INSIDE

• Let Us Talk Openly and Candidly on Remuneration for Public Officers
• Is There a Win-Win between Unions and Employers?
• Job Evaluation: How We Did It
• Commissioners’ Parting Words
In This Issue:

Editorial

Message from the Chairperson ...................................................... 4
Towards Job Evaluation Implementation ........................................... 5
Let Us Talk Openly and Candidly on Remuneration for Public Officers.................................................. 7
Is There a Win-Win between Unions and Employers?...................... 10
Tit Bits on Successful Leadership................................................... 12
Job Evaluation: How We Did It ....................................................... 14
The Paradox of Work Related Stress .............................................. 16
What Do Judicial Reviews Portend? ............................................... 17
It’s Time to Embrace The Modern Work Place ............................... 20
Rwenzori Mountains Mystical Challenge ...................................... 22
Commissioners’ Parting Words ...................................................... 25

News

Job Evaluation for the Pending Sectors Kicks-Off .............................. 30
Stakeholders Sensitized on Job Evaluation ...................................... 31
SRC at the ICGFM 31st Annual International .................................. 32
Job Grading and Salary Structures for State Corporations ................ 33
The First SRC Commissioners Exit ................................................ 34
SRC Commissioners Bid Farewell to the Secretariat ......................... 36
New Appointments ......................................................................... 36
Pictorial ......................................................................................... 37

Vision:
Equitable and sustainable remuneration and benefits for state and public officers in Kenya

Mission:
To set, review and advise on fair, competitive and sustainable remuneration and benefits through research and analysis.

Published by:

SALARIES AND REMUNERATION COMMISSION
Williamson House 6th Floor, 4th Ngong Avenue
P.O. Box 43126 - 00100 Nairobi, Kenya
Phone: (20) 2710065/81
Email: newsletter@src.go.ke
Website: www.src.go.ke
Twitter: @srckenya
Facebook: salaries and remuneration commission

Reproduction of material published in SRC newsletter is encouraged. Those wishing to do so should acknowledge the source.
Printed on environment friendly paper © 2017
Welcome to this special edition of the newsletter January to December 2017. Through this newsletter we inform you, our readers, of some key activities undertaken by the Commission, while providing insights on various topics.

As you are aware, one of the Commission’s major activity has been job evaluation of the public service. This is an exercise that has been embraced and raised eyebrows in the public service in equal measure. In this issue, we demystify the exercise and at the same time answer the question on how the results are being implemented.

Collective bargaining has been an uphill task in our country, with employers and employees faulting each other’s role in the negotiations. How best can these two parties work?

Leadership comes in many forms, we see this in our everyday lives. However, even with diverse qualities and styles of leadership, there is always room for improvement. Work related stress is unavoidable in a world with deadlines, expectations and deliverables. However, this can be managed in several ways including a conducive work environment and travel.

Finally, this newsletter documents some reflections by the Commissioners, on their six year journey of SRC, which as Chair aptly described has been a rollercoaster of a journey hitting both the high and the low notes. Of course, the highs were more!

These and many more short stories and incisive write ups are documented in this issue. Read on and at the end, give us feed.
When the first commissioners were appointed and sworn into office in January 2012, we had to start from scratch. We found ourselves having to literally clear the bushes! I can now look back and say the bushes were then foreboding and it required us to have steely hearts and strong determination.

A new government was going to be elected into office in March 2013, and the new salary structure and policy guidelines were to be put in place before then. The public service on the other hand immediately placed high expectation on this new body called SRC to instantly bring equity and fairness in remuneration.

It was on 5th January, 2012, to be exact, when the SRC Commissioners came together and held their first meeting, just a few days prior to the swearing in. Though just a preliminary meeting, it was absolutely important that we met to set the tone for the challenge ahead. The 13th floor at NHIF Building was our first home. The idea was first to get to know each other; and secondly, understand the object of our existence. We needed to understand and unravel the expansive mandate that was handed to the men and women charged with the responsibility of bringing order and sanity in the public service remuneration system. There was no luxury of time.

We had all come from different backgrounds and organizations and we were going to work together for a term of six years. Looking back, I must say it has been a rollercoaster of a journey that required single-mindedness of purpose, sacrifice, hard work and teamwork. There were times, and I am sure even my colleagues went through this, when one would ask himself or herself if it was really worth going through stood together and driven by a sense of duty, soldiered on. I salute the SRC Commissioners for working as a team despite the many challenges.

What we have achieved as a Commission has been made possible by the critical role and support from a competent secretariat. There were days we would leave the office at 0100am in the morning and expect everybody to be on their desks on time for another gruelling day. Our Secretariat has been the bedrock of the commission and I have no doubt that there will be continuity together with the incoming commissioners. This is a team of highly qualified professional staff who have beaten all the odds to prepare well researched and analyzed reports. I therefore wish to thank them for the good work and wish them every success in the years to come.

I call upon all Kenyans to promote constitutionalism in order to achieve fiscally sustainable public wage bill and safeguard progress made in the management of remuneration and benefits for public service. Finally, I implore upon the incoming Commissioners to build on the foundations made by the first Commissioners in sustaining transparency and fairness and recognition of productivity and performance as a key pillars in wage bill management.

Sarah J. C. Serem (CBS)
CHAIRPERSON
Towards Job Evaluation Implementation

By Anne R. Gitau (MBS), Commission Secretary

The numerous confusion and misconceptions surrounding job evaluation if not handled properly, can be a major hindrance to successful implementation of the job evaluation results. Among the common misconceptions include claims that job evaluation is a tool to carry out workload analysis and assess performance. To some, it is an exercise aimed at retrenching employees or a tool for profiling or witchhunting specific workers in organizations.

Nothing could be further from truth. Job evaluation provides a rational and consistent approach for determining employees’ pay in an organisation. It establishes pay differentials among employees in an organization by outlining differences and similarities in job responsibilities. The objective is to ensure that employees are compensated fairly and equitably in relation to the work that they perform. Job evaluation is concerned with the job content and complexity and not about the characteristics or performance of the job holder.

The overriding fact in ensuring successful implementation of job evaluation is stakeholder participation in the entire process, as this enhances understanding and acceptability of the results. For ease of implementation, the job evaluation must be driven by acceptability, easy to effect, affordability, easy to maintain and explain to an ordinary employee.

One major area that can lead to conflict at the implementation stage is the writing and sign-off of the employee job description which is a fundamental ingredient of the job evaluation results. Consequently, the rule is that a job description that has not been signed-off by both the job holder and the supervisor must never be used for job grading, given that the quality of job description largely determines the accuracy of the job grade.

The results of job evaluation are used to form the basis of a new pay and grading structure. Implementation of a job evaluation scheme is a major exercise for any organization as every employee’s grading and pay is subject to review. It must take into consideration both internal and external equity.

Internal equity considers the fact that internally consistent compensation systems are strategic to attracting and retaining the much needed human capital for the country. In this case, affordability and sustainability of the resultant structure is important. The Commission used the results of job evaluation to determine a hierarchy of jobs from the highest to the lowest graded job. The
Commission thereafter reviewed several factors in determining grade boundaries and progression points.

