WIBA Assessment and Insurer Payment Reconciliation

Educational sample 353 | 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

MISCELLANEOUS APPLICATION NO [reference]

[CLAIMANT] v [RESPONDENT]

EVIDENCE OR COMPUTATION SCHEDULE

1. The schedule begins with the genuine injury report, Director file, assessment and service record. The initial reported assessment was KES 1,216,309.50 at 10% incapacity. Record the authentic date and operative direction at [pages], leaving inconsistent published dates flagged for verification.

2. The later 3% medical assessment is listed with the referral, examiner, examination date and whether the Director authorised or adopted it. A private medical opinion and a statutory review order are separate entries. Neither is inferred from an insurer payment alone.

3. For the discharge voucher record the actual signatories, date, terms and document page. For each payment record the payer, payee, amount, date and evidence of receipt. The judgment uses KES 436,443 and KES 436,433 in different passages; this schedule does not choose an unsupported amount.

4. Any proposed balance is calculated only after the operative assessment and valid credits are confirmed. For illustration, KES 1,216,309.50 less a proved KES 436,433 is KES 779,876.50; that arithmetic is not itself an adjudicated entitlement or confirmation that that credit is authentic.

5. Record objections, appeals, Director review and earlier withdrawal separately. Requested compounded interest is not treated as an awarded sum. The source order required completion of the Director process, with liberty to return if issues arose; no duplicate recovery is inserted into the schedule.

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 docker injured on 20 September 2022 sought enforcement of a DOSHS assessment of KES 1,216,309.50 based on 10% incapacity. The employer obtained a later 3% assessment and relied on an insurer payment and discharge voucher. The second assessment had not been adopted by the Director.

The Court required the employer to submit the second assessment to the Director for review, adoption and confirmation of payment. The claimant could return to court if issues arose after that review. It did not simply award the full original sum again; each party bore its costs.

The WIBA Director process, genuine objection or appeal and confirmed payment must be distinguished. The judgment contains inconsistent award dates, statutory section references and KES 436,443/436,433 figures. Verify the assessment and payment records; do not copy the inconsistent figures or compound-interest prayer as an operative award.

[2025] KEELRC 752 (KLR) - 6 March 2025. Source decision: https://sheriahub.com/cases/ke/caselaw/kassim-v-kenya-ports-authority-2025-keelrc-752-klr

Reproduced primary text checked: https://sheriahub.com/cases/ke/caselaw/kassim-v-kenya-ports-authority-2025-keelrc-752-klr

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.