

REPUBLIC OF KENYA



COUNTY GOVERNMENT OF NAROK

**HUMAN RESOURCE POLICIES AND
PROCEDURES MANUAL**

**COUNTY PUBLIC SERVICE
BOARD**

SEPTEMBER 2021

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Foreword

Since inception of devolution, the County Government of Narok has been borrowing best human resource practices mainly from the Public Service Commission of Kenya, the defunct Local Authorities and guidelines from the Salaries and Remuneration Commission in an effort to enhance service delivery. Given that there have been fundamental changes occasioned by the promulgation of the Constitution of Kenya, 2010, reforms in various aspects of Public Service Management and the enactment of the Human Resource Management Professional Act, it has become necessary to formulate human resource policies for the County Public Service that are in tune with the far reaching changes.

In view of the above, this policy manual has been renamed *Human Resource Policies and Procedures Manual* for the Public Service and is in tandem with the best human resource practices. This manual provides guidelines in the management and development of human resource capacity towards the achievement of various objectives in the County Public Service.

The Manual incorporates provisions of the Constitution of Kenya 2010, Labour Laws and other relevant Legislation that govern various aspects of Human Resource Management in the Public Service. The manual also provides the basis for linking human resource policies and regulations in the wider public service.

These policies are not exhaustive of all the rules and regulations governing County Public Service officers in their day to day activities. They should therefore, be read alongside other relevant statutes and employment laws, where applicable, for better interpretation and application.

The policies will apply to the all employees/officers in County Public Service, County Government of Narok and will be updated from time to time to reflect any policy changes which may affect human resource management and development in the service. The regulations should be used as the minimum norms and standards for human resource practice in the County.

Where clarification on any of these regulations is required, this should be sought from the Secretary/CEO, Narok County Public Service Board and the Office of the County Secretary.

It is my hope that the County Public Service will find the Manual useful not only in handling day to day staff matters, but in administration and prompt processing of disciplinary cases.

Contents in the Manual should therefore be brought to the attention of all staff to note and comply.

.....
Mr. John Nkukuu Ole Kimanjoi
Chairman, County Public Service Board.

Preface

The Human Resource Policies and Procedures Manual has been developed and issued by the County Public Service Board in an effort to enhance expeditious and timely processing of human resource matters in the County Public Service.

The Manual provides general policy guidelines and procedures to be followed in handling all aspects of Human Resource matters and in tune with the Constitution of Kenya (2010), Labour Laws and any other relevant Legislations.

It is important therefore that employees/officers of the County Public Service adhere to these policies and procedures so as to inculcate the public service ethos and tenets.

I wish to commend the Board in conjunction with the County Executive for developing and approving this Manual and also the Board's Secretariat for their efforts in making sure this noble exercise of developing the Manual is successfully completed.

I am convinced that the Manual will greatly improve service delivery in our County.

.....
Elizabeth Lolchoki
County Secretary and
Head of County Public Service

Acknowledgement

I wish to sincerely thank all those who made valuable contributions towards the successful development of this Manual.

Special thanks to the County Public Service Board for considering, developing and approving the Manual, Human Resource Management team (from both the Board's Secretariat and the Executive) and the Editing Panel for painstakingly typesetting, designing of the cover page and overall editing and printing of the Manual.

Due care has been taken to ensure that the Manual conforms to the Labour/employment laws and Human Resource best practices in the wider Public Service.

These Policies and Procedures Manual would not have come at an opportune time like now when the Human Resource Management Practitioners must be registered as members of the Institute of Human Resource Management (IHRM) and hold a practicing certificate.

As the Board that is charged with policy formulation/development for the County Service, we undertake to ensure it is implemented impartially and professionally.

.....
CS. Zipporah S. Gad
Secretary/CEO
Narok County Public Service Board

Executive Summary

The Narok County Human Resource Policies and Procedures Manual is a collection of human resource policies and procedures for use in the County public service.

It is a guide in the management of human resource activities for the achievement of the County's goals and objectives and shall serve as a reference point for County staff and all other officers on human resource policies and procedures.

The Manual is organized into fifteen sections as follows:

- Section A: Institutional Framework
- Section B: County Government Communication
- Section C: Recruitment, Selection and Appointments
- Section D: Terms and Conditions of Service
- Section E: Benefits
- Section F: Leave
- Section G: Occupational Health and Safety
- Section H: Performance Management
- Section J: Disciplinary Control
- Section K: Training and Development
- Section L: Code of Conduct and Ethics
- Section M: Employee and Labour Relations
- Section N: Employee Welfare
- Section P: Separation
- Section Q: Records Management

The Manual incorporates provisions of the Constitution of Kenya, 2010 and legislation governing various aspects of employee and employer relationship.

It shall be read in conjunction with the County Government Act, 2012 and various Labour (Employment) laws, policies and guidelines governing the management of the human resource best practices in wider Public Service.

Any terms and conditions of employment not covered in part or in whole in this Manual shall be subject to the provisions of labour legislation in force in Kenya.

The Manual shall be subject to review from time to time by the Narok County Public Service Board to incorporate any changes in legislation and policy.

Objective

The objectives of this Manual is to provide:

- a). The County Public Service Board and the County Executive with policies, rules and procedures necessary for effective management and development of human capital,
- b). Employees with rules and regulations governing their employment in the County Public Service; and
- c). To clearly define the employee and employer's obligations.

Scope of the Manual

The Manual is applicable to all staff in the County Public Service. It covers the management of their entry, development, retention and exit from the service.

Access to the Manual

The Manual will be issued to all departments with adequate copies for divisions, sections and workstations. Copies of the Manual may be obtained from the Office of the County Secretary, Office of the Board Secretary and at the Library/Resource Centre. Digital copies will also be available.

It is the responsibility of each Authorized officer / supervisor to be familiar with the information contained in this Manual and any amendments thereafter, for purposes of advising staff under their jurisdiction.

Implementation

The County Public Service Board has an oversight role in the implementation and enforcement of the provisions of this Human Resource Policies and Procedures Manual. However, the responsibility of implementing the Manual lies with the County Secretary and the Chief Officers of respective departments.

DEFINITION OF TERMS		
1.	Accounting Officer	A public officer appointed to take full responsibility of the finances, assets and liabilities of the respective Department.
2.	Authorized Officer	A Public Officer to whom the Board has delegated the human resource management function in a department or agencies.
3.	Basic Salary	An officer's salary excluding allowances.
4.	Bondee	An employee who is serving a training bond obligation
5.	County Executive Committee Member	A state officer responsible for policy direction, coordination and overall supervision of a Department.
6.	Children	The biological offspring or legally adopted child under the age of twenty-five (25) years who are unmarried and are wholly dependent on the officer. For purpose of records, the names of the children must be declared at the time of birth or adoption if it occurs during employment in the Civil Service. Copies of birth certificates or legal adoption papers will be required in either case.
7.	Consultative Committee	Means a forum for co-operation and negotiation between the County Government, as an employer and a trade union.
8.	Constitution	Means the Constitution of Kenya, 2010
9.	County Public Servants or officer	These are employees of the County Public Service deployed in departments.
10.	Board	Refers to the County Public Service Board
11.	County	A unit of devolved County Government in Kenya
12.	County Governor	The Chief Executive Officer of a County Government.
13.	County Secretary	Head of County Public Service
14.	Delegated Authority	The powers of the Board that have been assigned to any one or more of its members, officer, body or Authority to exercise on its behalf.
15.	Immediate Family	Includes the officer, spouse(s), children and the officer's parents, siblings.

16.	Leave Year	Refers to the period commencing 1 st July to 30 th June of each financial year.
17.	Next-of-Kin	The name of the person provided by the officer for the purpose of contact during emergency and in case of death.
18.	Nuclear Family	Refers to officer, spouse and children.
19.	County Government	Refers to the County Government of Narok.
20.	Pensionable Office	means an office to which an officer has been appointed whether on probation or otherwise on terms which include eligibility for the grant of a pension under the Pensions Act and other RBA regulated schemes.
21.	Pensionable Officer	means an officer who is the holder of a pensionable office in which he has been confirmed.
22.	Pensionable Service	<p>a). means service which may be taken into account in calculating a pension or gratuity under the Pensions Act e.g.</p> <p>(i) Probationary service followed by service on permanent and pensionable terms is reckonable in full for the purposes of calculating a pension or gratuity;</p> <p>(ii) Contract service is reckonable in full if an officer surrenders or refunds the gratuity earned under the contract provided that he was admitted without a break of service to the pensionable establishment;</p> <p>(iii) Provident Fund service is reckonable in full if an officer surrenders his personal contributions to revenue provided that he</p>

		<p>was admitted without a break of service to the pensionable establishment;</p> <p>(iv) Temporary service; normally counts at half (½) rate in calculating a pension or gratuity;</p> <p>(v) Unpaid leave is not pension earning.</p>
23.	Pro-rata	Is the Computation of benefits for the period served in relation to the full term entitlement.
24.	County Public Service	It incorporates the County Public Service.
25.	Qualifying Service	means service which may be taken into account in determining whether an officer is eligible, by length of service, for pension or gratuity.
26.	Chief Officer	This is the Administrative head of a department.
27.	Reimbursable Allowances	Refers to those allowances where an Officer gets reimbursement on the expenditure incurred in the course of duty.
28.	Remunerative Allowance	Refers to those allowances paid to an officer, in addition to salary as a form of Compensation for additional responsibilities.
29.	Spouse	Refers to the legal marriage partner of an officer specified under the Marriage Act or in accordance with the relevant Customary Law.
30.	Secretary to the Cabinet	Means State Officer in charge of Cabinet Affairs. Referred to as County Executive Committee in County Government.
31.	State Officer	Refers to a person holding a State Office.
32.	Surety	Refers to a person who formally accepts responsibility to locate a bondee and/or redeem the bond obligation of a bondee who defaults or appears in a court of law in respect of the same.
33.	Tour of Service	Refers to the period of employment contract in the Civil Service awarded to a foreign employee.

34.	Training Bond	Refers to formal agreement between the County Government of Narok and its employees who are selected for approved training that oblige them to serve in the County public service for a specific period of time on completion of training.
35.	Vesting Period	Refers to ownership of benefits built up in a Scheme for a member including what has been contributed by the employee and returns thereof.

Gender Notation

This Human Resource Policies and Procedures Manual for the County Government of Narok is formulated with due regard to gender; thus where reference is made either to **‘he’** or **‘she’** only, it shall be construed to mean and include reference to both **‘he’** and **‘she’** and where reference is made to **spouse**, it shall be construed to mean and include reference to both **‘husband’** and **‘wife’** where applicable and vice versa.

List of Acronyms	
CBA	Collective Bargaining Agreement
CHRMAC	County Human Resource Management Advisory Committee
CGA 2012	County Government Act, 2012.
CPF	County Pension Fund
CPG	Career Progression Guidelines
CPMC	County Performance Management Committee
CPSB	County Public Service Board.
CPF	County Pension Fund
CS	County Secretary
HRM	Human Resource Management
LAPF	Local Authority Pension Fund
NHIF	National Hospital Insurance Fund
NSSF	National Social Security Fund
OSHA	Occupational Safety And Health Act 2007
PSCK	Public Service Commission of Kenya
PSSS	Public Service Superannuation Scheme
TA	Transition Authority
SRC	Salaries and Remuneration Commission
WCPS	Widows and Children Pension Scheme
WIBA	Work Injury Benefits Acts 2007

County Government of Narok's Vision and Mission

Vision:

The premier County of choice in diversity and opportunities for prosperity.

Mission:

Transforming lives through harnessing the diverse natural resources, rich culture and emerging opportunities in the County.

Core Values of County Public Service

The County Public Service will be guided by the following core values in the discharge of its mandate:

- Integrity
- Transparency and Accountability
- Professionalism
- Fairness, Equity and Diversity
- Team Spirit
- Creativity and Innovation
- Excellence

SECTION A: INSTITUTIONAL FRAMEWORK

1.1 Introduction

- 1) This section comprises the institutional framework for Human Resource Management in the County.
- 2) It provides a summary of matters related to the administration and management of County Government.
- 3) It shall be read alongside the Constitution of Kenya, 2010, CGA, 2012, the Public Service Commission regulations, Salaries and Remuneration Commission regulations and other legal statutes.

1.2 The Structure of National Government

The National government is structured as follows;

- a). National Executive
- b). The Parliament of Kenya, and;
- c). The Judiciary.

The National Parliament is a bicameral parliament, that is, it consists of two houses; The National Assembly (representing constituencies) and the Senate (representing counties).

1.3 The Structure of County Government

The County Government comprises;

- a). The County Executive: -
 - Governor, the Deputy Governor (who are elected by residents of Narok County; and
 - County Executive Members who are appointed by the Governor); and
- b). County Assembly being the Legislative Arm of the County Government;
 - Consisting of Members of the County Assembly; also known as Ward Representatives;
 - Are elected by people of a particular Ward.

1.4 The Role of the Public Service

- a) The Public Service will be responsible for implementation of Government policies and programmes as stipulated under the Fourth Schedule of the Constitution of Kenya, 2010.
- b) The functions distributed to the two levels of government will be performed through the Public Service.
- c) Under Article 260 of the Constitution, Public Service means the collectivity of all individuals, performing a function within a state organ, national or county governments with the exception of state officers.
- d) Under Article 176 of The Constitution and Sec. 56 of the County Government Act, each County shall have its own Public Service to be known as County Public Service.
- e) The Public Service, whether at the national or county level serve the Kenyan public and should, as much as possible, be insulated from politics.

1.5 National Values and Principles of Governance

- a) In discharging their functions, the national and county governments should be guided by the national values and principles of governance and values and principles of public service.
- b) The National values and Principles of Governance include: -
 - (i) Patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of people;
 - (ii) Human dignity, equity, social justice, inclusiveness, equity, human rights, non-discrimination and protection of the marginalized.
 - (iii) Good governance, integrity, transparency and accountability, and sustainable development.

1.6 Values and Principles of Public Service

The County Public Service Board shall be responsible for enforcement of both the National values and principles in Article 10 and values and principals of Public Service in Article 232 of the Constitution.

The aforesaid will be guided by the following values;

- 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 (x) and (ix), fair competition and merit as the basis of appointments and promotions;
- h). fair competition and merit as the basis of appointments and promotions;
- i). representation of Kenya's diverse communities; and
- j). affording adequate and equal opportunities for appointment, training and advancement, at all levels of the county public service of:
 - (i) Men and women;
 - (ii) The members of all ethnic groups;
 - (iii) Persons with disabilities.
- k) The values and principles apply to the County public service as a whole.

1.7 Functions of Departments

The allocation of functions to departments shall be as set out in the Executive orders /guidelines issued to the County Public Service from time to time.

1.7.1 Role of The Governor in Appointments

- a) Appoints with approval of the County Assembly;
 - (i) County Secretary;
 - (ii) County Executive Members;
 - (iii) Chairperson of the County Public Service Board and members;
 - (iv) Secretary/CEO to the CPSB
 - (v) Chairpersons, Secretaries and members of Municipality Boards, Town Committees and other Boards.
 - (vi) Chief Officers after competitively sourced by the County Public Service Board and vetted by the County Assembly.
- b) Constitute the County Executive Committee portfolio structure to respond to the functions and competencies assigned to and transferred to the County;
- c) Nominate and forward a list of the Office of the Governor's dedicated staff (e.g. Chief of Staff, Advisors, Personal Assistant, Secretary, domestic staff etc.) to the County Public Service Board for approval as per Salaries and Remuneration Commission guidelines.

1.7.2 Role of the County Secretary

The County Secretary and Head of County Public Service will be responsible for:

- a) General efficiency of the County Public Service;
- b) Co-ordination of the activities of public officers;
- c) Overall organization of the machinery for the execution of the County Government policies; and
- d) Ensuring that all agencies of County Government are adequately staffed for the performance of their functions.

1.7.3 Role of Human Resource Management.

The Directorate of Human Resource Management is responsible for key strategies and programmes to coordinate development of job indents, requisition, attraction, development, motivation and retention of best employees. Specifically, the roles of the HR function are:

- a) Continuous provision of advice and support in the interpretation of Human Resource policies and procedures.
- b) Articulate and harmonise Human Resource services and practices, that is, induction, deployment, learning and development and performance management.
- c) Install appropriate systems to ensure efficient delivery of HR services.
- d) Ensure proper definition of roles and reporting relationships to avoid ambiguities and conflicts.
- e) Ensure regular appraisal and counselling of employees.
- f) Ensure that an appropriate remuneration structure is in place.
- g) Ensure successful implementation and management of the performance management system.
- h) Ensure that all training is aligned to the provisions of the performance management system.

- i) Foster a good working climate through maintenance of harmonious working relationships and timely settlement of any conflicts or grievances among employees, in order to enhance productivity.
- j) Be the custodian of the HR Manual and make recommendations to the Board for review.
- k) Prudent management and containment of wage bill while ensuring that it conforms to the Public Finance Management Act.
- l) The County Public Service Board and Human Resource will, at all times maintain a County Staff Establishment. This will indicate the extent of manning levels for all positions in the County Government. The Staff Establishment will be reviewed after three (3) years or on need basis.

1.7.4 Role of County Executive Committee Members

- a) County Executive Committee Members will be responsible for the management and coordination of the county administration and its departments and will develop and implement county policy as is provided for under section 37 of the CGA, 2012.
- b) The members of the Executive Committee are accountable individually and collectively, to the Governor for the exercise of their powers and the performance of their duties and responsibilities.
- c) They shall appear before a Committee of the County Assembly when required to answer any question concerning a matter for which the member is responsible (section 39 of CGA).
- d) Strategic policy formulation and direction of the Department to which they are assigned;
- e) Being the link between the Department and the Governorship or County Government as the case may be;
- f) Steering the Strategic Human Resource Management matters in the Department.

1.7.5 Role of County Chief Officers

- a) All Chief Officers have a duty to keep the County Secretary and Head of the County public service informed of staffing, operational and major policy issues in their departments.
- b) Provided that they have been appointed as Authorized Officers, the Chief Officer shall be responsible to the CEC Member for:
 - i. The day to day operations of the Department;
 - ii. The administration and management of Human Resource functions in the department;
 - iii. Co-ordination of the department's performance management;
 - iv. Advising the CEC Member on Human Resource matters;
 - v. Member of County Human Resource Management Advisory Committee (CHRMAC) and County Performance Management Committee (CPMC);
 - vi. Overseeing implementation of programmes;
 - vii. Efficient utilization of funds and other public resources placed at their

- disposal;
- viii. Performing any other HR function as directed by the County Executive Committee Member
- ix. Chief Officers should always seek advice, guidance and concurrence from their respective County Executive Committee Member on important policy matters.

1.7.6 Role of the County Attorney

- a) The County Attorney is the principal legal advisor to the County Government.
- b) His responsibilities include ensuring that County departments are given appropriate legal advice as per the Office of the Attorney General Act, 2012.

1.7.7 Functions and Powers of the County Public Service Board

In accordance with the Constitution, the Board shall:

- a) Establish and abolish offices in the County public service, appoint persons to hold or act in those offices and confirm appointments;
- b) Exercise disciplinary control over and remove persons holding or acting in those offices;
- c) Promote the values and principles of County public service;
- d) Investigate, monitor and evaluate the organization, administration and human resource practices of the County public service;
- e) Ensure that the Public Service is efficient and effective;
- f) Develop human resources in the County public service;
- g) Review and make recommendations to the National Government in respect of conditions of service, code of conduct and qualifications of officers in the County public service;
- h) Evaluate and report to the Governor and County Government on the extent to which the national values and principles of governance as well as the values and principles of the County are complied with in the county public service;
- i) Hear and determine appeals in respect of County Government's service;
- j) Perform any other functions and exercise any other powers conferred by national legislation;
- k) The County Public Service Board may also recommend to the Governor the establishment of an office in the County public service in accordance with the County Government Act, 2012 (Part VII section 60);
- l) The County Public Service Board shall also, whenever, required by the Governor, advise the Governor and County Government on any matter affecting the County public service ;
- m) The Board may delegate in writing, with or without conditions, any of its functions to anyone or more of its members or to any officer, body or authority in the County public service.

1.8 Communication with the CPSB

- a) All communication with the CPSB shall be addressed to the Secretary, County

Public Service Board.

- b) Serving officers may communicate with the Board on any cases but they are encouraged to channel their letters through the County Secretary with an advance copy to the Board.

1.9 Notification of the Board's Decisions

- a) The decisions of the Board to the County Government departments in respect of all cases will be communicated to the County Secretary in writing by the Secretary to the Board.
- b) The decisions of the Board to the Executive in respect of appeals will be communicated to the County Secretary in writing by the Secretary to the Board.

1.10 Delegation by the County Public Service Board

The County Public Service Board may delegate, in writing, any of its functions to the County Secretary as may be determined and issued through a delegation instrument.

1.11 County Human Resource Management Advisory Management Committee: -

- 1. To ensure there is an effective human resource management, the Executive shall constitute a County Human Resource Management Advisory Committee. The committee shall have a membership of a maximum seven (7) and the quorum shall be five (5) members. The Committee shall meet at least once in each month.
- 2. The decisions of the Committees shall be by consensus or majority vote of the members present.
- 3. The CHRMAC shall consist of the following members:
 - a) County Secretary - Chairperson
 - b) Director HRM - Secretary
 - c) Members - Chief Officers appointed by the CS.
 - d) A Chief Officer may be appointed alternate Chairperson
 - e) The Committee may co-opt such members, in writing, as necessary from time to time with the approval of the County Secretary.
- 4. **The functions of County Human Resource Management Advisory Committees entail making recommendations to the CPSB regarding:**
 - a). Recruitment, selection and appointment;
 - b). Performance management;
 - c). Promotions;
 - d). Confirmation in appointment and acting appointments
 - e). Training and Development;
 - f). Training Impact Assessment;
 - g). Management of skills inventory;
 - h). Establishment and Complement control;
 - i). Payroll management;
 - j). Deployment;

- k).Recommendation for renewal of contracts;
- l). Promotion of values and Principles of County public service;
- m). Recommendation for secondments and unpaid leave;
- n).Recommendation for retirement under 50 years' rule;
- o).Recommendation for retirement on medical grounds;
- p).Recommendation for re-designation;
- q).Recommendation for renewal of contract;
- r). Discipline.

