

**IN THE MATTER OF THE HUMAN RIGHTS ACT
1981 BEFORE THE BERMUDA HUMAN RIGHTS
TRIBUNAL**

BETWEEN:

The Hon. William Lawrence Scott, J.P., M.P.

Complainant

-v-

JetBlue Airways Corporation

Respondent

RULING

Date of Hearing: 9 – 12 July 2024

Date of Ruling: 4 September 2024

Tribunal Panel	Christina Herrero (Chair), Dawn Eversley (Member) and Christopher Cunningham (Member)
Counsel for the Complainant	Ms Victoria Greening, Resolution Chambers
Counsel for the Respondent	Mr Jay Webster, Carey Olsen

I. The Parties

1. The Complainant is The Hon. William Lawrence Scott, J.P, M.P and is the former employee in these proceedings. The Complainant was represented by Ms Victoria Greening of Forensica Legal.
2. The Respondent is JetBlue Airways Corporation and is the former employer in these

proceedings. The Respondent was represented by Mr Jay Webster of Carey Olsen.

II. Background

3. The below is a brief summary of the key background facts from these proceedings.
4. The Complainant was employed by the Respondent in the position of Supervisor of Airport Operations in Bermuda from 8 May 2006 to 6 April 2016.
5. During the Complainant's employment, the Complainant was one of two employees of the Respondent located in Bermuda. The other employee in Bermuda was the Complainant's line manager, Mr Herbert Siggins, the Bermuda General Manager.
6. The Complainant was also appointed to the position of Shadow Minister of Transport for the Bermuda Progressive Labor Party (PLP) for the period commencing in or about December 2012 through the remainder of his employment. In this role, the Complainant was responsible in relevant part for educating the public on the Airport Redevelopment Project as well as scrutinizing the decisions of the One Bermuda Alliance (OBA), including in relation to the Airport Redevelopment Project.
7. The following events are not disputed to have taken place in January and February 2016:
 - 7.1 Mr Siggins received a telephone call about a reservation made in respect of a ticket donated by the Complainant.
 - 7.2 A meeting took place at JetBlue Headquarters in New York in February 2016. This meeting was attended by Mr Hayes (the CEO of the Respondent), Mr Rob Land (the Respondent's SVP of Governmental Affairs and Associate General Counsel), Mr Siggins, the then Premier of Bermuda, Mr Michael Dunkley, and other government officials.
8. The Complainant was suspended on 3 March 2016. It is not disputed that a formal investigation was undertaken by Ms Camacho, Human Resources Regional Manager for Crew Relations in relation to the Complainant's use of the Company's travel banks and the Complainant's donations of tickets.
9. The Complainant's employment was summarily terminated for serious misconduct on 6 April 2016.

iii. The Parties' Claims/Defence and the Relief Sought

10. In these proceedings, the Complainant claims compensation for loss of income and injury to feelings alleged to arise from the Respondent's termination of his employment, which the Complainant alleges was an act of unlawful discrimination under the Human Rights Act 1981 (the HRA) on the grounds that the termination was because of his political opinion.
11. The Complainant's position is that the Respondent discriminated against him by dismissing him/ not continuing to employ him because of his political opinions in contravention of the HRA. The Complainant submits that the Respondent's purported reasons for dismissal are inconsistent, irrational and unsupported by the evidence.
12. The Respondent denies liability, or in the alternative denies that the Plaintiff can recover the sums claimed, on the following primary grounds, which are further explained below and which are relied on in the alternative:
 - a. The Complainant lacked a political opinion protected by the HRA; and
 - b. The termination of the Complainant's employment was in no way whatsoever influenced by such alleged political opinion.
13. By way of overview, in the first part, the Respondent's position is that the Complainant did not possess the stated political opinion (defined below) at the relevant time and also on the legal ground that such belief – even if held at the relevant time – would not constitute a political opinion which was protected by the HRA. In the second part, the Respondent notes that the Complainant's case is that the sole reason for his termination was the alleged political opinion and that the reasons for dismissal given by the Respondent are entirely fictitious. The Respondent's position is that the termination of the Complainant's employment was due to serious misconduct in light of his unauthorised use of the travel banks and the unauthorised donations of tickets in violation of the Company policy, together with the Complainant's failure to give a full and truthful account of these activities.

IV. The Law

14. This Complaint and the Tribunal's determination of this Complaint is governed by the HRA.
15. The HRA contains the following relevant sections:

(i) Section 8(1) of the HRA provides in relevant part that:

"Employers not to discriminate

6 (1) Subject to subsection (6) no person shall discriminate against any person in any of the ways set out in section 2(2) by –

...