In considering external equity, an in-depth understanding of external influences is just as important as the internal factors. An evaluation of external factors allows an organization to remain competitive in the region. The Commission compared the cost of labour of evaluated jobs within the region, the supply and demand of jobs, and the Government's policy on minimum wage and adherence to existing labour laws, to come up with a rationalized, harmonized and competitive job grading and pay structure. In assessing external equity, the Commission conducted salary surveys and compared Kenya’s remuneration with countries of comparable GDP levels. The survey focused on the principles that are commonly used to determine the remuneration and benefits structures.

The Commission also considered various policy issues and principles including the Constitutional principles set out under Article 230 (5). Some of the principles considered include:

- Objectivity and impartiality
- Equity and fairness
- Competitiveness
- Affordability and sustainability
- Adequacy
- Legal compliance
- Transparency and public participation

With the results, the Commission formed the basis of a new pay and grading structure by first developing a hierarchy of all evaluated jobs and, thereafter, assigning pay on the graded jobs. The Commission considered many other factors as it developed a pay and grading structure. These included making decisions on where grade boundaries would sit and how progression within grades would be managed. The Commission worked closely with the employing agencies and other technical experts in the public service to achieve this.

While developing the grading structure, SRC was cognizant of the fact that the exercise would result in some roles being evaluated as higher or lower in value than they were prior to evaluation. Consequently, the Commission had to make policy decisions on how underpaid and overpaid jobs would be dealt with. Role holders whose jobs were evaluated lower would retain their current salary structure, special to self, while incoming role holders would enter the grade with the new salary structure attached to the grade. Role holders whose jobs were evaluated higher than they were currently holding would enter the salary structure at the newly evaluated grade, while those roles that remained the same as previously held, retained their current salary structure.

No matter how carefully the job evaluation has been undertaken, the Commission notes that there may be organizations which consider that their jobs have been wrongly evaluated. To this effect, the Commission established a job evaluation appeals procedure at the onset of the job evaluation exercise. This procedure provides for, among other things, the grounds for appeal, the responsibility of the Commission and the appealing institution, and the modalities of channelling of appeals to the Commission.

Finally, in implementing the public service job evaluation results, the Commission intends to achieve its constitutional principles of a fiscally sustainable public compensation bill; attracting and retaining requisite skills in the public service; transparency and fairness; enhancing productivity from public servants, better control of labour costs as all wage reviews will be effected after a predetermined four-year cycle; and having a sound, rationalized and harmonized job grading, and salary structure across the public service. It is envisioned that this will propel the performance of all public servants towards attainment of Vision 2030.
Discussion on Remuneration for Public Officers Should be Candid and Objective

By Ali Chege, Deputy Director Corporate Communication

“The big question is, why was SRC established? What were the aspirations and hopes of Kenyans in having this Commission?”

Kenya’s Constitution has been described as one of the most progressive documents in Africa, covering good governance, respect for fundamental rights and freedoms, and social justice for all. The Constitution is strongly anchored in devolved system of government and has de-centralized political power besides creating institutions for greater accountability and responsibility in management of public resources.

The big question is, why was SRC established? What were the aspirations and hopes of Kenyans in having this Commission?

Chapter 15 of the Constitution which establishes constitutional commissions succinctly provides the rationale for creation of these institutions. The Commissions have been entrusted with protection of the sovereignty of the people; ensure that all state organs observe democratic values and principles; and promote constitutionalism. Collectively, these commissions have been referred to as the fourth arm of the Government, and together with a strengthened judiciary, represent a significant restructuring of key state institutions.

It is within this context that I reflect on the aspirations and hopes of Kenyans in creating SRC. Kenyans wanted an independent body to fix salaries and allowances of state and public officers, who were likely to use their privileged position to award themselves unjustified huge perks.

Kenyans yearned for equity and
harmony within the public sector wage structures as a precursor to healthy industrial relations, and consequently, a public wage bill that is fiscally sustainable. In this regard, more resources would be channeled to meet other needs as captured in the Bill of Rights; the highest attainable standards of health, accessible and adequate housing, reasonable standards of sanitation, free from hunger, clean and safe water in adequate quantities, and access to education and social security.

In order to meet Kenyans’ expectations, the Commission has implemented several strategies such as introduction of a four-year Collective Bargaining Agreement (CBA) review cycle, harmonization of allowances and introduction of loans and mortgage scheme for the entire public service. Further, the Commission has continued to give advice on remuneration and benefits to all public service institutions.

These approaches have started bearing fruits and are stabilizing the wage bill. To effectively address the challenges of pay inequities, distortion and disparities which have been the root cause of poor morale, and low productivity leading to industrial unrest, the Commission has carried out the job evaluation for the entire public service. This has been a massive exercise that has taken much time and other resources of the Commission. Will the job evaluation for the public service and its implementation be the panacea for the ills witnessed in the public wage bill structure over the years? I would like to think that in the long run, it will help bring about fairness and equality in the public sector. One of the by-product of the job evaluations is clear job grades, and an ideal range for
which jobs of a certain grade can be paid. This should ensure job security and, in the long term, employment opportunities.

The issue of pay will continue to be highly emotive topic and no matter what the Commission does or decides, it will inevitably rub some public servants the wrong way.

Nevertheless, the Commission should not waver in undertaking its mandate as envisaged under article 230 of the Constitution. It is an unenviable task of performing a tight rope balance between decisions on wages that are fiscally sustainable, and safeguard attraction and retention of the right skills. Of course it is the right of every public worker to be well paid in order to live an honourable life. They also have a right to express their dissatisfaction since workers’ strikes are a legitimate form of collective protest in a democratic country and are used when negotiations reach an impasse.

However, even as workers exercise their constitutional rights for better pay, they need to balance their demands with the realization that the country’s resources are limited. Industrial unrests by public servants in essential services like security, health, and water have debilitating effect on the guarantee of Bill of Rights to Wanjiku. Having gone through a painful and prolonged strike by doctors and nurses in 2017, it is an opportune time for both employers and employees to reflect on how much we are dedicated to honour the spirit and other provisions in the Constitution.

Health care is an exceptionally important human need, hence the need to prioritize it. In a situation when a strike is called by health workers, the ethical principles of respect for autonomy, justice and fair play for all come into conflict. In such a case, a strike should be the last resort, if and when all other avenues of negotiations are exhausted, and all other forums are fully utilized. But even then, strike action by health workers, given the sensitivity of their services, is crossing the line, both professionally and morally.

This calls for self-reflection on the role and what is expected of the public service. As public officers, we all need to come to terms with the changed responsibilities and, in many instances, the new constitutional roles. We have a task to re-align our work experience to entirely new deliverables of a society in transition, and perform public duty in a manner consistent with the democratic values and the fundamental rights and freedoms enshrined in the Constitution and other laws. We need structured, objective, open and candid discussions about remuneration for public office bearers.
Is There a Win-Win between Unions and Employers?

By John K. Monyoncho, Director of Research, Compliance, Policy and Planning

Since SRC was established, there has been an increase in union activities in the country. Is this good or bad? Good because unions are doing their work of agitating for better pay for its members; and bad as it disrupts productivity in the country and reflects on the nature of the employer. Is the confrontation necessary?

Historically, CBA in Kenya have been on a two year cycle, where negotiation between employers and unions take place once every two years. Experience has shown that sometimes negotiations delay by even two years to the extent that two years later, the CBA is still a bone of contention. This short cycle leading to frequent negotiations, does not allow for the institutions to recover or opportunity to have reasonable economic growth before the next. This short cycle has been a recipe for industrial unrest. The four year cycle introduced by SRC enables institutions time to "rest and recuperate" before the next negotiation.

