

SAMBURU COUNTY ASSEMBLY



THE HANSARD

Wednesday 25th March 2015,

The County Assembly met at the County Assembly chambers at 2:30 p.m.

(The County Assembly deputy speaker (Hon Lanyasunya) in the chair)

PRAYER

STATEMENTS

Statement sought by hon. Adamson Lanyasunya on discrimination of residents of Loosuk on employment by the county public service board.

Deputy Speaker (Hon. Adamson Lanyasunya) Hon. Modesta Lalaikipiani

Nominated MCA (Hon. Modesta Lalaikipiani): Thank you Hon. Speaker Sir, this is a response to a for statement sought by Hon. Adamson Lanyasunya, member for Loosuk ward to the sectorial committee on labour, social welfare, Justice and Legal Affairs, the hon. Adamson Lanyasunya MCA Loosuk ward requested for a statement on 18th March 2015, from the chair sectorial committee on labor, social welfare, justice and Legal Affairs regarding discrimination of Loosuk Ward by the County Public Service Board, in the recruitment of senior positions in the County. The committee conveyed the request of statement to the County Public Service Board chairperson and on behalf of the committee I wish to report the communication received from the public service board chairperson:

- a) On total discrimination of Loosuk Ward, that the board did not advertise to recruit the position for the county executive committee as alleged in the statement, those positions were filled prior to inception of the board
- b) Pursuant to section 45 (a), of the county Government act, number 17 of 2012, the board competitively sourced the county chief officers who were appointed by his excellency the Governor and approved by the Samburu County Assembly, Lydia Ngini Letinina from Loosuk Ward was appointed chief officer of Tourism cooperative, Trade investment and enterprises and development. This is contrary to the allegations by the member of County Assembly for Loosuk Ward, that his ward was not considered during the appointment of chief officers.
- c) The County Public Service Board recruited 18 ECD Teachers from Loosuk Ward, County Public Service Board advertised the positions of ward administrators and recruited Mrs. Letunta from Loosuk ward and posted her to Loosuk Ward,
- d) The board advertised for the positions of the County Directors did shortlisting and names of shortlisted candidates and posted in the county website, the board shortlisted Mr. Stephen Lekimain from Loosuk Ward for the director of Gender, Cultural and Social Services and Mr. Lesupeer Chacha from Ngiro Ward for director water and sanitation, contrary to the member of county Assembly allegations, that no candidate from his ward or Ngiro was shortlisted by the board, further to the member of County Assembly for Loosuk phoned the chairman of County Public Service Board on 18th in which he was concerned why two candidates from the ward were not shortlisted. These were:
(A) Joy Naserian Letooya, she applied for director cooperative, trade and development, she was not shortlisted for this position due to noncompliance to chapter six of the

constitution for 2010, which is a constitutional requirement, she also graduated in 2014 and was not considered to have five years post degree experience, neither did she worked in the managerial positions for the three years as stated in the advert.

(B) Jackson Lesimirdana; he too applied for the Director of Tourism, Cooperative and enterprise development. He was not shortlisted because his degree of partial artist was irrelevant to Tourism, cooperative and enterprises development, where bachelor of Tourism and Wildlife management was required. The others did not comply with chapter six of the constitution of 2010, the board received 26 applicants for the positions of the Director of Tourism and enterprise development due to its merit, it had to reduce the applicants shortlisted to a level where a number is manageable for the interview, for this position, the number was reduced from 26 to nine. In view of the aforementioned total discrimination of Loosuk ward is therefore untrue and baseless.

A criteria put by the Board to ensure that all wards are represented, equal distribution of employment opportunities according to facilities in the ward. This criterion was applied during the recruitment of the ECD teachers, they were employed according to the number of ECD centres in the wards, Loosuk got a total of 18 teachers out of total number recruited. Distribution of job vacancies according to number of positions available, this criteria was applied during recruitment of rangers positions, those vacant positions were 15 in number and each ward got one position, Loosuk ward included. Technical and professional ward criteria; for the technical and professional positions, the board does competitive sourcing country wide this is in pursuant to section 66 of county Government act number 17 of 2012, which provides the positions to be widely publicized by the board. Those positions are few in number for them to be distributed according to the number of wards. They too require specialized and technical skills some of which are not available in Samburu County for example Architects, Civil Engineers, quantity Surveyors. This also promotes diversity within the County and ensures that 30% of the county positions are not filled by the dominant Samburu tribe

