



**REPUBLIC OF KENYA**  
**IN THE EMPLOYMENT & LABOUR RELATIONS COURT**  
**AT MOMBASA**  
**CAUSE NO. 103 OF 2015**

**BETWEEN**

**JOHN DICK WANGILA**

**GEDION GONA DZOMBO**

**ABDALLAH MGAMGA MWAKURORERA**

**SHADRACK KYALO MULWA**

**RAMA ALI MWAKENGE.....CLAIMANTS**

**VERSUS**

**MILLY GLASS WORKS LTD.....RESPONDENT**

*Rika J.*

**Court Assistant: Benjamin Kombe**

*Mr. Otieno Advocate instructed by Otieno Asewe & Company Advocates for the Claimant*

*Ms. Kitur Advocate instructed by Federation of Kenya Employers for the Respondent*

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**ISSUE IN DISPUTE: UNFAIR AND UNLAWFUL TERMINATION**

**AWARD**

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

1. The Claimants filed their Statement of Claim on 6<sup>th</sup> March, 2015.
2. The Respondent filed its Statement of Response on 8<sup>th</sup> May 2015.
3. On 1<sup>st</sup> December, 2015 the Parties informed the Court they have settled the dispute on the following terms:-

a) The Respondent shall pay each Claimant the equivalent of seven months' salary as compensation for unfair termination as follows:-

i) 1<sup>st</sup> Claimant (John Dick Wangila) Kshs. 12,747x7months' salary Kshs. 89,229/=

ii) 2<sup>nd</sup> Claimant (Gedion Gona Dzombo)Kshs. 20,587x7months' salary Kshs. 144,109/=

iii) 3<sup>rd</sup>Claimant (Abdalla Mgamga Mwakurorera)12,747x7months' salary Kshs. 89,229/=

iv) 4<sup>th</sup> Claimant (Shadrack Kyalo Mulwa) Kshs. 17,135x7months' salary Kshs. 89,229/=

v) 5<sup>th</sup> Claimant (Rama Ali Mwakenge) Kshs. 12,747x7months' salary Kshs. 89,229/=

**Sub Total**

**Kshs. 531,741/=**

b) The Respondent to pay advocates' Costs Kshs. 180,000/=

4. The Court is satisfied the proposed terms of settlement are fair, adequate, regular and made in accordance with the Law.

IT IS ORDERED:-

*a. Award is entered in terms of the Parties' proposal above.*

Dated and delivered at Mombasa this 1<sup>st</sup> day of December, 2015.

James Rika

Judge