



**REPUBLIC OF KENYA**

**Industrial Court at Nairobi**

**Cause 759 of 2012**

**BETWEEN**

**KENYA UNION OF ENTERTAINMENT AND MUSIC INDUSTRY  
EMPLOYEES.....CLAIMANT**

**VERSUS**

**BOMAS OF KENYA.....  
....RESPONDENT**

*Rika J  
CC. Leah Muthaka  
Mr. Macuha for the Claimant*

*Mr. Masese for the Respondent*

**RULING**

This Court delivered an Award in favour of the Claimant Union, on 14<sup>th</sup> December 2012. The Respondent was ordered to deduct and remit to the Claimant, trade union dues and agency fees as required under Gazette Notice Numbers 16483 and 4336.

The Respondent did not implement the Award, forcing the Claimant to come back to the Court, seeking enforcement through an application for contempt of Court, against Respondent's General Manager. The application is dated 21<sup>st</sup> March 2013.

The parties went before the Conciliator Mr. P. N. Macharia, who confirmed the Respondent has not honoured the Orders made by the Minister and the Court.

In view of this, the Court shall make the following Orders:-

- 1. The Respondent shall comply fully with the Award of the Court by payment of all the arrears of trade union dues and agency fees from the date of the Minister's Order;***
- 2. These arrears must be paid within 7 days of the delivery of this ruling;***
- 3. In default, the Court directs that the General Manager be arrested and brought before the***

***Court, to show cause why he should not be imprisoned; and***

**4. *No order on the costs.***

Dated and delivered at Nairobi this 10<sup>th</sup> day of June 2013

**James Rika**

**Judge**