(b) dismissing, demoting or refusing to employ or continue to employ any person..."

(ii) Section 2(2)(a) of the HRA provides in relevant part that:

"(2) For the purposes of this Act a person shall be deemed to discriminate against another person—

(a) if he treats him less favourably than he treats or would treat other persons generally or refuses or deliberately omits to enter into any contract or arrangement with him on the like terms and the like circumstances as in the case of other persons generally or deliberately treats him differently to other persons because—

...

(vi) of his religion or beliefs or political opinions;..."

(iii) Section 20(1) of the HRA provides in relevant part that:

"Power of tribunals

20 (1) A tribunal after hearing a complaint shall decide whether or not any party has contravened this Act, and may do any one or more of the following—

...

(a) order any party who has contravened this Act to do any act or thing that, in the opinion of the tribunal, constitutes a full compliance with such provision and to rectify any injury caused to the complainant by the contravention and to make financial restitution therefor:

Provided that financial restitution shall not be ordered for any loss which might have been avoided if the complainant had taken reasonable steps to avoid it;..."

- (iv) Section 20A(2) of the HRA provides that:

"Claims under Part II

20A (2) *For the avoidance of doubt it is hereby declared that damages in respect of an unlawful act of discrimination may include compensation for injury to feelings whether or not they include compensation under any other head."*

V. The Burden of Proof

16. Counsel for the parties agree the legal test for the burden of proof, as follows. In a claim for direct discrimination, the Complainant must first establish a *prima facie* case of discrimination. If he does, then the burden of proof shifts to the Respondent to show, on the balance of probabilities (i.e. more likely than not) that there was no discrimination; simply put that there was a non-discriminatory reason for the treatment.
17. In order for the Complainant to establish a *prima facie* case of discrimination, the Complainant must allege discrimination (direct or indirect) based on one of the protected characteristics identified in the HRA. In this case, the Respondent takes the position that the Complainant has not identified protected political opinions and therefore – the Respondent submits – the Complainant's case must fail.
18. The Panel agrees that if the Complainant has failed to identify a protected characteristic under the HRA then the Complainant will not have established a *prima facie* case of discrimination. It is therefore necessary for the Panel to consider whether the Complainant has identified a protected characteristic.
19. The political opinion identified by the Complainant in the Reply to the Request for Further and Better Particulars is as follows (the **Political Opinion**):

"The Complainant held the political opinion that the Airport Redevelopment Project was a bad deal for Bermuda because it would: reduce the country's revenues by \$50 million per annum; increase the operating cost of airlines, the cost of which would be passed on to the passengers, therefore making ticket prices to Bermuda uncompetitive negatively impacting our tourism product; change the airlines categorization of Bermuda from a year-round destination to that of a seasonal one; place the country in a position where the people of Bermuda will never own our airport again; increase the country's liability with the potential of having to pay out a Minimum Revenue Guarantee to Aecon; and undermine Bermudian job security; and equipping the airlines greater bargaining power to the Bermuda Government's detriment."

20. Counsel for the Complainant has not addressed in either written or oral submissions what the test is in determining whether an identified opinion is protected as a political opinion under the HRA, and has not responded to the authorities an argument which was comprehensively set out by the Respondent's pre-hearing written submissions. It seems that the Complainant instead takes it as a *fait accompli* that the opinion identified must be a political opinion protected by the HRA.
21. The Respondent's position in this regard is set out in the Respondent's pre-hearing written submissions at section E(i). In summary, the Respondent's position is as follows:
- 21.1 The Respondent notes that the HRA does not define the term "*political opinions*";
- 21.2 The Respondent likewise identifies that the United Nations University Declaration of Human Rights, the European Convention on Human Rights and the Constitution of Bermuda do not contain any definition of "*political opinions*";
- 21.3 The Respondent first relies on the case of *Grainger Plc & Others v Mr T Nicholson* UKEAT/0219/09/ZT (dealing with discrimination on the grounds of "religion or belief") to say that the principles and criteria which Mr Justice Burton identified in *Grainger* as being required for a belief to qualify for protection should likewise apply to the "*political opinions*" characteristic under the HRA.
- 21.4 The Respondent states that, if the Panel were to reject the "*Grainger test*", then the Panel should look to the natural and ordinary meaning of the words which would be in keeping with Parliament's presumed intention. In short, the Respondent states that (i) the use of the plural "*political opinions*" must be deliberate and intended to connote something other than a mere opinion, and as such, the Respondent contends that what is protected need only be a comprehensive belief system by which the complainant organizes their life and (ii) that the words "*political opinions*" should be construed as a whole and as part of the phrase "*religion or beliefs or political opinions*".
22. First, the Panel does not accept that the "*Grainger test*" or the principles and criteria set out in *Grainger* can be neatly mapped on to the protection of "*political opinions*" under the HRA. Most obviously, the Tribunal in *Grainger* was dealing with different legislation entirely and was not concerned with the definition of "*political opinions*".
23. Moreover, the Panel notes the specific language of section 2(2)(a)(vi) of the HRA ("religion or beliefs or political opinions"). Based on the Respondent's argument, by application of the *Grainger test* and the Respondent's proposed interpretation of section 2(2)(a)(vi) of the HRA, the Panel is essentially being tasked with "reading out" the word "opinions" from

