



REPUBLIC OF KENYA
 IN THE EMPLOYMENT AND LABOUR RELATIONS COURT
 AT MOMBASA
 CAUSE NUMBER 342 OF 2015

BETWEEN

LILLIAN JOSEPH
 MONGO.....CLAIMANT

VERSUS

CHAIRMAN (B.O.G) MARIAKANI SECONDARY SCHOOL.....1ST RESPONDENT
 THE PRINCIPAL MARIAKANI SECONDARY SCHOOL.....2ND RESPONDENT

Rika J

Court Assistant: Benjamin Kombe

Nyange Sharia Advocate, Kituo Cha Sheria for the Claimant

No appearance for the Respondent

ISSUE IN DISPUTE: UNFAIR AND UNLAWFUL DISMISSAL

AWARD

[Rule 27 [1] [a] of the Industrial Court [Procedure] Rules 2010]

1. The Claimant filed her Statement of Claim on 26th May 2015. She states she was employed by the Respondents as a Cook between 15th May 2008 and 10th June 2014. She was paid a salary of Kshs. 3,800 per month. She was unfairly and unlawfully dismissed. She claims from the Respondents:-

- (a) 1 month salary in lieu of Notice at Kshs. 3,800.
- (b) Service pay at Kshs. 11,400.
- (c) December 2008-2013 salary at Kshs. 22,800.

(d) Compensation for unfair termination at 12 months' salary of Kshs. 45,600.

Total Kshs. 83,600.

(e) Certificate of Service

(f) Costs and any other suitable relief.

2. Although served with the Summons, and the Hearing Notice, the Respondents did not file anything in response, or attend Court at any time. The Claimant gave her evidence, and closed her case today, in the absence of the Respondents.

3. Upon hearing her evidence, and perusal of the Pleadings and annexures thereto, the Court is satisfied the Claim is merited.

IT IS ORDERED:-

[a] The Respondents shall, within 21 days of the delivery of this Award pay to the Claimant the sum of Kshs. 83,600 specified in the Statement of Claim.

[b] The Respondents to release to the Claimant her Certificate of Service forthwith.

[c] Costs to the Claimant.

Dated and delivered at Mombasa this 21st day of October, 2015

James Rika

Judge