



IN THE INDUSTRIAL COURT OF TRINIDAD AND TOBAGO

IN THE MATTER OF THE INDUSTRIAL RELATIONS ACT, CHAPTER 88:01

**IN THE MATTER OF AN APPLICATION BY CARIBBEAN AIRLINES LIMITED FOR AN
INJUNCTION UNDER SECTION 7(1)(C) AND/OR SECTION 8(1) AND/OR SECTION 10(1)(B)
AND/OR SECTION 10(3) OF THE INDUSTRIAL RELATIONS ACT, CHAPTER 88:01 AND/OR
UNDER THE INHERENT JURISDICTION OF THE INDUSTRIAL COURT**

APPLICATION NO. GSD-A 004 of 2023

BETWEEN

CARIBBEAN AIRLINES LIMITED

Party No. 1

AND

TRINIDAD AND TOBAGO AIRLINE PILOTS ASSOCIATION

Party No. 2

INJUNCTION ORDER

Dated: this 21st day of August, 2023

Entered: this 21st day of August, 2023

BEFORE:

His Honour Mr. Melvin Daniel - **Member**
His Honour Mr. Albert Aberdeen - **Member**
Her Honour Ms. Bindimattie Mahabir - **Member**

Appearances:

Mr. Derek Ali)
Ms. Vanessa Gopaul) for Party No. 1.
Ms. Marcelle Ferdinand)
Attorneys at Law)

EX-PARTE:

UPON AN APPLICATION for Injunctive Relief made on the 20th day of August, 2023 unto this Honourable Court by Attorneys-at-law for Party No. 1.



AND UPON READING the Notice of Application and Written Submissions dated the 20th day of August, 2023 and the Affidavit of **ROGER BERKELEY** sworn to on the 20th day of August, 2023 and filed herein.

AND UPON the determination that the contents therein are serious and warrant the urgent intervention of this Honourable Court.



IT IS HEREBY ORDERED:

1. **THAT** an Interim Order of an Ex-Parte Injunction is hereby granted.

2. **THAT** Trinidad and Tobago Airline Pilots Association, Party No. 2, otherwise known as TTALPA (hereinafter referred to as "TTALPA"), whether by its President, Vice-President, General Secretary or Secretary, Treasurer, Trustees, Executive Members, Officers, servants and/or agents and/or its members and/or members of the bargaining unit for which it is certified as the recognized majority union and who are employed by Caribbean Airlines Limited or any of them are hereby restrained from taking and/or continuing to take and/or participating howsoever in industrial action within the meaning of the Industrial Relations Act, Chapter 88:01 (hereinafter referred to as "the Act") including calling in sick en masse.

3. **THAT** TTALPA, its President, Vice-President, General Secretary or Secretary, Treasurer, Trustees, Executive Members, Officers, servants and/or agents and/or its members and/or members of the bargaining unit for which it is certified as the recognized majority union and who are employed by Caribbean Airlines Limited and who are engaged in industrial action are hereby enjoined from taking and/or continuing to take and/or participating howsoever in such industrial action within the meaning of the Act including calling in sick en masse.

IT IS ALSO ORDERED:

THAT TTALPA is directed forthwith through its President and Executive to instruct and/or direct its members and/or members of the bargaining unit for which it is certified as the recognized majority union and who are workers/employees of Caribbean Airlines Limited to immediately report for duty as rostered and as they are required to do in the normal course of their employment.

THAT TTALPA's President, Vice-President, General Secretary or Secretary and its members and/or members of the bargaining unit who are workers/employees of Caribbean Airlines Limited are

directed to immediately report for duty as rostered and as they are required to do in the normal course of their employment.

IT IS FURTHER ORDERED:

THAT the orders herein shall continue until further order.

THAT this Order of an Interim Ex-Parte Injunction be published in the Trinidad and Tobago Gazette and once in the daily newspapers circulating in Trinidad and Tobago.

THAT this Application of an Interim Ex-Parte Injunction be returnable on the 28th day of September, 2023 at the hour of 9:30 o'clock in the forenoon.

THAT a penal clause be endorsed as shown below in red.

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




REGISTRAR
INDUSTRIAL COURT