Can an economy do away with unions? This question is motivated by the fact that for the last six years or so, the agitation by unions has been disturbing and, at times, destructive. Unions have made unrea-
Reasonable requests from employers, sometimes asking for wage adjustments of up to 200%. Where in the world does this happen? It is ridiculous and, in several occasions, leads to wastage of time in negotiation and court processes.

There is need for a win-win relationship between the employer and union. Both parties should therefore:

**Understand the economy:**

It is clear that Unions were established for the benefit of the employees (although the only negotiation observed is that of wage reviews). Behind that benefit is an assumption that employers, given an opportunity, would underpay their employees.

Businesses, in general, and the economy, in particular, are cyclical in nature. The system of National Accounts clearly demonstrates the interdependence between labour, productivity, reward for labour and, in turn, the growth of the economy. Therefore, if labour is not well rewarded, it will affect productivity and, in the long run, the company’s profitability.

For the benefit of the institutions and the nation at large, workers need to be compensated well. There are institutions that have had no unions in the last 20 years, and not once has service been withdrawn. It is therefore possible to compensate workers well. Employers should move away from the minimum wage considerations, and attempt to pay a living wage that is about 50% higher than the minimum wage. However, they should demand productivity.

By understanding the economy, the parties will provide reasonable grounds for negotiation. Employers cannot pay what they do not have, on the other hand, employees must be have regular salary reviews and not just compensation for cost of living.

**Sober demands:**

Why would a union, for example, demand for a 200% increase in remuneration?

My quick guess is because their wages have not been reviewed for at least 10 years and above. This, however, cannot be factually correct. The sheer size of the request does not hold much sense because the cost of living does not change in hundreds of percentage in a normal economy like Kenya. However, it makes sense to understand how much inflation has affected the purchasing power of the employee and relate that to the negotiation. Unions sometimes do not seem to live in the same country as the employer. Hence, the agitation becomes personal affront to the employer without facts to support it. Sometimes, I imagine unions confuse revenue for profits and negotiate from that view. It is incorrect.

**Grow the economy through increased productivity:** A guarantee to better remuneration is increased productivity. This is a double edged sword as its finality reduces the cost of living (inflation). How does this happen? Kenya’s consumer basket of goods is 60% made up of food, with 75% of this being maize flour as most Kenyans eat “Ugali”. If there is shortage of maize flour, inflation will increase impacting most Kenyans who then demand for a salary review to take care of the inflation.

On the other hand, if there is a surplus, inflation will reduce, hence the workers can purchase more.

The second part of the sword is that it leads to profitability of the intuition, and finally to that of the nation. With increased productivity, the employer is able to pay better wages without coercion of a union. There are institutions that compensate employees so well that the unions cannot do any better. This has worked because the employees are on performance management initiatives that lead to better reviews.

Therefore, CBAs can be civil, and negotiations can be undertaken soberly. Employers need to be considerate and plan for the need of their employees without waiting for the last minute.
By Samuel Mwangi, Legal Assistant

J.K. Rowling once said that there’s always room for a story that can transport people to another place. I, therefore, take you to a leadership place. We live in a world driven by great people’s thoughts such as Martin Luther King, Nelson Mandela, Mahatma Gandhi, our own Wangari Maathai, Paul Tergat, the list is endless.

After listening to great speeches and reading written works of such leaders, I have invariably concluded that: “there is no secret ingredient of leadership but YOU.” However, in pursuit of becoming great leaders in our own right, we need to know more about successful leaders.

First, do not imitate, instead enhance confidence in your own abilities. Leadership is about having strong conviction, concentration and confidence in your own self, ideas, and passion.

Chesley Sullenberger (Sully) was a pilot who made headlines in 2009 when a US Airways flight made a water landing on the Hudson River in New York. The plane’s engines were disabled when a flock of geese hit them. In spite of the huge risk involved, Sully managed to save all 155 passengers on board! How did he do it? It just took some concentration. I shudder on thinking what would have transpired had he panicked. Sully teaches us that leaders remain calm and composed at all times. Being in command of the situation is imperative for a leader, only then can you behave responsibly. Ensure the well-being of the team, and in turn, yourself. A leader should not let stress affect his/her thought process; an extremely important trait for leaders in modern turbulent times.

Second, we learn from Christopher Gardner, an entrepreneur, author, philanthropist, and single parent whose work has been recognized by many esteemed organizations. His life was first published in 2006 as an autobiography titled: ‘The Pursuit of Happiness.’ He transformed from a homeless single father to a millionaire, leading to him being inundated with two questions: ‘How did you do it?’ and ‘How can I do it too?’ Chris teaches that for one to be a leader, one must possess intellectual capacity, both at the strategic and tactical levels. They are quick on their feet, and know how to get to the root of an issue faster than anyone else.

Third, leaders set direction. In the 14th century, a group of soldiers, hungry and disoriented, got lost in the Alps, located across eight countries: Austria, France, Germany, Italy, Liechtenstein, Mo-
naco, Slovenia, and Switzerland. They argued about which way to go, but in the fading light, every peak looked the same. They had no chance of surviving the night in the freezing temperatures.

Suddenly, one of them found a map sewn into the lining of his kitbag. He plotted a route, and marched them briskly back to base. Later, when they were warm and well fed, the soldier looked closer at his map. It actually was of the Pyrenees Mountains, located between Spain and France, hundreds of miles away. It is like the old saying – when you’re lost, any old map will do.

Leadership thus entails vision. If you do not know where you want to go to – and if you can’t communicate that direction effectively – then you have no right to ask people to join you on the journey.

Fourth, a leader always does the right thing regardless of sentiments, and never compromises the core values. If a leader cannot build trust and engender confidence, then he/she cannot succeed. No amount of talent can overcome illicit, immoral or otherwise ill-advised actions. A leader, void of integrity, will not survive over the long-haul. Martin Luther King Jr, who won the Nobel Peace Prize in 1964, started it all with a dream, like it always does. A dream for change and for a better tomorrow. As a member of the clergy, an activist and a leader in the civil rights movement of USA, he was on the forefront of the civil rights movement that fought for racial equality, showing people a picture of a better future where all men are equal. Courage, and perseverance and the will to fight for what is right makes him an enviable leader.

Lastly, a good leader embraces change. Great leaders have a strong bias to action. They do not rest upon past accomplishments, and are always seeking to improve through change and innovation. They also possess a strong presence and bearing, making them unflappable individuals that never let you see them sweat (unless, of course, it serves a purpose). Apple’s story is well-known. After an early momentum and the creation of truly unique, game-changing products, Apple experienced a fall. Over the course of 12 years, its innovation and popularity plummeted following the 1985 departure of its most ingenious mind, Steve Jobs. By the time Jobs was rehired, in 1997, the company was operating at a loss and tiptoeing closer and closer to bankruptcy every year.

Following a successful rebranding campaign, Apple turned itself to one of the biggest and most efficacious companies in the world. This happened, however, only after a 12-year downward spiral. Steve, who revolutionized Apple, said that a great leader must be true to him/herself. He succeeded by following his own ‘inner voice, heart and intuition.’

