

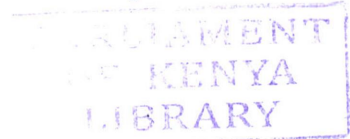


Approved
SNA
15/8/23

**THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT (SECOND SESSION)**

PUBLIC PETITION

(No. 47 of 2023)



**REGARDING DEPLOYMENT OF CLASSROOM TEACHERS AS HEAD
TEACHERS IN SCHOOLS ACROSS THE COUNTRY**

I, the **UNDERSIGNED**, on behalf of the classroom teachers deployed as head teachers in schools across the country without any salary and/or allowance increments;

DRAW the attention of the House to the following:

- 1. THAT**, Article 10 of the Constitution establishes the national values and principles of governance that guide every state organ when making or implementing policy decisions. Similarly, Article 232 of the Constitution sets out the values and principles of public service, which bind all state organs;
- 2. THAT**, the values, and principles adopted by the Teachers Service Commission (TSC) provides for identification, selection, appointment, deployment, and performance of institutional administrators;
- 3. THAT**, the TSC and Kenya National Union of Teachers (KNUT) signed the July 2017 CBA which among other things provided for an agreement for remuneration payable to teachers as determined by the provisions of Articles 41, 237 and 230(4) of the Constitution of Kenya;
- 4. THAT**, before the July 2017 CBA, there were about 1,000 classroom teachers, who were promoted to the then job group M after a successful competitive interview for senior graduate teacher. Some of the teachers were deployed to become headteachers from 2018 while others remained as senior teachers;
- 5. THAT**, despite their additional roles and qualifications, the deployed headteachers remained in the same job group C5 (formerly job group M) and their salaries and allowances did not change as per the requirement of the July 2017 CBA;

REGARDING DEPLOYMENT OF CLASSROOM TEACHERS AS HEAD TEACHERS IN THE COUNTRY

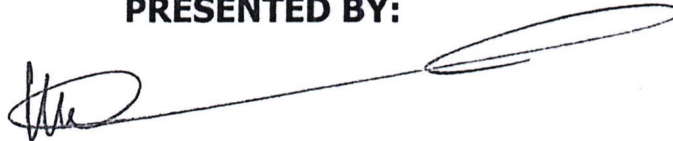
- 6. THAT,** their counterparts who went through the same interview and became headteachers before the July 2017 CBA are now in job group D1 and earning higher salaries and allowances;
- 7. THAT,** the two categories of teachers have the same qualifications, same job group, are performing same roles and facing the same challenges yet they earn different salaries and allowances contrary to section 5(1) of the Labour Relations Act 2007;
- 8. THAT,** there exist discrepancies where some senior graduate teachers are head teachers yet others with the same qualifications are still in job group C5 instead of job group D1. Additionally, their monthly salary and allowance difference is about Kshs. 25,000 at the lowest and Kshs. 36,000 at the highest;
- 9. THAT,** further, this group was neither factored in the recent advertised TSC promotions for 14,738 teachers, nor in the 12,634 tutors slated for promotion;
- 10. THAT,** due to the aforementioned concerns, the teachers feel discriminated and are demoralized even as they continue to undertake their duties;
- 11. THAT,** the teachers have made their best efforts to have the matter addressed and resolved but there were no satisfactory responses or action. The said efforts include individual letters to TSC seeking fair remuneration and engagement with Kenya National Union of Teachers (KNUT) to intervene;
- 12. THAT,** the issues in respect of which this Petition is raised are not pending before any court of law, constitutional or legal body;
- 13. THEREFORE,** your humble petitioners pray that the National Assembly through the Public Petitions Committee—
 - i. Engages the TSC to review the salaries and allowances of the concerned deployed teachers and place them at par with their colleagues who undergone the same interview and became head teachers before the July 2017 CBA;

**REGARDING DEPLOYMENT OF CLASSROOM TEACHERS AS HEAD
TEACHERS IN THE COUNTRY**

- ii. Engages the TSC to pay the teachers the arrears from the period between their deployment as head teachers till now; and
- iii. Makes any other recommendation or action it deems fit in addressing the plight of the Petitioners.

And your **PETITIONER** will ever pray.

