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MINISTRY OF LABOUR AND MANPOWER DEVELOPMENT

ANNUAL REPORT

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## **FOREWORD**

It is my pleasure and duty to present the 1994 Annual Report of the Ministry of Labour and Manpower Development. This report provides the highlights of the Ministry's activities during the year under review.

The Ministry of Labour and Manpower Development has a crucial role to play in the social-economic and political development of the country. In this regard it has continued to improve the maintenance of industrial peace, promotion of occupational health and Safety Services, employment promotion measures and manpower planning, development and utilization. The Ministry is also responsible for the management of the workers' contribution through National Social Security Fund (N.S.S.F.)

In 1994, Industrial relations in the country improved significantly as compared to the previous year. For instance, the number of strikes and Trade Disputes declined by 20.8% and 5.5% respectively, whereas redundancy applications declined by 40.5% within the same period. The decline in the number of strikes, trade disputes and redundancy applications are attributed to the May 1993 Ministerial directive in which parties involved in collective Bargaining Agreements were allowed to re-negotiate on wages and terms and conditions of service after one (1) year of the two (2) years Agreement period.

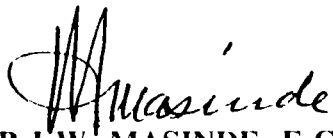
The International Labour Organization (ILO) - Kenya Tripartite Inspection Project also helped to harmonise industrial relations through training, education and advisory services offered to workers by field labour officers. This resulted in increased productivity due to peaceful co-existence between the workers and employers.

Out of the 19,006 registered job seekers, the Ministry managed to place 2,909. In an effort to maintain and improve on Occupational Health and Safety Standards, the Ministry registered 8,043 factories and other places of work, inspected 2,292 enterprises and prosecuted 29 factory occupiers who were in contravention of various provisions of CAP 154 of the Laws of Kenya. It is hoped efforts in this area shall continue so as to ensure that workers are provided with some conducive working environments.

Another major role played by this Ministry is to ensure sound management of Manpower Planning and Development. To this end, the Ministry has continued to formulate policies that address the expansion of human resource capital and improvement of Labour Market information in the country.

Kenya, as a member of the International Labour Organisation (ILO), has always been represented by the Ministry in the Organisation's Annual General Assembly. Kenya has been and continuous to be a signatory to the Labour Conventions and Standards. Our participation in these meetings has kept us abreast with International Standards.

I am therefore, confident that you will find this Annual Report useful in understanding the Ministry's Functions, Operations and Objectives in our endeavour to foster industrial harmony for socio-economic and political development in the country.



HON. PHILLIP J.W. MASINDE, E.G.H., M.P.

**MINISTER FOR LABOUR AND MANPOWER DEVELOPMENT**

## **PART I. ADMINISTRATION AND GENERAL INFORMATION**

### **SECTION I. INTRODUCTION**

1. The Ministry's portfolio encompasses the maintenance of Industrial peace, promotion of occupational health and safety services, formulation and implementation of employment policies and collection and disbursement of Social Security Funds benefits.

2. In essence, the broad functions of the Ministry include the following:-

- Industrial Relations and Labour Matters
- Workmen's Compensation
- National Manpower Planning and Development Policy
- Planning and Co-ordination of Training Programmes
- Employment Policy
- Kenyanization Policy
- Assessment of Overall Training needs
- Occupational Health and Safety Services; and
- Management of National Social Security Systems.

3. The Ministry comprises of five (5) major Departments and the Industrial Court which is autonomous as indicated below:-

- Labour Department;
- Directorate of Occupational Health and Safety Services;
- National Employment Bureau;
- Manpower Development Department; and
- Manpower Planning Department.

4. The administrative position was as follows:-

<b>Designations</b>	<b>Number</b>
Minister . . . . .	1
Assistant Minister . . . . .	2
Permanent Secretary . . . . .	1
Deputy Secretary . . . . .	5
Under Secretary . . . . .	6
Senior Assist. Secretary . . . . .	2
Assistant Secretary . . . . .	8
<b>Total . . . . .</b>	<b>25</b>

5. The top administrative setup of the Ministry during the period under review was as following:-
- Hon. Philip J. W. Masinde E.G.H., M.P. - Minister;
  - Hon. Abdul Karim Mohammed Ali - Assistant Minister;
  - Hon. Willy Kiprop Komen - Assistant Minister; and
  - Mr. S. K. Murage - Permanent Secretary.
6. The Minister, Hon. Philip J. W. Masinde, E.G.H., M.P., accompanied by the Permanent Secretary Mr. S. K. Murage headed a Tripartite delegation to the 81st Session of International Labour Conference held in Geneva Switzerland from 6th to 25th June, 1994. Earlier on, the Minister had led a Tripartite delegation to attend the 17th Session of Organization of African Unity (O.A.U.) Labour Commission held in Addis Ababa, Ethiopia from the 18th to 24th April, 1994.

## SECTION II. PERSONNEL DIVISION

7. This Division is primarily charged with Human Resource Planning Development and Utilization. It specifically deals with recruitment, selection, placements, training, promotions and discipline of staff.

### Staff Establishment

<b>Designations</b>	<b>Number</b>
Principal Personnel Officer . . . . .	1
Senior Personnel Officer . . . . .	1
Personnel Officer I . . . . .	2
Personnel Officer II . . . . .	4
Personnel Assistant . . . . .	5
Senior Clerical Officer . . . . .	5
Higher Clerical Officer . . . . .	26
Shorthand Typist . . . . .	2
Copy Typist . . . . .	5
<b>Total . . . . .</b>	<b>51</b>

## **Activities**

### **Ministerial Advisory and Selection Committees (MAC/MSC)**

8. These two committees are basically advisory to the Authorised Officer under the Secretariat of Personnel Division. A total of twelve (12) meetings were held and deliberated on the following matters:-

**(a) Recruitment**

Three (3) Shorthand Typists, One (1) Driver and Four (4) Copy Typists were recruited through Ministerial Selection Board;

**(b) Promotion**

Seventy three (73) members of staff were promoted to various grade on the recommendation of the Ministerial Selection Board;

**(c) Confirmation in Appointment**

A total of one hundred and five (105) officers were confirmed in their appointment through the Ministerial Advisory Committee;

**(d) Discipline**

There were twenty eight (28) disciplinary cases presented to the Ministerial Advisory Committee and eleven (11) of them ended in dismissals; and

**(e) Medical Ex-gratia Assistance**

Twenty two (22) cases of Ex-gratia Assistance were approved and paid.

### **Recruitment by the Public Service Commission**

9. The following categories of staff were recruited by the Public Service Commission:-

- (i) Six (6) Occupational Health and Safety Officers II;
- (ii) Ten (10) Labour Officers;
- (iii) Two (2) Assistant Secretaries Cadets; and
- (iv) One (1) Executive Officer II.

10. The new entrants injected new skills, knowledge and energies into the Ministry and thus went a long way in increasing the Ministry's efficiency in service delivery.

### Promotion by the Public Service Commission

11. A total of forty (40) officers were promoted by the Public Service Commission to various grades.

### Labour Turnover

12. The Labour Separations attributed to retirement, resignation, dismissal, death and voluntary early retirement were as follows:-

1. Retirement . . . . .	6
2. Resignation . . . . .	9
3. Dismissal . . . . .	2
4. Death . . . . .	10
5. Voluntary Early Retirement . . . . .	252
<b>Total . . . . .</b>	<b>279</b>

13. Mr. S.K. Murage was appointed the Permanent Secretary replacing Mr. K. Ogara-Okech who had proceeded on retirement. There was a total of seventeen (17) officers in various cadres who were transferred, ten (10) officers joined the Ministry leaving a deficit of seven (7) officers.

### SECTION III. ACCOUNTS DIVISION

14. The objective of the Accounts Division is to manage the funds appropriated by Parliament and/or collected through Appropriation In Aid (A.I.A) in the form of deposits. As a result, the Division maintains proper books of Accounts, prepares financial statements and management reports.

### Staff Establishment

15. The staff position during 1994 was as follows:-

<b>Designation</b>	<b>Number</b>
Chief Accountant . . . . .	1
Senior Accountant . . . . .	1
Accountant I . . . . .	2
Accountant II . . . . .	8
Accounts Assistant . . . . .	10
Clerical Staff . . . . .	30
Secretarial Staff . . . . .	9
Supportive Staff . . . . .	7
<b>Total . . . . .</b>	<b>68</b>

## Activities

16. The Division undertook the following activities:-

- (i) In January, A.I.Es were issued for the 2nd half allocation to all A.I.E (Authority to incur Expenses) holders;
- (ii) In April, Supplementary estimates was received and the vote books adjusted. The Ministry was given additional funds in both Recurrent and Development votes which catered for pending bills pertaining to extension of Uajiri House, external travelling, salary adjustments and other expenditure that increased due to economic conditions in the country;
- (iii) From May 16th - 20th, an Accountant II attended an orientation seminar and on 26th May a Chief Accountant attended the heads of Accounting Units Meeting held at the Income Tax Building and discussed cash management;.
- (iv) Successfully closed the Financial Year 1993/94 on 30th June, 1994. The Board of survey was carried out on 1st July, 1994;
- (v) In July opened books for the Financial year 1994/95 and AIEs for the 1st half allocation were issued to holders;
- (vi) An inspection trip was made by ten accounts staff between 28th July, to 24th August, 1994. Further inspection was done by internal auditors and an accountant to Naivasha and Busia Districts between November and December; and
- (vii) From July to September Annual accounts were prepared and submitted to the Controller and Auditor General as required the deadline was met.

## Training and Promotions

17. There was no training at all during the period under review. However, a total of three (3) promotions were effected that included the following officers:-

Mr. C. M. Kihara	- Accountant II	08-06-94
Mr. S. W. Kariuki	- Accountant II	08-06-94
Mr. S. M. M'kwi	- Accounts Assistant	28-09-94

## Major Assignments

18. Some of the major assignments accomplished during the period included:-

- (a) Preparation and submission of Annual Accounts in compliance with Financial Regulation;
- (b) Timely preparation and presentation of Public Accounts Committee (PAC) briefs; and



- (c) Mandatory Reports and returns to the Auditor General and Treasury.

### Major Constraints

19. There was severe shortage of staff precipitated by the Voluntary Early Retirement Scheme and transfers of four (4) senior officers.