Emanuel James Rohn, who was an American entrepreneur, author and motivational speaker summed it up by saying that the challenge of leadership is to be strong, but not rude; kind, but not weak; bold, but not a bully; thoughtful, but not lazy; humble, but not timid; proud, but not arrogant; and humorous without folly.
Salaries & Remuneration

Commission

Rewarding productivity

The results for the first five sectors were released and implementation is ongoing since 1st July, 2017. As for the last two sectors, SRC is engaging stakeholders on preliminary results as it finalizes the grading structure, and ultimately the salary structure.

Indeed, the Commission deliberately made stakeholders sensitization workshop on job evaluation

Job Evaluation: How We Did It

By Purity Njeru, Principal Communication Officer

When SRC took the bold step to carry out job evaluation for the entire public service, the intention then, as it still is now, was very clear. The goal was to establish a rational and defensible grading structure that would seek to address the decades long problem of wage inequalities and disparities in the public sector, a feature of the public sector wage structure which was a main source of low morale, industrial unrest and poor service in the public service.

The Commission was under no illusion that such a historic exercise was going to be an uphill task. First, the enormity of the task demanded heavy investment of resources, both capital and human, to manage the consultancies and ensure effective and efficient execution of the exercise. Second, given the fact that the exercise was touching on 700,000 workers who expected nothing less than ‘good news,’ the Commission was from the very initial stages confronted by extremely high expectations.

Naturally, the end result was bound to elicit different emotions either satisfaction, dismay or simply an anti-climax. That has come to pass.

Job evaluation for the public service began in June 2015. Due to its magnitude, the public service was divided into seven sectors: Commercial and Strategic State Corporations; Service and Regulatory State Corporations; Civil Service; Constitutional Commissions, Independent offices and Teaching Service; County Governments; Disciplined Services; and Public Universities, Research and Tertiary Institutions. The results for the first five sectors were released and implementation is ongoing since 1st July, 2017. As for the last two sectors, SRC is engaging stakeholders on preliminary results as it finalizes the grading structure, and ultimately the salary structure.
holders engagement and participation strategy its most potent plank in implementing the exercise. At every critical stage of the exercise, the Commission has continuously involved various stakeholders in the sector. The Commission started with wide-ranging sensitization sessions for employers and employees on the job evaluation exercise. This was followed by training of job analysts in each institution. The job analysts were identified and selected by the specific institutions.

The information about the jobs was collected from human resource managers from all the public institutions using a job analysis questionnaire (JAQ). Information from the JAQs was used to develop job descriptions (JDs), which formed the JD manuals for each institution. To further ensure transparency and accountability, the JD manuals were signed off by the respective CEOs. The primary information in the JD manual is what was used to evaluate each job. The Commission selected the Paterson philosophy of job evaluation which is pegged on decision making as a key factor because each and every job makes a decision irrespective of where it is graded. Whether it is a CEO, a driver, an engineer or a cleaner, all these jobs have decision making aspects. The philosophy is not only analytical, objective and not biased, but also simple and easy to understand as all jobs are graded in the same system. Evaluation was done on the following factors: accountability, decision making, impact, working conditions, responsibility, job knowledge, managerial skills, interpersonal skills, independent judgement, and problem solving. Another important point is the fact that the Commission engaged three consultants to carry out the exercise. The various systems and tools used by the consultants such as the TASK system, RVI and ReMeasure correlate, and most importantly, with the Paterson philosophy. The Commission rigorously interrogated the tools and approaches by the consultants and where need be, terminated any engagement.

Even as the Commission strives to finalize the exercise, the results are not cast on stone. Some individuals/institutions have expressed discontent with the job evaluation results; a situation that SRC anticipated given that jobs are not static. Besides, some institutions have revised their organization’s structure, while others have reviewed roles and created new ones. With this in mind, it is important to note that every employee has a right to appeal against the outcome of the job evaluation exercise, if he/she believes that the job overview does not accurately reflect his/her role. The Commission has developed a job evaluation and appeals policy that will guide the process.

In the long run, SRC envisions a public sector with an improved compression ratio between the highest and lowest paid public servant, and an established foundation for fairness and equity in remuneration practices firmly embedded in the principle of equal pay for work of equal value. This is important in ensuring stability and fair play of the public sector.
Stress, however, is not always bad. A little bit of it can help you stay focused, energetic, and able to meet new challenges in the workplace. This is what keeps you on your toes during a presentation or alert to prevent accidents or costly mistakes. Stress in measured quantity can lead to extraordinary achievement and excellence.

Maintaining a positive stress level balance calls for constant adjustments associated with chemical equilibria. The adjustment process enables acquisition of unique skills and competencies.

Have you ever thought of how to acquire resilience? That ineffable quality that allows some people to be knocked down by life and come back stronger than ever, is one of the most effective ways of handling stress. Rather than letting failure overcome and drain their resolve, resilient people find a way to rise from ashes. Factors that make someone resilient include a positive attitude, optimism, the ability to regulate emotions, and see failure as a form of helpful feedback. Resilient people are blessed with the ability to make quick adjustments, change course and soldier on. They overcome stress by making character and attitude adjustments that enable them to move ahead. For resilient people ‘success is the result of perfection, hard work, learning from failure, loyalty, and persistence.’

In Chemistry, Le Chateliers Principle states: ‘When a system in equilibrium is subjected to stress, it readjusts itself to minimize the effect.’ Chemical systems are, therefore, constantly adjusting to minimize the effects of changes in temperature, pressure and other factors. Among the resultant changes, the systems undergo in the process, are variations in colour and state.

Everyone who has ever held a job has, at some point, felt the pressure of work-related stress. Any job can have stressful elements, even if you love what you do. In the short-term, you may experience pressure to meet a deadline or to fulfill a challenging obligation. When work stress becomes chronic, it can be overwhelming and harmful to both physical and emotional health.

The Paradox of Work Related Stress

By Susan Lukano, Deputy Director of Remuneration Analysis
What Do Judicial Reviews Portend?

By Rosalie Wafula, Principal Legal Officer

The number of cases filed in the Constitutional and Employment courts seeking Judicial Review Remedy against SRC has significantly increased over the years, as more institutions become aware of their Constitutional rights. This is because the law recognizes administrative excesses must be checked through judicial interventions. Administrative law relates to decisions of Public Officers and bodies, which are recognized by courts of law and may affect the rights of individuals.

Judicial review represents the Judiciary taking the Constitutional responsibility of curbing the excesses of the executive power. The statutory orders of Mandamus, Prohibition and Certiorari are remedies available to curb excessive administrative or judicial power. Their origin lies in the expansion of common law in England and the court of the King’s Bench. They were used to acquire supervision over the observation of the law by officials. Judicial review developed from ancient prerogative writs. All writs were in the form of commands issued in the name of the Crown. For this reason, Mandamus Prohibition and Certiorari are still often referred to as prerogative writs, though they are no longer granted in the exercise of any prerogative but in pursuance of statutory authority.

In Kenya, the orders are issued in the name of the Republic, hence a Judicial Review Application titled: Republic versus Salaries and Remuneration Commission ex-parte.
**Benson Chege.** This means that Mr. Benson Chege, who is the applicant, seeks the Court’s leave (permission) to apply for Judicial Review of a decision made by SRC which can be granted in three orders:

(i). *Mandamus:* Derived from the Latin word “Mandare” which means “We Command/Order.” This order commands a public body to perform a specific act which pertains its office, and is in the nature of a public duty. The order must command no more than the public body it is legally bound to perform.