(C) The shortlisting merit; the board develops a merit in line with requirement for appointment in each County positions; the region is one of the component of the tools among others. This tool is sometime difficult to apply where the candidate did not identify themselves with particular wards in their application letters. However, where candidates tell their wards then it is easier for the board to place them in their respective wards, Counties and sub counties. In conclusion the Samburu County Service board is committed to serving all citizens of Samburu County with impartiality, fairness to ensure equitable distribution of resources to sub counties to source employment opportunities in Samburu County. Hon. Speaker, I beg to lay this response of Samburu Executive committee chairperson County Public Service Board, Thank you

The Deputy Speaker (Hon. Adamason Lanyasunya): The thank you hon. Chair for that response, I still refer back the matter to you for further query on that board

1. That report is very shallow
2. The board still doesn't understand the criteria that they used in terms of employing the officers that they were supposed to advertise because they are alleging that the applicants need to indicate where they came from and according to the constitution, the constitution is very clear that any kind of service delivery, whether on employment, whether even the allocation of new positions and so on, the constitution is very clear in terms of indicating regional balance, equity, gender, marginalized communities, disabled so they should be following that criteria.
3. According to the statement sought the board has not indicated clearly whether Loosuk ward was discriminated or not. They should have given us the names of the wards, names of the candidates who had applied the various positions ranging from CECs, Chiefs Officers, County Public service Board members, sub county administrators, assuming accountants, the various personal assistants to various positions, senior secretaries, even the ECD teachers, drivers, clerks and so on. So I rule that the board should give us as per ward, employment criteria since they started up to now and they have not even indicated why they have only shortlisted three ladies. Again it is almost fifty positions that are being interviewed now, they should have even done something like even so that we can have gender equity, it is even very evident from the look of things that every board member has an interest, they have specific people who are relatives who they are pushing and we know that. So just go back and write a letter as the chair for labour and Social welfare that we need the employment status per ward, positions applied and even those who have not been taken they should give reasons why they have not been employed, hon. Lorunyei.

MCA Nachola (Hon. Lawrence Lorunyei): Mr. Speaker just to add my voice to that, it is good to give things in details per ward, giving general like this it is not fair as they say that they are working fairly, impartially and considering all the wards. Mr. Speaker really according to this statement; they have been asked about senior positions in the County and they are giving, they are stressing on automatic positions in the County like now a position of ward administrator or rangers those are small positions which are automatically given to those wards. So we need in every ward the people who benefited from Board members, CEC member, chief officers, all senior positions for us to have the picture of our County whether it is according to the constitution or not. So I just put my voice to that, that the response is not enough, we want an open and transparent information so that when we are asked outside there, we have answers at our finger tips to respond to those who elected us, Thank you

MCA Wamba North (Hon. Jackson Lelenkeju): Thank you Mr. Speaker Sir, as much as I concur but it is critical and important that to analyze things per ward, I only also want to put in one concern that regional balance is also paramount than witnessed before and even now and when I talk about regional I am different from talking about wards, because when we talk about north, East and Central I do not think the ward criteria is the best nature to balance regional employment in our County so as the chair maybe goes back to County Notice Board, please also enquire whether there is balancing in regional employment, Thank you

Nominated MCA (Hon. Irene Leshore): Thank you Mr. Speaker, I would like just to add my voice to the statement and first to congratulate our able chair for the committee on Labor, Social Welfare for bringing the first report from the public service board. Mr. Speaker as a member of that committee I have never seen any communication from them on the committee on labor, social welfare, maybe Mr. Speaker the chair should advice the board that they are also subject to an oversight because sometimes the things they do, they do not think that they are subject to oversight. Going back to the statement, looking at the explanations they say that some people here have not complied with chapter six of the constitution, to me I think this is just a technical way to knock out some people, we have had several times that when the boards shortlist people for any positions they always ensure that there are only three women in the whole list ndio imalize hii kitu called gender. We know that so many women have applied for these senior positions in this county, they have degrees, they are, qualified but they are only looking for ways to knock them out so that only three remain so that they can only meet the one third threshold. We want the chair to go and bring clearly the list of all the women who have applied and the reasons why they have been no doubt, apart from the issues of chapter six and they do not have relevant degrees, this issue of employment in this county is becoming a very thorny issue and I think we have to deal with it once and for all as a County Assembly because there is a public outcry out there. There are so many big interest in this board, big people in the county Government who are already in employment, so this is just a formality (*Applause*) and we should not lie to each other that it is taking four, five months shortlisting people and they know who they are employing in every position. So I urge the hon. Chair of this committee to be very firm in that board and bring a comprehensive report to this house, Thank you Mr. Speaker

