Security Retirement Compensation and Gratuity Schedule with Payment Credit

Educational sample 229 | Mombasa

Educational reconstruction from a reported Kenyan decision. Newly drafted wording, not an original court filing or a matter handled by our team. Specimen identities are bracketed. Adapt to genuine facts, current law, jurisdiction and court directions before signing, swearing or filing.

Reconstructed formal document

REPUBLIC OF KENYA

IN THE EMPLOYMENT AND LABOUR RELATIONS COURT AT MOMBASA

APPEAL NO [reference]

[APPELLANT] v [RESPONDENT]

EVIDENCE OR COMPUTATION SCHEDULE

1. Prepare this schedule for [trial claim or appellate computation] using the authenticated contract, payroll and decree. Identify the date of birth, applicable retirement age, notice issue and receipt dates, effective cessation date and resulting unserved period. Different dates appearing in narrative summaries remain flagged for verification.

2. For the source early-retirement head the pleaded monthly wage was KSh 25,704.10. Six months multiplied by that figure gives KSh 154,224.60. The operative judgment instead prints KSh 154,244.60. Record both entries as a discrepancy; obtain the authenticated decree and any proper correction rather than silently choosing a figure.

3. The source gratuity reasoning used KSh 15,142 as the stated last basic-plus-housing base, fifteen days per full year and twenty-three years, producing KSh 174,133. Explain the applicable divisor and entitlement from the actual wage order and record. Do not automatically substitute the different figure used for the compensation head.

4. The admitted terminal receipt is KSh 204,942. State its date, proof, components and credits against overlapping amounts. If the operative compensation figure is used, the arithmetic balance of those two gross heads less the receipt is KSh 123,435.60; that arithmetic is not a separate adjudicated award or a substitute for the decree.

5. Overtime and public-holiday entries, if relevant to the actual dispute, require date, roster, hours, normal paid hours, rate, payment received and limitation analysis. Mark the source unparticularised historic claims declined rather than carrying them into the net judgment balance.

6. Show gross entitlement, admitted payment, disputed allocation, net principal, interest basis, costs and later recoveries in separate columns. State whether the schedule follows the trial order, appellate order or a subsequent correction. It cannot authorise execution for an amount different from the operative decree.

DATED at [place] on [date]. Signed [party or advocate]. DRAWN AND FILED BY [name and address for service]. TO BE SERVED UPON [each affected person and address].

Use and evidence notes

This is an evidential or accounting aid, not an originating process or independent proof. Give dates, authors or custodians, admissibility status, actual document pages and transparent calculations. Label missing and disputed items. Obtain the applicable leave or directions for supplementary evidence, serve it and prevent duplicate credits or recovery. Verify the ELRC Procedure Rules 2024 and 2025 amendments, or the applicable designated subordinate-court procedure, and current directions. Assess section 90 for each employment claim.

Supporting material: [date]; [author or custodian]; [description]; [bundle page]; [authenticating witness]; [admission or permission]. Attach genuine records only. This public specimen contains no exhibits, signatures, personal identifiers or sworn declaration.

Source and procedural limits

A night guard worked from March 1997 until December 2020. He said a retirement notice ended service roughly six months before his fifty-fifth birthday. The private employer invoked retirement policy but produced no defining contract or policy, and did not contest the actual birth date. The guard admitted receipt of KSh 204,942. Claims for decades of overtime and public holidays lacked particulars.

The ELRC upheld relief for early retirement but recalculated gratuity for 23 full years at the stated KSh 15,142 wage base, giving KSh 174,133. The operative paragraph records six-month compensation of KSh 154,244.60 and requires both heads to be reduced by the KSh 204,942 already received. Earlier passages state KSh 154,224.60, an internal figure discrepancy that must be checked against the authenticated decree. Overtime and holiday claims were declined. Each party bore its appeal costs.

Public-sector retirement provisions do not automatically define a private employee retirement age. Establish the contract, applicable policy or industry wage order and actual birth date. The judgment applied protective-security gratuity of fifteen days pay per full year, not an unproved 24 years. It distinguished a particularised timely work-hours claim from exaggerated historic totals. Section 90 limitation must be assessed against the actual accrual and cessation dates.

[2025] KEELRC 2683 (KLR) - 2 October 2025. Source decision: https://new.kenyalaw.org/akn/ke/judgment/keelrc/2025/2683/eng%402025-10-02

Reproduced primary text checked: https://sheriahub.com/cases/ke/caselaw/sga-security-solutions-ltd-v-kasanya-2025-keelrc-2683-klr.pdf

The original decision may identify participants. The specimen brackets identifying details. A source judgment does not prove this reconstruction was filed, an allegation succeeded, a later order remains unchanged or the same result will follow in another case.