



REPUBLIC OF KENYA



**Kenya Union of Domestic, Hotels, Educational Institutions, Hospital
And Allied Workers (Kudheih v The Nairobi Hospital (Cause
E403 of 2021) [2022] KEELRC 1666 (KLR) (27 July 2022) (Order)**

Neutral citation: [2022] KEELRC 1666 (KLR)

**REPUBLIC OF KENYA
IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT NAIROBI
CAUSE E403 OF 2021
AN MWAURE, J
JULY 27, 2022**

BETWEEN

**KENYA UNION OF DOMESTIC, HOTELS, EDUCATIONAL INSTITUTIONS,
HOSPITAL AND ALLIED WORKERS (KUDHEIHA) CLAIMANT**

AND

THE NAIROBI HOSPITAL RESPONDENT

ORDER

1. As per the order made on 20th January 2022 upon delivery of the judgment by this honourable Court the Claimant having presented their account's on the Claimant's remuneration and the Court having compared with the employers clearance forms presented on 4th March 2022 by the former advocates of the respondents Messrs Echesa & Bwire advocates LLP these are the final orders of the Court and awards accordingly.

1. Ian Noah Omeno

Claim: Kshs 859,189.20 - 566,107.10 = 293,082.10/-

2. Brian Nyakwaka Odhiambo

Claim: Kshs 843,188.40 - 378,046.50 = 465,141.90/-

3. Benson Chelimo Tuitoek

Claim: Kshs 843,188.60 - 381,602.10 = 461,586.30/-

4. Otiato Anindo Roselyne

Claim: Kshs 1,012,932 - 790,638.10 = 222,293.90/-

5. Leakey Okeyo Warwa



Claim: Kshs 783,090 - 171,724.70 = 611,365.30/-

6. Lilian Ooyi Onyango

Claim: Kshs 843,188.40 - 385,246.40 = 457,942/-

7. Florence Mbuti Kamene

Claim: Kshs 994,843 - 435,620 = 559,222.70/-

8. Michael Omollo Masiro

Claim: Kshs 913,104 - 164,188.10 = 748,916/-

9. Jeremiah Muteti Kituku

Claim: Kshs 783,090 - 133,702 = 649,388/-

10. Eliphas Mbayi Savara

Claim: Kshs 1,169,528.40 - 1,266,696.80 = 97,167.60/-

Orders accordingly.

DELIVERED, DATED AND SIGNED IN NAIROBI THIS 27TH DAY OF JULY, 2022.

ANNA NGIBUINI MWAURE

JUDGE

ORDER

In view of the declaration of measures restricting Court operations due to the COVID-19 pandemic and in light of the directions issued by His Lordship, the Chief Justice on 15th March 2020 and subsequent directions of 21st April 2020 that judgments and rulings shall be delivered through video conferencing or via email. They have waived compliance with **Order 21 Rule 1 of the Civil Procedure Rules**, which requires that all judgments and rulings be pronounced in open Court. In permitting this course, this Court has been guided by Article 159(2)(d) of the Constitution which requires the Court to eschew undue technicalities in delivering justice, the right of access to justice guaranteed to every person under Article 48 of the Constitution and the provisions of **Section 1B of the Procedure Act (Chapter 21 of the Laws of Kenya)** which impose on this Court the duty of the Court, inter alia, to use suitable technology to enhance the overriding objective which is to facilitate just, expeditious, proportionate and affordable resolution of civil disputes.

A signed copy will be availed to each party upon payment of Court fees.

ANNA NGIBUINI MWAURE

JUDGE

