



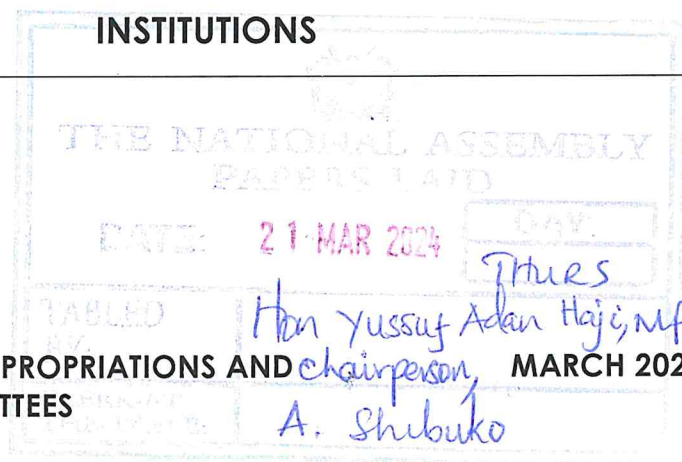
Approved
SNA
21/3/24

REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT – THIRD SESSION

COMMITTEE ON NATIONAL COHESION AND EQUAL OPPORTUNITY

**SECOND REPORT ON EMPLOYMENT DIVERSITY AUDIT IN PUBLIC
INSTITUTIONS**



DIRECTORATE OF AUDIT, APPROPRIATIONS AND GENERAL PURPOSE COMMITTEES
CLERKS CHAMBERS
PARLIAMENT BUILDINGS
NAIROBI

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CHAIRPERSON'S FOREWORD

Kenya is a highly ethnically diverse Country with forty-six (46) communities. Employment in public institutions often reflects diversity with efforts made to ensure representation from various ethnic backgrounds. There are policies and measures that have been put in place to enhance the participation of women in leadership positions and other roles within government organizations, as well as laws that govern inclusivity of person living with disability (PLWDs) and the marginalized communities.

However, full diversity and inclusivity on employment in public institutions remains elusive despite all of these efforts. Political favoritism, nepotism, antagonism between different regions and ethnic groups, and opposition to change are a few of these significant obstacles. The latter has caused the implementation of diversity policy to proceed slowly.

The Committee is mandated to monitor and promote measures designed to enhance the equalization of opportunities and improvement in the quality of life and status of all person, and saw it fit to conduct an inquiry into assessing the ethnic and diversity representation within the public institutions in the Country as well as review challenges the institutions face in their bid to enhance diversity of employees, adherence to the 5% representation of Persons Living with Disabilities (PLWDs), gender balance and the mitigation measures to curb the challenges.

In executing the said inquiry, the Committee was guided by Article 232 of the Constitution of Kenya, 2010 and Section 7 of the National Cohesion and Integration Act, 2008, that expressly provides that the public service should be a representative of the diverse Kenyan communities. From the findings of the inquiry, it was observed that the twenty institutions that appeared before it, had not complied to the requirements of 5% representation of Persons Living with Disabilities (PLWD), gender and ethnic balance, hence creating an imbalance and at times rift amongst communities.

Notably, most public institutions has a history of perpetuating the status quo without making significant efforts to address diversity and inclusion issues. This institutional inertia can impede progress and lack transparency in reporting on diversity metrics which hinders public accountability and trust. It is worth noting that even amongst those that have been employed in the twenty institutions are mostly found in the lower cadre jobs which have a low pay and are therefore less likely to attract communities from far flung areas. Arguably, institutions generally stated that their low representation of marginalized communities, PLWDs and women are derived from the fact they do not receive applications from the said groups.

After taking into consideration the submissions made, the Committee among other recommendations, generally recommends that the Public Service Commission (PSC) and the National Cohesion and Integration Commission (NCIC) should jointly establish an inclusion policy that should target and rectify disparities related to ethnicity, gender, age and disabilities. The policy must feature specific objectives, detailed action plans and effective accountability measures to ensure meaningful progress and results, the policy should be presented to the Committee on National Cohesion and Equal Opportunity on a yearly basis, for review.

Further, the Public Service Commission should oversee the implementation of oversight mechanisms to guarantee adherence to Constitutional diversity requirements within public institutions as well compliance with the 5% requirement for the PLWDs and gender balance. And accountability measures should be enforced for institutions that fail to meet these requirements, ensuring that diversity and inclusion standards are upheld and respected.

This report contains the results of the Committee's successful meeting, examination of, and assessment of the submissions from twenty (20) public institutions. On behalf of the members, the Committee would like to express its gratitude to the Speaker's and the National Assembly Clerk's offices for their help.

I am pleased to bring to the House, the second report of the ethnic diversity audit of Kenya's twenty (20) public institutions in accordance with Standing Order 199 (6).



HON. YUSSUF ADAN HAJI, DSM, M.P

CHAIRPERSON,

COMMITTEE ON NATIONAL COHESION AND EQUAL OPPORTUNITY

LIST OF ABBREVIATIONS AND ACRONYMS

CEO	Chief Executive Officer
COG	Council of Governors
CPA	Certified Public Accountant
CS	Cabinet Secretary
CWR	County Woman Representative
CWSCB	Coast Water Services Board
CWWDA	Coast Water Works Development Agency
EBS	Elder of the Order of the Burning Spear
EMCA	Environmental Management and Coordination Act
HR	Human Resource
ICDC	Industrial and Commercial Development Corporation
IEBC	Independent Electoral and Boundaries Commission
CAA	Kenya Airports Authority
KEPROBA	Kenya Export Promotion and Branding Agency
KIBU	Kibabii University
KIPI	Kenya Industrial Property Institute
KIPPRA	Kenya Institute for Public Policy Research and Analysis
KPA	Kenya Ports Authority
KRC	Kenya Railways Corporation
KSC	Kenya Seed Company
LAPFUND	Local Authorities Provident Fund
MBS	Moran of the Order of the Burning Spear
MMUST	Masinde Muliro University of Science and Technology
MP	Member of Parliament
NCI	National Cohesion Integration
NCPWD	National Council for Persons with Disabilities
NEMA	National Environment Management Authority
NIA	National Irrigation Authority

NPSC	National Police Service Commission
NTSA	National Transport and Safety Authority
ODPC	Office of the Data Protection Commissioner
OGW	Order of the Grand Warrior
PS	Permanent Secretary
PSSP	Private Self Sponsored Programme
PSC	Public Service Commission
PWD	Person with Disability
REREC	Rural Electrification and Renewable Energy Corporation
TVET	Technical and Vocational Education and Training
WECO	Western College

1.0 PREFACE

1. The Committee on National Cohesion and Equal Opportunity is established under the Standing Order 212C of the National Assembly.

1.1 Mandate of the Committee

2. The mandate of the Committee includes *inter alia*:
 - i. monitor and promote measures relating to policy and program initiatives in pursuit of peace and national cohesion;
 - ii. investigate, inquire into and report on all matters relating to inter community cohesion;
 - iii. monitor and promote measures designed to enhance the equalization of opportunities and improvement in the quality of life and status of all persons, including persons who are marginalized on the basis of gender, age, disability, health status, ethnic, racial, cultural or religious background or affiliation or any other such ground;
 - iv. investigate, inquire into and report on all matters relating to discrimination and or marginalization of persons referred to under sub-paragraph(c);
 - v. make proposals to Parliament including legislative proposals for the protection, equalization of opportunities and promotion of the welfare of the groups referred to under sub-paragraph (c); and
 - vi. examine the activities and administration of all state departments and statutory bodies in so far as they relate to the rights and welfare of the persons referred to under sub-paragraph (c).

1.2 Committee Membership

	Name	Constituency	Party
1.	Hon. Yussuf Adan Haji, DSM, MP. (Chairperson)	Mandera West	United Democratic Movement (UDM)
2.	Hon. Liza Chelule Chepkorir, MP. (Vice-Chairperson)	Nakuru (CWR)	United Democratic Alliance (UDA)
3.	Hon. Yusuf Hassan Abdi, MP.	Kamukunji	Jubilee Party (JP)
4.	Hon. Harrison Garama Kombe, MP.	Magarini	Orange Democratic Movement (ODM)
5.	Hon. Charles Kamuren, MP.	Baringo South	United Democratic Alliance (UDA)
6.	Hon. Charles Ong'ondo Were, MP.	Kasipul	Orange Democratic Movement (ODM)
7.	Hon. Edward Oku Kaunya, MP.	Teso North	Orange Democratic Movement (ODM)
8.	Hon. Joseph Samal Lomwa, MP.	Isiolo North	Jubilee Party (JP)
9.	Hon. Martin Peters Owino, MPH, MP.	Ndhiwa	Orange Democratic Movement (ODM)
10.	Hon. Eng. Paul Nzengu, MP.	Mwingi North	Wiper Democratic Movement Kenya (WDM-K)
11.	Hon. Agnes Mantaine Pareyio, MP.	Narok North	Jubilee Party (JP)
12.	Hon. Duncan Maina Mathenge, MP.	Nyeri Town	United Democratic Alliance (UDA)
13.	Hon. Fredrick Lusuli Ikana, MP.	Shinyalu	ANC Party
14.	Hon. Irene Nyakerario Mayaka, MP.	Nominated	Orange Democratic Movement (ODM)
15.	Hon. Jane Wangechi Kagiri, MP.	Laikipia (CWR)	United Democratic Alliance (UDA)
16.	Hon. Joseph Hamisi Denar, MP.	Nominated	ANC Party

	Name	Constituency	Party
17.	Hon. Joseph Iraya Wainaina, MP.	Nominated	United Democratic Alliance (UDA)
18.	Hon. Mary Maingi, MP.	Mwea	United Democratic Alliance (UDA)
19.	Hon. Monicah Muthoni Marubu, MP.	Lamu (CWR)	Independent
20.	Hon. Onesmus Ngogoyo Nguro, MP.	Kajiado North	United Democratic Alliance (UDA)
21.	Hon. Teresia Wanjiru Mwangi, MP.	Nominated	United Democratic Alliance (UDA)

1.3 Committee Secretariat

Ms. Naserian Lotuai

Clerk Assistant I -Lead Clerk/Head of the Secretariat

Ms. Kathleen Nanzala
Clerk Assistant III

Ms. Sharon Cheruto
Hansard Reporter

Ms. Audrey Andala
Legal Counsel II

Ms. Peter Atsiaya
Media Relations Officer

Ms. Joanne Naneu
Research Officer III

Ms. Margaret Wanjiku Wainaina
Public Communications Officer

Mr. John Ng'anga
Audio Officer

Mr. Luka Mutua
Sergeant-at-Arms

2.0 INTRODUCTION

2 The Committee in a bid to enhance equality and inclusion, resolved to carry out an Inquiry into Diversity in Public Institutions. To achieve its objectives the Committee resolved to sample twenty (20) public institutions for its second report. The Committee held meetings and received submissions from the following public institutions:

