

REPUBLIC OF KENYA



COUNTY GOVERNMENT OF KITUI

THE COUNTY ASSEMBLY

SECOND ASSEMBLY- SECOND SESSION (2018)

COMMITTEE ON LABOUR AND SOCIAL WELFARE

REPORT ON CONSIDERATION OF APPOINTMENTS IN THE KITUI COUNTY PUBLIC SERVICE FOR THE PERIOD JANUARY TO 30TH JUNE, 2018

The Clerk's Chamber
County Assembly of Kitui,
Assembly Buildings,
Kitui, Kenya

SEPTEMBER, 2018

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Abbreviations

ENT Surgeon	Ear Nose and Throat Surgeon
PBS	Public Service Board
PWD	Persons With Disability

PREFACE

Mr Speaker,

It is my pleasant pleasure to present the report of the Committee on Labour and Social Welfare on the review of appointments for the period January to June 2018

Composition of the Committee

The Committee on Labour and Social Welfare was constituted on 11th October, 2017 via a resolution of the House and elected its Chairperson and Vice Chairperson on 18th October, 2017. It is composed of the following members:-

- | | | |
|-----|----------------------|------------------|
| 1. | Hon Munyoki Mwinzi | Chairperson |
| 2. | Hon Regina Mueni | Vice Chairperson |
| 3. | Hon David Munyau | Member |
| 4. | Hon Anthony Ndooh | “ |
| 5. | Hon Charles Maema | “ |
| 6. | Hon Munira Mohammed | “ |
| 7. | Hon Anthony Mbiti | “ |
| 8. | Hon Stephen Katana | “ |
| 9. | Hon Josephine Mutie | “ |
| 10. | Hon Nicholas Mwalali | “ |
| 11. | Hon Boniface Kasina | “ |

Committee's Mandate

The Committee is established under Standing Order 190(1). Pursuant to Standing Order 190(5), the mandate of the Committee is to:

1. Investigate, inquire into and report on all matters relating to the mandate, management, activities, administration, operation and estimates of the assigned department;
2. Study programs and policy objectives of departments and the effectiveness of the implementation;

3. Study and review all county legislation referred to it;
4. Study, assess and analyse the relative success of departments as measured by the results obtained as compared with their stated objectives;
5. Investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;
6. To vet and report on all appointments where the constitution or any law requires the County Assembly to approve, except those under Standing Order 185(Committee Appointments); and
7. Make reports and recommendations to the county assembly as often as possible, including recommendation of proposed legislation.

The Second Schedule of the Standing Orders requires the Committee to: consider all matters relating to labour, trade union relations, manpower or human resource planning, gender, social welfare, etc.

Legal Basis and Background

Section 59(1)(d) of the County Government Act mandates the Public service Board to prepare regular reports for submission to the county assembly on the execution of the functions of the Board.

Further, section 59(3) of the same Act further requires that these reports shall contain the details of persons appointed including gender, persons with disabilities, persons from the minority and marginalised communities.

In fulfillment of these legal requirements, on 03/07/2018 and on 17/08/2018 the Public Service Board forwarded quarterly reports for the quarter ended 31st March, 2018 and for the quarter ended 30th June 2018 respectively.

The reports were subsequently forwarded to the Committee on Labour and Social Welfare for consideration.

The Committee held several meetings during which it considered the reports and compiled this report for tabling in the House, to ensure that members are fully informed of how jobs were distributed amongst the Wards during the period in consideration.

Objectives

Hon Speaker,

In reviewing the quarterly reports, the Committee was guided by section 59(3) of the County Government Act and was majorly concerned with:

- i) appointments during the period;
- ii) representation of other Counties in employment;
- iii) gender representation (2/3 gender rule);
- iv) youth representation;
- v) Job Group representation;
- vi) Job distribution per Ward;
- vii) Employment of PWD;
- viii) Promotions and absorptions;
- ix) Challenges faced by the Board in execution of its mandate;

The Committee findings and recommendations as outlined in this Report.

Acknowledgement

The Committee on Labour and Social Welfare extends its gratitude to the Speaker of Kitui County Assembly for his guidance, the Office of the Clerk and the staff of the County Assembly for their continuous support, assistance, and commitment serving the Committee.

It is therefore my pleasant duty, on behalf of the Committee on Labour and Social Welfare, to present this Report and recommend it for consideration and adoption by the House.

SIGNED.....

HON. MUNYOKI MWINZI, M.C.A.

CHAIRPERSON, COMMITTEE ON LABOUR AND SOCIAL WELFARE

DATE.....

