPEARANCES: -**

|                              |   |                        |
|------------------------------|---|------------------------|
| <b>Mr. R. Martineau S.C.</b> | ) |                        |
| <b>Mr. R. Ajodhia</b>        | ) |                        |
| <b>Ms. T. Ramkissoon</b>     | ) | <b>for Party No. 1</b> |
| <b>Ms. K. Matthew</b>        | ) |                        |
| <b>Attorneys at Law</b>      | ) |                        |

1660—Continued

Mr. I. Roach )  
 Mr. A. Bullock ) for Party No. 2  
 Attorneys at Law )

**INTER PARTES:**

**UPON AN EX PARTE APPLICATION** for Injunctive Relief made on the 25<sup>th</sup> day of September 2022 unto this Honourable Court by Counsel for Party No. 1 coming up for return on this day.

**UPON READING** the Notice of Application dated and filed herein on the 25<sup>th</sup> day of September, 2022 and the Affidavit of The Honourable Minister of Labour **STEPHEN MC CLASHIE** sworn to and filed on the said 25<sup>th</sup> day of September, 2022, and the Affidavit of **ANTONIA TEHKA-DE FREITAS** and the Affidavit of **MARTIN LUM KIN** sworn to and filed on the 14<sup>th</sup> October, 2022 and the 2<sup>nd</sup> November, 2022 respectively.

**UPON HEARING** Counsel for Party No. 1 and Party No. 2.

**UPON MARTIN LUM KIN**, President and **ANTONIA TEHKA-DE FREITAS**, former President, of the Trinidad and Tobago Unified Teachers' Association, Party No. 2 herein, appearing before the Honourable Court.

**AND UPON PARTY NO. 2** by its Counsel giving an undertaking.

**THE UNDERTAKING:**

**THAT PARTY NO. 2** by its Counsel undertakes to the Court that Party No. 2, whether by its President, Executive and/or members of the Teaching Service or otherwise howsoever, will not commence and/or continue and/or take any industrial action whatsoever, including "resting and reflecting" or any other form of unlawful withholding of labour.

**IT IS HEREBY ORDERED:**

1. **THAT** on the basis of the undertaking given by Counsel for Party No. 2 and recorded by this Order, the Ex Parte Injunction granted by Order dated the 25<sup>th</sup> day of September, 2022 is hereby discontinued.

**IT IS FURTHER ORDERED:**

2. **THAT** this Order be published in the Trinidad and Tobago Gazette and once in two (2) daily newspapers circulating in Trinidad and Tobago.
3. **THAT** a penal clause be endorsed hereon as shown below in red.

IF YOU THE WITHIN NAMED PARTY NO. 2 BEING THE TRINIDAD AND TOBAGO UNIFIED TEACHERS' ASSOCIATION OR ANY OF YOUR MEMBERS OR HOWSOEVER OTHERWISE KNOWN CLASSIFIED, DESIGNATED, CATEGORIZED, CALLED AND/OR DESCRIBED DISOBEY THIS ORDER YOU WILL BE LIABLE TO PROCESS OF EXECUTION FOR THE PURPOSE OF COMPELLING YOU TO OBEY SAME.



**REGISTRAR  
INDUSTRIAL COURT**