



REPUBLIC OF KENYA
IN THE INDUSTRIAL COURT OF KENYA AT KISUMU

CAUSE NO. 103/2013

(formerly Nairobi No. 2073/2011)

(Before Hon. Justice Hellen Wasilwa on 8th July, 2013)

KUDHEIHA WORKERSCLAIMANTS

VERSUS

THE CHAIRMAN B.O.G MALAVA

HIGH SCHOOLRESPONDENTS

JUDGMENT

The claimants Kudheihia Workers filed this claim on 8.12.2011 seeking order that the respondents be compelled to sign a recognition agreement. They alleged that the respondents had refused to enter into a recognition agreement with them.

A dispute had been reported to the Minister of Labour and a conciliator appointed for the purpose. The conciliation meetings prompting the conciliator to refer the parties to court.

The respondents filed their reply to defence on 10.2.2012 through the firm of M/s Omukunda & Co. Advocates. They averred that the school had no recognition agreement with claimants because it was never approached for this purpose.

The matter was set down for hearing. However on 8/7/2013 the parties presented to court a consent in the terms that:-

“On 1 7.6.2013 the parties to the dispute met and negotiated an agreement and thereafter signed a Recognition Agreement”.

This being the position, it is apparent that the claimants' prayers have been fully met. I therefore enter judgment for the claimants in terms of the consent and order that the parties do proceed and negotiate for terms and condition of employment.

HELLEN WASILWA

JUDGE

8/07/2013

Appearances:-

Joseph Okwach for claimants present

Omukunda for respondents present

CC. Sammy Wamache.