



REPUBLIC OF KENYA

IN THE INDUSTRIAL COURT AT MOMBASA

CAUSE NO. 518 OF 2014

BETWEEN

MAURICE OTUNGA OBUNGA..... CLAIMANT

VERSUS

TRANSTRAILERS LIMITED..... RESPONDENT

Rika J.

Court Assistant: Benjamin Kombe

Mr. Asewe Advocate instructed by Nyagaka S.M. & Co. Advocates for the Claimant

Ms. Mango Advocate instructed by Kanyi J. & Co. Advocates for the Respondent

ISSUE IN DISPUTE: UNFAIR AND UNLAWFUL TERMINATION

AWARD

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

1. The Claimant filed his Statement of Claim on 22nd October, 2014.
2. The Respondent filed its Statement of Response on 9th December, 2014.
3. On 3rd December, 2015 the Parties informed the Court they have settled the dispute on the following terms:-
 - a. Parties' Consent entered on 22.5.2015 is set aside.
 - b. Judgment for the Claimant entered as follows:-
 - i) Days worked in August 2014 at Kshs. 17,184.60/=.
 - ii) 4 months' Compensation at Kshs. 76,376/=.

iii) Accrued leave at Kshs. 19,094/=.

iv) Overtime pay at Kshs. 1,869/=.

Total Kshs. 114,523.60

Less Deductions:-

- NSSF Kshs. 200/=

- NHIF Kshs. 1,700/=

- PAYE Kshs. 28,229/=

- Sacco Loan Kshs. 17,716/=

Net sum Kshs. 66,678.60/=

Plus Costs Kshs. 50,000/=

Total Payable **Kshs. 116,678.60**

v) The total amount of Kshs. 116,678.60/= be paid within 30 days of today in default execution to issue.

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 3rd day of December, 2015.

James Rika

Judge