- 1) Coast Water Works Development Agency (CWWDA)
- 2) National Environment Management Authority (NEMA)
- 3) National Irrigation Authority (NIA)
- 4) Local Authorities Provident Fund (LAPFUND)
- 5) Office of the Data Protection Commissioner (ODPC)
- 6) National Transport and Safety Authority (NTSA)
- 7) Independent Electoral and Boundaries Commission (IEBC)
- 8) Kenya Ports Authority (KPA)
- 9) Kenya Institute for Public Policy Research and Analysis (KIPPRA)
- 10) Kenya Airports Authority (KAA)
- 11) Kenya Railways Corporation (KRC)
- 12) Rural Electrification and Renewable Energy Corporation (REREC)
- 13) National Police Service Commission (NPSC)
- 14) Rivatex East Africa Limited (RIVATEX)
- 15) Kenya Seed Company (KSC)
- 16) Masinde Muliro University of Science and Technology (MMUST)
- 17) Maseno University
- 18) Kibabii University (KIBU)
- 19) Kenya Export Promotion Branding Agency (KEPROBA)

20) Kenya Industrial Property Institute (KIPI)

3 The main objective of the inquiry was to assess the employment diversity representation within the public institutions in Kenya. Specifically, the institutions provided information based on the following issues:

- (i) The current employees' composition in terms of ethnicity, age and gender.
 - (ii) Status of compliance with Article 54(2) of the Constitution on composition of persons with disabilities in the institution.
 - (iii) Composition of the governing body of the institutions in terms of age, gender, ethnicity and persons with disability.
 - (iv) Composition of employees at senior management level, middle level and low-level cadres in terms of ethnicity, age, gender and persons with disability.
 - (v) The total number of employees in the institution before the passage of the new Constitution (August 2010) and their ethnic representation.
 - (vi) The total number of staff employed in the last three recruitments and their representation in terms of ethnicity, age, gender and persons with disability.
 - (vii) The ratio between the national population and employment proportion in the institutions (underrepresentation and overrepresentation) based on 2019 National Population and Housing Census.
 - (viii) The status of compliance of the institutions with the section 7 of the NCI Act, 2008 and Article 232 (1) (h) and (i) of the Constitution and the strategies the institutions have employed since the passage of the Constitution to ensure compliance.
 - (ix) The challenges the institutions have faced in its bid to enhance diversity of employees and the mitigation measures to curb the challenge.
-

- (x) Measures put in place, if any, to promote a friendly work environment for persons living with disabilities.
- (xi) The institutional policy on recruitment.
- (xii) Information on staff promotion in the past 5 years in terms of ethnicity, gender, age and persons with disabilities.

2.1 Employment Diversity in Public Institutions in Kenya

- 4 Kenya is a highly ethnically diverse Country with forty-six (46) communities. Employment in public institutions often reflects diversity with efforts made to ensure representation from various ethnic backgrounds.
- 5 In the recent years, Kenya has made progress in promoting gender diversity in public institutions, by implementing policies and initiatives to increase participation of women in leadership positions and other roles within the Government organizations. Affirmative action measures such as the two-thirds gender rule have been put in place to ensure that not more than two-thirds of Members of any public body or authority are of the same gender. This promotes gender balance in public institutions.
- 6 Despite all these efforts, there are still challenges in achieving full employment in public institutions. Some of these major challenges include political patronage, nepotism, regional and ethnic tensions as well as resistance to change that led to slow pace of implementing diversity policies.
- 7 Significant efforts are still required to ensure that public institutions adequately represent the nation's diverse demographics and foster a culture of equal opportunities. This endeavor requires sustained commitment and collaborative efforts from both Government entities and Civil Society Organisations (CSOs) to ensure a more inclusive and representative governance structure in Kenya.

2.2 Legislative Frameworks on Diversity in Employment

2.2.1 The Constitution of Kenya, 2010

8. The Constitution of Kenya, 2010 provides the legal framework on employment and diversity in public institutions. The following are specific Articles in the Constitution on matters relating to employment diversity in the public sector;

- i. Article 54 (2) provides that the State shall ensure the progressive implementation of the principle that **at least 5% of the members** of the public in elective and appointive bodies are persons with disabilities.
- ii. Article 55 (b) provides that the State shall take measures, including **affirmative action** programmes, to ensure that the **youth** have opportunities to associate, be represented and participate in political, social, economic and other spheres of life.
- iii. Article 56 (c) provides that the State shall put in place **affirmative action** programmes designed to ensure that **minorities and marginalized** groups are provided with special opportunities for access to employment.
- iv. Article 232 (1) (i) provides for the values and principles of public service that includes affording adequate and equal opportunities for appointment, training and advancement, at all levels of the public service, of men and women; the members of all ethnic groups and persons with disabilities.

2.2.2 The National Cohesion and Integration Act (No. 12 of 2008)

9. Section 7 states the following;

- i. All public establishments shall seek to represent **the diversity** of the people of Kenya in the employment of staff.
- ii. No public establishment shall have **more than one third** of its staff from the same **ethnic community**.

2.2.3 The Employment Act (No. 11 of 2007)

10. Sections 5(2), & (3) provides as follows;

- i. Section 5(2) states that an employer shall promote **equal opportunity** in employment and strive to eliminate discrimination in any employment policy or practice.
- ii. Section 5(3) states that no employer shall **discriminate/harass** directly or indirectly, against an employee or prospective employee;
 - a) on grounds of race, colour, sex, language, religion, political or other opinion, nationality, ethnic or social origin, disability, pregnancy, mental status or HIV status;
 - b) in respect of recruitment, training, promotion, terms & conditions of employment, termination of employment or other matters arising out of the employment.

2.2.4 The Labour Relations Act (No. 14 of 2007)

11. Section 5 (1) states that no person shall discriminate against an employee or any person seeking employment for exercising any right conferred in this Act.

2.2.5 The Public Officer Ethics Act (No. 4 of 2003)

12. This Act seeks to create an environment that **nurtures respect for diversity**. It requires a public officer to discharge his or her duties in a professional manner and to treat the public and fellow public officers with courtesy and respect.

2.2.6 Public Service (Values & Principles) Act (No. 1A of 2015)

3. This Act gives effect to Article 232 of the Constitution. According to section 10 (1) of the Act, the public service, a public institution or an authorized officer shall ensure that public officers are appointed and promoted on basis of fair competition and merit.

2.2.7 The National Gender and Equality Act (No. 15 of 2011)

14. This Act established the National Gender and Equality Commission whose functions include, inter alia, promoting equality and freedom from discrimination and

mainstreaming issues of gender, persons with disabilities and other marginalized groups in national development including development of affirmative action policies.

2.2.8 Public Service Recruitment and Training Policy (2005)

15. This policy provides an overarching framework on recruitment, training, promotion and performance management in the public sector.

2.3 Comparative Analysis

Canada

16. Canada has implemented robust diversity and inclusion policies in public institutions by adopting affirmative action measures and setting targets for representation of underrepresented groups, including women, indigenous people and visible minorities.
 17. It has established the Employment Equity Act that ensures federal institutions actively work to achieve a diverse workforce. This legislation has ensured substantial improvements in diversity, particularly at higher levels of Government, with more women, indigenous individuals and visible minorities holding leadership roles.
 18. Canada's federal Government has implemented policies to address historical disparities in employment through having a well-established system of affirmative action and employment equity. It also has a Human Rights Act that outlines legal requirements for federal employers to promote opportunity and representation in the workplace.
 19. Federal Government departments and agencies in Canada actively engage in inclusive recruitment and retention practices which include systematic barriers, conducting diverse candidate searches and providing training on diversity and inclusion. Initiatives like the Federal Internship for Newcomers Programs and the Indigenous Student Employment Opportunity provide pathways for underrepresented groups to gain experience in the public service.
 20. Over the years, Canada has seen measurable progress in enhancing employment diversity in public institutions. Representation of designated groups has increased with
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more women, indigenous individuals and visible minorities holding positions at various levels of Government.

Ghana

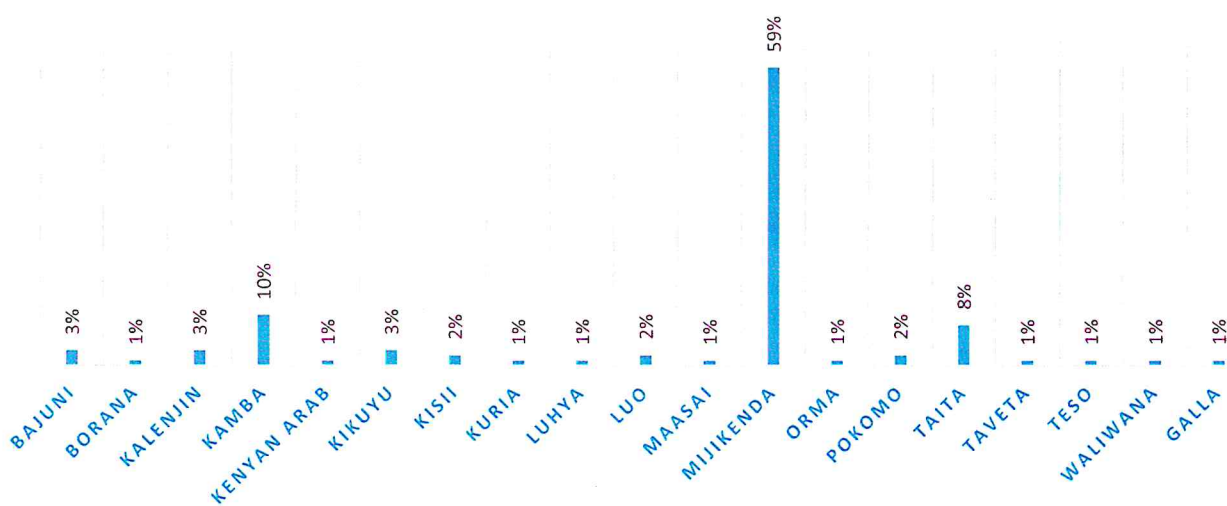
21. Ghana has progressively enhanced diversity and inclusion within its public sector by implementing various policies and initiatives to aim at creating a more inclusive workforce. These policies and initiatives are founded on the country's legal and policy structures which prioritize giving equitable employment opportunities, promoting gender equality and embracing people with disabilities.
22. The Labour Act of 2003 (Act 651), a key legal instrument in Ghana establishes a comprehensive legal framework for employment and labour issues, including advocating for equal opportunities for all employees, irrespective of gender, race, colour, ethnicity, religion, creed, social or economic status.
23. Ghana prioritizes gender equality in its public sector workforce, implementing laws and programmes designated to boost women's participation in public service, including leadership positions. This commitment to diversity is also reflected in Ghana's participation in international treaties and commitment to Sustainable Development Goals (SDG's), which aim to achieve gender equality and empower all women and girls.
24. However, Ghana like many other countries faces challenges in fully achieving employment diversity in its public institutions. Systemic barriers and cultural norms can hinder the recruiting, retention and advancement of diverse groups in the public sector. Ongoing efforts and policy reforms are critical for addressing these challenges and creating a more diverse and inclusive public workforce.

1. COAST WATER WORKS DEVELOPMENT AGENCY (CWWDA)

25. The Coast Water Works Development Agency (CWWDA) is a parastatal created under the Water Act, 2016 (a successor of Coast Water Services Board (CWSCB) and established through a Gazette Notice No. 28 of 26th April, 2019. The Agency's responsibility is the provision of efficient and economical water and sanitation services to the people of the Coast Region.

