



**Musasia v Egerton University (Appeal E016 of 2025)
[2025] KEELRC 865 (KLR) (18 March 2025) (Ruling)**

Neutral citation: [2025] KEELRC 865 (KLR)

**REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAKURU
APPEAL E016 OF 2025**

**J RIKA, J
MARCH 18, 2025**

BETWEEN

REUBEN MUSASIA APPELLANT

AND

EGERTON UNIVERSITY RESPONDENT

RULING

1. This is a preliminary ruling on the Appellant's application, brought under certificate of urgency, dated 14th March 2025.
2. The order issued by the Trial Court on 12th March 2025, subject matter of the Appeal, is directed at Pwani University.
3. Pwani University is not named as a Party to the Appeal, and it is not clear from the Appellant, if Pwani University was a Party to the Application giving rise to the Appeal.
4. It is not proper that the Court issues orders directed at Non-Parties.
5. Section 19 [3] of the *Employment Act*, which governs deduction of salaries, states that deductions shall not at any one time, exceed two-thirds of an Employee's salary.
6. Two-thirds is 66.67%, and 45% deduction imposed on the Appellant's salary seems to be within the law, assuming that, there are no other deductions imposed on the Appellant's salary.
7. The Employer needs to be involved, so as to clarify the totality of the deductions.
8. The application needs to be argued inter partes, before the orders sought can be granted.
9. The application filed by the Appellant, dated 14th March 2025, shall be served upon the Respondent, and Pwani University, and processed for hearing inter partes, as soon as practicable, at the Registry.



**DATED, SIGNED AND RELEASED TO THE PARTIES ELECTRONICALLY AT NAKURU, THIS
18TH DAY OF MARCH 2025.**

JAMES RIKA

JUDGE