### SECTION IV. SUPPLIES DIVISION

20. The Division continued to authorise requirements for materials, parts, goods, services and administering the same from the point of issue\use on behalf of the Ministry. This Division has five Sections as follows:-

- (i) Stock Control;
- (ii) Procurement;
- (iii) Store housing;
- (iv) Receipt and use; and
- (v) Staffing.

21. The major functions of these sections continued to improve optimally, with the staff involved ensuring that the user requirements were met on time.

The Division administered four (4) store houses located in:-

- (a) Headquarters (N.S.S.F. Building) 2
- (b) Uajiri House 1
- (c) Industrial area 1

### Staff Position

22. The staff position was as follows:-

Designations	Number
Senior Supplies Officer . . . . .	1
Supplies Officer I . . . . .	2
Supplies Officer II . . . . .	1

Supplies Assistant . . . . .	2
Storeman . . . . .	5
Clerical Officers . . . . .	3
Short Hand Typist II . . . . .	1
Support Staff . . . . .	1
<b>Total . . . . .</b>	<b>16</b>

23. Two (2) storemen retired under the early retirement scheme and the section adjusted accordingly to this change with optimal deployment of remaining staff.

#### **SECTION V. PLANNING AND RESEARCH DIVISION**

24. The main functions of the Division included the following among others:-
- (i) Sectoral coordination of the Ministry's socio-economic activities;
  - (ii) A secretariat to Ministerial Budget Committee, Industrial Court and Public Investment Programme (P.I. P.); and
  - (iii) Participation in the preparation of the National Development Plan through Development Issues Planning Groups (D. I. P. G's).

#### **Staff Position**

25. The staff position of Planning and Research Division was as follows:

<b>Designation</b>	<b>Number</b>
Deputy Chief Economist . . . . .	1
Senior Economist . . . . .	1
Economist I . . . . .	1
Economist II . . . . .	3
Accountant II . . . . .	1
Statistical Officer II . . . . .	1
Executive Assistant I . . . . .	1
Senior Statistical Assistant . . . . .	1
Statistical Assistant . . . . .	1
Clerical Officers . . . . .	10
Copy Typists . . . . .	3
Subordinate Staff . . . . .	4
<b>Total . . . . .</b>	<b>29</b>

26. A Majority of the Division's support staff opted for Voluntary Early Retirement which adversely affected the operations of the Division. Two officers were

transferred, Mr. O.K Ngure an Economist I was moved to the office of the Vice President and Ministry of Planning and National Development, and Mr. Daniel K. Kimutai a clerical officer was transferred to Eldoret in the same Ministry.

27. The Deputy Chief Economist was still serving in the special Committee set up to study the possibility of reviving the Civil Servant Trade Unions. As a result a few officers were called upon to do special duty and were given special duty allowance. The officers included Messrs. Mbera Orwoba, Oliver K, Ngure, James M. Kimuyu and Miss M. A. Kuyoh.
28. Two clerical officers Messrs. W. R. W. Munyasa and Peter Ndwiga attended and completed a Diploma course in Applied Statistics at Kenya Polytechnic. Other officers attended seminars, workshops and relevant courses organised throughout the country.

### **Activities**

29. The activities of the Division were as follows:-
  - (a) Actively participated in the preparation of seventh (7th) National Development Plan Exercises that began early, 1993. This was done through the established pattern of Development Planning Groups Issues (D.P.I.G's) that focused on CHAPTER 10: "Employment and Human Resources Development"; and
  - (b) The D.P.I.G was composed of National Employment Planning and Manpower Development Departments among others. In brief, the Division made significant contributions to the section on labour productivity incomes and wages policies. The Deputy Chief Economist, Mr. C. W. Wangia and Economist II, Mr. James K. Kimuyu represented the Ministry on D. P. I. G. as Sectoral Planners. The chapter was finalised in October, 1994 and presented to the Director of Planning, Dr. Kangethe W. Gitu, for further action.

### **Registration of Collective Bargaining Agreement**

30. The Division analyzed a total of 298 collective bargaining agreements covering 120,576 unionizable Employees in 1994 as compared to 337 agreements covering 78,014 employees in 1993. Majority of these Employees were from the Transport and Communication sector. Scrutiny and analysis of these Agreements was to ensure that they were in conformity with stipulations of the Wage Guidelines and Statutory Provisions that govern wages and other conditions of work.

## **Terms and Conditions of Service**

### **Basic Monthly Wage Rates**

31. To compensate the workers for the run away inflation during the period under review, the Division received and forwarded a number of supplementary agreement for registration. A number of employers failed to attach schedule forms which forms the basis for analysis, causing a large backlog of pending Agreements. These were cleared towards the end of the period following the industrial Court order to process agreements while awaiting the receipt of schedule forms.
32. The Division's analysis revealed the following:
  - (a) That the overall average monthly wage rates for the Lower Income Groups was Ksh 1,645, as compared to the 1993 figures of Kshs 1,583;
  - (b) The Middle Income Groups overall average monthly wage rates was Kshs 3,520 as compared to Kshs 3,222 in 1993;
  - (c) The calculation of average wage/salary for upper income groups (i.e Earning over Kshs 8,000 p.m) was not possible due to unavailability of data; and
  - (d) The overall average basic wage for all the groups went up from Kshs 2,739.3 in 1993 to Kshs 3450.4 in 1994 a rise of 26%.

### **Housing, Leave and Safari Allowances**

33. Housing Allowance rose from an overall average of Kshs 592.3 in 1993 to Kshs 813.6 in 1994. The average Annual Leave Travelling Allowance rose from Kshs 658.5 in 1993 to an average of Kshs 798.5 and Daily Safari Allowance increased from an average of Kshs 301.7 in 1993 to Kshs 430.1 in 1994.
34. Other terms and conditions of service such as sick leave, maternity leave, hours of work among others moved marginally round their central tendencies without registry any significant variations.

### **Labour Costs**

35. The aforementioned improvements in the terms and conditions of service implied increments in labour costs. The overall percentage increase in labour costs for the year was 47.2% as compared to the previous year's overall of 36.3%.
36. The highest compensation was 131.3% in Finance industry and the lowest compensation was 84.3% in Mining and Quarrying industry. The utilization ratios ranged between 30.8% in Agriculture Industry and 65.8% in Mining and Quarrying industry with an overall average utilization ratio of 43.6% as compared to the previous year's ratio of 57.5%.

## **Trade Disputes**

37. The Division being a Secretariat to the Industrial Court, investigated 22 economic disputes during the year. These investigations included on-the-spot fact finding visits to parties premises, studying of parties' written submissions and verbal consultations with the parties then filing a report to the court to enable it reach its final verdict.

## **Cost of Living Indices**

38. Cost of Living indices together with Gross Domestic Product (per capita incomes among other determinants) formed a major instrument of analyzing Collective Agreement. The period 1992 to 1994 covered the highest inflationary trends. However from March, 1994 inflation rate dropped sharply and was negative in most instances during the subsequent months. It dropped from 61.5% in January to 6.6% in December, 1994. The Division computed the cost of living indices on monthly basis during the year under review. These indices were then sent to the Labour Officers, Trade Unions and Federation of Kenya Employers among other users to be used when adjusting wages and other terms and conditions of Employment.

## **General Wages Advisory Board**

39. The Division effectively participated in the General and Agricultural Industry Wages Advisory Councils as Economic Assessors. It is in this context that the Deputy Chief Economist, Mr. C. W. Wangia, presented a paper to the Board titled "Overview of Kenya's Economic Performance 1992-1994". The salient points highlighted in the paper included the following:-
- (i) Gross Domestic Product (GDP) growth rate which he observed to have been at 0.4% against a population growth rate of 13.4% per annum;
  - (ii) Inflationary trend which was declining due to economic reforms; and
  - (iii) Recommendation to the tripartite representatives of a wage entitlement of 53% against the F.K.E's 33% and COTU's 53%.
40. Arising from this presentations, the Minister for Labour and Manpower Development, Hon. Phillip J. W. Masinde, E.G.H., M.P., issued the Revised Regulation of General Wages (Amendment) Order on 1st May, 1994.

## Agricultural Wages Advisory Board

41. This Board also met on 14th April 1994 at Nakuru. The Ministry was represented by the Planning and Research Division through Mr. Mbera Orwoba, a Senior Economist, who also presented a paper which indicated the applicable compensation for wages under the Current Guidelines, as shown below:-

### Applicable Compensation

Lower Income Group	41.9. %
Middle Income Group	36.4 %
Upper Incomes Group	40.9 %
<b>Average</b>	<b>39.7%</b>

42. It was also recommended that the General Minimum Wages prescribed by the Regulation of Wages (Agricultural Industry) Order be raised by between 30.0% and 42.0%. FKE offered 30% for the Agricultural Industry Order. The Statutory Award that was given out of the deliberations was 15%.

**TABLE 1. SUMMARY TABLE:- OVERALL AVERAGES GIVEN IN TERMS OF WAGES AND HOUSE LEAVE AND SAFARI ALLOWANCES BY INDUSTRY- 1994**

CLASSIFICATION BY INDUSTRY	NUMBER OF AGREEMENTS	NUMBER OF UNIONIZABLE EMPLOYEES	AVERAGE BASIC WAGE	AVERAGE HOUSING ALLOWANCE	AVERAGE LEAVE TRAVELLING ALLOWANCE	AVERAGE SAFARI ALLOWANCE
1. Agriculture, Forestry Hunting and Fishing	25	13,773	3,022	759.4	630.4	336
2. Mining and Quarrying	3	159	2,717	877.0	4,070	215
3. Manufacturing	121	18,951	3,334	581.3	806.2	353
4. Electricity and Water	-	-	-	-	-	-
5. Building and Construction	5	148	2,266	545.9	292.0	368
6. Wholesale & Retail Traders Restaurants and Hotels	51	7,179	4,020	725.8	775.9	362
7. Transport and Communication	32	74,698	3,313	941.2	-	-
8. Finance Insurance, Real Estates and Business Services	24	2,751	5,554	1,285	1,774.6	776
9. Community, Social & Personal Services	30	2,917	3,377	795.0	723.9	419
<b>Total Average</b>	<b>291</b>	<b>120,576</b>	<b>3,450.4</b>	<b>813.6</b>	<b>798.5</b>	<b>430</b>

## **PART II: LABOUR DEPARTMENT**

### **SECTION I: FUNCTIONS AND STAFF ORGANIZATION**

43. The department has continued to perform its traditional functions, namely:-

- Overall labour administration;
- The field inspectorate;
- The industrial relations; and
- Workmen's Compensation.