the Act and instead inserting the word "belief". The fact the legislature has distinguished between a religious "belief" and political "opinions" cannot be ignored.

24. The Respondent further argues that, if the 'light touch' test implied by the Complainant is accepted, then it would mean that every opinion held on any matter possibly described by a politician would be subject to the HRA. The Panel does not agree. It is a factual inquiry by the Panel whether opinions amount to political opinions subject to protection under the HRA. In this case, the Panel finds that the Complainant's identified political opinions are subject to protection but, to be clear, this does not mean that any opinion which could possibly be identified as political, would be subject to the HRA and automatically afforded protection thereunder. In the circumstances of this case, however, the Panel accepts that the Complainant has identified a political opinion which may be afforded protection under the HRA.
25. The Respondent further asserts that, as a factual matter, the Complainant did not hold the political opinions at the relevant time and that the political opinions were not genuinely held (and therefore not subject to protection under the *Grainger* test) because the Complainant was obliged to hold the opinion by virtue of his membership of the Shadow Cabinet. The Panel does not accept these contentions. First, as mentioned above, the Panel does not accept the direct application of the *Grainger* test. Second, as mentioned above, the Panel is satisfied in the circumstances of this case that a political opinion capable of being afforded protection under the HRA has been identified. In the circumstances of this case, the Panel rejects the contention that the stated political opinion was not genuinely held.
26. The Panel therefore accepts that the political opinion identified by the Complainant is capable of protection as a protected characteristic under the HRA and that the Complainant has not failed to set out a *prima facie* case of discrimination based on the alleged failure to identify a protected characteristic. The Panel also accepts that the Complainant held a political opinion which is protected by the HRA and therefore the Complainant's *prima facie* case does not fail on this ground. Moreover, the Panel considers that – taking the facts as alleged by the Complainant as true, and without consideration of the defence – the Complainant has established a *prima facie* case of discrimination.
27. Accordingly, a *prima facie* case having been established, the burden of proof now shifts to the Respondent to show, on the balance of probabilities that there was no discrimination as alleged by the Complainant.

VI. The Issues

28. The Parties agreed a list of issues dated 25 August 2023, which states as follows:
- (i) As at the termination date, did the Complainant possess "*political opinions*" protected by the HRA; and
 - (ii) If the answer is 'yes', was the Complainant dismissed by the Respondent because of his alleged political opinions.
29. The Complainant has, throughout these proceedings, raised a number of alleged defects in the procedure relating to the termination of his employment. Both parties, however, agree that the Respondent does not have to prove that the Complainant's dismissal was substantively or procedurally legal. Notwithstanding, both parties further agree that, should the Panel believe that there were substantive or procedural issues in relation to the termination of the Complainant's employment, this may nonetheless be used to support the inference that the termination of the Complainant's employment was based on his political opinion and thereby discriminatory.

VII. Summary of the Evidence

30. It is noted at the outset that due to the sheer volume of evidence in this case, it is not possible (or proportionate) for the Panel to describe every aspect of the evidence in this Judgment. Therefore, the Panel has focused on the most relevant and important evidence. However, it is noted that all of the evidence presented to the Panel was considered and the fact that any piece of evidence is not discussed in this Judgment should not be taken as an indication or confirmation that it was not considered.

Was the Complainant's Employment Terminated by the Respondent because of the Political Opinion?

