



**REPUBLIC OF KENYA**

**IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT KISUMU**

**CAUSE NO. 388 OF 2015**

*(Before Hon. Justice Mathews N. Nduma)*

**PAUL OTIENO OGUTU..... CLAIMANT**

**VERSUS**

**NDUGU TRANSPORTERS LIMITED.....RESPONDENT**

**RULING**

1. This is a ruling on computation pursuant to the judgment of the court delivered on 24<sup>th</sup> January 2019.
2. The court has examined the submissions filed by the claimant on 6<sup>th</sup> February 2019 and the minimum wage applicable for the period 2011 to July 2014, and we have compared the figures to those in the computation by the respondent filed on 5<sup>th</sup> March 2014 and come to the following conclusion.
3. The computation by respondent reflects the true status of underpayments for the period 2011 to July 2014. The total underpayments payable is Kshs. 18,485 as computed by the respondent and adopted as part of the judgment of the court delivered on 24<sup>th</sup> January 2019. The computation by the claimant is erroneous and same is rejected.
4. In the final analysis, judgment is entered in favour of the claimant as against the respondent in respect of underpayments in the sum of Kshs. 18,485.

**Ruling Dated, Signed and delivered this 24<sup>th</sup> day of October, 2019**

**Mathews N. Nduma**

**Judge**

**Appearances**

M.M. Omondi for the Claimant.

Ondego for the Respondent

Chrispo – Court Clerk