This Report was compiled by:

Mercy Mbinya- Clerk Assistant I

COMMITTEE OBSERVATIONS AND FINDINGS

Quarterly report for the period ended 31st March, 2018

On considering the quarterly report for the period ended 31st March, 2018, the Committee made the following observations:

1. Appointments and Absorptions

During the period under review, the Board appointed and absorbed officers in the following positions:

No.	Position	Job Group	Number
1.	Legal Advisor to Governor	R	1
2.	ENT Surgeon	P	1
3.	Pathologist	N	1
4.	Medical Officers	M	5
5.	Community Mobilizers	E	2
	Total		10

2. County Representation

Out of the 10 officers appointed, 2 were from Kitui County, while 8 were from other Counties.

3. Gender Representation

Out of the 10 officers, 5 (50%) were female, and 5 (50%) were male.

The Committee therefore wishes to commend the Board for striving to ensure gender equality in the Kitui County public service.

4. Youth representation

Out of the 10 officers appointed, the youth (ages 18-35), were 7 (70%).

The Committee therefore wishes to commend the Board for striving empower the youth by providing them with employment opportunities.

5. Job Group Representation

For senior positions, that is Job Group (M to T), 8 (80%) out of the 10 employees were senior, while for junior positions, that is Job Group (D to L), there were 2 employments, that is (20%).

6. Promotions

During the period under consideration, the Board approved promotion of 127 employees as below:

No.	Ministry	Employees promoted
1.	Agriculture, Water and Livestock Development	48
2.	Health and Sanitation	55
3.	Office of the County Secretary	9
4.	Ministry of Trade, Cooperatives and Investments	7
5.	County Public Service Board	2
6.	County Treasury	2
7.	Education, Youth and ICT	2
8.	Lands, Infrastructure, Housing and Urban Development	1
9.	Tourism, Culture and Sports	1
	Total	127

Quarterly report for the period ended 30th June, 2018

On considering the Public Service Board quarterly report for the period ended 30th June, 2018, the Committee made the following observations:

1. Appointments

During the period under review, the Board appointed officers in the following positions:

No.	Position	Job Group	Number
1.	Municipal Manager	Q	1
2.	Assistant Director	P	1
3.	Clinical Officer specialists	L	4

4.	Nutrition and Dietetics Officer	K	10
5.	Nursing Officer	K	28
6.	Health Administrative Officer II	J	13
7.	Nutrition and Dietetics Technologist III	H	14
8.	Radiographer III	H	13
9.	Registered Nurse III	H	146
10.	Clinical Officer III	H	66
	Chief Plant Operator	H	14
11.	Orthopaedic Trauma Technician	G	6
12.	Enrolled Nurse III	G	20
	Total		336

2. County Representation

Out of the 336 officers appointed, 263 were from Kitui County, while 73 were from other Counties.

3. Gender Representation

Out of the 336 officers, 207 (62%) were female, and 129 (38%) were male. The Committee therefore wishes to commend the Board for striving to ensure gender equality in the Kitui County public service.

4. Youth representation

Out of the 336 officers appointed, the youth (ages 18-35), were 327 (97%). The Committee therefore wishes to commend the Board for striving to empower the youth.

5. Job Group Representation

For senior positions, that is Job Group (M to T), 2 (1%) out of the 336 employees were senior, while for junior that is Job Group (D to L), there were 334 employments (99%).

6. Ward representation

The appointments were distributed as below:

No	Sub County	Ward	Appoint ments per Ward	Total
1	Kitui Central	Kyangwithya East	12	
2		Kyangwithya West	14	
3		Miambani	8	
4		Mulango	15	
5		Township	8	57
6	Kitui East	Chuluni	10	
7		Endau/ Malalani	4	
8		Mutitu/ Kaliku	4	
9		Nzambani	11	
10		Voo/Kyamatu	3	
11		Zombe/Mwitika	3	35
12	Kitui Rural	Kanyangi	2	
13		Kisasi	10	
14		Mbitini	8	
15		Yatta/Kwa Vonza	7	27
16	Kitui West	Kauwi	9	
17		Kwa Mutonga/ Kithumula	5	
18		Matinyani	10	
19		Mutonguni	10	34
20	Kitui South	Athi	3	
21		Ikanga/Kyatune	10	
22		Ikutha	6	
23		Kanziko/Simisi	3	
24		Mutha	1	
25		Mutomo/Kibwea	5	28
26	Mwingi Central	Central	9	
27		Kivou	1	
28		Mui	6	
29		Nguni	2	
30		Nuu	6	
31		Waita	3	27

32	Mwingi West	Kiomo/Kyethani	9	
33		Kyome/Thaana	7	
34		Migwani	8	
35		Nguutani	9	33
36	Mwingi North	Kyuso	12	
37		Mumoni	5	
38		Ngomeni	1	
39		Tharaka	1	
40		Tseikuru	3	22
	TOTAL			263

The Committee was very concerned with the skewed distribution of jobs among the various Wards, noting that certain Wards had one employee recruited during the period while others, particularly Kyangwithya West and Kyangwithya East had over 10 employees.

