



REPUBLIC OF KENYA
IN THE INDUSTRIAL COURT OF KENYA
AT NAIROBI.

(Present: Charles P. Chemmutut, J.)

CAUSE NO.92 OF 2001.

TAILORS & TEXTILES WORKERS' UNIONClaimants.

- v -

SPIN-KNIT LTD.....Respondents.

Issue in Dispute:-

Wrongful dismissal of Messrs. (1) Joseph Moranga

(2) Joseph Kiptoo (3) Vitalis Oloo (hereinafter called the grievants).

Jumba Odondi, Industrial Relations Officer, for the Claimants (hereinafter called the Union).

L.W. Kariuki, Senior Executive Officer, F.K.E., for the Respondents (hereinafter called the Company).

A W A R D.

On 28th September, 2001, the Minister for Labour referred this dispute to the Court for consideration and determination under powers vested in him by Section 8 of the Trade Disputes Act, Cap.234, Laws of Kenya (which is hereinafter referred to as the Act); and his reference, together with the statutory certificates from the Labour Commissioner and the Minister himself under Section 14, subsection (9)(e) and (f) of the Act, were received by the Court on 2nd October, 2001. The dispute was then listed for mention on 11th October, 2001, when the parties were directed to submit or file their respective memoranda or statements on or before 12th November and 13th December, 2001, and the dispute was fixed for hearing on 19th February, 2002. The

parties did not submit or file their memoranda or statements as directed, and the case was consequently adjourned on a couple of occasions. However, the Union belatedly submitted their memorandum on 7th June 2002, but the Company did not file any reply thereto.

This morning, Mr. Odondi presented to the Court a memorandum of settlement, dated 18th September, 2002, in which the Secretary General and the Branch Secretary have acknowledged receipt of Kshs.50,000/= for and on behalf of the grievants, being full and final settlement of their terminal dues.

In my view, the terms of the settlement are fair and reasonable, and I award accordingly.

DATED and given at Nairobi this 19th day of September, 2002.

Charles P. Chemmutut,

JUDGE.