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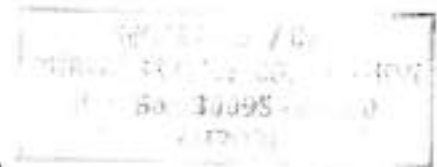
HUMAN RESOURCE POLICIES AND PROCEDURES MANUAL

FOR

**WILDLIFE RESEARCH AND TRAINING
INSTITUTE (WRTI).**

**APPROVED BY PUBLIC SERVICE
COMMISSION**

JULY, 2025



APPROVED

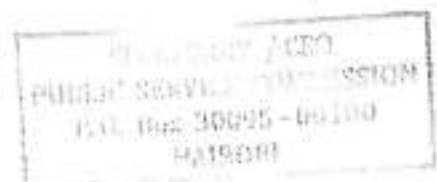
SECRETARY / CHIEF
PUBLIC SERVICE COMMISSION
P.O. Box 30095 - NAIROBI
KENYA

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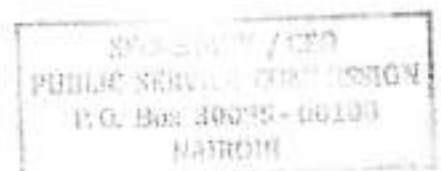
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ACRONYMS AND ABBREVIATIONS

AA	: Automobile Association of Kenya
AG	: Attorney General
AIDS	: Acquired Immuno-Deficiency Syndrome
CEO	: Chief Executive Officer
COC	: Code of Conduct
CPC	: Corruption Prevention Committee
DOSH	: Directorate of Occupational Safety and Health
EACC	: Ethics and Anti-Corruption Commission
GOK	: Government of Kenya
GPA	: Group Personal Accident
HELB	: Higher Education Loans Board
HIV	: Human Immuno-Deficiency Virus
HOD	: Head of Department
HOFA	: Head of Functional Area (e.g. Division or Department that directly reports to the Director)
HR	: Human Resource
HRM	: Human Resource Management
HRMAC	: Human Resource Advisory Committee
ICT	: Information Communication Technology
KRA	: Kenya Revenue Authority
NSSF	: National Social Security Fund
OSHA	: Occupational Safety and Health Act
PAS	: Performance Appraisal System
PAYE	: Pay As You Earn
PIN	: Personal Identification Number
PIP	: Performance Improvement Plan
PSC	: Public Service Commission
RBA	: Retirement Benefits Authority
SACCO	: Savings and Credit Cooperative Society
SCAC	: State Corporations Advisory Committee
SHA	: Social Health Authority
SHIF	: Social Health Insurance Fund
SRC	: Salaries and Remuneration Commission
TNA	: Training Needs Assessment
VCT	: Voluntary Counseling and Testing
WIBA	: Work Injury Benefit Act
WRTI	: Wildlife Research and Training Institute

DEFINITION OF TERMS

The terms in subsequent sub-paragraphs will have meanings specifically assigned to them as follows: -

Term	Definition
Act	The Wildlife Conservation and Management Act
Basic Salary	Pay of an employee exclusive of allowances.
Board	The Board of the Institute as provided in Section 53 of the Act responsible for governance of the Institute.
Cabinet Secretary	The Cabinet Secretary for the time being responsible for matters relating to wildlife
Calendar year	The period from 1 st January to 31 st December both days inclusive
Daily Substance Allowance	When performing duties outside the duty station, an employee is entitled to a daily substance allowance (night-out allowance) dependent on the duration of a particular assignment. The rate of daily substance allowances will be determined by the Government from time to time.
Dependent Child	The biological off-springs or legally adopted children under the age of twenty-five (25) years, who are unmarried and wholly dependent on the employee. For the purpose of records, the names of the children must be declared at the time of joining or birth or adoption if it occurs during employment in the Institute.
Director	The Chief Executive Officer appointed under section 58 of the Act responsible for the day-to-day stewardship of the management team.
Disability	This means a physical, sensory, mental or other impairment, including any visual, hearing, learning or physical incapability, which impacts adversely on a person's social and economic participation
Employee	A person employed by the Institute for wages or a salary.
Family	Includes the employee's spouse and up to four (4) children/biological off-springs or legally adopted children under the age of twenty-five (25) years.
Financial year	The period from 1 st July to 30 th June of the following year.
Gross salary	Pay of an employee including all allowances.
Head of Div.\Dept	Any person for the time being heading any of the designated Departments/Divisions/Sections.
Head of Functional Area	Refers to an officer in-charge of a Function/Division
Institute	The Wildlife Research and Training Institute established under the Wildlife Conservation and Management Act.

Term	Definition
Leave year	The period from 1 st July to 30 th June
Next of Kin	The name of the person provided by the employee for the purpose of contact during emergency and in case of death.
Pro-rata	Means computation of benefits for the period served in relation to the full-term entitlement.
Rotation	Process where an employee is moved through one or more positions designed to give an employee wide exposure of the Institute or different aspects of specific functions.
Secondment	Permitting an employee to serve another organization for a specific duration on mutually agreed terms.
Senior Management	Denotes the Director and Heads of Divisions/Departments reporting directly to the Director
Spouse	A legally recognized marriage partner of an employee as specified under the relevant law.
Supervisor	An employee who has responsibility to oversee direct or supervise work or operations of other employees
Training Bond	Formal agreement between the Institute and its employees who are selected for approved training that obliges them to serve in the Institute for a specific period of time on completion of training.

Note: Unless otherwise stated or implied, words in the masculine gender include the feminine gender; words in the plural include the singular and words in the singular include the plural.

FOREWORD

The Institute is committed to fulfilling its mandate of coordinating and undertaking wildlife research and training. In this regard, it focuses to enhance knowledge through research on the status of the country's wildlife and their potential to facilitate optimized benefits from the resource; provide quality and comprehensive wildlife data and information to inform decision making and policy formulation; promote and coordinate data sharing, use and integrated cross-sectoral and multi-scale planning for conservation and sustainable development; and provide capacity development through training to enhance wildlife conservation and management.

The Institute has developed a bench marked Human Resource Policy and Procedures Manual to ensure effective human resource management as well as to accommodate changing organizational needs and external factors including the need to comply with guidelines for development and review of human resource management instruments by the Public Service Commission and applicable legal and regulatory requirements.

A human resource management manual is crucial in providing guidance on the management of its key resource, the human resource, for enhanced service delivery. Indeed, the Institute recognizes that prudent management of its human resource is key to achieving its mission as it provides the foundation for recruiting and retaining competent staff. The Manual is intended to inform, guide and provide an objective way of handling issues between the employer and employees. It provides details of processes that lead to attraction, motivation, and retention or exit of staff from the Institute. It is expected that with the manual in place, many routine decisions and transactions will proceed with minimal encumbrances.

This Manual has been developed with the recognition of the various emerging human resource issues at the workplace in line with the Constitution of Kenya, other relevant laws of Kenya, relevant labour regulations in place, and circulars issued by Government from time to time.

It is my hope, that this Manual will play a vital role in guiding the management of employees and processes in the Institute.

DR. DAVID NKEDIANYE
CHAIR, BOARD OF THE INSTITUTE

PREFACE

The Institute recognizes its human resource as the major catalyst for institutional growth and development in fulfilling its mandate. On its part, the Institute is committed to supporting its employees in execution of their duties. Part of this support has been demonstrated in the review of the inaugural Human Resource Policy and Procedures Manual developed in 2021 during the delinking process from the Kenya Wildlife Service (KWS). The first Manual was identified to have gaps that impeded effective human resource management.

The Manual was revised by bench marking with other similar public institutions. It is aligned to the Public Service Commission's guidelines of 2023 on development and review of human resource management instruments for State Corporations. These guidelines provide a framework for development and review of human resource management instruments with a view of streamlining the management and oversight of human resource management in State Corporations. It also incorporates provisions of the Constitution of Kenya, labour laws and other legislations that govern various aspects of industrial relations in the public service.

The Manual however, does not purport to be exhaustive of all the rules and regulations governing the Institute's employees in their day-to-day activities. Rather, it is a summary of the core and significant regulations and incorporates provisions of relevant legislations which are applicable on matters of employment and other Human Resource Management and Development issues. In this regard, it is important to note that the Manual should be read alongside other relevant statutes as well as other policies and guidelines that may be issued by the Board from time to time, where applicable, for better interpretation and application.

The revised Manual is intended to serve as a reference guide to the Board, Management and Staff of the Institute on matters of policy and practice on human resource management. It is intended primarily for use as a guide for everyday decision making and advisory purposes. All staff are expected to acquaint themselves with its provisions to ensure a common understanding and interpretation.

The interpretation of the Manual shall rest with the Board guided by relevant legislations and policies. It will be updated from time to time as need arises to reflect policy changes affecting human resource development and management in the public service in tandem with best human resource practices.

DR. PATRICK OMONDI, OGW
DIRECTOR/CEO

SECTION 1: GENERAL PROVISIONS

1.1. Introduction

- 1.1.1. This Human Resource Policy & Procedures Manual has been developed to support service delivery, commitments and obligations of the Institute to the targeted beneficiaries.
- 1.1.2. Unless otherwise expressly provided, employees of the Institute shall be required to observe the provisions of the policies and procedures provided in this Manual.
- 1.1.3. The Manual shall be read in conjunction with the Constitution of Kenya, relevant Laws guiding management of staff and Government policy guidelines released from time to time.
- 1.1.4. This Manual will act as a reference document for the Institute. It therefore forms the basis upon which the Institute working culture and environment will develop.
- 1.1.5. The Manual sets the guidelines on recruitment and selection of members of staff, and management and development of human resource in the Institute. It is also the official means for the Institute to communicate its policies on human resource management related matters.
- 1.1.6. This Manual will be used in conjunction with other approved policies and procedures manuals relating to specific administrative functions of the Institute. It therefore forms an integral part of the management processes of the Institute.
- 1.1.7. All copies of this Manual are the property of the Institute and it is the responsibility of all members of staff to make sure that they have access to the Manual.
- 1.1.8. All employees of the Institute will also be subject to relevant provisions of other regulations, Government circulars, rules and instructions as may be issued by other authorities who may be authorized to do so from time to time.
- 1.1.9. This manual will be reviewed as and when necessary but at least every three (3) years so as to be in harmony with legislation and organizational and technological changes.

1.2. Objectives

1.2.1 The general objective of this Manual is to summarize Human Resource Management policies, procedures, regulations and other administrative processes to facilitate those responsible for managing the Institute to use one common reference document on all human resource related matters.

1.2.1 The specific objectives of this Manual are to ensure: -

- a) Adherence to the Constitution and other government guidelines.
- b) Support from employees, stakeholders, the Government, the public and the development partners.
- c) That employee policy, organization structure and individual roles operate in an integrated manner so that the Institute's objectives are met in a timely and cost-effective manner.
- d) Adherence to various professional etiquettes and public expectation of a work environment of zero tolerance to corruption.
- e) A common understanding by the Institute's employees of stipulated standards and procedures in monitoring their performance for continued improvement.

1.3. Responsibility

1.3.1 The Head of Human Resource shall make the Manual available to all employees. Thereafter, it will be the responsibility of all employees to read and understand the Manual and any other subsequent amendments therein.

1.4. Interpretation and Enforcement

1.4.1 The manual should be interpreted in conjunction with the Constitution, relevant legislations, regulations, and obtaining Government policies including but not limited to:

- a) The Wildlife Conservation and Management Act Cap 376;
- b) The State Corporations Act Cap 446;
- c) The Occupational Safety and Health Act, No. 15 of 2007;
- d) The Employment Act, No. 11 of 2007;
- e) The Labour Institutions Act, No. 12 of 2007;
- f) The Labour Relations Act, No. 14 of 2007;
- g) The Work Injury and Benefits Act, No. 13 of 2007;
- h) The Public Officers Ethics Act No. 4 of 2003;
- i) The Anti-Corruption and Economics Crimes Act, 2003;
- j) The Leadership and Integrity Act, 2012;

- k) HIV/AIDS GoK Policy Guidelines of 2005;
- l) Guidelines on bonding Public Service Trainees, April 2011;
- m) The Fair Administrative Act, 2015;
- n) Public Service Commission Act, 2017;
- o) Public Service Values and Principles Act, 2015;
- p) The Public Service Commission Regulations, 2020; and
- q) *Mwongozo: Code of Conduct for Governance for State Corporations.*

1.4.2 The day-to-day application of this manual shall be the responsibility of Head of Resource and Administration

1.4.3 In case of any doubt as to the interpretation of any provision in the Manual, the same shall be referred to the Director/CEO. The Director/CEO will seek guidance from the Board or any relevant Government department or Institute on any matter that may not be covered by these policies and procedures.

1.5. Amendments /Review

1.5.1 The Manual may be amended from time to time as and when necessary. Such changes will require authorization of the Board and approval by relevant Government Agencies and will be communicated to employees in writing through separate communication.

1.5.2 The Board reserves the right to consider and approve a revision, revocation or addition to the general policies contained in this Manual.

1.6. Establishment and Functions of the Institute

1.6.1 The Institute is established under section 50 of the Wildlife Conservation and Management Act Cap 376 with the mandate to coordinate and undertake wildlife research and training. Its functions as outlined in the Act are as follows:

- i) Collect and analyze wildlife data and information, to support planning and decision making by different stakeholders, relating to:-
 - a) Inventory and status of wildlife resources countrywide;
 - b) Trends in wildlife conservation and management approaches and practices;
 - c) Processes or activities likely to impact on sustainable wildlife conservation and management; and
 - d) Wildlife statistics;

- ii) Undertake research through remote sensing and geographic information system to enhance wildlife conservation and management;
- iii) Undertake wildlife disease surveillance and control;
- iv) Provide training and capacity development programs, courses in wildlife conservation and management and related disciplines and award Diplomas and Certificates;
- v) Determine, in consultation with the Service and the relevant lead agencies, the carrying capacities of the various wildlife conservation areas and their conservation needs and priorities;
- vi) Assess information, that is the basis of ecosystem-based management plans for all wildlife conservation area;
- vii) Undertake wildlife research and related emerging areas;
- viii) Establish with the approval of the cabinet secretary such campuses or centers for training and capacity development as are necessary and in the furtherance of wildlife research and training;
- ix) Enter into associations with other institutions of learning within or outside Kenya as the Institute may consider necessary or appropriate and in furtherance of wildlife research and training;
- x) Give information on early warning, disaster management, impacts and mitigations and adaptive strategies to climate change in wildlife conservation areas;
- xi) Organize symposia, conferences, workshops and other meetings to promote the exchange of views on issues relating to wildlife research and training;
- xii) Issue wildlife research permits;
- xiii) Establish a comprehensive wildlife data base; and
- xiv) Perform any other functions that are ancillary to the object and purpose of which the Institute is established.

1.7. Organization of the Institute

The current organizational structure of the Institute can be broadly categorized into two tiers which comprises Governance and the Management.

1.7.1 Governance Structure

The Management of the Institute is vested in the Board.

1.7.2 Management Structure:

The management is responsible for the day-to-day operations of the Institute. The Director/CEO provides stewardship to the management team. The management of the Institute is structured from the office of the Director/CEO to the various Divisions, Departments, Sections, and Units as may be determined by the Board from time to time.

1.8. Values and Principles of Governance

The Institute shall be guided by values and principles of governance enshrined in the Constitution including Articles 10 and 232 and any other relevant laws.

APPROVED

Director / CEO
NATIONAL SEARCH COMMISSION
P.O. Box 30095 - 00100
Nairobi

SECTION 2: RECRUITMENT, SELECTION, APPOINTMENT AND PROMOTIONS

2.1. Introduction

2.1.1. The Section provides rules governing recruitment, appointment, promotion, secondment and transfer of employees in the Institute.

2.2. Powers to Make Appointments

2.2.1. The power to appoint employees is vested in the Board. However, the Board may delegate some of these powers in writing and for a specific cadre of employees to the Director/CEO. The Director/CEO shall report such appointments not later than the next Board meeting for noting.

2.2.2. The Director/CEO shall present to the Board for approval a report for every stage of the recruitment process, before progressing to the next stage, to ensure that the requirements of the law are observed.

2.3. Appointments by the Board

2.3.1. The Director/CEO shall be appointed by the Board through an open, competitive, fair and merit-based process in accordance with the provisions of the Act. While making the appointment, the Board shall adhere to national values and principles of Governance and the values and principles of Public Service as set out in the Constitution.

2.3.2. The Director/CEO shall be appointed on contract terms in accordance with section sub-clause of this Manual and the WRTI Act.

2.3.3. Appointments to positions in Job Grade 1 to 3 shall be made by the Board. The powers to appoint positions from Job Grade 4 to 13 is delegated to the Director/CEO. All appointments shall be in accordance with the approved procedures.

2.3.4. The Institute may enlist the services of a relevant independent professional body to conduct the recruitment exercise, if considered necessary.

2.4. Appointments under Delegated Authority

2.4.1. The power to appoint from positions WRTI 5 to WRTI 13 is delegated to the CEO. All appointments shall be in accordance with the approved procedures.

2.5. Human Resource Management Advisory Committee

- 2.5.1. The Director/CEO shall constitute a Human Resource Management Advisory Committee (HRMAC). The committee shall be responsible for advising the Director/CEO on all human resource management issues as may be delegated by the Board. The committee's advisory services shall include but are not limited to:
- a) Maintenance of the Institute's establishment
 - b) Management of the recruitment process
 - c) Constituting the interview panel
 - d) The induction and confirmation of new employees
 - e) Appointment of their representatives to the interview panel
 - f) Compiling reports in accordance with statutory requirements.
 - g) Performance management;
 - h) Promotions;
 - i) Confirmation in appointment;
 - j) Training and Development;
 - k) Management of skills inventory;
 - l) Transfers and deployments;
 - m) Promotion of values and Principles of Public Service;
 - n) Secondments and unpaid leave;
 - o) Issues of retirement;
 - p) Re-designation;
 - q) Renewal of contract; and
 - r) Discipline.
- 2.5.2. The committee shall comprise of at least five (5) but not more than seven (7) members who shall not be below Job Grade 3. The Director/CEO shall appoint one of the members as the chair of the committee.
- 2.5.3. The quorum of the committee shall be two thirds (2/3) of the appointed members.
- 2.5.4. The Chairman shall be a non-voting member of the committee but shall cast a vote in case of a tie. The Head of HR will not be a member of the Committee but shall be the Secretary to the committee.

2.6. Human Resource Plan

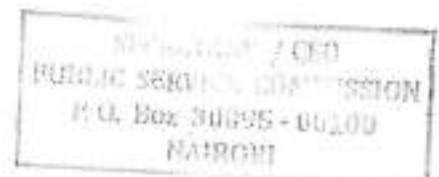
- 2.6.1. The Institute shall prepare a Human Resource Plan to support achievement of goals and objectives in its strategic plan. The plan shall be based on comprehensive job analysis and shall be reviewed every year to address emerging issues and needs.
- 2.6.2. On the basis of these Human Resource plans, the CEO shall be required to develop an annual recruitment plan which will be forwarded to the Board at the beginning of each financial year to enable it to fill the vacancies.
- 2.6.3. Such declarations should originate from the various HODs and must be supported by good justification for the recruitment and confirmation that the positions are not only within the approved establishment but also fully funded.
- 2.6.4. The Institute is committed to ensure that the terms and conditions of service are competitive to attract, motivate and retain a skilled and productive workforce required for efficient and effective service delivery.
- 2.6.5. The Institute is an equal opportunity employer and shall not in its recruitment and selection process discriminate based on gender, race, religion, ethnicity, or any other form of discrimination. The constitutional requirement in Article 232 and on mainstreaming of gender, youth and persons with disabilities as stipulated in Article 54 to 57 of the Constitution will be observed alongside any other policies issued by relevant government agencies.
- 2.6.6. The Institute's efficiency and effectiveness depends on the quality and competencies of employees it engages. The Institute shall therefore endeavor to recruit suitably qualified and competent employees with the right skills, attitudes and abilities.
- 2.6.7. When making a decision on selection on first appointment, information concerning a candidate's general background and/or previous employment shall be verified. No appointment shall be offered to any employee prior to such verification.
- 2.6.8. All appointments shall be made with the approval of the Board or as delegated and shall be within the approved establishment.
- 2.6.9. Appointments in all cases shall be aligned to clear job descriptions and specifications for various cadres of employees in their respective fields of employment.

2.7. Recruitment Procedure

- 2.7.1. The Director/CEO shall ensure the development of a Human Resource plan based on comprehensive job analysis and which shall be reviewed every year to address emerging issues and needs.
- 2.7.2. The Director/CEO shall declare to the Board in accordance with the procedures set out in this Manual, all vacant posts within the establishment, which are to be filled substantively, or in an acting capacity. Such declaration should originate from the various HOFAs and must be supported by good justification for the recruitment and confirmation that the positions are not only within the approved establishment but also fully funded within the budget.

2.8. Advertisement of Vacancies

- 2.8.1. The Board will advertise all positions in Grade WRTI 1 to WRTI 4 which fall vacant or are newly established. Whenever a position falls vacant or a new position is established by the Board in Grade WRTI 5 to WRTI 13, the CEO will advertise the position(s) under delegated mandate, with the approval of the Board.
- 2.8.2. Consideration should always be given to promote candidates from within the Institute for Job Grades WRTI 4 to Job Grade WRTI 13, so as to meet the employee career growth expectations. Senior posts, Job Grade WRTI 1 to WRTI 3 will be advertised externally in an open, competitive, fair and merit-based process.
- 2.8.3. Before external recruitment is considered for Job Grade 4 to 10, the following steps of filling up the post internally shall first be exhausted:
- a) Promotion of the qualified candidates in the division or qualified candidates from other divisions who have the requisite qualifications and competence to do the job.
 - b) Internal advertisement to attract applications from any staff members within the Institute.
- 2.8.4. Where the internal recruitment process is exhausted and no suitable internal candidate exists, applicants will be sourced through open advertisements. The Institute shall opt to go to the open labor market to recruit. Where there will be need for specialized services, the Institute may use employment agencies or search firms to hire suitable candidates.



- 2.8.5. Once applications are received, the short-listing panel(s) shall be constituted by the Board or the Director/CEO as per the delegated powers.
- 2.8.6. The principles of affirmative action, gender and persons living with disability and national values will apply. The Institute shall observe gender mainstreaming, balance on appointment, promotion and ensure that a minimum of a third (1/3) are of either gender.
- 2.8.7. Internal and external advertisements will contain the following: -
- a) A brief description of the Institute's mandate;
 - b) The title and rank of the post;
 - c) Number of vacancies,
 - d) Main purpose of the job, where necessary;
 - e) The terms of employment;
 - f) The prescribed qualifications applicable, including any previous experience, skills and competencies required for the job;
 - g) A brief description of the key responsibilities of the job;
 - h) The expected deliverables of the post;
 - i) The supervision, accountability and reporting arrangements;
 - j) Any added advantage applicable;
 - k) The mode and deadline of transmitting the application;
 - l) Location of the job (where necessary);
 - m) Any consideration that may occasion disqualification.
 - n) Clear instructions on how to apply and information to be submitted in the application;
 - o) An indication that only shortlisted and successful candidates will be contacted; and
 - p) Closing date of receipt of application.

2.9. Application for Employment

- 2.9.1. A candidate applying for employment shall do so online or manually by completing the prescribed form.

2.10. Short Listing

- 2.10.1. The Head of HR shall prepare and maintain summary of all applications.
- 2.10.2. For every advertised position, the Board or CEO shall form a short-listing panel.

- 2.10.3. The shortlisting for positions in WRTI 1 to WRTI 4 shall be handled by a panel comprising members of the board and such other technical persons as may be appropriate. The report of the panel shall be presented to the Board for consideration and approval. The whole Board shall form the shortlisting panel for the position of CEO.
- 2.10.4. The shortlisting for positions in WRTI 5 to WRTI 13 shall be handled by a panel constituted by the CEO in accordance with this Manual. The CEO may co-opt any such technical person(s) into the panel as may be appropriate.
- 2.10.5. The shortlisting process shall be undertaken within twenty-one (21) days of closing the advert.
- 2.10.6. Each panel comprise of at least three (3) members. The shortlisting criteria shall include minimum constitutional and statutory requirements and shall be on fair competition and merit (meeting minimum requirements as advertised). The requirement for Gender, Disability and Diversity mainstreaming may be considered.
- 2.10.7. No panelist at either the shortlisting or interviewing stage will participate in cases where there is an applicant who is related to him in any way to avoid conflict of interest.
- 2.10.8. A profile of each applicant shall be prepared to include: the name, National Identity number, age, gender, ethnic group, home county, disability status, vacancy number, job group, date of substantive appointment and designation (for serving officers), qualifications and experience.
- 2.10.9. The final shortlist shall take into consideration merit, Kenya's diverse communities, gender, youth, ethnicity, marginalized and minority communities and persons with disabilities in accordance with Articles 10, 27, 54 and 232 of the Constitution and the Public Service Commission Act, 2017.
- 2.10.10. For promotional positions, all qualified serving officers as per the advert shall be shortlisted and given an opportunity to compete for available vacancies.
- 2.10.11. The decision of the Shortlisting Panel shall be forwarded to the respective Authority as per the Schedule of Delegated Powers for approval.

- 2.10.12. Upon receipt of the shortlisting report by the CEO or the Board as the case may be, approval shall be given within twenty-one (21) days.
- 2.10.13. Where possible, during short listing, a ratio of three (3) candidates per position as a minimum will be adopted.
- 2.10.14. All application letters including those of candidates not short-listed shall be retained for six (6) months after the appointment has been made before archiving.
- 2.11. Interviews and Selection**
- 2.11.1. Candidates should be informed of their interview date, time and venue at least one week in advance.
- 2.11.2. Anyone who is involved in a selection process (short listing or interviewing) and is aware that a family member, a closely related person, or indeed any other person that they know personally, has applied, should declare this to the other members of the short listing/ interview panel at the earliest opportunity. Unless otherwise approved in writing by the Board or the Director/CEO they should then be withdrawn from the selection process and replaced by a suitable colleague.
- 2.11.3. The interview panel shall prepare a summary report of the interview and selection process.
- 2.11.4. The panel members shall sign the report and the secretary of the committee shall submit the report to the Director/CEO within twenty-one (21) working days from the last date of the interview.
- 2.11.5. The report shall include and not be limited to the following information:
- a) Membership of the panel;
 - b) The job advert;
 - c) The long list;
 - d) The short list;
 - e) The cut off mark(s) set by the interview and selection panel;
 - f) Interview scores for each candidate in order of performance;
 - g) Brief summary of recommended candidates;
 - h) Affirmative action criteria; and
 - i) Candidate's salary expectations, if any.