(ii). *Prohibition:* This will issue to stop a public body from continuing with a process which is in excess of its mandate or in contravention of the laws of the land. It cannot be issued if a decision has already been made.

(iii). *Certiorari:* Derived from a Latin word it means to be certified, informed, appraised or show. The order addressed a public body to quash its decision if the decision was made without or in excess of the body’s jurisdiction or where the rules of natural justice are not complied with. This is the right to be heard.

The Court of Appeal clearly stated the nature of these remedies in the celebrated case of *Kenya National Examination Council (KNEC) vs Republic Ex-Parte Geoffrey Gathenji Njoroge and 9 Others* [1997] EKlr. In an appeal by KNEC against a decision of the High Court, Mr. Geoffrey Gathenji Njoroge was the owner of a school called Ondiri Academy. Nine students who were also enjoined in the case sat their Kenya Certificate of Prima-

**SRC’s decisions**

Before the enactment of the 2010 Constitution, judicial review remedies were only available through the Law Reform Act. The 2010 Constitution has enlarged the Judicial Review remedies so that a person is able to file a constitutional case and be granted judicial Review Orders.

**Article 47 of the Constitution entrenches the right to fair administrative action.** Parliament enacted the Fair Administrative Act in 2015 to give effect to the provision of Article 47 of the Constitution. Therefore, under the Constitution of Kenya, Judicial Review has become normalized as part and parcel of the rule of law within a constitutional democracy.

Section 4 of the Fair Administrative Act gives life to Article 47 of the Constitution and reiterates the entitlement of every Kenyan to administrative action that is expedient, efficient, lawful, reasonable and procedurally fair. In all cases, where a person’s rights or fundamental freedoms are likely to be affected by an administrative action, the public body must give the person affected by that act a reason prior, and adequate notice of the nature and reasons of further proposed action, an opportunity to be heard and make representation, notice of a right to a review or internal appeal where applicable, and the right to cross examine as well as all the evidence used in making the decision. Section 7 of the Fair Administrative Action gives powers to any person aggrieved by the administrative act to apply to review action to a court or tribunal.

SRC is an Independent Commission, and Article 249 of the Constitution sets out its objects which include: the protection of the sovereignty of the people and the promotion of constitutionalism. Article 230 of the Constitution sets out its mandate and principles. In giving its advice and setting pay, SRC is thus bound by Constitutional principles and the factors set out in the Section 12 of the SRC Act, which include: job evalu-
Conclusion

Article 47 of the Constitution therefore is categorical on the fairness of administrative action. It upholds judicial reviews and ensures public bodies do not exceed their mandate/jurisdiction and carry out their duties in a manner that is detrimental to the public. Judicial review is, therefore, an important control which is meant to uphold the quality of public decisions. SRC must make its decisions cognizant of their amenability to Judicial Review, and uphold the values of fairness, reasonableness and objectivity as it executes its mandate for the good of all Kenyans.

Section 4 of the Fair Administrative Act gives life to Article 47 of the Constitution and reiterates the entitlement of every Kenyan to administrative action that is expeditious, efficient, lawful, reasonable and procedurally fair.

Conclusion

Article 47 of the Constitution therefore is categorical on the fairness of administrative action. It upholds judicial reviews and ensures public bodies do not exceed their mandate/jurisdiction and carry out their duties in a manner that is detrimental to the public. Judicial review is, therefore, an important control which is meant to uphold the quality of public decisions. SRC must make its decisions cognizant of their amenability to Judicial Review, and uphold the values of fairness, reasonableness and objectivity as it executes its mandate for the good of all Kenyans.

Section 4 of the Fair Administrative Act gives life to Article 47 of the Constitution and reiterates the entitlement of every Kenyan to administrative action that is expeditious, efficient, lawful, reasonable and procedurally fair.
Kenya is developing rapidly and aspires to be “newly industrializing, middle-income country providing a high quality of life to all its citizens by the year 2030 in a clean and secure environment.” Under the three pillars of Vision 2030, the human resource profession plays a key role in identifying and implementing strategies to enhance employees’ performance and productivity. Some of the strategies include: training and development, and provision of a conducive work environment.

The need for a conducive work environment has been aptly discussed in various institutions. Some of the tremendous forces rapidly reshaping the work environment include; changing employee expectations and new technologies.

With the rapid change of the modern workplace, there is need to respond to this situation proactively. Seventy five percent of the current workforce comprise of the millennials who value attractive offices, cars, houses and flexi work schedules. Human resource managers and the institutions’ management, therefore, must be prepared, if they are to attract crucial talent.

To begin with, there is need to assess the expectations of employees. Young employees are actively seeking more flexibility in their work environment and unconventional career paths in non-traditional companies and industries that may be in their infancy. This offers them a platform to exploit their potential and progress faster in their careers.

Technology and evolving employee expectations are redefining the workplace and desirable talent. Some practices that would meet the human resource needs of a modern workplace include:

**Workplace flexibility:** In a study by Ernst & Young, 76% of respondents have difficulties managing personal, family, and work responsibilities. Workplace flexibility, along with pay and
benefit, are the top considerations for accepting a job offer and staying with an employer.

With parents of all generations twice as likely to travel for business and 78% of millennials being part of dual career couples, a parent is more likely to take time off to take care of their children. Employers are meeting this demand with part-time hours, flexible time, and telecommuting for creative jobs. With 66% of resignations happening due to lack of work flexibility, managers must accommodate this need.

In Nairobi, traffic jam is a major challenge affecting job attendance and productivity. Employees can be allowed to work within convenient timelines, for example, between 6.00-3.00pm, 7.00-4.00pm, 8.00-5.00pm, 9.00-6.00pm, and others through lunch hour or work from home. This way, employees will manage their time and attend to other engagements.

**Blended workforce:** The modern workplace may be characterized by multifaceted professionals, including consultants, contractors, freelancers, part-time employees, and other workers who offer their services on different terms. While this will not only enable employees to achieve work life balance, it will also afford the employer a pool of professionals to engage from. Of importance, in this situation, is how to manage the team through onboarding, integration and training.

**Employee experience:** The measure or evaluation of any employer is through its employees. How are employees treated and what do they feel about their employer? With websites like Glassdoor, employees can rate and review their employers based on pay, benefits, management, office space or organization culture. HR departments must be very critical and proactive in providing the best experience to their employees. Inconsistencies between what one says and does could lead to a negative reputation, driving away current and potential employees.

**Information technology application:** With data technology’s ability to collect information from anywhere in the organization, HR can improve employees’ experience and readily adapt to changing business needs and trends.

This requires HR to have the right leadership, talent, and infrastructure for an effective application. With this, human resource departments have access to real-time data analytics to help make decisions regarding employee satisfaction and organizational success.

According to research, employees working for companies with clean, stylish and beautiful workplace are known to be happier, loyal and better performers than those with a less conducive work environment.
On the evening of 28th June 2017, I wrote on Facebook: ‘If I did not die on this mountain, I am not going anywhere. I am going to live! Ask my shoes!’ I had just descended from the Rwenzori Mountains and was back to civilization at a hotel in Fort Portal, Uganda. Flash back to 19th June 2017, when the first leg of the journey to Rwenzori Mountains began. We left Nairobi for Kampala at 6.30pm and arrived at 9.00am. We then drove to our hotel in Entebbe where we spent the day relaxing by Lake Victoria.