44. The field inspectorate department continued to be organized on Provincial and District level basis with field staff of 30 district Labour officers as at December 31st, 1994. The staff position of the department was as follows:-

<b>Designation</b>	<b>Number</b>
Labour Commissioner . . . . .	1
Deputy Labour Commissioner . . . . .	2
Snr. Assist. Lab. Commissioner . . . . .	3
Assistant Labour Commissioner . . . . .	12
Senior Labour Officers . . . . .	54
Labour Officers I . . . . .	31
Labour Officer II . . . . .	20
Labour Officer III . . . . .	43
Senior Labour Inspectors . . . . .	25
Labour Inspectors I . . . . .	26
Labour Inspectors II . . . . .	82
<b>Total . . . . .</b>	<b>299</b>

45. Most of the department's field staff underwent several Refresher and Management Development Courses all aimed at further improving their performance in general. Focus was also put on using the scarce resources in the best way possible.

46. The department also continued to apply the principle of 'zoning' of the various areas to be inspected and improving the quality of field inspection. Stricter management controls were also instituted in terms of the use of field motor cycles and motor vehicles.

## Staff Training

47. A big number of officers had access to training as follows:-

(i) Under the Kenya Tripartite Labour Inspection Project

Course/Seminar/Date	No. of Participants
(a) Provincial Lab. Officer seminar 22nd - 24th March 1994 . . . . .	7
(b) Prosecutors Course 22nd - 31st March 1994 . . . . .	30
(c) Modernizing Lab. Inspection Course 13th - 15th April 1994 . . . . .	20
(d) Drivers seminar 24th - 30th April 1994 . . . . .	25
(e) Performance improvement seminar 9th - 13th May 1994 . . . . .	25
(f) Clerical Officers seminar 23rd - 28th May 1994 . . . . .	30
(g) Management Dev. seminar 25th July - 5th August 1994 . . . . .	25

48. Most of the seminars and Courses were jointly organised by the ILO, ARLAC and KTLIP. A majority of them were undertaken between June 1994 and July 1994.

(ii) **International Programme on the Elimination of Child Labour(IPEC)**

49. This was an ILO Project which started in 1993 to be implemented by the Child Labour Unit in the Labour Departments. In 1994, seminars for orientation and awareness were organised for officers. These seminars were held on the following dates:-

Dates	No. of Participants
26th - 29th April 1994 . . . . .	30
17th - 19th May 1994 . . . . .	33
7th - 9th June 1994 . . . . .	29
25th - 29th October 1994 . . . . .	30
8th - 10th November 1994 . . . . .	30



**(iii) External Training in the following areas:-**

- (a) Labour Relations Management Course attended by Mr. H. K. Mwaura, in Japan between 9th May and 17th July 1994;
- (b) Labour statistics for Policy Planning Course, attended by Mrs. Ada Kirundi from Mombasa Labour office, in Japan;
- (c) Management of Inspectors services ARLAC course in Harare, attended by Miss Monica Wambua, from Embu Labour office and Mr. James Oketch from Voi Labour office, between 11th and 22nd July 1994; and
- (d) Labour Administration and Decentralized systems Course in Harare, Zimbabwe, attended by Mr. H. Mwandime, a Senior Assistant Labour Commissioner, between 10th and 16th September 1994.

## **SECTION II - WAGES AND WORKING CONDITIONS**

### **LABOUR ADVISORY BOARD**

50. This board is charged with the responsibility of advising the Minister in all Labour and Employment matters. The board met twice in 1994 to deliberate on the future action to be taken by the Government with regard to the various instruments as adopted from the 65th upto the 80th sessions of the ILO Annual Conferences and subsequently recommended to the Minister not to ratify or assume obligation of the said ILO instruments. There was resource constraints to fully implement the requirements of these minimum labour standards. The Board also met in order to consider the various subsidiaries of labour legislation and submitted its specific recommendations to the Minister as follows:-

- (a) The Work Injury Benefits (Insurance Scheme) draft which needed to be reviewed;
- (b) Lowering the retirement age from 50 to 45 years for N.S.S.F. benefits; and
- (c) Approval of application with regard to night work for women while awaiting for the new amendments to become law.

### **The General Wages Advisory Board**

51. According to the board, the Regulation of Wages General (Amendment) Order of 1994, became effective from 1st May 1994 fixing basic minimum wages as follows:-

- (a) (i) Unskilled Employees in Nairobi and Mombasa was Kshs. 1700/= ;
- (ii) Unskilled Employees for all other Municipalities was Kshs. 1567/= ; and
- (iii) Unskilled Employees in all other areas was Kshs. 955/= .

These wages are exclusive of 15% housing allowance.

- (b) For those unskilled employees aged below 18 years, the basic minimum wage for Nairobi and Mombasa became Kshs 1249, Kshs 1089 for all other Municipalities and Kshs. 691 for all other areas.

#### **The Regulation of Wages (Agricultural Industry) (Amendment) Order 1994**

52. This also became effective on 1st May 1994 and had the minimum rates as follows:-

- (a) Unskilled employees aged 18 years and above was Kshs. 869 per month; and
- (b) Unskilled employees aged below 18 years was Kshs. 620 per month.

53. Daily rates were also adjusted upwards with Kshs 36.50, being the new rates for those above 18 years of age, and Kshs 26.45 for those below 18 years of age.

#### **Protective Security Services Wages Council**

54. This Council met several times during the second half of 1994 with an aim of recovering the items and conditions of employment in the Protective Security Services industry. It also made submissions to the Minister, who issued the Regulation of Wages (Protective Security Services) Order. This order was to become effective from 1st May, 1995. The Wages contained were as follows:-

- (a) Adult workers in Nairobi and Mombasa was Kshs. 2015;
- (b) Those in the Municipalities was Kshs. 1818;
- (c) Other Areas was Kshs. 1509;
- (d) Annual Leave was raised to 25 days per year;
- (e) Severance pay and Gratuity were increased by a day each to 16 days from 15 days; and
- (f) All other monetary allowances were also enhanced by about 50% from the previous levels.

## **Hotel and Catering Wages Council**

55. The KUDHEIHA Workers' Union wanted to revive the Hotel and Catering Wages Regulations Order through the Council, so that they could be able to recruit the workers and that such workers be able to have legal protection. The Minister for Labour and Manpower Development decided that no new orders could be revived in Industries and Sectors where workers were already well organized in Unions or effectively covered by the relevant provisions of the Regulation of Wages (Amendment) Order.

## **Working Conditions**

### **(a) Inspections**

56. A total of 22,725 Labour and Wage Inspections were carried out compared to 26,525 Inspections in 1993. There was a glaring decline of 3,810 inspections which could be attributed to retrenchment of clerks and drivers. The prime objective of inspections was to ensure minimum Labour Standards were adhered to and formed a good platform for disseminating vital technical information to both Employers and Workers.
57. The International Programme for the Elimination of Child Labour (IPEC) made considerable contributions in facilitating Inspections. In addition, the Tripartite Labour Project funded by the Royal Dutch Government significantly improved the quality and quantity of Labour Inspections. The Project ended in August 1994. It developed the Department's Manpower through training and provision of equipment, vehicles and other facilities.

### **(b) Complaints**

58. A total of 15011 Labour complaints were reported to the Ministry compared to 15,654 cases reported in 1993. Out of this figure of 15011, 10335 were amicably settled through payment of terminal benefits, reinstatement or other remedial actions.
59. A total sum of Kshs. 31,562,108.45 was paid to various employees as recoveries made from complaints registered in the labour offices and as arrears claimed for underpayment and other entitlement. These statistics are shown in Table 2.

### **(c) Prosecutions**

60. There were 142 prosecutions of employers over no-payment of wages and terminal benefits to employees. A total of Kshs.3,214,649.35 was recovered due to prosecutions and paid to the affected employees, as shown in Table 3.

**TABLE 2: NUMBER OF INSPECTIONS, COMPLAINTS AND WAGES RECOVERIES BY CATEGORY AND PROVINCE**

PROVINCE	INSPECTIONS		COMPLAINTS		WAGES/ARREARS
	LABOUR	WAGES	REPORTED	SETTLED	RECOVERED
1. NAIROBI	2722	2034	5662	4796	11,611,121.05
2. COAST	2242	1074	2282	1264	5,541,530.10
3. WESTERN	672	1238	581	314	454,761.35
4. RIFT VALLEY	1687	2825	2555	1676	4,215,893.60
5. NYANZA	1465	312	903	590	3,459,499.30
6. EASTERN	1175	1569	807	732	2,653,940.95
7. CENTRAL	1934	1806	2221	963	3,625,362.10
<b>TOTAL</b>	<b>1,897</b>	<b>10,818</b>	<b>15,011</b>	<b>10,335</b>	<b>31,562,108.45</b>

**TABLE 3: NUMBER OF PROSECUTIONS CASES INVOLVING EMPLOYERS BY PROVINCE AND JUDGEMENT.**

PROVINCE	NUMBER OF EMPLOYERS			NUMBER OF CASES			T O T A L S	A M O U N T S RECOVERED (KSHS.)
	C O N V I C T E D	A C C U S E D	D I S M I S S E D	W I T H D R A W N	C O R R E C T E D	F I N A L I Z E D		
1. NAIROBI	5	2	2	5	12	26	2,082,057.05	
2. COAST	5	-	-	2	12	18	16,420.00	
3. WESTERN	-	-	-	2	-	2	40,000.00	
4. RIFT VALLEY	4	-	-	2	7	13	N/S	
5. NYANZA	11	-	-	1	5	17	322,326.30	
6. EASTERN	-	-	-	1	8	9	-	
7. CENTRAL	15	-	20	4	18	57	753,846.00	
<b>TOTAL</b>	<b>40</b>	<b>2</b>	<b>22</b>	<b>16</b>	<b>62</b>	<b>142</b>	<b>3,214,649.35</b>	

61. Most of the negotiation of hours of work was done through Collective Bargaining Agreements (CBAs). The terms of productivity and 'on the job' training were enhanced through incentive schemes to the employees.