2.12. Reference, Background Checks and Vetting

- 2.12.1. The Institute shall conduct background checks for successful candidates to ensure they are cleared by relevant State Agencies and authentication of academic and professional certificates by respective institutions (KNEC, Universities, Colleges) before issuance of appointment letters.
- 2.12.2. Certified copies of all relevant documents shall be retained in the personal file of the candidate for the record.
- 2.12.3. Where a successful candidate is found to be of questionable background or whose certificates are not authentic, such officer will be dropped from the list of successful candidates

2.13. Offer of Acceptance

- 2.13.1. The offer letter shall be issued to successful candidate(s) subject consideration of article 232 of the constitution.
- 2.13.2. The offer letter issued to successful candidate(s) shall contain the specific period within which the candidate should indicate acceptance/decline of the offer.

2.14. Acceptance of Offer

- 2.14.1. Acceptance of an offer of appointment shall be made by signing on the duplicate offer of appointment letter. The period of acceptance shall not be more than twenty-one (21) days from the date of the notification.
- 2.14.2. A candidate who has not accepted the offer within twenty-one (21) days, from the date of notification shall be deemed to have declined the offer.
- 2.14.3. In the event that the first (1st) candidate declines the offer, the Institute may consider extending the same offer to the second (2nd) and third (3rd) best candidate in that order provided that this candidate had reached the cut off marks during interviews. Should the third candidate also decline, the Institute shall re-advertise the position.
- 2.14.4. The offer to the 2nd or 3rd candidate may be made within thirty (30) days from the expiry date of the offer to the first ranked candidate.

2.15. Record of Previous Employment and Qualifications

- 2.15.1. Candidates will before engagements provide the Institute with information on all previous employment, which must be supported by satisfactory documentary evidence.
- 2.15.2. It is the duty of the Director/CEO when recommending appointments to ensure that a candidate's record of previous employment is satisfactory in all aspects. The Director/CEO may call for a confidential report of a candidate from previous employers, contents of which may determine whether or not to appoint the candidate.
- 2.15.3. Where appointment is based on specific educational, professional or other qualifications, the original copies of the relevant certificates will be obtained from the candidate and authenticated before engagement or during the period of probation. All relevant examining bodies shall be consulted in case of doubt regarding the authenticity of the certificates produced by a candidate. Certified copies of all relevant documents should be retained in the personal file of the candidate for the record.

2.16. Medical Examination

- 2.16.1. 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 to guide deployment and job assignment of the employees and not to exclude them from employment.

2.17. Letter of Appointment

- 2.17.1. A letter of appointment shall be issued, in duplicate, to an employee on first appointment and shall contain the following details: -
- a) The Grade and designation;
 - b) Date of appointment;
 - c) Salary scale and salary entry point to which the candidate is appointed;
 - d) Terms of appointment;
 - e) Details of housing and other allowances payable;
 - f) Medical benefits and other benefits payable for the position;
 - g) Station of deployment; and

h) Terminal benefits.

2.17.2. The candidate will be required to acknowledge the letter of appointment and append his signature before or on the date of engagement. A copy of the letter shall be placed in his personal file.

2.17.3. A candidate shall be required to take up the post within a period of thirty (30) days from the date of acceptance, otherwise the offer shall be deemed withdrawn.

2.18. Date of Appointment

2.18.1. The date of appointment will be the date the employee assumes duty.

2.19. Personal Records

2.19.1. An employee on first appointment shall provide the following documents/information which shall be maintained in each employee's personal file: -

- a) Copy of original academic and professional certificates;
- b) Copy of National Identity Card/Passport;
- c) Two coloured passport size photographs;
- d) Certified copy of birth certificate;
- e) Copy of KRA Pin number, NSSF and SHIF details;
- f) Bank account number and branch;
- g) Certificate of good conduct from the directorate of criminal investigations;
- h) EACC clearance;
- i) HELB Clearance certificate;
- j) Tax Compliance Certificate; and
- k) Clearance from Commission on University Education (CUE) for foreign degrees (where applicable).

2.19.2. The following documents shall also be maintained in each employee's personal file:

- a) Personal data form

- b) Application for employment and updated curriculum vitae;
- c) Letter of appointment;
- d) Letter of confirmation in appointment;
- e) Completed performance appraisal forms;
- f) Birth certificates of dependent children (where applicable);
- g) Certified copy of marriage certificate or an affidavit (where applicable) and
- h) Any other document that may be required.

2.19.3. The employee shall also make an initial declaration of income, assets and liabilities by completing the prescribed form.

2.19.4. Where an employee is or becomes a relative of another employee while both are employed by the Institute, the Employee shall make a declaration of the same and such employee shall not be administratively or managerial subordinate to the other.

2.20. Probationary Period

2.20.1. Unless otherwise specified, all newly appointed employees on permanent terms will be required to undergo a probationary period of six (6) months.

2.20.2. During the period, the HOFA will submit detailed progress reports and recommendations indicating the employee's performance. Based on the recommendations, the Manager responsible for Human Resource will advise the Director/CEO whether, or not, the employee should be confirmed, probationary period extended, or the appointment terminated altogether.

2.20.3. 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 the officer is suitable for confirmation.

2.20.4. Where an officer's performance is unsatisfactory, he shall be informed in writing, and the probation period may be extended for a period not exceeding three (3) months.

- 2.20.5. 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 Employment Act, 2007 and/or the Public Service Commission Regulations, provided that the officer on probation is given adequate opportunities by the supervisor to enable him to qualify for confirmation in appointment.
- 2.20.6. An employee who has completed the normal or extended period of probation satisfactorily, shall be confirmed in the post.
- 2.20.7. Where the affected public officer is not notified in writing of the intention to extend the probationary period or where the authorized officer has failed to confirm the appointment of the public officer who was initially appointed on probationary terms and the probationary period has lapsed, the officer shall stand confirmed in appointment upon the expiry of the probationary period.
- 2.20.8. The period served on probationary terms shall be considered when computing the period of service for the purpose of payment of pension benefits, gratuity or any other terminal benefits.
- 2.20.9. Appointment on probationary terms shall only apply to a person appointed from outside the public service and shall not apply to any person already employed in the service of the county governments, the national government, or any public body.
- 2.20.10. Members of staff employed on contract terms will not be subject to probationary period, however quarterly appraisals shall be done of their performance.
- 2.21. Next of Kin**
- 2.21.1. New employees will be issued with a Personal Data Sheet in which they will enter specified data including nomination of their Next of Kin.
- 2.21.2. An employee will notify the Institute of any change in name and address of the Next of Kin for updating of the records.
- 2.22. Official Secrets Act Declaration**
- 2.22.1. Each employee shall be required to sign a Declaration of Secrecy Form under the Official Secrets Act, Cap. 187, on appointment and on termination of the

service. The Head of Human Resources shall bring to the attention of all employees the provisions of the Official Secrets Act on annual basis.

2.23. Employment Card

- 2.23.1. Each employee will be issued with an official employment card.
- 2.23.2. In the event of loss of the employment card, an employee shall apply for a replacement upon payment of a specified fee to be determined by the Institute. If a replacement is as a result of change of designation or marital status, no fee shall be charged.
- 2.23.3. The Employment Card should be displayed at all times within the premises of the Institute, and during site visits.
- 2.23.4. On termination of employment, an employee shall be required to surrender his employment card to the Institute.

2.24. Induction

- 2.24.1. All newly appointed employees will undergo an induction course conducted by the Institute within three (3) weeks of reporting to familiarize themselves with the structure, functions and operations of the Institute.
- 2.24.2. The Institute shall for this purpose, develop an Induction Manual.

2.25. Allocation of Duties

- 2.25.1. All employees shall be given a job description and assigned duties accordingly.
- 2.25.2. An employee may be transferred to work in any station provided that he possesses the core-competencies required for effective performance.

2.26. Confirmation in Appointment

- 2.26.1. Appointment on permanent terms shall apply to employees who on successful completion of the probationary period of six (6) months shall be eligible for confirmation in appointment and admitted into the permanent and pensionable establishment.

- 2.26.2. Service on contract terms may be considered in full as probationary service, in the case of an officer who has been appointed on probation to a pensionable establishment without a break in service.
- 2.27. Re-Designation**
- 2.27.1. The Institute may, from time-to-time review and reorganize the staff establishment of the institution. This may necessitate the re-designation of titles and job descriptions. Re-designation of an employee may require redeployment.
- 2.27.2. In selecting employees for re-designation, the criteria for appointment shall apply. If an employee is re-designated, the employee shall not in any way suffer reduction in remuneration.
- 2.27.3. It is therefore a horizontal mobility of employees from one cadre to another, which does not constitute a promotion or upward mobility. Provided that the posting, deployment, or secondment of a public officer from one duty station to another in the same grade in the public service shall not be regarded as a re-designation.
- 2.27.4. An officer may be re-designated if the officer possesses the requisite qualifications, experience, skills and competencies and the re-designation shall take effect from the date the decision is made.
- 2.27.5. An officer who is due for promotion and who is eligible for re-designation shall first be considered for promotion before the officer's re-designation is processed.
- 2.27.6. Re-designation with continuous service shall be allowed only for cadres whose job specifications are similar for both graduate and non-graduate officers.
- 2.27.7. If an employee is re-designated, the employee shall not in any way suffer reduction in remuneration.
- 2.27.8. Any re-designation shall be undertaken with the written consent of the affected employee.
- 2.27.9. Re-designation will be limited to grades in the common establishment for employees moving to different cadres.

- 2.27.10. Re-designation will not be automatic but subject to suitability testing for employees who are moving from one cadre to another.
- 2.27.11. The above provision shall not apply to employees re-designating from one sub-cadre to another within the same cadre (i.e. Certificate to Diploma holders or Diploma to Degree Holders).
- 2.27.12. Re-designation shall apply to employees who have served for a minimum cumulative period of two (2) years.
- 2.27.13. In selecting employees for re-designation, the criteria for appointment shall apply.
- 2.27.14. Re-designations shall be processed through the approved schedule of delegated powers.
- 2.28. Position Re-grading**
- 2.28.1. Re-grading of positions may be done to correct staffing imbalances and other critical needs arising from succession management, review of Career Guideline policy, or restructuring
- 2.29. Promotion**
- 2.29.1. It is desirable to achieve a healthy mix between promotions from within and external recruitment. Serving candidates who meet job requirements with satisfactory performance and have potential for development will be given priority when filling higher vacant positions.
- 2.29.2. The Institute will strive to expeditiously fill all vacancies by promotion of suitable employees. Consideration of promotion shall be in accordance with the provisions of the Career Guidelines developed for each cadre. Employees who have relevant experience, qualifications and proven merit will be given first priority.
- 2.29.3. The process of filling vacancies by promotion will be through advertisement.
- 2.30. Data Protection**
- 2.30.1. 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.

SECTION 3: TERMS AND CONDITIONS OF EMPLOYMENT

3.1. Introduction

- 3.1.1. The Institute is committed to attracting and retaining competent employees required for efficient and effective service delivery.
- 3.1.2. The Institute is an equal opportunity employer and shall not in its recruitment and selection process, discriminate on the basis provided for in the Constitution. The constitutional requirement on mainstreaming of gender and persons with disabilities as stipulated in Article 52 to 57 of the Constitution will be observed alongside any other policies issued by the National Cohesion and Integration Commission.
- 3.1.3. The Institute's efficiency and effectiveness depends on the quality and competencies of employees it engages. The Institute shall therefore endeavour to recruit suitably qualified and experienced employees with the right skills and experience required to achieve its goals and objectives.

3.2. Career Guidelines

- 3.2.1. The grading structure, qualifications and other requirements for recruitment into the Institute are laid down in the Institute's Career Guidelines. The Career Guidelines must be followed in processing appointments and promotions of employees in their respective fields of employment.

3.3. Terms of Employment

- 3.3.1. Appointment at the Institute shall be based on either of the following terms of service:
- a) Permanent
 - b) Contract
 - c) Casual
- 2.3.2 Any instance that may require translation of terms of service of a serving employee should be undertaken by the Board on mutual agreement with the employee. Where the terms of service of any Grade are variant from the terms of service of an employee and the employee is not willing to have the existing terms translated, the Board may opt to declare the post as restructured and redundancy occasioned.

The redundancy process would be undertaken under the Government Tripartite Committee framework.

3.4. Permanent Terms

- 3.4.1. Appointment on permanent terms shall apply to employees who on successful completion of the probationary period shall be eligible for confirmation in appointment.
- 3.4.2. Officers in WRTI Job Grades 3-12 shall be employed on Permanent and Pensionable Terms.

3.5. Contract Terms

- 3.5.1. The Institute may engage staff at any Grade on contract terms as may be stipulated in this policy or other Government guidelines.
- 3.5.2. The Director/CEO shall be appointed on a contract of up to three (3) years renewable once subject to performance.
- 3.5.3. Officers at Grade WRTI 2 shall be engaged on contracts of up to five (5) years renewable subject to performance up to retirement age.
- 3.5.4. Officers serving on contract terms are subject to the retirement age for Public Servants and shall be eligible for payment of service gratuity based on prevailing Government guidelines.
- 3.5.5. Notwithstanding the provisions of this manual, all other appointments on contract will be for a period of at least 12 months (one year) but not exceeding five (5) years and may be renewed subject to performance.
- 3.5.6. An employee serving on contract terms shall be subject to the terms and conditions of service and shall be eligible for payment of gratuity at the rate of 31% of the basic salary paid during the period served subject to satisfactory completion of the contract.
- 3.5.7. Where the employment under contract is terminated, gratuity will be paid on pro-rata basis for the period completed.

3.6. Renewal of Contract

- 3.6.1. An employee serving under contract terms and wishing to be considered for a further term is required to notify the Director/CEO in writing six (6) months before the expiry of the contract. In case of the Director/CEO, he will be required to notify the Board.
- 3.6.2. If such a notification is not made, the employee will be deemed to have completed his term on the date specified in the contract and the contract shall not be renewed or extended.
- 3.6.3. The Director/CEO shall consider any notification from an employee wishing to be considered for a further term. Upon consideration, the employee will be advised of the Institute's decision to renew, not to renew, or to extend the employee's contract in writing three (3) months before the expiry of the contract.
- 3.6.4. If dissatisfied with the decision, an employee may appeal a decision to renew, not to renew, or to extend the employee's contract within fourteen (14) days of receipt of the decision.

3.7. Casual Employment

- 3.7.1. A casual employee is a person whose term of engagement provide for his payment at the end of each day and who is not engaged for a period longer than twenty-four (24) hours at a time.
- 3.7.2. Casual employees shall be engaged as per the prevailing Labour Laws in Kenya.

3.8. Industrial Attachment

- 3.8.1. The Institute will support industrial attachment by providing opportunities to students in tertiary and higher education institutions.
- 3.8.2. Attachment will be undertaken during the course and the duration will be for a maximum period of three (3) months.
- 3.8.3. The attachment shall be in line with the values and principles of public service and the existing labour laws.

3.9. Internship

- 3.9.1. 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.
- 3.9.2. The Institute shall avail opportunities for internship as part of on-the-job training for the purpose of moulding interns to become responsible citizens who will contribute effectively to the socio-economic development of the country.
- 3.9.3. Internship programs shall be undertaken under the Institute's internship policy and guideline and comply with the relevant provisions of the Constitution and relevant professional bodies.
- 3.9.4. Internship programs shall not exceed twelve (12) months.
- 3.9.5. The internship shall be in line with the values and principles of public service and the existing Labor Laws.

3.10. Volunteer Service

- 3.10.1. The institute will support engagement on wildlife research and training related volunteer programs.
- 3.10.2. A volunteer will be issued with a formal letter of engagement for a non-renewable period not exceeding twelve (12) months.
- 3.10.3. A volunteer shall be bound by the Institute's code of conduct, rules and regulations applicable to other employees.
- 3.10.4. A person engaged as a volunteer shall be deployed to perform duties relevant to the volunteer's area of qualification, experience or expertise.
- 3.10.5. Volunteer service shall not be a guarantee of employment and shall not be entitled to any pay or benefits.
- 3.10.6. No person shall be engaged on voluntary basis as; a revenue collector, officer involved in any aspects of procurement, cashier, caretaker of any premises belonging to the Institute, security officer, a holder of any strategic public office including any office established by the constitution or Act of Parliament.

3.11. Outsourcing

- 3.11.1. The Institute may from time to time outsource labour services from firms or individuals that specialize in certain kind of jobs provided always that such outsourcing shall not derogate from the requirements of procurement laws and policies. Such jobs shall include, but not limited to instructors, researchers, cleaning and security.

3.12. Transfers

- 3.12.1. The Institute recognizes that in order to meet its operational requirements, it may be necessary to transfer/post staff member from one division to another or region within the Institute. This policy has therefore been developed in support of the provisions for staff to allow for an employee to be posted to any duty station.
- 3.12.2. It is therefore the policy of the Institute to provide fair and equitable guidelines in transferring or rotating an employee; whether voluntarily or suited to employees involuntarily in order to meet its operational requirements and for affording jobs that are well suited to employees.
- 3.12.3. As a general policy, employees will be required to serve in one Division, Department, Section or Field Research Centre for three (3) years after which they may be eligible for consideration for job rotation.
- 3.12.4. However, for certain positions either because of seniority or nature of responsibilities, it will not be possible to undertake job rotation. In such cases the Institute shall endeavour to enhance other competence development mechanisms available.
- 3.12.5. There are three (3) types of transfers; lateral transfers, voluntary transfers and involuntary transfers.
- 3.12.6. Lateral Transfer/rotation occurs when an employee is transferred to another area or department with the same title, or the same salary grade, if the title is different. In this case, there will be no change in salary.
- 3.12.7. Voluntary Transfer/rotation refers to a situation where an employee voluntarily elects to apply for transfer on family or personal grounds.

- 3.12.8. Involuntary Transfer/rotation occurs where an employee's current position is eliminated due to a restructuring or reclassification and is transferred to a re-designated position on the same salary grade.
- 3.12.9. A transfer/rotation at the direction of the Institute may occur as part of a change management process;
- a) As part of a developmental strategy to afford the employee wide exposure of the entire functions of the institution and different aspects of specific functions, such as engineering as part of professional requirements;
 - b) In order to avoid the need for notification of redundancy;
 - c) Because work in a particular department/region is declining or increasing;
 - d) Due to staff member's capacity to perform some or all of the duties of her/his position.

3.13. Procedure for Management Initiated Transfers/Rotations

- 3.13.1. On a regular basis, the HRM shall initiate the rotation programme for members of staff who have served in one Department or Unit for a period of three (3) years.
- 3.13.2. The Head of Functional Area may propose to an employee that she/he consider job rotation, as part of her/his individual Performance Review and succession planning process.
- 3.13.3. A list of proposed transfers will be submitted to the Head of HRM or Director/CEO for approval depending on schedule of delegated powers.
- 3.13.4. When an operational requirement for an employee to be transferred to another position is identified, the Director/CEO and current HOD and Head HRM will normally consult about the proposed transfer.
- 3.13.5. The approved list will be passed to HOFA, HRM to prepare notification letters.
- 3.13.6. An employee wishing to propose her/his participation in job rotation/transfer should do so by undertaking the following steps:-
- a) A written request to participate in job rotation must be submitted by the staff member to the Head of Functional Area (HOFA). The request should outline the proposed location/role(s) for job rotation, the

expected outcomes of the program, the time frame, and new location(s).

- b) If the Head of Functional Area supports the request, he should then hold discussions with the potential receiving Department including clarifying the skills and expertise to be acquired by the employee, the time frames involved, and the budgetary and supervisory arrangements.
 - c) Following an agreement being reached with the potential receiving Department, the current HOD will make a recommendation to the Human Resource Management who will forward to the Director/CEO to consider the request on the basis of its benefits to the employee and the Institute.
- 3.13.7. Approval of job rotation/transfers arrangements must be in accordance with the Institute's Schedule of Delegated Powers for Appointment of Staff.
- 3.13.8. The HOFA, Human Resource Management will confirm in writing to the employee the outcome of her/his request through Head of Functional Area.
- 3.13.9. In all instances, a twenty-one (21) days' notice of transfer must be given to avoid the risk of disrupting the work flow in the employee's current area.
- 3.13.10. A new performance review and planning process and associated goals and key performance objectives should be developed within three months of the employee's transfer into the position.
- 3.13.11. The HOD shall release the employee who has been transferred within a period of twenty-one (21) days from the date of notice of transfer.

3.14. Transfer of Service

- 3.14.1. Transfers of service between the Institute and other Public Organizations or Institutions shall be approved by the Board.
- 3.14.2. An employee will be considered for transfer of service having regard to the provisions of applicable pension schemes.
- 3.14.3. An employee seeking appointment in any other Public organizations or Institutions should submit his application through the Director/CEO.
- 3.14.4. If the Board does not approve the request, the employee will have the option to resign.

- 3.14.5. An employee, who wishes to take up appointment in any other Public organizations or Institutions other than in accordance with the procedures set out in this manual, shall be required to resign from his position in the Institute.

3.15. Secondment of Employees

- 3.15.1. Secondment of officers from the Civil Service to the Institute or from the Institute to other Public Service Departments or Agencies is applicable to pensionable officers, for a period not exceeding three (3) years and may be renewable once.
- 3.15.2. Approval for secondment for officers moving from the Civil Service to the Institute shall be the responsibility of the Ministry responsible for Public Service in consultation with State Corporations Advisory Committee.
- 3.15.3. The Board approval shall also be sought before secondment of employees from Civil Service or from the Institute is done.
- 3.15.4. To maintain pensionable status of an employee on secondment to the Institute, the Institute will be required to make pensionable contribution at a prevailing rate.
- 3.15.5. Where the Institute pays pension contribution for the employee on secondment, such amount shall be deducted from the employees' service gratuity.
- 3.15.6. The Institute can recruit staff from Civil Service on secondment for a period of three (3) years within the provisions of section 27 of the State Corporations Act
- 3.15.7. The Institute shall pay salaries and other allowances to all employees on secondment from the Civil Service.
- 3.15.8. Secondment of employees to the Institute from the Civil Service or from the Institute to other Public Service Departments or Agencies will be regulated in the context of the relevant pension legislation.

3.16. Handing-Over Report

- 3.16.1. On re-deployment or on exit from the Institute, an employee will prepare a comprehensive handing-over report under the supervision of the immediate

Supervisor and/or the relevant functional heads. A copy of the report will be submitted to the Director/CEO for record purposes.

3.17. Testimonials and Letters of Commendation

- 3.17.1. Testimonials and commendation letters may be given to employees by supervisors as a way of recognizing exemplary service from their members of staff.

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SECTION 4: SALARIES AND ADVANCES

4.1. Introduction

- 4.1.1. The Institute will remunerate the employees in a manner that motivates them and which supports and develops a high-performance workforce required to provide quality service efficiently and effectively.
- 4.1.2. The remuneration policy is based on the following guiding principles: -
- a) Provision for adequate pay differentials to recognize responsibility, levels, skills, competencies, attitudes, experience and performance in relation to the goals and objectives of the Institute;
 - b) Achievement of equity, transparency and competitiveness in the remuneration packages based on Job Evaluation;
 - c) Adoption and implementation of best human resource management practices in regard to compensation;
 - d) Maintenance of a salary structure that will enable the Institute to attract, retain and motivate qualified employees;
 - e) Focus on the value of total compensation, which includes basic salary, allowances and other benefits; and
 - f) Adherence to salary and remuneration guidelines issued by the Government from time to time.

4.2. Salary Grades

- 4.2.1. There shall be such salary grades as the Institute may, from time to time, determine.
- 4.2.2. The Director/CEO may conduct periodic salary surveys to determine changes in cost of living and terms of employment being offered by comparable institutions. Such surveys shall form the basis of consultation by the Institute with the relevant Government authority for salary reviews.
- 4.2.3. The salary structure consists of thirteen (13) salary grades.

4.3. Advice on Salary and Benefits

- 4.3.1. The salary for each employee will be specified in the appointment letter.

- 4.3.2. Basic salary and benefits will be communicated to the employee in writing on appointment, at which time; the employee will also be informed of their grades and designation. Any subsequent change in basic salary, grade or designation shall be communicated to the employee(s) in writing.
- 4.3.3. Any change in benefits, which affect all or any category of employees, will be communicated through a circular letter.

4.4. Payment of Salary

- 4.4.1. An employee on first appointment will be paid salary with effect from the date of reporting for duty.
- 4.4.2. Each employee will have a stated monthly basic salary quoted before any statutory deductions.
- 4.4.3. Salary will be paid monthly in arrears and will be denominated and paid in Kenya shillings (Kshs).
- 4.4.4. The salary of an employee will be net of statutory deductions and other deductions that may be agreed upon or imposed by the employee or the Institute respectively. A statement/pay slip indicating the gross salary, deductions made and the resultant net salary will be made available to every employee each month.
- 4.4.5. Salary will be paid through the Institute and all employees will be required to open an Account and submit the details to the HOFA responsible for HRM.
- 4.4.6. Employees of the Institute shall not over-commit their salaries beyond two thirds (2/3) of their basic salaries and the HOFA responsible for Human Resource Management should ensure compliance.
- 4.4.7. Statutory deductions such as PAYE, NSSF, SHA, HELB and other legal taxes, as well as deductions arising from court orders/attachments, will be made from an employee's salary without his authorization.
- 4.4.8. Voluntary deductions such as remittances to third parties such as co-operatives, insurance firms, and welfare contributions among others, will be effected provided the employee gives written authorization.
- 4.4.9. On termination of employment, the final benefits will be made on confirmation that the employee has been cleared and issued with a Clearance Certificate.

4.5. Salary Increments

- 4.5.1. The first date of the month shall be an incremental date. An officer's annual incremental date shall be the first date of the month one is appointed.
- 4.5.2. If an employee is granted unpaid leave, his incremental date will be re-computed based on the month he resumes duty.

4.6. Determination of Salary on First Appointment

4.6.1. On first appointment, an officer shall enter the salary structure at the minimum point of the respective salary scale. However, an officer may be granted incremental credit for previous remuneration and relevant experience. This shall be at the rate of one increment for each complete year of approved experience provided the maximum salary of the grade assigned to the post is not exceeded. The grant of increments for relevant experience shall be subject to the following conditions:

- a) Incremental credit shall only be granted in respect of approved experience gained after acquiring the requisite minimum qualifications for the grade.
- b) In granting incremental credit, previously earned remuneration shall be considered;
- c) Incremental credit shall 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;
- d) Incremental credit may not be granted on appointment to promotional posts, i.e. posts to which an officer would not normally be appointed if he had joined the Institute immediately after completing his education; and
- e) Incremental credit may be granted for the number of years of aggregate approved experience in line with the Institute's Career Guidelines, periods in excess of full years being ignored.

