

**IN THE INDUSTRIAL RELATIONS COURT OF MALAWI**

**PRINCIPAL REGISTRY**

**MATTER NO. IRC 221 OF 2002**

**BETWEEN**

**WILSON.....APPLICANT**

**- and -**

**PETROLEUM SERVICES LTD.....RESPONDENT**

**CORAM: R. Zibelu Banda (Ms): Chairperson**

Applicant: Present

Respondent: Absent without excuse

Chinkudzu: Official Interpreter

**ORDER**

*Termination-Benefits-Terminal Benefits-Notice pay-Severance allowance- Employee's entitlement to terminal benefits.*

The applicant was employed for 12 years. His services were terminated on 2 February 2002. The applicant was not paid any terminal dues in the form of salary in lieu of notice or severance allowance. The respondent was not available to challenge this claim. In the absence of any contradictory evidence, the court finds that the applicant was not paid terminal benefits and that therefore the following are due:

**Notice Pay:** The applicant must receive one-month salary in lieu of notice. His last salary was K3800 per month.

**Severance Pay:** The applicant is entitled to severance pay for 12 years as claimed. According the applicant this award is MK45600.

The total award to be paid to the applicant by the respondent is: **K49 400-00**. This money must be paid to the applicant through the court within 14 days of this order.

**Made in Chambers** this 18<sup>th</sup> day of November 2005 at **BLANTYRE**.

**R. Zibelu Banda (Ms.)**  
**CHAIRPERSON.**