26. The Chief Executive Officer (CEO) Eng. Martin Tsuma, appeared before the Committee on Friday, 15th April, 2023 and made the following submissions as relates ethnic, age and gender representation among staff of the agency:

ETHNIC REPRESENTATION

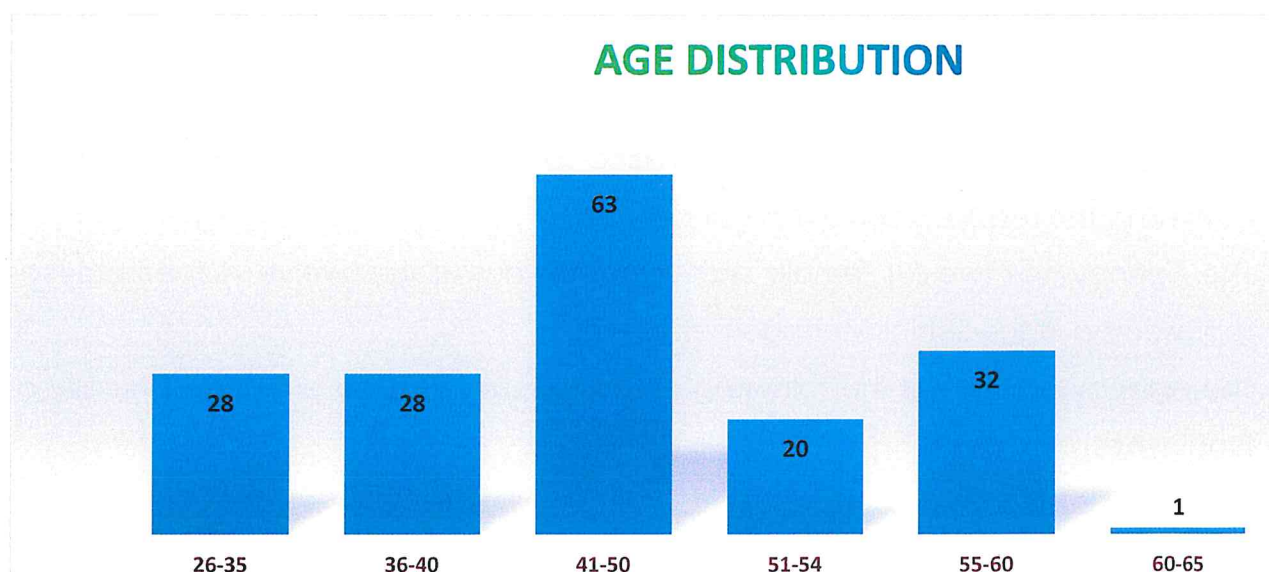


27. Majority of CWWDA staff are from one (1) community namely, Mijikenda at 59%.

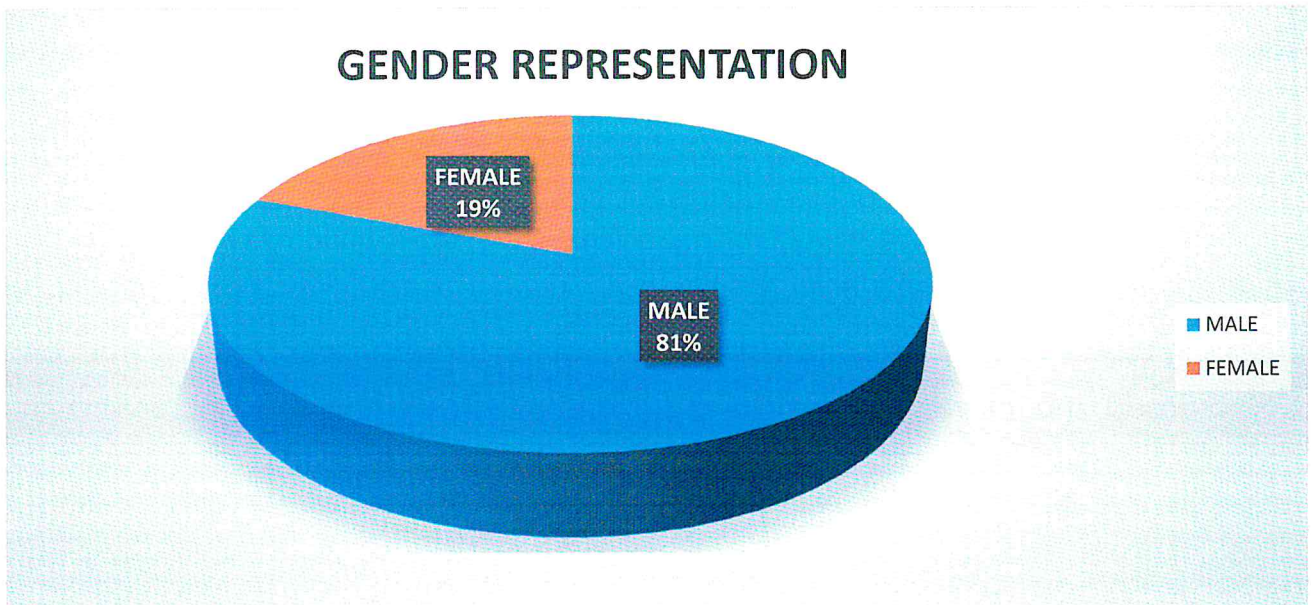
28. Only nineteen (19) out of the forty-six (46) ethnic groups have been employed in CWWDA contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only nine (9) ethnic groups are represented namely; Kalenjin, Kamba, Kenyan Arabs, Kisii and Mijikenda.

29. In the ratio between National population and employment proportion of the CWWDA employees, the Mijikenda community is over-represented with a positive variance of 55%.

30. Before the passage of the 2010 Constitution, the Agency had seventeen (17) ethnic communities with the Mijikenda community dominating at 57%. CWWDA has since increased the number of ethnic groups to nineteen (19) and increasing the representation of the Mijikenda to 59%.



31. The Agency has a youth representation of 16.3% among the CWWDA staff, showing it has not fairly accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution.



32.The Agency has one hundred and thirty-nine (139) male staff members and thirty-three (33) female staff members translating to 80.8% and 19.2% respectively, not achieving the required two thirds gender rule.

33.The Agency has two (2) female staff members out of the twelve (12) employees represented in the Senior Management Level.

34.The Agency has faced the following challenges in its bid to enhance Diversity of Employees;

- i. Political interference.
- ii. The Agency inherited most of the employees from the former National water Conservation & Pipeline Corporation as well as Ministry of Water, Sanitization & Irrigation and some from the defunct municipalities.
- iii. Optimal staffing levels are approved by SCAC, Public Service Commission, SRC and the National Treasury.
- iv. Print media of nationwide circulation where job advertisements are placed do not reach most part of the marginalized areas.
- v. Web based portals on where job advertisements are placed do not reach marginalized areas due to lack of internet and electronic devices.
- vi. Budget cuts have led to limited employment opportunity.

vii. Bureaucracy (a lot of approvals required in order to employ).

35. CWWDA has enhanced the following mitigation measures to curb the challenges;

- i. Use of local radio talk shows.
- ii. Sending job adverts to PWD job application portals.
- iii. Advertising vacancies through dailies with nationwide circulation.
- iv. Sensitization of PWDs during CWWDA meetings prior to job applications.

Committee Observations

36. The Committee made the following observations:

- i. Only nineteen (19) out of the forty-six (46) ethnic groups have been employed in CWWDA contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only five (5) ethnic groups are represented namely; Kalenjin, Kamba, Kenyan Arabs, Kisii and Mijikenda.
- ii. Majority of CWWDA staff are from one (1) community namely, Mijikenda at 59%;
- iii. The Agency has one hundred and thirty-nine (139) male staff members and thirty-three (33) female staff members translating to 80.8% and 19.2% respectively, not achieving the required two thirds gender rule.
- iv. The Commission has a youth representation of 16.3% among the CWWDA staff, showing it has not fairly accorded employment opportunities to the youth in line with provisions of Article 55 (c) of the Constitution;
- v. The Agency has two (2) female staff members out of the twelve (12) employees represented in the Senior Management Level.
- vi. Before the passage of the 2010 Constitution, the Agency had seventeen (17) ethnic communities with the Mijikenda community dominating at 57%. CWWDA has since increased the number of ethnic groups to nineteen (19) and increasing the representation of the Mijikenda to 59%.
- vii. In the ratio between National population and employment proportion of the CWWDA employees, the Mijikenda community is overrepresented with a positive variance of 55%.

Committee Recommendations

37. The Committee made the following recommendations:

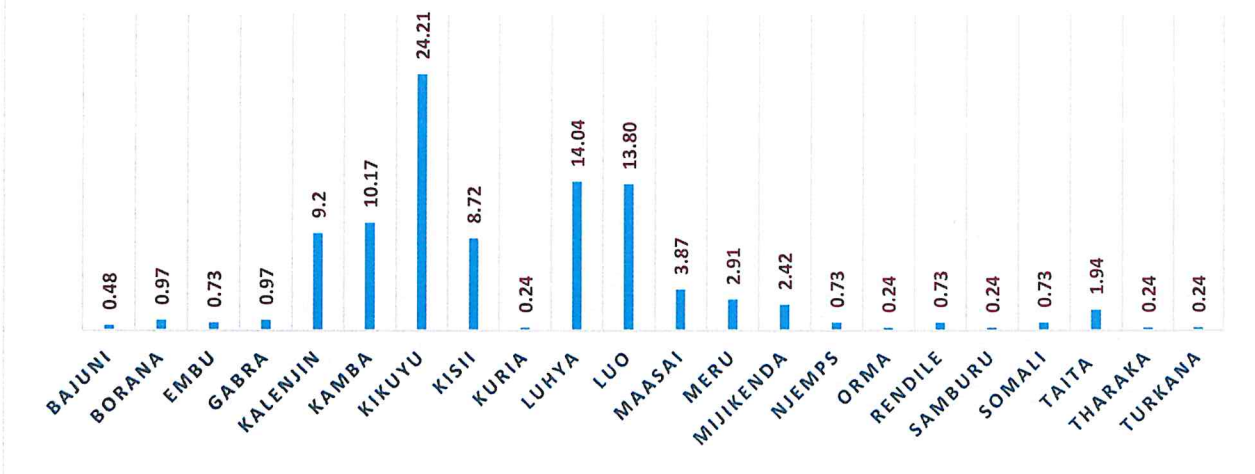
- i. The Agency should provide adequate and equal opportunities for appointment, training and advancement at all levels in terms of ethnicity, age, gender and Persons with Disabilities (PWDs);
- ii. CWWDA should employ affirmative action measures towards recruiting staff from all the forty-six (46) ethnic groups since they are based in every region in the Country.
- iii. The Agency should consider succession planning and efforts to attract younger talent to ensure a more balanced age distribution within the workforce.
- iv. CWWDA should acknowledge and address any historical patterns of discrimination by implementing affirmative action measures to rectify past imbalances.
- v. The Agency should adhere to the provisions of Section 7 of the NCI Act, 2008 and Article 232 (1) (h) and (i) of the Constitution to ensure full compliance with legal requirements related to diversity and inclusivity.

2. NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY (NEMA)

38. The National Environment Management Authority (NEMA), is established under the Environmental Management and Coordination Act No. 8 of 1999 (EMCA) as the principal instrument of Government for the implementation of all policies relating to environment.

39. The Director General, Mr. Mamo Boru, EBS, appeared before the Committee on Tuesday, 20th June, 2023 and provided evidence as per the following submissions.

ETHNIC DISTRIBUTION IN NEMA



40. Only twenty-two (22) out of the forty-six (46) ethnic groups have been employed in NEMA contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution.

41.

At Senior Management Level, only ten (10) ethnic groups are represented namely; Gabra, Kalenjin, Kamba, Kikuyu, Kisii, Luhya, Luo, Meru, Njemps and Taita.