The Committee is therefore following up the matter with the Kitui County Public Service Board.

7. Other Counties

Employees from other Counties were 73 in number, comprising of 40 female and 33 male, representing 22% of the recruitments during the period under review.

8. Persons With Disability

Out of the employees, 3 PWD were employed, representing 1% of the recruitments.

9. Absorptions and promotions

1 medical officer was absorbed into the County public service.

The Board promoted 66 employees, that is **64** employees in the County Ministry of Health and Sanitation and **2** employees in the Ministry of Agriculture Water and Livestock Development.

10. Re- designations

The following re-designations were approved:

No	Position re-designated to	Number
1	Registered Nurse III	2
2	Medical Engineer I	1
3	Livestock production Assistant II	1
4	Assistant Agricultural Officer	1
5	Animal Health Officer I	1
6	Senior Nursing Officer I	1
7	Senior Registered Nurse	1
8	Senior Nutrition & Dietetics Officer	1
9	Office Administrative Assistant III	1
10	Assistant Office Administrator II	25
11	Assistant Office Administrator I	3
12	Senior Office Administrator	3
13	Deputy Directors- Administration (from Sub County Administrators)	8
	TOTAL	49

Challenges faced by the Board during the period

The following were some of the challenges faced by the Board in execution of its mandate:

- i) High expectations from the public to secure jobs due to high unemployment rates, despite the limited number of vacancies;
- ii) Distribution of the limited vacancies within the Eight Sub Counties (40 Wards);
- iii) Low response from PWD during recruitment, hence hindering attainment of the 5% constitutional principle, which is compounded by failure of some candidates to declare that they are PWD.

COMMITTEE RECOMMENDATIONS

Based on the above findings and observations, the Committee makes the following recommendations:

1. Prioritization of employments

In future employments, the Board should prioritize employments in the disadvantaged Wards, particularly Tharaka, Athi, Ngomeni, Mutha, etc. This will ensure that there is fair representation of every Ward.

The Committee will be following up on this matter to ensure equitable job distribution.

2. Promotions

From the above findings, it is evident that most promotions were in the Ministry of Health and Sanitation, and the Ministry of Agriculture, Water and Livestock Development as opposed to other Ministries.

One of the major public complaints has been lack of promotion of officers due for such promotion, which is de-motivating to the affected staff.

The Board should expedite the process of promotions in the public service which will improve staff morale, address stagnation and prevent strikes, leading to effectiveness in service delivery.

3. Affirmative Action programmes

The Board should come up with affirmative action programmes to ensure that there is equitable distribution of jobs within the various Wards. For instance, as at 30th April, 2018 Kyangwithya West Ward had a total of 85 employees with 14 additional staff during the period ended 30th June, 2018, compared to other Wards, eg. Voo/ Kyamatu (29), Kanziko (23), Mwingi Central (27), Tharaka (26) etc.

This therefore calls for affirmative action programmes to ensure equitable distribution of jobs.

For instance, the Board can reserve certain specific positions for minority and marginalized groups, PWD, marginalized Wards etc.

4. Employment of PWD

Noting that the public service has very few PWD employees, the Board should strive to achieve the 5% constitutional principle on employment of PWD. This can be achieved through affirmative action programmes reserving various positions for PWDs as stated above.

5. Trainings and Sensitization of officers

The Board should ensure that there is continuous capacity building and training exercises for employees in the Kitui County public service. This will address skill gaps and equip officers with relevant knowledge leading to an effective public service.

6. Internships

A well structured internship programme should be implemented in the Kitui County public service to ensure an easier transition to the workplace for the youth.

The Board should therefore come up with an internship policy and thereafter roll out a well structured internship programme in the Kitui County public service.

CONCLUSION

In conclusion, the Committee notes the provisions of Section 10(2) of the Public Service Values and Principles Act, 2015 which states that:

“.....the public service may appoint or promote public officers without undue reliance on fair competition or merit if:

- a) a community in Kenya is not adequately represented in appointments or promotions in the public service or in a public institution;
- b) the balance of gender in the public service or in a public institution is biased towards one gender;

- c) an ethnic group is disproportionately represented in the public service or in a public institution; or
- d) persons with disabilities are not adequately represented in the public service or in a public institution.”

The Committee therefore invites the Public Service Board to implement this provision of the law to ensure that the various injustices in employment in Kitui County are addressed.

The Committee further requests the Board and the Office of the County Secretary to aim at making the Kitui County public service the model county public service in Kenya.