

COUNTY ASSEMBLY OF SAMBURU



THE HANSARD

Wednesday, 13th July, 2016

The Assembly met at the County Assembly chambers at 9:30 a.m.

The Deputy Speaker, County Assembly of Samburu (hon. Adamson Lanyasunya) in the chair

PRAYER

STATEMENTS

The Deputy Speaker, (Hon. Adamson Lanyasunya): Hon. Members, it is notified that pursuant to Standing Order number 41/2/c, the Speaker has approved the following tentative requests for statements for Wednesday, July the 13th, 2016:

- Requests for statement number 15/2016 from the Chairperson of Committee on Medical Services, Public Health and Sanitation concerning the plight of casual workers. The statement was sought by Hon. Romano Leakono.

MCA Elbarta Ward, (Hon. Romano Leakono): Thank you hon. Speaker Sir, I rise to request for a statement **THAT**, pursuant to Standing Order 2 (c), I hereby request for statement from the Chairperson of the Sectorial Committee on Public Health, Medical Services and Sanitation concerning the employment of casuals.

Casual employment can be defined as an employee who is employed if needed and where there is no particular expectation of continuing employment. Whether the employee is employed on a casual basis is a regularly contested matter. It is because casual employment is a contested matter that only exists during periods of work and parties have no obligation to each other in between such periods.

The casual workers will be employed on time rate jobs and should be paid in accordance with the statutory wages regulation orders issued by the Government from time to time. It is worth noting that health is one of the biggest devolved functions to the Counties. There are, over 30 casual workers engaged in short term in the department of Health and have never been approved by the County Public Service Board as permanent employees nor is their service defined.

Pursuant to section 9 (b) of the General Provisions of the Contracts of Service which provides for the performance of any specific work which could not reasonably be expected to be completed within a period or within a number of days amounting in aggregate to the equivalent of three months, shall be specified in writing as stipulated to the Employment Act, 2007. It is based on this that I request for the statement seeking to know:

- How many casual employees are currently engaged by the department and how long have they been working?
- Whether there are workers on casual basis that have worked with the department for longer than six months and what are their terms of service?
- What plans does the department have on those workers?
- Are there any mechanisms in place to ensure that these people will benefit after such period?

It is so pathetic that most of these workers are casuals who have worked there for years or so and up to date. It is really embarrassing to this County Government because you cannot expect Samburu County which is supposed to protect the rights of the Samburu people to be paying the people of Samburu less than the minimum wage approved by the Government.

The Chair should see to it that if there are no arrangements to employ them permanently within a month or so they should be paid the minimum wage as recommended by the Kenyan Government. Otherwise, we shall not be advocating for Samburu people but would be like the oppressors instead of uplifting the standards of our people. Thank you hon. Speaker.

Special Elected MCA, (Hon. Ltipilisa Lekupe): Asante mheshimiwa Spika, naomba muda kidogo kwa sababu leo tutakuwa na mkutano na swala hili litakuwa jambo la kujadiliwa. Naomba muda hadi Jumanne ijayo.

The Deputy Speaker, (Hon. Adamson Lanyasunya): Okay that is agreed hon. Lekupe. Hon. Members the time being six minutes past 10 o'clock and there being no other business, this Assembly stands adjourned until Wednesday afternoon the 13th of July, 2016 at 2:30 pm. Thank you.