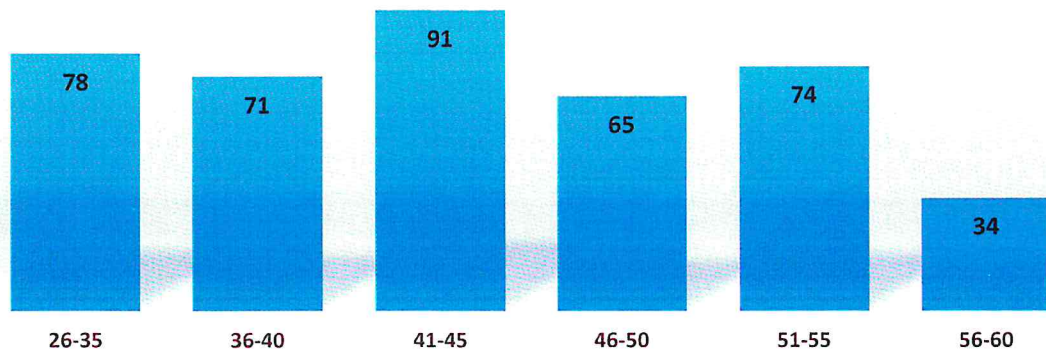
42. Majority of employees at the Authority are from four (4) communities namely, Kikuyu at 24.21%, Luhya at 14.04%, Luo at 13.80%, and Kamba at 10.17%.

43. Before the passage of the 2010 Constitution, the Authority had only twenty-two (22) ethnic groups with the Kikuyu community dominating at 26.22%. NEMA has since retained the number of ethnic groups and reducing the representation of Kikuyu to 24.21%.

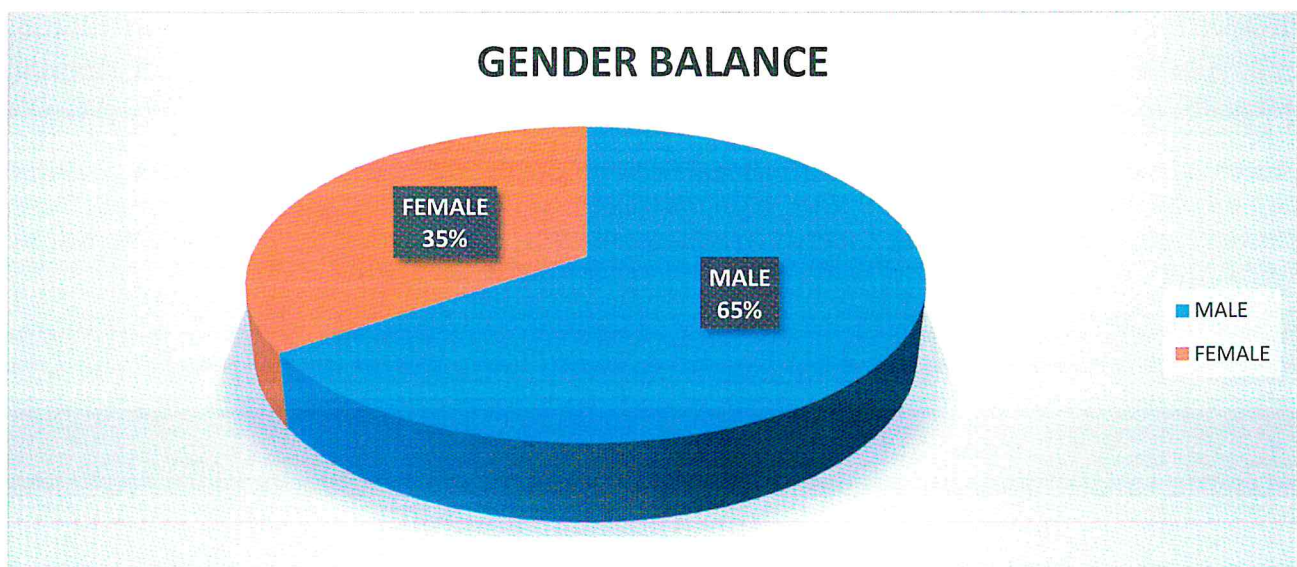
44. In the ratio between National population and employment proportion, the Kikuyu community is over-represented with a positive variance of 7.08%.

45. As relates promotions done in NEMA in the last five years, the Kikuyu, Luo, Luhya and Kalenjin communities dominate at twenty-eight (28) translating to 57.14% out of the forty-nine employees promoted.

AGE DISTRIBUTION IN NEMA



46. The Authority has a youth representation of 19% indicating a low threshold of employment opportunities offered to the youth in line with article 55 (c) of the Constitution.



47. The Authority has two hundred and seventy (270) male staff and one hundred and forty-three (143) female staff translating to 65.38% and 34.62% respectively, achieving the required two thirds gender rule.

48. The Authority has only eight (8) female staff members out of eighteen (18) in the composition at Senior Management Level.

Committee Observations

49. The Committee made the following observations:

- i. Only twenty-two (22) out of the forty-six (46) ethnic groups have been employed in NEMA contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only ten (10) ethnic groups are represented namely; Gabra, Kalenjin, Kamba, Kikuyu, Kisii, Luhya, Luo, Meru, Njemp and Taita;
- ii. Majority of employees at the Authority are from four (4) communities namely, Kikuyu at 24.21%, Luhya at 14.04%, Luo at 13.80%, and Kamba at 10.17%;
- iii. The Authority has a youth representation of 19% indicating a low threshold of employment opportunities offered to the youth in contravention of the spirit of article 55 (c) of the Constitution;
- iv. The Authority has two hundred and seventy (270) male staff and one hundred and forty-three (143) female staff translating to 65.38% and 34.62% respectively, achieving the required two thirds gender rule;
- v. The Authority has eight (8) female staff members out of eighteen (18) in the composition at Senior Management Level;
- vi. Before the passage of the 2010 Constitution, the Authority still had only twenty-two (22) ethnic groups with the Kikuyu community dominating at 26.22%. NEMA has since retained the number of ethnic groups and reducing the representation of Kikuyu to 24.21%;
- vii. In the ratio between National population and employment proportion, the Kikuyu community is overrepresented with a positive variance of 7.08%; and
- viii. As relates promotions done in NEMA in the last five years, the Kikuyu, Luo, Luhya and Kalenjin communities dominate at twenty-eight (28) translating to 57.14% out of the forty-nine employees promoted.

Committee Recommendations

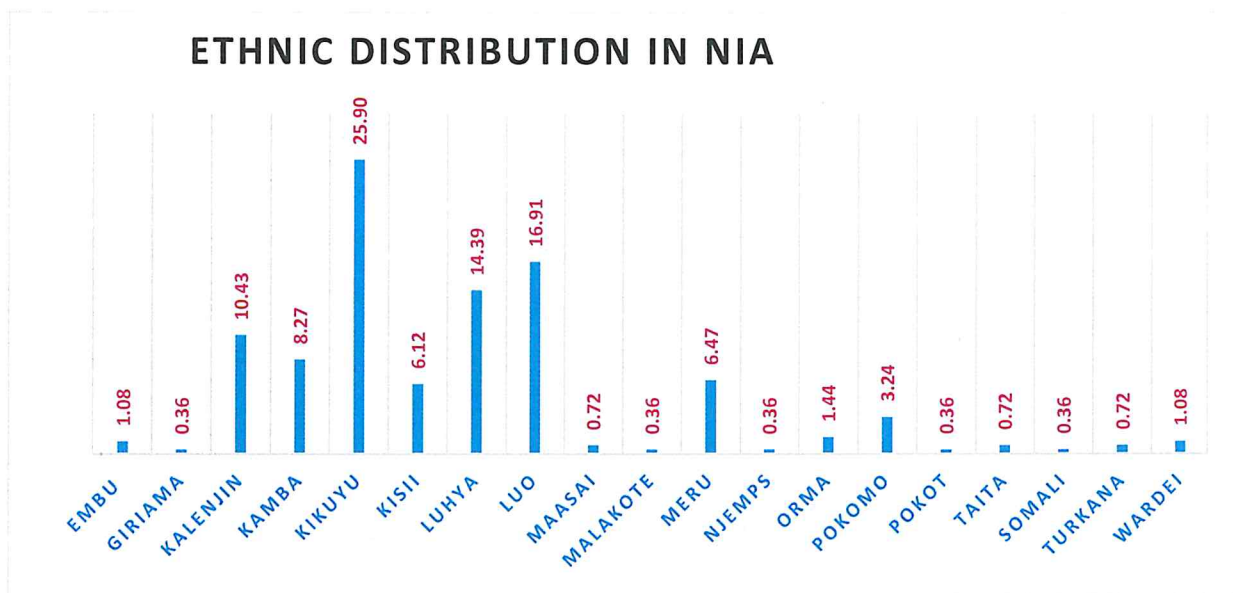
50. The Committee made the following recommendations:

- i. The Authority should expand the scope of the job advertisements which will enable it to reach more ethnic groups.
- ii. NEMA should employ affirmative action measures in employment to enhance diversity representation of all the forty-six (46) ethnic groups in the Authority, in line with Article 232 of the Constitution.
- iii. NEMA should provide adequate and equal opportunities for appointment, training and advancement at all levels in terms of ethnicity, age, gender and Persons with Disabilities (PWDs);
- iv. NEMA should implement initiatives to promote age diversity, such as mentoring programs and recruitment strategies aimed at different age groups.
- v. The Authority should ensure promotions are based on merit and performance rather than favoritism or other non-merit factors which can lead to disparities in ethnic and gender representation.

3. NATIONAL IRRIGATION AUTHORITY (NIA)

51. National Irrigation Authority (NIA) is a State Corporation in the Ministry of Water, Sanitation and Irrigation with a mandate to develop and improve irrigation infrastructure for national or public schemes.

52. The Acting Chief Executive Officer, Eng. Charles Muasya, appeared before the National Cohesion and Equal Opportunity Committee on Thursday, 29th June 2023 and made the following submissions as relates ethnic and gender representation among staff of the authority:

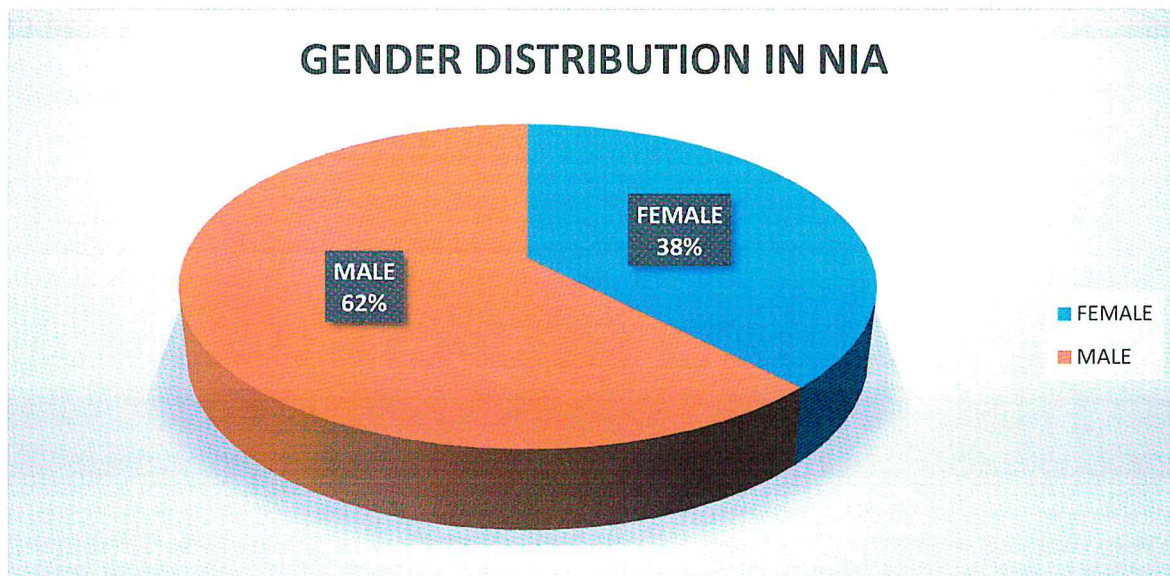


53. Only nineteen (19) out of forty-six (46) ethnic groups have been employed in NIA contrary to the spirit of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only six (6) ethnic groups are represented namely Kalenjin, Kamba, Kikuyu, Luhya, Luo, and Meru.

