Farm Worker Witness Statement on Engagement Instructions and Irregular Payments

Educational sample 473 | Kakamega

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 KAKAMEGA

EMPLOYMENT AND LABOUR RELATIONS CAUSE NO [reference]

[CLAIMANT] v [RESPONDENT]

WITNESS STATEMENT

1. I am [worker]. I describe how I came to undertake work at [farm], including who approached me, the words used, the agreed duties and remuneration, and who was present. Where I cannot recall a precise date I say so.

2. My daily work consisted of [truthful duties]. Instructions were given by [identified person] through [actual method], with reporting and supervision as [described]. I distinguish occasional assistance or independent work from the employment arrangement alleged.

3. I received payments by [cash or transfer] at [actual intervals]. I identify the sender and reason known to me. The genuine statements cover [period]; other months are supported by [truthful witnesses or records], or are expressly unproved.

4. I rely on [chief letter or permits] only for their proper purpose. I cannot establish their authors observations without calling or otherwise properly admitting that evidence. I do not claim that ownership of the farm proves my employment.

5. The alleged land-purchase deductions occurred as [actual facts]. The seller, agreed price and payment trail are [identified]. Any inability to obtain the seller evidence or distinguish salary from purchase payments is openly stated.

6. The work ended through [truthful event and communication]. I identify the witnesses to that event and any later demand. I ask that my claim be assessed on these facts and genuine records; absence of a defence does not replace evidence.

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

A claimant described eleven years of farm management, alleged very low monthly pay and claimed employment benefits. The claim was undefended. Irregular payments covered only part of the period; owner permits, a chief letter without its author and a claimed land transaction did not prove employment or salary deductions.

The Court dismissed the claim because the employment relationship was not proved, notwithstanding absence of a defence. No claimed benefits or certificate of service were awarded; there was no order as to costs.

An undefended claim still requires proof of the legal relationship and each remedy. Absence of a written contract does not itself disprove employment. Historical wage rates, disputed deductions and severance must not be converted into automatic entitlements; section 90 and the correct period-specific law require assessment.

[2026] KEELRC 220 (KLR) - 29 January 2026. Source decision: https://new.kenyalaw.org/akn/ke/judgment/keelrc/2026/220/eng@2026-01-29

Reproduced primary text checked: https://sheriahub.com/cases/ke/caselaw/maninji-v-alubale-2026-keelrc-220-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.