

REPUBLIC OF KENYA
IN THE EMPLOYMENT & LABOUR RELATIONS COURT
AT NAIROBI
CAUSE NO. 1563 OF 2018

(Before D. K. N. Marete)

KENYA ENGINEERING WORKERS UNION..... CLAIMANT/APPELLANT

-VERSUS-

NAPRO INDUSTRIES LIMITEDRESPONDENT

RULING

This is an application for review by the union dated 11th March, 2025. It seeks this court's indulgence in a review of the orders so as to be in tandem with the prayers of the Memorandum of Claim dated 26th November, 2016 and filed on 28th instant.

This application is grounded on the basis that in a previous application, this court had ruled that the issues in dispute shall be determined at the main claim which has not been satisfactorily addressed in the judgment of court dated 30th October, 2024.

This application is not opposed, or at all. The Respondent has remained silent and not participated in its prosecution.

The Applicant in its written submission dated 24th June, 2025 on the basis of the supporting affidavit of Wycliffee A. Nyamwata sworn on the same date. It is also based on section 16 of the Employment and Labour Relations Court Act, 2016 and Rule 74 of the Employment and Labour

Relation Court (Procedure) Rules, 2024. In this regard, this court upholds the application and orders review in the following orders;

- (i) That the Respondent be and is hereby restrained from victimizing the Claimant Union's members on grounds of trade union activities and or affiliation.
- (ii) That the Respondent be and is hereby restrained from revoking the parties Recognition Agreement without following the proper procedure as per section 54 of the Labour Relations Act, 2007.
- (iii) That the Respondent be and is hereby restrained from outsourcing the services of her core business.
- (iv) That the Respondent be and is hereby ordered to maintain and sustain peace and harmony of the parties at the world of work.

Delivered, dated and signed this 9th day of December 2025.

D. K. Njagi Marete
JUDGE

Appearances:

1. Mr. Patrick Makale for the Claimant/Applicant.
2. No appearance for the Respondent.