4.7. Determination of Salary on Promotion

- 4.7.1. Where an employee is promoted from one grade to another and his salary on the effective date of promotion is less than the minimum of the salary scale attached to the new grade and where that employee was earning an annual increment, he shall receive the minimum of the salary scale attached to his new grade on the effective date of his promotion and his incremental date will be retained.
- 4.7.2. Where the salary of an employee 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 Grade and where that employee was earning an annual increment, he will receive the minimum of the salary scale attached to his new Grade on the effective date of his promotion and retain the incremental date.
- 4.7.3. Where the salary of an employee on the day preceding the effective date of his promotion corresponds to or is higher than the minimum of the salary scale attached to the Grade to which he is promoted, his salary on promotion will be determined in accordance with the rules set out below: -
- a) Where on the day preceding the effective date of his promotion he had attained the maximum point of the salary scale attached to his previous Grade and his service at that salary amounts to less than one (1) year, he will enter the salary scale attached to his new Grade from the effective date of his promotion at the next point above his salary and will retain his incremental date
 - b) Where on the day preceding the effective date of an employee promotion had attained the maximum point of the salary scale attached to his previous Grade and his service at that salary amount to less than three (3) years, he will enter the salary scale attached to his new Grade from the effective date of his promotion at the next point above his salary and thereafter be awarded one increment and retain his incremental date.
 - c) Where on the day preceding the effective date of his promotion he had attained the maximum point of the salary scale attached to his previous Grade and his service at that salary amounts to three (3) years or more, he will enter the salary scale attached to his new Grade from the effective date of his promotion at one point higher than his salary and thereafter be awarded three increments and retain his incremental date.

- d) Where on the day preceding the effective date of his promotion he had not attained the maximum point of the salary scale attached to his previous Grade but was earning an annual increment in that salary scale, he will enter the salary scale attached to his new Grade from the effective date of his promotion at the next point above his salary and retain his incremental date.

4.7.4. The above rules will not apply to employees employed on contract.

4.7.5. Determination of salary for an employee transferred from Public Service shall be by application of the provisions contained in this manual.

4.8. Retroactivity of Payments

4.8.1. An employee who has not been receiving an allowance, grant or other payment to which he is entitled shall not receive retroactively such allowance, grant or payment unless he has made a written claim within six months of eligibility as per applicable laws, rules and regulations.

4.9. Salary Advance

4.9.1. An advance of not more than one (1) month's salary may be granted by the Director/CEO to an employee, when the employee owing to circumstances beyond his control, is placed in a difficult financial position requiring assistance.

4.9.2. The Director/CEO may, in very exceptional and special circumstances, grant an advance of not more than two (2) months' salary.

4.9.3. In applying for the advance an employee should explain the circumstances leading to the situation which he could not have foreseen and therefore planned for.

4.9.4. An advance under this regulation may be granted only when an employee has no other outstanding salary advance i.e. where he has completed paying for the one previously taken.

4.9.5. Advance of salary will only be made to an employee who has served for more than one (1) year.

4.9.6. After repayment of the salary advance, the employee can only qualify for another one after six (6) months except in exceptional situations where that

employee is in an unforeseen and absolutely difficult situation to warrant another advance.

4.10. Recovery of Salary Advance

4.10.1. Recovery of salary advance will be made in reasonable installments for a maximum period of twelve (12) months or a shorter period if the employee contract ends in less than twelve (12) months.

4.10.2. An employee proceeding on annual leave may, when he avails himself of not less than one-half of his annual leave, be paid his salary for the month in which he proceeds on leave three (3) days before commencement of the leave.

4.11. Car Loans and Mortgage

4.11.1. The Institute may establish Car Loan and Mortgage Scheme(s) based on prevailing Government guidelines or join an established existing Government scheme.

4.12. Deductions from Salaries

4.12.1. The Director/CEO shall authorize the following deductions from the salaries of employees:

- i) Any amount the deduction of which is authorized by any written law (Statutory Deductions).
- ii) Any amount due as a contribution to a provident fund, pension fund or superannuation scheme or any other scheme approved by the Institute.
- iii) Any amount for damage done to, misuse or loss of the property of the Institute which may be occasioned by willful default of an employee or any amount due for indebtedness to the Institute.
- iv) Any other deduction resulting from court orders subject to the deductions not exceeding one half of an employee's monthly salary and/or having the net effect of one's salary falling below a third of his basic salary. Where an employee is liable to refund any amount to the Institute, any such amount shall be deducted from the salary or any sums due to the employee in a manner as the Director/CEO may deem fit subject to labour laws provisions.

4.13. Deductions of Income Tax

- 4.13.1. In addition to the income tax under PAYE arrangements, the Director/CEO having been appointed an agent for the collection of income tax under the Income Tax Management Act may collect such tax by deduction from the employee's salary or any other sum due from the employee.

4.14. Casual wages

- 4.14.1. Casuals' wages shall be determined in accordance with the prevailing minimum wages guidelines issued by Government from time to time.

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SECTION 5: ALLOWANCES

5.1. Introduction

- 5.1.1. The Institute is committed to remunerate the employees in a manner that motivates them and which supports and develops a high-performance workforce required to provide quality service.
- 5.1.2. While it may be considered that the salary attached to a position represents appropriate remuneration of its holder for proper and efficient performance of day-to-day duties, there are circumstances in which additional payments are warranted. Such additional payments are made in form of allowances, either to reimburse an employee for 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.

5.2. House Allowance

- 5.2.1. All permanent and contracted employees shall be eligible to house allowances as per the terms and conditions of appointment.

5.3. Accommodation Allowance (Local Subsistence)

- 5.3.1. Where an employee travelling on duty, is required to stay overnight away from his permanent station, he shall be paid accommodation allowance at rates determined by Government from time to time.
- 5.3.2. 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.
- 5.3.3. Accommodation allowance will be paid for a maximum continuous period of thirty (30) days. However, an employee 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 employee continues to work in the same station, this will be treated as a posting and accommodation allowance will cease to be applicable.

- 5.3.4. 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 Daily Subsistence Allowance, the employee may claim the difference from the Institute.
- 5.3.5. Travelling expenses incurred from the airport, rail or bus terminus to a hotel or other residential place and vice versa, will be refunded where taxi services procured by the Institute are not available.
- 5.3.6. On transfer from one station to another, an employee may claim accommodation allowance for self and spouse and up to a maximum of four unmarried children, who are living with and are dependent on him should they be compelled to spend one or more nights on the journey. The rate of allowance for the spouse and children aged eighteen (18) years and above will be the same as that for the employee, and the rate for the children below eighteen (18) years will be one-half of the rates payable to the employee.
- 5.3.7. When a non-Kenyan is recruited to work in the country, he will on arrival, be eligible for payment of accommodation allowance at the rates applicable to his Job Grade, for himself, spouse and children for a period not exceeding thirty (30) days, subject to the approval of the Board. The spouse will be eligible for payment at the employees' full rate while four (4) unmarried children who are eighteen (18) years and below will be eligible for payment at half rate.
- 5.3.8. At the end of tour, the employee may draw accommodation allowance for a period not exceeding thirty (30) days when it is necessary for him to vacate his rented accommodation in advance of leaving the country.

5.4. Telephone Airtime Allowance

- 5.4.1. Eligible members of staff of the Institute shall be provided with telephone airtime at rates determined by Government guidelines from time to time.

5.5. International/Overseas Subsistence Allowance

- 5.5.1. An employee who is required to travel on duty outside Kenya will be granted Daily Subsistence Allowance at the rates as guided by Government circulars and policies from time to time.

- 5.5.2. The rates of Daily Subsistence Allowance which are payable for each complete period of hours commencing from the time of departure from Kenya are designed to meet the cost of accommodation at good, but not luxury class hotels, three meals a day 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. In addition, travelling expenses incurred from the airport of disembarkation to a hotel or other residential place and vice versa, airport charges, fees for vaccination, visas and passport charges will be refunded.
- 5.5.3. Where an employee's travelling, boarding and lodging expenses are paid in full directly to the hosting institution/hotel by the Institute or any other Institution, a residual daily allowance of up to one-quarter (1/4) of the standard rate of Daily Subsistence Allowance may be paid to him to cover incidental expenses. 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 employee may claim the difference from the Institute.
- 5.5.4. An employee travelling on duty abroad is normally expected to regularize his expenses within the standard rate of Daily Subsistence Allowance. Nevertheless, in very exceptional circumstances, for example, when hotels are heavily booked during an international meeting and the employee has no choice of accommodation or when the standard rate of subsistence allowance is insufficient for any other justifiable reasons, consideration will be given by the Director/CEO for a refund of the additional expenses on production of receipted bills in respect of actual expenditure incurred.
- 5.5.5. However, the prevailing rates are reviewed regularly to approximate rates and are expected to be sufficient to afford an employee reasonable accommodation.

5.6. Acting Allowance

- 5.6.1. When an employee is appointed to act in a higher position, acting allowance shall be paid at the rate of twenty percent (20%) of his substantive salary (Basic pay) or as per any other rates determined by Government from time to time.
- 5.6.2. Acting Allowance shall be paid to an employee when he acts in a higher post for a continuous period of thirty (30) days or more; inclusive of weekends and public holidays.

- 5.6.3. When an employee having ceased to act in the higher post is required after an interval of not more than fifteen (15) days to act again in the same or another post and had not qualified for acting allowance on the first occasion, the number of days he acted on the first instance shall count towards the qualifying period of thirty (30) days on the second occasion.
- 5.6.4. An employee on acting appointment shall be eligible for all privileges and allowances attached to the higher post but not House allowance. Absence of less than thirty (30) consecutive days due to an employee being on urgent or annual leave or sick leave, shall not be regarded as a break in an acting appointment provided the employee is required to act again on the same post immediately, he resumes duty.
- 5.6.5. Appointment on acting basis is a temporary measure pending the substantive filling of the vacant post by either recruitment or resumption of duty by the substantive holder of the post. The appointment shall normally be limited to a continuous period of six (6) months or until the vacant post is filled whichever is the earlier, but may be extended by the Institute if the post remains vacant.
- 5.6.6. 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 Director/CEO, as the case may be.
- 5.6.7. The payment of acting allowance shall be subject to recommendation by the HRMAC and approval in accordance with the Board's schedule of delegated powers.
- 5.6.8. When a post falls temporarily vacant due to the absence of the substantive holder, an acting appointment shall not be made unless the period of such absence exceeds thirty (30) days.
- 5.6.9. An employee who is appointed to act in a higher post shall be eligible for duration of his acting appointment for traveling privileges, accommodation allowance, subsistence allowance or extraneous allowance and entertainment allowance applicable. However, the officer shall not qualify for house allowance or any other remunerative allowance applicable to the higher post.
- 5.6.10. A recommendation for an acting appointment for a period of thirty (30) days or less will be considered for those cases where the law or regulations require

that, in the absence of the substantive holder, the function of that public office can be exercised only if another employee is appointed in an acting capacity.

- 5.6.11. Acting Allowance shall not be paid against any post falling within the common establishment.
- 5.6.12. In all cases, an employee must be appointed to act in writing by the Institute or such other employee to whom the Director/CEO may delegate such responsibility.
- 5.6.13. Employees on probationary terms of appointment are not eligible for acting appointment.

5.7. Special Duty Allowance

- 5.7.1. Special Duty Allowance is payable to an employee who has been appointed to assume, in addition to his duties, other duties of a higher salary post, or at the substantive level, duties of a separate and distinct nature, where additional duties constitute more responsibilities than his own for a continuous period of thirty (30) days or more.
- 5.7.2. Special Duty Allowance is also payable when an employee is required to take over duties of a higher post but is disqualified from an acting allowance because of any of the following:
 - a) Lack of required professional qualifications.
 - b) Lack of necessary experience.
- 5.7.3. Special Duty Allowance shall be payable at the rate of 15% of the employee's basic salary or as may be determined by Government from time to time.
- 5.7.4. The maximum period for payment of Special Duty Allowance is six (6) consecutive months or until the position is filled, whichever is the earlier. During that period, arrangements should be made to fill the higher post in substantive capacity. Where the position is not filled within this period, the Institute or Director/CEO may extend the payment period for a further period not exceeding six (6) months or until the position is substantively filled, whichever is earlier.
- 5.7.5. Employee shall not be called upon to perform duties of a post that is more than two (2) grades higher than the employee's substantive grade.

5.15. Non-Practicing Allowance

- 5.15.1. The allowance shall be payable to eligible cadres as determined by Government at the prevailing Government rates.

5.16. Entertainment Allowance

- 5.16.1. Officers in eligible grades shall earn a non-accountable monthly entertainment allowance as stipulated in Government guidelines.

5.17. Club Membership

- 5.17.1. The Institute may cater for club membership and annual subscription fee restricted to only one club for employees in WRT 1, 2 and 3.

5.18. House Allowance

- 5.18.1. All permanent and contracted employees shall be eligible to house allowances applicable to their grades based on Government circulars from time to time.

5.19. Special Task Force Allowance

- 5.19.1. Employees appointed by the Director/CEO to engage in a special task so declared, such officers shall be paid special task force allowance as per the prevailing Government rates subject to approval by the Salaries and Remuneration Commission (SRC).
- 5.19.2. Whenever there is the Institute's meeting, the same shall be deemed to be a special task and the officers assigned to the task by the Director/CEO shall be eligible to draw task force allowance for a period of not more than five (5) days

5.20. Baggage Allowance

- 4.19.1 When travelling on first appointment, transfer or termination of employment, an officer shall be provided with an Institute vehicle to transport his luggage.
- 4.19.2 In the absence of a vehicle, the officer will be eligible for a baggage allowance at the rates determined by the Government from time to time.

4.20.3 The officer will be expected to ask for transport within three (3) months of appointment, transfer or termination of employment failure to which, failure will be forfeited.

4.19.4 In case of the death of an employee, the next of kin shall be eligible for a baggage allowance at rates determined by the government from time to time.

5.21. Mortgage Loan

5.21.1. The Institute runs a mortgage scheme for its employees to encourage employees to own residential houses. Employees will be eligible to apply for these loans provided that a third (1/3) of their basic salary are maintained after the loan deductions.

5.21.2. The interest rates charged on these loans will be determined by the Institute in line with Government guidelines issued from time to time.

5.21.3. Loan entitlement for each grade and repayment schedule shall be guided by Government mortgage regulations.

5.21.4. The scheme shall be managed in accordance with the regulations developed by the Board.

5.22. Responsibility Allowance

5.22.1. Employees who are called upon to cover duties of more than one position with higher responsibilities and have not been paid Acting Allowance or Special Duty Allowance may be paid a responsibility allowance.

5.22.2. Responsibility allowance may be paid if the employee shall have performed the duties for a minimum period of thirty (30) days.

5.22.3. Responsibility allowance shall be paid at the rate of twenty percent (20%) of the Officer's substantive basic salary or such other rates as may be determined by the Board from time to time and in consultation with SRC.

5.23. Other Allowances

5.23.1. The Institute may pay other allowances to different categories of staff in various circumstances as may be determined by Government from time to time. Such allowances shall be determined and communicated from time to time.

SECTION 6: MEDICAL BENEFITS

6.1 Introduction

- 6.1.1 The Institute will make adequate provision for medical benefits to be accorded to all employees except those on casual terms, internship or attachments.
- 6.1.2 The Head, HRM will manage and monitor the medical expenditure on behalf of the Director/CEO to ensure that costs are reasonable.

6.2 Management of the Medical Scheme

- 6.2.1 The Institute shall procure an in-patient and outpatient medical insurance scheme for the employee, one (1) spouse and up to a maximum of four (4) children aged twenty-five (25) years and below or beyond twenty-five (25) years subject to proof that the disability has occasioned full dependency on the employee.
- 6.2.2 Members of staff will continue to be members of the Medical Scheme provided by SHA.

6.3 Accidents on Duty

- 6.3.1 An accident on duty is an accident where the employee suffers personal injury: In the actual discharge of his duty; without his own default and/or on account of circumstances specially attributed to the nature of his duty.
- 6.3.2 In the event that the employee is unable to make the report of the injury or if fatally injured the Supervising Employee should make the report in writing to the HOFA of HR department as soon as he learns of the same injury.
- 6.3.3 Upon receiving the report of the injury in respect to the employee, the Institute shall lodge a claim with the Institute's appointed insurance broker or underwriter, as the case may be, with a view of seeking compensation for the said employee.
- 6.3.4 Any claim for benefits should be submitted/reported to the Insurance authority immediately or as per the terms of the policy.
- 6.3.5 If an employee sustains an injury in the execution of his duty and the injury is not due to his negligence or misconduct, the Institute may, at its discretion,

authorize that the cost of any special treatment, medical comforts and appliances be borne by the Institute. Application for financial assistance under this regulation should be forwarded to the Human Resources Management and Development Department.

- 6.3.6 If the request is approved, the Institute shall bear the whole cost of such treatment and will in turn claim the maximum amount allowed under the Group Personal Accident cover (GPA) from the Insurance Underwriters.

6.4 Insurance Policies

- 6.4.1 The Institute shall undertake to provide, inter alia, the following insurance covers for its employees:

- i) Group Life Assurance, to include WIBA.
- ii) Group Personal Accident;
- iii) Travel insurance; and
- iv) Benevolent/Last Expense

- 6.4.2 The Institute will procure an insurance scheme to cover all employees against accidents which may occur anytime, anywhere whether on duty or not.

- 6.4.3 These insurances shall not in any way affect any personal insurance policy that an individual employee may have taken out for himself.

6.5 Medical Ex Gratia Assistance

- 6.5.1 An employee whose medical cover or that of a beneficiary has been exhausted may apply to the Institute for medical ex gratia assistance.

- 6.5.2 The Board may provide medical ex gratia assistance to staff who find themselves in extraordinarily difficult financial stress yet having exhausted their in-patient medical cover.

- 6.5.3 All cases for ex gratia assistance shall be recommended to the Board by the Director/CEO on the advice of HRMAC.

6.6 Medical Treatment outside the Country

- 5.6.1 Employees and their dependents will be eligible for medical treatment outside the country in case where such treatment is not available locally subject to preauthorization by the Board. Such recommendation will be dealt with in line with the Institute's Medical Scheme.

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SECTION 7: LEAVE MANAGEMENT

7.1 Introduction

- 7.1.1 Annual leave is granted in conformity with provisions of the Labour laws and the timing of the leave is subject to the exigencies of duty.
- 7.1.2 Heads of HOFAs will circulate leave schedules for their employees in January to provide anticipated leave dates in order to allow proper planning and alignment with the respective work plans. The leave schedules shall be submitted to the HOFA of the HR department in the first month of the fiscal year.
- 7.1.3 Annual leave shall not be commuted for cash. Provided that, in special circumstances, if it has been determined that an employee cannot proceed on annual leave due to exigencies of service, the Director/CEO may approve leave commutation. In the case of separation from employment the Director/CEO will have the discretion to approve depending on the circumstances which made it impossible for the employee to utilize the leave days.

7.2 Categories of Leave

- 7.2.1 The following are the categories of leave that shall be applicable to employees:
- a) Annual leave
 - b) Maternity leave
 - c) Child Adoption leave
 - d) Paternity leave
 - e) Sick leave/Convalescent
 - f) Compassionate leave
 - g) Leave for special purposes
 - h) Study leave
 - i) Exam leave
 - j) Leave for Sportsmen/women
 - k) Leave pending retirement/Terminal leave
 - l) Leave of absence
 - m) Unpaid leave
 - n) Sabbatical leave
 - o) Compulsory leave

7.3 Annual Leave

- 7.3.1 An employee will be eligible for annual leave at the commencement of a "leave year" except in the case of a newly appointed employee who will be required to complete a minimum of three (3) months in the Institute before being entitled to annual leave. For this purpose, a "leave year" shall commence on the 1st of July and end on the 30th of June of the following year. "Annual Leave" year is linked to the Government Financial Year.
- 7.3.2 Annual leave for a newly appointed employee will be calculated on a pro-rata basis for the year of his appointment.
- 7.3.3 All employees, irrespective of their grades, will be entitled to thirty (30) working days annual leave. The annual leave computation will exclude Saturdays, Sundays and Public Holidays.
- 7.3.4 Annual leave is not cumulative. Hence, leave earned shall be taken within the leave year it falls due during the year or be forfeited. However, an employee may, if he so wishes, carry forward from one (1) leave year to another not more than half of his annual leave entitlement.
- 7.3.5 Deferment of annual leave from one (1) leave year to another shall be permitted subject to the provisions of the Employment Act.
- 7.3.6 An employee who has not utilized 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 employee may be granted the annual leave carried forward from the previous leave year.
- 7.3.7 An employee stationed in a designated hardship area may avail himself of his annual leave in two (2) portions. Each portion should be taken once every period of six (6) months, i.e. from 1st June to 30th December and from 1st January to 30th June.
- 7.3.8 An employee stationed in a hardship area who takes not less than half of his annual leave entitlement once every period of six months, will be granted in addition to his leave travelling time of five (5) days each way and normal travelling privileges in terms of this manual.

7.4 Maternity Leave

- 7.4.1 Female employees will be eligible for maternity leave with full pay for a maximum period of ninety (90) calendar days exclusive of annual leave due for the year.
- 7.4.2 No female employee shall forfeit her annual leave entitlement on account of having taken maternity leave.
- 7.4.3 On expiry of maternity leave, the employee will have the right to return to the job which she held immediately prior to her maternity leave or to a reasonably suitable job on terms and conditions not less favourable than those which would have applied had she not been on maternity leave.
- 7.4.4 In the event of a still birth, a female employee shall be entitled to maternity leave of thirty (30) days.

7.5 Child Adoption Leave

- 7.5.1 An employee, 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 Child Adoption Leave.
- 7.5.2 An officer/staff is entitled to adoption leave with full pay upon production of supporting legal documents. The leave shall be granted as follows:
- a) Not more than three (3) years of age, an employee shall be entitled to three (3) months' adoptive leave with full pay.
 - b) Above three (3) years of age but below twelve (12) years of age, the employee shall be entitled to two (2) months' adoptive leave with full pay.
 - c) Above twelve (12) years of age, the employee shall be entitled to one month's adoptive leave with full pay.
- 7.5.3 Where the adoption is by both the employee and spouse, and the spouse is also an employee in the Institute, child adoption leave will only apply to the female employee.
- 7.5.4 The Child adoption leave will commence once the employee produces an adoption order.
- 7.5.5 An employee on adoption leave shall not forfeit his /her annual leave.

7.5.6 A spouse of an employee is entitled to leave of up to a maximum of two (2) calendar weeks whenever he and/or his spouse adopt a child.

7.6 Paternity Leave

7.6.1 Male employees will be eligible for paternity leave for a maximum period of two (2) calendar weeks during the period of the spouse's maternity leave or child adoption leave

7.6.2 In this regard, it is clarified that in the case of a male employee with more than one wife, he will be entitled to paternity leave only in respect of one wife registered in the National Hospital Insurance Fund (NHIF) contributor's Card and such leave shall be taken not more than once per year. Further, to enjoy such leave an employee will be required to present a Medical Certificate confirming the maternity status of his wife.

7.7 Sick Leave/Convalescent

7.7.1 Sick leave is granted to cover illness, which prevents an employee from attending work. An employee may be granted sick leave subject to the maximum period indicated herein provided it is certified that there is reasonable prospects of eventual recovery and fitness for duty:

- a) Any absence from duty due to ill health must be supported by a sick sheet duly signed by authorized Medical Practitioner certifying the employee's inability to work due to ill health. In the absence of a sick sheet, the employee's absence will be treated as unauthorized.
- b) An employee 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 employee will however, be subject to assessment by the Medical Board to determine his fitness for further service.
- c) If the employee is unable to resume duty within the six (6) months of sick leave, the Director/CEO will refer the case to the Director of Medical Services to convene a Medical Board with a view to determining whether or not there are reasonable prospects of eventual recovery and fitness for duty.
- d) On the expiry of six (6) months, the employee shall not be reinstated in the payroll until his case is determined as provided in paragraph (c) above

- e) 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.
- f) In the case of sick leave rendered necessary by an employee's own neglect or misconduct, his full salary may be forfeited for the whole period of absence from duty.
- g) Employees will be granted up to three months (3) sick leave with full pay followed by three months on half pay in a leave year when the circumstances so demand.
- h) Sick leave in excess of three months will require confirmation of the Director of Medical Services who will decide if the employee should be examined by a Medical Board with the view to determining whether or not there is reasonable prospect or eventual recovery and fitness for duty.
- i) An employee on sick leave will submit a Sick Sheet/Medical Report to their HOFA with copy to HR department immediately on resumption of duty.

7.7.2 Employees may be granted time off after a period of sickness upon recommendation of a qualified Medical Officer for recuperating purposes.

7.7.3 Sick leave will not be carried forward from one fiscal year to another.

7.8 Compassionate Leave

7.8.1 An employee who has exhausted his annual leave entitlement may be granted compassionate leave up to ten (10) working days in a leave year on compassionate grounds (such grounds include death or major sickness in the family).

7.8.2 The ten (10) days will not be recovered from the employee's annual leave.

7.9 Leave of Absence

7.9.1 The Board may grant leave of absence to an employee on recommendation of the Director/CEO through the Human Resource Management Advisory Committee for a period not exceeding three years which may be extended only once for a period not exceeding three years.

- 7.9.2 Where an employee is appointed on contractual terms for a period exceeding three years, the Board may grant leave of absence for the duration of the contract.
- 7.9.3 Leave of absence may be granted to an employee for purposes of taking up contractual appointments within a public body, private corporation or international organization to which the employee cannot be seconded or to which service cannot be transferred.
- 7.9.4 Provided that an employee may only be granted leave of absence to a private corporation where the Board determines that the experience and expertise that the employee shall gain from the private organization shall be of benefit to the Institute.
- 7.9.5 Leave of absence may be granted to a spouse of a foreign service officer who has been posted outside Kenya during the tour of service of the foreign service officer.
- 7.9.6 Leave of absence shall not be increment-earning.
- 7.9.7 During a leave of absence, the Institute will not make a contribution of its portion towards an employee's pension under contributory pension scheme however, an employee undertaking a leave of absence may continue to contribute towards his/her pension under a contributory pension scheme during the leave of absence.
- 7.9.8 The period of leave of absence shall not be pension-earning.
- 7.9.9 Upon completion of the period of leave of absence, an employee shall revert to the terms and conditions of service appropriate to their substantive position in the Institute and shall not be eligible for another leave of absence within a period of three years from the period of the last leave of absence.
- 7.10 Unpaid leave**
- 7.10.1 The Director may, on recommendation of the Human Resource Management and Development Advisory Committee, grant an employee unpaid leave for a period not exceeding six months which may be extended only once for a period not exceeding six months for the purpose of attending to urgent private affairs of exceptional nature.
- 7.10.2 Unpaid leave shall not be increment-earning.

