

REPUBLIC OF KENYA

IN THE EMPLOYMENT AND LABOUR RELATIONS COURT OF KENYA AT NAIROBI

CAUSE NO. 136 OF 2016

COUNTY SECRETARY OF UASIN GISHU & OTHERSCLAIMANT

VERSUS

SALARIES & REMUNERATION COMMISSION.....RESPONDENT

AND

COUNCIL OF GOVERNORSINTERESTED PARTY

RULING

1. The court has considered submissions by Mr Gaturu for the Interested Party on their objection to be included in the proceedings. The petitioners are employees of County Public Service in the respective counties which are headed by Governors.

2. The appointment is by the Governors. The Council of Governors do therefore have an interest in the order the court might make in the ultimate. As submitted by Mr Awuor for the petitioner the decision of this court might have financial implication which might require to be implemented or overseen by the Governors as the heads of respective counties and their participation in these proceeding will serve to keep them updated on the possible financial implications on their respective counties if the petition becomes successful.

3. The rules of this court allows it to have a party joined in a suit if the court is of the view that such party would serve to enlighten or give a necessary perspective in the matter. In the circumstances, no harm incapable of assignment by costs would be occasioned to the Interested Party if allowed to remain in the suit.

4. The preliminary objection is therefore overruled and the Interested Party shall remain in the proceedings.

5. It is so ordered.

Dated at Nairobi thisday of2017.

Abuodha J. N.

Judge

Delivered this 28th day of April 2017

In the presence of:-

.....for the Claimant and

.....for the Respondent.

Abuodha J. N.

Judge