## **Programme and Project Activities**

### **The Kenya Tripartite Labour Project**

62. This was maintained and it made enormous contributions to the Labour Inspection department. It provided non-expendable equipment which the department is still utilising and has provided technical skill acquisition through training to the inspection staff, Administration staff and also in the areas of Industrial Relations and Management development.

### **Programme on Elimination of Child Labour (IPEC)**

63. This project was implemented by the Labour Department and funded by the German Government through ILO which collaborated with other NGO's, Local Authorities and the Ministry of Labour and Manpower Development as the implementing agencies. These programmes were:-
- (a) Enhancing capacity of the Labour Inspectorate to enforce Child Labour Legislation;
  - (b) Strengthening the Governments's capacity to formulate policy on Child Labour; and
  - (c) National awareness raising campaign on child labour.
64. IPEC provided resources for training the Inspectorate staff especially on how to combat child labour. There was also an awareness programme on the eradication of child labour through I'KE, COTU and the general public about the extent and implications of Child Labour in Kenya.

## **SECTION III. INDUSTRIAL RELATIONS**

65. Industrial relations improved compared to 1993, mainly due to the following factors:-
- (i) Improvement in the economic situation, with declining inflation thus benefitting workers and employers. There were more Collective Bargaining Agreements signed and registered;
  - (ii) A few work stoppages showing better relations between employers and employees;
  - (iii) The ILO - Kenya Tripartite Inspection Project helped harmonize Industrial relations in the country through training, education and advice to workers by field officers; and

- (iv) Adherence to the established Industrial Relations machinery by the social partners improved Industrial peace. This was reminiscent in the declining number of strikers as reflected below:-

Year	No. of strikes
1991 . . . . .	90
1992 . . . . .	97
1993 . . . . .	69
1994 . . . . .	55

66. The Kenya Union of Commercial Food and Allied Workers reported the highest number of disputes (203), followed by KEDHEIHA Workers (148), and Kenya Building Construction, Timber, Furniture and Allied Trades Employees Union (69).

### Strikes

67. The number of strikes declined from 69 to 55 in 1993 and 1994 respectively. Most of these strikes were instigated by the shopstewards in disregard to the existing Established Industrial Relations Machinery and Union Leadership. Consequently, man-days lost dropped from 68,039.38 in 1993 to 41,826.59 in 1994 which was a decline of 38.5%. A summary of occurrence of strikes by section is shown in Table 4.
68. The table shows that 20,749 Employees were involved in strikes and 334,612.8 man-hours were lost. There was however, increased strikes in the subsequent months immediately the new minimum wage rates were announced by the Minister on 1st May, 1994. This was evident in the month of June and July when 9,952.2 and 5,176.8 man-days respectively were lost due to strikes. These strikes were attributed to increased demands from the workers to be granted wage boosts automatically as a result of the minimum wage announcement.

### Redundancies

69. A total of 23 applications for redundancies were reported in 1994 as compared to 42 applications in the previous year, 1993. There were 1,006 employees involved in total but only 710 employees covering 7 firms were approved by the Minister. However, 16 firms covering 263 employees were either rejected or pending for actions as depicted in Table 5 below. Over 1,361 employees were declared redundant in 1993.

**TABLE 4: NUMBER OF STRIKES, EMPLOYEES INVOLVED, MAN HOURS AND DAYS LOST BY GRADE AND INDUSTRY.**

<b>G R A D E</b>	<b>INDUSTRY</b>	<b>STRIKES</b>	<b>EMPLOYEES INVOLVED</b>	<b>MAN HOURS LOST</b>	<b>MAN DAYS LOST</b>
<b>A</b>	<b>AGRICULTURE</b>	6	724	35,840.00	4,480.00
<b>B</b>	<b>MINING AND QUARRY</b>	3	744	17,574.00	2,196.75
<b>C</b>	<b>MANUFACTURE</b>	20	6,362	49,643.10	6,205.38
<b>D</b>	<b>BUILDING &amp; CONSTRUCTION</b>	6	780	63,052.00	7,881.50
<b>E</b>	<b>ELECTRICITY</b>	1	-	-	-
<b>F</b>	<b>COMMERCE</b>	13	8,840	104,664.07	13,083.087
<b>G</b>	<b>TRANSPORT</b>	4	3,248	62,615.00	7,826.80
<b>H</b>	<b>DOCKS</b>	-	-	-	-
<b>I</b>	<b>MISCELLANEOUS</b>	-	-	-	-
<b>J</b>	<b>GOVERNMENT</b>	1	-	-	-
<b>K</b>	<b>PUBLIC SERVICES</b>	1	51	1,224.00	153.00
<b>L</b>	<b>SOCIAL SERVICES</b>	-	-	-	-
	<b>TOTALS</b>	55	20,749	334,612.80	41,826.589

**TABLE 5: NUMBER OF APPLICATIONS, APPROVALS, PENDING/REJECTED BY PROVINCES - 1994**

PROVINCE	APPLICATION		APPROVED		REJECTED & PENDING	
NAIROBI	14	93	1	18	13	75
RIFT VALLEY	2	556	2	566	-	-
CENTRAL	-	-	-	-	-	-
COAST	1	16	-	-	-	-
NYANZA	3	200	2	33	2	167
WESTERN	-	-	-	-	-	-
EASTERN	3	141	2	136	1	5
NORTH EASTERN	-	-	-	-	-	-
TOTAL	23	1,006	7	710	16	263

#### **Central Organizations of Trade Unions (COTU)**

70. The Trade Unions continued to demand the removal of the Wage Guidelines which acted as a barrier to collective bargaining process; hitherto. In response, the Government relaxed the provisions of the Guidelines on 16th June, 1994 in respect to productivity, duration and compensation based on consumer price indices (CPI) increases. This was a clear demonstration that the Government intended to liberalize the Labour Market eventually under the on - going Structural Adjustment Programmes (SAPS).
71. The other demand COTU made to the Government was that Industrial Court Awards be subject to High court Appeal. This demand was not accepted by the Government due to the adverse impact it would have on Industrial Relations.

#### **Federation of Kenya Employers (FKE)**

72. The F.K.E. continued to advocate for total liberalization of the Labour market and removal of other regulatory forms. They were particularly keen in demanding that the Trade Dispute Act clause dealing with Redundancy be amended in order for employers to declare workers redundant without seeking the Minister's approval but with concurrence of the Union and Labour Officers. This demand was acceded to by the passage of the Finance Bill in Parliament to remove the approval requirement, despite COTU'S opposition to it.



## Trade Disputes

73. A total of 759 trade disputes were reported to the Minister by various Trade Unions as compared to 804 disputes in 1993. This was a decline of 5.5% attributed to the Minister's directive that parties can re-negotiate on monetary issues after one (1) lapse of a two (2) year collective bargaining agreement enunciated in 1993.
74. The disaggregation of these disputes included termination 342, Recognition Agreements 102 and collective Bargaining Agreements 378. Trade Unions ranking in descending order of the number of disputes was as follows:-
- (a) Kenya Union of Commercial, Food and Allied Workers was 202;
  - (b) KUDHEIHA was 148; and
  - (c) Kenya Building, Construction, Timber, Furniture and Allied Trades was 69

## SECTION IV. WORKMEN'S COMPENSATION

75. A total of 1,630 accidents were recorded by the Directorate compared to 1,818 accidents in 1993. This was a decline of 188 accidents or 10.3%.
76. Table 5 shows the disaggregation of incapacitation and causation of accidents as follows:-

### (i) Incapacitation

#### Category

Fatal . . . . .	80
Permanent/Partial . . . . .	395
Temporary . . . . .	387
Undefined degree . . . . .	772
<b>Total . . . . .</b>	<b>1,630</b>

### (ii) Causation

Power Driven Machinery . . . . .	65
Non Power Driven Machinery . . . . .	13
Non Machinery Handling . . . . .	44
Transportation . . . . .	359
Others (eg. fire, poison, tools etc) . . . . .	1,149
<b>Total . . . . .</b>	<b>1,630</b>

77. The total amount of pecuniary benefits paid out under the Workmen's Compensation Act CAP 236 Laws of Kenya was about Shs.23,690,245. These payments were made to the following organizations and/or firms:-

<b>Category</b>	<b>Amount Kshs.</b>
Ministry Headquarters . . . . .	5,840,700
Kenya Posts and Telecommunications Corporation . . . . .	.574,744
Kenya Railways Corporation . . . . .	.243,045
Labour Offices . . . . .	.17,031,756
<b>Total . . . . .</b>	<b>.23,690,245</b>

78. Overall, Workmen's Compensation payment distribution according to degree of incapacitation was as follows:-

	<b>Amount Kshs.</b>
Permanent/Partial . . . . .	.14,278,237
Fatal . . . . .	8,049,116
Temporary . . . . .	1,362,893

**TABLE 6. NUMBER OF ACCIDENTS BY DEGREE OF INCAPACITATION, CAUSATION AND INDUSTRY**

I N D U S T R Y	BY DEGREE OF INCAPACITY				BY CAUSATION							T O T A L S			
	F A T A L	P E R M A N E N T	T E M P O R A R Y	U N D E T E R M I N E D	T O T A L	P O W E R D R I V E N	M A C H I N E R Y	N O N P O W E R	M A C H I N E R Y	N O N M A C H I N E R Y	H A N D L I N G		T R A N S P O R T T I O N	F I R E T O O L S etc.	S H O C K P O I S O N
1. Agriculture & Livestock	13	58	72	155	298	14	1	7	74	200					296
2. Forestry & Logging	5	6	29	14	54	-	-	-	-	-	-	-	-	-	-
3. Mining & Quarrying	-	1	1	2	4	-	-	-	-	-	-	-	-	-	-
4. Manufacturing	20	120	196	431	767	40	12	23	108	618					801
5. Construction	8	87	19	70	184	9	-	11	42	154					216
6. Electricity, Gas, Water & Sanitary Services	1	2	16	3	22	-	-	1	7	11					19
7. Commerce	2	18	3	25	48	-	-	-	15	29					44
8. Transport, Storage & Communications	10	18	-	26	54	-	-	1	27	28					56
9. Docks	-	-	-	-	-	-	-	-	-	-					-
10. Service	21	85	51	46	203	2	-	1	86	109					198
Totals (1) - (10)	80	395	387	772	1630	65	13	44	359	1149					1630

## **SECTION V. BOARDS AND CONFERENCES**

### **The 81st Session of International Labour Conference**

79. This was an International Labour Organization (ILO) conference held in Geneva, Switzerland from 6th to 25th June, 1994. The Minister for Labour and Manpower Development, Hon. Philip J. W. Masinde, E.G.H., M.P., headed the tripartite delegation to this conference. The theme for this conference was a topic entitled 'Defending values, promoting change - Social Justice in a global economy - An ILO Agenda'. The issues that were at focus in the conference included:-

- (a) Celebrating the 75th ILO anniversary;
- (b) The role of the ILO in the formulation of economic and employment policies in the future and standard setting activities including the social dimension of international trade liberalization; and
- (c) The new exigencies of technical co-operation.