PRESENTED BY:



**THE HON. CHARLES NGUSYA NGUNA, MP
MEMBER FOR MWINGI WEST CONSTITUENCY**

DATE: 9/8/2023

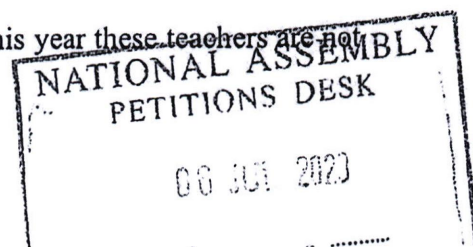
Petition Submitted on 6/7/23.
Assigned to Wills

DEPLOYMENT OF CLASSROOM TEACHERS TO HEADSHIP WITHOUT SALARY AND ALLOWANCES INCREASE

I, the **UNDERSIGNED**, on behalf of the teachers.

Draw the attention of the house to the following:

1. **THAT**, these were classroom teachers before signing of Collective Bargaining Agreement (CBA)
2. **THAT**, these are part of some about 1000 classroom teachers who did and passed competitive interview to senior graduate teacher job group M before signing of the Collective Bargaining Agreement (CBA) in July 2017
3. **THAT**, out of the teachers with senior graduate certificate some were deployed to headship from 2018 while others remained senior teachers and classroom teachers
4. **THAT**, all these teachers were placed at job group C5 after CBA in July 2017
5. **THAT**, the deployed head teachers remained in the same job group (C5)
6. **THAT**, their salary did not change and their grade remained the same
7. **THAT**, their colleagues who went through the same interview and were head teachers before CBA are now at D1 earning higher salary and allowances than their counterparts
8. **THAT**, the two categories have the same qualifications, the same job group M, doing the same job and facing the same challenges but different salary and allowances and CBA job groups
9. **THAT**, there is existing discrepancies where senior graduate teachers are head teachers yet some with the same qualifications are still in job group C5 instead of D1
10. **THAT**, the salary and allowance difference is about sh 25000 at the lowest and sh 36000 at the highest per month
11. **THAT**, in terms of Labour Relations Act promotion means an elevation to a higher post usually with increase in salary and/or benefits
12. **THAT**, these teachers are demoralized
13. **THAT**, in recently advertised TSC promotions for 14738 teachers this group was not factored
14. **THAT**, in the 12634 tutors slated for promotion this year these teachers are not captured



15. **THAT**, due to the aforementioned challenges these teachers feel discriminated against demoralised

16. **THAT**, the teachers have made the best effort to have this matter addressed by the relevant authority and it failed to give satisfactory response

This effort include;-

- (i) After deployment to headship the teachers have written letters individually to our employer (TSC) requesting for fair remuneration but have never been replied to
- (ii) The teachers visited Kenya National Union of Teachers (KNUT) Secretary General who wrote to TSC on the same but his letter was not replied to. He wrote a reminder to the employer which also suffered the same fate
- (iii) That none of this issue in the petition is pending in any court of law

Herefore, your humble petitioner prays that the National Assembly through the departmental committee on Education:-

- (i) By your able power and wisdom to compel TSC to review these teachers salaries and place them at par with their colleagues who passed the same interview and were head teachers before signing of the CBA
- (ii) To compel TSC to pay the teachers arrears from the time they were deployed as head teachers

And your PETITIONER will ever pray

PRESENTED BY:

HON. CHARLES NGUSYA NGUNA - MP
MEMBER FOR MWINGI WEST CONSTITUENCY

DATE

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**DEPLOYMENT OF CLASSROOM TEACHERS TO HEADSHIP WITHOUT SALARY
AND ALLOWANCES INCREASE**

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4	MAURICE JOAB NYATOZI	8016045	0724032090	
5	ABSALOM ONDIEK ONDUKO	9149831	0710568116	
6	VERONICA NGINA MUTHOKA	7272809	0721764673	
7	MELLEN SARANGE MAROKO	9148123	0713698192	
8	DAUDI MUATHA	9146897	0725753263	
9	JOSPHINE KAGWIRIA MURIUNGI	8074003	0727731490	
10	JANE MUTHONI NJAMBURI	7806115	0713344023	