SECTION B: COUNTY GOVERNMENT COMMUNICATION

2.1 Introduction

- a). This Section spells out the basic rules for effective communication through correspondence and other means.
- b). It provides for expeditious treatment of communication within the prescribed rules and gives a brief guide for use of a variety of other communication media.

2.2 Forms of Correspondence

- a). Great importance is attached to the expeditious treatment of all communication received by the County Government.
- b). Every communication requiring a response but which cannot be answered at once should be acknowledged promptly on receipt. The necessary consultations should then be finalized and appropriate reply dispatched in not more than seven (7) days unless it can genuinely be established that such consultations require a longer period.
- c). Correspondence within the Service should be as concise as possible, indicating the general background to the issue and advice or decision sought on the issue.
- d). Each correspondence should be confined as far as possible to a single subject under an appropriate and summarized heading. Invariably, the reference number and date of the last communication, if any, from the writer and from the person addressed on the same subject should be given.
- e). Enclosures in foreign languages should be accompanied by a certified translation or in the case of documents of minor importance, by a summary of the contents. Documents received in foreign languages should be referred to the State Department responsible for Foreign Affairs for official translation, if necessary.
- f). Any information relating to County Government business should be communicated to the general public by the Authorized Officer of the department concerned after consultation with the Governor.
- g). When decisions of the County Government have to be conveyed to non-county governmental bodies or to members of the public, they should be communicated as the decisions of the County Government, and not as those of an individual officer or department.
- h). The responsibility of ensuring that correspondence reaches its destination rests with the sender.

2.3 Communication by Executive Committee Members

- a). Executive Committee members will communicate directly with the Governor by minutes, letters or verbally, as may be appropriate. They may see him/her by arrangement whenever they wish to do so. Executive Committee Members should inform the Governor at the earliest possible opportunity of any important event connected with the administration of functions of their respective County Departments.
- b). Executive Committee Members will communicate: -
 - (i) with one another on official matters by letters, emails, telephone and not

- by passing files;
- (ii) with the County Secretary by minutes, emails, telephone or orally;
- c) With heads of departments under their control in writing or verbally
- d) If an Executive Committee Member wishes to communicate with a Department not falling within his/her portfolio, he/she will do so through the appropriate Chief Officer/Head of Department, as the case may be and not directly except in such matters of daily routine as may require direct communication, or when special circumstances so require. In such cases, if any important decisions or directions are involved, the Executive Committee Member concerned should also confirm his/her instructions to the County Secretary/Head of Department as soon as possible.
- e) Executive Committee Members may communicate directly with the Governor.

2.4 Communication by Public Officers

- a). A public officer shall communicate to his Authorized Officer through the immediate supervisor.
- b). All internal communication to the Governorship shall be through the Office of the County Secretary.
- c). All communication to the County Public Service Board shall be through the County Secretary.
- d). An officer is not allowed to take extracts or make copies of minutes or correspondence, unless such correspondence is expressly addressed to the officer personally.

2.5 Correspondence with Other County Governments or Administrations

Any correspondence relating to relations between the County Government and other administrations shall be governed by existing bilateral arrangements and other protocols and shall be referred to the Governorship for guidance.

2.6 Classified Correspondence

- a). The Security Manual for National Government contains instructions regarding classified correspondence.
- b). The appropriate classification should be clearly marked at the top and bottom of every page of all classified documents.
- c). Authorized Officers shall ensure that utmost attention is paid to security matters in all offices under their control.

2.7 Reports and Memoranda for the Executive Committee

- a). A memorandum intended for consideration of the Executive Committee must be signed by the CEC Member concerned and submitted in original to reach the County Secretary at least seven (7) days before the meeting at which it is to be considered.
- b). Executive Committee memoranda shall be prepared in accordance with the guidelines contained in the National Government Office Manual (which can be customized by the county department in charge of Public Service Administration).

2.8 Publicity/Broadcasts

- a). County Executive Committee Member shall liaise with their respective directorate of Public Communications for any information they wish to communicate to the public through the media.
- b). The Directorate of Public Communications will assist in the preparation of the material for publicity in a form most suitable to the media but it will be the responsibility of the department concerned to ensure accuracy before any material is issued or released.
- c). A Public officer shall not issue statement(s) to the media on official matters without prior approval of the Authorized Officer.

2.9 Use of modern means of communication

For faster communication, Departments shall adopt modern means of Communication such as use of internet, intranet or extranet. However, caution should be drawn on use of social media on official matters and/or touching on officers of the county government. Relevant legislation on this shall apply.

2.10 Use of Passwords

Where data is of a confidential nature and electronically stored, officers to whom passwords are entrusted shall take precautions to keep them confidential and safeguarded. Unauthorized 'sharing' of passwords will not be condoned whatsoever.

2.11 Annual Reports

- a). Annual reports are intended to be a record of work done during the period under review and should be concerned with assessing whether County Government programmes, performance contracts, functions and activities have led to achievement of stated objectives or goals during the year in question.
- b). Annual Reports should therefore, include the following information:
 - (i) A descriptive statement giving background information about a programme, function or an activity which should include elements such as cost, time span, size and schedule.
 - (ii) A statement of intended objectives which were to be achieved after implementation;
 - (iii) Environmental influences/factors during implementation;
 - (iv) Outcomes/Impacts in relation to the originally stated objectives;
 - (v) An analysis on whether the activity in question has been managed efficiently and effectively as planned;
 - (vi) Recommendations and suggestions for future improvement of County Government policies and programmes.
 - (vii) Where feasible, departments shall publish one report covering the section within the Department.
 - (viii) The result of research or scientific investigations should be published in scientific journals, or as separate monographs, and not in annual reports. The reports should, however, include a reading list referring to these

separate publications.

(ix) Annual Reports will be prepared on the basis of a financial year.

(x) Annual Reports should not be published without prior sanction of the Authorized Officer concerned.

2.12 Research Approvals

An officer or a member of the public wishing to undertake research on any aspect of the county public service establishment will be required to seek approval from the Public Service Board through the County Secretary.

2.12 Library and Resource Centre

- a). The County Government shall establish a Library and Resource Centre to act as a catalyst for County development and continuing education;
- b). The Library and Resource Centre will operate as a hub and will provide a one stop resource, information and learning for County Service and visitors as well as a variety of other services including; book displays, reading, lending, internet services, training and a venue where can exchange ideas.

2.13 Publications for Diplomatic and Other Representatives Abroad

- a). All printed annual, statistical or other reports of general interest prepared in departments meant for diplomatic/donor community shall be channeled through the County Secretary. To ensure that this is done, the addresses of diplomatic and the donor community should be included in the County Government's mailing lists.
- b). It is of great importance that diplomatic and donor community should be provided with up-to-date information for purposes of publicity and response.

2.14 Kenya Gazette

- a). All communication for publication in the Kenya Gazette should reach the Government Printer not later than Friday of the week before publication is desired.
- b). A department will be required to meet the cost of advertising in the Kenya Gazette.

2.15 Official Seals and Stamps

- a). The use of official seals and stamps in all County Government offices must be confined strictly to official requirements.
- b). Applications by private persons for impressions of official seals shall not be allowed.
- c). The official seals and stamps must be kept under the custody of a senior officer designated for the purpose by the Authorized Officer who shall be accountable for their custody and appropriate use.
- d). The county government seal and stamps must strictly be kept by the County Secretary.

2.16 Disposal of Records

Disposal of official records shall be done in accordance with the provisions of the Official Secrets Act, the Public Archives and Documentation Services Act and Personnel General Letter No.1 of 2008.

2.17 Role of Public Service Commission in Relation to the County Public Service

- a). The Public Service Commission is mandated to hear and determine appeals from the county Public Service.
- b). The appeals may be in respect of any decision relating to: -
 - (i) Recruitment, selection, appointment and qualifications attached to any office;
 - (ii) Remuneration and terms and conditions of service;
 - (iii) Discipline control;
 - (iv) National values and principles of governance, under Article 10, and values and principles of public service under Article 232 of the Constitution;
 - (v) Retirement and other removal from service
 - (vi) Pension benefits, gratuity and any other terminal benefits;
- c) Any other decision the Commission considers to fall within its constitutional competence to hear and determine.

SECTION C: RECRUITMENT, SELECTION AND APPOINTMENT

3.1 Introduction

This section addresses recruitment, selection and appointment matters in the County Public Service. It provides rules governing recruitment, appointment, induction, confirmation in appointment and promotion of county public officers. It also provides guidelines on career progression, secondments and transfer of officers from one organization to another and other related matters.

3.2 Human Resource Plans

- a). Every Department shall prepare human resource plans to support achievement of goals and objectives in their Strategic plans. The plans shall be based on comprehensive job analysis and shall be reviewed every year to address emerging issues and needs.
- b). On the basis of these human resource plans, Departments shall be required to develop annual recruitment plans and job indents which will be forwarded to the County Public Service Board through the County Secretary at the beginning of each financial year or when need arises to enable the Board to fill the vacancies.

3.3 Reporting of Vacancies

- a). An Authorized Officer shall declare all vacant positions to the Public Service Board in accordance with the procedures set out in the Board's regulations and as per the relevant Staff Establishment.
- b). The Board shall consider requests for approval of declared vacancies. Such requests and job indents shall be forwarded by the County Secretary upon recommendations by the CHRMAC.
- c). The position mentioned in (a) and (b) above shall be advertised either externally or internally.

3.4 Advertisement of Vacant Posts

- a). The CPSB shall advertise the declared vacant posts in a manner and means that reaches the widest pool of potential applicants and allow for at least fourteen (14) days before closure.
- b). The indent should be delivered to CPSB in softcopy which in turn will prepare an advertisement for posting in the County Government's website or the local daily newspapers.

3.5 Recruitment

Recruitment will be undertaken on the basis of fair competition and merit; representation of Kenya's diverse communities; adequate and equal opportunities to all gender, youth, members of all ethnic groups, persons with disabilities and minorities.

3.6 Application for Employment

A candidate applying for employment shall do so online or manually as shall be specified in the advertisement.

3.7 Authority to Recruit

- a). The prerogative to recruit any employee into the County Public Service lies with the County Public Service Board. Recruitment shall be based on the approved Staff Establishment and budgetary allocation.
- b). The County Public Service Board shall in consultation with the Executive approve the appointment of senior officers on J/G 'CPSB 1', 'U', and 'V'.

3.8 Identifying and Assessing the Vacancy

- a). The key focus of any recruitment process at the County Public Service will be to fill an identified existing vacancy.
- b). The decision to fill a vacancy must first be justified by the appropriate Authorised Officer.
- c). The County Public Service believes existing staff need development opportunities and they will as such be communicated to and exposed to any arising vacancies. The County Government encourages **internal recruitment** to fill positions as part of **succession planning** and **staff development efforts** and thus, vacant positions may be considered for advertisement internally. If no suitable candidate is identified, then an external advertisement will be placed. This is normally done from the following sources:
 - (i) Approved recruitment agencies or consultants – this is mainly to reduce bias and canvassing.
 - (ii) Schools and Technical colleges – to enable the County obtain fresh talent and cut down on recruitment costs.
 - (iii) Local Public Universities – to enable the County Government obtain fresh talent and cut down on recruitment costs.
 - (iv) Media Advertising - to give equal opportunity and have competitive candidates for the jobs.
 - (v) Direct Enquiries or head hunting – to enable the County Public Service obtain candidates of rare skills, experience and talent. Head hunting will only be conducted with the approval of the County Public Service Board in consultation with the Executive.

3.9 Recruitment Process and Procedure

The County Public Service Board shall coordinate all forms of recruitment both internal and external. The Board will check all records to identify suitable candidates from existing Staff Establishment in respect to positions intended to be filled internally.

3.10 The recruitment procedure shall incorporate the following steps:

- a). The recruiting department must complete a staff requisition form, available from County Public Service Board which will systematically determine the need to recruit.
- b). A vacancy may arise from resignation, retirement, transfer, promotion, dismissal/termination, death of an employee, or from establishment of a

new office.

- c). Develop job indents, including the purpose of the job, the key responsibilities, the key skills, abilities, competencies and job specifications required to perform the job.
- d). A prospective candidate shall submit a written application to the County Public Service Board naming three referees who shall not be relatives.
- e). All candidates seeking employment with the County, whether internal or external, must complete the appropriate application forms available at the County Public Service Board offices and County's website. Internal candidates who qualify for the position will be given priority as part of succession planning and staff development efforts.
- f). All applications for advertised positions shall be received, date-stamped and tagged at a central point. No other sources of resumes delivery other than the advertised channels shall be received. Receiving of applications shall close as stated in the advertisement.
- g). The interviewing panel will independently complete the assessment form for each candidate. The decision on the suitable candidate(s) will be arrived at by general consensus by the panel.
- h). The most qualified and suitable candidate shall be offered the job.

3.11 Selection Procedure

- a). The selection process will commence as planned once the period for receiving applications elapses. All applications will be considered at the start of the selection process using an agreed upon criteria for screening and short listing.
- b). The County Public Service Board may from time to time use recruitment agencies or consulting firms to screen and conduct initial interviews before forwarding a short list to County Public Service Board for further interviews.

3.12 Screening and Short Listing Procedure

- a). If the screening, short listing and interviewing of shortlisted candidates is being done internally, the County Public Service Board will constitute the Selection Panel.
- b). The Panel must use the following paperwork/information in short listing;
 - (i) Job Description;
 - (ii) Job Specification;
 - (iii) Person Specification
 - (iv) Advertisement; and
 - (v) Application forms.
- f). The above (i) to (v) will determine the short listing criteria of the candidates. Applicants will be shortlisted solely on the basis of 'best fit' with the job description and person specification.
- g). The CPSB shall thereafter invite shortlisted candidates to appear before an interviewing panel on a specified date but with sufficient notice period.

3.13 Matters to take into Account During Appointments

- a). In selecting candidates for appointment, the County Public Service Board shall consider: -
 - i) the standards, values and principles set out in Articles 10, 27(4), 56(c) and 232(1) of the Constitution;
 - ii) the prescribed qualification for holding or acting in the office;
 - iii) the experience and achievements attained by the candidate;
 - iv) the conduct of the candidate in view of any relevant code of conduct, ethics and integrity;
 - v) the need to ensure that at least thirty percent (30%) of the vacant posts at entry level are filled by candidates who are not from the dominant ethnic community in the county;
 - vi) the need for open and transparent recruitment of public servants;
 - vii) individual performance.
- b) In determining whether an appointment, promotion or re-designation has been undertaken in a fair and transparent manner, the overriding factors shall be merit, fair competition and representation of the diversity of the county.

3.14 Interview Process

The following arrangements must be made well in advance:

- a). All shortlisted candidates must complete the appropriate Application Form available at County Public Service Board offices and County Government website.
- b). Arrange or prepare for any tests that would establish actual competence or skills level. Tests or exercises should directly relate to the level of skills and experience required to fill the position. Tests should be free of any bias that may favour or disadvantage any particular groups. If the interview is to include aptitude tests, the candidates should be informed in advance.
- c). The structure of the interviews should be designed in advance by determining the areas of questioning required and the panellists to cover those areas. This will ensure that all elements of the job and personal specifications are covered.
- d). Panel members will be issued with interview packs prior to the day of interviewing. These will contain: copies of all application documents, job description, person specification and interview summary forms.
- e). Once all the candidates have been interviewed, interview summary sheets must be completed for each, clearly stating the outcome and providing objective, clear reasons as to whether a candidate is qualified for the position.
- f). All candidates will be scored on the same parameters. Scores prepared must be completed and handed over to the Secretariat of the panel at the end of each interview.
- g). All interview materials, including notes taken during the interview should

be returned to the Secretariat of the Board for retention and reference. Subsequently, both successful and unsuccessful candidates should be notified accordingly.

3.15 Offer of Appointment

- a). Before taking up appointment, a person appointed to any office will be issued with the appropriate letter of offer of appointment, as the case may be, which must be signed before he/she commences his/her duties.
- b). A letter of appointment shall state particulars of employment which should include the name and address of the employee, job title, date of commencement of appointment, terms and duration of employment, place of work, remuneration, terms and conditions of employment and terms of separation.
- c). A successful candidate must accept offer of appointment in writing within ninety (90) days failure to which the appointment will be forfeited or withdrawn.

3.16 Categories of Appointment

Appointments in the County public service fall into three categories:

- a). Permanent and Pensionable.
- b). Contract/mid –term Appointment (1 – 5 years’ renewable contract)
- c). Short-term Appointment (Casual, hourly or daily paid).

3.15 Appointment Procedures

- a). The procedures to be followed in filling vacancies within the scope of the County Public Service Board are set out in the Board’s Regulations which may be amended from time to time.
- b). The Board may delegate its powers to appoint persons to hold office in the County public service to an Authorized Officer as may be determined from time to time.
- c). Appointments made under the powers delegated by the Board to Authorized Officers shall be processed through the County Human Resource Management Advisory Committee in accordance with the Board’s regulations and guidelines issued to the service from time to time.

3.16 Letters of Appointment

An officer appointed to a position in the County Public Service shall be issued with a letter of appointment specifying the terms and conditions of service.

3.17 Date of Appointment

The date of appointment shall be the date of assumption of duty.

3.18 Deployment of new employees

The department of Public Service Management shall deploy newly appointed employees to relevant Departments who in turn redeploy them to various work stations based on exigencies of service.

3.19 Appointment documents

- a). A candidate on first appointment shall provide the following documents as per the

Employment Act, 2007:

- (i) National Identity Card;
 - (ii) Birth Certificate;
 - (iii) KRA tax PIN;
 - (iv) Copies of academic and professional certificates duly authenticated by the issuing authority;
 - (v) Certificate of good conduct from the Directorate of Criminal Investigations;
 - (vi) Copies of NHIF and NSSF Membership cards;
 - (vii) Coloured passport size photograph; and
 - (viii) Bank account details.
- b) In addition, officers who are required to be vetted as per the obtaining legislation are duly vetted prior to assumption of office.
- c) The officer shall also make an initial declaration of income, assets and liabilities by completing the prescribed form upon reporting on duty.

3.20 Next of Kin

An officer will be required to complete a Next-of-Kin Form on first appointment and to update his next-of-kin records and other family details in the County Government Human Resource Information System whenever necessary.

3.21 Record of Previous Employment

- a). It is the duty of the Authorized Officers, when making appointments under delegated authority, or in making recommendations for new appointments, to ensure that a candidate's record of previous employment is satisfactory in all aspects.
- b). A candidate with a record of conviction should be employed only with the concurrence of the County Public Service Board.
- c). A candidate whose appointment in the County public service had been terminated for any reason including resignation shall not be employed without prior approval of the Board.

3.22 Medical Examination

All candidates on new appointment shall be required to undergo a medical examination by a Medical Officer who must complete the prescribed form. The purpose of the medical examination shall be a guide for deployment of employees.

3.23 Appointment on Probation to Pensionable Establishment

- a). Where vacancies exist in the pensionable establishment, candidates recruited to fill such vacancies shall be appointed on probationary period of six (6) months.
- b). An officer appointed on probation to the pensionable establishment shall be regarded as being on assessment period with a view to learning his work and being tested as to his suitability for it. It is the duty of the supervisor(s) to ensure that every officer on probation is given adequate opportunities to qualify for confirmation in appointment.

- c). At least one (1) month before the expiry of the probationary period, the Authorized Officer shall consider, in the light of the report(s) on the officer's performance, conduct and capabilities whether or not the officer is suitable for confirmation.
- d). Where an officer's performance is unsatisfactory, he shall be informed in writing and the probation period may be extended for a maximum period of six (6) months after consultation with the County Public Service Board.
- e). Should the officer's performance fail to improve on expiry of the extended probation period, his probationary appointment shall be terminated in accordance with the County Public Service Board's regulations.
- f). Where an officer has served on terms other than pensionable and is subsequently appointed on a pensionable post, the terms of service may be translated to pensionable from the date the officer was placed on a pensionable post. The officer will, however, not be required to serve the probationary period in accordance with this regulation.
- g). On expiry of probationary period, the immediate supervisor shall file a performance report the Authorized officer who in turn shall notify the CPSB through the CS on whether to confirm the officer or otherwise.

3.24 Admission to Pensionable Establishment

- a). Appointment to the pensionable establishment shall be restricted to officers who will be in a position to complete the qualifying period necessary for the grant of a pension in accordance with regulations of the respective pension scheme (Pensions Act Cap 189 or the Public Service Superannuation Scheme Act, 2021) or other schemes regulated by Retirement Benefits Authority (RBA) Act, where applicable.
- b). For the purposes of this manual and for the officer's subsequent retirement from the service, a birth certificate and National Identity card issued after the date of first appointment will not be accepted unless the date of birth shown in the birth certificate/identity card tallies with the date of birth declared by the officer in the Application for Employment Form completed and signed by him prior to or immediately after first appointment.

3.25 Confirmation in Appointment and Admission to Pensionable Establishment

- a). An officer appointed to the Service in a pensionable post will be confirmed in appointment and admitted into the permanent and Pensionable establishment on completion of probationary period of six (6) months satisfactory service.
- b). Service on contract terms may be taken into account in full as probationary service, in the case of an officer who has been appointed on probation to pensionable establishment without a break in service.

3.26 Procedure for Confirmation in Appointment

- a). The powers of confirmation of all officers in their appointments lies in County Public Service Board, unless where delegated, will be exercised on the advice of the County Human Resource Management Advisory Committee. However, extension and termination of probationary appointments will be dealt with in

accordance with the powers delegated by the Board.

- b). The Supervisor will make a report on the officer's suitability for confirmation or otherwise at least one (1) month before the end of the probationary period and inform the officer accordingly.
- c). Where the Supervisor fails to submit a report during the probationary period, the officer shall be confirmed in appointment.
- d). Where an officer's performance is unsatisfactory, he shall be informed in writing and the probation period may be extended to a maximum period of six (6) months.
- e). Should the officer's performance fail to improve on expiry of the extended probation period, his probationary appointment shall be terminated in accordance with the County Public Service Board regulations.

3.27 Promotions

- a). Promotions in the County Public Service will be based on qualifications, availability of vacancy and other requirements for appointment as stipulated in the Career Progression Guidelines.
- b). In selecting candidates for promotion, opportunity should be given to all gender, youth, members of all ethnic groups, persons with disabilities and minorities without any discrimination.

