TRINIDAD AND TOBAGO

IN THE INDUSTRIAL COURT OF TRINIDAD AND TOBAGO

Trade Dispute Number 86 of 2005

Between

COMMUNICATIONS WORKERS UNION

Party No.1

And

NUCORE SECURITY AND JANITORIAL SERVICES

INCORPORATED LIMITED

1st PARTY #2

AND

NATIONAL MAINTENANCE TRAINING AND SECURITY

COMPANY LIMITED

2nd PARTY #2

**STATEMENT OF EVIDENCE AND ARGUMENTS OF THE 1st PARTY #2**

**EVIDENCE OF PARTY 1st PARTY #2**

1. Nucore Security and Janitorial Services incorporated limited (hereinafter referred to as Nucore Company) is a company carrying out general construction services with its registered office at #19 Marcano Quarry, East Dry River, Port of Spain. Ms. Erica Augustine is the Director of the said company
2. Nucore company was registered on 24th of June, 2003 under the companies Act, 1995. A copy of the registration certificate is hereto attached and exhibited as “A”.
3. The Communication Workers’ Union (hereinafter referred to as Union) brought an industrial action against the Nucore Company in the Trade dispute number 86/2005
4. Ms. Patsy Noel ( hereinafter referred to as the worker) was first employed by the St.Paul Street, Multi purpose Facility company limited (hereinafter referred to as St.Paul Street company) on June 25, 1989. The position she held was that of Janitorial Technician at a salary of six hundred and sixty dollars ($660.00) per fortnight.
5. At the time the worker was employed with the St.Paul Street, company, Ms. Erica Augustine, was employed as an administrator of the St. Paul Street company.
6. The St.Paul Street Multi purpose Facility is owned and operated by the Ministry of Sport and Youth Affairs.
7. The St. Paul Street Company was providing services of maintaining the St.Paul Street Multi purpose Facility and was remunerated from the Ministry of Sport and Youth Affairs.
8. As per the cabinet minute dated March 13, 2003, the Ministry decided to end the contract with the St.Paul Street Company.
9. Ms.Erica Augustine at that instance decided to form a company to provide services of Janitorial and Security
10. She started employing people who are willing to work for her and she also offered a Job to Ms.Patsy Noel and Ms.Patsy Noel refused to work for Nucore. This is evident from her evidence filed on 3rd April, 2009. A copy of the evidence is here to attached an exhibited as “B”
11. Nucore company is private individual company and did not have any agreement with the government to take over the employees from any company
12. Hence In this regard the Nucore Company seeks leave of the Court to be released from its attachment to this matter.

Submitted for and on behalf of

Nucore Security and Janitorial Services Limited

Ms.Erica Augustine

Director of Nucore Security and Janitorial Services Limited