### **Work of the Various Technical Committees**

80. During the conference, the following committees were set up to discuss the various issues:-

- (a) The committee on the application of International Labour Standards whose role was on its tripartite dialogue with the aim of assisting member States of ILO to carry out their obligation relating to ratified conventions;
- (b) Committee on Private Employment Agencies whose role was to work out the modalities that would lead to the revision of convention No. 96 on Private Employment Agencies;
- (c) Committee on Part-time work whose role was to reflect on the importance of part time work, freely chosen employment policy(s) which address the role of part time work and the protection of part time workers;
- (d) Committee on Safety and Health in mines;
- (e) Apartheid Committee which was to decide on rescinding the Declaration Action Against South Africa now that it is free and democratic; and
- (f) Resolutions Committee, whose role was to make resolution for the Conference. Two resolutions were adopted during the conference. These were:-
  - (i) The first Resolution called upon ILO member states, employers and workers to reaffirm " the Principles and fundamental values upon which ILO was founded and to contribute to strengthening ILO"; and

- (ii) Resolution on the social summit called upon ILO and its constituents to prepare for the summit and "to adopt and implement a declaration and a programme of action" on social dimensions.

**The 17th Session of OAU Labour Commission, Addis Ababa Ethiopia, 18th-24th April, 1994**

81. Kenya was represented at the session by a tripartite delegation headed by Hon. Phillip J.W. Masinde, E.G.H, M.P., Minister for Labour and Manpower Development.

82. The following were the key issues discussed during the sessions:-

- (a) Report of the Secretary-General on activities falling under the pervue of the Labour Commission requested the ILO and other Regional bodies to intensify their co-operation in the Socio-Economic area including Labour and social related matters;
- (b) Report on the Secretary-General on the Development on the employment situation in Africa - The report discussion touched on Policy concerning employment strategies as it linked development with education and training in the labour marker;
- (c) Progress Report on the Preparation for the Regional Youth Conference - The request for the convention of this conference was made through a resolution (No.CU/1236) and adopted by the OAU Council Of Ministers;
- (d) Report on the African Rehabilitation Institute (ARI) - Member states were requested to ratify the agreement, and pay their contributions towards ARI for the effective running and functioning of the Institute;
- (e) Report on the Impact of Structural Adjustment Programmes (SAPs) on Social security in African countries - It was felt that whenever SAPs were implemented they never the produced the expected results - hence the need for strict management of African Social Security institutions; and
- (f) Tripartite representation - It was agreed that Governments should bear the cost of participation of employers and workers' representatives at OAU Labour Commission meetings. However, where this was not possible employer' and workers' organizations would shoulder the burden.

**10th Session of the ILO Committee on Planation, held in Geneva, Switzerland from 21-29th September, 1994.**

83. Kenya's delegation to the session was headed by Mr. S. K. Murage, Permanent Secretary, Ministry of Labour and Manpower Development, who was also the Chairman of the session on behalf of the Government Body. Other delegates included:-

Mr. E. W. Ngare Deputy Labour Commission;

Mr. G. N. Konditi Deputy Executive Director (F.K.E.); and

Mr. E. M. Kageni Kenya Plantations and Agricultural Workers' Union representative.

84. The session finally adopted the following conclusions:-

- (a) That the economic progress and the social aspect of productivity on plantations are closely inter - related;
- (b) That sound labour relations are a major element in achieving productivity growth;
- (c) That to achieve economic and social development in countries which centre their development on plantation sector productivity and labour relations should be improved;
- (d) The motivation of plantation workers to achieve higher productivity implied a wide range of elements which should be taken into account together with remuneration. These includes infrastructural services, Training and Industrial Association;
- (e) That productivity promotion of workers and employers in plantations, should be consistent and on the basis of reciprocal interests;
- (f) That labour relations is a major instrument for reconciling and promoting employers' and workers' common interests;
- (g) That Government plays a positive role in the social partners' mutual understanding and co-operation by stimulating dialogue; and
- (h) That for future action, and at the national level, the Government together with Employers' and Workers' Organizations should enhance the role of labour relations machinery in productivity promotion on plantations. This should be done together with labour inspection and advisory services.

### **Resolutions**

85. Resolutions adopted during the session were as follows:-

- (a) ILO was requested to undertake and study on the role of multinational enterprises in plantation sector and its impact on employment and terms and conditions of employment;
- (b) ILO was called upon to ensure a tripartite meeting on conditions of employment and work in rural sector takes place as early as possible in 1996

and to avail adequate resources to implement decisions arrived at thereafter;

- (c) ILO was asked, to allocate adequate resources towards workers' education programme on pesticide safety, to conduct research on special needs of plantation workers, and to call member states to ratify ILO chemical convention, (No.170) of 1990 relating to occupation safety and health on plantations; and study possibilities of reducing pesticide use where possible, and to introduce integrated pest management systems;
- (d) ILO was urged to ratify and implement existing International Labour Standards relevant to the plantations sector, and in particular those standards dealing with basic human rights issues; and
- (e) The committee requested ILO to do the following concerning child labour in the plantation:-
  - (i) Undertake a comprehensive study on Child Labour in the plantation sector;
  - (ii) Intensify efforts in dissemination of information on the International Labour Standards relating to minimum age for employment;
  - (iii) To ensure progressive elimination of child labour in plantation as a matter of priority for the Elimination of Child labour International programme;
  - (iv) To allocate adequate resources to (IPEC) to tackle the problem of child labour on plantations; and
  - (v) To call upon member states to Ratify the Minimum Age Convention No. 138; prioritise progressive elimination of child labour on plantations; and to establish tripartite mechanism for the formulation and implementation of education policies essential for the long - term elimination of all forms of child labour.

86. In brief, the I.L.O Governing Council (Body) was requested to ensure the implementation of the following activities in the plantations sector:-

- (a) Convene as soon as possible the eleventh (11th) session of the committee on work on plantation;
- (b) To ensure availability of resources to implement the decision of the tenth (10th) session of the Committee; and
- (c) To request the Director General:-
  - (i) To pursue researches/study on issue publications in the field the productivity improvement, labour relation, and ratification and implementation of convention No.110.
  - (ii) To facilitate the implementation of the plantations convention 1958 (No.110) and future work on plantation issues;

- (iii) To examine ways of ensuring better Women's participation at Eleventh Session of the Committee on work on plantation; and
- (iv) To organize regional and sub-regional meetings as a complement to the work of this committee.

## **PART III. INDUSTRIAL COURT OF KENYA**

### **Introduction and Staff Establishment**

87. The Industrial Court is an autonomous body whose decisions are final in the sense that there is no Appeal. Its presided over by two (2) High Court Judges, namely; Justice Saeed R. Cockar, M.B.S. and Justice Charles P. Chemuttut. The main function of the Court is to ensure impartial judgement of Trade Disputes between Employees and Employers in order to bolster industrial harmony. In this connection, the court has found co-operation with both the Federation of Kenya Employers (FKE) and Central Organisation of Trade Unions (COTU) most commendable.
88. The staff position of the Court was as follows:-

<b>Designation</b>	<b>Number</b>
Judges	2
Personal Secretaries	2
Court Members	5
Executive Officers	3
Clerks	7
Copy Typists	3
Drivers	2
Subordinate Staff	2
<b>Total.. ..</b>	<b>26</b>

### **Activities**

89. The court received 298 Collective Bargaining Agreements, out of which 150 were registered in court I and 148 in court II.
90. There were 100 Trade Disputes which were received and registered. Court I handled 50 disputes and court II 50 disputes. Some of the major disputes handled during the year were:-
- (i) Kenya Airways and Kenya Airline Pilots Association;
  - (ii) Kothari and Company and Kenya Union of Commercial Food and Allied



- Workers;
- (iii) Kenya National Union of Teachers and Teachers Service Commission;
  - (iv) Kenya Union of Commercial Food and Allied Workers and Kenya Bankers (Employers) Association; and
  - (v) Kenya Union of Sugar Plantation Workers and sugar Employers Group of F.K.E.
91. Court I registered 50 disputes out of which 7 involved terms of service, 18 dismissal and termination, 3 redundancy, 9 recognition and 13 miscellaneous issues. At the same time Court I heard 75 disputes which included those of previous years, 1985 to 1993. The total Awards/Rulings given were 59.
92. Court II also registered 50 disputes out of which 10 involved terms of service, 23 on dismissal/Termination, 2 on redundancy, 8 on recognition and 6 on miscellaneous issues. A total of 64 Awards/rulings were announced.
93. All the disputes received in both courts involved 31 trade unions during the period.
94. Tables 7 and 8 give summaries of Trade Disputes and Collective Bargaining Agreements handled in 1994 respectively. Table 7 shows that in addition to the above details, 17 disputes were withdrawn, 2 were appealed and 22 were handled by Advocates/State Counsel either on behalf of Employers or Employees. Table 8, on the other hand, shows that 11 supplementary agreements were received and 2 were stood over generally.