3.28 Procedure for promotion

Step 1: An employee will apply for promotion on or by 30th April of each financial year. This will give the county government adequate time to prepare and allocate a budget for intended promotions.

Step 2: The Authorized Officer shall receive and recommend promotion applications from employees deployed in respective departments duly signed by the supervisor.

Step 3: Application(s) submitted by the staff must be received and officially stamped and an employee shall remain with a copy of the application for reference purposes.

Step 4: The Authorized Officer shall review each application and consolidate them together and forward the list to the Department of Public Service Management with a covering letter stating clearly the number of staff recommended for promotion. This promotion list should be copied to the Public Service Board.

Step 5: The promotion list shall be forwarded as stated above and in turn, the Department of Public Service Management shall acknowledge receipt by official stamp and appending signature in the delivery book.

Step 6: Upon deliberations by the County Human Resource Management Advisory Committee (CHRMAC), the subsequent recommendations of the said committee shall be forwarded to the Board by the County Secretary for further consideration and final approval.

Step 7: The promotion cases approved by the Board shall be communicated to the County Secretary for onward forwarding of promotion letters to the promoted staff.

Step 8: Appeals for promotions must be channeled to the County Public Service Board through the County Secretary within twenty-one (21) days upon receipt of the Board's decision. Only one (1) appeal shall be allowed but the Board has the discretion to hear a late appeal based on circumstances advanced by the applicant.

3.29 Promotions dependent on examinations

Where an officer is to be promoted upon satisfying requirements which include the passing of relevant examinations, the officer shall be promoted with effect from the date to be determined by the Board.

3.30 Promotion to posts in Common Establishment

Promotion to posts within a common establishment will be based on the obtaining scheme of service and career progression guidelines which are reviewed from time to time.

3.31 Promotion on merit

- a). A Person recommended for promotion on merit;
 - (i) Should be based on exceptional performance,
 - (ii) Innovation that has saved the County Government colossal resources,
 - (iii) When recommending promotion on merit an officer should not be promoted for more than two grades,
 - (iv) An officer should not be promoted more than once on merit.
- b) In selecting candidates for promotion, regard shall be given to merit and ability as reflected in work performance and results, as well as seniority, experience and academic or professional qualifications.
- c) Recommendations for promotion shall be made by the candidate's supervisor, through the Authorized Officer to CPSB.

3.32 Dates of Promotion

- a). The effective date of an officer's promotion will be the date of the Board's decision.
- b). If an officer has been appointed by the Board to act in a post and is subsequently promoted to it without any interval between the appointment in an acting capacity and the date of his substantive promotion, the effective date of promotion will be the date on which he commenced to act.

3.33 Acting Appointment

- a). Recommendations for filling vacancies in Job Group 'CPSB 07' and above in an acting capacity shall be submitted to the Board for review and approval.
- b). Such recommendations shall be accompanied by a draft indent and a seniority list of officers including an account of their performance and a Staff Appraisal Form.

3.34 Seniority

Seniority of public officers shall be determined as follows:

- a). As between public officers of the same grade:

- (i) By reference to the dates on which they respectively entered the grade.
 - (ii) If the public officers entered that grade on the same day, by reference to their seniority on the day immediately preceding that day.
 - (iii) If any public officers who entered the same grade on the same day did so by appointment and not by promotion, then seniority relative to each other shall be determined by reference to their respective ages.
- b) As between public officers of different grades on the same salary scale or the same flat rate of salary, by reference to the dates on which they respectively entered their grades.
- c) As between public officers of different grades on different salary scales, by reference to the maximum point on their salary scale, a flat rate of salary being regarded for this purpose as a salary scale with a maximum point equivalent to the flat rate.

3.35 Release of Officer(s) Selected for Promotion in Departments

- a). An officer who is selected for promotion to a department other than that in which he is serving will be released to take up his appointment on transfer within a period of two (2) months from the date of the letter authorizing the promotion.
- b). If the promotion takes effect before his transfer, salary at the full rate attached to his new appointment will be payable by the receiving Department from the date of his promotion as specified in the Board's letter.
- c). An officer who is promoted to a post in a different department while attending a training course will be transferred to that department from the date of his promotion and the new department will be required to pay his/her full emoluments.
- d). It is the responsibility of an officer to take up an appointment on promotion. An officer who fails to take up a promotion in a different department shall be deemed to have declined the promotion which shall then be rescinded.

3.36 Transfer/Deployment/Redeployment

- a). The power to deploy/redeploy a county public officer from one department to another shall vest in the County Secretary and Head of County Public Service;
- b). The power to redeploy/deploy a county public officer within a department shall vest in the relevant county chief officer.
- c). Employees who wish to move from one department to another will have to apply for vacant positions as and when advertised. Further, deployment of officers in their substantive capacity within a department will be undertaken by the respective Authorized Officer and those on cross transfer (affecting two or more officers) shall be approved by County Secretary.
- d). In exceptional circumstances, transfers of officers in Job Group 'CPSB 04' and above shall be approved by the Board on the recommendation of the CHRMAC.

3.37 Re-designation

- a). The Board shall have power to re- designate officers upon recommendation by CHRMAC and subject to availability of vacancies.
- b). Re-designation of officers shall be subject to the following conditions:

- (i) Suitability interview for officers who are moving from one cadre to another;
 - (ii) Suitability interview shall not apply for posts which fall within the same job family;
 - (iii) Shall be limited to positions in the first two (2) entry levels in any cadre;
 - (iv) Shall take effect from the date of the decision by the Board;
 - (v) The Board shall promote qualified officers followed by the re-designation requests;
 - (vi) Re-designation with continuous service will be allowed only for technical cadres whose job specifications are similar for both graduate and non-graduate officers;
 - (vii) Re-designation shall be subject to existence of vacancies.
- c) The above notwithstanding, re-designations will be based on an officers' demonstration of competence, merit and ability in performance.

3.38 Transfer of Service

- a). Transfers to and from the County Public Service and other Administrations or County public service shall be approved by the Board.
- b). An officer will be considered for transfer of service if the service of the other administration in which he/she has applied for appointment, has been declared to be 'Public Service' for the purposes of the Pension Act.
- c). An officer seeking appointment in another administration should submit his application through his Authorized Officer.
- d). If an officer is offered appointment in another administration, requests for his transfer shall be made to the County Public Service Board.
- e). An officer who wishes to take up appointment in another administration other than in accordance with the procedures set out in this manual, shall be required to resign from his position in the County public service.

3.39 Secondments

- a). Secondment of officers from the County public service to other organizations is applicable to pensionable officers, for a period not exceeding three (3) years and may be renewable once.
- b). Approval for secondment for officers moving from the County Service to other public administrations shall be the responsibility of the Board.
- c). Approval for secondment for officers moving from the other public administrations to the County Service shall be granted by the Board.
- d). Secondment of officers from the civil service to other organizations shall be authorized only in cases where an officer is joining an institution that has not been declared a 'public service' for pension purposes.
- e). To maintain an officer's pensionable status, the officer or the organization to which the officer is seconded will be required to make pension contribution at the prevailing rate. Where the organization pays the pension contribution for the officer, such amount shall be deducted from the officer's service gratuity.
- f). Officers on secondment will be paid their salaries and other allowances by the organizations in which they are deployed. Secondments of officers in the

County public service will be regulated in the context of the relevant pension legislation.

- g). Officers on secondment to other organizations will be eligible for promotion in the County Public Service.

3.40 Non Discrimination in Employment

- a). The County Government shall promote equality of opportunity in employment and will not discriminate directly or indirectly against an employee on any grounds including race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth.
- b). The County Government will endeavor to ensure its establishment is filled by either gender and that not more than two-thirds ($\frac{2}{3}$) of positions in its establishment are filled by either gender.

3.41 Rights and Privileges of Persons with Disability.

- a). Persons with disability shall be accorded equal opportunities for employment provided they have the necessary qualifications and are suitable for such employment.
- b). The County Government shall implement the principle that at least five (5) percent of all appointments shall be persons with disabilities.
- c). The County Government shall provide facilities and effect such modification, whether physical, administrative or otherwise, in the workplace as may be reasonably required to accommodate persons with disabilities.

3.42 Recruitment of Non-Citizens

- a). It is the policy of the County Government not to employ non-citizens where there are citizens with the appropriate qualifications. Recruitment of a non-citizen will require the authority of the Board.
- b). The Board will grant such authority once it has established that there are no local candidates with the requisite qualifications to meet the staffing needs.
- c). Appointment of non-citizens will only be on contract terms not exceeding three (3) years, renewable once.
- d). In applying for authority to recruit a non-citizen, the Board should confirm that there is no citizen with the required qualifications available for appointment and the candidate has complied with the provisions of the Immigration Act and regulations.
 - i. Recruitment from outside Kenya will also be subject to the following;
 - ii. That the candidate is prepared to accept an appointment on contract terms;
 - iii. That the government of the country to which the candidate belongs raises no objection to his recruitment; and
 - iv. The candidate complies with the requirements of the Immigration Act.

- e) Non-citizens will not be eligible for appointment to State Offices with the exception of Judges and members of the Constitutional Boards. Non-citizen employees are also subject to the policies and regulations applicable in the County Public Service.
- f) It is the responsibility of the concerned Department to facilitate acquisition of work permits for non-citizen employees.

3.43 Regulation of Appointment

The County Public Service Board shall regulate the engagement of persons on contracts, volunteer and casual workers, staff of joint ventures and attachments of interns in its public bodies and offices.

3.44 Appointment on Contract Terms

- a). Appointment on contract terms will be made under the following circumstances:
 - (i) Where persons to be appointed may not qualify for pension as per the respective pension scheme.
 - (ii) Where officers are appointed to serve on fixed term projects.
 - (iii) Appointments at senior levels as determined by the Board from time to time.
 - (iv) Where capacity in the County public service is lacking or specific skills are required.
 - (v) Personal staff of specified state officers as determined by the Board from time to time. Such staff shall serve during the tenure of the state officers.
- b) Appointment of officers on contract and renewal of such contracts shall be made on authority of the Board. Authorized Officers shall report to the Board all cases of appointment on contract terms which require renewal at least three (3) months before expiry of such contracts.
- c) An officer serving on contract, and whose services are still required, will be informed in writing at least three (3) months before the expiry of the contract. On acceptance of the offer, the case will be referred to the Board for review and renewal.
- d) Contract appointments will be limited to a maximum period of three years, renewable subject to demonstrable performance and other terms of the contract.

3.45 Employment of Casuals

- a). Casual workers shall be engaged only on urgent short-term tasks with the approval of the Public Service Board. Casual workers shall not be engaged for more than three (3) months as stipulated in the Employment Act, 2007.
- b). The casual workers shall be hired on piece rate, time rate jobs and should be paid in accordance with statutory wages Regulation Orders issued by the Ministry of Labour and Social Protection from time to time.

3.46 Volunteerism

- a). In the event that any person wishes to provide voluntary service to the County Government in one's area of expertise, the request should be channeled through the relevant department and the Office of the County Secretary and submitted to the Public Service Board for consideration and approval.
- b). No person shall provide voluntary service in the County Public Service without prior approval of the Board.
- c). Volunteerism does not attract any form of monetary compensation
- d). For purposes of indemnification of the County Government against any liability emanating from the volunteer during their course of duty, the volunteer must have an insurance cover for the period of service.

3.47 Industrial Attachment

- a). Industrial attachment is an important component of education and training. It provides attachees with opportunities to acquire practical aspects of their respective areas of specialization in a real work place environment. The County Government will support industrial attachment by providing opportunities to students in tertiary and higher education institutions.
- b). Attachment will be undertaken during the course and the duration will be for a maximum period of three (3) months.
 - The attachment shall be in line with the values and principles of County public service and the existing labour laws.

3.48 Internship

- a). Trainees graduating from training institutions join the labour market with academic and theoretical approaches to work and hence require practical exposure in a real work environment.
- b). The County Public Service shall use internship programmes as part of on the job training for the purpose of molding interns to become responsible citizens who will contribute effectively in the socio-economic development of the country.
- c). Internship programmes shall be guided by the relevant provisions of the Constitution, relevant professional bodies and other policy guidelines and shall not exceed one (1) year.

SECTION D: TERMS AND CONDITIONS OF SERVICE

4.1 Introduction

- a) The terms and conditions of service are the rights and obligations of an employee and an employer in the employment contract. These include salary, allowances, housing, transport, terminal benefits, leave, conducive work environment, and employee welfare and wellness.
- b) The County Government of is committed to ensure that the terms and conditions of service in the public service are competitive in order to attract, retain, develop and motivate a skilled and productive workforce that ensures quality service delivery.
- c) The County Public Service Board shall review and make recommendations to the County Government in respect of terms and conditions of service in the County Public Service.

4.2 Salary and Allowances

4.2.1 Payment of Salary

- a) On appointment, an officer will be paid full salary from the date of assumption of duty.
- b) All officers will be paid salary on monthly basis in Kenya currency through their respective bank accounts.
- c) Public officers shall not over-commit their salaries beyond a third ($\frac{1}{3}$) of their basic salaries in line with labour laws provisions. Director Human Resource Management shall ensure compliance of this requirement.

4.3 Salary and Remuneration

The Salary and Remuneration Commission will, based on recommendation of the county Public service, advice and regularly review the salary and allowances applicable to officers in the county public service, amongst other public officers. Salaries and Remuneration commission will be guided by the following principles: -

- i. The need to ensure that the total public compensation bill is fiscally sustainable
- ii. The need to ensure that the county public service is able to attract and retain the skills required to execute its function.
- iii. The need to recognize productivity and performance
- iv. Transparency and fairness and
- v. Equal remuneration to person for work of equal value.

4.4 Salary Structure

- a). The Public Service salary structure will be based on the grading levels spelt out in the various Schemes of Service and Career Progression Guidelines.
- b). On first appointment, an officer will enter the salary structure at the minimum point of the respective salary scale. However, an officer maybe granted incremental credit for previous relevant experience.
- c). Incremental credit will only be granted in respect of approved experience

gained after acquiring the requisite minimum qualifications for the grade. In granting incremental credit, any period of service or experience stipulated as a basic requirement for appointment or promotion to a particular grade will be excluded;

- d). Incremental credit will be granted only for previous approved experience in the type of work upon which an officer will be employed on his appointment to the particular grade;
- e). Incremental credit may not be granted on appointment to promotional posts, that is, posts to which an officer would not normally be appointed if he had joined the County Public Service immediately after completing his education;
- f). Incremental credit may be granted for the number of years of aggregate approved experience.
- g). Incremental credits shall be awarded to an officer for exemplary work performance or innovation. The incremental credits must be recommended by the Authorized Officers through the County Secretary.

4.5 Annual Incremental Dates

The first date of the month shall be an incremental date. An officer's annual incremental date shall be the first date on the month one is appointed.

4.6 Determination of Salary on Promotion/Upgrading

- a). Where the salary of an officer who is promoted to a higher job group is lower than the minimum of the salary scale attached to the higher job group, he shall enter the scale of the higher Job Group at the minimum point of the scale on the effective date of his promotion/upgrading. His future incremental date shall be the following year on the first date of the month in which the officer was promoted/upgraded.
- b). Where the salary of an officer on the day preceding the effective date of his promotion is one point immediately below the minimum of the salary scale attached to his new Job Group and if that officer was earning an annual increment, he shall enter the scale at the minimum salary point attached to his new Job Group on the effective date of his promotion and retain his former incremental date.
- c). In the event that on the effective date of promotion or upgrading the officer was already within the higher salary scale but the officer had not attained the maximum point of his current salary scale, the officer will enter the higher salary scale, at the point next above his current salary on the effective date of his promotion or upgrading and the officer will retain his former incremental date, i.e. incremental date immediately prior to his promotion.
- d). If on the day preceding the effective date of his promotion he had attained the maximum point of the salary scale attached to his former job group and his service at that salary amounted to less than one year, he will enter the salary scale attached to his new Job Group from the effective date of his promotion at the point next above his salary. His

future incremental date will be the 1st date of the month in which the officer was promoted.

- e). If on the effective day of the promotion an officer had served at the maximum salary point of his present salary scale for one (1) year but less than two (2) years the officer will enter the next salary point above his salary and will retain his former incremental date prior to reaching his maximum salary point.
- f). If on the effective day of the promotion an officer had served at the maximum salary point of his present salary scale for two years but less than three years, the officer will be granted two (2) years' salary increments at the point above his salary. His future incremental date will be the first (1st) date of the month in which he was promoted.
- g). If on the effective day of the promotion an officer had served at the maximum salary point of his present salary scale for three years and above, the officer will be granted three (3) salary increments at the point above his salary. His future incremental date will be the 1st date of the month in which he was promoted.

4.7 Determination of Salary of an officer Transferred from Another Administration

The salary of an officer who is transferred from another administration shall be determined by the SRC provisions.

4.8 Salary Advance

- a). An advance of not more than one month's salary may be granted by the Directorate of Human Resource Management to an officer on permanent and pensionable or contract terms, when the officer, owing to circumstances beyond his control, is placed in a difficult financial position requiring assistance from the County Government.
- b). In applying for the advance, the officer should explain in detail the circumstances leading to the situation which he could not have foreseen and therefore could not plan for.
- c). Officers posted to designated hardship areas on new appointment may be granted salary advance, such case being considered on its own merit.
- d). An advance under this regulation may be granted only when an officer has no other outstanding salary advance.
- e). The recovery period for salary advance will be limited to a period of not more than twelve (12) months. In respect of an officer who is due to leave the service before twelve (12) months, the advance must be fully recovered in equal installments within the remaining period of the officer's service in the County government.

4.9 Allowances

- a). Additional payments are made in form of allowances, either to reimburse an officer for the expenses incurred directly or indirectly in the execution of his duties, or to compensate him for services rendered over and above

the normal job requirements.

- b). The following are the allowances that are currently applicable in the Service and the circumstances under which they are payable: -

4.9.1 House Allowance

- a). All officers are eligible for house allowance payment applicable to their grades as stipulated in Government Circulars issued from time to time.
- b). Officers occupying institutional houses will pay rent equivalent to the value as shall be determined by the Department responsible for Housing.

4.9.2 Commuter Allowance

- a). All officers in Job Group 'CPSB 02' and below shall be eligible for commuter allowance where they are not provided with County Government transport.
- b). The rates of the allowances will be determined by the Salaries and Remuneration Commission from time to time.
- c). It will be an offence for an officer in receipt of commuter allowance to use County Government vehicle from house to office and vice versa.

4.9.3 Leave Allowance

All officers shall be eligible for leave allowance payable once a year as per relevant circulars and as determined from time to time.

4.8.4 Entertainment Allowance

Public officers in Job Groups 'CPSB 01', 'U' and 'V' are from time to time required by the nature of their duties to provide hospitality and entertainment to official guests. To enable them meet such expenses, a non-accountable monthly entertainment allowance shall be paid as may be determined by the SRC from time to time.

4.8.5 Extraneous Allowance

- a) Extraneous allowance shall be paid to officers who are called upon to undertake extra responsibilities in addition to their normal duties and therefore, work over and above the official working hours on a continuous basis.
- b) The rates and eligibility for payment shall be determined by the Salaries and Remuneration Commission from time to time.

4.8.6 Acting Allowance

- a). When an officer is eligible for appointment to a higher post and is called upon to act in that post pending advertisement of the post, he is eligible for payment of acting allowance at the rate of twenty percent (20%) of his substantive basic salary. Acting allowance will not be payable to an officer for more than six (6) months.
- b). Acting appointments shall not be approved to take effect from a date earlier than one (1) month prior to the date on which the recommendation is submitted to the CPSB.
- c). The payment of acting allowance shall be subject to recommendation by the County Human Resource Management Advisory Committee and approval by the Board.

- d). All recommendations for acting appointments in Job Group 'CPSB 5' and above shall be accompanied by a draft indent for advertisement of the vacancy and shall be forwarded to the CPSB.
- e). A recommendation for an acting appointment for a period of thirty (30) days or less will be considered by the CPSB for those cases where the law or regulations require that, in the absence of the substantive holder of a public office, the function of that public office can be exercised only if another officer is appointed in an acting capacity.
- f). An officer who is appointed to act in a higher post shall be eligible for the duration of his acting appointment for the travelling privileges, accommodation allowance, subsistence allowance or an extraneous allowance and entertainment allowance applicable. However, the officer shall not qualify for house allowance or other remunerative allowances applicable to the higher post.
- g). Acting Allowance shall not be paid against any post falling within the common establishment.
- h). In all cases, an officer must be appointed to act in writing by the CPSB, though the Board may delegate such responsibility.

4.8.7 Special Duty Allowance

- a) When an officer is called upon to perform duties of a higher post but does not possess the necessary qualifications for appointment to that post, he shall be paid special duty allowance at the rate of fifteen per cent (15%) of the officer's basic salary. The payment of special duty allowance will be subject to recommendation by the Human Resource Management Advisory Committee and approval by the Board.
- b) When a post falls temporarily vacant due to the absence of the substantive holder, special duty allowance should not be paid to an officer performing duties of such a post unless the period of absence exceeds thirty (30) days.
- c) Officers shall not be called upon to perform duties of a post that is more than two (2) grades higher than the officer's substantive grade.
- d) Special Duty Allowance will not be payable to an Officer for more than six (6) months.
- e) Officers performing duties of a higher post under this provision shall be eligible for travelling privileges, accommodation allowance, subsistence allowance or an extraneous allowance and entertainment allowance applicable. However, the officer shall not qualify for house allowance or other remunerative allowances applicable to the higher post.

4.8.8 Daily Subsistence allowance (Per diem)

- a). When an officer is travelling on duty and stays overnight away from his duty station and makes his own arrangements for accommodation, accommodation allowance shall be paid to him at the rates determined from time to time.
- b). Accommodation allowance will be paid for a maximum continuous period of thirty (30) days. Notwithstanding the provisions of paragraph (a) of this provision,

an officer who is required to be away from his duty station for more than thirty (30) days will be paid accommodation allowance for the subsequent additional days at half ($\frac{1}{2}$) rate up to a maximum period of five (5) months. Beyond this period, if the officer continues to work in the same station, this will be treated as a posting and accommodation allowance will cease to be applicable.