Nominated MCA (Hon. Osman Dube): Asante sana mheshimiwa Spika, nakushukuru sana kwa kunipa nafasi hii. Sisi kama walemavu tuko na shida kubwa sana, kwa muda wa miaka miwili, wameandika watu wawili tu, mmoja ni ward rep na mmoja kwa kamati ya ardhi, kati ya watu hamsini wanafaa kuweka mlemavu mmoja au wawili, basi sisi tuko na shida kubwa, miaka mitano itaisha hivo tu na mimi niko kwa kauti assembly na hakuna chochote inacho ongezeko. Public service board wanafanya kama urafiki kwa kuwa wanaweka tu marafiki na wenzao tu, lakini mimi ninaangalia walemavu, nani anaangalia nafasi yao, waandike watu vile katiba inasema. Wakiandika watu watano, sisi tuwe moja yao kama walemavu, sisi kama

SCA/183/03/2015 (3) SAMBURU COUNTY ASSEMBLY DEBATE 1

walemavu ni minority, hata ukiangalia kaunti mzima hakuna hata mtu mmoja. Ukiangalia kaunti assembly ni kijana mmoja na msichana mmoja tu ndio wako, ukiangalia kaunti mzima baada ya miaka miwili, hata mtu mmoja hayuko, kuna watu wako na bidii, kila siku wanatafuta kazi na hata hawawezi pata kazi, kwa hivyo mheshimiwa Spika naomba uangalie hii maneno sana.

MCA Wamba East (Hon. Benjamin Leitore): Thank you Mr. Speaker, I am also standing to contribute. I am actually shocked by the information that is being presented and foremost I want to congratulate the chair for Labour for bringing this information though not sufficient. If you clearly go through this report the information is actually targeting or is intended to cite the member who sought the statement. It is particular to that and I think as an institution, the County Public Service board is only responding to specific statements but giving general information that concerns the recruitment, it has actually been a concern that there are specific wards and specific regions of this county that this county Government does not want to employ. Why do I say this, if you look at the revenue section and particularly the Sub County Revenue Officers, Samburu East is not represented. It is not represented in totality and that does not mean that Samburu East did not have the people that have that requirements, it is because of the discrimination. It is because of favors, I don't know if it is on political grounds, we cannot tell Mr. Speaker, so I am worried because the recruitments and the interviews for the said directors is to be conducted tomorrow. So what steps do we take as a house to make sure that fairness is applied in this process (*Applause*)? It is shocking that within that long list of directors, only four or five come from Samburu East, does it mean that those other regions do not have people that have qualifications? It is because of segregations, it is because of favors, we have incidences whereby our people are being denied positions especially for CECs and chief officers, a qualified doctor like one from Wamba North, Lesiken. Those are complete segregations, Engineer Lekoomet was actually denied a position, a technocrat, so what kind of representation are we giving to our people, Doctor Lolokuru and mention the rest it is on political grounds. So I don't know because it is only God that can give us a solution to this, but as you said Mr. Speaker even the service board are made to implement this. The service board also has their interests and are also meant to implement this Mr. Speaker, because the service board cannot tell us that the people who are employed in our ECD centres are based on their distribution formula, because these are our centres because you cannot get an instructor from my ward and go and place it in a place that you want. It is my ward, so there is no point you could have actually avoided that or you could have employed it somewhere else, this a shocking incident and you cannot refer one person being employed as a ranger at Samburu National Reserve and say that Loosuk has got its rightful share. (*Applause*) It is through the committee on Tourism which sat down and distributed these, it was not the service board. I request and I recommend through your indulgence that a serious recommendation should be met in the service board that the recruitments that are to be conducted tomorrow should be stopped so that equity could be achieved, thank you Mr. Speaker.

