

REPUBLIC OF KENYA



COUNTY GOVERNMENT OF BOMET

COUNTY ASSEMBLY

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FIRST ASSEMBLY- THIRD SESSION

THE COUNTY ASSEMBLY COMMITTEE ON LABOUR AND PUBLIC  
SERVICE REPORT ON  
COUNTY PUBLIC SERVICE REPORT FOR THE YEAR ENDING 31<sup>ST</sup>  
DECEMBER, 2014

19<sup>th</sup> MARCH, 2015



*for Clerk*  
*19/3/2015*

*Tabled on*  
*19/3/2015*  
*[Signature]*

## PREFACE

### 1.0 Introduction

**Mr. Speaker Sir,**

The committee on Labour and Public Services is one of the sectoral committees established under the Standing Orders 193(1) and the Second Schedule to the Standing Orders.

### 1.1 Committee Membership

**Mr. Speaker Sir,**

The Committee on Labour and Public Services as currently constituted comprises of the following Honourable Members:-

1. Hon. Reuben Langat - Chairperson
2. Hon. Bency Too -Vice Chairperson
3. Hon. Aurelia Chepkirui - Member
4. Hon. Philip Siele - Member
5. Hon. Christopher Ngeno - Member
6. Hon. John Ngetich - Member
7. Hon. David Rotich Big Five - Member
8. Hon. Cecilia Towett - Member
9. Hon. Wilson Keter - Member

## 1.2 Mandate of the Committee

**Mr. Speaker Sir,**

The Sectoral Committee on Labour and Public Service derives its mandate from provisions of Standing order 193(5) which defines functions of the Committee as being:

- a) To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
- b) To study the programme and policy objectives of ministries and departments and the effectiveness of their implementation;
- c) To study and review all legislation referred to it;
- d) To study, assess and analyze the relative success of the departments measured by the results obtained as compared with their stated objectives;
- e) To investigate and inquire into all matters relating to the assigned departments as may be deemed necessary, and as may be referred to it by the House or a minister;
- f) To vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 187 (Committee on appointments); and
- g) To make reports and recommendations to the House as often as possible, including recommendations of proposed legislation.

### 1.3 County Public Service Board Annual Report

Mr. Speaker Sir,

Pursuant to the Standing Orders 190(3) all matters relating to Labour, county public service, trade union relations, manpower or human resource planning fall within the mandate of the Committee on Labour and Public Service.

**Section 59(1)** (d) provides that the functions of the County Public Service Board shall be, on behalf of the county Government, to – prepare regular reports for submission to the county assembly on execution of functions of the Board;

Mr. Speaker, Sir,

Vide a letter dated **5<sup>th</sup> January, 2015** the County Public Service Board (CPSB) Secretary forwarded to the Clerk of the Assembly the CPSB annual report for the period ending 31<sup>st</sup> December, 2014. During a special sitting on the **26<sup>th</sup> January, 2015** the said report was tabled and thereafter committed to the Committee to deliberate on it and report to the House. Upon deliberating and interrogating the report submitted to it, the committee came up with a report.

It is therefore my pleasant duty and privilege, on behalf of the Committee on Labour and Public Service to table this report on the County Public Service Board Annual Report for the period ending 31<sup>st</sup> December, 2014 for debate, further consideration and adoption by the House.

Dated .....

**Hon. Rueben Langat**  
**Chairperson, Committee on Labour and Public Service**

### OWNERSHIP OF THE REPORT

We, Honourable members of Committee on Labour and Public Service, do hereby append our signatures to this report to affirm our approval and confirm its accuracy, validity and authenticity:-

No.	Name	Position	Signature
1.	Hon. Reuben Langat	Chairperson	
2.	Hon. Bency Too	Vice Chairperson	
3.	Hon. Christopher Ngeno	Member	
4.	Hon. Wilson Keter	Member	
5.	Hon. John Ngetich	Member	
6.	Hon. Philip Siele	Member	
7.	Hon. David Rotich Big Five	Member	
8.	Hon. Aurelia Chepkirui	Member	
9.	Hon. Cecilia Towett	Member	

## BACKGROUND

### 2.0 BACKGROUND

Through a letter dated 5<sup>th</sup> January, 2015 the County Public Service Board (CPSB) Secretary submitted to the Assembly the CPSB annual report for the period ending 31<sup>st</sup> December, 2014. During a special sitting on the 26<sup>th</sup> January, 2015 the said report was tabled and thereafter committed to the Committee to deliberate on it and report to the Assembly.

### 2.1 THE LEGAL FRAMEWORK

#### 2.12 The Constitution

The Constitution provides for the values and principles of public service. Article 232 (1) provides that— The Values and Principles of public service include-

- a) high standards of professional ethics;
- b) efficient, effective and economic use of resources;
- c) responsive, prompt, effective, impartial and equitable provision of services;
- d) involvement of the people in the process of policy making;
- e) accountability for administrative acts;
- f) transparency and provision to the public of timely, accurate information;
- g) subject to paragraphs (h) and (i), fair competition and merit as the basis of appointments and promotions;
- h) representation of Kenya's diverse communities; and
- i) affording adequate and equal opportunities for appointment, training and advancement, at all levels of the public service, of—
  - (i) men and women;
  - (ii) the members of all ethnic groups; and

(iii) persons with disabilities.

(2) The values and principles of public service apply to public service in—

(a) all State organs in both levels of government; and

(b) all State corporations.

It is therefore expected that the County Public Service Board should comply with the above stated values and principles of public service in exercising its mandate.