- c). On transfer from one station to another, an officer may claim accommodation allowance for self and spouse and up to a maximum of four unmarried children under twenty-five (25) years of age, who are living with and are in full time schooling and dependent on the officer should they be compelled to spend one or more nights on the journey. The rate of the allowance for the spouse and children aged eighteen years and above will be the same as that of the officer. The rate for the children below eighteen (18) years will be half that payable to the officer.
- d). To maintain the dignity and respect of the County Government, the officer should ideally be paid per diem on departure.

4.8.9 Meal Allowance

- a). Meal allowance will only be paid to officers travelling on duty within the county but who are not required to spend a night away from the permanent duty station. Meal allowance will not be paid alongside accommodation allowance.
- b). Meal allowance shall be paid at the rate of 15% for breakfast, 20% for lunch and 20% for dinner of the daily subsistence rate applicable.
- c). Meal allowance shall not be paid as a compensation for officers who are required to work beyond the official working hours.

4.8.10 Daily Subsistence Allowance while Travelling on Duty outside Kenya

- a). A public officer who is required to travel on duty outside Kenya will be granted subsistence allowance at the daily rates determined by the SRC from time to time.
- b). The rates of subsistence allowance are designed to meet the cost of accommodation at good, but not luxury class hotels, meals, including service charges, local travelling (such as taxi, bus or train fare), incidental expenses including any taxes and an element in respect of essential entertainment.
- c). Travelling expenses incurred from the airport to a hotel or other residential place and vice versa, airport charges, fees for vaccination, visas and passport charges will be refunded.
- d). Where an officer's travelling and accommodation expenses are covered in full by the County Government or any other Organization, a residual allowance of up to one-quarter ($\frac{1}{4}$) of the standard rate of subsistence allowance will be paid to him to cover incidental expenses.
- e). In cases where the sponsor does not meet the expenses directly but pays an allowance and such allowance is less than the standard rate of subsistence allowance, the officer may claim the difference from the County government.

4.8.11 Overtime Allowance

- a) Where an officer in Job Group 'J' and below is required to work overtime, an allowance may be granted to him with approval of the departmental head for overtime worked in excess of forty (40) hours per week, at the rate of one and a half (1½) times the officer's basic salary during working days and two (2) times the officer's basic salary during other days including public holidays.
- b) Overtime allowance will be paid subject to a maximum of ten hours per week.
- c) This provision will not apply to certain categories of staff in Departments who are required to work overtime regularly and an allowance has been authorized for their compensation.

4.8.12 Transfer Allowance

- a) When an officer is transferred from one station to another, he will be eligible for transfer allowance amounting to one month's basic salary provided the new station is not less than 40 kilometers from the former station. Transfer allowance will be paid at least three (3) days prior to departure.
- b) Transfer allowance will not be paid to: -
 - (i) Field officers such as Surveyors, Hydrologists, Engineers, Geologists, and Inspectors of Works, when moving from one camp to another;
 - (ii) Officers who are deployed on temporary basis (i.e. on relief duty) for a period not exceeding five (5) months;
 - (iii) Officers who are transferred at their own request.

4.8.13 Field Allowance

Field officers such as surveyors, road foremen, prospectors and officers in charge of land development units, whose duties entail continuous field work and who live in movable accommodation (i.e. portable huts, tents or caravans), may be granted a regular field allowance at the rate of 25% of the daily Accommodation Allowance as provided from time to time.

4.8.14 Baggage Allowance

- a) When travelling on first appointment, transfer or termination of appointment, an officer shall be provided with a County Government vehicle to transport his luggage where applicable.
- b) In the absence of a vehicle, the officer will be eligible for a baggage allowance at rates determined by the **SRC** from time to time.
- c) The officer will be expected to request for transport within three (3) months of appointment, transfer or termination of appointment failure to which, the privilege will be forfeited.
- d) In case of the death of an employee, the next-of-kin shall be eligible for a baggage allowance at rates determined from time to time.

4.9 Allowances for Medical Staff

The following allowances are paid as remunerative allowances to Medical staff as per their Collective Bargaining Agreements.

4.9.1 Extraneous Allowance

Extraneous Allowance is paid to medical staff and support staff deployed to medical facilities, mortuaries, cemeteries, fire fighters and divers.

4.9.2 Responsibility Allowance

Responsibility allowance is payable to medical staff only.

4.9.3 Risk Allowance

Risk Allowance is payable to medical staff only.

4.9.4 Non – Practicing Allowance

Non - Practicing Allowance is payable to medical doctors only.

4.9.5 Call – Out Allowance

Call – Out Allowance is payable to medical staff only.

4.9.6 Uniform Allowance

Uniform Allowance is payable to Nursing staff only once in a year.

4.10 Other Allowances

The County Government may pay other allowances to different categories of public officers in various circumstances.

Such allowances shall be determined by the Salaries & Remuneration Commission and Collective Bargaining Agreements as shall be communicated to the service from time to time.

SECTION E: BENEFITS

5.1 Introduction

This section deals with various benefits including **Housing, medical, transport** and **terminal** benefits provided by the County government.

5.2 Allocation of County Government Houses

- a). The County Government may provide institutional houses for employees who are required to pay rent at prevailing market rates as determined from time to time by the Department responsible for housing.
- b). County Government institutional houses, where available, shall be allocated at the station where an officer is posted for duty. The guidelines for allocation shall be provided by the Department responsible for housing from time to time.
- c). Applications for County Government housing should be submitted to the County Secretary through the Authorized Officer.
- d). The responsibility for the allocation of housing at institutions and recovery of rent rests with the Housing Allocation Committee chaired by the County Secretary.

5.3 Occupation of County Government Houses

On occupation of a County Government quarter, the Chief Officer responsible for Public Service shall notify Payroll for the purpose of rent recovery.

5.4 County Government Mortgage Scheme

- a). The County Government may establish a Mortgage Scheme for state and public officers to facilitate the officers to purchase or construct residential houses.
- b). The scheme shall be managed in accordance with the regulations developed by the Department responsible for Housing.

5.5 Medical Benefits

- a). The County Government shall source for a Medical Insurance Cover to provide medical benefits for public servants, their spouses and dependent children.
- b). The Medical Insurance Cover will be reviewed annually to ensure that the County Government and its employees get value for money invested in the Scheme.
- c). As per statutory requirement, the County Government shall ensure that staff are also covered under the **NHIF**.

5.6 Medical Treatment outside Kenya

Employees and their dependents will be eligible for medical treatment outside the Country in cases where such treatment is not available locally, subject to prior authorization by the County Secretary and the Medical Insurance Schemes administrators.

5.7 Medical Ex-gratia Assistance

- a). The County Government will provide medical ex-gratia assistance to cover in-patient medical expenses incurred by an officer, spouse and dependent

children 25 years and below, subject to prevailing limits, upon exhaustion of the medical cover entitlement within a financial year.

- b). All cases for ex-gratia assistance should be referred to the County Secretary for consideration and approval.

5.8 Transport

- a). Transport in the County Government is regulated through the County Government Transport Policy.
- b). This Section addresses various aspects of the Transport Policy and includes the car loan scheme, transport of officers while on duty and use of County Government vehicles.
- c). It includes travelling privileges to members of the officer's family in certain circumstances and transportation of personal effects.

5.9 Car Loan Scheme

- a). The County Government through the County Secretary may establish the Public Servants Car Loan scheme to enable public officers purchase cars.
- b). The loan shall be disbursed as per the regulations developed by the resultant Mortgage and Car Loan Committee.

5.10 Eligibility for Transport

- a). When an officer is transferred from one station to another, he will be eligible for transfer allowance amounting to one (1) month's basic salary provided the new duty station is not less than 40 kilometers from the former duty station. Transfer allowance will be paid at least three (3) days prior to departure.
- b). Transfer allowance will not be paid to: -
 - (i) Field officers such as Surveyors, Hydrologists, Engineers, Geologists and Inspectors of Works, when moving from one camp to another;
 - (ii) Officers who are deployed on temporary basis (i.e. on relief duty) for a period not exceeding five (5) months;
 - (iii) Officers who are transferred at their own request.

5.11 Travelling by Public Transport

When travelling by road or railway on transfer or duty outside the duty station/county, an officer will be eligible to claim applicable reimbursements of the amount of the fare paid on production of travel tickets.

5.12 Travelling by County Government Vehicles

- a). All officers in Job Group 'S' and below will use pool transport when travelling on official duty.
- b). Departments will provide officers travelling outside their duty stations with pool transport or imprests to facilitate use of public transport depending on the nature of work and cost implication.
- c). Where possible, officers should travel together in one vehicle.

5.13 Use of Personal Vehicle

- a). In the absence of County Government vehicle, an officer may with prior Authority of the Authorized Officer use his personal vehicle for official duty.
- b). Where such authority is granted, the employee shall claim reimbursement based on the prevailing Automobile Association (AA) of Kenya rates. The vehicle capacity shall be limited to 2,000 c.c.

5.14 Travelling by Air

- a). When travelling on duty to another country an officer may travel by air. Air travel on duty within Kenya will require the prior approval in writing of the Accounting Officer. Such approval may be given when other modes of transport are unavailable, air travel is economical or where the saving of time is paramount.
- b). State and Public Officers will travel as follows: -
 - (i) The Governor, Deputy Governor, County Secretary and Head of County Public Service, County Executive Committee Members (CECMs) and Chairperson, CPSB - **Business Class**.
 - (ii) All other state and public officers – **Economy Class**.
- c). When it is necessary to travel by air within Kenya to places not served by any commercial airline, the services of other national government departments/agencies shall be utilized in accordance with the existing transport policy.

5.15 Travelling on Retirement

- a). On retirement, the County Government will meet the officer's transport cost to his retirement destination within Kenya.
- b). The cost of transport in this case will be limited to the cost of road and rail transport in respect of the officer, his nuclear family and baggage.
- c). The officer will be expected to request for transport within six (6) months of retirement.

5.16 Transport Facilities on Bereavement

- a). Transport facilities for a deceased officer and immediate family members shall be provided to the place of burial when an officer dies while in service and if the spouse or dependent and unmarried children aged twenty - five (25) years and below die while the officer is still in the service.
- b). The County Government shall provide a token contribution which will be determined by the county secretary to defray funeral expenses for a deceased officer, one spouse and up to four (4) children aged twenty-five (25) years and below.
- c). Where County Government transport is not available, a private hearse may be hired at County Government expense.
- d). An officer who will represent the County Government at the burial of the deceased shall be granted official transport.

5.17 Exit from the Service and Terminal Benefits

The County Government shall establish various benefits payable to Public officers who exit from the service. This Section provides guidelines on various forms of exit from the Service and the benefits payable.

5.18 The various forms of exit from the County public service include:

- a). Resignation
- b). Termination in accordance with the letter of appointment
- c). Expiry of contract
- d). Retirement:
 - (i) on attainment of mandatory retirement age (60 years)
 - (ii) under '50 Year Rule'
 - (iii) on medical grounds
 - (iv) on abolition/re-organization of office
 - (v) Retirement in public interest
- e). Dismissal
- f). Death.

5.19 Resignation

- a). An officer may resign his appointment by giving one (1) month notice or by paying one month's gross salary in lieu of such notice. An officer on contract may resign his appointment in accordance with the terms of the contract.
- b). On resignation, an officer is required to settle any outstanding liabilities to the County government. Any amount due to an officer will be withheld and applied to settle any sum due from him. If any liabilities are outstanding, the matter will be referred to the County Attorney for legal redress.
- c). An officer whose terminal benefits are determined under the Pensions Act will not be eligible for pension or gratuity on leaving the Service except in the specific circumstances defined in the Pensions Act. Cases for staff under RBA regulated schemes shall be handled as per the schemes deeds.
- d). An officer who resigns, if subsequently re-employed after a break of service, cannot count his previous service for pension payment.
- e). An officer who is a member of the Public Service Superannuation Scheme, and other RBA regulated schemes, shall on resignation be eligible for terminal benefits in accordance with the terms set out in the scheme's deed.

5.20 Termination of Appointment

The employment of an officer serving on contract or probationary terms may be terminated by CPSB in accordance with the provisions of the officer's contractual agreement or by giving one-month notice or gross salary in lieu of notice.

5.21 Mandatory Retirement Age

All officers shall retire from the Public Service on attaining the mandatory retirement age of 60 years. However, persons with disability will retire at the age of 65 or as may be prescribed by Government from time to time.

5.22 Retirement under the '50 Year' Rule

- a). An officer on attaining the age of 50 years may opt to retire any time thereafter.
- b). An officer whose pension is determined under the Pensions Act and has completed ten (10) years' service, will be eligible for pension should he retire or opt to retire under '50 years' rule. However, if he has less than ten years' service, he will be eligible for a gratuity in accordance with the Pensions Regulations. An officer will be required to give one (1) months' notice of his intention to retire under the '50 years' rule.
- c). An officer who is a member of the Superannuation Scheme and other RBA regulated schemes who opt to retire under the '50 years' rule will be eligible for benefits under the Schemes' Deeds.
- d). Applications from officers to retire under the '50 years' rule will be approved by CPSB.

5.23 Retirement on Medical Grounds

- a). Where it appears to an Authorized Officer that an officer is unfit for continued service due to ill-health, the officer may be considered for retirement on medical grounds.
- b). Where it is necessary to convene a Medical Board to determine an officer's fitness for further service or otherwise, the Authorized Officer in consultation with the CPSB shall refer the case to the Ministry of Health, Director of Medical Services who may authorize convening of a County Medical Board.
- c). The County Director of Medical Services shall forward a report to the respective department within a period of one (1) month after appearance of the Officer before the medical board.
- d). The retirement of an officer on medical grounds will require the authority of the County Public Service Board.
- e). Where an employee is dissatisfied with the decision of retiring him on medical grounds, he may appeal to the National Director of Medical services for review and advise. However, should the National Director of Medical Service stand the decision, the employee may further appeal to Public Service Commission for a final and lasting decision.

5.24 Retirement on Abolition/Re-organization of Office

An officer may be retired either on the abolition of the office he holds or upon the re-organization of the Department in which he holds an office. The retirement shall be approved by the County Public Service Board.

5.25 Dismissal

- a). Dismissal refers to termination of appointment arising out of disciplinary proceedings.
- b). An officer, whose pension is not determined under the Pensions Act and is dismissed from the Service, shall be eligible for pension benefits. However, he will be entitled to Employer's contribution under N.S.S.F. Act and the Widows and Children's Pension Scheme.

- c). An officer who is a member of Public Service Superannuation Scheme shall on dismissal be eligible to terminal benefits as provided in the Scheme's deed.

5.26 Death

Upon the death of a public officer, the legal beneficiary shall be paid death gratuity and dependents pension. In addition, in case of death of an officer who was contributing to Widows and Children's Pension Scheme, the legal beneficiary shall be paid the benefits thereof.

5.27 National Social Security Fund (NSSF) Benefits

An officer who is a member of the NSSF shall be eligible for terminal benefits under the NSSF Act.

5.28 Widows' and Children Pensions Scheme

- a). The Widows' and Children's Pensions Scheme, established under the Widows' and Children's Pensions Act of 1965, makes provision for granting pensions to widows and children of deceased public officers with effect from 1st January 1966. Entry into the Scheme was optional for all male Kenyan citizens who were serving with the Government on pensionable terms of service (confirmed or probationary) on or before 1st January, 1966 and compulsory for those who joined the service thereafter. As from 1st January 2021, this arrangement has changed following the establishment of the Public Service Superannuation Scheme.
- b). A female pensionable officer who is a Kenyan citizen may opt to join the Scheme if she can prove her husband is wholly or mainly dependent on her. If, however, in the event of her husband's death, she remarries, the subsequent marriage and the children thereof shall not be taken into account for the purposes of the Scheme unless she proves while she is still a public officer that her husband by that marriage is wholly or mainly dependent on her.
- c). A monthly contribution of 2% of the officer's salary will be recovered towards the fund.
- d). This Regulation will apply to officers whose pension is determined under the Pensions Act.

5.29 Refund of Contributions

- a). Where an officer who was a member of WCPS has no spouse or children of dependent age on the last day of his service, i.e. he remained unmarried or his spouse died during his service and all his children have ceased to be dependent and he leaves the service with eligibility for the grant of a pension, the total amount of his contributions shall be refunded to him with interest.
- b). Where an officer leaves the service without the grant of a pension i.e. on resignation or dismissal, the total amount of his contributions shall be refunded to him with interest.
- c). If an officer retires on any other ground, apart from medical, and he is entitled to receive a service gratuity only, he can opt to be refunded his contributions, instead of benefits under the Scheme.

5.30 Conditions Attached to Payment of Benefits

- a). The widow's pension is payable until her death, remarriage or cohabitation.
- b). A widow's pension will not be granted (except in special circumstances) if the husband dies within twelve (12) months of the marriage and there are no children.
- c). An officer's widow cannot benefit if the marriage took place after he left the service.
- d). In the case of a polygamous officer, if he leaves more than one widow, benefits are divided equally between the widows, subject to the satisfaction of the other conditions.
- e). A divorced wife shall not benefit.
- f). A child's pension is payable in accordance with the Widows and Children's Pension Scheme (WCPS) Act.
- g). Adopted child, or step-child only qualifies for payment of benefit if the child was wholly or mainly dependent on the officer at the time of his death.
- h). An officer whose pension is determined under the Pensions Act becomes eligible for the grant of a pension only if he has completed a minimum period of ten (10) years' service. If, however, he has completed less than ten (10) years' service, he becomes eligible for the grant of a service gratuity.

5.31 Eligibility for Pension/Gratuity

- a). An officer is eligible for the grant of a pension or gratuity under the pensions Act only when he retires from the service of the County Government in any of the following circumstances: -
 - (i) Age not less than 50 years;
 - (ii) Abolition or re-organization of office;
 - (iii) Ill-health.
- c). An officer who voluntarily resigns from the service of the County Government or who is dismissed shall retain his portion towards contributory pension. However, this shall not apply in case of resignation of an officer on or with a view to marriage or on account of circumstances surrounding their marriage. In this event, the resigning officer becomes eligible for the grant of a lump sum marriage gratuity if she fulfills the conditions necessary for the grant of the gratuity under Regulation 6 of the Pensions Act.

5.32 Refunds on Termination of Appointment or Dismissal

- a). On leaving the Service on resignation or dismissal, an officer will be eligible for registration under the National Social Security Fund Act and the County Government will pay the equivalent employers' contribution as if the officer was on temporary terms of Service.
- b). For those under RBA regulated schemes, their payment will be based on respective scheme's deed.
- c). Contributors of Widows' and Children Pensions Scheme will be eligible for refund in accordance with the provisions of the Widows' and Children Pensions Scheme Act.

5.33 Reporting of Retirements to the Treasury

- a). In cases where the retiring officer is eligible for retirement benefits under the Pensions Act, a claim for such benefits should be submitted to the Pensions Department, National Treasury on the appropriate Form G.P. 178 or 179 as the case may be, at least nine (9) months before the date of retirement.
- b). The directorate of the Human Resource Management or an officer duly authorized by him to sign notices of retirement will be held responsible for the availability of the relevant service records to facilitate the submission of an acceptable retirement benefits claim to the Director of Pensions, National Treasury within the time limit specified in the sub-section (1) of this regulation. The same officer will be held accountable for the accuracy and timely submission of information to the Director of Pensions.
- c). The retiring officer should submit all the documents stipulated in the retirement notice within the timeframe.

5.34 Retirement Benefits Payable under the Pensions Act

- a). The retirement benefits payable under the Act are: -
 - (i) Pensions which include service pension (whether unreduced or reduced), injury pension, killed-on-duty pension and abolition additional pension;
 - (ii) Gratuities which include commuted pension gratuities, service gratuities, death gratuities, compassionate gratuities and marriage gratuities;
- b). Other allowances which include annual allowance and maintenance allowance.
- c). The rates and modes of calculation of these benefits are set out in the pensions regulations.

5.35 Transfers and Secondments of Pensionable Officers

- a). When a pensionable officer is transferred to another County Government or administration, which is “scheduled” under the Pensions Act, the pension Form GP.178 and the statement of aggregate pensionable emoluments form GP.190 should be completed and forwarded to the Pensions Department of the Treasury for submission to the County Government or Administration concerned. Similarly, when an officer is transferred to the service of the County government, the County Treasury should be informed.
- b). Transfers of pensionable officers from the County Government to organizations which are not “scheduled” under the Pensions Act but which have been declared to be “County public service” for the purposes of the Act, need not be notified to the Pensions Department of the Treasury until the eventual retirement from the organizations of such officers.
- c). Departments are required to ascertain from the Department responsible for County public service or the Pension Department of the Treasury whether or not an organization to which their officers are seeking transfer has been declared a public service’.
- d). An officer whose benefits are determined under the Superannuation Scheme will be able to transfer his terminal benefits to the new organization pension scheme.

- e). When pensionable officers are seconded from the county service to another public institution, the recipient institution or the officer will pay pension contributions to the Director of Pensions at the prevailing rate of the officer's civil service basic salary for the period of secondment.

SECTION F: LEAVE

6.1 Introduction

This section addresses the circumstances under which different types of leave are granted.

6.2 Categories of Leave

The following are the categories of leave in the County public service:

- a). Annual Leave.
- b). Maternity Leave.
- c). Paternity leave.
- d). Child pre-adoption leave.
- e). Unpaid Leave.
- f). Compassionate Leave.
- g). Leave for Sportsmen/women.
- h). Sick leave.
- i). Examination leave.
- j). Study leave.
- k). Terminal Leave.

6.3 Application for Leave

- a). Application for leave should be submitted on the appropriate form, to Directorate of Human Resource through the respective Head of Department.
- b). The leave must be approved before its commencement.

6.4 Annual Leave

- a). Annual leave is a right to every public officer and will be granted for recuperative purposes to enable the officer renew his energies and improve on efficiency. Annual leave is granted by the Authorized Officer, subject to the exigencies of service.
- b). An officer will be eligible for annual leave at the commencement of a 'leave year' except in the case of a newly appointed officer who will be required to serve for a minimum period of three (3) months before being granted annual leave.
- c). 'Leave year' will commence on 1st July and end on 30th June the following year.
- d). All public officers shall be entitled to 30 days' annual leave which excludes Saturdays, Sundays and Public Holidays.
- e). Annual leave is not usually accumulated. However, an officer may, if he so wishes, carry forward from one leave year to another not more than one-half of his annual leave entitlement. This arrangement is intended to enable an officer to reserve a portion of his annual leave to be taken in case of an emergency.
- f). Annual leave must be taken within the leave year it falls due. Deferment of annual leave from one leave year to another shall be permitted subject

to the provisions of the Employment Act.