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MCA (Hon. Lemulugo): Thank you Hon. Speaker, as I contribute to this response from the public service board, I first thank the chair for Labor for bringing this report and Mr. Speaker it has been a very long time and I think this statement should have been sought very long time, because what is going on in the public service board is based on the political grounds. We can easily say that the statement referred by the hon. Leitore this report was just to silence the member who sought the statement by referring so many other positions and some people who were shortlisted from the same ward. Referring Ngini Letinina as a chief officer of tourism that she was came from Loosuk ward is just to silence the member who was sought the statement Mr. Speaker. There are so many people who had applied and as said by hon. Lelenkeju Hon. member for wamba regional balance is the most critical and important issue which has to be met in every recruitment done by this public service board Mr. Speaker. You can see very clearly that you can find in one office people from one family (*Applause*) leave alone the regional balance is clearly is not met Mr. Speaker, so I would say to my colleagues that a serious recommendation should be made by this hon. House to be met to stop the public service board from recruiting and unless regional balance is taken into consideration, thank you Mr. Speaker.

The Deputy Speaker (Hon. Adamson Lanyasunya): So hon. Chair when are we expecting the response.

Chair committee of labour, social welfare and legal affairs (Hon. Modesta Lalaikipiani): Thank you hon. Speaker, I can really feel the concern of all the members and I will go back to the drawing board and I will write a letter today and request for full report and for all the positions Mr. Speaker Sir.

Nominated MCA (Hon. Irene Leshore): Point of order Mr. Speaker Sir;

The Deputy Speaker (Hon. Adamson Lanyasunya): What is it Hon. Irene Leshore?

Nominated MCA (Hon. Irene Leshore): Mr. Speaker I think the statement will be overtaken by events since hon. Leitore told us that the interview will be conducted tomorrow; we need this matter to be addressed today, urgently (*Applause*).

Ang'ata Nanyokie MCA (Hon. Lemulugo): Mr. Speaker as the statement was stated, to give response, I think the public service board and I think the able chair should write a letter that we request to have the whole list of the people who are going to be recruited and be sure that the regional balance should be met and that the response should come like this that the member who sought the statement concerned on his own ward but the whole considered, Thank you.

MCA Nachola (Hon. Lawrence Lorunyei): Mr. Speaker I seek your direction as said by hon. Leitore, interviews are starting tomorrow and the chair person is saying that the time the chairperson is requesting will be overtaken, what will be your direction Mr. Speaker Sir, Thank you

SCA/183/03/2015 (3) SAMBURU COUNTY ASSEMBLY DEBATE 1

The Deputy Speaker (Hon. Adamson Lanyasunya): Hon. Leitore why are you raising your finger

MCA Wamba East (Hon. Benajmin Leitore): Thank you Mr. Speaker I am raising my finger to actually attract your attention and I know it is actually serious to allow this list to be implemented the way it is because based on gender factors, regional factor, ability and marginalized, because with the current list the regions are not well represented. The current list Mr. Speaker, the regions are not well represented, gender is not well represented, marginalized groups are also not well represented and disability. This is just but a formality, we know very well that the director for gender and culture is there but other Samburus or other residents of this county are being told to apply are being shortlisted but for formality purposes and we did not want this things to happen, to continue happening, I think we need to give a direction and we seek your indulgence on this

The Deputy Speaker (Hon. Adamson Lanyasunya): Thank you hon. Members,

1. Getting of the report might take a week or so, because the chair needs to get all the data,
2. The chair has heard that there is a lot of concerns that the board has not been employed for a particular ward such as Loosuk where they have made reference but they are are supposed to take the interest of all the wards, in terms of balancing the employment, so as I mentioned earlier the chair should be able to send information to all employed officers, from various categories per ward and a region
3. The process of interviewing will take time and even the appointment of those officers, so there is still a lot of time to intervene
4. There are also procedures to follow we don't just rule anyhow to stop the board because they also have their mandate but if there is any other interventions it can be done either through some motions which will be debated if the house did not approve of the board to stop the recruitment to ensure that the issues addressed in terms of gender, equity, regional balance, marginalized, disabled and others, that should actually be taken into account.

With no any other business, the time being fifteen minute past three, the house stands adjourned until tomorrow at 2:30.