Staff of Rwenzori Mountaineering Services (RMS) Safari Lodge, Mihunga, who were our host for the next seven days, welcomed us when we arrived at 6pm.

Thursday morning we were up and about packing and re-packing our back packs. Excitement and anxiety was evident as we partook breakfast, weighed backpacks and tried out safety equipment (crampons, harness, ice axes). Meanwhile, David Wachira, our Kenyan guide was at Kasese market with some

Rwenzori Mountains Mystical Challenge

By Grace Muhoro, Research Analyst.
At the start, there were notices about the park: facts and figures, central circuit trail, biodiversity, vegetation, attractions and camps. Mahoma Nature Trail cuts across the grassland past Bakonjo homes into the forest along the Mubuku and Mahoma rivers. We were lucky to sight a male Jackson’s chameleon in the forest. A steep rocky ridge led us to Nyabitaba Hut after four hours of trekking. Uganda People’s Defence Forces and Uganda Wildlife Authority officers on patrol received us on arrival at Nyabitaba Hut (2,570m). The hut has a spectacular view of Portal Peaks (4,370m). We had dinner and retired to bed after camp fire stories.

The next day we woke up early morning energized to face the day ahead of us. After breakfast, we headed out in gumboots to John Matte Hut (3,420m). Yes (you read right), we climbed in gumboots to the last hut because of the deep bog on Rwenzori Mountains. Thirty minutes later, we were at the Kurt Schaffer Bridge, the convergence of Mubuku and Bujuku rivers.

After crossing the bridge, the forest zone ends and the muddy steep trail leads into the bamboo zone. Along the way, we spotted Mount Stanley with its snow-capped Margherita Peak and glorious Margherita Glacier. It was great seeing the target but at the same time, we were anxious of the journey ahead. Four hours later, we had lunch along the river bank. In the afternoon, we came across everlasting flowers and wild straw berries before arriving at the Nyamuleju Camp/rock shelter. This is the start of the heather zone common with the old man’s beard. Thereafter, we traversed Lower Bigo Bog via a boardwalk then crossed Bujuku River into John Matte Hut.

Day three began with a closer view of Margherita Glacier after clouds cleared at 7.50am. Thereafter, we left for Bujuku Hut (3,962m) crossing the Bujuku River into lower Bigo Bog up to Bigo Camp/rock shelter.

A steep rocky section past Bigo Camp gives way to Upper Bigo Bog and alpine zone characterized by giant lobelia. Behold, above the ground was a long board walk to ease the trek across the deep bog. The guides narrated of the difficulty climbers had faced before its construction. Nevertheless, the half hour board walk was not a walk in the park. I had to keenly focus on my steps on the board lest I lost balance. We then went through giant lobelia up to the mountains view point where we had lunch. Thereafter, we went to Lake Bujuku, a beautiful glacier lake. An hour later we got to camp, before it heavily rained for the first time.

On Sunday, the trail took us through vantage viewpoints of Lake Bujuku, Mount Stanley, Mount Speke and Mount Baker. At 2.30pm we arrived at Elena Hut (4,012m) nestled between huge bare rocks facing Margherita Peak, the prime target. We retired early to bed after dinner to awake at 1:00am to prepare and leave for the summit. This included sporting the sitting harness required for this last stretch together with crampons and ice-axes. The previous day, the team had discovered it was short of a pair of crampons owing to a misunderstanding. As a result, the guides had resolved to leave one of them who gave up his crampons, which enabled mobility on the slippery glacier once fastened to the boots.

At 3:00 a.m. we left the camp with hope of setting foot on Margherita Peak and return safely. The trek
began with walking over bare rocks and rock climbing. The bare rocks left after recession of snow are a constant reminder of global warming. After two hours, we arrived at the snowline of Stanley Plateau and put on crampons to navigate through it. Ten minutes later, it was back to bare rocks till day break. It was a relief to walk in the light. We eventually arrived at the start of Margherita Glacier freezing, hungry, exhausted, anxious and excited at the same time. The glacier was finally here! After a breather, two guides ran up the glacier to belay as the other three hooked us to the rope. It was time to get down to business; belay and abseil business! The mystical challenge!

Once hooked to safety, the climb began in earnest with the left hands on the rope and ice-axes on the right hands chipping off the glacier as we climbed. It was a strenuous climb not devoid of drama! Into the climb, we had crampons discharged out of some climbers’ boots and fly away. At one point, Nick hanged on to the rope after both crampons came out of his shoes. Thankfully, they did not disappear into crevasses or fly too far away from the guides’ reach. Meanwhile, we stopped and dug ice-axes into the glacier holding on to them for safety until we could move on. Throughout, the guides instructed us to stop or go! Interestingly, they addressed each other in Konjo, probably for the better lest the discussion was a rope or route issue.

After hours of hard work, we got to the end of the rope but realized it was not the end. We sat down on the melting snow holding on to ice-axes as the guides secured the rope further up. We hit the ground running till the end of the beautiful glacier once the guides were ready. Lo and behold, we were finally above the clouds in the midst of beautiful Rwenzori Mountains. We unfastened the crampons and rock climbed a short stretch to the lunch point. After half an hour break, we left for Margherita Peak (5,109m), the highest point in Uganda.

Half an hour later, we embarked on the descent and arrived at Elena Hut at 11.30pm. Day six on the Rwenzori Mountains involved a long drop from Elena Hut to Nyabitaba Hut. By the time we got to camp at 9.00pm, I was kaput! I lay on my bed and cried as my whole body was in pain, especially my knees. It took the intervention of fellow climbers to help me stretch my muscles for me to walk and laugh again. The last day we woke up energized after a good rest and ran down to the park gate. It took us an hour to arrive to a victory welcome.
We came into a new territory. We therefore started from scratch and found ourselves learning as we ran. A new government was going to be elected into office in March, 2013 and it had to find us ready. There was no luxury of time. The first thing we had to understand was the object of our existence. We looked at the Constitution to understand our mandate. Reading it, the Constitution simply stated that one, we shall be setting the salaries of the State Officers and regularly reviewing the same; and two, we shall be advising the national and county governments on issues to do with salaries and remuneration. These two seemingly simple statements required detailed analysis. For this, we set out from the known to the unknown.

The first step in such a journey is to get to know one another. We had all come from different backgrounds and organizations and we were going to work together not for one month or one year, but six good years! For this, it was important to forge ahead as one team with a unified vision.

Sarah Serem, CBS (Chairperson)

I t has been an exciting moment for me. Coming in meant that we were introducing a completely new body that nobody knew anything about. It meant explaining to people what we were coming to do. There were some stakeholders who were worried about our intervention in their mandates and this was an issue. We took a lot of time to convince people to understand what we stood for and to get them to work along with us.

Daniel Ogutu, EBS (Vice Chairperson)

The biggest challenge that needs to be resolved by the incoming Commissioners is that of the salary structure in Kenya has been on an upward trend.

Here, people earn pay adjustments in double digits. They will have to create a balance where there is fiscal sustainability.

You cannot go on increasing salaries without looking at what the public purse has. This is a serious pitfall that we have. The rate at which pay has adjusted in the last several years does not compare favourably with the rate at which labour productivity has improved. In our understanding, we have worked out up to the level the economy can sustain. You put that at the level of the existing salaries, and it is clear that the existing salaries are already way too high.