The Constitution, 2010 in **Article 235** (1) provides that a county government is responsible, within a framework of uniform norms and standards prescribed by an Act of Parliament, for—

a) establishing and abolishing offices in its public service;

b) appointing persons to hold or act in those offices, and confirming appointments; and

c) Exercising disciplinary control over and removing persons holding or acting in those offices.

## **2.12 The County Governments Act**

The County Governments Act pursuant to Article 235(1) part vii on County Public Service establishes the County Public Service Board. **Section 59** of the County Governments Act make provisions of the functions and powers of the County Public Service Board. Section 59 (1) provides that;

*The functions of the County Public Service Board shall be, on behalf of the County Government, to-*

*(a) establish and abolish offices in the county Public service;*

*(b) appoint persons to hold or act in offices of the county public service including Boards of cities and urban areas within the county and to confirm the appointments;...*

*(d) prepare regular reports for submission to the county assembly on execution of functions of the Board;*



### **3.0 COMMITTEE'S OBSERVATION AND FINDINGS**

#### **3.10 OBSERVATIONS**

The committee made the following observations regarding observed that the County Public Service Board (CPSB) Report for The Period ending 31<sup>st</sup> December, 2014

#### **3.11 APPOINTMENTS MADE**

##### **Regional balance**

The total number of employees appointed over the period under review is two hundred and thirteen (213) as follows (Per sub-county)

- Bomet Central- 39 (18.3%)
- Bomet east- 38(17.84%)
- Chepalungu- 36(16.9%)
- Konoin- 41(19.24%)
- Sotik- 41(19.24%)
- Other counties- (7.98%)
- Outside the country- 1 (0.469%)

The other counties included Nandi, Nyeri, Elgeiyo Marakwet, Narok, Kisii, Uasin Gishu, Kiambu, Siaya and Kericho. One person from Rwanda was also employed.

#### **3.12 Gender and persons with disabilities**

On the issue of representation, the committee observed the following;

- Among the all the employees recruited 25% were female and 75% Male

- Four Persons with disabilities representing 1.8% of the total employments made were employed.

### **3.13 COUNTY POLICING AUTHORITY**

During the period under review, the CPSB Competitively sourced nominees and forwarded to the executive who will subsequently be vetted by the Assembly

### **3.14 FIELD VISITS**

Over the period under review, the CPSB visited all the sub-counties with the following objectives;

- ✓ Identifying the staff working in the field
- ✓ Evaluating the extent to which the values and principles of public service have been complied with
- ✓ Establish the challenges encountered by the staff in the field

During the visits, the CPSB observed that most of the personnel working in the field were from agriculture and livestock department, health services, administrators and support staff

### **3.15 ACHIEVEMENTS**

During the period under review the achievements of CPSB included the following;

- ❖ Appointment of 213 personnel in various sectors
- ❖ Recruitment of Chief Officers for nine (9) Departments
- ❖ Deployment of Business Development Officers to wards have assisted the public in the co-operative movements
- ❖ Marked growth within the co-operatives

### 3.16 CHALLENGES

The committee observed that the main challenges faced by the CPSB during the period under review included the following;

- ❖ Meeting gender balance as envisaged in the constitution as few ladies show interest in some positions
- ❖ Ensuring appointments are balanced regionally particularly in some specific positions
- ❖ Appointment of persons with special needs since few who applied failed to meet academic qualification or experience required
- ❖ The CPSB does not have an established secretariat
- ❖ Office accommodation in the health sector in the sub-counties is a challenge

### 3.2 FINDINGS

From the observations, the committee made the following findings;

- I. That employment of persons with disabilities by the County Public Service Board (CPSB) is yet to meet the percentage required by the law and that the situation should be rectified.
- II. That employment of women by the County Public Service Board (CPSB) is yet to meet the percentage required by the constitution.
- III. That the County Public Service Board (CPSB) does not have sufficient technical capacity to adequately discharge its mandate.
- IV. The County Public Service Board does not have the required independence in running of its activities particularly with regards to its budget which is lumped together with that of the administration within the executive

#### 4.0 COMMITTEE'S RECOMMENDATION

Upon interrogating and considering all facts concerning the CPSB annual report for the period ending 31<sup>st</sup> December, 2014, the committee made the following recommendations;

- i) That County Public Service Board should use positive discrimination to ensure people with disabilities and women are employed in Bomet County. This may include lowering the mandatory requirements/criteria of employment to attract more persons with disabilities as well as women.
- ii) That the County Public Service Board (CPSB) should have one member representing special interest groups including persons with disabilities.
- iii) That the County Public Service Board (CPSB) should devise means of identifying applicants from the category of persons with disabilities including separate application drop boxes and identification cards of persons with disabilities.
- iv) That Citizen Information Service Centers be established in all Wards to boost information dissemination to all citizens of Bomet County. This would help all eligible youth apply for jobs whenever they are advertised.
- v) That the County Policing Authority Report should be forwarded to and tabled in the County Assembly for consideration and approval.
- vi) That the county government should embark on investing in the health sector infrastructure including offices and housing to enable officers working in the sector to fully deliver services to the residents.
- vii) That the County Public Service Board (CPSB) should be assisted to get necessary staff in the secretariat. This should comprise mostly experienced

HR officers and other relevant technical personnel to assist the board in discharging its mandate as required by law.

- viii) The County Public Service Board should be given an independent budget from the executive to allow the Board to discharge its mandate timely and independently without delays or interference.