- g). Annual leave for a newly appointed officer will be calculated on a pro-rata basis only for the year of his appointment.
- h). An officer who has not availed himself for the annual leave due for the year in which his employment ceases will be entitled to annual leave on pro-rata basis. In addition, an officer may be granted the annual leave carried forward from the previous leave year.

6.5 Maternity Leave

- a). A female officer who is required to be absent from duty on account of confinement shall be granted maternity leave with full salary for a maximum period of ninety (90) calendar days exclusive of the annual leave due for the year.
- b). An application for maternity leave should be submitted to the Authorized Officer. The application should be supported by a medical certificate indicating the date on which maternity leave should commence.
- c). Should it be necessary to extend maternity leave beyond the prescribed period of ninety (90) calendar days on grounds of sickness of the mother, the officer will be granted sick leave subject to confirmation by a recognized medical practitioner.
- d). Where the extension sought is on the account of the child's sickness, the officer will be expected to utilize her annual leave entitlement.

6.6 Child Pre-Adoptive Leave

- a). An officer who has been granted adoption rights under the Children's Act and wishes to take leave for purposes of bonding and integrating the child into the family, will be entitled to one month's Child Pre -Adoptive Leave in accordance with the Employment Act, subject to production of an adoption order.
- b). Where the adoption is by both the officer and spouse, and the spouse is also an employee in the service, child adoption leave will only apply to the female officer.

6.7 Paternity Leave

- a). A male officer will be eligible for paternity leave for a maximum period of two (2) weeks with full pay during the period of the spouse's maternity leave.
- b). In this regard, it is clarified that in the case of a male officer with more than one wife, he will be entitled to paternity leave only in respect of the wife registered under the National Hospital Insurance Fund (NHIF) and such leave shall be taken not more than once per year.
- c). To enjoy paternity or adoption leave, a male officer will be required to present a notification of birth of the child or an adoption order.

6.8 Unpaid Leave

- a). Unpaid leave may be granted by the Authorized Officer on recommendation of the County Human Resource Management Advisory Committee on the following grounds: -
 - (i) Urgent private affairs of exceptional nature not exceeding thirty (30) calendar days;
 - (ii) Officers whose spouses are posted to foreign missions during the tour of service;
 - (iii) Officers who are appointed to international organizations where they cannot transfer their service or be on secondments for a period not exceeding three (3) years;
 - (iv) Spouses of officers appointed under (iii) above, will be granted unpaid leave for a maximum non- renewable period of one (1) year.
- b). Unpaid leave will not be increment-earning.
- c). During the period of unpaid leave, the County Government will not make a contribution of its portion towards an officer's pension under the Public Service Superannuation Scheme or other RBA regulated schemes. The officer will however, be free to contribute his portion towards the Scheme.
- d). The period of unpaid leave will not be pension-earning under the Pensions Act Cap. 189.
- e). Unpaid study leave shall be granted in the County public service on need basis and shall be approved by CPSB.

6.9 Compassionate Leave

- a). An officer, who has exhausted his annual leave entitlement, may be granted compassionate leave for up to ten (10) working days in a leave year.
- b). An officer will be eligible for compassionate leave in the event of death of a parent, spouse, child or sibling or other circumstances beyond the officer's control.
- c). For the case of a non-citizen employee, he will be eligible for fourteen (14) days compassionate leave on full pay and shall be provided safe passage to the country of origin.

6.10 Special Leave for Sportspersons

- a). An officer who is selected to represent Kenya in National, Regional or International fixtures will be granted special leave with full salary for the necessary period of his training and subsequent participation in sports.
- b). This special leave will not be counted against annual leave entitlement and will be approved by the Authorized Officer on recommendation of the County Human Resource Management Advisory Committee, in consultation with the Authorized Officer.

6.11 Sick Leave

- a). Sick leave is the approved absence of an officer from duty on account of illness and includes weekends and public holidays.

- b). A medical certificate signed by a medical officer must be produced in every case of absence on account of illness.
- c). An officer may be granted sick leave subject to the maximum period indicated below:
 - (i) All officers on pensionable or contract terms of service will be granted up to three months leave on full pay followed by three months on half pay and thereafter the officer will not be eligible for salary.
 - (ii) An officer on sick leave as a result of an accident or occupational disease will be entitled to full pay as per the Work Injury Benefits Act. The officer will however, be subject to assessment by the Medical Board to determine his fitness for further service.
 - (iii) If the officer is unable to resume duty within the first three months of Sick leave, the Authorized Officer will refer the case to the Director of Medical Services to convene a Medical Board.
- d). On the expiry of the six months, the officer shall not be reinstated in the payroll until his case is determined as provided in paragraph (c) above.
- e). Where a public officer is found to be unfit for service by the Medical Board, the case shall be referred to the County Public Service Board for retirement on medical grounds.
- f). Sick leave may be authorized by registered medical practitioners for up to a maximum of twenty-one (21) days. Should it be necessary to allow absence from duty in excess of this period, the medical practitioner shall provide reasons.
- g). Sick leave in excess of three (3) months will require confirmation of the County Director of Medical Services who will decide if the officer should be examined by a Medical Board with a view to determining whether or not there are reasonable prospects of eventual recovery and fitness for duty.

6.12 Study Leave

Employees sitting for exams under the study aid scheme are entitled to study leave of seven (7) working days plus the actual exam days in the year. The leave will be taken prior to or during the exam period. However, employees who wish to take study leave for longer periods would be granted annual or unpaid study leave.

6.13 Terminal Leave

- a). An officer who is due for retirement will be entitled in addition to his annual leave, thirty (30) calendar days leave pending retirement. This leave must be taken a month preceding retirement or be forfeited.
- b). It will neither be commuted for cash nor will the officer qualify for additional leave allowance.

6.14 Festival Holidays

- a). Leave of absence on the occasion of religious festivals may be granted without

loss of pay for not more than two days in a leave year, subject to the exigencies of the service.

- b). An application for leave on such an occasion should be addressed to the Director Human Resource Management through Chief Officer well in advance of the date on which any particular religious' festival is celebrated.

6.15 Commutation of Leave

- a). Except in exceptional circumstances, annual leave may not be commuted for cash nor will unutilized leave days be claimed by dependents to the estate of a deceased officer.
- b). Authorized Officers shall be responsible for authorizing commutation of leave for cash where leave is not taken due to exigencies of service.
- c). Commutation of leave will be based on an officer's basic salary for the relevant leave year.
- d). The above notwithstanding, it is reiterated that officers should be allowed to utilize their leave in each year.

6.16 Leave Schedule

- a). The Directorate of Human Resource working with departmental heads will on an annual basis, work out a staff leave schedule to be implemented in the next financial year.
- b). These schedules will be prepared in consultation with staff and after assessing the workload plans.
- c). The schedules will be communicated to all staff of the respective departments.

6.17 Urgent Private Business

- a). The County encourages employees to undertake any private business at their own time and not disrupt work. However, in given circumstances, employees shall be allowed time off to attend to unforeseen emergencies.
- b). Permission must be sought from the respective supervisor before one proceeds to take such time off.
- c). Any time off taken that shall amount to more than half a working day shall be considered as leave and deducted from that employee's leave days.
- d). Time off allowed shall be a maximum of 4 hours. Any extension of time beyond the stipulated period above will be taken as annual leave.

6.18 Extension of Leave

- a). The County Government expects employees to fulfil their objectives for leave within the leave days taken. Extension of leave is discouraged since it will disrupt work plans set by the supervisor.
- b). In the event that an employee must extend leave, such communication must be forwarded to the HR office a week before expiry of the leave.
- c). All communication must be in writing showing the cause for

extension. Staff will only proceed on extended leave upon acceptance of their request to extend the leave.

6.19 Reporting Back to Work from Leave

- a). The Directorate of Human Resource must be notified by the supervisors of any staff member recalled back from leave. The employee on recall back to duty will be entitled to the balance of leave not utilised at point of recall.
- b). Any employee resuming work after a long period of absence such as illness, study or maternity leave, shall be taken through an orientation programme by the immediate supervisor for purposes of keeping abreast with the business changes.

6.20 Leave Days Management on Separation from Employment

- a). No leave shall be granted to any employee serving notice of separation. The County Government will have the option to send an employee on compulsory leave during such notice period.
- b). When an employee separates from the County Service and there is un-availed annual leave to his/her credit, he/she shall take up the leave together with any pro-rata entitlement at the end of his employment period either within the required notice period or immediately after the notice period, as decided at the sole discretion of CPSB.
- c). Unutilised annual leave due to exigencies of service may be commuted to cash or compensated in the notice period for which he will be paid as per leave encashment formula.
- d). Upon resignation, termination, retrenchment and other cases of final separation, annual leave earned up to and including last day of duty and service will be paid.

6.21 Leave Records and Documentation

For consistency purposes the record of leave days and leave related activities in an employee's file shall be deemed to be the correct record of leave days' entitlement and management.

SECTION G: OCCUPATIONAL HEALTH AND SAFETY

7.1 Introduction

This Section provides guidelines and standards for the prevention and protection of officers against accidents and occupational hazards arising at the work place. It also provides for guidelines, procedures and modalities for the administration and payment of compensation for work related injuries and accidents contracted during and outside the course of work.

7.2 Guidelines to General Safety

- a). The County Government shall maintain healthy and safe working conditions for officers under respective Departments to ensure there is no personal injury caused by accidents.
- b). All officers have the responsibility to ensure safety to themselves and others when performing their duties. They should not compromise on quality, cause injury, ill-health, loss or environmental damage.

7.3 Emergency Preparedness

- a). Every Department shall put in place measures to prevent and mitigate against accidents, explosions, fire, floods, earthquakes, bomb threats and prepare procedures to be followed in such events.
- b). Authorized Officers shall have a responsibility of ensuring that all officers and visitors are informed of and are fully conversant with the emergency procedures.

7.4 FirePrecautions

- a). Authorized Officers are responsible for ensuring that fire protection facilities are provided in the buildings used by Departments under their control and are adequate and maintained as advised by Fire Officers and Occupational Safety and Health Officers. They are also responsible for enforcing all necessary fire precaution measures as directed by both County Departments responsible for Public Works and Social Services.
- b). General information on fire precautions and fire equipment is contained in publications which are obtainable from the Principal Fire Officer in the Department responsible for Public Works. Regulations regarding fire safety are obtainable from the Department responsible for Social Services.

7.5 FirePrevention

- a). The Principal Fire Officer and the County Fire Officers are responsible for providing advice on all matters concerning fire prevention, firefighting, fire protection and fire demonstrations in all County Government premises.
- b). The Department responsible for Public Works shall ensure that all buildings are fitted with firefighting equipment. Individual Departments are responsible for the subsequent replacement of portable equipment and provision of refill for such equipment with advice from Fire Officers and the Occupational Safety and Health Officers.

7.6 Occupational Safety and Health Officers.

- a). The Principal Fire Officer is responsible for providing advice on all matters concerning fire prevention, firefighting, fire protection and fire demonstrations in all County Government premises.
- b). The Department of Public Works is responsible for ensuring that all buildings are fitted with firefighting equipment. Individual Departments are responsible for the subsequent replacement of portable equipment and provision of refill for such equipment with advice from Fire Officers and the Occupational Safety and Health Officers.
- c). Fire prevention and protection in buildings leased to the County Government is the responsibility of both the owner and occupier of the building. The Authorized Officers of the Department responsible for Public Works and that occupying the premises shall be legally responsible to ensure compliance.
- d). Alterations should not be carried out on buildings without prior consultation with the Fire Officers and the Occupational Safety and Health Officers. Any means of escape from a building should be kept clear of any obstruction which would make it difficult for occupants of the building to escape in case of fire.
- e). No hazardous or highly inflammable materials should be stored in buildings without the approval of the Principal Fire Officer.
- f). Positions of firefighting equipment must not be interfered with nor should firefighting equipment such as hose reels and extinguishers be used for purposes other than firefighting.
- g). Each County Government building must have a Safety and Health Committee headed by a responsible officer and constituted in accordance with the Occupation Safety and Health Rules.
- h). Fire Officers may recommend any measures which they deem necessary for purposes of safety. It is the responsibility of the officer to whom such recommendations are addressed to ensure that appropriate steps are taken to implement the measures with minimum delay. Any officer who fails to implement such recommendations will be held personally responsible for the consequences and in case of subsequent fire outbreak; he will be liable for disciplinary action and/or prosecution.
- i). Fire Prevention Committees should be established at the Department and County levels to liaise with County Government Fire Officers.
- j). The Authorized Officers shall ensure that: -
 - (i) Health and Safety Committees are formed in all premises used by officers in their Departments and/or agencies;
 - (ii) The Committee members and all officers are trained;
 - (iii) Firefighting drills are conducted in all premises used by officers at least once in every twelve months in accordance with the requirement of Occupational safety and Health Act, 2007.

7.7 Notification of Fires

- a). All fires, however small, must be reported to the Principal Fire Officer or the Police immediately they are noticed. The building or premises so affected by fire must be guarded and no evidence should be interfered with until investigations are over.
- b). It is the responsibility of whoever detects a fire to initiate alarm, inform the police and fire brigade, and try to control the fire during its initial stages.
- c). All County Government buildings must be fitted with fire detectors, alarms, water storage tanks and pumps dedicated to firefighting only and separate from the normal water supply.

7.8 Medical Examination Under Hazardous Occupations

The Authorized Officers shall ensure that all officers working in hazardous occupations undergo periodic medical examination in accordance with the Occupational Safety and Health Act.

7.9 Provision of Protective Equipment and Clothing

Authorized Officers shall ensure that all officers who are employed in any process involving exposure to wet or to any injurious or offensive substances are provided with adequate, effective and suitable protective clothing and appliances.

7.10 Safe Use of Potentially Dangerous Equipment

The Authorized Officers shall ensure that all plants including hoists and lifts, steam boilers, other equipment and pressure vessels are properly maintained and that they undergo the statutory examinations as per the Occupational Safety and Health Act requirements.

7.11 Compensation to County Government Officers in case of Injury or Death

- a). The Work Injury Benefits Act, 2007 (WIBA) provides for compensation for accidents and occupational diseases arising out of and in the course of an officer's employment.
- b). Only injury, diseases or death arising from occupational hazards are compensable.
- c). Besides the provisions of WIBA the County Government may introduce the Group Personal Accident (GPA) Scheme which is administered by an approved Insurance firm.

7.12 Reporting of Accident

- a). Immediately a work place accident occurs in a County Government vehicle or development of an occupational disease resulting in death or injury to an officer comes to the notice of the officer under whom he is directly deployed, the Supervisor should make a claim for compensation in accordance with the procedure set out below: -
 - (i) In case of an accident resulting in the injury or death of an Officer, Part I of the Directorate of Occupational Safety and Health Services, Accident Notification form (Form DOSH 1) should be completed in triplicate;

- (ii) The forms should then be dispatched to the Authorized Officer of the officer's Department, the Occupational Safety and Health Officer of the region in which the accident occurred and for non-fatal injury the Medical Practitioner who is attending to the injured officer;
 - (iii) The detailed procedures are contained in the relevant forms which are obtainable from the Director of Occupational Safety and Health Services in the Department responsible for Social Services.
- b) Where the Director of Occupational Safety and Health Services finds anomalies or that the percentage given in the medical report is not in conformity with the provisions of the Work Injury Benefit Act (WIBA), he will decline to process the compensation. The Director will inform the Authorized Officer of the officer's Department of that decision giving reasons as to why he has taken the decision and if the officer qualifies for compensation, he shall advise on the action that should be taken to enable the officer's compensation to be processed.
- c) Where the Director declines to process the compensation, the authorized officer may either request the County Director of Medical Services to convene a Medical Board for reassessment of the County government's liability to pay compensation or may request the Director of Occupational Safety and Health Services to appoint a medical panel for reassessment on the officer's diagnosis or injury.

7.13 Approval and Distribution of Compensation

- a). If it is considered by the Director that the County Government is liable to pay compensation, he will send a demand note to the Authorized Officer of the Department employing the injured, sick or deceased officer indicating the amount of money to be paid to the injured/sick officer or the dependents of a deceased officer.
- b). The payment of the money due for compensation to the injured or deceased officer shall be made within 90 days.
- c). The injured officer or the dependent(s) of deceased officer will sign a certificate of acknowledgement of payment and complete agreement form in triplicate.
- d). Copies of such certificate and of the appropriate agreement form should then be distributed as follows:
 - (i) One copy to be handed to the officer or, in case of fatal accident, to the dependent(s);
 - (ii) One copy to be returned to the authorized officer of the injured /deceased officer's Department;
 - (iii) The other copy to be retained by the Director of Occupational Safety and Health Services.

7.14 Recourse to Court

Where the officer or the Department is not satisfied with the amount of compensation computed by the Director of Occupational Safety and Health Services, they may raise an objection to the said Director or appeal to the Employment and Labour Relations Court.

7.15 Compensation Payable during Sick Leave under WIBA

An officer on sick leave as a result of an accident or occupational disease will be entitled to full pay.

7.16 Source of Compensation Funds

- a). Authorized Officers shall source for funds from the County Treasury to meet the compensation of officers who are injured, develop occupational diseases or die in the course of their employment.
- b). The Accounting Officer in charge of Finance will make appropriate arrangement to ensure that each department access adequate funds to pay Work Injury Benefits to injured officers.
- c). The County Government may also appoint an insurance firm on WIBA cases for purposes of indemnifying the Government against employee injury in the course of duty.

7.17 Reporting Injury, Serious Illness or Death

- a). In case of an officer's injury, serious illness or death, an immediate report by telephone, or special means including e-mail should be made to the relevant Authorized Officer, stating relevant particulars of the officer.
- b). The next-of-kin must be informed immediately and be made aware of the circumstances under which the officer sustained injuries or met his death.
- c). In addition to the report referred to in paragraph (a), a Death Certificate should be submitted to the relevant Authorized Officer as soon as possible to facilitate processing of final dues.
- d). The accident should also be reported to the Director of Occupational Safety and Health Services within 24 hours in accordance with the requirement of the Occupational Safety and Health Act.

7.18 Group Personal Accident Policy

- a). The GPA covers permanent bodily injury or death arising from bodily injury caused solely by violent external visible means and provided such death occurs not later than six (6) calendar months after the accident. The GPA provides a 24-hour cover to Public Servants whether within or outside the country unlike WIBA which covers the hours the officer is at his place of work.
- b). A claimant should not be compensated twice for the same loss under GPA and WIBA.
- c). The GPA offers extended cover to all Public Servants as follows: -
 - (i) Accident to employees while riding on motor cycles including pillion passengers;
 - (ii) Accident to employees out of exposure to banditry and similar

- risks in the course of duty;
- (iii) County Government drivers deployed to drive privately registered donor development partner vehicles.
- (iv) Details on conditions for compensation and exclusions are found in the GPA Policy.
- g) Any claim submitted after one year will be time barred and will not be accepted as liability.
- h) All claims under GPA should be reported by the insured, dependents or nominee in writing.
- i) The benefits payable under the GPA and WIBA are as stated therein.

SECTION H: PERFORMANCE MANAGEMENT

8.1 Introduction

1. This section provides guidelines for Performance Management in the County Public Service for enhancement of efficiency in service delivery.
2. Performance management involve strategic planning, work planning, target setting, tracking performance and reporting.
 - a). A Performance Management System (PMS) is a systematic process for getting better results from an organization, teams and individuals by managing performance within an agreed framework of planned goals, objectives and standards. A PMS is a set of tools, processes and actions that allows for maximization of the performance of employees and institutions.
 - b). PMS also provides employees with a clear understanding of job expectations; regular feedback about performance; advice and steps for improving performance; rewards for good performance; and sanctions for poor performance. The overall goal of a PMS is to help boost employee performance and ultimately the achievement of intended results for the organization.

8.2 Strategic Planning

- a). This is a process of planning for achievement of overall long term goals of the departments.
- b). Authorized Officers shall coordinate development and review of strategic plans in their respective Departments. The plans will be the basis for setting performance targets for the Department which shall be cascaded to the individual level.

8.3 Performance Contracting

- a). Performance Contracting is a negotiated process in which Departments set their performance targets based on their mandates, functions and strategic objectives. The Department responsible for Public Service shall issue guidelines to guide County public service agencies in implementation of performance contracts.
- b). Performance contract should be anchored on national development goals and cascaded to all departments, sections, levels and cadres of employees and grass root institutions for the purpose of complete integration of the process. The integration will include linking the Performance Contracts with the Performance Appraisal System (PAS) and the Performance Rewards and Sanctions Framework.

8.4 Staff Performance Appraisal System

Staff Performance Appraisal system (SPAS) is predicated upon the principle of work planning, setting of agreed performance targets, feedback and reporting. It is linked to other human resource systems and processes including staff development, career progression, placement, rewards and sanctions.

8.5 Objectives of Performance Appraisal

- a). Staff Performance Appraisal is a critical component of the human Resource management function in the Public Service. The overall objectives of the appraisal system are to manage and improve performance in the Public Service by enabling a higher level of staff participation and involvement in planning, delivery and evaluation of work performance.
- b). The specific objectives are to: -
 - i. Link individual performance with County Government performance;
 - ii. Enable supervisors and appraisees to continuously assess work progress;
 - iii. Assess the learning and development needs of staff on timely basis;
 - iv. Promote accountability in the County Public Service;
 - v. Promote communication and encourage continuous feedback between appraisee and Supervisor;
 - vi. Set the basis on which an officer's performance is monitored and evaluated as stipulated in the individual work plan;
 - vii. Improve the quality of work through better planning, on-going discussions and fair participatory appraisal;
 - viii. Provide information for decision-making on administrative and human resource issues such as renewal of contracts, promotions, delegation of duties, training, deployment and rewards and sanctions.