31. The Panel addresses the evidence in this regard in chronological order in the following key parts: (i) the call from Mr Land (ii) the New York Meeting and (iii) the investigation and termination of the Complainant's employment.
32. At the outset, the Panel confirms that it does not consider the incidents and performance plans from 2007/2008 to be relevant, except perhaps for providing context. Notably, as early as 2008, the Complainant was advised about repeatedly offering airline tickets for local promotions without adhering to the required protocols, including incidents in August and December 2007. This historical context highlights that the Complainant had previously

been informed of the importance of following Company policy.

33. It is important to note that this case, as accepted by both parties, involves the Tribunal being asked to draw inferences. The key issue is whether the inferences the Tribunal is being asked to draw are reasonable and whether they satisfy the preponderance of the evidence standard.

The Call from Mr Land (October 2015?)

34. In his oral testimony, the Complainant described the tone of the telephone call with Mr Land as *"very friendly."* He confirmed Mr Land expressed support by stating, *"we [the Company] have your back and we [the Company] told Aecon you are doing your civic duty"*. In the Complainant's words, Mr Land communicated that he *"just wanted to let you know that we have got you per se."* The Complainant said in his testimony that he thanked Mr Land for the support.
35. The Complainant confirmed in his oral testimony that it is only *"in hindsight"* that he is *"uncertain whether [the] conversation was an attempt to draw distance between Aecon and Jet Blue"*.
36. However, the Complainant also expressed confusion about the need for such a call, questioning whether this was a natural or proportionate reaction, and wondering why the Company needed to inform him of their support.
37. During his testimony, the Complainant admitted, possibly for the first time, that Mr Land also asked him, when speaking in a public capacity, to distinguish between his role as Shadow Minister and as an employee of Jet Blue. He also recalled speaking with Mr Siggins who reiterated a similar message, cautioning him to be careful about what he says in the public domain.
38. The Complainant further elaborated that, after speaking with Mr Siggins, he felt a sense of unease, likening the situation to *"where there's smoke, there's fire."* He explained that in politics, receiving the same information from two unrelated sources can lend it a sense of validity, which he felt made the situation unnerving. The Complainant testified that this sense of discomfort led him to discuss the matter with his father, as he was concerned he might be overreacting or being paranoid.
39. The Complainant also stated in testimony that he *"felt as if he was being given by Mr Land*

either wittingly or unwittingly, a subtle yet coded ultimatum." The Complainant confirmed that he understood the coded message because he is a politician.

40. The panel does not consider that the Complainant was a reliable witness. This conclusion is based on the panel's consideration of the Complainant's written and oral testimony. Namely, first, the Complainant's story changed and developed over time.
41. In addition, the cross examination of the Complainant confirmed an alternative plausible – and the Panel considers more reasonable and likely – explanation of the call from Mr Land. Namely, that the Company had valid concerns that the Complainant was not clearly distinguishing himself when speaking in the public domain as Shadow Minister and when speaking in his role as an employee of the Company, and that Mr Land called him to ask him to do so. The Complainant admits that this was the nature of the call with Mr Land, and that there was no over communication during the call that would allow a typical recipient to discern the alleged coded message that the Complainant claims he was later able to detect.
42. Additionally, there appears to be inconsistency about the Complainant's expressed concerns about Mr. Land given his decision to reach out to Mr. Land for support after being suspended. Although the Complainant claims that this contact was a test to see if Mr Land would support him, the panel does not find this explanation convincing.

The New York Meeting

43. The evidence from all witnesses in relation to the New York meeting was, unfortunately, lacking. The panel found Mr Siggins to be an unreliable witness, and his testimony was therefore unhelpful in this regard. In addition, while the panel found Mr Land to be a reliable witness, his evidence in relation to this meeting did not assist because he did not recall the specifics of the meeting.
44. The Panel finds the Respondent's evidence in relation to the NY meeting lacking. However, the mere occurrence of the meeting does not alone justify drawing the inferences requested by the Complainant, particularly in consideration of the other events that occurred around the same time. This other events include the call received by Mr Siggins in January, as well as the Complainant's creation of the travel bank on 2 February 2016.