**TABLE 7: TOTAL NUMBER OF DISPUTES RECEIVED BY TYPE**

DETAILS OF DISPUTES	COURT I	COURT II	TOTAL
1. Number of disputes Registered	50	50	100
2. Number of disputes Heard	75	58	133
3. Total Awards/Rulings announced	59	64	123
4. Number of disputes marked S.O.G	7	-	7
5. Number of disputes Withdrawn	17	-	17
6. Number of Appeals registered	-	2	2
7. Number of disputes fixed for Hearing/ Mention	26	19	45
8. Number of disputes handled by Advocates/State Counsels	11	11	22
9. Number of Recognition cases registered.	9	8	17
TOTALS	254	212	466

**TABLE 8: TOTAL NUMBER OF COLLECTIVE AGREEMENTS REGISTERED BY CATEGORY.**

DETAILS OF COLLECTIVE AGREEMENTS	COURT I	COURT II	TOTAL
1. Collective Agreements Received	167	141	308
2. Collective Agreements Registered	150	141	291
3. Collective Agreements Marked SOG	2	-	2
4. Supplementary Agreements Received/ Registered	11	-	11
5. Number of Court Interpretation of Awards.	4	-	4
T O T A L S	334	282	616

## **PART IV. DIRECTORATE OF OCCUPATIONAL HEALTH AND SAFETY SERVICES (DOHSS)**

### **SECTION I. INTRODUCTION AND STAFF ESTABLISHMENT**

95. The work of Directorate of Occupational Health and Safety Services is covered under the Factories and Other Places of work Cap 514 of 1990. The broad objective of the Department is to promote and maintain good health, safety and welfare of workers in industries and other places of work in order to ensure increased production of goods and services in the Economy.

96. The establishment of DOHSS stood as follows:-

<b>Designations</b>	<b>Number.</b>
Director	1
Deputy Director	-
Assistant Directors	3
Senior Occupational Health and Safety Officers	8
Senior Medical Officers	1
Medical Officers	1
O.H.& S. Officers I	7
O.H.& S. Officers II	19
O.H.& S. Officers III	36
O.H.& S. Officer (Deputy Chief Nursing Officer)	-
O.H.& S. Officer (Assistant Chief Nursing Officer)	-
O.H.& S.-Nursing Officer I	3
O.H.& S.-Nursing Officer II	5

Deputy Secretary	1
Senior Assistant Secretary	-
Assistant Secretary	1
Executive Assistant Secretary	1
Personal Secretary	2
Shorthand Typist II/I	7
Copy Typist II/I	13
Lab. Technologist III	1
Lab. Assistant	1
Supplies Assistant	1
Storeman	1
Clerical Officers	20
Drivers III/II/I	8
Subordinate Staff	16
Watchmen/Security Guards	3
<b>Total</b>	<b>160</b>

97. The Labour separation of the Department amounted to a total of 34 Personnel This number was composed of 15 officers lost under normal attrition rate and 19 officers left under the Early Voluntary Retirement Scheme.
98. The Department did however, recruit 9 Occupational Health and Safety Officers. At the same time, Dr. W.D.O. Sakari was appointed Director by the Public Service Commission to fill the post on which the Deputy Director Mr. A.A.K. Kamoing was Acting on. The Deputy Director Mr. A.A.K. Kamoing retired at the end of 1994.

## **SECTION II. REGISTERED FACTORIES AND OTHER PLACES OF WORK**

99. The total number of registered Factories and Other Places of work where 8043 as compared to 7915 Factories and other places of work in 1993. The estimated number of people employed in these factories and other places of work was 240,350 excluding those employed in the unregistered Small Scale and Jua-Kali working places which employs more people than those reflected herein.
100. The manufacturing sector registered the highest number of factories and number of people employed followed by the Agricultural, Hunting, Forestry and Fishing Sectors. Table 9 shows the overall distribution of the number of Employees and Factories by category and industry.

### **On-going Project Schemes and New Factory Premises**

101. Nairobi Province reported the most notable building construction as the Central Bank offices, the British High Commission offices and the Afya Centre continued construction. Nairobi approved 21 architectural plans of new Factory premises which included alteration and extensions of the existing and new Factories. Central Province

reported 10 new Factories the notable ones being the three stage sulphur dioxide scrubber system at Kel Chemicals plant in Thika and the Ndakaini Dam for 3rd phase of Nairobi City Water System. Western Province reported 11, Coast Province 132 - the notable Factories being Leena Apparels, Bawaziri Glass works Ltd, TSS Gharah Millers Ltd and the extension of the Moi International Airport Mombasa. Rift Valley reported 11 architectural Plants of Factories and other places of work and 58 new premises as factories.

## Visitors

102. The Department received the following visitors during the year:-

- (i) Messrs. Alioster Muthali from Malawi and Mr. Paul Obua on a 2 weeks' training attachment;
- (ii) A team from BAT and Nairobi University students and their Teachers and MTC Students on a familiarization tour;
- (iii) COTU General Secretary and his high ranking officers to explore the possibilities of DOHSS organizing training in Health and Safety for their officiated Unions;
- (iv) Others were Vesa P. Zonnberg an ILO expert, S.K. Kiara Senior ILO officer, K.B. Ogara Okech, former Permanent Secretary Ministry of Labour, visitors from Tanzania and Mr. S.K. Murage on his appointment as the Permanent Secretary Ministry of Labour whose visit was immediately followed by that of Hon. P.J.W. Masinde E.G.H, M.P. Minister of Labour and Manpower Development; and
- (v) Dr. Bill Morton from USA and his team of Kenya Ear Foundation visited the Department.

## SECTION III. STAFF DEVELOPMENT/ TRAINING

103. A number of the department's staff attended the following Courses, Seminars and Workshops:-

- (a) Mr. S.K. Kang'ethe attended a course in Tokyo, Japan, on Safety and Health aspects;
- (b) H.A. Onyoyo and Dr. Mwaura attended a two week course in Safety and Health at ARLAC Harare, Zimbabwe;
- (c) Locally Messrs B.C. Macharia, E. Kariuki, G. Njogu and Miss M.M. Masai attended an induction course in Nairobi;
- (d) Several other officers attended Seminars, Workshops and Courses organised throughout the country; and
- (e) The Department also conducted seminars at Total (K) Ltd, B.A.T (K) Ltd,

#### **SECTION IV. INSPECTION AND RELATED ACTIVITIES**

104. The total number of Routine Inspections made in 1994 were 1171 as compared to 2292 in 1993. A total of 291 special and check visits were carried out, compared to a total of 394 in 1993. The total number of inspections and related activities were 1472 as compared to 3686 in 1993. This tremendous drop was caused by Early Retirement Scheme of most of the Support Staff and in particular, drivers which aggravated the transport problem.
105. Out of 8043 factories registered in 1994 only 2292 were inspected which reflected the inability of the Department to offer its' badly needed services. Tables 10 and 11 show the breakdown in number of inspections and reported Accidents.
106. There was a total of 3679 accidents reported from various stations of DOHSS country wide and from the offices of Registrar of Workmens's Compensation, Nairobi. 156 of them were fatal indicating the serious unsafe situation of workplaces. This state may only be improved upon if the training in Safety, Health and Welfare is stepped up by the Department and other agencies in the same field.
107. The Safety Division of the Department carried out many seminars especially in Nairobi to advise contractors of the necessity of observing safety in Construction industry where most accidents are fatal.
108. DOHSS surveyed, inspected and took remedial steps in areas of chemical hazards, in the following factories:-
  - (a) Coast Province:- Export Processing Zone at Miritini, Nitric Acid leakage at Port Reitz, Kapa Enterprises, and Total Depot of Mombasa;
  - (b) Rift Valley Province:- Organic dust surveys of Sisal Estates and Textile Industries; and
  - (c) Central Province:- Thika Tanneries and System treatment.
109. As for Noise and Vibration hazards, the DOHSS surveyed Textile Industries and Construction Industries. The HIV/AIDs in work places survey was started in Nairobi and proper campaigns and counselling plans were underway.
110. Occupational diseases survey were undertaken at provincial level and reports for specialised surveys conveyed to Nairobi Headquarters for the Head Division to undertake.

### **Medical Examination**

111. The Department examined a total of 1,466 medical cases in Nairobi so as to assess the degree of invalidity benefits arising from N.S.S.F. claims. In addition, a number of medical examinations was carried out on employees of B.A.T. (K) Ltd, Kenya Breweries, Tetra Pack Ltd, Kenya Co-operative Creameries, Reckitt and Colman and Kenya Pipeline Co. Ltd.

### **Legal Proceedings**

112. There were twenty nine (29) prosecutions of Factory Occupiers for contravening various sections of the Act. A total of Kshs 94,355 was collected after the cases were concluded. In addition 141 improvement notices were issued while 32 prohibitions notices were effected against Factory Occupiers.

### **Constraints**

113. The Department collected a total of Ksh. 161,214 in Nairobi Province as Appropriation In Aid (A.I.A) despite a number of constraints. Some of these problems included staff shortage, financial, transport and office accommodation. The field offices have been instructed to promptly deposit A.I.A. collected to the District Treasury by filling Journal voucher (FO.17).

**TABLE 9: THE NUMBER OF EMPLOYEES AND FACTORIES BY CATEGORY AND INDUSTRY-1994**

INDUSTRY	NUMBER OF EMPLOYEES PER FACTORY								NO. OF FACTORIES	EST. NO. OF EMPLOYEES
	1-10	11-50	51-100	101-200	201-300	301-500	501-1000	1001 & OVER		
1. Agriculture, Hunting, Forestry & Fishing	1720	9152	4599	4529	2674	1600	-	-	782	24529
2. Mining & Quarrying	-	-	-	-	-	-	-	-	-	-
3. Manufacturing of :-										
i. Food, Beverage & Tobacco.	2103	9716	5729	6237	3651	4181	3386	1500	1038	36120
ii. Textile, Weaving, Apparel & Leather.	3854	5112	6170	5822	2451	3251	4963	6051	1316	41371
iii. Wood & Wood Products including Furniture	2742	9981	4620	3025	2226	350	3250	2000	1120	26154
iv. Paper & Paper products, Printing & Publishing	538	3132	2163	1050	725	1050	-	1500	265	10203
v. Chemicals & Products of Petroleum, Rubber & Plastic Products.	575	3668	2076	1852	1125	1065	-	-	314	10487
vi. Glass, Ceramics & Cement	213	1484	1082	2100	225	-	-	-	82	5104
vii. Basic Metal Industries	174	660	554	1028	225	-	-	-	86	2641
viii. Fabricated Metal Products, Machinery & Equipment	10027	11028	8424	9376	3775	5150	3250	9000	2196	64943
ix. Other Manufacturing Industries.	905	4940	3105	4261	350	-	-	-	472	15208
4. Electricity & Water.	592	698	894	125	-	-	-	-	137	2096
5. Building & Construction	19	112	-	-	-	-	-	-	7	131
6. Wholesale & Retail Trader, Restaurants & Hotels	640	384	214	125	-	-	-	-	228	1363
7. Transport & Communications	-	-	-	-	-	-	-	-	-	-
8. Finance, Insurance, Real Estate & Business Services.	-	-	-	-	-	-	-	-	-	-
9. Community & Social Services	-	-	-	-	-	-	-	-	-	-
<b>T O T A L S</b>	<b>24147</b>	<b>60067</b>	<b>39639</b>	<b>39530</b>	<b>17427</b>	<b>16653</b>	<b>14849</b>	<b>20051</b>	<b>8043</b>	<b>240350</b>