Anne Owuor, EBS

I t has been a very good journey – with successes and challenges in equal measure. As commission-
ers, we came from different backgrounds, from about 10 different types of institutions to see how best to manage the issues of salaries and remuneration in the public sector. It was completely new and in the beginning, we were kind of lost even if there was no time for that. We had to do a lot of benchmarking to understand our task, we had to do a lot of visits and engage consultants in trying to have a sense of direction. We also had to look at what the position was in other countries. We burnt the midnight oil to make sure that as the new government came into office in 2013, it would find a salary structure for State Officers ready.

The biggest challenge we ran into was the sense of entitlement from both State Officers and other public service institutions who felt that they were independent and were not prepared for the change that occurred in management of their pay.

As a Commission, we had to be firm, work as a team and keep our focus to lay a firm foundation for public wage bill management in Kenya. We have tried to be as thorough as possible so that it is easy to understand and follow through with what we have done during our tenure in office and also ensure that the next team will have a seamless start to their tenure.

When I was appointed to this commission, the expectations of my members were that I was going to be a very useful person to them. In the banking industry, I have been a workers leader for many years, and I have always been very committed to the workers’ plight. When I came here, my biggest concern was: how do I handle the clamour for workers’ rights while upholding the mandate of the SRC?

We had come to deal with an untenable wage bill and at the same time to be fair to the workers of the country. The commission’s mandate was sacrosanct because only it could be fair to everybody in the country since everybody fights for themselves. Yes, I disappointed my constituency who imagined that I had come here to fight for them.

I was losing their confidence and it took a lot of patient engagement to make them understand my role as a commissioner of the SRC. People even approached my Member of Parliament who assured them that he would talk to me. But I was not the only one.

My colleagues, Hon. Oloo Aringo and Mr. Jason Namasake, nominated by the National Assembly and the Senate respectively, had an even rougher time. The same happened to Ms. Sellestine Kiuluku with people from her constituency in the Judicial Service Commission. The early days in this commission were full of turmoil. Many people wanted to slay this new animal that was setting their salaries or invading their negotiating space with their employers.

In this country, we have become so preoccupied with how much we can earn and not how much we can produce. This has developed into a culture. It will be the duty of the incoming commission to address this. We must expand the size of the cake even as we talk about sharing it.

My expectation was that work as a Commissioner of SRC, wouldn’t be so involving and we could spend no more than half our time. It ended up being a full time job and for some of us who are in other jobs, it became quite a stretch. However, it has been a good opportuni-

---

Isaiah Kubai, MBS

Jacqueline Mugo, EBS
There was an expectation among Kenyans that we would tame the salaries of high earning Public Officers. We set out to do this. It was harder than we thought. The degree of resistance from those impacted by our decisions was extreme. Many stakeholders agreed to engage with us but they offered us a lot of resistance. Looking back, I don’t think we had any way of gauging the amount of push back that we would encounter. However, at the same time, there was a lot of support from Kenyans as we came out and showed them the parameters of wage determination and some of the principles we were using to determine them.

The trade unions were interesting. They felt that we were interfering in their work. They felt that we had invaded their space and impinged on their right to collective bargaining, their freedom to negotiate and, indeed, their freedom of association. But we told them that it was our mandate to look at the parameters of wage determination and evaluate the cycles of negotiation for their CBAs. They pushed back and, in some cases, we ended up in the courts.

All these challenges had to do with stakeholders who had still not familiarized themselves with the SRC mandate. They had not brought themselves up to speed with the new constitutional dispensation. So they resorted to fighting from and for their corner instead of seeing the importance of a working in a complementary way. Though different parts, they are part of one whole ecosystem called Kenya.

I would like Kenyans to have a responsible interpretation of the constitution they have. There is too much awareness of rights and not enough appreciation of the responsibilities that come with those rights.

What I would wish for our country is sobriety. Everybody is talking of the rule of law but only from the perspective of their parochial gain. We won’t achieve much if we don’t think about the greater good of society.”

The journey has been very fruitful. It has been fulfilling in the sense that as commissioners, we have worked together and all the decisions that we took have been unanimous. We’ve never had a situation when one or more commissioners raised their hands to say ‘please record my disagreement.’
If wage bill cannot be sustained, well, everything else doesn’t matter. So we had to address the issues of harmonization and compression ratio. We had to subtract from high earners and raise low earners. It is a sensitive undertaking requiring great skill and knowledge and ability to explain it all to our stakeholders.

In my view, we had a very good brief during our induction. From the onset, it was clear to us that we were commissioners of the Salary and Remuneration Commission and not representatives of the constituencies that sent us here. We were here to serve the public interest. Thus understood, it was easy for us to gel.

We stood our ground. Thank God for the new constitution because it protected us and we could not be removed at the whim of a disenchanted stakeholder.

We have set the remuneration policy which will guide the entire public sector. Any employer now who is trying to raise salaries will have to read some of the recommendations we have made. We did job evaluation, for example, where there had been none before. An accountant in the private sector was earning three times more than an accountant in the civil service. We have streamed all that and corrected the imbalances that existed.

It is going to be difficult to erode these gains because they have been owned by the people. As for trade unions, contrary to what they feared, there is still room for collective bargaining agreements but they are within the parameters set by us as custodians of the national good.

We faced many challenges from the beginning. But we were clear about our constitutionally mandated role which is to provide transformative leadership. We all agreed that even if we were conveyed here by different belts, we now had to transcend our nominating bodies and look at the national interest. Therefore, we delinked ourselves from our conveyor belts, as it were. Of course, we have been challenged. Parliament and the political class were very angry. But apparently, Kenya runs in five-year cycles where you climb for four years and in the fifth year, you plummet back to where you were first due to factors such as politics. This is a challenge at the SRC because remuneration is determined from the ability of the economy to afford it. If the economy underperforms, the element of development will have to be kept aside. There won’t even be money for operations and maintenance, and services such as security and health would be affected. The little that would be collected would be going only to meet the public wage bill. And if the uncertainty continues, even that will be a problem. So, the situation must be sorted out as soon as possible.

Apparently, Kenya runs in five-year cycles where you climb for four years and in the fifth year, you plummet back to where you were in the first due to factors such as politics.
The creation of SRC as a one stop institution to handle public sector remuneration and benefits came with its challenges. Some institutions did not understand the SRC’s mandate resulting into several court cases which sought an interpretation of our mandate. This delayed our work in some instances.

We managed to come up with a favorable compression ratio. Kenya’s wage compression ratio was relatively high compared to other countries in the region. Compression ratio measures the pay of the highest paid State Officer or worker as compared to the pay of the lowest paid.

Before SRC, the compression ratio was 1:58 for State Officers. That means the highest paid State Officer was being paid 58 times more than the lowest paid State Officer. We brought that down to 1:10 to improve fairness and equity.

The labour productivity in Kenya has not been commensurate to public sector salary increases since independence and we hope, with time; the incoming Commission will address the issue of how Kenya can improve her labour productivity.

We did a study on salary differentials between the public sector and the private sector and found that increasingly, the public sector is becoming a better employer than the private sector. Incentives and allowances play a significant role in ensuring employee retention within the public service, yet labour productivity remains a concern. Public sector pay should increasingly be based on performance, qualifications/skills, and responsibility.”