- 7.10.3 During the period of unpaid leave, the Institute shall not make a contribution of its portion towards the employee's pension under a contributory pension scheme however, an employee on unpaid leave may continue to contribute towards his/her pension under a contributory pension scheme during the unpaid leave.
- 7.10.4 The period of unpaid leave shall not be pension-earning under the Pensions Act.
- 7.11 Sabbatical Leave**
- 7.11.1 This is a period off the normal duty, granted to qualified and deserving staff members, to go for any or a combination of the following: act as visiting lecturer, carry out research, write or publish to enrich the staff academically and for the benefit of the Institute.
- 7.11.2 Sabbatical leave shall be granted for a minimum period of nine (9) consecutive months and a maximum period of three (3) years depending on the scope of the project/research.
- 7.11.3 Sabbatical leave below nine (9) months shall receive full salary and allowances
- 7.11.4 Sabbatical leave after the ninth (9th) month shall cease receiving full salary
- 7.11.5 To qualify for Sabbatical leave, an employee must:
- a) Be on permanent and pensionable terms of employment with the Institute
 - b) Be in grades of a Senior Scientist/Lecturer, Principal Scientist/Lecturer, Senior Principal Scientist/Lecturer.
 - c) Have completed six (6) years of continuous service with the Institute from the date of appointment or since return from sabbatical or study leave, subject to approval by the Board.
 - d) Show evidence of academic activities/research to be undertaken in the host institution. A grant or research paper writing shall qualify for the nine (9) months.
- 7.11.6 While away on sabbatical leave the staff shall be entitled to full pay plus allowances and any other entitlements applicable to the Institutes employees. However, he shall not be entitled to annual leave for the same year.

7.11.7 Requests for sabbatical leave shall be submitted to the Director/CEO through the Head of Human Resource Management. The application shall clearly detail the following:

- a) Purpose - Clearly describing the nature and significance of the project to be undertaken during the leave, including a clear and concise statement of objectives.
- b) Projected results – The applicant must describe tangible results that the project will have, and how he plans to disseminate the results (e.g., publication, exhibition, sharing of new pedagogical techniques or materials with peers).
- c) Justification – The applicant to state how the project will contribute to his/her own scholarly development and how it will benefit the Institution. Further, the applicant should indicate how the project requires a time commitment beyond what is involved in the normal activities encompassed in teaching, research, scholarship, and service within the Institute.

7.11.8 Evidence of the accomplished activities shall be provided at the end of the leave.

7.12 Exam Leave

7.12.1 An employee may be granted exam leave to prepare for/write examinations for either a self-sponsored course or the Institute's sponsored courses as long as the course had been recommended by HRMAC and approved by the Director/CEO.

7.12.2 Each application for an exam leave must be supported by an examination timetable

7.13 Study leave

7.13.1 The Institute may also grant a study leave for up to two (2) years to an employee who has been sponsored for full time course of training. Such a course must have been recommended by the HRMAC and approved by the Director/CEO.

7.13.2 An employee who is on study leave is entitled to all his benefits, including salary increments. The Institute will however withhold a training levy in

accordance with section 9.17 and enter into a formal agreement binding him to serve the Institute in accordance with section 9.26 of this Manual.

7.14 Special Leave for Sportsmen/Women

7.14.1 The Director/CEO may grant an employee, who is selected to represent Kenya in national, regional or international fixtures, special leave with full pay for the necessary period of training and subsequent participation in sports. This special leave shall not be counted against the employee's annual leave entitlement.

7.14.2 An employee 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.

7.15 Leave for Special Purposes

7.15.1 Leave of absence on occasions of religious festivals may be granted without loss of pay for not more than two (2) days in a leave year, subject to the exigencies of service. An application for leave on such an occasion should be addressed to the Director/CEO and reported to HRM in advance of the dates on which any particular religious festival is celebrated.

7.15.2 The special leave will not be counted against annual leave entitlement and will be authorized by the Head HRM.

7.16 Compulsory leave

7.16.1 The Director/CEO, may with the written approval of the Board, send on compulsory leave for a period not exceeding thirty working days an employee in which an investigation is being conducted, where it is feared that the employee may influence or interfere with the investigation.

7.16.2 The Director/CEO shall notify in writing the employee being sent on compulsory leave of the reasons for the decision and the duration of the compulsory leave.

7.16.3 An employee on compulsory leave shall be entitled to full pay and benefits.

7.17 Terminal Leave Pending Retirement

7.17.1 Terminal Leave pending retirement will be taken by an employee pending his retirement. It will be the last official leave to be taken by an employee during his period of service with the Institute.

7.17.2 An employee who is due for retirement is entitled in addition to his annual leave, thirty (30) calendar days' terminal leave pending retirement. This leave must be taken thirty (30) calendar days preceding retirement and will however, neither be commuted for cash nor will the employee qualify for additional leave allowance.

7.18 Public Holidays

7.18.1 The Institute will recognize all public holiday that may be gazetted from time to time under the Public Holidays Act, Cap. 110 of the Laws of Kenya.

7.19 Application for Leave

7.19.1 Application for leave should be submitted in the prescribed form to the respective Heads of Division/Department/Section/Unit.

7.19.2 The Head of Functional Area will be required to forward leave recommendations as per the annual leave plan to the HOFA, HR for approval on behalf of the Director/CEO. Subsequently the HOFA, HRM shall communicate the leave approval to the employee indicating the balance of leave days. However, leave for HOFA's shall be approved by the Director/CEO.

7.20 Establishment of lactation place

7.19.3 The Institute will establish a lactation place for women employees who have babies and need to breastfeed or express breast milk.

7.19.4 The specifications of the lactation place will be outlined in the institution's lactation policy:

7.19.5 A breastfeeding mother shall only use the breastfeeding lactation place during working hours for breastfeeding or expressing milk.

7.19.6 The Institute shall provide a reasonable break time to a breastfeeding mother for purposes of breastfeeding the baby or expressing breast milk for the baby.

- 7.19.7 Where circumstances require a baby to be breastfed for a long period exceeding the time prescribed by regulations, the mother may, with the written instructions from a registered medical practitioner, breastfeed the baby for a longer period.

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SECTION 8: TRANSPORT

8.1 Transport

- 8.1.1 The Institute shall facilitate the movement of its employee on official duty in a manner that is safe and cost-effective. Means of transport at the Institute expense can either be by rail, road, sea and Air.
- 8.1.2 Transport in the Institute is regulated through the Institute's Transport Policy. This section addresses various aspects of the Transport Policy and includes the transport of employees while on duty and use of the Institute's vehicles. It includes travelling privileges to members of the employee's family in certain circumstances and transportation of personal effects.
- 8.1.3 Free transport shall also be provided for employees only whilst traveling on duty.
- 8.1.4 The Institute shall provide free transport to an employee, spouse and up to four (4) unmarried children under twenty-five (25) years and below or beyond twenty-five (25) years who are living with and are dependant on him on occasion when travelling on transfer and on retirement.
- 8.1.5 The age limit for children may be extended beyond 25 years for children with disability/special needs, with the approval of the Director/CEO on occasions when traveling on transfer, approved medical treatment/convalescent leave or on retirement.
- 8.1.6 However, no transport will be provided on resignation, summary dismissal or termination/expiry of contract terms before the employee attains the mandatory retirement years.

8.2 Traveling by Public Transport

- 8.2.1 Where no vehicle will be available to an employee travelling on duty outside the duty station, the employee will be eligible to claim appropriate reimbursement of the amount of fare paid on production of receipted bills.

8.3 Traveling in Own Car on Official Duty

- 8.3.1 The Institute will, where possible, provide its employees with transport when traveling on official duty. In the absence of a more cost-effective means, an employee may use a private vehicle for official duty with prior approval of the Director/CEO.

8.3.2 Where such permission is granted, the employee will claim reimbursement based on the prevailing Automobile Association of Kenya (AA) rates. The vehicle capacity will be limited to 2000c.c. as per the prevailing Government's guidelines.

8.4 Traveling in Official Vehicles

8.4.1 The Director/CEO will be entitled to one official car which will be used for official work only.

8.4.2 All the other employees will use pool transport for official work. An employee traveling on duty will be granted permission to use official vehicle by the Director/CEO or an employee authorized by him.

8.4.3 Official vehicles are intended for official purposes only and should not be used for private purposes. An employee who makes improper use of a vehicle shall render himself liable to disciplinary action.

8.4.4 Whenever a vehicle is used, the details of the journey must be indicated in the work ticket. Any driver found operating without a work ticket authorizing the journey in question, or found carrying unauthorized passengers or goods, shall be subject to disciplinary action. The Government Vehicle Check Unit is empowered to stop and check any vehicle and prefer charges, where appropriate, against the driver.

8.5 Management of Vehicles

8.5.1 The Director/CEO shall ensure that a register for all vehicles shall be opened and maintained up to date. The register shall contain the following particulars in respect of each vehicle: -

- i) Description of vehicle
- ii) Chassis number
- iii) Engine number
- iv) Registration mark and number
- v) Log Book number
- vi) Date vehicle purchased
- vii) Vehicle Insurance particulars and copy of Insurance Disc

8.5.2 Each vehicle shall have a file in which all relevant documents and correspondence shall be filed, including, as far as possible, related expenditure records.

8.5.3 It shall be the responsibility of the Director/CEO to ensure that vehicles are used properly. He shall put in place mechanisms for ensuring centralized overnight garaging and parking of the vehicles and arrange for proper custody of ignition keys.

8.5.4 All Drivers shall have a valid driver's license appropriate for the class of vehicle. Any employee authorizing improper use of the vehicle shall be held personally responsible, making him liable to disciplinary action which would include making good for pecuniary loss and may be liable to dismissal from the service.

8.5.5 Drivers shall at all times set the highest standards of road conduct.

8.6 Reporting of Accidents

8.6.1 Drivers and all employees using official vehicles shall acquaint themselves with the provisions of the Traffic Act (Cap 403), which requires a driver of a vehicle involved in an accident to stop and give his name and address, the particulars of the vehicle, vehicle insurance particulars and address of its owner to any authorized person or to the Police as soon as possible, and in any case within twenty (24) hours of the occurrence of the accident. This procedure shall be followed at all times in the event of an accident.

8.6.2 In addition to providing a report to the Police, if the driver shall not be incapacitated by the accident, he shall submit a preliminary accident report to the Director/CEO within twenty-four (24) hours of the occurrence of the accident.

8.7 Traveling by Air

8.7.1 When required to travel by air, all members of staff shall be governed by the prevailing Government policy in terms of class of travel.

8.7.2 An employee travelling on duty by air shall not be granted any baggage allowance in addition to the free allowance on the air ticket, unless in special circumstances in which excess baggage shall be considered by the Director/CEO.

8.8 Travelling by Taxi

8.8.1 An employee may be compelled to travel by taxi on duly authorized official duty; while attending/returning from a course, conference, seminar, workshop or meeting.

- 8.8.2 In the circumstances above and where the Institute vehicle is not available, an employee may be reimbursed the cost of taxi fares at the standard rates.
- 8.8.3 Claims for motor vehicle allowance or the reimbursement of taxi fares should be certified by the employee in charge of Transport (HOFA) to the effect that, no Institute vehicle was available.
- 8.8.4 When need arises to supplement official transport with hired transport, these services may be obtained from reputable firms' subject to prior written approval by the Director/CEO and compliance to procurement regulations.

8.9 Railway Transport

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

8.10 Travelling for Interview

- 8.10.1 An employee who is invited for an interview/meeting by the Institute will be regarded as travelling on duty and will be reimbursed the cost of travelling expenses.

8.11 Transportation of Baggage

- 8.11.1 Where transport is not provided to an employee when traveling on transfer, termination of appointment or retirement, and the employee shall be permitted to carry personal baggage by rail or road at the expense of the Institute. The employee shall be reimbursed the cost of transport at the prevailing rates of baggage allowance as shall be determined by the Institute in consultation with Government from time to time.
- 8.11.2 In addition, in case of a deceased employee, the legal representative shall be eligible for the reimbursement.

8.12 Transportation for Burial

- 8.12.1 On the death of an employee, spouse or child the Institute will provide a hearse to ferry the deceased. The Institute shall also facilitate provision of reasonable means of transportation for the family of the deceased from residence to place of burial/last rights.

8.12.2 Employees authorized to travel for burial of deceased employee, parent, spouse or child may be availed transport as per approved policy.

8.13 Fuel Cards

8.13.1 The Institute shall develop a policy to guide on the most efficient way of fueling including use of fuel cards.

8.14 Monthly Vehicle Returns

8.14.1 The officer in charge of transport will submit monthly vehicle returns to the Director/CEO. The returns shall specify the following information for each vehicle:

- (a) Vehicle particulars;
- (b) Distance travelled during the month;
- (c) Amount of fuel and oil taken;
- (d) Details and cost of all repairs;
- (e) Details of grounded vehicles and reasons; and
- (f) Any other relevant remark concerning the vehicle.

8.15 Safety of the Vehicle

8.15.1 Official vehicles shall be parked or garaged only at places authorized by the Director/CEO.

8.15.2 Official vehicles when garaged and parked must be immobilized. Where driving cabins are provided with doors with locks, the door of the vehicles must be locked and the keys removed.

8.16 Ignition Keys

8.16.1 All ignition keys to official vehicles will be handed to the designated employee responsible for transport after official working hours.

8.17 Drivers Responsibility

8.17.1 All Drivers shall have a valid driver's license appropriate for the class of vehicle required to drive. Drivers shall at all times set the highest standards of road conduct.

8.18 Speed Limit

- 8.18.1 Official vehicles should adhere to speed limits set by the Government Institutions responsible for transport including the fitting of speed governors and seat belts in line with transport regulations.
- 8.18.2 These gadgets will be checked at least four times a year to ensure that they are functioning at all times.

8.19 Work Tickets

- 8.19.1 All journeys must be authorized and an endorsement made in the work ticket. Any driver found deviating from the route authorized or carrying unauthorized passengers or goods will be liable to disciplinary action.
- 8.19.2 All drivers and employees responsible for managing the vehicles shall acquaint themselves with instructions set out in the work ticket.
- 8.19.3 A summary of fuel, oil and distance travelled with the related work ticket number, will be entered in the vehicle logbook register on completion of each such ticket or at the end of each month should a ticket remain incomplete that month.

SECTION 9: PERFORMANCE MANAGEMENT

9.1 Introduction

- 9.1.1 This Section provides guidelines for Performance Management in the Institute for enhancement of efficiency and effectiveness in service delivery.
- 9.1.2 The Institute will take into account individual performance and reward employees for their contribution in a fair and equitable manner. The Performance Management System has therefore been designed to achieve this objective, among others.
- 9.1.3 The Performance Management System is linked to other human resource systems and processes including recruitment, staff development, career progression, placement incentives and sanctions.
- 9.1.4 The Performance Management System will support the Institute to attain the following: -
- a) Attract qualified employees;
 - b) Retain qualified employees;
 - c) Promote employees
 - d) Motivate employees by rewarding good performance; and
 - e) Support management in the realization of the objectives of the Institute.
- 9.1.5 The system provides for setting of performance targets, work planning and evaluation of performance.

9.2 Strategic Planning

- 9.2.1 Strategic planning for the achievement of overall long-term goals of the Institute will be undertaken by the Board.
- 9.2.2 The strategic plans will be the basis for setting performance targets for the Institute which shall be cascaded to the individual level.

9.3 Performance Contracting

- 9.3.1 Performance contracting shall be anchored on national development goals with clear linkage to the Institute's strategic plan. It shall be cascaded to all Departments/ Divisions, levels and cadres of employees.

- 9.3.2 It will be the responsibility of management to link the Performance Contracts with the Performance Appraisal System (PAS) and the Performance Rewards and Sanctions Framework.

9.4 Objectives of Performance Appraisal

9.4.1 Staff Performance Appraisal is a critical component of the human resource management function. The overall objective of the appraisal system is to manage and improve performance by enabling a higher level of members of staff participation and involvement in planning, delivery and evaluation of work performance.

9.4.2 The specific objectives are to: -

- a) Link individual performance with organization performance;
- b) Enable Supervisor and Appraisee to continuously assess work progress;
- c) Assess the learning and development needs of employee on timely basis;
- d) Promote accountability in the Institute;
- e) Promote communication and encourage continuous feedback between Appraisee and supervisor;
- f) Set the basis on which an employee's performance is monitored and evaluated as stipulated in the individual work plan;
- g) Align operational and financial performance targets with budgetary provisions;
- h) Improve the quality of work through better planning, ongoing discussions and fair participatory appraisal; and
- i) Provide information for decision-making on administrative and human resource issues such as renewal of contracts, promotions, delegation of duties, training, deployment, reward and sanctions.

9.5 Performance Management Process

9.5.1 Performance Management is based on the following underlying principles, and needs:

- a) To identify individual/team objectives and performance measures linked to the Vision, Mission, Core Values and Strategic Objectives of the Institute.

- b) To promote employee career development by creating learning environment and ensuring quality improvement through training, coaching, counseling and mentoring.
- c) To provide open and honest periodic evaluation of an employee's performance.
- d) To link rewards to the employee's performance rating.

9.5.2 Each employee will have a job description, outlining basic responsibilities. Job descriptions will be written in a simple language that clearly defines the scope and limitations of the job ensuring that: -

- a) Upon employment, an employee will be given a job description for appointed position;
- b) An employee will be required to confirm receipt and attest to having read and understood the job description by signing a copy, which will be placed in his personal file; and
- c) All job descriptions will be approved by the immediate supervisor and the respective Heads of the various functional areas.

9.5.3 Job description will contain the following basic information: -

- a) Job title
- b) Location of job
- c) Reporting relationships
- d) Major responsibilities
- e) Limits of an employee's authority

9.5.4 The job descriptions are not static and are subject to change from time to time in response to the Institute's needs and individual employee competencies.

9.6 Work Planning and Setting of Performance Targets

9.6.1 Prior to the beginning of the performance period, HOFA Functional areas will prepare work plans based on the strategic plan. The Work Plans should include the Departmental priority objectives from which individual performance targets will be derived. Departmental Heads will meet with employees under their direct supervision to discuss and ensure that the objectives and performance targets of the department are understood.

9.6.2 The individual work plans will be derived from the Departmental Work plans and employee's job description. The work plan will briefly describe the

performance targets or expected results on specific assignments and activities for which the employee is responsible during the performance year.

- 9.6.3 The Appraisee 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 by latest 31st July of each year. For each performance target to be assessed there will be performance indicators.
- 9.6.4 As part of the Staff Training and Development Plan, every employee will indicate at least one training goal to be achieved in the reporting period as agreed with the supervisor. This may include special assignments, continuing education, on the job training, seminars, conferences or study tours.

9.7 Appraisal Period

- 9.7.1 The appraisal period will cover one (1) year with effect from 1st July to 30th June of the following year. The Performance Appraisal reflects the summation of the year's performance including quarterly and mid-year reviews.

9.8 Continuous Performance Appraisal

- 9.8.1 Performance appraisal is an on-going process throughout the performance period. Milestones over the review period should be documented and maintained in the Appraisee's personal file.
- 9.8.2 Employees serving on contract terms will be appraised every Quarter during the first year of the contract. If the performance is unsatisfactory, the contract will be terminated in accordance with the contract document. However, during the performance appraisal period, the employee will be afforded opportunity for mentorship, counselling and coaching geared performance improvement
- 9.8.3 Employees on probation will be appraised after six (6) months of employment. If the performance will be unsatisfactory, the probation may be extended for a further six (6) months. If the performance is still unsatisfactory, the contract will be terminated.

9.9 Mid-Year Performance Review

- 9.9.1 The main purpose of the mid-year Performance Review is to accord both the Supervisor and Appraisee the opportunity to jointly review the progress made by

the Appraisee in accomplishing the assignments agreed on at the beginning of the Appraisal period.

- 9.9.2 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.
- 9.9.3 Any changes, additions or removal of performance targets should however 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.
- 9.9.4 The Supervisor should, after discussions with the Appraisee at the Mid-year Performance Review comment on the Appraisee's performance. In the event that the Supervisor leaves the Directorate/Department/the Institute, he will be required to appraise the performance of the Appraisee on pro-rata basis.

9.10 End of Year Appraisal Process

- 9.10.1 The End of Year Appraisal will take place at the end of the reporting period.
- 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.
 - c) After the meeting, an evaluation form will be signed and dated by both the appraisee and appraiser and forwarded to respective Head of Department and to the Director/CEO for endorsement.
 - d) The Director/CEO shall provide the staff appraisal report to the Board
- 9.10.2 In cases where the employee's performance is below acceptable standards, management will put in place a programme to help the employee improve.
- 9.10.3 The responsibility to have the evaluations completed in time lies with both the appraiser and appraisee.
- 9.10.4 All end-of-year appraisal should be undertaken within the first quarter of the following year.

9.11 Performance Rating Levels

- 9.11.1 The institute shall develop performance-rating guidelines from time to time which shall be the guiding tool for rewards and sanctions.
- 9.11.2 An employee's performance shall be rated based on the following Institute Rating scale:
- Outstanding (90% - 100%)
 - Good (70% - 89%)
 - Meets expectation (60% - 69%)
 - Below expectation (40% - 59%)
 - Poor (Below 40%)
- 9.11.3 Departmental Heads will compile departmental Reports using a prescribed form, this will cover all officers in their respective Departments, Sections, or Units. The reports will then be forwarded to the performance team through the respective Head of Sections together with a summary of the number of officers' scores in each of the five (5) ratings.
- 9.11.4 The Supervisor may however recommend other specific interventions other than sanctions depending on insight gained during the appraisal.

9.12 Appeals

- 9.12.1 If an employee disagrees with an evaluation and cannot resolve the disagreement with the supervisor, the employee may appeal to the Director/CEO through the HOFA responsible for Human Resource for another review of his performance.
- 9.12.2 The appeal must be made in writing and submitted to the HOFA responsible for Human Resource within ten (10) days of the initial performance appraisal meeting. The Director/CEO will appoint a sub-committee to review the appraisal.

9.13 Rules of Conduct for the HRMAC

- 9.13.1 Members of the HRMAC shall be expected to perform their duties with diligence, integrity, impartiality and confidentiality.
- 9.13.2 In the event that there is disagreement between the supervisor and an appraisee on assessment of performance, the Committee will moderate the scores based on

verifiable performance indicators and make recommendation to the Director/CEO.

9.13.3 Members of HRMAC will not discuss or make recommendations in respect of their own performance reports. The Director/CEO shall complete the Performance Appraisal reports for the members of the Committee and make appropriate recommendations to the Board.

9.13.4 Members of the HRMAC 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.

9.13.5 The Director/CEO shall be appraised by the Board.

9.14 HRMAC Recommendations

9.14.1 The Director/CEO shall, on the recommendation of the HRMAC and approval of the Board reward excellent performance and apply the appropriate intervention in accordance with the Rewards and Sanction Framework.

9.14.2 The Supervisor may however, recommend other specific interventions depending on the insight gained during the appraisal.

9.14.3 The performance appraisal report shall form the basis for placement, promotion, separation and mobility of employee within the Institute.

9.15 Rewards and Sanctions

9.15.1 The Institute shall have an incentive scheme aimed at rewarding members of staff based on the value they are adding to the Institute in relation to their performance, approved experience and professional skills/competence. This framework therefore establishes a basis for rewarding exemplary performance and administering sanctions for poor performance, motivating employees to have positive attitude to work and to enhance productivity in the Institute.

9.15.2 The Director/CEO will be responsible for the administration of the rewards and sanctions policy through the advice of HRMAC.

9.15.3 HRMAC will also handle cases of appeals after employees have exhausted all review mechanisms.

9.15.4 Testimonials and letters of commendation may be awarded to employees by supervisors as a motivation for exemplary service.

9.15.5 The rewards and sanctions shall be as set out in the Rewards and Sanctions Framework for the Institute and will be composed of the following:

- a) Compensation
- b) Incentives
- c) Awards
- d) Sanctions

9.16 Committee Assessment

9.16.1 To ensure the accuracy and objectivity of the final assessment, the performance appraisal ratings will be approved or moderated by the HRMAC. The Committee will also assess an officer's probable performance on higher duties.

9.17 Appraisal Program

9.17.1 The Institute's appraisal exercise will be conducted in accordance with a programme approved by the Management for each financial year.

9.18 Performance Improvement Plan

9.18.1 The performance improvement plan defines areas of concern, gaps and expectations in work performance and provide for an opportunity to demonstrate improvement and commitment.

9.18.2 Procedure of placing officer on a Performance Improvement Plan at the beginning of the year the procedure in section 8.4.1 of this manual will be followed.

9.18.3 Concerns/Gaps identified during the mid-year review will be discussed with the officer.

9.18.4 If no improvement is noted during the end year evaluation, the officer will be placed on a performance improvement plan.

9.19 Timeline for Improvement, Consequences & Expectations:

9.19.1 The PIP period will be six (6) months

- a) During the time of PIP an officer will be expected to make regular progress on the plan.
- b) Failure to adhere to the plan will result in a disciplinary action.
- c) If significant improvement is noted within two (2) months after placement on PIP, the PIP programme will be terminated for the officer.
- d) Failure to maintain performance expectations after the completion of the PIP may result in additional disciplinary action up to and including termination.
- e) The contents of this PIP are to remain confidential. Should you have questions or concerns regarding the content, you will be expected to follow up directly with the supervisor.
- f) The PIP does not alter the employment terms and conditions of service.

APPROVED

SECTION 10: TRAINING AND DEVELOPMENT

10.1 Introduction

- 10.1.1 Whilst the Institute will recruit competent personnel, it shall endeavour to continuously upgrade employee's core competencies, knowledge, skills and attitudes of its employees to ensure that their performance meets and/or exceeds the minimum expectations and benchmarks best practices.
- 10.1.2 The Institute therefore recognizes the need for training and development of all employees in order to ensure effective delivery of its broad mandate. It shall therefore offer training opportunities to all its employees in order to improve their work performance and personal development.
- 10.1.3 The policy on training is to ensure continuous upgrading of core competencies, knowledge, skills and attitudes of employees including their ability to assimilate technology to enable them create and seize opportunities for career growth, social advancement, economic growth and development.
- 10.1.4 Training and development of employees will be directed towards the achievement of the following objectives:
- Enhancement of the institutional performance by helping all employees to improve on their efficiency and effectiveness;
 - Assisting each employee to gain competences and skills in preparation for more responsible positions and to help each employee prepare for changes as the Institute develops to meet changing and emerging needs; and
 - Ensure availability of sufficient trained human resource-base to meet the Institute's future requirements by identifying those requirements and providing appropriate training and development opportunities for targeted employees.
 - Inculcating the desired work ethics, values and corporate culture.
- 10.1.5 All training must be based on identified training needs. Funds allowing, all members of staff should have at least five (5) days training in a year while newly recruited or transferred employees must be inducted within two (2) weeks of the transfer date or joining the Institute.
- 10.1.6 An employee who has been on training will be eligible for his normal annual leave only for the year he resumes duty in addition to the leave days officially carried forward before proceeding on training.