**TABLE 10. NUMBER OF INSPECTIONS BY TYPE AND PROVINCE - 1994**

PROVINCE	ROUTINE VISITS	CHECK VISITS	SPECIAL VISITS	TOTAL
NAIROBI	206	-	33	239
NYANZA	172	7	6	185
RIFT VALLEY	241	-	63	304
CENTRAL	50	30	-	80
EASTERN/N. EAST ERN	-	-	-	-
WESTERN	172	-	-	172
COAST	330	125	37	492
TOTAL	1171	162	139	1472

**TABLE 11. NUMBER OF REPORTED ACCIDENTS BY DEGREE OF INJURY AND CAUSE.**

CAUSE	FATAL	NON-FATAL	TOTAL
Accidents from Factories	78	2684	2762
Building & Construction	14	36	50
Docks	1	216	217
Agricultural & Livestock	10	136	146
Others	53	451	504
GRAND TOTAL	156	3523	3679



## **PART V. NATIONAL EMPLOYMENT BUREAU**

### **SECTION I. FUNCTIONS AND STAFF ESTABLISHMENT**

114. The National Employment Bureau (NEB) is charged with the responsibilities of:-
- (a) Implementation of all employment Policy measures outlined in sessional paper Number 2 of 1985 on Unemployment and other subsequent sessional papers; and
  - (b) Collaborating with the public and private sectors in identifying employment opportunities and placing Kenyans with skills in appropriate positions to enhance productivity.
115. The Bureau comprises of Administration, Employment Policy Planning, Employment service and workers vocational counselling and guidance Divisions.

#### **Staff Position**

<b>Designation</b>	<b>Number</b>
Director . . . . .	1
Deputy Director . . . . .	2
Assistant Director . . . . .	1
Senior Planning Officer . . . . .	1
Senior Employment Officer . . . . .	3
Employment Assistants . . . . .	16
Executive Officer . . . . .	1
Statistical Officer III . . . . .	1
Senior Employment Assistant . . . . .	1
Accounts Assistant . . . . .	1
Senior Clerical Officer . . . . .	1
Higher Clerical Officer . . . . .	2
Clerical Officer . . . . .	13
Senior Personal Secretary . . . . .	1
Shorthand Typists . . . . .	2
Copy Typists . . . . .	4
Senior Subordinate Staff . . . . .	1
<b>Totals . . . . .</b>	<b>55</b>

116. The labour turnover involved the Inter-Divisional transfers, Early Voluntary Retirement scheme, resignation and death.

## SECTION II. EMPLOYMENT POLICY AND PLANNING DIVISION

117. The Division is primarily concerned with formulating/ evaluation and monitoring labour market policies and employment trends. In this connection the following activities took place:-

- (a) Preparation of chapter 6 of the sessional paper No. 1 of 1994 on "Recovery and Sustainable Development to the year 2,010";
- (b) Prepared a Ministerial technical paper that was presented by the Minister to the ILO Annual conference in June, 1994;
- (c) Participation in "The Joint Development of Informal sector" during the last Regional Meeting whose main aim was to promote employment in the informal sector. The delegation to this meeting in Kampala on 13th April, 1994, was led by the Hon. Minister, Philip J. W. Masinde, E.G.H., M.P.;
- (d) Prepared a Ministerial Paper that formed chapter 4 in the Country's Document on "Employment Creation and Poverty Alleviation" presented to the World Summit on Social Dimension of Development in Copenhagen in March, 1995;
- (e) Mr. Nyakwara presented a paper titled "Employment Planning" to the 4th Biannual ILO meeting of African Employment Planners, held in Nairobi from 5th -9th December, 1994;
- (f) The secretariat for the International Task Force on "Foreign Employment Contracts" formed in 1994 would be based in this Division;
- (g) A number of technical papers were prepared for the various Workshops, Seminars and Conferences. These papers included the following among others:-
  - (i) Gender Statistics and Women in Development;
  - (ii) Contributions to the Chapter from the United Nations conference in Beijing;
  - (iii) The impact of SAPs on Employment; and
  - (iv) Information on Labour and Employment in Kenya as requested by the Investment Promotion Centre (IPC) in preparation for the London Conference in November, 1994; and
- (h) Participation in the Review and Harmonization of Employment and Related Acts, especially:-
  - (i) Employment Act;

- (ii) Employment Promotion Services and Human Resources Information Bill 1995; and
- (iii) Employment Agents Licensing Act 1979.

### **SECTION III. EMPLOYMENT PROMOTION DIVISION (EPD)**

118. The functions of EPD includes Kenyanization, Registration and Placement of job seekers and Promotion of employment of Kenyans in other countries through the International Organization for Immigration (IOM) in collaboration with the Migration Department.

#### **KEDI/1 FORMS**

119. In the first quarter of 1994, a total of 412 private firms and 96 Public firms responded to our request on their annual expatriate Employment returns by filling the KEDI/1 forms sent to them. The private sector had 836 expatriates out of a total of 2,962 expatriate in employment in both the public and private sectors.

#### **NEB/3 FORMS**

120. These forms filled by employers in the Districts were meant to determine levels of employment through coding. Nakuru District had the highest followed by Kilifi, Wundanyi and Malindi districts.

#### **Inter-Ministerial Steering Committee on Work Permits**

121. The committee continued to meet once a week at the Principal Immigration Officer's board room. The Division scrutinised all permits given to expatriates. The committee handled 724 applications, out of which 609 were approved, 17 differed and 98 were rejected.

#### **Registration of Degree and Diploma Graduates/Referral**

122. This category of job-seeker increased considerably in 1994. After registration, referrals were made to both Private and Public Sector for placements. 160 graduates were referred, most were interviewed but few secured employment out of those registered, 50 had B.Sc degrees in various fields, 96 had B.A. degrees and 19 had diplomas.

#### **Research/Investigations**

123. In September 1994, the Division carried out an investigation in Mombasa to establish the employment situation of Non-Kenyan in the shipping industry. A preliminary report was to be prepared so as to enable the Division take further action.

## **International Organization for Migration (IOM)**

124. The Division became the Secretariat to the Task Force looking into the "Terms of Reference of Foreign Employment Contracts and Related Matters". The Division made contracts and consultation with IOM regional office in Nairobi concerning the above matter generally and in particular, the return of talents programmes, capacity building and new areas of possible collaboration to promote employment of Kenyans in the International Labour market.

## **SECTION IV. EMPLOYMENT SERVICES DIVISION (ESD)**

125. The Division is primarily charged with the registration and placement of job seekers through District Bureaux, Vocational guidance and counselling and collecting labour market information essential for the improvement of the Kenya National Occupational Classification Standards (KNOCS).

### **District Employment Bureaux**

126. There were 38 District Employment Bureaux in 1994 compared to 37 in 1993. These offices included the following:-

<b>Province</b>	<b>Bureaux/Offices</b>
Nairobi	- Nairobi Industrial Area, Kasarani, Embakasi
R.Valley	- Nakuru, Naivasha, Kericho, Molo, Kitale, Nanyuki, Eldoret, Nandi Hills, Kabarnet and Kapenguria.
Eastern	- Machakos, Meru, Embu, Kitui, Makueni, Athi-River and <del>Kisumu</del>
Central	- Kiambu, Nyeri, Murang'a, Thika, Nyahururu, Kerugoya
Nyanza	- Kisumu, Siaya, Hom-Bay, Migori, Kisii
Coast	- Mombasa, Malindi, Voi
Western	- Bungoma, Busia, Kakamega
N.Eastern	- Garissa

127. Out of the 38 District Employment Bureaux, eleven (11) were accommodated in rented premises, while the rest were in Government premises. Only 14 of these Bureaux had Government (G.K.) vehicles while the rest depended on other departments.

## **Manpower Supply - Registration of Job-Seekers**

128. There were 8,644 males and 1979 females who were newly registered as Job seekers. However, 18,393 applications were brought forward from the previous year, out of which 17,051 were males and 1,342 females. Most applicants were from Nairobi Province. Female placement were few due to the nature of job opportunities which favoured male applicants. Majority of job seekers were in the category of school leavers and general labourers, with virtually no technical skills which were demanded in the labour market.

## **Manpower Demand - Vacancies notified to District Employment Bureaux**

129. The manpower demand in terms of reported vacancies was as follows:-

- (a) A total number of 10,623 vacancies were reported out of which 7,970 were newly registered while the balance 5,182 were brought forward;
- (b) The highest number of vacancies reported in the Rift Valley where 7,725 vacancies were reported. The high demand could be attributed to the demand for tea pickers in Nandi Hills but the dismissal picture of placements in the area reflects the negative attitude of job seekers to manual work;
- (c) Industrial Area and Kasarani reported 2,001 and 500 vacancies respectively. Most of these vacancies were directly filled by the Employers without further reference to Bureaux;
- (d) Eastern Province reported 676 new vacancies while 439 vacancies were brought forward;
- (e) Nyanza Province reported 668 vacancies;
- (f) Coast Province reported 390 vacancies; and
- (g) North Eastern Province reported 231 vacancies.

## **Manpower Demand - Analysis of Advertised vacancies in News Papers**

130. A total number of 483 vacancies were advertised through the three major newspapers namely Kenya Times, Daily Nation and The Standard. In comparison to the vacancies advertised, 2909 placements were made, 1950 of them in Nairobi's Industrial area and 386 in Kasarani.