45. Moreover, the contemporaneous documentation shows that, as at 11 February 2016, the Company did not plan to terminate the Complainant's employment. In this e-mail, Mr Siggins clearly confirms that, despite a "trust factor" which is of concern, Mr Siggins "*wants to do the right thing for [the Complainant] in his development at [the Company].*" This is inconsistent with the Complainant's allegations that the decision to terminate was made during the NY meeting, and indeed also inconsistent with the suggestion by the Complainant's lawyer that the decision to terminate was made as far back as November 2015.
46. It is noted that the Complainant's evidence in relation to the New York meeting also changed and/or developed over time. In the initial Complaint and the Complainant's two witness statements filed before the hearing, the Complainant never mentioned preparing for a separate meeting which he was expecting to attend, or suspecting that same meeting was later moved to New York. Initially, the Complainant only stated that there was a meeting of senior JetBlue executives in New York and that Mr Siggins received a reprimand for failing to inform his Regional Manager about this meeting. In his witness statement, the Complainant claimed, "*I reasonably believe that there was an escalation of related events that led to my suspension immediately upon the delegation's return to Bermuda. There is the expression that a good detective does not believe in coincidence.*" However, this assertion alone is not sufficient to support a finding of discrimination, particularly considering the existence of a reasonable alternative explanation.
47. Moreover, the Complainant's evidence regarding the NY Meeting and his interactions with Mr Land is somewhat undermined by his oral evidence, where he admitted that he didn't consider the actions discriminatory until after meeting with his lawyer following the termination of his employment. This is further reiterated in the letter from his lawyer dated 8 April 2016 which states, "*Nevertheless, in hindsight, Mr Scott has ruminated that his political affiliation has clearly been the catalyst to his current employment status and recent termination.*" This statement is inconsistent with the earlier claim that the Complainant immediately perceived Mr Land's telephone call as a message forcing him to make a choice between continuing with his employment and continuing his role as Shadow Minister.

The Investigation and Termination of the Complainant's Employment

48. It is noted that the Complainant's case focused in very large part on issues relating to

and/or surrounding the termination of the Complainant's employment. For example, the Complainant focused on procedural issues relating to the termination including whether he was provided a fair process in the investigation. The Complainant raised on a handful of occasions (i) the fact he was not provided advance notice of the purpose of the meeting held between himself, Ms Camacho and Mr Siggins on 3 March 2016 at which he was suspended, (ii) the fact he was not afforded an opportunity to bring a companion or representative to that meeting and (iii) the fact he was not provided a fulsome opportunity to respond to the allegations against him. Whilst such information provides contextual background for this Panel's consideration of the claim, it is noted that the actual determination of whether the Complainant was properly terminated and/or afforded a fair process in the investigation are employment issues over which both parties accept this Tribunal has no jurisdiction. Accordingly, given the jurisdictional limitations of this Tribunal, the Tribunal does not consider the points made by the Complainant in this regard relevant to the determination of the claim at issue before the Tribunal.

49. The Panel is unanimous in its strong assessment that Ms Camacho was a reliable witness. We accept her testimony that she was unaware of, and did not hold strong views regarding the Complainant's political affiliations or beliefs at the time the investigation commenced or through its duration. This is accepted by the Complainant. Given Ms Camacho's position as the person in charge of the investigation, and the Complainant's acceptance that Ms Camacho's conduct of the investigation could not have been motivated by the political opinion, this evidence leads us to conclude that the Complainant's case must fail.
50. Moreover, while it is outside the jurisdiction of this Tribunal to determine whether the termination of the Complainant's employment was lawful from an employment law perspective or otherwise (save for the allegations at issue in this case), the panel finds that there is strong evidence that the Complainant repeatedly violated company policies and that he was, or should have been, aware of these violations. The Complainant's response to these allegations was deemed unreliable and inconsistent.
51. The undisputed evidence revealed that, in August 2014, the Complainant applied to convert over 300 hours of community service hours into round trip tickets under the community connection program (the **CCP Program**). The Complainant's evidence was that he intended to donate eight return trips to the local charity Epsilon Theta Lambda (ETL), which would enable individuals to undertake mission work in Columbia such as

building a school. However, the Complainant later clarified that he only sought to convert the volunteer hours into six round trip tickets, and planned to use buddy passes for the remaining two. This application was automatically rejected because ETL did not meet the community connection program criteria; specifically, because ETL was not a qualifying 501(c)(3) organization and did not fulfil the US tax requirements. It was not disputed that this criteria meant that donations to charities outside the United States would not be approved.