10.1.7 The Institute shall not sponsor employees for undergraduate degree courses or other courses that are mandatory for their current jobs qualifications.

10.1.8 Supervisors will assess the impact of the training by employees during annual appraisal.

10.2 Training Strategy

10.2.1 Any training provided by the Institute will be based on systematic analysis of its contribution to the effectiveness of the Institute's Training needs will therefore be assessed at three levels:

- a) at the Institute's level;
- b) at the relevant Divisional/Departmental /Sectional functional level;
- c) at the Individual level;

10.2.2 To this end, the Institute will draw up and maintain an Annual Training Plan that will address these levels. The following factors will be taken into account when planning training programs:

- a) Objectives of the training;
- b) Content of training;
- c) Costs involved (vis-a-vis the cost of not training);
- d) Likely benefits and how they can be evaluated;
- e) Training methods available and their appropriateness;
- f) The location and timing of any training program; and
- g) Training provider (s).

10.2.3 The Institute's training strategy will ensure competent manpower for long range career development and succession planning within the Institute.

10.3 Training Needs Assessment

10.3.1 Training in the Institute shall be based on Training Needs Assessment (TNA) which shall be conducted every year.

10.3.2 All Heads of Divisions shall prepare training projections based on Training Needs Assessment to guide the HRMAC in nominating employees for training.

10.4 Course Approval

10.4.1 The Director/CEO will grant course approval to employees proceeding on authorized training in accordance with the Institute's regulations. Employees will be required to obtain course approvals before commencement of training.

10.5 Progress Reports

10.5.1 All members of staff shall be expected to provide official performance reports to the head of HR by the end of each school term or by the end of the course whichever is earlier. The Institute shall not release the next instalment(s) unless such a report is satisfactory.

10.5.2 A Training Evaluation Report shall be carried out at the end of the training.

10.6 In-House Training Programmes

10.6.1 The Human Resource Department will design specific in-house training programmes as a method of developing training interventions which address identified training needs. In addition, training can be provided under institutional training both locally and abroad.

10.6.2 In designing training programmes, the Head of Human Resources should ascertain the availability of: -

- a) Professional, qualified and experienced trainers;
- b) Training programmes that are cost-effective;
- c) An effective evaluation and feedback system to assess the impact of training on performance; and
- d) Selection of trainees for all training programmes will be based on identified needs with emphasis on training for performance improvement that addresses national, institutional and individual goals.

10.7 Criteria for Training Funds Allocation

10.7.1 The HRMAC shall consider the following while allocating training funds:

- a) The number of staff in each department weighted against the Training Budget.
- b) The Institute's training priority areas as identified by the TNA.
- c) Merit: Those employees who clearly deserve training shall be given first priority. There shall be no discrimination in the allocation.
- d) Value adding: The training must add value to the employee's job by improving his performance. It must also be linked to the job the member of staff is doing or anticipated promotion or job position that the employee is expected to hold in the future. It may also be linked to management development or succession plans of the institution.
- e) Results of the training needs assessment: Training that does not match with the training needs assessment especially the supervisors' recommendations shall not be considered.
- f) Professional courses: Technical members of staff who apply for professional courses shall be given first priority.
- g) Managerial courses: Managers who apply for managerial courses shall be given priority.
- h) Time between two courses: Members of staff shall be expected to utilize the skills learnt after training before they are considered for training. The skills utilization period after a short course shall be one year and two years after a long course. Courses offered in modules or parts may however be exempted from this section.

10.8 Sponsorship for Education and Professional Training

- 10.8.1 Subject to availability of funds, the Institute will endeavour to assist its employees acquire additional qualifications relevant to their jobs through sponsorship for various courses and programmes.
- 10.8.2 Subject to availability of funds, the Institute will endeavour to regularly attach trainers/Lecturers in relevant industries to keep abreast on the most current technologies in the sector in furtherance of their competencies in the delivery of the Institute's training programs.
- 10.8.3 The Institute shall undertake Training Needs Assessment and prepare annual training plans for all its employees. Availability of funds and prioritization of the courses will be a key consideration. The Training Needs Assessment will be aligned to the Performance Management System.

10.9 Conditions for Sponsorship

- 10.9.1 Only permanent employees and those on long-term contracts shall qualify for training sponsorship by the Institute.
- 10.9.2 The Institute will sponsor members of staff for courses approved by the HRMAC.
- 10.9.3 Members of staff on probation shall be expected to wait for confirmation before they can benefit from the Institute's training funds. They may, however, attend seminars and conferences as approved by the Director/CEO and also benefit from training geared towards staff induction.
- 10.9.4 Subject to the availability of funds, the Institute shall endeavour to assist all its employees including Temporary staff acquire skills and competence relevant to their jobs.

10.10 Undergraduate Training

- 10.10.1 The Institute shall not sponsor serving employees for undergraduate programmes. Where there is need for skills at this level, the Institute will procure the same from the labour market. However, employees who wish to sponsor their training shall be granted approval.
- 10.10.2 Notwithstanding 9.10.1 above and in a bid to ensure the marginalized and minority groups and persons with disabilities are represented at all levels of the Institute, the Institute may prioritize sponsorship of employees for relevant undergraduate degree programmes, based on identified training needs in line with affirmative action programmes.
- 10.10.3 Any recommendations made in 9.10.2 above shall be forwarded to the Board for approval.
- 10.10.4 The affirmative action for under-graduate degree programmes shall remain in force until such time that a representation in the Institute is achieved.

10.11 Masters Programmes

- 10.11.1 The Institute will continue to support and approve training at Masters Level for employees requiring the skills at this level for performance and career growth as prescribed in the respective Career Guidelines.
- 10.11.2 The Institute shall not support employees for second Masters programmes.
- 10.11.3 The Institute will prioritize masters' programmes which the Institute requires and may give incentives to employees willing to take the specified courses.
- 10.11.4 For an employee to be eligible for sponsorship they must have served a minimum of three (3) years' continuous service in the Institute.

10.12 PHD Programmes

- 10.12.1 The Institute may sponsor employees for PhD programmes in research and training. However, employees wishing to pursue PhD studies on 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 Institute shall not provide reimbursement of training expenses.
- 10.12.2 The Institute may sponsor research and training employees for PhD programmes in areas relevant to wildlife conservation and management
- 10.12.3 The Institute's approval shall only serve to provide the employee time off for research and examinations as shall be requested and approved.

10.13 General Provisions on Training

- 10.13.1 Members of staff sponsored by the Institute may be required to share the cost of the course to be undertaken at such a ration as may be determined by the HRMAC and the Government.
- 10.13.2 Sponsorship of an employee for training, where approved, shall not exceed three (3) years duration.

10.14 Expenses to be met by the employee

10.14.1 An employee will be responsible for meeting all expenditure in connection with the course on the following items from the allowance payable to him:

- a) The full cost of his own subsistence during both term time and vacation, whether this takes the form of a fee for a residence at an institution or payment of boarding and lodging outside the institution;
- b) Fares for daily journey between his lodging and place of study;
- c) The purchase of all outfit and clothing required for the course;
- d) Subsistence when travelling; and
- e) All other personal commitments including subscriptions (voluntary or compulsory), laundry, recreation, entertainment, etc.

10.15 Expenses to be met by the Institute

10.15.1 In addition to the payment of salary and allowances, the following items of expenditure will be met by the Institute:

- (i) Pre-departure medical examination, passport, visa, vacation and inoculation fees;
- (ii) All course fees (other than residence fee or other charges for boarding and lodging) including registration, admission, tuition, examination, project/ dissertation, thesis, laboratory and similar fees – if the same are not met by the sponsor;
- (iii) All transport and travelling necessary in connection with an employee's training (other than the daily commuting between lodgings and an employee's normal place or places of study) at second-class rates;
- (iv) Local transport and traveling to and from the airport of departure and arrival in Kenya at the rates already set;
- (v) Economy class passage to and from the Country in which the course is held; and
- (vi) Medical insurance contribution, where applicable.

10.16 Mentorship Programme

10.16.1 Whenever possible, new employees will be assigned mentors who will provide them with guidance and ensure that they are properly integrated into the service.

10.17 Training Levy

- 10.17.1 An employee selected to attend a local or external course lasting more than four (4) weeks will be deducted 10% for local and 20% for external courses respectively from his basic salary for the full duration of the course. The amount recovered will be treated as the employee's contribution towards the cost of training.
- 10.17.2 The training levy will be paid to the Institute regardless of whether the course is sponsored by the Government of Kenya or by Development Partners through bi-lateral arrangements.

10.18 Management and Co-ordination of Training

- 10.18.1 The Human Resource Advisory Committee will manage and coordinate employee training. This Committee shall be responsible for the following as regards training:
- a) Consideration and approval of the Institute's training plans and staff development strategies.
 - b) Consideration of training projections and analysis of training needs as well as setting up a hierarchy or priorities within the overall training projections.
 - c) Assessment of availability of training resources and their optimum utilization.
 - d) Identification and selection of suitable employees for various training programs.
 - e) Apportionment of the training funds.
- 10.18.2 The HRMAC shall hold their meetings on quarterly basis and at least four times in a year. The main meeting shall be in the first quarter of the financial year which shall be the planning meeting. It is this meeting that the annual training allocations shall be done.

10.19 Conditions Applicable to Employees on Training

10.19.1 Salary and Allowances

- (i) An employee attending a course will be deemed to be on duty and all regulations pertaining to his employment will be applicable.
- (ii) Provided that his study reports and conduct are satisfactory, an employee will be considered for promotion as and when suitable vacancies occur

subject to competition and/or the provisions of the respective Career Guidelines.

- (iii) An employee traveling to attend a course will be deemed to be on duty and will be reimbursed any traveling and subsistence expenses incurred.
- (iv) An allowance to purchase books, training instruments and apparatus, among others, shall be provided to an employee on the basis of the recommendation from the Head of the Institution where the course will be held.
- (v) An employee will be eligible for house allowance and medical cover during period of the course.

10.20 Provision for Annual Leave

- 10.20.1 Attendance of a course which has no provision for vacations will count as if an employee will be on duty for the purpose of his eligibility for leave.
- 10.20.2 An employee undertaking full time course of study at an academic institution will normally be granted the student's vacation, but may be required to resume duty during vacation provided he is entitled to a minimum of one (1) months' vacation in a year. Such an employee will not be eligible for any additional leave in respect of the period of the course. He will however, be eligible for any days carried forward before proceeding on training.
- 10.20.3 An employee attending a course outside the country shall be eligible for his normal annual leave due only for the year he returns to the country.
- 10.20.4 The employee shall resume duty immediately upon the completion of the course or the expiry of the period of training.

10.21 Training Reports

- 10.21.1 All employees sponsored for training will be required to prepare a report on the training attended. Special attention should be given as to how the skills acquired can be shared with other employees in order to maximize the impact of the training.

10.22 Self-Sponsored Courses

- 10.22.1 Employees undertaking part-time self-sponsored courses will be exempted from paying 10% training levy.
- 10.22.2 In cases where an employee had proceeded on a self-sponsored course approved by the Director/CEO and while attending the course the employee manages to secure funding from the Institute, he will be required to pay 10% training levy for the specific duration of the sponsorship. However, sponsorship will not cover any outstanding fees prior to the scholarship.
- 10.22.3 An employee attending an approved course which has an examinable component may be granted days off to sit for main examination. Such a request shall be accompanied by an official timetable issued by the examining body or institution.

10.23 Reimbursement of Training and Examination Fees

- 10.23.1 An employee who on his own initiative and at his own time undertakes and passes a professional course relevant for his career growth and which is administered by a recognized training institution, will be eligible for reimbursement of 50% of the amount spent on tuition and examinations provided: -
- a) The course is relevant to his career growth;
 - b) The course is recommended by the Human Resource Advisory Committee and approved by the Director/CEO;
 - c) The course is not an undergraduate degree;
 - d) The employee has not been sponsored for the same course before; and
 - e) The employee avails the original certificate for the course and a training report.

10.24 Refund of Training Expenses

- 10.24.1 An employee on training may be called upon to refund any sum of money expended on him in case of the following: -
- a) If through own acts of omission or commission, unacceptable conduct and general indiscipline, the employee displays unsatisfactory progress and is consequently discontinued from the course.

- b) If he fails to resume duty at the expiry of the course without reasonable excuse.

10.25 Conference and Seminars

- 10.25.1 Employees attending conferences, seminars, workshops and study tours, whether locally or abroad, usually of up to four (4) weeks duration, shall be regarded as traveling on duty and shall receive appropriate allowances in accordance with prevailing Government guidelines.

10.26 Security Bond

- 10.26.1 An employee, who attends a training lasting more than six (6) months, will be required to enter into a formal agreement binding him to serve the Institute.
- 10.26.2 The period of the bond will be determined by the duration of the course as follows:

Course Duration	Bond Period
6 months – 1 year	1 year
Above 1 – 2 years	2 years
Above 2 – 3 years	3 years
Above 3 years	As per the duration of the course but should not exceed five (5) years

- 10.26.3 The amount of bond for employees sponsored for full-time courses will be the total cost of the training plus the gross salary for the period, less 10% and 20% recovered as training levy for those attending courses locally and abroad, respectively.
- 10.26.4 The employee will be required to redeem the bond amount in full in case of default.

10.27 Monitoring and Evaluation

- 10.27.1 The Institute will carry out a cost benefit analysis to determine benefits accruing from its investments of time and money in the training and development of its

employees. This is in order to assess achievement and improve future effectiveness. Information on training and development activity will be reviewed annually. The review will include consideration of: -

- a) Average training and development investment per employee;
- b) Cash investment in training and development as a percentage of employee cost; and
- c) Training and development hours per person per annum.

10.28 Training Projection

10.28.1 It will be the responsibility of the HOFA responsible for Human Resource to prepare the annual training projections and budget. The annual training budget will be prepared in consultation with all the Heads of Divisions.

10.29 Skills Inventory

10.29.1 The Institute will develop, update and maintain a skills inventory for all employees for purposes of identifying the available competencies and the required skills in order to plan for training or recruitment to address the identified gaps and for succession management.

10.30 Subscription to Professional Bodies

10.30.1 The Institute will support employees to become affiliated to recognized professional body, or bodies.

10.30.2 The employee will meet the cost of registration and the initial subscription. Thereafter, the Institute will meet the subsequent subscriptions, practising certificate and cost of Continuing Professional Development (CPD) training.

SECTION 11: CODE OF CONDUCT AND ETHICS

11.1 Introduction

- 11.1.1 This Section contains general rules of conduct to be observed by officers so as to maintain integrity and uphold the dignity of the public office to which he has been appointed. Every officer occupies a special position in the Institute and should ensure that his conduct both in public and in private life does not bring the Institute into disrepute.
- 11.1.2 Regulations governing discipline in the Institute and the procedure to be followed in cases of breach of discipline are contained in this manual.
- 11.1.3 In addition, an officer 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, ; Public Officer Ethics Act, ; Anti-corruption and Economic Crimes Act, ; Labour Relations Act, and the Employment Act, .
- 11.1.4 Officers are required to adhere to their respective professional codes of conduct. It is imperative that an officer adheres to these rules of conduct, and such other rules which may be introduced from time to time.
- 11.1.5 All employees shall be required to sign the code of conduct upon employment and they will be bound by any amendments to the code of conduct and ethics.
- 11.1.6 The collective personal conduct of employees portrays the corporate image of the Institute. Therefore, the Institute maintains this code of conduct to guide its employees with respect to standards of conduct expected in areas where improper activities could damage the Institute's reputation and otherwise result in serious adverse consequences to the Institute and to employees involved.
- 11.1.7 An employee's actions under this Policy are significant indications of the individual's judgment and competence. Accordingly, those actions constitute an important element in the evaluation of the employee for position assignments and promotion. Correspondingly, insensitivity to or disregard of the principles of this Policy will be grounds for appropriate management disciplinary action.

- 11.1.8 The purpose of this Code is to affirm, in a comprehensive statement, required standards of conduct and practices with respect to delivering the Institute services with integrity, professionalism, economic use of resources, accountability, and objectivity at all times.

11.2 Objectives

- 11.2.1 The Institute's objective in establishing this Code of Conduct and Ethics is to provide a clear framework within which employees of the Institute are expected to conduct themselves. This Code specifically seeks to: -

- a) Increase employee satisfaction, trust and self-identification with the Institute.
- b) Increase the institutional resilience, and improve the functionality, efficiency and performance of employee through preventing ambiguity and creating clear behavioral codes.
- c) Increase accountability, transparency and good governance in service delivery thus continually contributing to the Institute's image, boosting public confidence and protect the integrity of the Institute.
- d) Establish a moral foundation of values that raise the level of awareness of ethical standards required of all employees to improve their decision making process and also to reflect in personal behaviour and standards of conduct.
- e) Ensure discipline, commitment, honesty, objectivity and impartiality in decision making and in the execution of the Institute's duties.
- f) Provide mechanisms for consensus building on ethical issues, registration and management of gifts and conflicts of interest, decision making, and ethical dialogue.
- g) Provide a framework and mechanisms for reporting of misconduct, whistle blowing, and investigation procedures, processing of disciplinary matters arising from breach of this code and enforcement and sanctions for breach of the code or other Policies of the Institute.

11.3 Scope

- 11.3.1 The Code of Conduct and Ethics applies to the Institute employees, under all terms of service and in all duty stations of the Institute.
- 11.3.2 In the event of any inconsistency between the provisions of this Code, the general code in the Public Officer Ethics Act, Cap. 183 and the general code in the Leadership and Integrity Act, 2012 the latter shall prevail.

11.4 Office Hours

11.4.1 The normal working hours of the Institute shall consist of 40 hours of work spread over 5 days of the week as follows: -

Nairobi and other Regions:

Monday to Friday

- Morning: 8.00 a.m. to 1.00 p.m.
- Lunch break: 1.00 p.m. to 2.00 p.m.
- Afternoon: 2.00 p.m. to 5.00 p.m.

Coastal and Northern Kenya (Marsabit):

Monday to Friday

- Morning: 7.30 am to 12.30 p.m.
- Lunch Break: 12.30pm to 1:30pm
- Afternoon: 1.30 p.m. to 4.30 pm

11.4.2 Though the general office hours will be as stated herein, HOFAs will not be restricted to utilize employees outside these hours, when there is any cause requiring their services either earlier or later, as long as the employees put up a maximum of 40 hours per week.

11.4.3 For the effective running of the Institute the employees should observe punctuality and regular work attendance. In case an employee is not in a position to report to work in the morning or is delayed, the head of the respective function area (HOFA) should be notified before, as close to the regular starting time as possible. This should not be later than 12.30 pm after which the employee will be considered absent.

11.5 Official Office Attire

11.5.1 The employees of the Institute are expected to dress in formal acceptable and appropriate attire between Mondays and Thursdays.

11.5.2 ***Dress-down policy:*** Employees are free to dress down on Fridays. It should, however, be noted that the free manner of dressing should also be acceptable and decent.

- 11.5.3 Employees may put on branded corporate attires on specified days and also on specific functions of the Institute.
- 11.5.4 All employees 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.
- 11.5.5 Issues of uniforms and dates of their issue must be recorded in the Stores Ledger.
- 11.5.6 Disciplinary action will be taken against an employee who fails to observe these regulations.

11.6 Core Values, Guiding Values, Principles and Requirements

- 11.6.1 The employees of the Institute shall be guided by the national values and principles of governance in Article 10 and 232 of the Constitution; provisions of Chapter 6 of the Constitution on Leadership and Integrity; Part II of the Leadership and Integrity Act, 2012 as well as the Public Officers Ethics Act, 2003 revised in 2009.
- 11.6.2 The employees of the Institute shall aspire to uphold the national values and principles of governance being:
- (i) Patriotism, national unity, the rule of law, democracy and participation of the people;
 - (ii) Human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized;
 - (iii) Good governance, integrity, transparency and accountability; and
 - (iv) Sustainable development.

11.7 Rule of Law

- 11.7.1 All employees shall carry out their duties in accordance with the law. In carrying out his duties, the Institute employee shall not violate the rights and freedoms of any person under Part V of the Constitution.

11.8 Conflict of Interest

- 11.8.1 An employee shall declare to the Director/CEO his personal interest (including the interest of a spouse, relative or business associate); where such interests are likely

to interfere with official duties or affect personal judgment on official matters. According to the provisions of the Public Officer Ethics Act, 2003, an officer shall:

- (i) Use his best efforts to avoid being in a position in which his personal interests' conflict with his official duties
- (ii) Not hold shares; corporate, partnership or of another body or through another person that would result to conflict of interest
- (iii) Declare personal interests to the Director/CEO and comply with any directions to avoid the conflict and also refrain from participating in any deliberations where such interest would conflict official duties
- (iv) Not award a contract or influence the award of such a contract to himself, spouse, close relative, business associate, or a corporation, partnership or other body in which the employee has an interest.
- (v) Not use his office to improperly enrich himself or another person
- (vi) Not use or allow use of information acquired through his public office that is not public, for his own or other peoples' benefit.

11.8.2 Any employee whose personal interests are potentially or actually in conflict with those of his duties shall declare the personal interests to his superior or the Director/CEO in writing.

11.8.3 Other situations which constitute a conflict of interest: -

- (i) Soliciting for any help, funds, favors, gifts and sponsorship from persons or institutions associated with the Institute or using the name of the Institute without the knowledge and approval of the Board.

11.9 Improper Enrichment or Receiving of Gifts

11.9.1 The Institute employees shall not accept gifts, benefits or favors from a client where these may influence or may be seen to influence his decisions. Gifts exceeding a threshold of Kshs. 20,000.00 should not be accepted. Gifts in cash should not be accepted under any circumstance.

11.9.2 The Institute employee(s) shall not use their office to improperly enrich themselves or others. In this regard, the Institute employees shall not accept or request gifts or favours from a person who: -

- (i) Has an interest that may be affected by the carrying out, or not carrying out, of the public officer's duties;

- (ii) Carries on regulated activities with respect to which the institute has a role; or
 - (iii) Has a contractual or similar relationship with the institute;
 - (iv) Improperly uses their office to acquire properties for themselves or another person, whether or not the properties are paid for; or
 - (v) For their personal benefit or another, use or allow the use of information that is acquired in connection with the public employee's duties and that is not public.
- 11.9.3 Employees are prohibited from receiving valuable presents (other than gifts from personal friends and relatives) and/or other benefits and from giving such presents. This applies for example to Christmas presents or such kind of gifts.
- 11.9.4 This section applies not only to the employee himself, but also to his family. It is not intended to apply to cases of remuneration for special services rendered and paid for with the consent of the Institute.
- 11.9.5 Presents from public personages which cannot be refused without being offensive will be handed over to the Institute unless prior permission has been obtained from the Director/CEO for the employee to retain the present.
- 11.9.6 When presents are exchanged between employees acting on behalf of the Director/CEO in ceremonial occasions with other institutions or their representatives, the presents received will be handed over to the Institute and any present in return will be given at the Institute's expense.

11.10 Harambees

- 11.10.1 The Institute employee shall not preside over a Harambee, play a central role in its organization or play the role of "guest of honour"; nor participate in a Harambee in such a way as to reflect adversely on their integrity or impartiality or to interfere with the performance of their official duties

11.11 Declaration of Income, Assets and Liabilities

- 11.11.1 Every employee shall on first appointment and after every two years submit a declaration of income, assets and liabilities of himself, spouse(s) and dependent children less than eighteen (18) years to the Public Service Commission in accordance with the Public Officer Ethics Act, 2003. Similarly, on exit from the

Institute employee shall be required to fill the same form. The appropriate form will be supplied as may be required.

11.12 Undue influence

11.12.1 Employees are warned that the practice of seeking the influence of Politicians or other persons in order to be considered for promotion or other favours is viewed with disapproval. Any such attempt to obtain such favours is considered irregular and will not be of advantage to the employee and on the other hand, may actually be detrimental to the employee's interests.

11.13 Professionalism and Integrity

11.13.1 All employees shall: -

- (i) Carry out their duties in a manner that treats the public and the fellow employees with courtesy and respect;
- (ii) Seek to improve the standards of performance and level of professionalism in the Institute;
- (iii) Observe the ethical and professional requirements of a professional body of which they are members;
- (iv) Maintain an appropriate standard of dress and personal hygiene; and
- (v) Avoid practices that could lead an individual vulnerable to financial embarrassment.

11.14 Confidentiality and the Official Secrets Act, Cap 187

11.15 **Disclosure of Information:** An employee must not disclose any information concerning the affairs of the Institute or its employees, or show or release any official document to any person not connected with the Institute, or even insiders, unless he is required to do so in the course of his duties, or such disclosure as is authorized by the Director/CEO. Individual invitations to give technical advice or present papers should be channelled through the Director/CEO.

11.15.1 **Official Documents and Legal Proceedings:** An employee must not without permission make use of any official document which comes into his possession by virtue of his employment the subject of legal proceedings.

11.16 Rule of Law

- 11.16.1 Employees shall carry out their duties in accordance with the law. In carrying out one's duty, an employee shall not violate the rights and freedoms of any person as provided for in the Constitution.

11.17 Respect and Courtesy

- 11.17.1 All employees will be expected to portray utmost respect for one another, irrespective of seniority or personal status.

11.18 Discrimination

- 11.18.1 The Institute is opposed to all forms of discrimination. Discrimination of any sort will be reported to the Director/CEO so that the matter can be investigated and appropriate action taken. Any reported incidences of alleged discrimination will be treated in utmost confidence.

11.19 Confidentiality and Trust

- 11.19.1 While in the course of their duties, employees will be exposed to confidential information. In such cases, they will be expected to uphold strict standards in regard to confidentiality of information.
- 11.19.2 Disciplinary action will be taken against any employee proven to have divulged confidential information without the permission of the Director/CEO

11.20 Care of Assets

- 11.20.1 Employees are expected to ensure that assets entrusted to them are adequately protected and not misused or misappropriated.

11.21 Media Interviews and Interactions with the Media

- 11.21.1 An employee shall not, under any circumstances, communicate with the media either in writing or otherwise, or make statements on matters affecting the Institute's programs or policies without specific authority from the Director/CEO.

11.21.2 An employee, whether on duty or on leave, shall not do the following without the permission of the Director/CEO; -

- a) Act as the editor of any newspaper or take part directly or indirectly in the management thereof;
- b) Publish in any manner anything which may be reasonably regarded as of a political or administrative nature, whether under his own name, under a pseudonym or anonymously.
- c) Allow himself to be interviewed on questions of public policy or on matters affecting the Institute without the permission of the Director/CEO.