54. Majority of NIA employees are from four (4) communities namely, Kikuyu at 25.9%, Luo at 16.91%, Luhya at 14.39 and Kalenjin at 10.43%.

55. Before the passage of the 2010 Constitution, NIA had only fourteen (14) ethnic groups with the Kikuyu community dominating at 30.67%. The Authority has since increased the number of ethnic groups to nineteen (19).

56. On matters promotions done at NIA in the last five (5) years, the Kikuyu and Luo communities dominate at thirty-nine (39) staff translating to 49.4% out of the seventy-nine (79) employees promoted.



57. NIA has one hundred and seventy-three (173) male staff members and one hundred and five (105) female staff members translating to 62.23% and 37.77% respectively, achieving the two thirds gender rule.

58. NIA has only five (5) female staff members out of the seventeen (17) represented in the composition of employees at Senior Management Level.

59. The Authority has faced the following challenges in its bid to enhance Diversity of Employees;

- i. Inadequate allocation of resources.
- ii. NIA is an infrastructure-based institution whose core activities are labour intensive hence affecting engagement of PWDs.
- iii. Majority of PWDs are no registered with the NCPWD.
- iv. Majority of PWDs especially in schemes do not have formal education.

60. NIA has put in place the following mitigation measures to curb the challenges;

- i. Registration with the NCPWDs career Portal that is dedicated to the employment of PWDs via ncpwd@fuzu.com to be able to attract relevant skills.
- ii. With the review of the HR instruments and staff establishment, opportunities for employment will be created.

Committee Observations

61. The Committee made the following observations:

- i. Only nineteen (19) out of forty-six (46) ethnic groups have been employed in NIA contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only six (6) ethnic groups are represented namely Kalenjin, Kamba, Kikuyu, Luhya, Luo, and Meru.
- ii. Majority of NIA employees are from four (4) communities namely, Kikuyu at 25.9%, Luo at 16.91%, Luhya at 14.39 and Kalenjin at 10.43%.
- iii. NIA has one hundred and seventy-three (173) male staff members and one hundred and five (105) female staff members translating to 62.23% and 37.77% respectively, achieving the two thirds gender rule.
- iv. NIA has only five (5) female staff members out of the seventeen (17) represented in the composition of employees at Senior Management Level.
- v. Before the passage of the 2010 Constitution, NIA had only fourteen (14) ethnic groups with the Kikuyu community dominating at 30.67%. the Authority has since increased the number of ethnic groups to nineteen (19).
- vi. Promotions done in NIA in the last five (5) years, the Kikuyu and Luo communities dominate at thirty-nine (39) translating to 49.4% out of the seventy-nine (79) employees promoted.

Committee Recommendations

62. The Committee made the following recommendations:

- i. The Authority should expand the scope of the job advertisements which will enable it to reach more ethnic groups.
- ii. The Authority should ensure promotions are based on merit and performance rather than favoritism or other non-merit factors which can lead to disparities in ethnic and gender representation.
- iii. NIA should employ affirmative action measures in employment to enhance diversity representation of all the forty-six (46) ethnic groups in the Authority, in line with Article 232 of the Constitution.

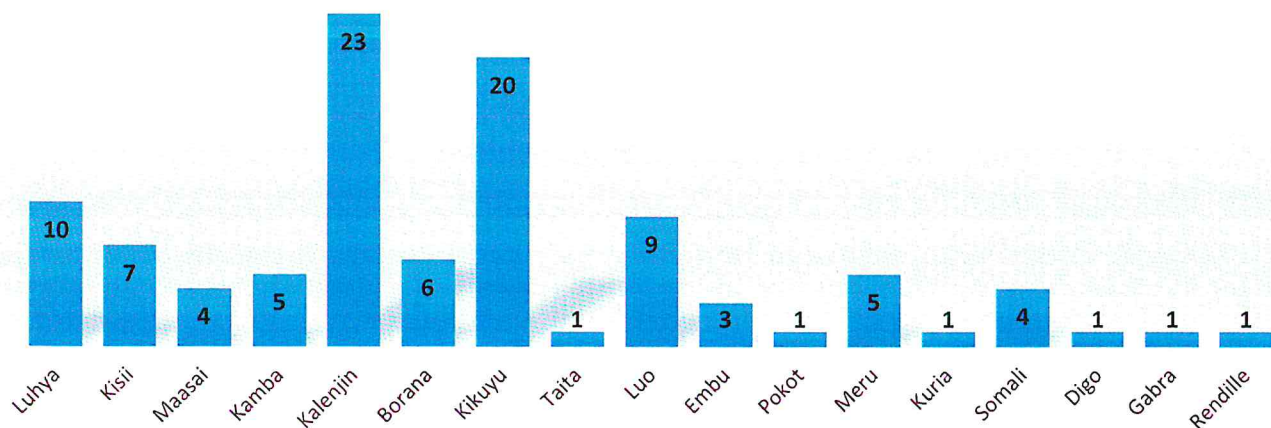
63. The Authority should provide adequate and equal opportunities for appointment, training and advancement at all levels in terms of ethnicity, age, gender and Persons with Disabilities (PWDs).

4. LOCAL AUTHORITIES PROVIDENT FUND (LAPFUND)

64. The Local Authorities Provident Fund (LAPFUND) is a defined contribution scheme registered and regulated by the Retirement Benefits Act of 1997 and subsequent regulations. It is a State Corporation established in 1960 by an Act of Parliament Cap. 272, Laws of Kenya.

65. The Acting Chief Executive Officer, Mr. Benard Mbogoh, appeared before the Committee on Tuesday, 25th July 2023 and made the following submissions:

ETHNIC REPRESENTATION



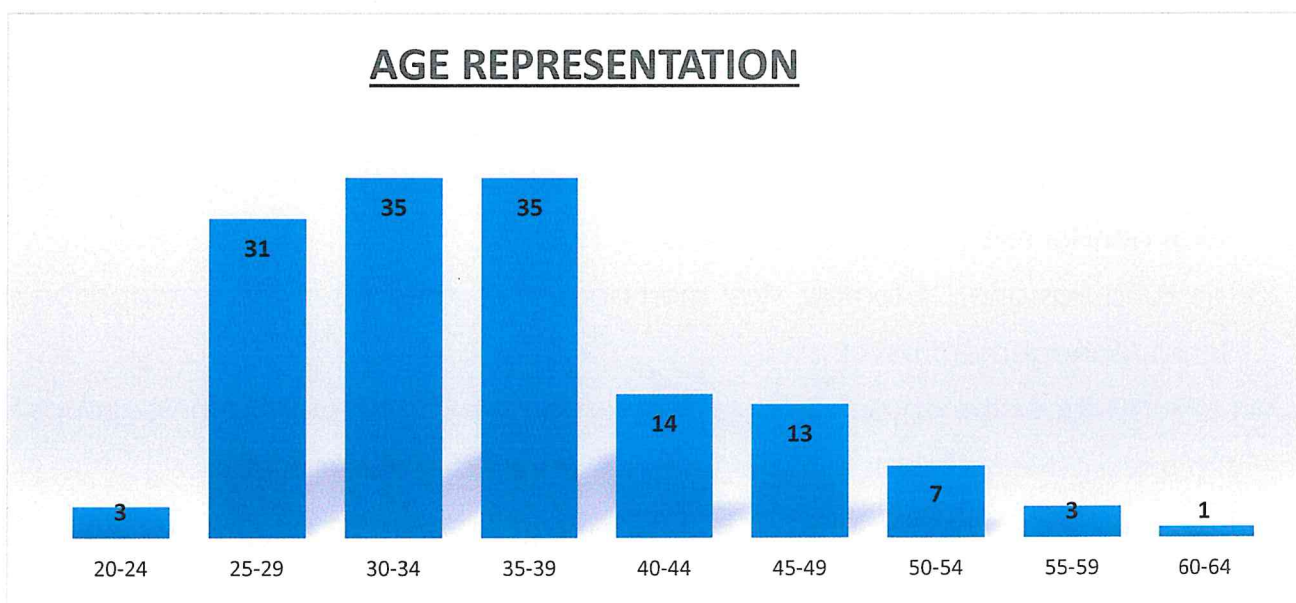
66. Only seventeen (17) out of the forty-six (46) ethnic groups have been employed in LAPFUND contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, three (3) ethnic groups have been represented namely; Maasai, Borana and Kikuyu.

67. Majority of LAPFUND employees are from two (2) ethnic groups namely, Kalenjin at 23%, and Kikuyu at 20%.

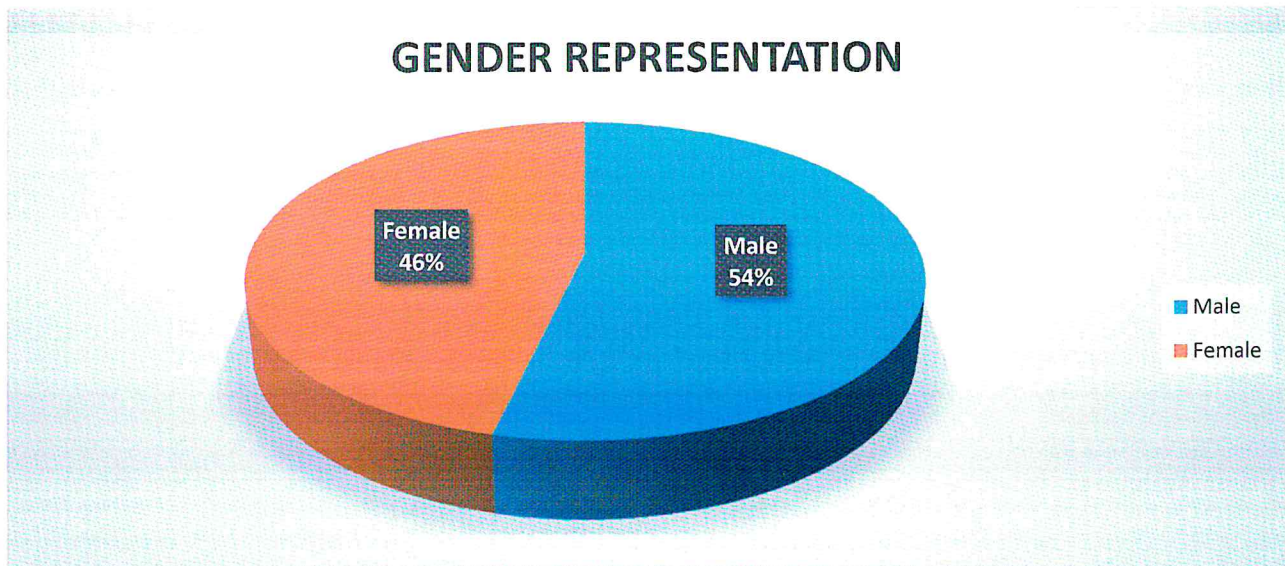
68. Before the passage of the 2010 Constitution, LAPFUND had only seven (7) ethnic groups with the Kikuyu community dominating at 35%. The Fund has since increased the number of ethnic groups to seventeen (17).

