HR Manager Witness Statement on Return from Leave and Redundancy

Educational sample 357 | 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

EMPLOYMENT CAUSE NO [reference]

[CLAIMANT] v [RESPONDENT]

WITNESS STATEMENT

1. I am [HR manager claimant]. My appointment, confirmation, remuneration and work records are [documents]. I distinguish my initial probation from later confirmed service. I describe the actual functions I performed without adding duties absent from my employment records.

2. I took [actual leave period] and returned on 11 July 2024. I then received [identified redundancy notice or letter]. The manner of delivery, persons present and instructions to hand over are [truthful observations]. Any earlier consultation known to me is disclosed.

3. The employer stated that the HR function would be outsourced. I describe whether I received an earlier notice of intended redundancy and whether I attended any consultation. Assertions about another employee or a replacement appointment are made only on identified evidence.

4. Any prior concerns about employee treatment are [actual communications and witnesses]. I do not infer retaliation merely because I had raised concerns. The source judgment determined procedural unfairness without establishing every alleged retaliatory motive.

5. The terminal-dues statement, amounts received or available, deductions and service-certificate position are [records]. I disclose whether I collected payment or refused collection and why. The statement supplies no invented consultation minutes, complaint email or payroll entry.

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

Use the witness own truthful account, distinguish observed events from named information sources and identify bundle pages and authenticating witnesses. Follow the actual trial or succession witness directions. Additional evidence and statements require any applicable leave. An appeal ordinarily uses the admitted trial record; a new statement cannot be inserted without the proper procedure. 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

An HR manager earning KES 90,000 monthly was dismissed on redundancy grounds in July 2024 after returning from leave. The employer relied on outsourcing of the single HR post and tabulated terminal dues, but produced no work records supporting the claimed consultation process.

The Court found procedural unfairness and awarded one month salary, KES 90,000, as compensation. The employee was directed to collect the tabulated terminal dues and complete clearance for the service certificate. Each party bore its costs; the twelve-month compensation demand was not awarded.

Employment Act sections 40, 45 and 49 require analysis of the actual redundancy procedure and evidence. Notice of intended redundancy and individual termination notice or pay serve distinct purposes. Gross terminal dues of KES 206,157 and the employer submitted net figure of KES 146,341 are not automatically all added to compensation as unpaid judgment debt.

[2026] KEELRC 1449 (KLR) - 28 May 2026. Source decision: https://sheriahub.com/cases/ke/caselaw/shikanga-v-kenvest-hospitality-kenya-limited-2026-keelrc-1449-klr.pdf

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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.