8.6 Scope of Application

- a). The SPAS shall apply to all categories of staff in the County Public Service.
- b). The prescribed appraisal form will be completed by all officers in the County public service in consultation with the supervisors.
- c). All newly employed/promoted/redeployed officers will be required to complete the Staff Performance Appraisal Forms within three (3) months of employment/ promotion/ redeployment.
- d). The primary responsibility for implementing the SPAS rests with the Authorized Officer.

8.7 Work Planning and Setting of Performance Targets

- a). Prior to the beginning of the performance period, Departments will prepare work plans based on their strategic plans. The Departmental Work Plans should include the Departmental priority objectives from which individual performance targets will be derived. Departmental Heads will meet with staff under their direct supervision to discuss and ensure that the objectives and performance targets of the department are understood.
- b). The individual work plans will be derived from the Departmental Work plans and officer's job description. The work plan will briefly describe the performance targets or expected results on specific assignments and activities

- for which the staff member is responsible during the performance year;
- c). The Appraiser will hold discussions with the immediate Supervisor to agree on the work plan. The performance targets shall thereafter be set as agreed in the discussions and signed by latest 30th June of each year. For each performance target to be assessed there will be performance indicators.

8.8 Managerial and Supervisory Competencies

- a). These are the skills, behavior and work-related attributes that are considered essential for staff who have managerial and supervisory responsibilities and include: -
- i. Planning and organizing;
 - ii. Training and development of staff;
 - iii. Accountability in managing resources;
 - iv. Risk management;
 - v. Judgment and objectivity;
 - vi. Managing and evaluating performance;
 - vii. Promoting use of Information Technology.
- b) The above will be taken into account in the overall appraisal of staff with managerial and supervisory responsibilities but will not be assigned a score.

8.9 Appraisal Period

The appraisal period will cover one (1) year starting from 1st July to 30th June of the following year. The Performance Appraisal reflects the summation of the year's performance.

8.10 Staff Performance Appraisal Process

8.10.1 Strategic Objectives

The strategic objectives will be derived from the Department's strategic plan and performance contract and cascaded to the department, division and individual employees.

8.10.2 Continuous Performance Appraisal

Performance appraisal is an on-going process throughout the performance period. Milestones over the review period should be documented and maintained in the appraiser's personal file.

8.10.3 Performance Measurement

Performance Measurement shall be undertaken in accordance with the SPAS guidelines issued to the Service from time to time.

8.10.4 Mid-Year Performance Review

- a). The main purpose of the mid-year Performance Review is to accord both the Supervisor and Appraiser the opportunity to jointly review the progress made by the Appraiser in accomplishing the assignments agreed on at the beginning of the Appraisal period.
- b). The review which should be in the form of discussions, should be centered on

what has been achieved, any constraints experienced and whether there is need to vary the initial assignments in order to accommodate any unforeseen circumstances.

- c). Any changes, additions or removal of performance targets should only be made in the event that there have been significant changes in the nature of functions carried out by the Appraisee and which may necessitate revision of performance targets.
- d). The Supervisor should, after discussions with the Appraisee at the Mid - year Performance Review comment on the appraisee's performance.
- e). In the event that the Supervisor leaves the Department, he/she will be required to appraise the performance of the Appraisee (s) on pro-rata basis.

8.10.5 End of Year Appraisal Process

The End of Year Appraisal takes place at the end of the reporting period. The following will constitute the end of year evaluation process.

- a). The Supervisor and Appraisee are required to meet at the end of the year to discuss the overall performance for the whole appraisal period;
- b). Prior to the meeting the Appraisee should prepare a preliminary report on the extent to which set targets were achieved as agreed at the beginning of the Performance Year with clear performance indicators.

8.11 Rewards and Sanctions

- a). The overall goal of the Rewards and Sanctions is to establish a basis for rewarding exemplary performance and administering sanctions for poor performance, motivate employees to have positive attitude to work and to enhance productivity in the County Public Service. This will also create linkages between institutional and individual performance.
- b). The County Public Service Board will be responsible for the administration of the Rewards and Sanctions Policy. The Board will also handle cases of appeals after employees have exhausted all review mechanisms.

8.12 County Performance Management Committee (CPMC)

- a). The County Secretary shall constitute a County Performance Management Steering Committee which shall implement, monitor and evaluate the performance management system in the county.
- b). The composition of the committee shall be as follows;
 - (i) **Chairperson** –Chief Officer Public Service Management or any other Chief officer who may be appointed by the County Secretary
 - (ii) **Secretary** –Director of Human Resource Management
 - (iii) **Members:**
 - Directors of Technical Departments
 - Director of Public Service Management
 - Head of Central Planning Unit
 - Head of Monitoring and Evaluation Unit

8.13 Rules of Conduct for CPMC

- a). Members of the Performance Management Committee shall be expected to perform their duties with diligence, integrity, impartiality and confidentiality.
- b). In the event that there is disagreement between the supervisor and an appraisee on assessment of performance, the Second Supervisor's comments will be considered by the Committee in making a recommendation to the County Executive Committee Member.
- c). Members of the Performance Management Committee will not discuss or make recommendations in respect of their own performance reports. The Chief Officer shall complete the Performance Appraisal reports for the members of the Committee and make appropriate recommendations to the County Executive Committee Member.
- d). Members of the Performance Management Committee may also be eligible for the awards, provided that they excuse themselves from participating in any decision-making regarding any award for which they are being considered.

8.14 CPMC Recommendations

- a). Authorized Officers shall, on the recommendation of the County Performance Management Committees, reward excellent performance and apply the appropriate intervention in accordance with the existing Service Regulations. The Supervisor may however, recommend other specific intervention depending on the insight gained during the appraisal.
- b). The performance appraisal report shall form the basis for placement, promotion and mobility of staff within and across the County Public Service.

8.15 Types of Rewards and Sanctions

The provision and types of rewards and sanctions shall be as set out in the Rewards and Sanctions Framework for the County public service which can be obtained from the County Public Service Board.

SECTION J: DISCIPLINARY CONTROL

9.1 Introduction

- a). The image and credibility of the County Government is of utmost importance. The objective of disciplinary control is to create a motivated and dedicated County public service which upholds the rules of conduct and work ethics for optimal service delivery.
- b). It is expected that public officers will maintain integrity and uphold the dignity of the office to which they are appointed. Further, discipline cases shall be dealt with expeditiously, efficiently, lawfully and in a procedurally fair manner.

9.2 Disciplinary Powers

- a). The power to exercise disciplinary control and removal of public officers are vested in the County Public Service Board as stipulated in the Constitution of Kenya, 2010 and the County Government Act, 2012.
- b). The County Public Service Board shall approve the following disciplinary actions on the recommendation of CHRMAC: -
 - (i) Interdiction of officers in Job Group 'CPSB 2' and below;
 - (ii) Suspension of officers in Job Group 'CPSB 2' and below;
 - (iii) Reprimand (including severe reprimand) of any officer;
 - (iv) Recovery of the cost or part of the cost of any loss;
 - (v) Breakage caused by default or negligence, provided no such cost has been recovered by surcharge action under the appropriate financial instructions or regulations;
 - (vi) The CHRMAC shall recommend to the CPSB the under listed actions
 - a). **Withholding, deferment and stoppage** of salary increment;
 - b). Dismissal and reduction in rank in respect of officers in Job Groups 'CPSB 2' and below.

9.3 Disciplinary procedure

a). General provisions

- (i) Disciplinary cases dealt with under delegated powers shall be processed through the County Human Resource Management Advisory Committee.
- (ii) If criminal proceedings are instituted against an officer or where an officer has been acquitted of a criminal charge in a court of law, the Authorized Officer shall not be prevented from dismissing him or otherwise punishing him on any other charge arising out of his conduct in the matter.
- (iii) Where an officer has been charged on desertion of duty, the letter shall be addressed to his last known address by Registered Mail and /or Electronic Media.
- (iv) Disciplinary cases should be dealt with promptly and finalized within a period of six (6) months. Where it is found impracticable to do so, the Authorized Officer shall report individual cases to the County Public Service Board

explaining the reason for the delay.

9.4 Specific Provisions

- a) The procedures to be followed by the Disciplinary Committee in dealing with discipline cases are as follows: -
- (i) Carry out a preliminary investigation and consultation as to the circumstances surrounding the act of misconduct.
 - (ii) Draw and issue a statement of the alleged offence (s) and forward to the Authorized Officer who would make comments and forward the report to the Department of Public Service Management. The report would then be forwarded to the Directorate of Human Resource who would draw a 'show cause' letter and the charges framed against him and invite him to state in writing the grounds, if any, on which he relies to exonerate himself/herself.
 - (iii) The officer shall respond to the charges within fourteen (14) days from the date of the 'show cause' letter.
 - (iv) However, some disciplinary cases are handled and finalized at Departmental Disciplinary Committee level. Cases that have not been concluded at the departmental level, shall be escalated to the County Disciplinary Committee for further action.
 - (v) The County Disciplinary Committee will review, hear representations from the employee against the fact of the case and make recommendations to the County Human Resource Management Advisory Committee (CHRMAC) for further action.
 - (vi) The case shall be presented to the County Human Resource Management Advisory Committee (CHRMAC) for deliberation and make recommendations to the CPSB for final determination.

9.5 Conduct of investigations

- a). While carrying out investigations, the Authorized Officer shall observe the following conditions: -
- (i) Constitute a team of up to five (5) officers to investigate the matter (where the team is more than three members, the team shall consist of an odd number).
 - (ii) The officers conducting the investigation shall be senior to the accused officer and should not have dealt with the case before.
- b) The report of the investigation shall be submitted to the appointing authority or the CPSB when need be, and shall contain:
- (i) Evidence collected by the team, including any statements by witnesses;
 - (ii) Analysis of the evidence and statements;
 - (iii) A statement on whether the charges against the officer have been proved;
 - (iv) Details on any matter that may affect the gravity of the case, if any.
- c) The report shall not contain any recommendation on the form of

punishment to be inflicted on the accused officer.

- d) In respect of officers in Job Group 'CPSB 03' and below;
 - (i) All the steps in (1) above will be observed and where the Appointing Authority is of the opinion that further investigation is not necessary, it will recommend/decide on the punishment to be inflicted on the accused officer.
 - (ii) Where the Appointing Authority finds it necessary to carry out further investigation, the conditions specified in (i) above shall be observed.

9.6 Interdiction

- a). The powers of interdiction should be exercised as set out in the Public Service Board Regulations. An officer may be interdicted to allow investigations to be conducted in a case where proceedings may lead to his dismissal.
- b). An officer who is interdicted shall be eligible for half (½) of his/her basic salary with full allowances and including medical benefits.
- c). An officer on interdiction should report to his supervisor at agreed intervals.
- d). Where disciplinary or criminal proceedings have been taken or instituted against an officer, is neither dismissed nor otherwise punished under these regulations, any salary withheld shall be restored to him upon the termination of such proceedings with effect from the date the salary was stopped.
- e). If a case is conclusively handled internally, then due care must be taken to conclude the case within three (3) months.

9.7 Suspension

- a) An officer may be suspended from duty under the following circumstances:
 - (i) When disciplinary proceedings have been instituted against the officer as a result of which, the Authorized Officer considers that the officer ought to be dismissed;
 - (ii) when he has been convicted of a serious criminal offence where a prison sentence may be imposed other than in default of payment of a fine; or
 - (iii) Any other offence which in the opinion of the Authorized Officer, constitutes gross misconduct.
- b) Where an officer is suspended from the exercise of the functions of his public office under this manual, he shall not be entitled to any salary. The officer will however, be eligible for payment of full house allowance and medical benefits only.
- c) An officer on suspension will be required to report to his supervisor at agreed intervals, if necessary.
- d) Where disciplinary or criminal proceedings have been taken or instituted against an officer under suspension and such an officer is neither dismissed nor otherwise punished under these regulations, the whole or any salary withheld shall be

restored to him upon the termination of such proceedings with effect from the date the salary was stopped.

9.8 Absence from Duty without leave or reasonable or lawful cause

- a). Where an employee is absent from duty without leave reasonable or lawful cause for a period exceeding twenty-four (24) hours, and is not traced within a period of ten (10) days from the commencement of such absence, the officer's salary shall be stopped and action to dismiss the officer initiated.
- b). The public officer shall be addressed a 'show cause' letter through his last known address by registered post and/or digital media.
- c). If the officer does not resume duty or respond to the 'show cause' letter within a period of twenty-one (21) days, from the date of the show cause letter', the case shall be referred to the Disciplinary Committee and subsequently to the CHRMAC which may recommend dismissal to the Board.
- d). When an officer has been absent from duty without permission and subsequently resumes duty, he shall not be eligible for payment of salary for the period of absence and any amount erroneously paid to him shall be recovered from his salary.
- e). In cases of delay of stoppage of salary and an officer is subsequently dismissed on account of desertion, the erroneous payment shall be recovered from the immediate supervisor who failed to report the matter in time and occasioned the payment.

9.9 Absence from Duty on Grounds of Illness

- a). An officer who is absent from duty on grounds of illness shall produce proof of sickness/sick leave certified by a medical practitioner on resumption of duty. The officer shall also make every effort to notify the office of his sickness.
- b). Should the officer fail to produce a medical certificate or to give satisfactory explanation for the absence, he shall be considered to have been absent without permission and his case shall be dealt with in accordance with the relevant disciplinary provisions.

9.10 Appeals

- a). An officer who is dissatisfied by a decision made by an CPSB may appeal to the Board within a period of ninety (90) days from the date of the letter conveying such decision, provided that the Board may consider an appeal that is made out of time if, in the opinion of the Board, the circumstances warrant such consideration.
- b). The Board shall entertain only one appeal in each case.
- c). The Board may accept or vary CHRMAC's recommendations or decide to hear the case afresh.
- d). If still unsatisfied, the officer may have his/her union report existence of a trade dispute and if not a member of the union, may appeal to the Public Service Commission of Kenya as per the County Government Act, 2012.
- e). The Board will weigh the conciliation and/or PSC decision and may refer

the case for arbitration by referring it to the Employment and Labour Relations Court for determination.

9.11 CHRMAC Members Facing Cases

Where a member of CHRMAC finds himself/herself facing disciplinary procedures, then CHRMAC will be ineligible to hear the case. The Secretary, CHRMAC will prepare and refer the case to the CPSB.

9.12 Reviews

An officer may apply for a review of his case within six (6) months after the decision of the County Public Service Board. The Board may entertain an application for review out of time if, in the opinion of the Board, the circumstances warrant it.

9.13 Defense of Officers in Criminal and Civil Suits

- a). When criminal or civil proceedings are instituted against an officer as a result of an act of omission by him in the course of his official duties, he may apply to his Authorized Officer for assistance in his defense. If the latter is satisfied that the officer acted in good faith in the execution of his official duties and that it is in the public interest that the officer should be defended, he shall immediately report the matter to the County Attorney, who will decide whether or not the officer should be defended.
- b). Officers who have applied for defense shall not themselves brief their private advocates and subsequently apply for County Government assistance. Unless the proper procedure is followed, the County Attorney may decline to provide support to the officer. It is further emphasized that speed is of essence in reporting such cases to the County Attorney.

9.14 Civil Proceedings by Officers for Defamation

- a). Where an officer has been defamed in respect of matters arising out of his official position, e.g. in the press or at a political meeting, it may be that the County Government is also defamed by implication, and may, therefore, agree to give legal aid to the officer. Where such a case occurs, the officer may apply for legal aid through his Authorized Officer to the County Attorney. Legal aid will not be granted unless:
 - (i) The County Government has a substantial interest in seeing that the defamatory statement is repudiated;
 - (ii) There is, in the opinion of the County Attorney, a good prospect of success in the action;
 - (iii) The consent of the County Attorney shall be obtained before proceedings are commenced.

9.15 Action on Irregularity of Process

If it comes to the attention of CPSB that there is reason to believe that any process or decision under **Part 75 of CGA 2012** may have occurred in an irregular or fraudulent manner, the CPSB shall investigate the matter and, if satisfied that the irregularity or fraud has occurred, the CPSB may: -

- a) revoke the decision;
- b) direct the concerned head of department or lawful authority to commence the process afresh; or
- c) take any corrective action including disciplinary action.

9.16 Prohibition of Punishment Contrary to the Constitution

In exercising its disciplinary powers, the CPSB shall observe the principles of natural justice as provided for under **part 76 of CGA, 2012**; -

- a). No public Officer may be punished in a manner contrary to any provision of the Constitution or any Act of Parliament.
- b). Nothing in this section shall limit the powers conferred on the County Government or any other lawful authority discharging a disciplinary function from retiring an officer from the county public service on grounds of public interest.
- c). In this section, retirement on the grounds of public interest may be imposed instead of any other punishment if the decision makers consider that although the misconduct has been proven: -
 - (i) the officer has nevertheless raised a mitigation factor that renders imposition of a punishment too harsh in view of the circumstances of the case; or
 - (ii) the length of service benefits accrued and previous good record of the officer justifies the retirement; or
 - (iii) imposing a punishment against the officer is likely to adversely affect the reputation of the county Government or the wider public service.
- d). If criminal proceedings are instituted against a county public service officer, disciplinary proceedings against the officer for dismissal or imposition of any other punishment on any grounds involved in the criminal charge shall not be taken until the conclusion of the criminal proceedings and the determination of any appeal thereof has been made.
- e). Nothing in subsection (d) shall be interpreted as prohibiting or restricting the power of the county government or any other lawful authority to interdict or suspend or take any interlocutory decision against the public officer.

9.17 Appeals to the Public Service Commission

- a) Any person dissatisfied or affected by a decision made by the CPSB or a person in exercise or purported exercise of disciplinary control against any county public officer may appeal to the Public Service Commission against the decision.
- b) The Commission shall entertain appeals on any decision relating to employment of a person in the county government including a decision in respect of: -
 - (i) recruitment, selection, appointment and qualifications attached to any office;
 - (ii) remuneration and terms and conditions of service;
 - (iii) disciplinary control;

- (iv) national values and principles of governance, under Article 10, and values and principles of public service under Article 232 of the Constitution;
 - (v) retirement and other removal from service;
 - (vi) pension benefits, gratuity and any other terminal benefits; or
 - (vii) any other decision the Commission considers to fall within its constitutional competence to hear and determine on appeal in that regard.
- c) An appeal under subsection (a) shall be in writing and made within ninety (90) days after the date of the decision, but the Commission may entertain an appeal later if, in the opinion of the Commission, the circumstances warrant it.
- d) The Commission shall not entertain an appeal more than once in respect to the same decision.
- e) Any person dissatisfied or affected by a decision made by the Commission on appeal in a decision made in a disciplinary case may apply for review and the Commission may admit the application if: -
 - (i) the Commission is satisfied that there appear in the application new and material facts which might have affected its earlier decision, and if adequate reasons for the non-disclosure of such facts at an earlier date are given; or
 - (ii) there is an error apparent on record of either decision.
- f) An application for review under subsection (e) shall be in writing and made within the time prescribed by the Commission in regulations governing disciplinary proceedings, but the Commission may entertain an application for review later if, in the opinion of the Commission, the circumstances warrant it.

SECTION K: TRAINING AND DEVELOPMENT

10.1 Introduction

- a). The County Government policy on training is to ensure continuous upgrading of Public Servants core competencies, knowledge, skills and attitudes including their ability to assimilate technology to enable them create and seize opportunities for social advancement, economic growth and individual fulfillment.
- b). The mandate to develop human resources in the Public Service is vested in the County Public Service Board.
- c). Details on the administration and implementation of training in the Public Service are contained in the training policy documents issued by the county government from time to time.
- d). Public officers shall be eligible for at least five (5) days training in a year while newly recruited or transferred officers must be inducted within three (3) months of joining public service.
- e). All training shall be based on identified training needs.

10.2 Management and Co-ordination of Training

- a). The planning and co-ordination of training and capacity building in the County Public Service has been delegated to the Department responsible for County Public Service Management.
- b). Human Resource Management and Development Units, established in departments, shall be responsible for the training function.
- c). Authorized Officers shall discharge the function through County Human Resource Management Advisory Committee.

10.3 Training Needs Assessment

- a). Training Needs Assessment is a performance audit that generates and provides information to assess the inadequacy of knowledge and skills which inhibits an organization from attaining its objectives. Training in the County public service shall be based on Training Needs Assessment which shall be conducted on yearly basis in each Department.
- b). Departments are required to prepare training projections based on Training Needs Assessment to guide the human resource management advisory committees in nominating officers for training.
- c). Selection of trainees for all training programmes will be based on identified needs and will emphasize on training for performance improvement that addresses individual, County and national goals.
- d). Upon receipt of training plans, the Public Service Management will prepare a training plan and seek budgetary allocation to facilitate the implementation of the identified training programs hence, the training needs should be submitted to the PSM in the second quarter of each financial year.

10.4 Training Programmes

- a). Training programmes shall comprise both short and long term courses in specific

professions that are intended to impart required knowledge, skills and attitudes to enhance staff performance.

- b). Departments may design specific in-house training programmes which shall address the identified training needs.
- c). In addition, training can be provided under institutional training both locally and abroad. In designing training programmes, departments should ascertain the availability of: -
 - (i) Professionally qualified and experienced trainers;
 - (ii) Training programmes that are cost-effective;
 - (iii) An effective evaluation and feedback system to assess the impact of training on performance.

10.5 Training Levy

- a). It is a statutory requirement under National Industrial Training Authority (NITA) Act, to register with and make returns and remittances on a yearly basis.
- b). Officers undertaking courses lasting four (4) weeks and above in local training institutions, will be required to contribute to the cost of their training at the rate of ten percent (10%) of their basic salary per month for the duration of the course.
- c). Officers attending courses lasting four (4) weeks and above in institutions outside the country will contribute at the rate of twenty percent (20%) of their basic salary per month for the duration of the course. This is regardless of whether the courses are sponsored by the County Government or by Development Partners through bilateral or multilateral arrangements.
- d). Officers undertaking part-time or full time self- sponsored courses are however, exempted from paying the training levy.
- e). Accounting Officers should ensure that the officers' training contributions are remitted in lump sum for the duration of the course to the Department responsible for County public service Management before the commencement of the course.

10.6 Induction Training

- a). Induction and orientation training is expected to help an employee familiarize with the work environment and requirements.
- b). Departments are expected to conduct induction training within three (3) months for newly recruited officers and those who have joined the Departments on transfer, promotion and re-designation.
- c). Employee on job group 'N' and above may be send to Kenya School of Government for induction.

