



REPUBLIC OF KENYA

IN THE EMPLOYMENT AND LABOUR RELATIONS COURT

AT KISUMU

CASE NO. 341 OF 2016

10. The court finds that the claimant is entitled to an award of general damages limited to the maximum amount the claimant would have earned based on a minimum of 45 contact hours up to and including 31st December 2013 in respect of Diploma and under graduate courses. However due to the unpredictability of the number of hours the claimant would have rendered service to the respondent up to 31st December 2013, the court awards the claimant general damages in the sum of Kshs. 100,000 given that the claimant had almost completed the contract term and had earned Kshs. 518,400 in the period of about five (5) months which translates to earnings of about Kshs. 100,000 per month.

11. Accordingly, judgment is entered in favour of the claimant as against the respondent as follows:

- (a) Kshs. 518,400 being arrear salary for services rendered.
- (b) Kshs. 100,000 being general damages for breach of contract.
- (c) Interest at court rates from date of filing suit till payment in full.
- (d) Costs of the suit.

Judgment Dated, Signed and delivered this 18th day of September, 2019

Mathews N. Nduma

Judge

Appearances

Mr. Achura for Claimant

Mr. Okello for Respondent

Chrispo – Court Clerk