52. In the Complainant's submissions, the Complainant argues that, despite the Company's policy, an e-mail from Ms Kate Wetzel indicates that the Respondent had ways around the strict policy requirements. In this regard, it is not disputed that the tickets were ultimately donated to ETL. However, it is noted that the Complainant's reading of Ms Wetzel's email does not appear to support the Complainant, but rather, supports the Respondent's position: it is evident that the Complainant was aware he could have obtained travel certificates and that the Corporate Social Responsibility (CSR) team could have, if desired, facilitated donations to the ETL chapter through travel certificates. The Complainant admitted during cross examination that such an arrangement would have been possible. Instead, the Complainant chose to issue tickets in a manner that did not adhere to the standards of the CCP program.
53. The Complainant seeks to rely on a conversation he reportedly had with Ms Wetzel, Manager from the CSR team around July 2014, following his initial attempt to use the CCP Program to donate his accrued hours to the ETL Chapter. He asserts that Ms Wetzel effectively agreed to adopt an 'amended policy' for CSR donations in Bermuda, deviating from the strict procedural rules and 'checks and balances' inherent in the CCP Program.
54. However, this testimony is inconsistent with the e-mails from Kate Wetzel, leading the Tribunal to find the Complainant's evidence unreliable. The scope of the purported amended policy appeared to shift through the Complainant's testimony. Furthermore, it is not unclear from the Complainant's account whether the exemption would extend to allowing him to use the Travel Bank – rather than requesting the issuance of Travel Certificates – which involves a different process and has different financial implications for the Company. Moreover, the Complainant also did not rely on the purported amended policy during his employment when responding to inquiries from Mr Siggins or during the suspension meeting.

55. The Complainant points to the delay in the investigation as a factor in his case. While it is true that some issues were not investigated immediately, there is no evidence suggesting that the Respondent was aware of the misuse of the Company system or violations of policy and chose to ignore them. Indeed, throughout the Complainant's own testimony, he failed to sufficiently distinguish between the use of travel certificates and the use of the Travel Bank, which is a plausible explanation for why the policy violations were not known to Mr Siggins following discussions with the Complainant.
56. Moreover, there are alternative explanations for why the investigation was commenced in early 2016 (as opposed to in 2015). Accordingly, the Panel accepts that the Respondent acted appropriately once the information came to light. The Panel accepts the evidence that the investigation was triggered by the telephone call in January 2016. Additionally, the Complainant's creation of the travel bank on 2 February 2016 was also a factor prompting the investigation into the Complainant's conduct. The Panel concludes that any alleged delay in the investigation is not sufficient to support the inference that the investigation and the termination of the Complainant's employment were based on the Complainant's Political Opinion.
57. It is further noted that, in addition to the 8 tickets, the Respondent has identified several issues with additional tickets that it alleges the Complainant issued in violation of the Company's policies. However, the Respondent has stated that these additional policy violations were not the basis for the termination of the Complainant's employment. One of the Complainant's primary arguments regarding these additional alleged violations was that they were not presented to him during the suspension meeting and that the Company did not follow proper procedure in basing his termination on these grounds. This procedural issue falls outside of the jurisdiction of this Tribunal. For the purposes of this Panel's determination, it is noted that, based on the evidence presented, the Complainant's unilateral issuance of additional tickets did not appear to be justified or authorised. Furthermore, the Complainant's evidence on this matter was found to be unreliable and contradictory, all of which supports the finding that the decision to terminate the Complainant's employment was not based on his holding a political opinion and therefore not discriminatory.

Conclusion and Order

58. On coming to the below orders, the Panel has considered not only the positions of the

parties as summarised in this Judgment, but also the numerous arguments made in the written and oral submissions of the parties and the evidence of the witnesses. The Panel has taken into account all evidence, arguments and submissions whether oral or written even if not referred to expressly, or not set out in full in this Judgment.

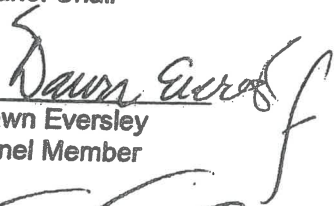
59. For the foregoing considerations and reasons, we hereby order as follows:

- (i) The Complainant's case shall be and is hereby dismissed.
- (ii) The Complainant shall pay to the Respondent costs in the sum of \$1,000 pursuant to section 20(1)(c) of the Human Rights Act 1981.
- (iii) The parties shall have liberty to apply by letter to the Panel within 21 days of the date of this Judgment in relation to any other consequential issues arising from this Judgment.

Dated this 4th day of September 2024.



Christina Herrero
Panel Chair



Dawn Eversley
Panel Member



Christopher Cunningham
Panel Member

Human Rights Tribunal

2024 OCT 10 PM 12: 22
SUPREME COURT GEORGETOWN