



Mr. Moga (ADLPS)
PS process
8/2/21

KENYA UNION OF CLINICAL OFFICERS

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Our Ref: KUCO/SP-ST/01/02 2021(196)

Date: 4th February, 2021

The Speaker of the Senate,
Parliament Building,
P.O Box 41842-00100,
Nairobi, Kenya.



Through:
The Clerk of the Senate,
Parliament Building,
P.O Box 41842-00100,
Nairobi, Kenya.

DLPS
Please deal
8/2/21

Dear Sir/Madam,

RE: PETITION ON CURRENT PROTRACTED HEALTH CRISIS

WE, the undersigned, are Citizens of the Republic of Kenya, and officials of the Kenya Union of Clinical officers (KUCO);

DRAW the attention of the Senate to the following:

THAT;

- The Kenya **Union of Clinical Officers** is a duly registered trade union under the Labour Relations Act No. 14 o 2007 Laws of Kenya with a constitutional and legal mandate of championing the labour interest of all Clinical Officers employed by both levels of Government.
- The core mandates of the Union are:
 - I. *Ensuring a cordial relationship between the members and their respective employers.*
 - II. *Bargaining for better terms and conditions of employment*
 - III. *Advocates for equity in the public service*
 - IV. *Provision of the much needed and critical health service provision to the citizens and all persons within our boarders. Among others*

Ms. Chania
Please process
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08.02.21

Ms. Mwacharia.
Please review this petition.
cross-check against an
earlier one we had received
from the same organization.
D. Chania
08/02/2021.



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- Since the Country registered the first Covid-19 case in March 2020, Kenya Union of Clinical Officers jointly with other unions from other health cadres, has on numerous occasions raised concerns on the welfare and safety of Healthcare Workers and given advisories to the Government on the best ways to manage the pandemic with an aim of partnering with the Government in the fight against Covid-19 by putting in place workable structures, policies and strategies that will see proper management of these custodians of the primary healthcare. Sadly, our efforts have always been ignored.
- It is in this regard, that the Union on **15th November, 2020** issued a press statement calling for urgent prioritization of the welfare and safety of Clinical Officers and other healthcare workers. The union further wrote a letter to the Ministry of Health and all the 47 County Governments through the Council of Governors on Monday 16th November, 2020 which was received in their respective offices on the same day.
- The Union on various occasions have raised a plethora of issues related to the unfavourable & unhealthy conditions of their work stations, lack of comprehensive medical cover, lack of group life insurance, non-commensurate health risk allowance among others relating to working environment.
- Consequently, the Claimant/ Applicant was compelled to issue a strike notice on the **23rd November, 2020**.
- On **7th December, 2020** members of the Union withdrew their services across the Country in line with the **OSH Act section 14 which directs workers to report unsafe working environment and vacate the workplace until the employer takes remedial action.**

THAT

- On 14th December 2020 **Multi-Agency Task Force** constituted by the Ministry of Labour and Social Protections comprising of the relevant Government agencies such as Public Service Commission (**PSC**), Salaries and Remuneration Commission (**SRC**), Council of Governors (**COG**), Federation of Kenya Employers (**FKE**), Ministry of State for Public Service (**MSPS**), The National Treasury, Nairobi Metropolitan Services (**NMS**), Central Organization of Trade Unions (**COTU**), Ministry of Health (**MOH**) and the Hon Attorney General. A final resolution on the matrix was compiled by the Ministry of State for Public service on 14th December, 2020 and forwarded to **MOH, PSC, and SRC & COG** for concurrence.
- Ensuing consideration and approval of the matrix, negotiations among the various parties began and culminated in the Return to Work Formula that was

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partially signed on the **1st of January, 2021** by the Ministry of Health and the Kenya Union of Clinical Officers.

- **The Return to work formula entailed remedial action that the employer is mandated to take by OSH Act so as to ensure a safe working environment.**



THAT

- The Council of Governors dissociated themselves from the Return to Work Formula made vide their letter **Ref: COG/6/40 Vol. 61(10)** dated **4th January, 2021** by the Council of Governors' Chairman, HE. Wycliffe Oparanya addressed to the Cabinet Secretary Ministry of Health; whereas they were part and parcel of the negotiations all through by their legally appointed representatives.
- This unprecedented move by the Council of Governors is not only contrary to the Spirit of the Multi-Agency Committee but also against the goodwill expected in the social dialogue.

WHEREFORE, your humble petitioners pray THAT;

- 1. The Senate investigates this matter and makes appropriate recommendations thereon.**
- 2. The senate plays mediatory role to have the Return to Work Formula signed by the Council of Governors and consequently end the stalemate.**

Dated this.....day of.....2021.

No	NAME	ADDRESS	I.D. No.	SIGNATURE
1.	GEORGE M. GIBORE	info@kuco.or.ke	23525313	
2.	PETERSON WACHIRA	info@kuco.or.ke	26256285	

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