It was the first time that it was done. We got quite a bit of name calling after that but we did not budge. Eventually, the hostility died down and the new order was accepted. Before that Parliament was setting its own salaries and so were other public bodies.

The other highlight is advising public servants who are not State Officers over salaries. We are dealing with roughly 700,000 people spread all over the country whom we have divided into seven sectors for purposes of being able to manage them. Salaries should be as close as possible. In the past, there were big disparities that were born out of the way salaries were determined. If you were lucky and got into a state corporation, your chances of getting a higher salary were much better than somebody landing a similar job in a ministry.

…”Incentives and allowances play a significant role in ensuring employee retention within the public service…. “
Due to contractual challenges with the Consultancy firm engaged to undertake Job Evaluation for Public Universities, Research Institutions, and Tertiary Education Institutions (PURTI); and Disciplined Services sectors, the Commission was compelled to terminate the awarded contract and initiate the tendering process afresh. This resulted in delays in progress of the exercise for the two sectors.

The Commission engaged Pricewater House Coopers (PwC) to carry out the Job Evaluation exercise for PURTI sector; and Ernst and Young (EY) for the Disciplined Services sector in January 2017.

For ease of management, the sub-sectors were grouped into institutions as follows:

PURTI consists of Public Universities (33), Research Institutions (45), and Tertiary Education Institutions (59);

Disciplined Services sector comprises

- Kenya Defence Forces;
- National Police Service;
- Kenya Prisons Service;
- Kenya Wildlife Services;
- National Youth Service;
- Kenya Forest Service;
- National Intelligence Service and Witness Protection Agency.
A sensitization meeting with National Police Service

**Stakeholders Sensitized on Job Evaluation**

SRC held sensitization workshops on job evaluation for Public Universities, Research Institutions & Tertiary Educational Institutions sector on 2nd and 3rd February, 2017. The workshops targeted Vice Chancellors, Heads of Research Institutions, and Heads and Principals of Tertiary Educational Institutions.

In her opening remarks, the Chair informed participants that the delay in conducting job evaluation for the sector was because the Commission had encountered some contractual challenges. “However, the Commission had since surmounted the challenges and has contracted PricewaterhouseCoopers (PwC) to carry out the job evaluation for the sector,” she noted.

Participants were sensitized on the various aspects of job evaluation including; why it is important, the tool to be used, the factors to be evaluated and the action plan, among others. The goal of job evaluation is to ensure remuneration and benefits of public officers are objectively set, streamlined and harmonized, while guaranteeing that the government pays a competitive remuneration that fairly competes in the global market.

Following the sensitization, the Commission trained job analysts from the various institutions in the sector. The analysts conducted job analysis in their institutions, and act as change and communication agents.
The Commission also held inception meetings with the Disciplined Services institutions’ leadership in March 2017 so as to ensure that the process is all-inclusive and all staff understand and embrace the purpose of the Exercise.

**SRC at the ICGFM 31st Annual International Training Conference**


ICGFM is dedicated to improving financial management, so that governments may better serve their citizens. It is out to bring together leaders and practitioners to explore topics of significance and facilitate multi-discipline discussion and solution; and to establish social networks and facilitate the sharing of best practices and thought leadership in full spectrum of public financial management.

The ICGFM is "Working side-by-side with governments, institutions and individuals, to empower leaders and practitioners around the globe to provide more accountability, transparency and good governance to their citizens than ever before," observed Jim Wright, President ICGFM.

The Commission was represented by the Chairperson, Sarah Serem; Vice Chairperson, Daniel Ogutu; and Commissioner Anne Owuor.

“...ICGFM is dedicated to improving financial management, so governments may better serve their citizens...”
The SRC released the job grading and salary structures for Service and Regulatory State Corporations, and Commercial State Corporations on 30th June, 2017. This marked the conclusion of the job evaluation for the two sectors.

Ninety eight (98) Service and Regulatory State Corporations, and forty nine (49) Commercial and State Corporations were evaluated. The total number of jobs evaluated in Service and Regulatory State Corporations were 9,843, while those in Commercial State Corporations were 6,270.

Based on the job evaluation job grading structure, SRC developed a salary structure that is aligned to each grade for both service and regulatory state corporations, and commercial state corporations.

The Commission considered the following factors:

- Budgetary allocation from Exchequer;
- Proportion of internally generated funds to Exchequer allocation;
- Ability of institutions to pay recommended salary structure;
- Attraction of the right calibre of personnel from the competitive job market; and
- Salary survey, among others.

The implementation of the salary structure is based, amongst others, on:

1. The alignment of the model salary to the grading structure; and
2. Individual institutions assessment of the financial implication of implementing the model salary structure, and demonstration of the ability to pay within the structure by making a proposal to the Commission for advice.
The Salaries and Remuneration Commission marked its first six years which coincided with the end of the term ceremony themed: “The six years’ journey in public service remuneration management.” The event held on 5th December, 2017 was graced by Deputy President and other guests including Cabinet Secretaries, Chairs of Constitution Commissions and Independent Offices, and Principal Secretaries.

The Chair of SRC, Sarah Serem, noted that following the appointment and swearing into office in January 2012, the Commission...
had to start from scratch. She, however, observed that the bushes then were foreboding and it required the Commission to have steely hearts and strong determination. “I must say it has been a rollercoaster of a journey that required single-mindedness of purpose, sacrifice, hard work and teamwork,” she said.

Further, she observed that the Commission despite various challenges, had achieved a lot over the last six years which is attributed to the goodwill of all stakehold-
The year ended with the Commissioners bidding the Secretariat farewell on 8th December, 2017. During the end of term event, both the Commissioners and Secretariat reflected on the SRC journey since 2011. The Chair thanked the Commissioners and Secretariat for their commitment and hard work over the years. The colourful event which was filled with song and dance ended with the Chair cutting a cake to celebrate the six years of SRC journey.

New Appointments

The Commission continued to attract new staff. Ms. Margaret Njoka joined the Commission as the Director of Corporate Social Services and Dr. Hilary Patroba as Deputy Director of Research and Compliance.

Ms. Susan Lukano was promoted to Deputy Director Remuneration Analysis; while Barnabas Kaisang, Martin Kasure and Justus Kilonzi were absorbed into the Commission from National Youth Service (NYS).
The Deputy President, H.E. William Ruto, with SRC Chair, Mrs. Sarah Serem, during the end of term ceremony for the first SRC Commissioners and launch of the SRC report, 2011-2017

South Sudan Public Service visits SRC
SRC with Kenyan soldiers at Afmadhow, Somalia, while conducting job evaluation for KDF

SRC Chair leads the SRC team in a dance

Commissioner Brg. (Rtd) Samuel Kirugi gives remarks during the 2017 open day for employment and labour relations court

Participants of the job evaluation county clinics

Guests at the end of term ceremony for the first SRC Commissioners and launch of the SRC report, 2011-2017 including the Deputy President, H.E. William Ruto
Launch of the SRC report, 2011-2017

SRC Commission Secretary, Anne Gitau, with members of Society of Clerks at the Table (SOCATT)

SRC team dance during the end of term event

Guests at the end of term ceremony for the first SRC Commissioners and launch of the SRC report, 2011-2017

SRC staff during the end of term ceremony for the first SRC Commissioners and launch of the SRC report, 2011-2017