



REPUBLIC OF KENYA

Industrial Court of Kenya

Cause 63 of 2012

JANE ANSELIN Mwalishi Manono CLAIMANT

-VERSUS-

1. THE AFRICA LABOUR CONSULTANTS INSTITUTE

2. BORA BORA HOTEL..... RESPONDENTS

JUDGEMENT

Judgement in this case was delivered on 27th February 2013. On 22nd March 2013, the Claimant by letter of the same date notified the Court that there was an error in the calculation of her terminal benefits under item (b) on leave allowance (read pay in lieu of annual leave) which she stated should be Shs.107,888.00 and not Shs.75,521.60 as awarded by Court. She also informed the Court that even without correction on leave allowance, there is an error in addition of the total amount which is supposed to be Shs.332,400 instead of Shs.306,508.85 as awarded by the Court.

She was directed to serve a copy of the letter on the Respondent and come back to Court on 22nd April 2013. She was also directed to serve a Mention Notice on the Respondent.

The Respondent in response to the Claimants letter filed an affidavit in which they also pointed out a mistake under the item on maximum compensation which was multiplied by 16 instead of 12.

I have gone through the calculations. The calculation on leave is correct. The Claimant used a full month's salary for each year's leave while the Courts calculation was based on 21 days annual leave.

There was also an error in the addition of the total award. I also noted the mistake made on the multiplication for the maximum compensation which I correct to be 12 and not 16.

For this reason the judgement is corrected as follows:-

Compensation - Kshs.93,053

Total Award - **Kshs.301,393.15**

Orders accordingly.

Read in open Court and signed on this 8th day of May 2013.

HON. LADY JUSTICE MAUREEN ONYANGO

JUDGE.

No appearance

In the presence of:- _____ for Claimant

Ms. Kinyanjui

_____ for Respondent