11.21.3 While it is not desired to interfere with the liberty of free speech, any lack of discretion on the part of an employee in expressing an opinion that may embarrass the Institute, may result in disciplinary action being taken against him

11.21.4 An employee may however, publish matters relating to other subjects.

11.22 Private Agencies

11.22.1 No employee may undertake any private commission in any matter connected with the exercise of his public duties. No employee shall in any manner that may be detrimental to the security interests of the Institute and Kenya at large, be an agent for or further the interests of a foreign Government, organization or individual.

11.23 Political Views

11.23.1 Though an employee as a Kenyan is entitled to his own political views on political matters, he shall ensure that his utterances do not implicate or compromise the Institute and the Government at large.

11.23.2 An employee shall not, in connection with the performance of his duties, do the following:

- (i) Act as an agent for a political party or so as to further the interest of the party; or
- (ii) Indicate support for or opposition to any political party or candidate in an election; or
- (iii) Engage in political activity that may compromise or be seen to compromise the political neutrality of his office; or

- (iv) Use his political stand to intimidate others perceived to be of a different view.

11.24 Trading

- 11.24.1 Trading on official premises is strictly forbidden except where official permission has been received.
- 11.24.2 Away from official premises no employee may act as an agent for the sale of any articles or merchandise whilst on duty or in uniform.

11.25 Borrowing and Lending Money

- 11.25.1 An employee is strictly forbidden:
 - a) To become an agent for a money lender.
 - b) To borrow money from the Institute's stakeholders or members of staff of any company doing business with the Institute, with whom his official duties bring him into contact.
 - c) To accept premiums from other staff of the Institute as consideration for instructing them on how to perform their duties.

11.26 Harassment

- 11.26.1 Harassment is generalized as insulting and degrading behaviour or statements, which could be verbal, physical, deliberate, unsolicited and unwelcome.
- 11.26.2 Harassment in any form is prohibited. Examples of harassment include but not limited to:-
 - a) Verbal harassment in the form of derogatory comments or slurs.
 - b) Unwelcome sexual advances, requests for sexual favours and other verbal or physical conduct of a sexual nature.
 - c) Physical harassment in the form of assault, impeding or blocking movement, any physical interference with normal work or movement.
 - d) Visual harassment through derogatory posters or drawings.
- 11.26.3 If an employee encounters such behaviour from anyone, including supervisors, fellow employees or other external parties, he should report the incident immediately to the supervisor or to the HOFA Human Resource Management.

11.26.4 If the harassment is from the HOFA, Human Resource or from the Director/CEO, an employee will be at liberty to report the incident directly to a member of the Board of the Institute or to the Chairperson.

11.27 Nepotism

11.27.1 An employee shall not practice undue favouritism to their relations and close relatives at the expense of the Institute.

11.28 Acting through Others

11.28.1 An 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 officer, or allows or directs a person under their supervision or control to do anything that is in contravention of Code of conduct and ethics.

11.28.2 Contravention shall not apply where anything is done without the officer's knowledge or consent or if the officer has taken reasonable steps to prevent it.

11.28.3 An officer who acts under unlawful direction shall be responsible for his action.

11.29 Absence from Duty

11.29.1 An employee shall not absent himself from duty during working hours, leave his appointed place of work or proceed to a place other than which he is usually employed, without due permission of his immediate supervisor.

11.29.2 An employee who absents himself from duty due to ill health shall be required to produce within forty-eight (48) hours a medical certificate signed by authorized Medical Officer. If such a certificate is not forthcoming, the employee will be regarded as having been absent from duty without leave and may be liable to disciplinary action which may include summary dismissal.

11.29.3 Where an officer is absent from duty without leave or reasonable or lawful cause for a period exceeding forty-eight (48) hours, and is not traced within a period of seven (7) days from the commencement of such absence, the officer's salary shall be stopped and action to dismiss the officer initiated.

11.29.4 An employee who, without leave or reasonable cause, absents himself/herself from duty for more than seven (7) days shall be regarded as having vacated his office and is liable to summary dismissal.

11.30 Newspapers and Publications

- 11.30.1 An employee must not, except with the express written permission of the Director/CEO act as an editor of any newspaper, or take part directly or indirectly in the management thereof, nor publish in any manner anything which may reasonably be regarded as being of a political or administrative nature, whether under his own name, under a pseudonym or anonymously.
- 11.30.2 An employee may, however, publish in his own name, matters relating to subjects of professional or general interests not involving public matters, politics, the Institute or Government affairs.
- 11.30.3 An employee who wishes to publish an article or deliver a speech, the substance of which may subsequently be published, or the substance of which may reasonably be regarded as being of political or administrative nature, shall seek permission to do so from the Director/CEO and a draft of the proposed article or speech submitted for approval.

11.31 Pecuniary Embarrassment

- 11.31.1 Pecuniary embarrassment from whatever cause will be regarded as impairing the efficiency of the employee and may render him/her liable to disciplinary action.
- 11.31.2 Employees who may be in financial difficulty will be given assistance to extricate themselves from their problems. However, there is a limit beyond which an employee may be assisted and it may be necessary to terminate the services of anyone who is persistently in financial difficulties to the extent that he either becomes a risk to the Institute or is unable to carry out his/her duties effectively.

11.32 Security Measures

- 11.32.1 Employees shall be required to safeguard sensitive documents from unauthorized persons by ensuring that documents are not carelessly left on their tables in their absence. Such records shall at all times be kept under lock and key.
- 11.32.2 The Institute's employee in charge of security shall have the authority to regulate entry of all visitors into the offices.
- 11.32.3 Articles brought in and out of the Institute's premises shall be limited and the employee in charge of security shall be obliged to check on such articles or luggage as he may deem appropriate.

11.33 Whistle Blowing

- 11.33.1 Any employee or stakeholder having well founded suspicion of proven fraud, corruption, misuse of funds and assets, or any irregularities under the Code of conduct and ethics or governing laws of the Institute is encouraged to report such irregularities.
- 11.33.2 Any person who makes a report will be afforded the protections under the Witness Protection (Amendment) Act, 2010, the Institute's Whistle-blower Policy and this Code of conduct and ethics.

11.34 Former Employees Acting in the Institute's Matter

- 11.34.1 A former employee shall not be engaged by or act for a person or the Institute, in a matter in which the officer was originally engaged in as an officer of the Institute.
- 11.34.2 Such engagement may only be considered at least two (2) years after leaving the institute.

11.35 Defense of Officers in Criminal and Civil Suits

- 11.35.1 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/her official duties, he may apply to the Director/CEO 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, the Director/CEO shall immediately report the matter to the Board who will decide whether or not the officer will be defended.
- 11.35.2 Unless the proper procedure is followed, the Institute may decline to provide support to the officer. It is further emphasized that speed is of essence in reporting such cases to the Institute.

11.36 Civil Proceedings by Officers for Defamation

- 11.36.1 Where an officer has been defamed in respect of matters arising out of his/her official position, e.g. in the press or at a political meeting, it may be that the 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 the Director/CEO to the Board. Legal aid will not be granted unless:

- a) the Institute has a substantial interest in seeing that the defamatory statement is repudiated;
- b) There is, in the opinion of the Board, a good prospect of success in the action; and
- c) The consent of the Institute shall be obtained before proceedings are commenced.

11.37 Lodging of Complaints and Investigations

11.37.1A person, who alleges that an employee has committed a breach of the Code of conduct and ethics, may lodge a complaint with the Director/CEO and he shall register and inquire into the complaint.

11.37.2 The Director/CEO may assign any of his or her officers or a competent authority to inquire into a complaint on his or her behalf and determine whether an employee has contravened the Code of conduct and ethics.

11.37.3 The Director/CEO may initiate an investigation pursuant to a complaint by any person.

11.37.4 An employee being investigated under this section shall be informed by the investigating authority, of the complaint made against him or her and shall be given a reasonable opportunity to make a representation relating to the issue, before the investigation is concluded.

11.37.5 A person who has lodged a complaint against an employee shall be entitled to be informed of any action taken or to be taken in respect of the complaint and shall be afforded a hearing.

11.37.6 Where an investigation under this section is initiated while an employee is in office, it may be continued even after the employee under investigation has ceased to be a public officer.

11.37.7 Subject to the Constitution and any laws and regulations for the enforcement of code of conduct and ethics an employee may be suspended from office pending the investigation and determination of allegations made against the employee where such suspension is considered necessary.

11.38 Investigations

11.38.1 Principles to be observed

The following principles will be observed when carrying out investigations:

- a) The Institute will investigate all allegations made in good faith to determine if any complaint made against an employee of the Institute is valid.
- b) The Institute reserves the right to refer the investigation to any authority, committee or body it deems fit.
- c) Investigations may be carried out even though the subject of the investigation has ceased to be an employee of the Institute.

11.39 Further Action on Investigations

11.39.1 If after investigations the reported officer is found to be liable of any action that may be subject to criminal or civil proceedings, the Institute shall refer the matter to: -

- a) The Ethics and Anti-Corruption Commission on corruption allegations
- b) The Attorney-General, with respect to civil matters;
- c) The Director of Public prosecutions, with respect to criminal matters;
- d) The police or any other appropriate authority.

11.40 Promotion of Compliance.

11.40.1 The Institute shall promote compliance with the provisions of this code by regularly sensitizing employees on the standards and principles prescribed in the Code and after every two years thereafter, require the employees to complete the Code of Conduct and Ethics Commitment Form.

SECTION 12: EMPLOYEE DISCIPLINE

12.1 Introduction

- 12.1.1 In this manual "discipline" means conforming to the Institute's rules and regulations which prescribe expected conduct and behaviour of individual officers. It is intended to contribute to performance improvement and productivity
- 12.1.2 Disciplinary procedures shall be used as a corrective measure to foster improvement of individual conduct. It is expected that no punishment shall be inflicted on an officer if it would be contrary to any provision of the law.
- 12.1.3 The purpose of rules and regulations is to ensure compliance and discipline in the Institute and to correct any conduct that may not conform to such rules. The Institute is obligated to impartially administer discipline and the employee has the right to be granted a fair hearing.

12.2 Policy statement

- 12.2.1 The principles and values expressed by the Institute in the Code of Conduct and Ethics describe the standards of behaviour expected of those working for the Institute.
- 12.2.2 The Institute expects its employees to display high standards of conduct, accountability and ethical behaviour. The Disciplinary Policy is therefore an integral part of setting the expected standards and providing a structured framework for dealing with any circumstances where actions and conduct may fall short of these expectations.

12.3 Scope of Application

- 12.3.1 This Manual provides general guidelines and instruments to be used by the Institute in handling discipline cases and shall apply to all types of employment categories in the Institute and includes sanctions for non-compliance.

12.4 Objectives of the Manual

- 12.4.1 The Institute is empowered to make regulations for better carrying out of its functions. The Institute has therefore developed regulations including these that

govern disciplinary control in an effort to enhance the processing and presentation of discipline cases.

12.4.2 The objectives of the Manual are to: -

- a) Define discipline and understand its meaning in the context of the existing Public Service regulations.
- b) Define standard procedures for uniformity in handling disciplinary cases.
- c) Outline the steps in disciplinary procedures and processes.
- d) Create understanding on the roles and responsibilities of the Board and Director/CEO in handling of the disciplinary cases.

12.4.3 Further, the manual provides guidelines on the following: —

- a) Proper framing of charges;
- b) Investigation of cases;
- c) Analysis and evaluation of cases;
- d) Making comprehensive comments and recommendations on cases;
- e) Application of other forms of punishment other than dismissal; and
- f) Prompt handling of cases including implementation of decisions.

12.5 Disciplinary Powers and Appeal

12.5.1 The discipline of employees in Job Grades 1 to 3 shall fall under the purview of the Board.

12.5.2 The Director/CEO will handle and determine disciplinary matters of employees 1 from Job Grades 4 to 13.

12.5.3 All appeals on disciplinary matters falling under the purview of the Board shall lie with Public Service Commission (PSC) or as otherwise delegated.

12.5.4 Any appeal by an aggrieved staff shall be presented to the Board in writing within six (6) weeks (for appeals to the Board) and ninety (90) days (for appeals to the Public Service Commission) from the date of receipt of the letter conveying the disciplinary decision. The Board may request any material evident which may not have been produced during the process of disciplinary action.

12.5.5 The Director/CEO will institute the following disciplinary actions;

- a) Interdictions of employees Job Grade WRTI 4 to 10
- b) Suspension of employees Job Grade WRTI 4 to 10
- c) Reprimand (including severe reprimand) of employees in Job Grade WRTI 4 to 10 Recover the cost or part of the cost of any law and breakage caused

by default or negligent, provided not such cost has been recovered by surcharged action under the appropriate financial instructions or regulations; and withholding deferment and stoppage of salary increment

12.6 Disciplinary Procedure

12.6.1 The disciplinary procedure provides a framework for dealing with instances where employees are alleged not to have met the required standards of conduct. The aim is to ensure prompt, consistent and fair treatment for all staff.

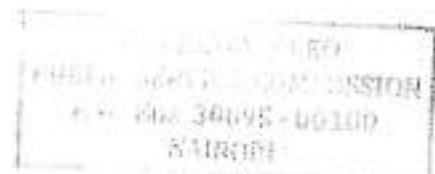
12.7 Guiding Principles

12.7.1 The Institute shall be guided by the following principles in handling disciplinary matters:

- a) The rules of natural justice;
- b) Procedural fairness, where an officer must be allowed adequate opportunity to prepare and present his case;
- c) The deciding authority must be unbiased when hearing and making decisions;
- d) Decisions must be based upon logical proof or evidential material; and
- e) Fair administrative action which is expeditious, efficient, lawful, reasonable and procedurally fair;
- f) Every officer to whom disciplinary action is taken has a right to:
 - (i) Written reasons for any disciplinary action that is taken against him; and
 - (ii) Prior and adequate notice of the nature and reasons for the intended disciplinary action;
- g) An opportunity to be heard and to make representations in that regard in line with the Employment Act;
- h) An opportunity to attend the proceedings in person, cross examine persons who give adverse evidence against him and request for adjournment of proceedings where necessary;
- i) Notice of a right to an appeal or review against a disciplinary decision; and
- j) Information, materials and evidence to be relied upon in making a decision or taking a disciplinary action.

12.8 Institutional Framework for Handling Disciplinary Cases

- 12.8.1 The Head of Functional Areas shall be responsible for the maintenance of the discipline of his immediate employee and, ensure that they observe rules and reasonable instructions.
- 12.8.2 The Head of Functional Areas must be strict about unsatisfactory behaviour and unacceptable standards of work, but must at the same time ensure that any disciplinary action is justified and fairly administered.
- 12.8.3 The Head of Functional Areas shall report the misconduct to the Head of HRM and Director/CEO.
- 12.8.4 The Head of HRM's shall be responsible for providing advice on the employee's previous history, where known, to give guidance on precedent and to ensure, as far as possible, that disciplinary measures are applied consistently and fairly throughout the Institute Other responsibilities include: -
- He is the secretary to the HRMAC and provides technical advice;
 - Analyzes the misconduct and commences the disciplinary action by issuing a show cause letter on behalf of the Director/CEO;
 - Summarizes the cases upon receipt of the employee's representations, if any, and submits the case to the HRMAC; and
 - Implements the decisions of the Board and HRMAC.
- 12.8.5 The HRMAC shall deliberate and advise the Director/CEO to impose a warning, suspension, ban on, or take appropriate action against errant employees. Specifically, it shall:
- Hear charges brought against any employee;
 - Summon and hear any witnesses or consider any documents produced as evidence;
 - The employee charged to attend before it, to give his defence in relation to the charges made against him/ herself;
 - Consider and determine, after conclusion of the hearing, whether or not each charge has been proved;
 - Recommend any penalties;
 - Hear and consider pleas in mitigation; and
 - Review appeals from disciplinary measures taken against an employee
- 12.8.6 The Director/CEO shall consider recommendations of the HRMAC and make decisions. He will forward cases with comments and recommendations to the



Board for decision where applicable and communicates decisions to affected employees.

12.8.7 The Board shall consider the recommendations of the Director/CEO and make decisions related to powers which are not delegated. The Institute shall hear and determine appeals and applications for review and communicate decisions to Director/CEO for implementation.

12.9 General Provisions Regarding Disciplinary Proceedings

12.9.1 The following shall be observed while processing discipline cases:

- a) Disciplinary cases shall be processed through the Institute's HRMAC;
- b) 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 Director/CEO shall not be prevented from dismissing him or otherwise punishing him on any other charge arising out of his conduct in the matter;
- c) Where an officer has been charged with desertion of duty, the letter shall be addressed to his last known address by registered mail;
- d) There should be proper framing of charges with full particulars of the case including the applicable provision of the Constitution, legislation or code of conduct alleged to have been breached;
- e) The officer should be notified in writing, be given the particulars of the misconduct as preferred and reasonable opportunity to respond to the allegations;
- f) Thorough investigation of an alleged offence shall be undertaken before any disciplinary action is taken;
- g) Application of other interventions in resolving discipline cases such as counselling and dispute resolution mechanisms;
- h) Where an employee at the time of proceedings for dismissal or reduction in seniority, has served for an aggregate for 15 years or more, the committee shall take this into account while deliberating on such cases;
- i) Disciplinary cases shall be dealt with promptly and finalized within a period of six (6) months.
- j) Where an employee is undergoing disciplinary process and opts to resign from the Institute, such resignation shall be deemed to be voluntary termination of contract and shall be accepted unconditionally. This shall take effect from the date specified by the employee notwithstanding the disciplinary status;
- k) In the event of death of an employee who is undergoing disciplinary process, the case shall terminate and the matter closed. In case of

- interdiction/suspension, the withheld salary shall be promptly released to the next of kin upon clearance; and
- l) Where an employee attains the mandatory retirement age while undergoing disciplinary proceedings, the case shall, on the basis of end of contract, cease effective from the date of retirement. This will not limit the institution to pursue the matter to its logical conclusion.

12.10 Alternative Interventions in the Discipline Process

12.10.1 Alternative interventions are an effort, undertaken by an employer, to address employee misconduct using a method other than traditional disciplinary action.

12.10.2 Alternative discipline interventions in the Institute can take many forms such as counselling, guidance, training or dispute resolution.

12.10.3 The first step in a disciplinary procedure for all minor offences should be counsel. The supervisor should discuss the matter with the employee and advise the employee to reform.

12.11 Disciplinary Offences

12.11.1 There are three types of offences; minor, major and gross misconduct.

I. Minor Offences:

Any of the following, among others, shall amount to a minor offense: -

- (i) Habitual lateness to work and leaving before official hours;
- (ii) Idling and loitering during working hours;
- (iii) Misuse of Institute Resources;
- (iv) Causing unnecessary commotion in the Institute's premises or in public places;
- (v) Giving false information;
- (vi) Hawking goods and wares in offices; and
- (vii) Dressing indecently and /or inappropriately.

II. Major Offenses:

Any of the following, among others, shall amount to a major offense: -

- (i) Absence from work for a period of more than two days without permission or acceptable excuse;
- (ii) Repetition of minor offences;
- (iii) Indecent exposure;
- (iv) Contravention of traffic laws while using the Institute's vehicles;
- (v) Deliberate negligence, go-slow or obstructive work;
- (vi) Dishonesty reflecting adversely on an employee's behaviour;
- (vii) Deliberate mis-posting of payments;
- (viii) Inefficiency in work performance;
- (ix) Misuse of the information, resources and other assets;
- (x) Bullying; and
- (xi) Any other conduct in breach of policies, procedures and set regulations.

III. Gross Misconduct Offences:

Any of the following, among others, shall amount to gross misconduct: -

- (i) Negligence of duty;
- (ii) Being under the influence of alcohol or harmful drugs during working hours;
- (iii) Use of abusive language or behaviour deemed inappropriate to both the Institute and the public;
- (iv) Insubordination;
- (v) Criminal conviction;
- (vi) Making a false statement or declaration in any matter on which he is required to respond to by the Institute's;
- (vii) Unauthorized use or disclosure of confidential information;
- (viii) Sexual harassment;
- (ix) Wilful misuse or damage of the Institute's property;
- (x) Soliciting, giving or accepting bribes or funds;
- (xi) Misappropriation and theft of the Institute's property;
- (xii) Fraud and obtaining money by false pretence;
- (xiii) Writing or publishing any official information which has not been cleared for publication by the Director/CEO;
- (xiv) Acceptance of any bribe, secret profit or unauthorized the Institute;
- (xv) Colluding with accused persons to defeat the cause of justice;
- (xvi) Tampering with files and other official documents;
- (xvii) Tampering with and destroying evidence;
- (xviii) Irregular awarding of tenders;
- (xix) Tampering with tender documents;

- (xx) Irregular payments;
- (xxi) Financial embezzlement;
- (xxii) Fraud;
- (xxiii) Infractions of the GoK and Code of Ethics; and
- (xxiv) Fighting, physical attack, brawl and or affray.

12.12 Forms of Punishment

12.12.1 The following forms of punishment may be meted out by the Institute against an employee who commits an offence:

- a) Verbal warning
- b) Written warning
- c) Reprimand
- d) Reduction in grade or seniority
- e) Surcharge/Recovery of cost of any loss or breakage
- f) Stoppage/Withhold/Deferment of annual increment
- g) Termination of employment/Summary dismissal

12.13 Formal Discipline Procedure

12.13.1 Verbal warning:

12.13.1.1 In the event an employee commits a minor offence, the immediate supervisor shall issue a verbal warning and shall note it for future reference.

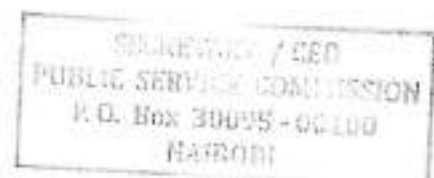
12.13.2 Written warning:

12.13.2.1 Where an employee has been cautioned verbally and continues to commit the offence, a first warning letter should be given to the employee by his or her immediate supervisor. The employee will be required to signify in writing that he has read and understood the contents of the letter.

12.13.2.2 A warning letter shall be in force for six (6) months.

12.13.2.3 The warning letter should state the exact nature of offence(s) and indicate future disciplinary action which will be taken against the employee if the offence is repeated within a specified time limit.

12.13.2.4 A copy of the written warning, signed by the employee upon receipt, should be placed in the employee personal file.



- 12.13.2.5 A second written warning shall be given to an employee who having committed a minor offence earlier, shall repeat a similar offence during the period when a first warning shall still be in force.
- 12.13.2.6 A third written and final warning shall be issued when the employee commits the same or another offence of similar severity, during the period when a second warning shall still be in force.
- 12.13.2.7 The warning will be deemed invalid after six (6) months from the date of the third and final warning and following satisfactory improvement in performance or behaviour, but will not be removed from the employee's file.
- 12.13.2.8 Where an officer fails to reform despite or where he or she commits an offence of similar severity even after receiving the third and final warning letter the supervisor shall report in writing to HOFA who shall then forward the report to the Head of HR. The report shall state the nature of the offence, the date and time of occurrence, place and persons involved.
- 12.13.2.9 In event of major offence or gross misconduct, the misconduct might be serious enough to justify dismissal without any warning. In such a case, the HRMAC may direct that the culprit be required to show cause why a severe disciplinary action should not be meted against him
- 12.13.2.10 The immediate supervisor shall report the misconduct or offence to the Director/CEO through the reporting procedure.
- 12.13.2.11 If in the opinion of HRMAC there is need for investigation prior to the hearing, the Director/CEO will constitute an investigation committee to investigate the matter.
- 12.13.2.12 While constituting a team the Director/CEO shall observe the following conditions: -
- a) Constitute a team of not less than three (3) officers to investigate the matter (where the team is more than three members, the team shall consist of an odd number).
 - b) The officers conducting the investigation shall be senior to the accused officer and should not have dealt with the case before.

- 12.13.2.13 The investigation committee shall submit the report to the Director/CEO and marks the report to the HRMAC for further deliberation and action.
- 12.13.2.14 The HRMAC shall recommend appropriate action to the CEO based on the findings
- 12.13.2.15 Where HMARC did not find any offence as alleged and no recommendation for discipline, the case shall be acquitted
- 12.13.2.16 Where an employee has a case to answer, the HRMAC shall inform the employee in writing the intention to take a disciplinary action against him and stating the particulars of the alleged misconduct and invite him to respond in writing to the allegations and the grounds, if any, on which he/her relies to exonerate him
- 12.13.2.17 The employee shall be given 7 days to respond to the show cause letter stating why a disciplinary action should not be preferred against him.
- 12.13.2.18 Where an employee deserts duty or his whereabouts are unknown, the show cause letter will be addressed to the employee's last known contact address by registered mail and he will be given at least seven days to respond.
- 12.13.2.19 HMARC shall review the response/non-response and make recommendations to the Director/CEO to take disciplinary action
- 12.13.3 Show Cause letter
- 12.13.3.1 The Head of HR shall issue the officer with a show cause letter stating the particulars of the alleged misconduct and invite him to respond in writing to the allegations and the grounds, if any, on which he relies to exonerate himself;
- 12.13.3.2 Where an employee deserts duty or his whereabouts are unknown, the show cause letter will be addressed to the employee's last known contact address by registered mail and he will be given at least seven days to respond.

- 12.13.3.3 An employee shall be given at least fourteen days from the date of the letter to respond to the charges against him.
- 12.13.3.4 On expiry of the period specified above, whether or not the employee has responded, the case shall be presented to the Institute's HRMAC to deliberate, conduct disciplinary hearing and make recommendations.
- 12.13.3.5 If in the opinion of HRMAC there is need for investigation prior to the hearing, the Director/CEO will constitute a committee to investigate the matter.
- 12.13.3.6 While constituting a team the Director/CEO shall observe the following conditions: -
- a) Constitute a team of not less than three (3) officers to investigate the matter (where the team is more than three members, the team shall consist of an odd number).
 - b) The officers conducting the investigation shall be senior to the accused officer and should not have dealt with the case before.
- 12.13.3.7 The disciplinary hearing shall be conducted expeditiously, efficiently, lawfully, reasonably and in a procedurally fair manner in accordance with article 47 of the constitution and the Fair Administrative Action Act No 4 of 2015.

12.14 Conduct of investigations

12.14.1 In investigating an alleged misconduct, the investigation shall:

- a) Establish and record the issues for investigation;
- b) Give every party involved especially the affected officer a chance to produce relevant documents, call and examine witnesses, and, peruse documents produced against him;
- c) Record all relevant material oral and documentary evidence;
- d) Record details of any matter which may aggravate or mitigate the case;
- e) Sum up the case and record their comments so as to clearly show their findings and opinion on the issues under investigation in view of the evidence on record.