69. In the ratio between the National population and employment proportion, the Kalenjin community is over-represented with a positive variance of 9.2%.

70. Promotions done in LAPFUND in the last five (5) years, the Kikuyu and Kalenjin communities dominate at seventeen (17) translating to 56.7% out of the thirty (30) employees promoted.



71. The Fund has a youth representation at 48.6%, showing it has accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution.



72.The Fund has sixty-three (63) female staff members and seventy-nine (79) male staff members translating to 43.4% and 56.6% respectively, achieving the required two thirds gender rule.

73.The Fund has one (1) female staff member out of three (3) in the composition at Senior Management Level.

74.LAPFUND faces the challenge of lack of response by some of the ethnic groups to the open advertisements in its bid to enhance diversity of employees.

75.The Fund has implemented the following mitigation measures to curb the challenges.

- i. In the spirit of devolution, LAPFUND operates within 47 counties and thus undertakes recruitment of local applicants from within the regions where LAPFUND has a presence.
- ii. LAPFUND is registered with the NCPWD career portal (Fuzu) for purposes of advertisement in case of job opportunities.

Committee Observations

76.The Committee made the following observations:

- i. Only seventeen (17) out of the forty-six (46) ethnic groups have been employed in LAPFUND contrary to the provisions of Article 232 (1) (h) and (i) of the

Constitution. At Senior Management Level, three (3) ethnic groups have been represented namely; Maasai, Borana and Kikuyu.

- ii. Majority of LAPFUND employees are from two (2) ethnic groups namely, Kalenjin at 23%, and Kikuyu at 20%.
- iii. The Fund has sixty-three (63) female staff members and seventy-nine (79) male staff members translating to 43.4% and 56.6% respectively, achieving the required two thirds gender rule.
- iv. The Fund has a youth representation at 48.6%, showing it has adequately accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution.
- v. The Fund has one (1) female staff member out of three (3) in the composition at Senior Management Level.
- vi. Before the passage of the 2010 Constitution, LAPFUND still had only seven (7) ethnic groups with the Kikuyu community dominating at 35%. The Fund has since increased the number of ethnic groups to seventeen (17).
- vii. In the ratio between the National population and employment proportion, the Kalenjin community is overrepresented with a positive variance of 9.2%.
- viii. On matters promotions done at LAPFUND in the last five (5) years, the Kikuyu and Kalenjin communities dominate at seventeen (17) out of the thirty (30) employees promoted translating to 56.7%.

Committee Recommendations

77. The Committee made the following recommendations:

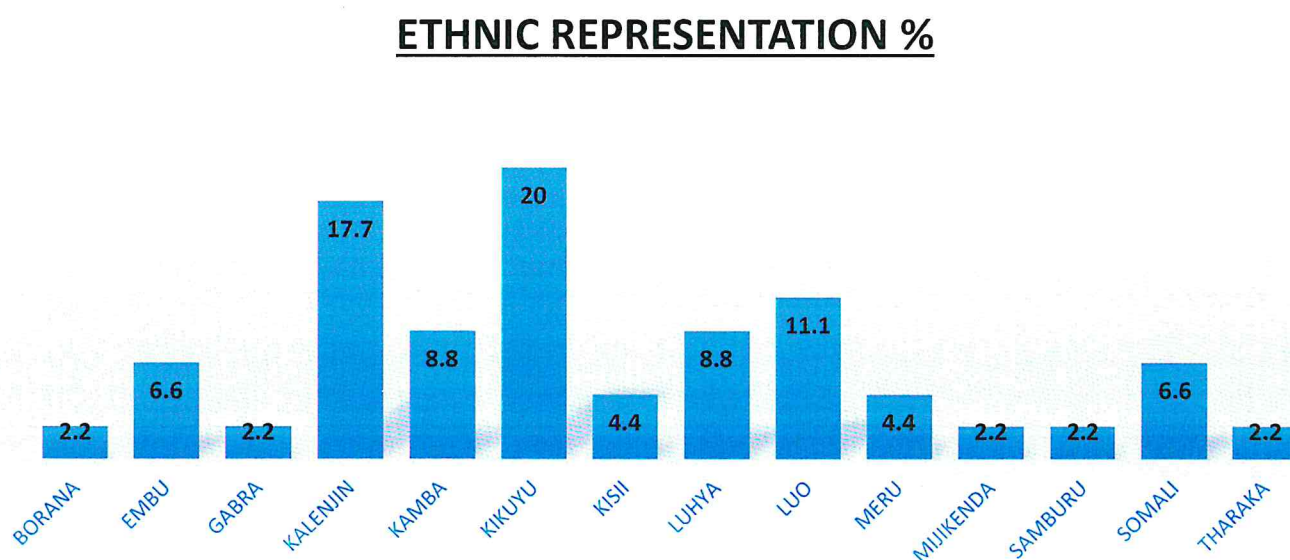
- i. LAPFUND should expand the scope of the job advertisements which will enable it to reach more ethnic groups.
- ii. LAPFUND should employ affirmative action measures in employment to enhance diversity in representation of all the forty-six (46) ethnic groups in the Authority, in line with Article 232 of the Constitution.

- iii. The Authority should ensure promotions are based on merit and performance rather than favoritism or other factors which can lead to disparities in ethnic and gender representation.
- iv. LAPFUND should provide adequate and equal opportunities for appointment, training and advancement at all levels in terms of ethnicity, age, gender and Persons with Disabilities (PWDs).

5. OFFICE OF THE DATA PROTECTION COMMISSIONER (ODPC)

78. The Office of the Data Protection Commissioner (ODPC) was established under the Data Protection Act, 2019.

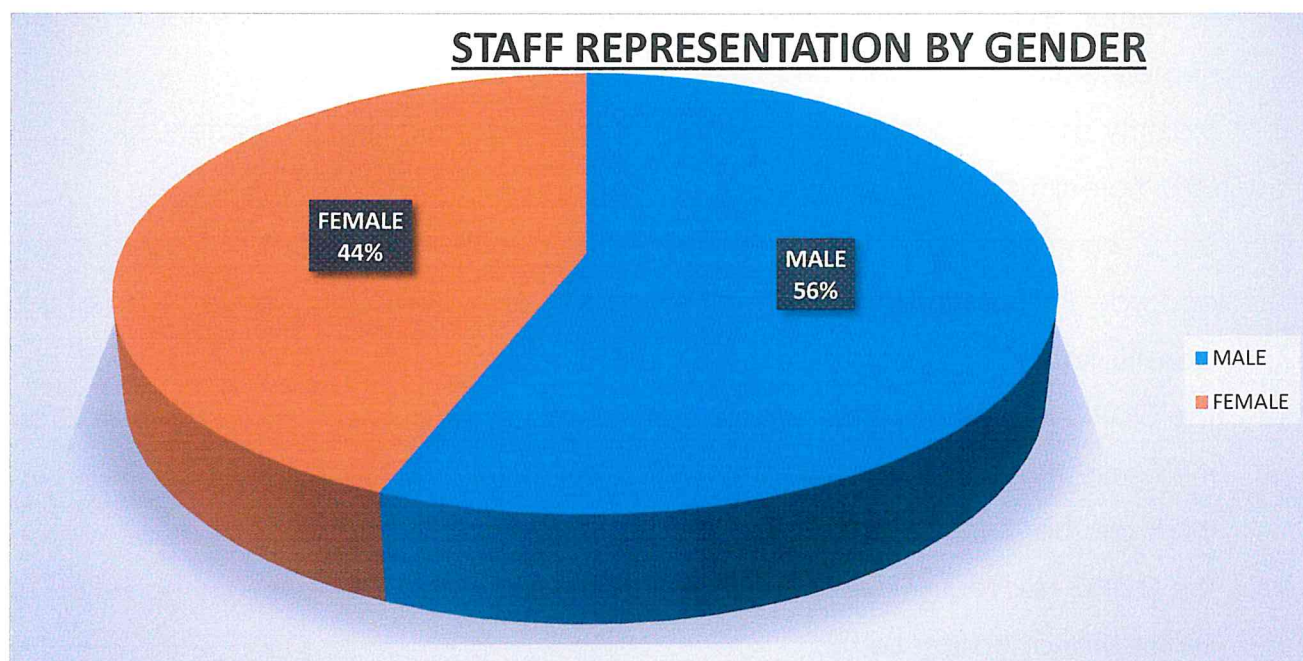
79. The Data Commissioner, Ms. Immaculate Kassait, MBS, appeared before the Committee on Tuesday, 1st August 2023 and made the following submissions:



80. Fourteen (14) out of the forty-six (46) ethnic groups have been employed at ODPC contrary to the spirit of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only seven (7) ethnic groups are represented namely, Kalenjin, Kamba, Embu, Kikuyu, Luo, Meru and Gabra.

81. Majority of ODPC employees are from three (3) ethnic groups namely, Kikuyu at 20%, Kalenjin at 17.7%, and Luo at 11.1%.

82. In the ratio between the National population and employment proportion, the Kalenjin community is over-represented with a positive variance of 4.6%.



83. The Commission has a youth representation of 68% indicating it has adequately accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution.

84. The ODPC has twenty (20) female staff members and twenty-five (25) male staff members translating to 44% and 56% respectively, achieving the required two thirds gender rule.

85. The ODPC has four (4) female staff members out of ten (10) in the composition at Senior Management Level.

86. The Commission has faced the challenge of most PWD applicants not meeting the minimum qualifications to be shortlisted for interviews.

87. ODPC has implemented the mitigation measure of conducting future recruitments in collaboration with the NCPWD so as to attract more PWDs.

Committee Observations

88. The Committee made the following observations:

- i. Only fourteen (14) out of the forty-six (46) ethnic groups have been employed in University contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only seven (7) ethnic groups are represented namely, Kalenjin, Kamba, Embu, Kikuyu, Luo, Meru and Gabra;
- ii. Majority of ODPC employees are from three (3) ethnic groups namely, Kikuyu at 20%, Kalenjin at 17.7%, and Luo at 11.1%;
- iii. The Commission has a youth representation of 68% indicating it has adequately accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution;
- iv. The ODPC has twenty (20) female staff members and twenty-five (25) male staff members translating to 44% and 56% respectively, achieving the required two thirds gender rule;
- v. The ODPC has four (4) female staff members out of ten (10) in the composition at Senior Management Level;
- vi. Before the passage of the 2010 Constitution, the ODPC still had fourteen (14) ethnic groups with the Kikuyu community dominating at 20%. The Commission has since retained the number of ethnic groups and the representation of the Kikuyu is still at 20%; and
- vii. In the ratio between the National population and employment proportion, the Kalenjin community is overrepresented with a positive variance of 4.6%.