## **Labour Market Information**

131. Table 12 shows that 19,016 job applications were recorded comprising of 8,393 brought forward from 1993 and 10,623 new applicants. These figures of Job seekers compares unfavourably with 13,152 declared vacancies. Despite this, the Bureau managed to place only 2,909 in appropriate jobs. This implied that, the balance of

vacancies were either filled at the gate of enterprises or remained unfilled spilling over in the subsequent year 1995.

**TABLE 12: NUMBER OF REGISTRATION AND PLACEMENTS OF JOB SEEKERS, 1992 -1994**

YEAR	B.F. APPLICANTS	NEW APPLICANTS	VACANCIES	PLACEMENTS
1992	14,896	14,231	16,800	1,358
1993	15,351	11,530	14,548	2,642
1994	8,393	10,623	13,152	2,909
TOTAL	38,640	36,384	44,500	6,909

**TABLE 13: VACANCIES ADVERTISED IN THE PRESS BY QUALIFICATIONS**

	A	B	C	TOTAL	% share of Total
K.C.P.E.	-	-	4	4	0.8
K.S.C.E	23	28	44	95	19.7
DEGREE	50	41	47	138	28.6
OTHERS	19	16	42	77	15.9
UNSPECIFIED	23	64	82	169	35.0
TOTAL	115	149	219	483	100.0

**KEY:**

- A - Kenya Times
- B - The Daily Nation
- C - The Standard

**Vacancies Advertised in the Press**

132. Table 13 indicate the number of vacancies advertised in the press i.e. The Daily Nation, The Standard and Kenya Times. The data has been tabulated by mode of required qualification. The ranking according to the number of vacancies shows 219, 149 and 115 for Daily Nation, The Standard and Kenya Times respectively in descending order.
133. Analysis by qualification shows that 35.0% never specified the qualifications, 28.6% required degree holders, 19.7% required Kenya Secondary Certificate of Education (K.C.S.E.) holders and 15.9% required Technical and Professional certificates.

## **SECTION V. WORKER'S VOCATIONAL GUIDANCE/COUNSELLING AND EXTENSION SERVICE DIVISION**

134. The operation of this Division focuses on promotion of Vocational Counselling and Guidance, Extension services in the area of population and conducting socio-economic research.
135. The Division undertook a number of activities in the provision of Guidance and Counselling services mainly through programmes under the Project KEN/93/P13, Institutionalization of Population and Family Welfare Education to the organized Labour Sector Programmes in Kenya.
136. Staff members were deployed to the workers Education Unit for the implementation of the activities of UNFPA funded project, KEN/93/P13 in order to provide Population and Family Welfare Education through collection and dissemination of information. The phase II of this project activities' was launched in April 1994.
137. Surveys were carried out under this project, the first one on AIDS and its impact on labour force, the second on level of knowledge, attitude and practice of workers on population and family welfare issues, and the third one was on Women Reproductive Roles and their participation in formal employment in Kenya. The findings of these surveys are available for public use.
138. In September and October, 1994 the project reviewed the Tom Mboya Labour college Curriculum and identified an alternative curriculum whose draft was drawn. The problems of the college were also identified to be addressed.

### **Other Activities**

139. This Division was privileged to provide training opportunities in the following areas:-
  - (a) Three (3) Trainers Training seminars which involved District Employment Officers, COTU instructors and Companies Training Heads;
  - (b) A study tour to Uganda from 25th October - 24th November, 1994 which involved four (4) project officers to familiarise themselves with AIDS Management Education Programmes; and
  - (c) A total of 16 officers were sent to pursue further education both locally and abroad i.e. in Dakar, Cairo, Harare and Tokyo.

## **PART VI. MANPOWER DEVELOPMENT DEPARTMENT**

### **SECTION I. FUNCTIONS AND STAFF ESTABLISHMENT**

140. The Department has its ultimate goal as working towards synchronizing Manpower Development. Efforts in line with the Country's development objectives. To achieve this goal, training efforts are tailored to identify national skills and manpower requirements; provides a human resources information base concerning manpower imbalances and initiating and monitoring the implementation of national training and manpower development policies.

#### **Staff Positions**

141. The following was the department's staff position:-

<b>Designation</b>	<b>Number</b>
Director . . . . .	1
Principle Manpower Development Officers . . . . .	1
Chief Manpower Development Officer . . . . .	2
Senior Manpower Development officer . . . . .	1
Manpower Development officer I . . . . .	13
Support Staff . . . . .	17
<b>Total . . . . .</b>	<b>35</b>

### **SECTION II. ACTIVITIES**

142. The Department led a Kenyan Delegation of Technical Experts to the first United Nations Economic Commission for Africa conference of African Ministers responsible for Human Development held in Addis Ababa, Ethiopia, from 17th - 21st January, 1994. The Kenyan Delegation was led by Hon. W.K. Komen who presented the Ministerial statement on Kenya's position on Human Development.

143. They also carried out the following activities:-

- (a) Prepared the Training Needs Assessment Workshops for Human Resources Development Sector;
- (b) Prepared the final version of the long over-due report for the Agricultural and Natural Resources Sector from the series of workshops conducted during 1991-92 period. The report would be published in due course; and



- (c) Three (3) project proposals were prepared for implementation as follows:-
  - (i) Institutional Arrangements and Policy Framework for Human Centred Development and Capacity Building;
  - (ii) The amelioration of the social impact arising from SAPs; and
  - (iii) Creation of job opportunities in Kenya.
- (d) The 4th project "Review and Appraisal of National Training Policies in Kenya" was not finalized to an implementation stage;
- (e) Participated in Local and Overseas Seminars, Conferences and Workshops;
- (f) There were four (4) Field studies undertaken which were:-
  - (i) Human Resources Development (HRD) policies and their impact on the range and pattern of distributions of skills and economic activities;
  - (ii) Response of Pre-employment Education and Training Systems to the emerging needs and their implication to HRD;
  - (iii) Utilization of available resources through the provision of appropriate entrepreneurial skills for self employment; and
  - (iv) Impact of HRD on disparities between Rural and Urban Living Conditions and how to mitigate these disparities.

144. The first phase of the study covered Rift Valley, Western and Nyanza Provinces in October, 1994 while the other two phases were carried forward into 1995.

### **Training**

145. The Department managed to train only one Manpower Development Officer I who attended a short course at Kenya Institute of Administration (KIA) in April. All technical staff attended a 5 days Orientation Seminar, one Chief Manpower Development Officer attended a 3 weeks seminar at KIA and one Manpower Development Officer I left to pursue a post graduate course in computer studies in China.

146. The Department's Director Mr. Timothy Wekesa retired.

## PART VII. MANPOWER PLANNING DEPARTMENT

### SECTION I. FUNCTIONS AND STAFF ESTABLISHMENT

147. The functions of the Department were intended to address Human Resource Planning issues. These functions included the following:-

- (i) To determine the stock and structure of human resources in the economy at present and in the future; and
- (ii) To determine the flow of trained human resources from training institutions (both local and foreign) into the labour market; their requirements and hence being able to analyze any existing mismatch in the manpower demand/supply requirements.

#### Staff Position

Designation	Number
1. Director . . . . .	1
2. Deputy Director . . . . .	1
3. Asst. Director . . . . .	1
4. Senior. Manpower Planning Office . . . . .	1
5. Manpower Planning Officer 1 . . . . .	3
6. Manpower Planning officer II . . . . .	3
7. Manpower Planning Officer III . . . . .	4
<b>Total . . . . .</b>	<b>13</b>

### SECTION II. ACTIVITIES

148. The Department undertook the following activities:-

(a) **Sectoral manpower survey**

An In-Dept Human Resource Survey in the Textile and Clothing industries was started. Thereafter, analysis of the information collected would be done and a comprehensive report is expected to be produced by 1996.

(b) **Survey of Training in Local Institutions**

A comprehensive Draft Report on Survey of Local Institutions was completed and circulated.

**(c) National Employment and Manpower Information Systems (NEMIS)**

NEMIS continued to store data collected in form of Reports and Computer Disks.

**(d) Draft Version of Kenya National Occupational Classification Standards (KNOCS)**

This was produced in accordance with responsibilities of developing job titles and definitions in the Kenyan context.

**(e) National Manpower Development Committee**

The department which acts as a Secretariat to the National Manpower Development Committee met and ratified the following reports for publications:-

- (i) Survey on Training in Local Institutions- 1990.
- (ii) Survey on Technical and Vocational Training in Kenya; and
- (iii) Survey on metal and metal product industries.

**(f) Research Activities**

The department participated in undertaking activities at national level in conjunction with other departments/ ministries as follows:-

- (i) Preparations of Public Investment Programme, 1994-95; and
- (ii) Participation in the on going National Technical Co-operation Assessment Programme (NATCAP).

**Future Planned Activities**

149. The department plans to undertake the following activities:-

- (i) Write report on survey of training in local institution (STL) 1990 and 1991;
- (ii) Process and analyses data on STL 1992-1994;
- (iii) Write a report on STL 1992-1994;
- (iv) Carry out a National Manpower Survey 1996/97;
- (v) Hold a workshop on KNOCS; and
- (vi) Other duties as may be directed by National Manpower Development Committee.

## Appendix

### THE TOTAL STAFF ESTABLISHMENT IN THE MINISTRY

OCCUPATION	NUMBER EMPLOYED	PERCENTAGE OF TOTAL
1. Minister	1	0.07
2. Assistant Ministers	2	0.15
3. Permanent Secretary	1	0.07
4. Administration	17	1.26
5. Judges	2	0.15
6. Labour Officers/Inspectors	217	16.12
7. Employment Officers/ Assistants	85	6.32
8. Occupational Health & Safety Officers/Health Personnel	86	6.39
9. Manpower Planning Officers/ Assistants	13	0.97
10. Manpower Development Officers	16	1.19
11. Personnel Officers/ Assistants	11	0.82
12. Accountants/ Assistants	25	1.86
13. Economists/ Statisticians	12	0.89
14. Executive Officers/ Assistants	18	1.34
15. Supplies Officers/ Storemen	11	0.82
16. Secretarial Staff	185	13.74
17. Clerical Staff	360	26.75
18. Telephone Operators	6	0.45
19. Drivers	67	4.98
20. Artisans	2	0.15
21. Mechanics	1	0.07
22. Security Guards	33	2.45
23. Subordinate Staff	175	13.00
<b>Total</b>	<b>1,346</b>	<b>100.00</b>