- f) The report of the investigation shall be submitted to the Director/CEO 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; and
 - (iv) Details on any matter that may affect the gravity of the case, if any.
 - (v) The report shall not contain any recommendation on the form of punishment to be inflicted to the accused employee.

12.14.2 The Director /CEO shall in consultation with the HRM refer the matter to the HRMAC or to the Board for hearing, deliberation and determination.

12.14.3 The HRMAC or the Board after deliberating shall the matter shall prepare a report consisting of the following:

- a) Background information leading to the relevant incident;
- b) Input from the witness or witnesses;
- c) The employee's response to the allegation(s);
- d) An analysis of the facts;
- e) A statement confirming that all the entitlement of employee facing the disciplinary action have been observed; and
- f) Recommendations

12.14.4 The recommendations shall be referred to the Director/CEO for implementation

12.15 Informal procedure

12.15.1 HOFA's shall bring to the attention of staff the standard required and the consequences for failure to meet those standards.

12.15.2 Cases of minor misconduct shall be dealt with by an employee's immediate supervisor informally without delay. The supervisor may speak to the employee in private and encourage them to conduct themselves in accordance with the required standards.

12.15.3 The purpose of the discussion is to ensure the employee understands the nature of the concerns, and expectations of improvement in his conduct.



12.15.4 The supervisor shall confirm the outcomes of any discussions to the staff in writing and retain any note of this informal discussions or meeting.

12.15.5 Following satisfactory outcome, the matter shall be deemed resolved. However, in case of unsatisfactory outcome where the problem persists; required improvement in conduct has not been achieved; and further information becomes available during discussions which make the matter sufficiently serious, the formal procedure shall be invoked.

12.16 Reprimand

11.15.1 Where after a disciplinary process an employee is determined to have an improper conduct, a severe written rebuke or reproof may be issued.

12.17 Interdiction

12.17.1 An officer may be interdicted to allow investigations to be conducted in a case where proceedings may lead to dismissal.

12.17.2 An officer who is interdicted shall be eligible for half (½) of his basic salary with full allowances and medical benefits.

12.17.3 An officer on interdiction should report to his supervisor at agreed intervals.

12.17.4 Where disciplinary or criminal proceedings have been taken or instituted against an officer under interdiction and such 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.

12.17.5 Where an employee has been interdicted and he is not dismissed but a penalty has been imposed on him, any salary, allowances or other benefits withheld shall not be restored upon termination of such proceedings.

12.17.6 Where an employee has been charged with corruption or economic crime, such officer shall stand suspended from exercise of his duties pending determination of the case. Such an officer shall be entitled to payments as stipulated in the Anti-corruption and Economic Crimes Act.

12.18 Suspension

12.18.1 An officer may be suspended from duty under the following circumstances:

- a) When disciplinary proceedings have been instituted against the officer as a result of which, the Director/CEO through the advice of HRMAC considers that the officer ought to be dismissed; or
- b) When he has been convicted of a serious criminal offence.

12.18.2 Where an officer is suspended from the exercise of the functions of his public office, he/she shall be eligible for half (½) of his basic salary with full allowances and medical benefits

12.18.3 An officer on suspension will be required to report to his supervisor weekly.

12.18.4 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 provisions, 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.

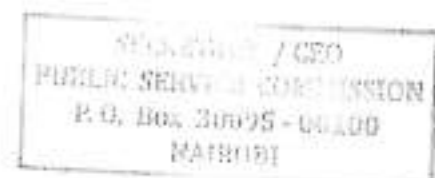
12.18.5 Where an employee has been suspended and he is not dismissed but a penalty has been imposed on him/her, any salary, allowances or other benefits withheld shall not be restored upon termination of such proceedings.

12.18.6 Where an employee has been charged with corruption or economic crime, such officer shall stand suspended from exercise of his duties pending determination of the case. Such an officer shall be entitled to payments as stipulated in the Anti-corruption and Economic Crimes Act.

12.19 Criminal Proceedings

12.19.1 Where an employee has been charged with a criminal offence related to his employment;

12.19.2 Disciplinary action, including summary dismissal may be taken against an employee who has been charged with a criminal offence and has not been released on bail or bond or lawfully set at liberty, without having to wait



for the outcome of the criminal case in court. In all cases the correct procedures must be followed.

12.19.3 Care must, however be taken to ensure that procedures, including the framing of charges, are not interpreted to be in contempt of the court process. In all such cases, the advice of the Head of Legal will be sought.

12.19.4 In the event that criminal proceedings are preferred against an employee for offences which do not directly relate to the Institute, the Director/CEO or his/her authorized officer may interdict the employee, pending internal investigations whether the Institute's rules and procedures have been breached and appropriate action taken.

12.20 Requirements for Carrying Out Investigations

12.20.1 Accurate evidence is the foundation of fairness in discipline cases and this can be achieved through investigation of alleged offences. Such investigations should be carried out by committees appointed in writing by the Director/CEO stating the terms of reference and specific timeline within which to carry out the investigation.

12.20.2 While carrying out the investigations the following shall be observed:

- a) Investigating committee should comprise employee's senior to the accused employee and should not have dealt with the case before.
- b) The team should comprise of not less than three (3) employees (where the team is more than three members, the team shall consist of an odd number).
- c) The employee under investigation must be interviewed by the investigating committee.
- d) The investigating committee shall record details of any matters which may aggravate or mitigate the case.
- e) After listening to all witnesses and studying all the documents, the committee shall sum up the case and record its findings as evaluated against the evidence.
- f) The investigation report submitted to the relevant HR Committee of the Institute/HRMAC and shall not contain any recommendation on the form of punishment to be inflicted on the accused officer but should contain:

- (i) A statement on whether the charges against the employee have been proved.
 - (ii) evidence collected by the team, including any statements by witnesses;
 - (iii) analysis of the evidence and statements; and
 - (iv) Details on any matter that may affect the gravity of the case if any.
- g) Where further investigations are required as provided for in the regulations, such investigations shall be conducted in accordance with the process in (a) to (f) above.

12.21 Surcharge

12.21.1 The Institute may resolve to surcharge an employee on account of misappropriation of money, loss of property, malicious damage or misuse of the same.

12.21.2 The HRMAC may resolve to surcharge the employee in full or an amount proportionate to the offence.

12.21.3 In all surcharge cases, a show-cause letter must be issued and the employee allowed to submit his defense.

12.21.4 Surcharge cases should be implemented as follows;

- a) In monthly instalments that shall not exceed one third of employee's monthly basic salary;
- b) At termination or expiry of contract, any outstanding amount of surcharge will be settled from the employee's terminal dues; and
- c) The employee will sign an undertaking to the effect that on termination or expiry of the contract period, any outstanding amount will be recovered from his terminal dues. The undertaking will remain in force after the separation of the employee from the Institute, until the full amount of surcharge is paid.

12.22 Dismissal

12.22.1 In the event of failure to heed a final written warning, an employee will be advised that he may face summary dismissal.

- 12.22.2 Summary dismissal shall be considered in the event that an employee displays gross misconduct as defined under the Constitution 2010, Employment Act 2007, Public Officers Ethics Act 2003 and Leadership and Integrity Act 2012 or as may be amended.
- 12.22.3 A letter narrating the facts of the case and giving reasons why dismissal is recommended will be sent to the employee and a copy of the letter placed in his or her personal file. The employee will be provided with an opportunity to respond within twenty-one (21) days of receipt of the dismissal letter.
- 12.22.4 In conveying the decision of the dismissal, the employee shall be informed of his right of appeal within six (6) weeks from the date of the letter signifying dismissal.
- 12.22.5 An employee whose termination is through summary dismissal will be entitled to payment of any terminal benefits in accordance with the provisions of the pension scheme and prevailing laws.

12.23 Checklist for Submission of Cases to the Board

- 12.23.1 The Head of HR shall present cases to the Board in the format prescribed.
- 12.23.2 When submitting cases to the Board, the following must be provided:
- The employee's personal files.
 - HR Committee of the Institute/HRMAC comments on each and every issue raised by the accused officer and recommendations.
 - Investigation report and material evidence where applicable.
 - Signed minutes of the Institute/HRMAC Committee minutes.
 - All correspondence related to the matter.
 - Details of any matter which may aggravate or alleviate the gravity of the case

12.24 Lodging an Appeal or Application for Review

The process of lodging an appeal or application for review is as follows: -

- 12.24.1 All appeals and applications for review shall be in writing and made within a period of forty-two (42) calendar days and one (1) year respectively, from the date of the letter conveying the decision.

- 12.24.2 The Board or Director/CEO may entertain an appeal or application for review out of time if, in the opinion of the Board or Director/CEO, the circumstances warrant it.
- 12.24.3 All appeals and reviews shall be addressed to the Board, through the Director/CEO who shall give comments and a recommendation on issues raised.
- 12.24.4 While forwarding his appeal or application for review, an employee may submit an advance copy to the Board.
- 12.24.5 An appeal shall be accompanied by copies of all material evidence or documents that the appellant wishes to rely on.
- 12.24.6 All appeals and applications for review shall be forwarded to the Board even where they are made out of time.
- 12.24.7 Decisions on appeals shall be promptly conveyed and the employee informed of the right of application for review.

SECTION 13: HANDLING OF GRIEVANCES

13.1 Introduction

13.1.1 The Institute is committed to ensuring fair treatment of all employees when dealing with grievances with a view to addressing concerns in the best manner possible. The grievances may include but not limited to; management deficiency, recruitment, promotion, conditions of service, unfair treatment of staff, sexual harassment and concerns about possible improprieties in financial reporting in internal control.

13.1.2 In handling grievances, the Institute shall be guided by the following principles:

- a) Fairness in regard to treatment and hearing
- b) Right of appeal
- c) Right to channel grievances
- d) Confidentiality
- e) Prompt action
- f) Involvement of all parties

13.2 Grievance procedure

13.2.1 Where an employee has an individual problem or grievance not being a matter of discipline, he should in the first instance approach his immediate supervisor with a view to solving it.

13.2.2 The immediate supervisor shall carefully consider any submission made to him and Endeavour to settle the matter or refer the case to the Head of Functional Area for appropriate action.

13.2.3 If the employee is not satisfied with the proposed decision, he may appeal to the Director/CEO through the Head of HR.

13.2.4 It is stressed that employees should desist from presenting their individual problems or grievances to colleagues, other members of staff or members of the public not in a position to solve them.

13.2.5 In handling Appeals arising from grievances or the grievances dropped in a suggestion box, the officer responsible for the suggestion box shall record the details of the grievances in a grievance recording form and forward to the Director/CEO.

- a) The Institute, after considering the nature of the grievance, shall at his discretion:
- b) Directly deal with the matter; or
- c) Channel to the HRMAC to conduct further investigations on the complaint and submit a report within a specified period.

13.2.6 Upon receipt of the investigation report, the Director/CEO shall prepare a written response to the aggrieved employee giving the reason for the decision.

13.2.7 Where an offence has been found to have occurred, the necessary disciplinary procedure shall be instituted against the concerned party.

13.2.8 Where the aggrieved party is dissatisfied with the decision made, he shall be accorded the right to appeal to the Board

13.3 Negotiation, Conciliation, Mediation and Arbitration

13.3.1 The Institute may on its own initiative or on request made by any person undertake or facilitate negotiation, conciliation, mediation and arbitration of any issue relating to its statutory functions and encourage the parties to arrive at an amicable decision that may be just in the circumstances of the case.

13.3.2 The Institute in carrying out negotiation, conciliation, mediation and arbitration under this paragraph shall accord every party involved an opportunity to make a representation of their case.

13.4 Complaints and Grievances

13.4.1 The Institute may on its own initiative or on complaint made by any person investigate any issue relating to its statutory functions and powers and, make such decision as it considers just in the circumstances of the case.

13.4.2 The Institute in carrying out investigation under this paragraph shall accord every party involved an opportunity to make a representation of their case.

SECTION 14: EMPLOYEE SEPARATION

14.1 Introduction

14.1.1 The Institute recognizes that from time to time, and for various reasons, employees will leave its employment and that it is important to provide for a smooth and fair separation process.

14.1.2 This policy is to provide a process for discharging employees who leave the Institute by:

- a) Ensuring equitable and consistent application of the policy to all employees.
- b) Ensuring balance between support for individual in transition and interests of the Institute.
- c) Ensuring compliance with applicable laws.
- d) Ensure benefits due are discharged within the required timelines.

14.1.3 Except in the case of death, only formal written communication from either employee or the Institute will constitute intention to separate.

14.1.4 All employees leaving the services of the Institute will be required to complete a clearance form, an exit interview form and the prescribed declaration of wealth form, the official secret acts form and KRA clearance and submit the same to the Head of Human Resource Management.

14.1.5 Prior to the last day of service, the employee will be expected to clear and handover to the immediate supervisor.

14.1.6 The Head of HR in liaison with Head ICT will ensure that all applicable information communication and technology system authorizations, access control are deactivated, internal and external financial authorizations, demobilized access to the Institute safes is withdrawn (where applicable) with effect from the last working day.

14.1.7 Upon termination of an employee's services from the Institute, the immediate supervisor will ensure that the employee has surrendered the following among others: -

- a) Medical card, employee identity card and any other official card(s) in their possession.
- b) Office and desk keys and other keys in their possession.

- c) Tools, equipment, user manuals, including CD's, DVDs and external storage devices if any.
- d) Laptops, mobile phones, modems, and any other portable communication devices
- e) Safe codes and transaction codes if any.
- f) Settle any outstanding Institute debts

14.1.8 The Institute will issue a certificate of service to all employees leaving the services of the Institute upon complete clearance.

14.1.9 Benefits including pension contributions under the Retirement Benefits Scheme will be paid in accordance with this manual, the Trust Deed and Rules and provisions of Retirement Benefits Act.

14.1.10 In all cases of separation (except death), the Director/CEO shall always ensure that exit interviews are conducted.

14.2 Forms of Exit

14.2.1 There are various forms of exiting from the employment. These could be occasioned by any of the following: -

- a) Retirement
- b) Resignation
- c) Termination of employment
- d) Expiry of contract
- e) Dismissal
- f) Death
- g) Redundancy/abolition of office

14.3 Retirement

14.3.1 An employee can retire on the following grounds: -

- a) On attainment of mandatory retirement age of 60 years, or 65 years for research scientists and Persons With Disabilities (PWDs).
- b) Any time on the following grounds: Medical grounds; Re-organization and abolition of office; and Public Interest.

14.3.2 In all cases of separation (except death), it shall be required that exit interviews are conducted.

14.3.3 Where an officer has attained the mandatory retirement age:

- a) The officer shall retire from the service with effect from the date of attaining the mandatory retirement age; and
- b) The Institute shall not extend the service of such retired officer beyond the mandatory retirement age.

14.3.4 An officer shall be considered for the retirement age of persons with disability if the officer:

- a) Has an evident disability of a permanent nature and the disability has a substantial impact on the ability of the officer to carry out ordinary day to day activities;
- b) Has been registered in the Institute's human resource database as a person with disability for at least three (3) years before the date of retirement;
- c) Is registered by the National Council for Persons with Disabilities; and
- d) Has a tax exemption certificate from the Kenya Revenue Authority as a person with disability.

14.3.5 Registration by the Council or possession of a tax exemption certificate shall not be considered as automatic evidence of disability.

14.3.6 Where there is doubt as to the disability of an officer, the Institute shall seek a second medical assessment from a panel consisting of a representative of the Institute and three eminent doctors appointed by the Director-General of Health and the second medical assessment shall supersede any other assessment.

14.4 Resignation

14.4.1 Employees may resign voluntarily from service by giving at least one (1) month notice or paying equivalent one (1) month gross salary in lieu of notice. Any employee wishing to resign should submit his intention to resign in writing indicating the effective date of resignation to the Director/CEO. Resignation is subject to acceptance. Employees whose resignation has been accepted as explained above will be entitled to benefits, accrued leave, and pension/gratuity as may be applicable.

14.4.2 On resignation, an employee will be required to refund all outstanding monies/liabilities owed to the Institute. Any amount due to the employee may be withheld and applied towards any sums due to him.

14.4.3 Where an officer resigns from the Institute the officer shall be entitled to benefits in accordance with the: -

- a) Terms and conditions applicable or contained in the contract of service;
- b) Provisions of the relevant law or regulations governing payment of terminal benefits; and
- c) The Director/CEO will accept or decline resignation in writing for all other employees while the Institute will accept/decline resignation in respect of the Director/CEO.

14.5 Death

14.5.1 The termination of a deceased employee's employment will be effective from the date of death. Accrued benefits will be paid to the deceased legal representative.

14.6 Early Retirement- Retirement under the fifty (50) year Rule-PSC

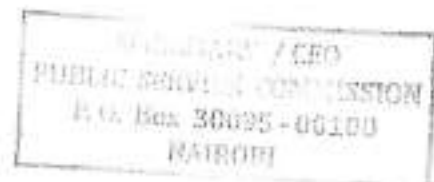
14.6.1 The early retirement age shall be fifty (50) years, and 55 years for research scientists. Employees at this age can opt to retire with full benefits without assigning any reason.

14.7 Mandatory Retirement Age

14.7.1 The mandatory retirement age shall be sixty (60) years, however, persons living with disabilities (PWDs) and research scientists will retire on attainment of sixty-five (65) years or as guided by relevant Government legislation and guidelines as may be issued from time to time.

14.8 Retirement on Medical Grounds

- a) Where it has been brought to the Director/CEO's attention that an officer is unfit for continued service due to ill-health, the officer may be considered for retirement on medical grounds in terms of clause (b) below.
- b) Where it is necessary to convene a Medical Board to determine an officer's fitness for further service or otherwise, the Director/CEO shall refer the case to the Director of Medical Services.
- c) The Director of Medical Services shall forward a report to the Institute within a period of one (1) month after appearance of the Officer before the medical board.



d) Retirement on medical grounds will be ratified by the Board.

14.9 Retirement on Abolition/Re-organization of Office

14.9.1 An employee may be retired either on the abolition of the office he holds or upon the re-organization of the office for efficiency in service delivery. Such action shall be approved by the Board.

14.10 Voluntary Retirement

14.10.1 An employee may, pursuant to section 79 (1) (f) of the Public Service Commission Act 2017, voluntarily retire from service upon serving for a period of five years in the Institute and shall be entitled to a pension in accordance with the written law relating to pensions.

14.10.2 An employee who opts to voluntarily retire from service shall give the CEO one months' notice in writing.

14.11 Notification of Retirements

14.11.1 In cases where the retiring employee is eligible for retirement benefits under the RBA Act, a claim for such benefits should be submitted to the Institute's Pensions scheme administrator, nine (9) months before the date of retirement.

14.11.2 The HOFA and HRM will ensure that notices of retirement have been duly authorized by the Institute and the relevant service records submitted, to facilitate the submission of an acceptable retirement benefits claim, to the Pensions Administrator, within the time limit specified in the sub-section (1) of this regulation.

14.12 Death in Service

14.12.1 Upon the death of an employee, the legal representative of the deceased will be paid death benefits.

14.13 Clearance Certificate

- 14.13.1 Prior to the payment of final dues all employees will be required to obtain a clearance certificate confirming that they have returned all assets to the Institute and cleared all outstanding liabilities.

14.14 Certificate of Service

- 14.14.1 A Certificate of service shall be issued to an employee exiting the Institute, unless the employment has been for less than four (4) consecutive weeks.
- 14.14.2 The Director/CEO when completing the Certificate of service should bear in mind that its main purpose is for confirming the employee's period of service and no reference shall be made on the employee's character or performance

14.15 Indemnity Certificate

- 14.15.1 On processing of terminal benefits, the employee leaving the employment will be required to sign an Indemnity Certificate confirming that he has received his final dues and that there are no outstanding obligations on the part of the Institute.

14.16 Exit Interviews

- 14.16.1 Where an employee resigns from the Institute voluntarily, a panel of at least three (3) senior employees shall conduct an exit interview. The employee may request a senior staff member to attend or replace a member of the appointed to undertake the interview. An exit questionnaire will be issued to all staff leaving the employment of the Institute.
- 14.16.2 The purpose of the exit interview is to seek information from the employee as to their experience of employment with the Institute and to identify areas for improvement.
- 14.16.3 The results of the interview shall be documented and kept in the Staff Exit Interviews file for reference by the Institute.

SECTION 15: HEALTH, SAFETY AND ENVIRONMENT

15.1 Introduction

- 15.1.1 The Institute will recognize and commit itself to the achievement of the highest standards of health and safety in the workplace, and the elimination or minimization of health and safety hazards and risks that may affect its employees. In this regard, it will implement policies and programmes that assure their protection from such hazards and disasters. The policies and programmes will be implemented in compliance with the provisions of Occupational Safety and Health Act, 2007 and other Labour Laws.

15.2 Guidelines to General Safety

- 15.2.1 The Institute shall obtain work place certificate from the Director of Occupational safety and health (DOSHS).
- 15.2.2 The Institute will maintain healthy and safe working conditions to ensure there is no personal injury caused by accidents.
- 15.2.3 Employees will always consider safety to themselves and others when performing their duties. They will not compromise on quality, cause injury, ill health, loss or environmental damage at all times.

15.3 Emergency Preparedness

- 15.3.1 The Institute will put in place adequate plans for foreseeable incidents such as accidents, explosions, fires, floods and bomb threats, prepare and outline procedures to be followed in such events.
- 15.3.2 Heads of Functional Areas will have a responsibility of ensuring that all employees and visitors are informed of and are fully conversant with the emergency procedures.

15.4 Fire Precautions

- 15.4.1 The Institute will ensure that adequate fire detection alarm and fighting facilities are provided in the various stations and are maintained as advised by Fire employees and Occupational Safety and Health employees.
- 15.4.2 The Institute will enforce all necessary fire precaution measures.

15.4.3 Precautionary notices shall be displayed in relevant areas and necessary training provided to staff.

15.5 Fire Prevention

15.5.1 No hazardous or highly inflammable materials should be stored in stations without the approval of the Director/CEO.

15.5.2 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.

15.5.3 The Institute will ensure that: -

- a) Health and Safety Committees are formed in all premises used by employees;
- b) The Committee members and all employees are trained;
- c) Firefighting drills are conducted in all premises used by employees in accordance with the requirement of the Occupational Safety and Health Act, 2007; and
- d) The Fire Precaution signs and the Health and Safety Policy will be conspicuously displayed in all offices.

15.6 Notification of Fires

15.6.1 All fires, however small, must be reported to the HR or other Government agencies such as Police or any Administrative employee within a period of twenty-four (24) hours. The premises so affected by fire must be guarded and no evidence should be interfered with until investigations are over.

15.6.2 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.

15.6.3 All Stations must be fitted with adequate fire detection, alarms, water storage tanks and pumps dedicated to firefighting only and separate from the normal water supply.

15.7 Compensation to Employees in case of Injury or Death

15.7.1 The Institute will procure a Group Personal Accident Insurance for all the

employees.

- 15.7.2 Only accidents arising out of and in the course of an employee's employment resulting to injury or diseases arising from occupational hazards or death are compensable.

15.8 Reporting of Accident and Occupational Diseases

- 15.8.1 Immediately the supervisor is informed of an accident or an occupational disease resulting in death or injury to an employee under whom he is directly deployed, he should make a claim for compensation in accordance with the procedure set out below: -

- a) In case of an accident resulting in the injury or death of an employee, Part I of the Occupational Safety and Health Services, Accident Notification form (Form DOSH 1) should be completed in triplicate.
- b) The forms should then be dispatched to the Occupational Safety and Health employee of the region in which the accident occurred and for non-fatal accident to the Medical Practitioner who is attending to the injured employee.
- c) The detailed procedures are contained in the relevant forms which are obtainable from the Director of Occupational Safety and Health Services in the State Department responsible for Labour.

- 15.8.2 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 Benefits Act, 2007 (WIBA), he will decline to process the compensation. The Director will inform the Director/CEO of that decision giving reasons as to why he has taken the decision and if the employee qualifies for compensation, he will advise on the action that should be taken to enable the employee's compensation to be processed.

- 15.8.3 The Director/CEO may either request the Director of Medical Services to convene a Medical Board for reassessment of the Institute'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 employee's diagnosis or injury.

15.9 Approval and Distribution of Compensation

- 15.9.1 If it is considered by the Director of Occupational Safety and Health Services

that the Service is liable to pay compensation, he will send a demand note to the Director/CEO indicating the amount of money to be paid to the injured or sick employee, or the dependent(s) of a deceased employee.

- 15.9.2 The payment of the money due for compensation to the injured or deceased employee shall be made within ninety (90) days of lodging of the claim.
- 15.9.3 The injured employee or the dependent(s) of deceased employee will sign a certificate of acknowledgement of payment and complete agreement form in triplicate.
- 15.9.4 Copies of such certificate and of the appropriate agreement form should then be distributed as follows: -
- a) One copy to be handed to the employee or, in case of fatal accident, to the dependent(s);
 - b) One copy to be returned to the Director/CEO; and
 - c) The other copy to be retained by the Director of Occupational Safety and Health Services.

15.10 Recourse to Court

- 15.10.1 Where the employee or the Director/CEO 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/CEO.
- 15.10.2 In case the employee or the Director/CEO is not satisfied with the decision of the Director of Occupational Safety and Health Services in response to the objection raised, the aggrieved party may appeal to the Industrial court.

15.11 Compensation Payable during Sick Leave under WIBA

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

15.12 Source of Compensation Funds

- 15.12.1 The Director/CEO will also budget for funds to pay Work Injury Benefits to the injured employees in compliance with Section 26(4) of the Work Injury Benefits Act, 2007.

15.13 Risk Assessment

- 15.13.1 There shall be formed a Safety Committee with representatives from all Divisions, Departments, Sections and Units under the Chairmanship of a person appointed by the Director/CEO. This Committee will periodically carry out risk assessment of all Stations with the purpose of identifying hazards, analysing the risk attached to them and initiate preventive action.

15.14 Security

- 15.14.1 The Institute will always put in place measures to ensure adequate security for all employees and equipment.
- 15.14.2 Employees leaving the office should ensure that all the windows are locked; the office equipment and lights are off before leaving.
- 15.14.3 Keys to filing cabinets, safes and offices containing classified materials shall be kept safely. Any loss or misplacement of keys must be reported to the employee responsible for security.
- 15.14.4 Employees will be issued with identification cards to facilitate their entry into their work station.
- 15.14.5 The Institute will not be responsible for loss of money or valuables left unattended while in its premises.
- 15.14.6 Employees have a responsibility to ensure a safe and secure environment at all times.

SECTION 16: EMPLOYEES WELFARE

16.1 Introduction

- 16.1.1 The Institute recognizes that, in addition to offering pay benefits, and a healthy working environment to employees, their emotional and social needs should also be catered for as they discharge their duties.
- 16.1.2 The Institute will undertake social responsibility to promote welfare amongst its employees.
- 16.1.3 The Institute will pursue a policy that addresses the various social and health challenges confronting employees in the workplace.