10.7 Eligibility for Training

- a). Public Officers at all levels will be eligible for at least five (5) days training in a fiscal year.
- b). An officer who attends a long term course lasting six (6) months and above will be required to work for two (2) years before he can qualify for selection for another long course.

10.8 Course Approval

- a). The Authorized Officers will grant course approval to officers proceeding on authorized training in accordance with service regulations. Officers shall obtain course approval before proceeding for training.
- b). Authorized Officers shall be responsible for course approval for local training, on recommendation of the CHRMAC

10.9 Undergraduate Training

The County Government shall not sponsor serving officers for undergraduate programmes. Where there is need for skills at this level, the County Government, through Public Service Board, will procure the same from the labour market. However, employees who wish to sponsor their own training shall be granted approval.

10.10 Masters Programmes

The County Government will continue to support and approve training at Masters level for officers requiring the skills at this level for performance and career progression as prescribed in the respective Career Progression Guidelines and schemes of service. However, the County Government shall not sponsor officers for a second Masters programmes.

10.11 PhD Programmes

- a). PhD training will continue being sponsored and approved for officers in training and research institutions. However, officers wishing to pursue the PhD under the self-sponsorship arrangement will be approved on condition that the area of study is relevant to their duties, has completed two (2) years' service since the last long course and the approval shall not provide for reimbursement of training expenses.
- b). The County Government will consider financial assistance or approve request for training at this level on a case by case basis provided that the area of study is a national priority or is focused towards the County's strategic needs as outlined in its strategic plan and the course is relevant to the officer's current or potential future job.

10.12 Pre -Retirement Training

The county Government, in an effort to prepare officers for retirement shall undertake pre-retirement training one (1) year prior to the officers exiting service. Such training may be organized internally by Public Service Management or by resource persons, in conjunction with Kenya School of Government and administrators of various pension schemes.

10.13 Training Revolving Fund

- a). The County Government may set up a Training Revolving Fund to assist public officers' access funds at subsidized interest rates for training in order to enhance knowledge and skills considered critical for performance improvement and achievement of County development goals.
- b). Officers who have been projected for training in critical areas and the

Departments have no funds to sponsor them within the fiscal year, may be advised to seek funds from the Training Revolving Fund.

- c). The CHRMAC will vet candidates who have applied for the loan using the set guidelines.

10.14 Training Bond

- a). The County Government shall bond serving officers proceeding on approved courses of training locally or abroad lasting six (6) months and above to enable the County Government to benefit adequately from its investment in training.
- b). Where a Department considers the value/cost of a course lasting less than six (6) months to be high and constraining the County's training budget, the officers will be bonded for a minimum period of one year but not exceeding five (5) years.
- d). The bond period will be determined by the duration of the course as follows:

	Training Period	Bond
a).	Six months up to one year	One year
b).	More than one year up to two years	Two years
c).	Between two and three years	Three years
d).	More than three years	As per the duration of the course but not exceeding five (5) years

- e). The bond amount will be the total cost of the training. In case of default, the bondee and/or surety will be required to redeem the bond amount on pro-rata basis.
- f). Details on the administration and implementation of the training bond are contained in the County public service Training Bond Guidelines or circulars issued by the Service from time to time.

10.15 Skills Inventory

- a). Authorized Officers are expected to develop, update and maintain a skills inventory for all officers in their respective departments for purposes of identifying the available, and the required skills. The inventory will guide the training, recruitment and succession management decisions.
- b). It shall be the responsibility of the officers to upload their certificates through the County Government Human Resource Information System (GHRIS).

10.16 Allowances Payable to County Government Sponsored Trainees

- a). Officers undertaking long courses abroad, will be paid respective countries living allowance to cater for subsistence, accommodation, outfit and excess baggage.
- b). Officers attending long courses on full time basis in local institutions and outside their duty stations, will be eligible for living allowance.
- c). County Government sponsored officers attending, part-time, evening, sandwich and holiday module courses will not be entitled to a living allowance or stipend.
- d). Officers sponsored by the County Government to undertake courses at County Government Training institutions are not entitled to any living

allowance or stipend.

- e). Other Allowances paid to officers undertaking courses locally and abroad are: -

- (i) Research Allowance;
- (ii) Dissertation/Thesis Allowance;
- (iii) Project Allowance;
- (iv) Book Allowance.

- g) The applicable rates are as stipulated in circulars issued by SRC from time to time.

10.17 Incidental Expenses

- a). The County Government will meet the cost of passport, pre- departure medical examination, visa, and vaccination and inoculation expenses for foreign training.
- b). The County Government will meet the cost of transport and travelling to and from the institution at which the course is held. However, the trainee will meet the cost of local travel.
- c). For an officer who is on approved online courses, the County Government will facilitate provision of writing materials and internet bundles.

10.18 Training Allowance

Officers who coordinate Conferences/Workshops/Retreats/In–House programmes shall be paid an applicable Training Coordination allowance and if offering training in their area of expertise, an appropriate Resourcing allowance.

10.19 Annual Leave During Training

An officer who has been on training shall be eligible for his annual leave only for the year he resumes duty in addition to any leave days carried forward before proceeding on training.

10.20 Donor Funded Courses

- a). Where a training award/scholarship for a course organized under bilateral/multilateral arrangements caters for only tuition and accommodation but does not include meals, out of pocket and stipend, the officer will be eligible for 25% of the living allowance applicable to the designated country.
- b). Where a medical insurance cover is not provided under a Technical Cooperation Training Award, the County Government will meet the cost of the medical insurance cover for the officer.

10.21 Workshops, Retreats and Conferences

- a). Public officers attending workshops, retreats and conferences may be paid allowances at rates determined by the SRC from time to time.
- b). Workshops which are meant to review, develop and produce reports should be treated as retreats and should be for a maximum duration of ten (10) days.
- c). The duration of workshops and conferences should not exceed three weeks. Any workshop and conference beyond three (3) weeks will be considered as a

course and will be subjected to the stipulated provisions for courses.

- d). No officer should be involved in more than one role in a seminar/workshop/conference at a given time.

10.22 Continuous Professional Development (CPD)

Registered professional officers, for instance, ICPAK, IHRM, CPS, CIPS, LSK, KISM etc. shall be sponsored for attainment of CPD points required for their membership and practicing certificates as required by their professional bodies.

10.23 Registration and Annual membership subscription fee

The County Government shall pay registration and annual membership subscription fee for all bona vide members of all recognized professionals of good standing.

10.24 Reimbursement of Tuition and Examination Fees

- a). An officer who on his own initiative and at his own time undertakes and passes a course relevant for his career growth and which is administered by a recognized training institution, will be eligible for refund of 50% of the amount spent on tuition and examinations provided: -
 - (i) Prior approval of the course had been granted by the Authorized Officer;
 - (ii) The officer has not been sponsored for the same course before;
 - (iii) The officer avails the original certificate for the course and a training report.
- b) Candidates who sit for the examinations administered by the Public Service commission will be required to pay a prescribed examination fee. The rates of fees and mode of payment for the examinations will be notified when the dates for each examination is announced.
- c) Candidates who pass examinations administered by the Public Service commission will be refunded the full amount of the prescribed examination fee by their respective Accounting Officers.

SECTION L: CODE OF CONDUCT AND ETHICS

11.1 Introduction

- a). This Section contains general rules of conduct to be observed by a public officer so as to maintain integrity and uphold the dignity of the public office to which he has been appointed.
- b). Every public officer occupies a special position within the County Public Service and should ensure that his conduct both in public and in private life does not bring the Service into disrepute.
- c). The procedure to be followed in cases of breach of discipline are contained in the Disciplinary Control Section of this Manual. In addition, an employee is required to comply with the provisions of Chapter Six of the Constitution on Leadership and Integrity and Articles 10 and 232 of the Constitution; Leadership and Integrity Act, 2012; Public Officer Ethics Act, 2003; Anti-corruption and Economic Crimes Act, 2003; Labour Relations Act, 2007 and the Employment Act, 2007.
- d). Officers are required to adhere to their respective professional code of conduct.
- e). It is imperative that every public officer adheres to these rules of conduct, and such other rules which may be introduced from time to time.

11.2 Office Hours

- a). Public Officers are required to work for forty (40) hours spread over 5 days in a week. County Government office hours are as follows:
Monday to Friday: 8.00 a.m. to 1.00 p.m. 2.00 p.m. to 5.00 p.m.
- b). However, due to exigencies of service, an officer may be called upon by their respective supervisor to work beyond the stipulated hours but with prior arrangements.
- c). Though the general working office hours will be as stated above, utilization of staff outside these hours when there is need for their services will not be restricted, provided the officer renders a minimum of 40 hours per week.
- d). Other officers on essential services would ordinarily be placed on a shift system provided the officer renders a minimum of 40 hours per week.

11.3 Public Holidays

- a). The following days shall be observed as public holidays in accordance with the relevant legislation;

New Year's Day	1st January
Good Friday	As shall be determined
Easter Monday	As shall be determined
Labour Day	1st May

Madaraka Day	1st June
Idd-ul-Fitr	To be gazette
Mashujaa Day	20th October
Jamhuri Day	12th December
Christmas Day	25th December
Boxing Day	26th December

- d) In addition to the above public holidays, **Idd-ul-Haj, Idd-ul-Adha** and **Diwali**, will be observed as public holidays by officers professing these faiths and as shall be gazetted by the Government.

11.4 Rule of Law

A public officer shall carry out his/her duties in accordance with the law and shall not violate the rights and freedoms of any person as enshrined under Chapter four of the Constitution on the Bill of Rights.

11.5 Public Trust

A Public Office is a position of trust and the authority and responsibility vested in a public officer shall be exercised in the best interest of the country.

11.6 Performance of Duties

A public officer shall, to the best of his/her ability carry out the duties of the office efficiently and honestly, in a transparent and accountable manner, keep accurate records and documents and report truthfully on all matters of the department which he/she represents.

11.7 Professionalism

- a). A public officer shall carry out his duties professionally and treat fellow public officers with consideration and respect. He shall also act in a manner that maintains public confidence in the integrity of the office.
- b). A public officer who is a member of a professional body shall observe the ethical and professional requirements of that body.

11.8 Financial Integrity

- a). A public officer shall not use the office to unlawfully or wrongfully enrich himself or any other person.
- b). A public officer shall not maintain a bank account outside Kenya except, when duly authorized, or seek or accept a personal loan or benefit in circumstances that compromise his integrity.

11.9 Pecuniary Embarrassment

Pecuniary embarrassment from whatever cause, will be regarded as necessarily impairing the efficiency of an officer and rendering him liable to disciplinary proceedings.

11.10 Moral and Ethical Requirements

A public officer shall:

- a). not engage in activities that amount to abuse of office;
- b). accurately and honestly represent information to the public; and
- c). not discriminate against any person.

11.11 Gifts or Benefits in Kind

- a). A public officer is prohibited from receiving presents (other than gifts from personal friends and relatives) whether in the form of money, goods, free passages or other personal benefits and from giving such presents.
- b). A gift or donation to a public officer on a public or official occasion will be regarded as a gift or donation to the County and shall be delivered to the respective Department unless where exempted under an act of County Government.
- c). When presents are exchanged between public officers acting on behalf of the County Government in ceremonial occasions with other County governments or their representatives, the present(s) received will be handed over to the County Government and any present in return will be given at the County government's expense.

11.12 Wrongful or Unlawful Acquisition of Property

A public officer shall not use his office to wrongfully or unlawfully influence the acquisition of property.

11.13 Conflict of Interest

- a) A "conflict of interest" involves a conflict between the public duty and the private interests of a public officer in which the officer's private capacity interests would improperly influence the performance of their official duties and responsibilities.
- b) A public officer:
 - (i) Shall use the best efforts to avoid being in a situation where personal interests conflict or appear to conflict with the public officer's official duties;
 - (ii) Shall not hold shares or have any other interest in a corporation, partnership or other body, directly or through another person, if holding those shares or having that interest would result in the public officer's personal interests conflicting with his official duties;
 - (iii) whose personal interest conflict with his official duties shall declare the personal interests to his supervisor or other appropriate body and refrain from participating in any deliberations with respect to the matter;
 - (iv) shall not award a contract, or influence the award of a contract to: -

- a. Himself/herself,
- b. A spouse or relative,
- c. A business associate, or
- d. A corporation, partnership or other body in which the officer has an interest.
- e. who is serving on a full time basis shall not participate in any other gainful employment;
- (v) shall not allow himself to be influenced in the performance of his duties by plans or expectations for or offer of future employment or benefits and shall disclose, in writing to the Board all offers of future employment or benefits that could place him in a situation of conflict of interest; and
- (vi) shall not be engaged by or act for a person or entity in a matter in which the officer was originally engaged in as a public officer, for at least two years after leaving the public office.
- (vii) In this section “personal interest” includes the interest of a spouse, relative, or business associate.

11.14 Acting for foreigners

No public officer shall, in any manner that may be detrimental to the security interests of Kenya, be an agent for, or further the interests of a foreign Country, organization or individual.

11.15 Care of property

A public officer shall take all reasonable steps to ensure that property that is entrusted to his care is adequately protected and not misused or misappropriated.

11.16 Misuse of official information

A public officer shall ensure that confidential or secret information or documents entrusted to his care are adequately protected from improper or inadvertent disclosure.

11.17 Falsification of Records

A public officer shall not falsify any County Government records or misrepresent information to the public.

11.18 Political Neutrality

A public officer shall not, in or in connection with the performance of his duties as such act as an agent for, or so as to further the interest of a political party or indicate support for or opposition to any political party or candidate in an election or engage in political activity that may compromise the political neutrality of his office.

11.19 Impartiality

A public officer shall at all times carry out the duties of the office with impartiality and objectivity in accordance with Articles 10, 27, 73(2)(b) and 232 of the Constitution.

11.20 Collections and Harambees

A public officer shall not use his office or place of work as a venue for soliciting or

collecting money for Harambees or either as a collector or promoter of public collection, obtain money or other property from a person using his official position.

11.21 Conduct of private affairs

A public officer shall conduct private affairs in a manner that maintains public integrity of the office; pay taxes due from him within the prescribed period and not neglect their financial or legal obligations.

11.22 Citizenship

A person who holds dual citizenship and he is appointed to a public office shall be treated in accordance with the provisions of the Kenya Citizenship and Immigration Act, 2011.

11.23 Bullying

A public officer shall not bully any person. For the purpose of this section ‘bullying’ includes; repeated offensive behavior which is vindictive, cruel, malicious or humiliating and is intended to undermine a person. This shall also include physical acts against person or employer’s properties, verbal threats written threats and visual acts.

11.24 Sexual Harassment

- a) Sexual harassment is defined as any unwanted sexual advance, requests for sexual favours, or other verbal or physical conduct of a sexual nature which is demeaning to a person because of his or her gender.
- b) These actions are considered harassment when submission to or acceptance of that conduct is made explicitly or implicitly a condition of a person’s employment, the basis for employment decisions affecting that person, or when the conduct creates an intimidating, hostile or offensive work environment.
- c) An employee is sexually harassed if the employer or a representative of that employer or co-worker directly or indirectly requests and demands for sexual intercourse, sexual contact or any other form of sexual activity from the employee containing an implied or expressed; -
 - (i) Promise of preferential treatment in employment;
 - (ii) Threat of detrimental treatment in employment; or
 - (iii) Threat about the present or future employment status of the employee;
 - (iv) Use of visual material of a sexual nature; or
 - (v) Display of physical behaviour of a sexual nature which directly or indirectly subjects the employee to behaviour that is unwelcome or offensive to that employee and that by its nature has a detrimental effect on that employee’s employment, job performance, or job satisfaction.
- d) All cases of sexual harassment should be reported to the immediate supervisor for investigation or directly to the Human Resource office.

- e) Once the facts have been established, the grievance and disciplinary procedures will be applied in dealing with the matter.
- f) The Government will ensure total confidentiality of the sexual harassment cases reported and shall always act in the best interests of its employees when such cases arise.

11.25 Nepotism

A public officer shall not practice undue favoritism to their relations and close relatives at the expense of the service.

11.26 Acting through others

- a) A public officer contravenes the code if he causes anything to be done through another person that would constitute a contravention of the code if done by the public officer, or allows or directs a person under their supervision or control to do anything that is in contravention of the code.
- b) Contravention shall not apply where anything is done without the public officer's knowledge or consent or if the public officer has taken reasonable steps to prevent it.
- c) A public officer who acts under unlawful direction shall be responsible for his action.

11.27 Reporting Improper Orders

A public officer shall report to the Authorized Officer, the County Secretary or the County Public Service Board, as the case may be, any order required of him that he shall consider improper or unethical.

11.28 Declaration of Income, Assets and Liabilities

- a) Every public officer shall, on initial appointment and bi-annually thereafter submit a declaration of income, assets and liabilities of himself, spouse(s) and dependent children under eighteen (18) years of age to the Public Service Board. The officer shall also make a similar declaration on exit from the service.
- b) An officer who fails to submit a declaration or clarification as required, or who submits information that he knows is false or misleading, shall be liable to disciplinary action.
- c) If an investigation discloses that the public officer has contravened the Code of Conduct and Ethics, the appropriate disciplinary action will be taken against the officer; or if the Board is of the view that civil or criminal proceedings ought to be considered, the matter may be referred to the County Attorney.

11.29 Uniform for Officers

- a). Officers offering common services such as Receptionists, Drivers and Support Staff and are required to wear uniforms, will be issued with at least two (2) pairs of appropriate uniform on deployment. Issues of uniforms and dates of their issue must be recorded in the Stores Ledger.

- b). All officers who are provided with uniform will be required to maintain them in a clean and decent condition and to wear them at all times while on duty.
- c). Disciplinary action will be taken against any officer who fails to observe this Regulation.

11.30 Dress Code

- a). All public officers are required to be well groomed and decently dressed to maintain an appropriate standard of dress and personal hygiene while on duty.
- b). Employees may put on branded corporate attires for their respective Departments/agencies on Fridays.
- c). Employees are however discouraged wearing of skintight attire and clothing which reveals parts of their body.

11.31 Handling of Firearms

Officers who possess firearms by virtue of duty should handle them with care and in line with National Government policy on firearms handling. Any careless handling and/or misuse shall result in Legal / disciplinary action.

SECTION M: EMPLOYEE AND LABOUR RELATIONS

12.1 Labour Relations Policy Statement

- a) The County Government's labour relations goal is for a workplace that empowers the County Government and employees across the Public service and agencies to work co-operatively and make decisions in their shared interests that lead to secure jobs, higher living standards and effective and efficient service delivery.
- b) The County Government affirms its commitment to protect and safeguard the interest of labour by securing the highest mutual understanding and goodwill to facilitate service delivery.
- c) The County Government shall uphold the rights and interests of workers through cooperation and by encouraging participatory management in order to achieve industrial peace and harmony.
- d) The County Government employees shall at all times operate within the provisions and procedures set out in The County Government's Code of Conduct and other service rules. The County Government shall encourage consultations and negotiation machinery when dealing with disputes and grievances as stipulated in the Recognition Agreement signed with the unions and the Labour Laws.

12.2 Importance of Employee and Labour relations

The County Government believes that good labour relations will lead to more jobs, a prosperous business, higher income for all stakeholders, better living standards for the workers, more career choices, secure jobs and perpetuate skills for the employees.

12.3 Guiding Principles

Underpinning the policy are the following principles:

- a). County Government shall play a key role in shaping the direction of the economy of the county.
- b). Human potential in County Government shall be maximized through sound Human Resource Management and Career Development.
- c). The relationship between the Government and the employee is regulated by the contract of employment, terms and conditions of employment and where need be, Collective Bargaining Agreement in force.
- d). Labour relations should, as far as possible, be conducted in a non-adversarial climate.
- e). Employees and the Government have constitutional and other legal labour rights.
- f). The employee shall provide an efficient service to the County Government in the most cost effective manner.
- g). The shared interests of County Government and employees will be the overriding factor regulating workplace relations, cultures, structures and outcomes.

12.4 Recognition Agreements

The County Government and respective unions shall, as per the Labour Institutions Act (2007), The Labour Relations Act (2007) and relevant legislations, sign the Recognition Agreement (s).

12.5 Collective Bargaining Agreements

- a). The County Government shall engage Trade Unions representing public officers in negotiating Collective Bargaining Agreements (CBAs).
- b). The County Public Service Board (on behalf of County Government) and the Unions shall negotiate Collective Bargaining Agreements setting out the terms and conditions of service for the employees with guidelines by SRC.
- c). The negotiations will be guided by the provisions of the Constitution, relevant legislations and the institutional framework for collective bargaining with county public service unions

12.6 Union Membership

- a). All employees may join any registered and recognized Union of their choice. However, eligibility for an employee to join will depend on the recognition agreement between the County Government and the respective union.
- b). Employees shall not be victimized for being members or participating in trade union activities;
- c). Employees who are appointed as officials of any union may be granted permission to carry out official union duties;
- d). Employees are not allowed to be officials of more than one trade union. However, an official of a trade union may also be an official of a federation to which the trade union is affiliated;
- e). Union meetings shall be convened to take place during the employees' free time.

12.7 Recovery of Union Dues

- a). The County Government shall deduct trade Union dues from the salaries of union members and pay the monies so deducted into a specified account of the Trade Union;
- b). Deductions from an employee who has resigned his Union membership and notified the employer in writing shall be stopped;
- c). A copy of an employee's notification of resignation shall be forwarded to the Union for information.

12.8 Dispute Resolution

- a). The County Government will endeavor at all times to have good working relations with recognized unions in order to maintain industrial harmony.
- b). However, should a trade dispute arise concerning any aspect of the employer/employee relationship, the resolution of that dispute will be as provided for in the Labour Relations Act, 2007.

12.9 Employee Participation in Strikes

An employee may participate in a strike if: -

- a). The trade dispute that forms the subject of the strike concerns the terms and conditions of employment or recognition of a Trade Union to which an employee is a member;
- b). The trade dispute is unresolved after conciliation;
- c). Seven (7) days written notice of strike has been given to the County Government and the Board by the representative of the Union.
- d). Parties shall however, endeavor to resolve such disputes amicably.

