



**Lopite & 46 others v County Government of Turkana & 5 others (Cause E001 of 2021) [2026] KEELRC 627 (KLR) (27 February 2026) (Ruling)**

Neutral citation: [2026] KEELRC 627 (KLR)

**REPUBLIC OF KENYA  
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT KITALE  
CAUSE E001 OF 2021  
MA ONYANGO, J  
FEBRUARY 27, 2026**

**BETWEEN**

**REUBEN LOWOTE LOPITE & 46 OTHERS ..... CLAIMANT**

**AND**

**THE COUNTY GOVERNMENT OF TURKANA ..... 1<sup>ST</sup> RESPONDENT**

**THE COUNTY GOVERNMENT OF TURKANA PUBLIC SERVICE BOARD ..... 2<sup>ND</sup> RESPONDENT**

**THE COUNTY GOVERNMENT OF TURKANA SECRETARY .... 3<sup>RD</sup> RESPONDENT**

**THE CHIEF OFFICER OF HEALTH COUNTY GOVERNMENT OF TURKANA ..... 4<sup>TH</sup> RESPONDENT**

**THE CHIEF OFFICER OF FINANCE COUNTY GOVERNMENT OF TURKANA ..... 5<sup>TH</sup> RESPONDENT**

**THE HON. ATTORNEY GENERAL ..... 6<sup>TH</sup> RESPONDENT**

**RULING**

1. Judgment in this suit was delivered on 1<sup>st</sup> February, 2024 in favour of the Claimants. In the judgment the Court awarded as follows:
  - a. The 1<sup>st</sup> Respondent is hereby directed to pay the Claimants their salary together with the allowances that accrued by dint of their employment contracts from the date of acceptance of the said letters of appointment.
  - b. The Respondents shall bear the costs of this cause.



2. In view of the number of Claimants involved and the fact that the Claim did not include the amount owed to each of them, the court directed the parties to tabulate and agree on the amount due. The parties were however not able to agree hence the application herein dated 26<sup>th</sup> May, 2025 in which the Claimants seek the following orders:
  - a. That this Honourable Court be pleased to order the 1<sup>st</sup> Respondent to present the claimants payroll in court for purposes of computing the salary and allowance arrears due for the claimants for purposes of drawing a decree and payment.
  - b. That in the alternative this Honourable Court do issue a decree for Kshs.135,582,174/= being the claimant's salary together with the allowances that accrued by dint of their employment contracts.
  - c. That costs of this application be provided for.
3. The application is supported by the following grounds:
  - a. The Applicants wrote to the Respondents after the judgment was issued by this court and demanded the said sum of Kshs.135,582,174/=being the accrued salary and the allowances.
  - b. The claimants also asked the Respondents to confirm from the payroll the correct salary arrears due and allowances and communicate with the applicants but they have failed.
  - c. That it will only be fair and in the interest of justice for the 5<sup>th</sup> Respondent to deposit a copy of the payroll in court to confirm and or correct the Claimants computation of the arrears due for them.
  - d. The Respondents have refused to cooperate with the claimants on the issue of the salary and allowances due for payment.
4. The application is further supported by the affidavit of Etabo John Lokeno, the 3<sup>rd</sup> Claimant who reiterates the grounds on the face of the application.
5. The Respondents filed a replying affidavit of Chris Locheria, Director of Administration and previously Human Resource Manager of the 1<sup>st</sup> Respondent in which he states that the computation by the Claimants have no legal basis and are not in conformity with the Judgement of this court, is unjustified and unsubstantiated. The Affiant further states that the computation by the Respondents in the sum of Kshs. 48,658,183.00 is the correct amount due as per schedule of calculations attached to the affidavit at annexure CL-2. That out of this sum the Respondents have already paid Kshs. 10,107,609.00. It is further the affiant's averment that some of the Claimants opted to withdraw their claims after being deployed. Mr. Locheria deposes that the decretal sum as computed by the Claimants would incapacitate the Respondents.
6. Both parties filed submissions which by and large reiterate the averments in the application for the Claimants and in the Replying affidavit for the Respondents.
7. Having considered that application, affidavits on record and the submissions, the only issue for the Court's determination is whether the Claimant is entitled to the orders sought in the application.
8. It is the court's view that the Claimants do not require the Respondents' records to tabulate the amount due to each of the Claimants. The amount payable should be in the letters of appointment of each Grievant. The date of acceptance is also on each Claimant's documents filed in court. All that the Claimants need to do is use the letters of appointment and the letters of acceptance. An example is Edward Elim Tawoi. His letter of appointment is dated 19<sup>th</sup> October, 2020. His acceptance letter



indicates that he accepted the offer on 19<sup>th</sup> October, 2020 as a driver on job group 'G'. His basic salary as per appointment letter is Kshs. 16,890. House allowance is Kshs. 3000, Commuter allowance is Kshs. 3000, hardship allowance is 4300 and annual leave allowance is Kshs. 4000 per year. Computation for him is therefore  $(16,890+3000+3000+4300) = 27,000$  per month. Multiply this by the number of months up to the date he was deployed. Add leave allowance of Kshs. 4000 once a year, if due.

9. Once such computation is done the Respondent would confirm or give its own computation if it disagrees.
10. Since the Respondents have already submitted their computation, the Claimants are directed to confirm if the same is correct or give their own computation with reasons why their computation should be preferred to the Respondent's computation.
11. For these reasons I find no merit in the application for production of payroll. The application is accordingly dismissed. Each party shall bear its costs of the application.
12. Applicant to comply as above and take a date in court for confirmation of decretal sum due or for further directions.

**DATED, SIGNED AND DELIVERED VIRTUALLY ON THIS 27<sup>TH</sup> DAY OF FEBRUARY, 2026.**

**MAUREEN ONYANGO**

**JUDGE**

