

REPUBLIC OF KENYA

IN THE EMPLOYMENT & LABOUR RELATIONS

COURT OF KENYA AT NYERI

CAUSE NO. 309 OF 2017

KUDHEIHA WORKERS.....CLAIMANT

VERSUS

MACHAKOS SCHOOL FOR THE DEAF.....RESPONDENT

JUDGMENT

1. As parties have been at pains to negotiate and the matter even went through conciliation it would seem the suit is well founded. As the Respondent is in the class of institutions covered by the claimant the order of court to the Respondent is for the parties to immediately commence negotiations with a view to having a CBA in place since the former CBA is now no longer in force. As parties have not had good relations to the extent of being able to negotiate and agree, I order the negotiations to commence on 18th February 2010 and continue each day for 7 days except weekends and a report filed in court on 26th February 2020 showing the progress or settlement on a CBA.

2. The Kitui Labor Officer to be served with this Judgment in order to facilitate the negotiations. The Respondent should not fail to comply as that will be contempt of Court. Mention as indicated on 26th February 2020. Costs of Ksh. 20,000/= to be paid to Claimant by Respondent.

It is so ordered.

Dated and delivered at Nyeri this 4th day of February 2020

Nzioki wa Makau

JUDGE