16.2 Club membership

- 16.2.1 The Institute shall pay one club membership for officers in Job Grades 1, 2 and 3.

16.3 Emerging Pandemics and Psychosocial Challenges

- 16.3.1 The Institute recognizes the impact of HIV/AIDS and emerging pandemics e.g. Covid-19 in the workplace and their far-reaching effects on productivity. The Institute is therefore committed to developing a programme to mitigate the effects of these pandemics. The Institute shall therefore, develop a workplace policy on HIV/AIDS and any emerging pandemics. The main objective of the policy will be to provide a framework to address psychosocial challenges and any emerging pandemic issues in the Institute.
- 16.3.2 No employee will be discriminated and/or stigmatized on the basis of real or perceived infection with any of the diseases associated with such pandemics.
- 16.3.3 The Institute will provide a safe working environment to all employees. All Heads of Functional Areas have a responsibility to minimize the risk of disease transmission by taking the appropriate First Aid and universal infection control precautions at the workplace. These include: -
- a) Where fitness to work is impaired by illness, alternative deployment for such employees shall be arranged where possible.

- b) Heads of functional areas will be required to demonstrate leadership in addressing emerging pandemics in the workplace through participation in awareness programmes and counseling for all employees. They will also be expected to be sufficiently informed about the pandemic in order to guide other employees in matters concerning any scourge.
 - c) The Division responsible for Human Resource will include management of emerging pandemics and related issues in the annual strategic and budget plans.
 - d) Employees have a responsibility to check their infection status through voluntary counseling and testing, taking appropriate precautions to protect themselves against infection and infecting others and to seek information and education on the pandemics and ways to combat it.
 - e) Infection relating to any pandemic will not be a cause for termination of employment and infected employees will be allowed to work as long as they are fit and available for work.
- 16.3.4 The Institute will initiate a peer education programme to inform and educate its employees on prevention of emerging pandemics, related care and support.
- 16.3.5 Employees who are infected from any pandemic will be provided with counseling services to encourage them to cope with the status.
- 16.3.6 Management will allow employees infected from any pandemic or any of its related conditions to work as long as they are medically able to perform and do not pose a danger to their own health and safety and the health and safety of others.
- 16.3.7 Employees who have reservations working with a colleague who has a health condition may contact their supervisors or the Head of Human Resource and Administration who will cause appropriate counselling.

16.4 Counseling Services

- 16.4.1 Management will ensure that arrangements are made to provide counselling services to the employees for their well-being and in order to develop a psychologically healthy workforce as per the Public Service Policy on Guidance and Counselling.
- 16.4.2 Employees who have reservations working with a colleague who has a health condition may contact their supervisors or the Head of Human Resource who will cause appropriate counselling

16.5 Drug and Substance Abuse

- 16.5.1 Addiction to drugs or substance will be treated like any other disease. An employee who is determined to deal with drug and substance abuse problem by engaging in rehabilitation services will be referred to a Medical employee for evaluation.
- 16.5.2 The Institute will provide both inpatient and outpatient rehabilitation services within the limits that will be provided in the medical insurance scheme.
- 16.5.3 All matters regarding to Alcohol and substance abuse will be guided by the Alcohol and Substance abuse policy in the Institute

16.6 Working Environment

- 16.6.1 Management will ensure maintenance of a clean and smoke-free working environment. Accordingly, no person shall be permitted to smoke any tobacco or tobacco products while on the Institute's premises except in the designated smoking area if any.
- 16.6.2 Each employee is duty-bound to maintain a clean and healthy working environment.

16.7 Funeral Expenses

- 16.7.1 The Institute shall procure a comprehensive medical cover for members of staff which shall include last expense cover of not less than Kshs.100, 000.00 for the employee, one spouse and up to four (4) dependent children.
- 16.7.2 Upon the death of an employee the Institute shall provide coffin up to a maximum of Kshs. 50,000; pay for mortuary expenses up to a maximum of two (2) weeks; prepare an obituary in two (2) national dailies and make contribution to defray other expenses up to a maximum of Kshs. 100,000.00.

16.8 Gender Mainstreaming

- 16.8.1 All issues related to gender will be guided by the policy on Gender Mainstreaming policy in the Institute.

16.9 Housing Purchase Scheme

- 16.9.1 The Institute may run a mortgage scheme for its employee to own residential houses.

16.10 Vehicle Purchase and Mortgage Scheme

- 16.10.1 The Institute may establish a car loan and mortgage scheme.

16.11 Newspapers

- 16.11.1 Newspaper may be provided to senior employees in the Institute. However they will be restricted with two papers per day, this restriction does not apply to Director/CEO.

16.12 Mental Health

- 16.12.1 The Institute recognizes that mental well-being is an integral component of overall health and productivity.
- 16.12.2 Mental Health shall be guided with regards to the provision of the Mental Health Act (Amendment), 2022 and the Public Service Counselling and Wellness Policy, Revised 2024

SECTION 17: OFFICIAL COMMUNICATION

17.1 Introduction

- 17.1.1 The Institute is committed to open and timely communication, establishment and maintenance of clear and appropriate channels of communication across the whole range of its activities. This Communication Policy is intended to establish sound principles of communication within the Institute and to ensure that members of staff and stakeholders understand the importance of the communication modes, format and channels.

17.2 General Guidance on Correspondences

- 17.2.1 Both sides of the paper should be used and a reasonable margin should be left blank on the left hand side.
- 17.2.2 Enclosures, unless of exceptional importance, should be avoided whenever practicable, and copies, not originals, be sent.
- 17.2.3 Enclosures in foreign languages should be accompanied by a translation.
- 17.2.4 Documents received in foreign languages should be referred to the Ministry of Foreign Affairs for official translation, if necessary.
- 17.2.5 Great importance is attached to the expeditious treatment of all communication received by the Institute. 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.
- 17.2.6 When decisions of the Institute have to be conveyed to the non-Governmental bodies or to members of the public, they should be communicated as the decisions of the Institute, and not as those of an individual employee.
- 17.2.7 All communication touching on matters of the Institute shall be through the Registry.

17.2.8 An employee is not allowed to take extracts or make copies of minutes and correspondence for his own purpose, unless such correspondence is expressly addressed to the employee personally.

17.2.9 The use of courier service is encouraged, where available.

17.2.10 All external communication to the Institute should be addressed to: -

The Director/CEO
Wildlife Research and Training Institute
P. O. Box 842 - 20117
Naivasha, Kenya.
Email: director@wrti.go.ke / wrti@wrti.go.ke
Telephone: +254 700 00321

17.2.11 All communication should have reference numbers for identification and control purposes.

17.2.12 Communication should be consistent, through the right channels and by the authorized persons.

17.2.13 The accepted modes of communication at the Institute include: - email, telephone, letters, circulars, memoranda (memos), publications, short message service (SMS), social media (on general public awareness issues) and deliberations at meetings.

17.2.14 Indulgence by members of staff in communication sites and modes that are of no benefit to the Institute during working hours should be avoided.

17.2.15 Heads of Functional Areas shall ensure the policy is implemented within their jurisdictions. They shall also ensure dissemination of relevant information to their members of staff and relevant stakeholders.

17.3 Classified correspondence

17.3.1 The Institute shall adopt the Government of Kenya Security Manual which contains instructions regarding classified correspondence.

- 17.3.2 The appropriate classification shall be clearly marked at the top and bottom of every page of all classified documents.
- 17.3.3 The Director/CEO will be held responsible for ensuring that the most careful attention is paid to security matters in all offices under his control.

17.4 Internal Communication

17.4.1 the Institute shall use the following channels when communicating with members of staff: -

- a) Internal memos/circulars/letters;
- b) Emails and Short Messaging Service (SMS);
- c) Telephone calls;
- d) Notice boards;
- e) E-bulletins;
- f) Regular staff meetings;
- g) Internal newsletters/publications;
- h) Internet; and
- i) Website.
- j) Social media platforms

17.5 Memos and Circulars

17.5.1 With regards to memos and circulars, the following shall apply: -

- a) All memos/letters/circulars shall be done using relevant subject file and folioed accordingly;
- b) Internal memos shall be used for communication within;
- c) Circulars shall be used for communication with external stakeholders to inform on policies and new developments;
- d) Members of staff shall be briefed on the contents of such memos/circulars through regular staff meetings, visible notice boards, internet, bulletins and internal publications;
- e) Any memo/letter/circular should be initialed by the person drafting it to allow ownership and traceability;
- f) Circulars will be issued only by the Director/CEO;
- g) The action and receiving employees shall sign off the relevant files in use to allow for traceability; and
- h) All correspondences to the Director/CEO shall be channeled through the immediate supervisors.

17.6 External Communication

17.6.1 Communication with the large public shall include the use of: -

- a) Print media-newspapers, periodicals, journals, magazines, circulars, letters, pamphlets, brochures, fliers and posters;
- b) Electronic Media-Radio, TV, Internet, emails, and Website;
- c) Social media- including social networks and group Short Message Service (SMS);
- d) Spoken word comprising of formal presentations in meetings, seminars, conventions, workshops and speeches;
- e) Bill boards and publicity posts; and
- f) Other communication channels including exhibitions, displays and sponsorships.

17.7 Economy in use of Stationery

17.7.1 Utmost economy shall be exercised in the ordering and use of official stationery. Official stationery must not be used for private correspondence.

17.7.2 Printing should be reduced to a minimum. Comparative cost of using duplicating/photocopying machines and printing should be considered before any orders are given to print.

17.7.3 All stocks of official stationery should be kept under lock and key and issued by a responsible employee only when required.

17.8 Official Seal

17.8.1 The use of the official seal must be confined strictly to official requirements. Applications by private persons for impressions of official seals shall not be allowed.

17.9 Corporate Identity/Image

17.9.1 With regards to corporate identity/image, the following shall apply: -

- a) The Institute shall maintain a recognizable and consistence corporate identity throughout the offices, assets, publications and presentations;

- b) Corporate identity is enhanced by the logo, letter head and the corporate colors;
- c) The Institute shall use its seal on Contracts and all other documents as required by the law; and
- d) The use of the corporate logo for private purposes is strictly prohibited.

17.10 Media Relations

17.10.1 With regards to media relations, the following shall apply: -

- a) The Institute shall cultivate a positive relationship with the media to promote public awareness and understanding of its mandate, initiatives, service and activities; and
- b) All communication with the media shall be approved by the Director, to ensure uniformity, accuracy and accountability.

17.11 Spokesperson

17.11.1 The Director/CEO shall be the principal spokesperson of the Institute on operational matters.

17.12 Complaints Management

17.12.1 The Institute shall handle public complaints through the Director/CEO's office. Clients/Customers are advised to address complaints or suggestions to the Director/CEO through the Institute's physical address, post, telephone or e-mail address amongst other channels.

17.12.2 The Institute shall establish suggestion boxes within the Institute's offices and prescribe regulations for the handling of complaints.

17.13 Inventions and Innovations

17.13.1 Where an invention or innovation is in all respect alien to the employment of an employee, he shall normally be granted the full rights in such invention in accordance with Intellectual Properties Act.

17.13.2 Where an invention or innovation is connected with facilities arising out of the employment of an employee, the question of his rights and those of the Government shall be referred to the relevant Government body/bodies.

17.14 Telephone Facilities/Benefit

- 17.14.1 It is the Institute's policy to maintain an appropriate telephone strategy/technology that will facilitate operational excellence. Members of staff shall use telephone facilities in a prudent and wise manner and limit such usage to official purposes only.
- 17.14.2 This policy advocates for wise use of the telephone and therefore vests responsibility/accountability in members of staff but with mechanisms to check on excesses.

17.15 Statement of Responsibilities

- 17.15.1 All officers shall be responsible and accountable for official records in their possession. On vacation from the office, officers shall hand over the official records in their possession to the CEO.

17.16 Records Annual Reports

- 17.16.1 Annual reports are intended to be a record of work done during the period under review and should be concerned with assessing the Institute's programmes.
- 17.16.2 Performance contracts, functions and activities have led to the achievement of stated objectives or goals during the year in question.
- 17.16.3 The annual reports prepared by the Institute shall include the following information:
- (a) 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;
 - (b) A statement of intended objectives which were to be achieved after implementation;
 - (c) Environmental influences/factors during implementation;
 - (d) Outcomes/impacts in relation to the originally stated objectives;
 - (e) An analysis on whether the activity in question has been managed efficiently and effectively as planned; and
 - (f) Recommendations and suggestions for future improvement of Institute's policies and programmes.
- 17.16.4 Where feasible, the Institute shall publish one report covering the Directorates/Divisions within the Institute.

- 17.16.5 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.
- 17.16.6 Annual Reports will be prepared on the basis of a financial year.
- 17.16.7 Annual Reports should not be published without prior sanction of the CEO and the Board.
- 17.16.8 The Institute to have annual reports to record work done during the period under review.

17.17 Research Reports

- 17.17.1 Employees of the Institute shall seek approval of the State department responsible of Research and the CEO for research reports.

17.18 Disposal of Reports

- 17.18.1 Disposal of reports shall be 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.

17.19 Kenya Gazette

- 17.19.1 Gazettement notices should reach the Government Printer not later than Friday of the week before publication is desired.

SECTION 18: LABOUR RELATIONS

18.1 Introduction

- 18.1.1 The Institute affirms to safeguard the interest of labour by securing the highest level of mutual understanding and goodwill to facilitate achievement of Institute's objectives. Participatory management is encouraged in order to achieve industrial peace and democracy.
- 18.1.2 The Institute shall subscribe to the principles of the Industrial Relations Charter which is a tripartite memorandum of understanding between Federation of Kenya Employers (FKE) representing employers, Central Organization of Trade Unions (COTU) on behalf of employees and the Government aimed at regulating labour relations management in the country.
- 18.1.3 The Institute shall engage Trade Unions representing employees in negotiating Collective Bargaining Agreements. The Institute and the Trade Unions shall negotiate Collective Bargaining Agreements setting out the terms and conditions of service for the employees. The negotiations will be guided by the provisions of the Constitution, relevant legislations and the institutional framework for collective bargaining with public service unions.

18.2 Objective of Labour Relations

- 18.2.1 The objective is to negotiate the terms and conditions of service for unionizable employees between the employer and the workers' representatives as stipulated in the Recognition Agreement.

18.3 Recognition Agreement

- 18.3.1 The Institute shall sign a Recognition Agreement with a Union representing the majority of the employees at fifty-one percent (51%).
- 18.3.2 The Director/CEO shall represent the Institute in all matters appertaining to the general Terms and Conditions of Service for the unionizable employees with the recognized Union.

18.4 Collective Bargaining Agreement

- 18.4.1 The Institute and the Union shall, as regulated, conduct Collective Bargaining Agreement (CBA) with a view of reaching agreements for a specified period of time. Such negotiated CBA shall be registered with the Employment and Labour Relations Court and shall be binding to the Board.

18.5 Union Membership

- 18.5.1 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 Institute and the respective Union.
- 18.5.2 Employees will not be victimized for being members or participating in trade Union activities.
- 18.5.3 Employees who are appointed as officials of any Union may be granted permission to carry out official Union duties.
- 18.5.4 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.
- 18.5.5 Union meetings will be convened to take place during the employees' free time and should not interfere in any way with the official duties assigned.

18.6 Recovery of Union Dues

- 18.6.1 The Institute will deduct trade Union dues from the salaries of union members and pay the monies so deducted into a specified account of the Trade Union.
- 18.6.2 Deductions from an employee who has resigned his Union membership and notified the employer in writing shall be stopped.
- 18.6.3 A copy of an employee's notification will be forwarded to the Union for information.

18.7 Dispute Resolution

18.7.1 The Institute will endeavor at all times to have good working relations with the Unions in order to maintain industrial harmony. 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.

18.8 Employee Participation in Strikes

18.8.1 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; and
- c) Seven (7) days written notice of strike has been given to the Director and the Cabinet Secretary responsible for Labour by the representative of the Union.

18.9 Institutional Framework for negotiation

18.9.1 Negotiations with the recognized unions shall be undertaken in accordance with the Public Service Institutional Framework for negotiation with trade unions 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 public service; and
- f) promote labour relations and industrial peace.

18.9.2 The collective bargaining in the Institute may include salaries, allowances, benefits, and working conditions as shall be agreed upon from time to time.

18.9.3 Labour relations shall be guided by the provisions of the Constitution and the relevant Labour Laws.

SECTION 19: MISCELLANEOUS

19.1 Communication of the Institute's Decision

- 19.1.1 Operational decisions of the Institute shall be communicated by the Director/CEO.
- 19.1.2 Any decision of the Institute affecting an individual employee shall be communicated to the employee through the relevant Head of Functional Areas provided that the affected employee or the employee's representative shall be entitled to receive information about the decision or the reasons for the decision from the Institute, if a request is made by the employee or such representative.
- 19.1.3 Notwithstanding the provisions of this paragraph, matters relating to policy or any decision of the Board may be communicated by the Chairperson if circumstances warrant it.

19.2 Institute's Prescribed Forms

- 19.2.1 The Institute may prescribe forms for the better carrying out of the provisions of these Regulations.

19.3 Other Provisions Not in the Manual

- 19.3.1 Any other matters that may arise but are not provided for herein or in Public Service guidelines shall be referred to the Board of the Institute for deliberation and determination

APPENDIX I: LIST OF DESIGNATED HARDSHIP AREAS
(AS MAY BE AMENDED BY GOVERNMENT FROM TIME TO TIME)

S/No.	County	Divisions/Locations	Classification
1.	Baringo	All Divisions in Central, East and North Baringo	Extreme
2.	Garissa	All Divisions including Ijara	Extreme
3.	Isiolo	All Divisions	Extreme
4.	Mandera	All Divisions	Extreme
5.	Marsabit	All Divisions in Laisamis, North Horr and Saku including all Divisions in Moyale	Extreme
6.	Tana- River	All Divisions in Bura, Galole and Garsen	Extreme
7.	Turkana	All Divisions	Extreme
8.	Samburu	All Divisions	Extreme
9.	Wajir	All Divisions	Extreme
10.	West Pokot	All Divisions in Kacheliba, Sigor and Kapenguria	Extreme
11.	Baringo	Mogotio, Kimng'orom, Kisanana Sirwa and Emening Divisions	Moderate
12.	Busia	Budalangi Division Including Osieko	Moderate
13.	Elgeyo Marakwet	Tunyo, Tot and all Divisions in Keiyo South	Moderate
14.	Embu	All Divisions in Gachoka and Siakago	Moderate
15.	Homay Bay	Mbita (Rusinga Island), Lambwe, Central, Gwasi and Mfangano Divisions	Moderate
16.	TaitaTaveta	All Taveta Divisions and Manyani Prison Camp	Moderate
17.	Tharaka – Nithi	All Divisions	Moderate
18.	Kajiado Central	Central, Isinya, Namanga, Mashuru, Magadi and Loitokitok Divisions	Moderate
19.	Kiambu	Ndeiya Division and Karai Location – Kabete	Moderate
20.	Kilifi	Ganze, Bamba, Vitengeni Marafa and Magharini Divisions and Kakoneni Location	Moderate
21.	Kitui	All Divisions	Moderate
22.	Kwale	Kinango and Samburu Divisions	Moderate
23.	Laikipia	All Divisions	Moderate
24.	Lamu	All Divisions	Moderate
25.	Machakos	All Divisions in Yatta	Moderate
26.	Makueni	Kituki, Makindu, Mtito Andei, Kibwezi,	Moderate

S/No.	County	Divisions/Locations	Classification
		Kathonzweni, Nguu, Mavindini, Wote, Matiliku, Mbitini, Kalawa, Kisau, Kee Kasikeu Divisions	
27.	Meru	Kina Divisions (Nyambene)	Moderate
29.	Migori	Mabera, Kehancha, Masaba, Kegonga, Ntimaru, Nyatike and Nyamutiro Divisions	Moderate
29.	Nakuru	Lower Solai Division (Rongai)	Moderate
30.	Nandi	Tinderet Division	Moderate
31.	Narok	Olokurto, Loita, Mara, Osopuko, Ololulunga, Lolgoriani Divisions and Mau Division (including Mosiro Location)	Moderate

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 PUBLIC SERVICE COMMISSION
 P. O. Box 30095 - 00100
 NAIROBI

APPENDIX II: REGISTER OF GIFTS (TEMPLATE)

Financial Year:

S/NO	NAME OF EMPLOYEE	NAME OF PERSON OR ENTITY GIVING THE GIFT	VALUE AND PURPOSE OF GIFT	DATE GIFT GIVEN	DATE RECORDED IN THE REGISTER	DECISION ON THE GIFT-FOR EMPLOYEE/ ORGANISATION/ TO BE RETURNED
1						
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APPENDIX III: REGISTER OF DECLARATION OF CONFLICT OF INTEREST (TEMPLATE)

Financial Year:

S/NO	NAME OF EMPLOYEE	DATE CONFLICT RECORDED	BUSINESS UNDER TRANSACTION	NATURE OF CONFLICT	DECISION MADE ON PARTICIPATION OF EMPLOYEE	SIGNATURE OF EMPLOYEE MAKING DECLARATION
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APPENDIX IV: COMMITMENT FORM

CODE OF CONDUCT AND ETHICS FOR EMPLOYEE IN THE INSTITUTE
COMMITMENT FORM

Name of the Employee.....

Employees
Number.....

Department:
.....

Job Title:
.....

I, hereby confirm that I have read, understood, and agree to adhere to the content of the Code of Conduct and Ethics and further confirm that I will comply fully to the extent that it is written.

Signature.....

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PUBLIC SERVICE COMMISSION
P.O. Box 30095 - 00100
NAIROBI

APPENDIX V: REGISTER OF COMPLAINTS (TEMPLATE)

Financial Year:

S/N O	NAME OF PERSON MAKING COMPLAIN T	DATE OF COMPLAIN T	PARICULARS OF EMPLOYEE / ORGANISATI ON ON COMPLAIN T AGAINST	NATURE OF COMPLAIN T	DECISION MADE ON THE COMPLAIN T	PARICULARS AND SIGNATURE OF EMPLOYEE ATTENDING TO COMPLAIN T
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APPENDIX VI: INTERDICTION FOLLOWING A CRIMINAL CHARGE

To..... (Registered mail to last known address)

Dear Sir/Madam,

INTERDICTION UPON CRIMINAL CHARGE

It has been reported to this office that you were arrested and charged in a court of law with the offence of (Set out particulars).

In view of the foregoing, you are hereby interdicted from exercising the duties of your office with effect from the date you were charged/date of this letter (whichever is applicable) pending finalization of your case.

While on interdiction, you will be paid half salary and you should not leave your duty station without the express permission from your immediate supervisor.

Signed.....

Director/CEO

Copy to: Supervisor

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P. O. Box 30095 - 00100
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APPENDIX VII: INTERDICTION FOLLOWING GROSS MISCONDUCT LEADING TO DISMISSAL

To.....

Thro'..... (Supervisor)

Dear Sir or Madam,

INTERDICTION

It has been reported to this office that you..... (Set out the particulars of the misconduct together with dates)

To facilitate investigations on the alleged misconduct, it has been decided that you be and are hereby interdicted from exercising the duties of your office from the date of this letter pending finalization of your case.

While on interdiction, you will be paid half salary, full house allowance, medical allowance or where applicable medical insurance premium remitted. Further, you should not leave your duty station without the express permission of your immediate supervisor.

Yours faithfully (Signed)

Director/CEO



APPENDIX VII: LETTER LIFTING INTERDICTION

LIFTING OF INTERDICTION

Further to our letter Ref. No..... dated (The interdiction letter) and after due consideration of your case, it has been decided that the interdiction imposed on you be and is hereby lifted with effect from..... (The date of the interdiction). Your salary withheld during the interdiction shall be released.

You should acknowledge within one month from the date of this letter that you have read and understood the contents herein.

Yours faithfully (Signed)

Director/CEO

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PUBLIC SERVICE COMMISSION
P.O. Box 30095 - 00100
NAIROBI

APPENDIX IX: SUSPENSION LETTER

To

Thro' (Supervisor)

Dear Sir or Madam,

SUSPENSION

It has been reported to this office that you were convicted of a serious criminal offence namely (set out particulars).

Or

Having considered your representations and investigation report on (State alleged offence), your general conduct and work performance has been found wanting and warrants dismissal on account of gross misconduct.

Consequently, it has been decided that you be and are hereby suspended from exercising the duties of your office from the date of this letter pending finalization of your case. While on suspension, you will be paid half your basic salary, full house allowance, medical allowance or where applicable medical insurance premium will be remitted.

Yours faithfully (Signed)

Director/CEO



APPENDIX X: LETTER LIFTING SUSPENSION

To.....

Thro'..... (Supervisor)

Dear Sir/Madam,

LIFTING OF SUSPENSION

Further to our letter Ref. No.....dated (The suspension letter) and after due consideration of your case it has been decided that, the suspension imposed on you be and is hereby lifted with effect from..... (The date of the suspension).

However, you are hereby warned that a repeat of the same or similar misconduct in future may lead to commencement of proceedings for your dismissal from the service. In view of this decision, you are required to report to this office on and not later than (Reasonable time).

You are required to acknowledge within one month from the date of this letter that you have read and understood the contents herein.

Yours faithfully (Signed)

Director/CEO

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PUBLIC SERVICE COMMISSION
P. O. Box 30095 - 00100
NAIROBI

APPENDIX XI: SHOW CAUSE LETTER

To.....

Thro'...../(Supervisor)

Dear Sir or Madam,

RE: (Example) ABSENCE FROM DUTY WITHOUT REASONABLE CAUSE

It has been reported that you absented yourself from duty on
(State the particulars of the absence including number of days and specific dates).

In view of the above, your dismissal from the service on account of absence from duty without reasonable cause is contemplated, but before this is done, you are hereby called upon to show cause why the intended action should not be taken.

Your representation if any, should reach this office within..... (State reasonable time) from the date of this letter failure to which the contemplated action will be taken without further reference to you.

Your faithfully (Signed)

Director/CEO

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P.O. Box 30095 - 00100
NAIROBI

**APPENDIX XII: FORMAT FOR PRESENTING DISCIPLINARY CASES, APPEALS AND
REVIEWS BY THE DIRECTOR/CEO TO THE BOARD OF DIRECTORS**

Name.....
Date of First Appointment.....
Personal Number.....
Current designation.....
Job group/Grade.....
Terms of service.....
Date of Birth.....

Nature of Charge, Offence or Misconduct against the officer

.....
.....
.....
.....

(Set out the particulars in full)

Discipline case/Appeal/Reviews

.....
.....
.....

(Specify)

Previous charge or offences or misconduct and punishments (if any)

Charge

Decision

Date.....

SECRETARY / CEO
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