12.10 Institutional Framework for Negotiation

An Institutional Framework for negotiation with Trade Unions has been developed whose objectives are to:

- a) Ensure that the collective bargaining process is compliant with the Constitution and the relevant legislations;
- b) Identify the parties recognized by law to engage in collective bargaining;
- c) Provide consistency and uniformity in the collective bargaining process;
- d) Provide a platform for consultations with all stakeholders;
- e) Provide a standard period for collective bargaining across the County public service;
- f) Promote labour relations and industrial peace.
- g) The collective bargaining in the County public service may include salaries, allowances, benefits, and working conditions as shall be agreed upon from time to time.

12.11 Employee Discipline

- a) The County Government believes that discipline should be consistent, fair and corrective.
- b) Employees are expected to perform their duties within agreed work standards and rules as a measure of self-discipline.
- c) The CBA shall be the basis for employee discipline for the unionised staff.

12.12 Workplace Forums

- a) In view of the unionization of work force, the establishment of workplace forums in terms of the Labour Relations shall be guided by the Labour Relations Act, 2007.
- b) The workplace forums do not deny departments the right to establish fora in which they can consult their employees on any matter.
- c) Consultation by departments must not undermine the collective bargaining structures in the County Government.
- d) A joint council incorporating staff from all departments may be formed to address the employees' welfare.

12.13 Labour Relations Training

- a) To improve labour relations environment at County Public Service, it is expected that all unionised workers are properly sensitized on labour relations.
- b) It is the responsibility of the County Government to train employees on labour related areas and on employer and employee rights and obligations at work.

12.14 Protest Action

- a) Employees have a right to participate in protest action to support their socio-economic interests.
- b) This must however follow the legal and management defined procedures.
- c) The principle of “no work, no pay” must be applied in all instances where an employee participates in protest action, be it for a full day or part of a day.
- d) No leave shall be granted for purposes of participating in protest action.
- e) Employees, who participate in un-procedural protest action, must be disciplined in terms of the relevant disciplinary code and procedure.

12.15 General Provisions

- a) Collective bargaining as a mechanism to address matters of mutual interest between the employer and employees (as represented by representative trade unions) is acknowledged and supported.
- b) The Government has the right to communicate directly with its employees. Formal channels of downward communication between management and employees may be established for this purpose, e.g. briefing groups, information sessions, circulars, etc.

SECTION N: EMPLOYEE WELLNESS AND WELFARE

This section provides guidelines and standards relating to health and wellness of employees at the workplace.

13.1 Pandemics and Department of Health Protocols

- a) The world has had to contend with an upsurge in pandemics that call for more vigilance at the workplace. The current Covid–19 pandemic has changed the workplace for ever, in effect occasioning a paradigm shift. The other pandemics include Ebola, Swine flu as well as other emerging diseases like cancer and other lifestyle diseases that require understanding and care in the workplace.
- b) The County Government of Narok does not condone any kind of stigmatization of the affected and infected staffs in the workplace.
- c) Department of Health protocols shall be observed and enforced at all times in the workplace.
- d) A county employee may refuse to offer service when a customer seeking service disregards Department of Health set protocols.

13.2 HIV and AIDS at the Workplace

- a) HIV and AIDS is a major challenge facing employees in and out of the workplace. It poses a big threat to the employee, the family and the employer.
- b) It is in cognizance of this that the County Government shall encourage care and support mechanisms for the infected and affected employees to enable them remain productive.
- c) The National Policy on HIV and AIDS will guide the support mechanism.

13.3 Guidance and Counselling

The County Government appreciates that its employees work under very stressful and demanding conditions. The County shall therefore set up systems where its employees shall access counselling and debriefing services and where need be, be referred for rehabilitation services.

13.4 Drug and Substance Abuse

- a) The use, sale, manufacturing, dispensing or possession of controlled substances and illicit drugs is prohibited. Alcohol is not tolerated in the County Public Service and County Government premises.
- a) The County Government shall endeavour to establish a rehabilitation centre to address the issues of staff and residents of the County involved in Drug and Substance Abuse
- b) Officers coming under notice of abuse of drugs and alcohol would be liable to disciplinary action.
- c) Smoking is prohibited within county premises, except in smoking designated areas.

13.5 House Purchase Scheme

- a) As a way of motivating employees and in furtherance of the Government's policy on affordable housing, the County Government may establish a Mortgage Scheme aimed at equitably supporting its employees to purchase or construct a residential house.
- b) Employees will be eligible to benefit from the scheme in accordance with set terms and conditions governing the scheme.
- c) A Mortgage Committee and an administrator (internal) would be in place once the scheme is approved by the County Assembly.

13.6 Vehicle Purchase Scheme

- a) The County Government may establish a car Loan Scheme aimed at equitably supporting employees to purchase personal cars.
- b) Employees are eligible to benefit from the scheme in accordance with set terms and conditions governing the scheme.
- c) The Scheme may be administered with the Mortgage Scheme.

13.7 Social Clubs

- a) The County Government is committed to providing a conducive work environment through programmes that will enhance Work-Life Balance.
- b) The County Government will endeavour to establish recreational facilities for county employees.
- c) Employees are encouraged to be members of County Government's recreational facilities where they can engage socially, exercise their leadership skills, acquire team skills and develop healthy lifestyles through recreational activities such as sports and fitness.

13.8 Compensation in case of Injury or Death

- a) The Work Injury Benefits Act, 2007 (WIBA) provides for compensation for accidents and occupational diseases arising out of and in the course of the officer's employment. In this regard, the County Government shall procure Group Personal Accident (GPA) and Group Life Assurance (GLA) schemes which shall be administered by an approved service provider.
- b) The scale of compensation for each scheme (GPA and GLA) shall be as set by the Salaries and Remuneration Commission (SRC).

13.9 Medical Insurance Scheme

- a) The County Government will provide a comprehensive medical cover for all employees in public hospitals and specified private hospitals through a medical insurance scheme.
- b) The scheme will cover the employee, spouse and up to four (4) children twenty-five (25) years of age and below provided there is evidence showing the child is wholly dependent on the employee.
- c) Limits for both inpatient and outpatient services are as set from

- negotiations with the insurance service provider.
- d) In the event that an employee exceeds the limits, the County Government may consider Ex-gratia payment based on the need.
 - e) Ex-gratia for state officers will be handled as per SRC circulars.
 - f) The Ex-gratia funds shall be managed by the County Secretary.
 - g) The Government shall ensure that all employees are covered by NHIF insurance scheme.

13.10 Medical Treatment

- a) Employees are advised to utilize locally available medical services before seeking medical treatment abroad.
- b) An employee will not be considered for medical treatment abroad except where it is confirmed by a certified medical practitioner that such specialized services are not available within the country.
- c) Where authority is granted for medical treatment abroad, the costs of the treatment shall be made in accordance with the provisions of the medical insurance cover.

13.11 Guidance, Counseling and HIV/AIDS Management

- a) The current challenges in the workplace and family environment affects the performance and wellbeing of an officer. To address these challenges, the County Government shall introduce guidance and counseling in the Service and a policy to regulate guidance and counseling.
- (i) Directorate of Human Resource Management shall establish a unit for provision of guidance and Counseling services in order to address the psychological needs of public officers during their entry, stay and exit from service. Professional Counselors may be deployed to Departments on need basis to provide guidance and Counseling services to public officers and the residents.
- (ii) Counseling Services in the County public service shall be free of charge and shall be limited to public officers. However, in consultation with family members or support system or other agencies, these services may be extended to the public where the Government deems it necessary.

13.12 Counseling Services

- a) Officers may seek guidance and Counseling when faced with social and psychological challenges.
- b) A supervisor may refer an officer for Counseling when he notices signs of low productivity, when the officer is a danger to himself and others or in case of a persistent indiscipline problem.
- c) An officer shall have freedom to accept or reject counseling. This includes freedom to remain in the counseling relationship after it has been initiated.
- d) An employee in need of counselling services may also be referred for rehabilitation in identified rehabilitation institutions.

13.13 HIV/AIDS Support Programme

- a) HIV and AIDS is a major challenge facing officers in and out of the office.

It poses a big threat to the individual, the family and the County public service. It is in cognizance of this that the County Government has put in place care and support programmes for the infected and affected officers to enable them remain productive.

- b) HIV/AIDS shall be treated like any other challenging issue at workplace. All officers shall have a role to play in the wider struggle to mitigate the effects of the pandemic.
- c) Policy guidelines have been developed to address HIV/AIDS challenges affecting Public Servants in the workplace.

13.14 Fighting Stigma and Discrimination

- a) An officer shall not be discriminated or stigmatized on the basis of HIV status. It is an offence for any person to discriminate another on the ground of actual, perceived or suspected HIV status in the work place.
- b) The Authorized Officers shall be expected to be at the forefront in providing a conducive working environment for the infected and affected officers. They shall be required to set up programmes that will instill positive behavior in the management of HIV and Aids.
- c) It shall be the responsibility of the Authorized Officers to put modalities in place to minimize the risk of HIV transmission by adopting First Aid/Universal infection control precautions at the workplace.
- d) The fight for stigmatization at the work place should also cover other conditions and ailments such as, cancer, mental health, Covid -19 among others.

13.15 Mental Health Services

The following policy directions shall apply in regard to mental health service delivery:

- a). The County Government shall ensure that the mental health system for staff is affordable, equitable, accessible, sustainable and of good quality.
- b). The mental health system shall be responsive so that the performance of the system shall meet the staff and their dependents' needs.
- c). Comprehensive mental health services shall comprise promotion of good mental health, treatment and rehabilitation of affected staff.
- d). To strengthen the referral system in the Public Service to ensure effectiveness, and efficiency in service delivery.

13.16 Screening for Purposes of Employment/Recruitment

- a) HIV screening shall not be a requirement for recruitment or for persons in employment. Screening shall be confidential, voluntary and shall be undertaken after counseling.
- b) There shall be no disclosure of HIV test results or of any related assessment results to any person without the written consent of the concerned officers.

13.17 Continuation of Employment

Officers with HIV-related illness shall be allowed to work for as long as they are fit to work and HIV infection should therefore, not be a cause for termination of employment.

13.18 Employee Welfare and Wellness

- a). Authorized Officers shall develop and implement employee welfare and wellness programmes in the work place not only for the interest of the employee but also for service delivery in the County Public Service.
- b). The county Government shall endeavor to provide a Lactation Room for breastfeeding mothers/Officers.

SECTION P: SEPARATION

14.1 Policy Statement

- a) The County Government believes that the termination of an employment relationship should be as smooth as possible for all the parties involved.
- b) It is therefore important for the separation to be guided by policies geared towards a smooth exit. There are many reasons why an employee may choose or be required to leave employment.
- c) This policy describes the general categories of separation, and outlines procedures to be followed.
- d) The policy governs all workers in the County Public Service and its agencies.

14.2 Voluntary and Involuntary Separation

- a). Voluntary is a separation initiated by the employee.
- b). Involuntary termination is a separation initiated by the County Government for serious misconduct or cause.

14.3 Resignation Procedures

- a) A resignation is a written statement by an employee of intent to voluntarily terminate employment with the County. An employee planning to resign is expected to submit a written notice of resignation to the County Secretary through the immediate supervisor and copied to the Board, specifying the last day of duty.
- b) A resignation is not accepted if the employee resigns orally and does not submit a written resignation as per this policy.
- c) All resignations must be done according to the agreement stated in the contract of employment.
- d) Once the resignation is provided, the County Secretary, in consultation with the Board, at his or her discretion and with or without the approval of the employee, may make the effective date of the resignation earlier than the date provided by the employee, if it is determined to be in the best interest of the County.
- e) Unionized employee's resignation terms shall be as stipulated in the Collective Bargaining Agreement in force.

14.4 Common Types of Separation

The following are ways in which the employment relationship between CPSB and an individual worker can be terminated.

14.5 Voluntary Termination

- a). Voluntary termination is where an employee makes a decision to leave CPS out of their own free will. Voluntary termination includes resignation and absconding of duty.
- b). Resignation is a voluntary and permanent exercise where separation is initiated by the employee.
- c). Desertion of duty refers to a situation where an employee does not report

to work for seven consecutive working days, does not notify the supervisor of the extent and cause of the absence and does not provide supporting documentation as required by this policy. If this is the case, then the employee is considered to have abandoned his or her employment. Desertion of duty is a voluntary resignation without notice.

14.6 Involuntary Termination

Involuntary termination includes death, summary dismissal and termination for non-performance, retirement, redundancy, retrenchment and layoff and in consultation with the union (s) where need be.

- a) Retirement: This does not apply to temporary or workers on contracts limited by time. The Mandatory retirement age is sixty (60) years save for Persons living with disability who retire at the age of 65. However, staff may apply for early retirement on attaining the age of 50 years. Retirement shall be undertaken according to laid down procedures by the Government of Kenya. The County may from time to time initiate retirement for workers based on workforce analysis. This will be done according to agreed policy and prevailing legal requirements.
- b) The County shall on ex gratia basis facilitate transport of personal effects of members of staff who retire on attainment of the mandatory age limit. Under this, the amount payable shall be as per current prevailing rates and depending on the distance covered from the employee's work station to the retiree's home as per their National Identification Card. Exact details of this facilitation can be obtained from the Directorate Human Resource Management.
- c) An employee who has been diagnosed as unable to continue with employment or to perform the essential job duties of his or her position due to an accidental on-the-job injury may apply for retirement. It should however be noted that before an employee is retired on medical grounds, a medical board must be convened to determine the employee's medical fitness for continued service or otherwise.
- d) Employees of the County may be subject to reduction-in-force based on public wage bill containment, reorganization, or any combination of these factors which dictates a reduction-in force. Every effort will be made to retain qualified and productive employees in situations where reduction-in-force becomes necessary.
- e) Employees affected by impending reduction-in-force may be given assistance in the following ways:
 - (i) Priority in placement in similar jobs when a vacancy arises.
 - (ii) Cross-training in other areas where openings are anticipated.
- f) Where possible, delay the reduction-in-force until natural attrition occurs i.e., pending retirement or resignation.
- g) Redundancy shall mean loss of employment through no fault of an

employee. This is termination of employment at the initiative of the employer. Redundancy may result from services of an employee being superfluous, abolition of office occasioned by occupation/job re-organization or mechanization. All cases of redundancy shall be handled in accordance with Employment Act, 2007.

- h) In the event of redundancy, the Government's directive or Executive order shall apply and this shall be communicated to all staff.

14.7 Conduct during Notice Period

- a) All employees serving a termination notice shall be liable to all the policies, procedures and standards of the County Service until the last moment of their employment.
- b) The employees are therefore expected to conduct themselves with dignity, respect and carry out their work assignments as per their contract of employment.
- c) Failure to abide by the prevailing employment policies will attract disciplinary action.

14.8 Termination and Dismissal Procedures

- a) Any decision to terminate an employee shall be communicated in confidence by the Board. Where the termination is involuntary but not due to performance or summary dismissal, the employee may be given time to serve notice.
- b) Termination cases that are for summary dismissal shall be handled according to the Employment Act 2007, Section 44 (a to f)
- c) Employees serving suspension from work due to disciplinary problems shall be deemed to have served notice during their suspension. The days served on suspension shall be considered also as days served on notice.

14.9 Letters of Termination

Upon termination an employee will receive:

- a) A letter from the CPSB notifying him of the decision to terminate his/her services.
- b) This letter will also give details of terminal benefits due to the employee.
- c) In all cases of termination, a copy of the letter notifying the employee of the decision together with the employee's acknowledgement thereof will be filed in the employee's personal file kept by the Directorate of Human Resource Management.
- d) The letter shall also stipulate the right of the employee to appeal against the decision within a specified period or as per Service rules and regulations in force.

14.10 Exit Interviews

An exit interview will be conducted before the expiry of the notice period. The interview shall be conducted between the employee, his Chief Officer and Director of Human Resource. This shall afford the County an opportunity to

know why employees were leaving the County Service and take remedial measures where applicable.

14.11 Notice Period

- a) All employees shall have in their contract letters details showing the notice period allowed by the County to exit service and this must be observed.
- b) Notice period shall be served at the discretion of CPSB.
- c) CPSB shall invoke legal procedures for employees who quit service without serving notice.
- d) The Departmental Head and the Directorate of Human Resource Management may set a shorter than normal notice period if they determine that continuing with the employee's services for the normal notice period would be contrary to the County Government's interest. In such a case, the Directorate of Human Resource Management may approve payment to the employee of an amount not exceeding payment for the number of days remaining in the given termination notice.

14.12 Clearance and Handing Over

- a) All employees on termination notice are expected to commence handing over procedures after discussion with the supervisor and the HR office.
- b) The affected employee must handover all County facilities and equipment assigned to them. They must also handover their work in progress to an assigned colleague.
- c) An employee's final dues shall only be paid upon clearance.
- d) All handing over documentation will be filed in the employee's personal file and kept by the HR Office.

14.13 Leave Requests While On Notice

- a) CPSB does not encourage employees to proceed on leave and serve their notice while on leave.
- b) Requests for leave presented by an employee who has given notice of resignation or retirement, or who has been given notice of termination of employment, are to be processed in accordance with the appropriate CPSB leave policy.

14.14 Management of Final Dues

An employee whose employment is terminated shall be entitled to the following, however, Terminal benefits of employees who exit service on grounds of gross misconduct will be handled in accordance with Employment Act 2007 provisions.

- a) Full salary up to and including the date of dismissal.
- b) Payment of pension shall be as per the pension scheme deed rules and the Retirement Benefit Authority Act 1998 (RBA) provided the employee has attained the vesting period.
- c) Other terminal benefits such as leave calculated on a pro-rata basis.
- d) Notice period as per his / her employment letter.

- e) The terminal benefits shall be paid less any liabilities to the County.
- f) Cases of employees who are summarily dismissed shall be handled as per the Employment Act 2007 and the County service rules.
- g) No terminal benefits shall be paid until a clearance certificate has been fully completed by all relevant departments.

14.15 Certificate of Service

- a). Certificate of Service Form G.P. 31 will be given to an officer, upon his/her retirement, resignation, dismissal or termination of appointment.
- b). An Authorized Officer, when completing the certificate should bear in mind that its main purpose is for use as a reference covering the officer's period of service in the county.
- c). The certificate will be signed by the County Director Human Resource Management. A copy of the certificate will be filed in the officer's personal file.
- d). In the case of an officer who has not rendered satisfactory service during his employment, care should be taken to ensure that the certificate is carefully worded so as to give the officer credit for any good qualities which he may have shown.

14.16 Letter of Recommendation

Employees who leave the County service for reasons other than summary dismissal or dismissal on performance or disciplinary grounds, shall get a letter of recommendation from the Director Human Resource Management.

14.17 Documentation and Record Keeping

All documentation and records relating to termination of employment shall be kept in the individual's personal file. This information will be stored for as long as the County policy on records management dictates.

SECTION Q: RECORDS MANAGEMENT

15.1 Introduction

- a) The County Government recognizes the legal and regulatory requirements for effective record management and is committed to embracing good standards and practice.
- b) All employees are responsible for record keeping and must exercise a high degree of care and continuous responsibility in handling records. All records, irrespective of format created, stored or received by employees in the course of their duties are the property of the County Government.

15.2 Types of Record

A record can be physical or electronic. It includes but not limited to;

- a) Electronic documents
- b) Hard copy documents
- c) Paper files
- d) Electronic messaging
- e) Photographs
- f) Web content
- g) Models, plans and architectural drawings.

15.3 Objectives of Record Management

Records created in the County Government must be complete and accurate to the extent necessary to:

- a) Ensure current and future County Government staff to take appropriate action and make well informed decisions in their day to day operations.
- b) Enable an authorized person to interrogate the conduct of Government business.
- c) Protect the financial, legal and other rights of the County Government.
- d) Protect employees and residents affected by the County Government's actions and decisions.

15.4 Records Management Guidelines

- a) Authorised Officers, Heads of Directorates/Divisions/Sections/ Units are responsible for ensuring that accurate and up to date records are maintained
- b) Each department shall establish functional registries to handle all correspondences and records.
- c) For ease of tracking, accountability and safety of records, it is a requirement that all functional sections/Units maintain a Record Movement Register where all records received and dispatched shall be recorded.
- d) Authorized officers shall ensure that employees on transfer handover all records in their possession before being cleared for transfer.
- e) Failure by an employee to handover record will lead to disciplinary action.

15.5 Tampering with Records

Any employee who makes a false entry in records or tampers with it shall be liable for disciplinary action.

15.6 Control of Records

- a) Control of records shall be the responsibility of the head of the functional unit. Use of the County Government records for unauthorized purposes will lead to severe disciplinary action.
- b) Control of records covers production, approval for use, review and update as necessary, ensuring that changes to current status are identified and availability for use.
- c) The records must be kept in a manner which can be readily identified, retrieved and legible.

15.7 Accountable Documents

- a) Custody of accountable documents shall be the responsibility of the Authorized officers, Heads of directorates or designated officers.
- b) Authorized officers, Directors or designated officers must ensure that leases, title deeds and contracts, where applicable are forwarded to the County Secretary for safe custody.

15.8 Registries

- a). The County Government shall establish two Registries for the management of Human Resource records. This will be in addition of other Registries in the County (e.g. Lands Registry). The Two Registries are the Open and Secret registries and shall keep safe custody of open and confidential files. Field stations are required to maintain Personal Field files.
- b). Employees deployed in Registries shall be fully vetted and shall sign an Oath of Secrecy. The registry personnel should also be persons trained in Records management.
- c). Registries shall be out of bounds to non-authorized persons.
- d). The purpose of the Registries are to: -
 - i. Receive, stamp, record and file as per subject files or dispatch correspondences;
 - ii. Keep a File Movement Register;
 - iii. Ensure safe custody of all correspondences;
 - iv. Store records for ease of retrieval;
 - v. All County Government records must be archived and backed – up on an offsite/cloud;
 - vi. Before disposal of any personal files, authority should be sought from the relevant Government agency as per the Evidence Act and Limitation Act
- d) Registry personnel must uphold strict confidentiality and shall not divulge any information to authorised agencies or third parties without permission

from the Authorised Officer or a Court order.

15.9 Classified Documents

The Government of Kenya Security Manual contains instructions regarding classified documents. The appropriate classification should be clearly marked at the top and bottom of every page of all County Government classified documents.
