

REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT
NAIROBI

CAUSE NO. E654 OF 2020

KENYA ENGINEERING WORKERS UNION.....CLAIMANT

VERSUS

M/S INSTEEL LIMITED.....RESPONDENT

RULING

This suit was concluded by a judgment dated 15/12/2024. The court made its final orders in the said judgment as follows:

A.

(a) Four months' salary in compensation for those employees who had served the Respondent for between 20 and 24 years.

(b) Three months' salary in compensation for those employees who had served the Respondent for between 10 to 15 years.

(c) Two months' salary in compensation for those employees who had served the Respondent for between 1 and 9 years of service.

B. The terminal benefits and compensation to be computed by the Respondent and filed within 30 days of this judgment. The Claimants to file a confirmation and/or response within 15 days of service.

C. The unpaid terminal benefits to be paid with interest at court rates from 18th October, 2019 until payment in full.

D. Compensation to be paid with interest from date of judgment till payment in full.

E. Respondent to provide certificate of service to the grievants within 30 days of the judgment

F. The Respondents to pay the costs of the suit.

The decretal sum was settled in respect of all the grievants excepts one Geoffrey Kangethe who has made several applications to this court with a view to have the quantum of his award agreed upon and/or determined by the court.

The court made a ruling on the matter on 10/7/2025 and Geoffrey Kangethe the grievant/Applicant said he was happy with the ruling and filed computation dated 4/12/2025 while Mr. Makale for the union filed undated computation. Mr. Makale informed the court that all grievants were paid directly and that Geoffrey Kangethe, should be guided by the said ruling. Geoffrey submitted that he did not get personal tax relief of Kshs. 2,400 which was deducted on net pay and the court should make a ruling on it. Geoffrey added that severance pay was also not paid.

The court finds that the 1st Respondent wrongly failed to allow the Applicant tax relief in the sum of Kshs. 2,400/= while deducting and remitting PAYE to the tax authority and should refund the same to the Applicant, Geoffrey Kang'ethe.

The Applicant, Geoffrey Kangethe is entitled to payment of severance pay as set out in the tabulation dated 4/12/2025 less any amount already paid.

The unexplained difference in respect of Geoffrey Kangethe in the sum of Kshs. 8,874.86 be paid to him.

In the final analysis the Applicant Geoffrey Kangethe be paid as follows in full settlement of the decretal sum: -

- (a) Kshs. 2,400/= tax relief not granted to the Applicant
- (b) Kshs. 2,211,825.00 severance pay less any amount already paid as set out in the tabulation.
- (c) Kshs. 8,874.86 being unexplained deduction in the terminal dues.

Each party to bear their own costs of the application.

Dated at Nairobi this 27th day of April 2026



Mathews Nduma

JUDGE

Dated, signed and delivered in open court at Nairobi this 29th day of April 2026

Dr. Gakeri J.

JUDGE

Appearances:

Applicant in person Geoffrey Kangethe

Mr. Patrick Makale for Claimant/Union

Mr. Kemboi – Court Assistant