Committee Recommendations

89. The Committee recommends as follows:

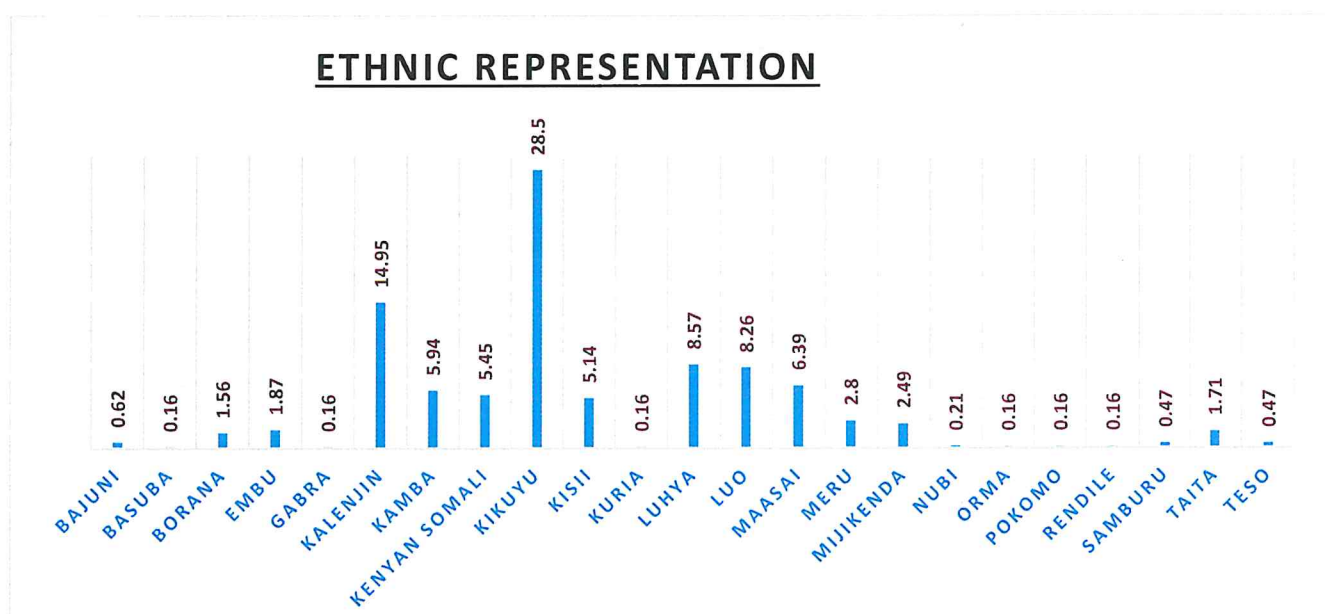
- i. The ODPC should expand the scope of the job advertisements which will enable it to reach more ethnic groups;
- ii. The Commission should employ affirmative action measures in employment to enhance diversity representation of all the forty-six (46) ethnic groups in the Authority, in line with Article 232 of the Constitution;

- iii. The Commission should ensure promotions are based on merit and performance rather than favoritism or other non-merit factors which can lead to disparities in ethnic and gender representation; and
- iv. The Commission should provide adequate and equal opportunities for appointment, training and advancement at all levels in terms of ethnicity, age, gender, youth and Persons with Disabilities (PWDs).

6. NATIONAL TRANSPORT AND SAFETY AUTHORITY

90. The National Transport and Safety Authority (NTSA) was established through an Act of Parliament, Act No. 33 on 26th October 2012, with the objective of harmonizing the operations of key transport departments and help in effectively managing the road transport sub-sector and minimizing loss of lives through road crashes.

91. The Director General Mr. George Njao, appeared before the Committee on Tuesday, 15th August 2023 and made the following submissions as relates ethnic, age and gender representation among staff of the authority:

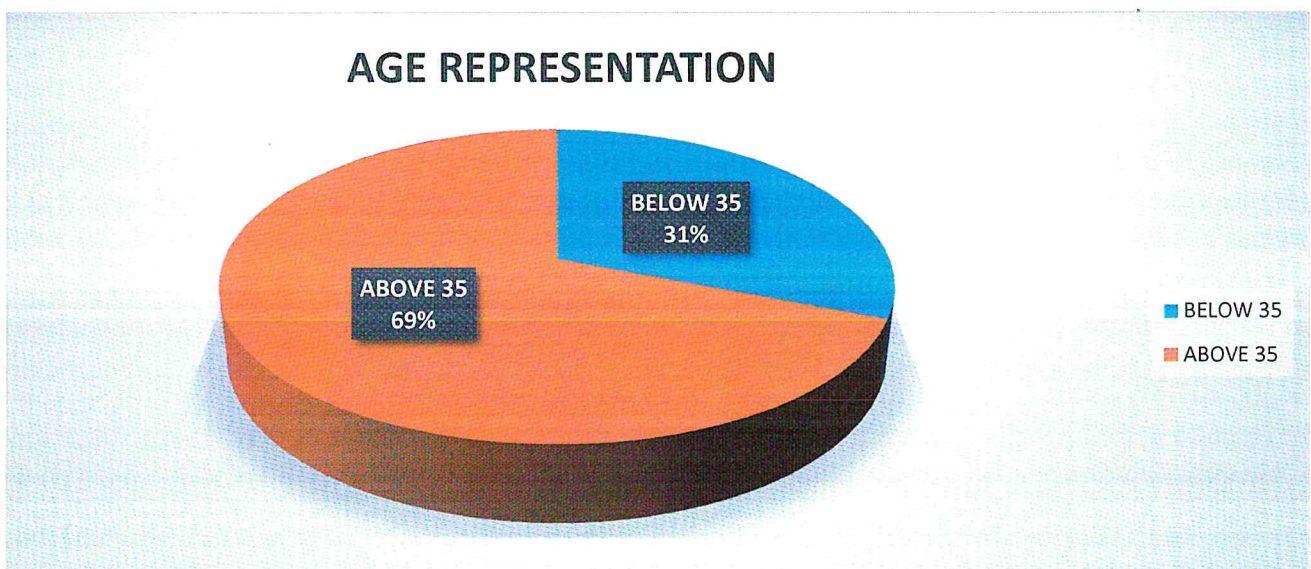


92. Only twenty-four (24) out of the forty-six (46) ethnic groups have been employed in the Authority contrary to the provisions of Article 232 (1) (h) and (i) of the

Constitution. Only eight (8) ethnic groups have been represented at Senior Management Level namely; Borana, Gabra, Kalenjin, Kenyan Somali, Kikuyu, Luhya, Luo and Meru;

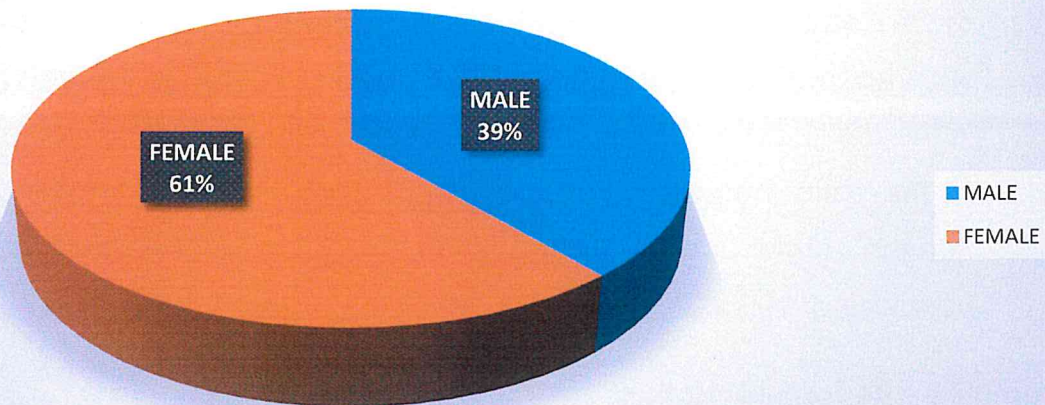
93. Majority of NTSA employees are from two (2) ethnic groups namely, Kikuyu at 28.5%, and Kalenjin at 14.95%;

94. In the ratio between National population and employment proportion, the Kenyan Somali and the Kikuyu communities are over-represented with a positive variance of 10.15%.



95. The Authority has a Youth representation of 31% showing it has adequately accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution;

GENDER REPRESENTATION



96. NTSA has two hundred and forty-nine (249) female staff members and three hundred and ninety-three (393) male staff members translating to 38.8% and 61.2% respectively, achieving the required two thirds gender rule;

97. NTSA has only five (5) female staff members out of the seventeen (17) represented in the composition of employees at Senior Management Level.

Committee Observations

98. The Committee made the following observations;

- i. Only twenty-four (24) out of the forty-six (46) ethnic groups have been employed in the Authority contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. Only eight (8) ethnic groups have been represented at Senior Management Level namely; Borana, Gabra, Kalenjin, Kenyan Somali, Kikuyu, Luhya, Luo and Meru;
- ii. Majority of NTSA employees are from two (2) ethnic groups namely, Kikuyu at 28.5%, and Kalenjin at 14.95%;
- iii. The Authority has a Youth representation of 31% showing it has accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution;

- iv. NTSA has two hundred and forty-nine (249) female staff members and three hundred and ninety-three (393) male staff members translating to 38.8% and 61.2% respectively, achieving the required two thirds gender rule;
- v. NTSA has only five (5) female staff members out of the seventeen (17) represented in the composition of employees at Senior Management Level; and
- vi. In the ratio between National population and employment proportion, the Kenyan Somali and the Kikuyu communities are overrepresented with a positive variance of 10.15%.

Committee Recommendations

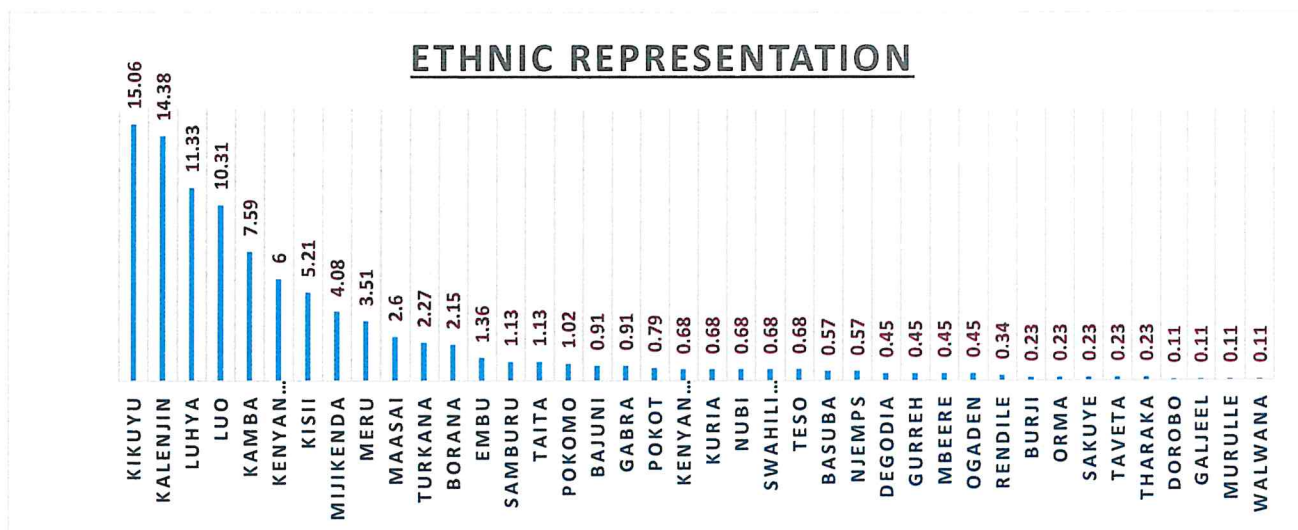
99. The Committee made the following recommendations:

- i. The Authority should expand the scope of the job advertisements which will enable it to reach more ethnic groups;
- ii. NTSA should employ affirmative action measures in employment to enhance diversity representation of all the forty-six (46) ethnic groups in the Authority, in line with Article 232 of the Constitution;
- iii. NTSA should provide adequate and equal opportunities for appointment, training and advancement at all levels in terms of ethnicity, age, gender and Persons with Disabilities (PWDs); and
- iv. The Authority should ensure promotions are based on merit and performance rather than favoritism or other non-merit factors which can lead to disparities in ethnic and gender representation.

7. INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION

100. The Independent Electoral and Boundaries Commission (IEBC) is an independent regulatory agency that was founded in 2011 through the Constitution of Kenya with the responsibility of conducting or supervising referenda and elections to any elective body or office established by the Constitution.

101. The Chief Executive Officer (CEO), Mr. Marjan Hussein, MBS appeared before the Committee on Tuesday, 15th August 2023 and made the following submissions;



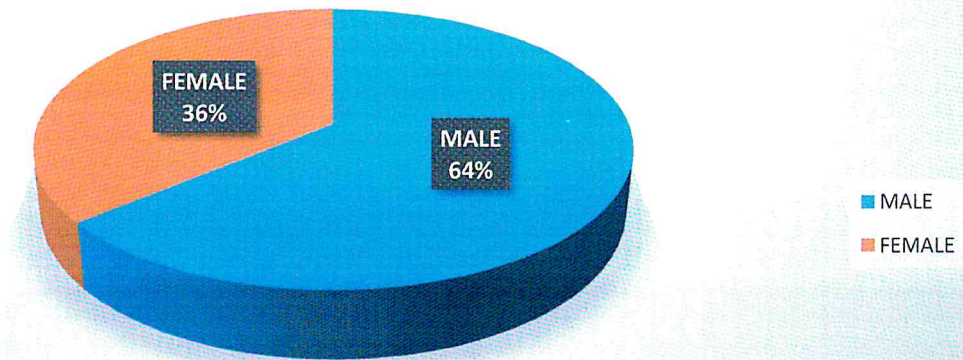
102. Forty out of forty-six (46) ethnic groups have been employed in IEBC contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only twenty-three (23) ethnic groups are represented namely; Kikuyu, Kalenjin, Luhya, Luo, Kamba, Kenyan Somali, Kisii, Mijikenda, Meru, Maasai, Turkana, Borana, Embu, Samburu, Taita, Pokomo, Pokot, Swahili-Shirazi, Kenyan Arabs, Teso, Rendille, Dorobo and Galjeel;

103. Majority of IEBC employees are from three (3) communities namely, Kikuyu at 15.06%, Kalenjin at 14.38%, Luhya at 11.33% and Luo at 10.31%;

104. In the ratio of National population and employment proportion, the Borana community is greatly overrepresented with a positive variance of 1.57%; and

105. Promotions done in the last five (5) years at IEBC, the Kalenjin, Luo and Meru communities dominate at twenty (20) translating to 40% out of the fifty (50) employees promoted.

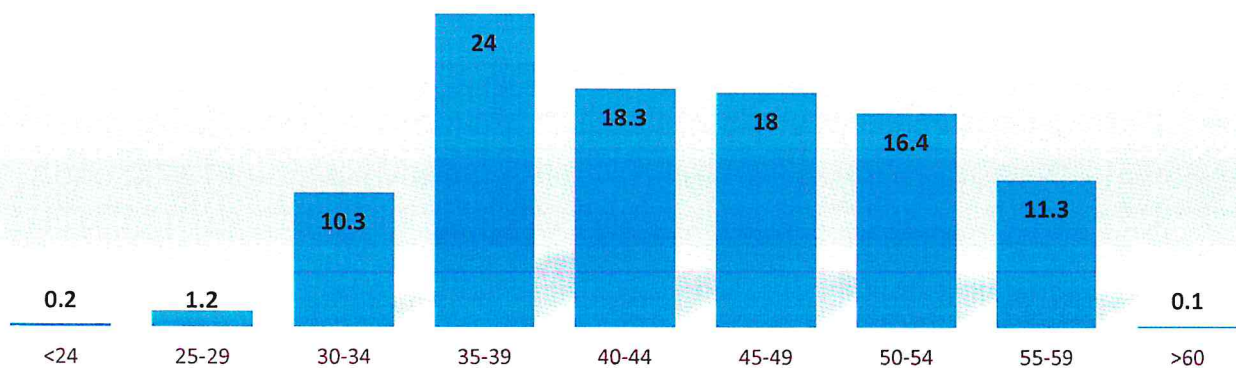
GENDER REPRESENTATION



106. The Commission has five hundred and sixty-four (564) male employees and three hundred and nineteen (319) female employees translating to 63.87% and 36.13% respectively, achieving the required two thirds gender rule;

107. The Commission has twenty-five (25) female staff members out of seventy-six (76) in the composition of employees at Senior Management Level;

AGE REPRESENTATION



108. The Commission has a youth representation of 11.7%; showing it has not accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution;

109. IEBC has faced the following challenges in its bid to enhance diversity of employees;

- i. Failure of the target population to apply for vacant posts when declared and advertised for filling.
- ii. Failure to meet the requisite qualifications for the advertised jobs.

110. To address the above, the Commission encourages everyone to apply for the declared vacancies.

Committee Observations

111. The Committee made the following observations:

- i. Forty (40) out of forty-six (46) ethnic groups have been employed in IEBC contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only twenty-three (23) ethnic groups are represented namely; Kikuyu, Kalenjin, Luhya, Luo, Kamba, Kenyan Somali, Kisii, Mijikenda, Meru, Maasai, Turkana, Borana, Embu, Samburu, Taita, Pokomo, Pokot, Swahili-Shirazi, Kenyan Arabs, Teso, Rendille, Dorobo and Galjeel;
- ii. Majority of IEBC employees are from three (3) communities namely, Kikuyu at 15.06%, Kalenjin at 14.38%, Luhya at 11.33% and Luo at 10.31%;
- iii. The Commission has five hundred and sixty-four (564) male employees and three hundred and nineteen (319) female employees translating to 63.87% and 36.13% respectively, achieving the required two thirds gender rule;
- iv. The Commission has a youth representation of 11.7%; indicating that it has not accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution
- v. The Commission has twenty-five (25) female staff members out of seventy-six (76) in the composition of employees at Senior Management Level;
- vi. In the ratio of National population and employment proportion, the Borana community is greatly overrepresented with a positive variance of 1.57%; and

- vii. On matters promotions done in the last five (5) years at IEBC, the Kalenjin, Luo and Meru communities dominate at twenty (20) out of the fifty (50) employees promoted translating to 40%.

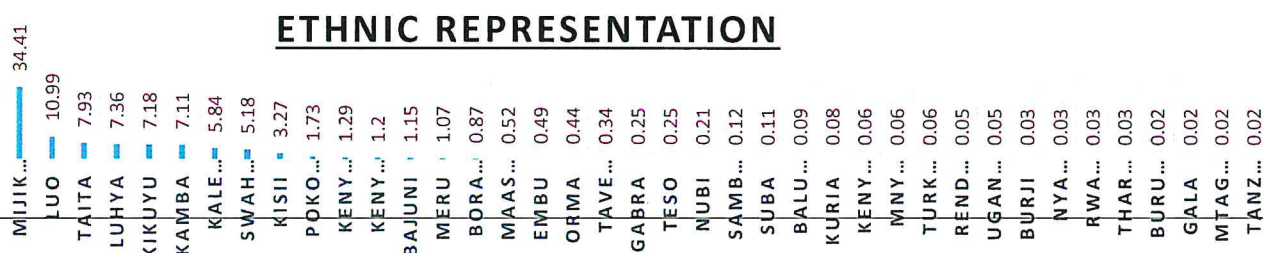
Committee Recommendations

- The Commission should employ affirmative action measures in to enhance diversity representation of all the 46 ethnic groups in the institution, in line with Article 232 of the Constitution;
- The Commission should ensure promotions are based on merit and performance rather than favoritism or other non-merit factors which can lead to disparities in ethnic and gender representation;
- The Commission should expand the scope of the job advertisements which will enable it to reach more ethnic groups; and
- IEBC should provide adequate and equal opportunities for appointment, training and advancement at all levels in terms of ethnicity, age, gender and Persons with Disabilities (PWDs).

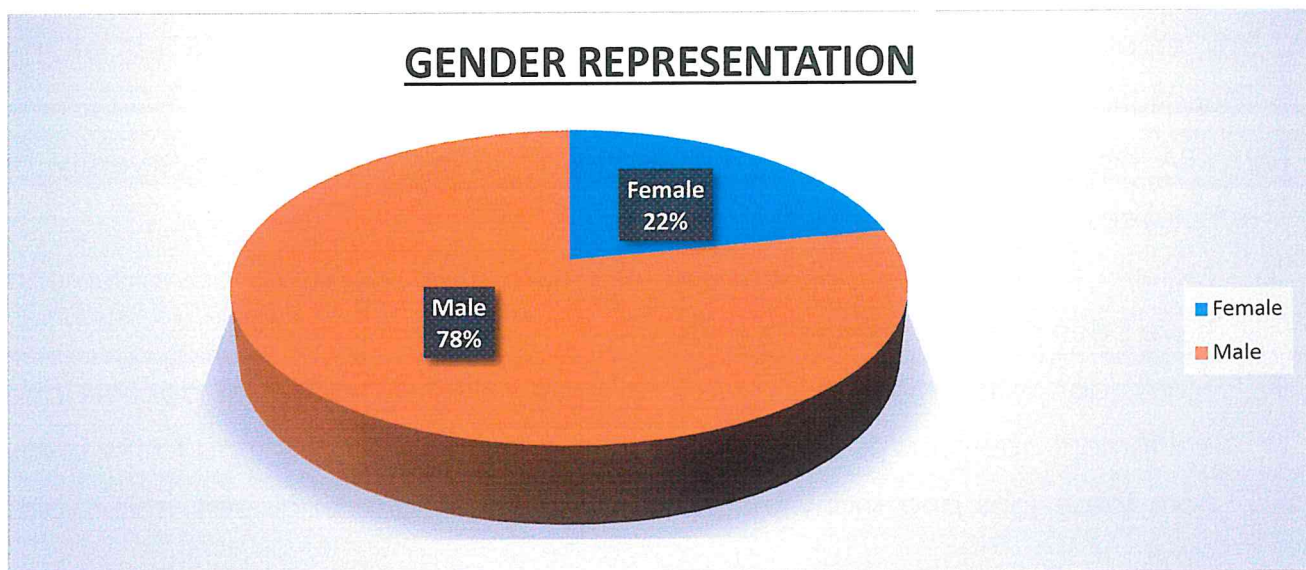
8. KENYA PORTS AUTHORITY

112. Kenya Ports Authority is a state Corporation established through an Act of parliament in January 1978. KPA is mandated to manage and operate all scheduled seaports and inland waterways along Kenya' coastline.

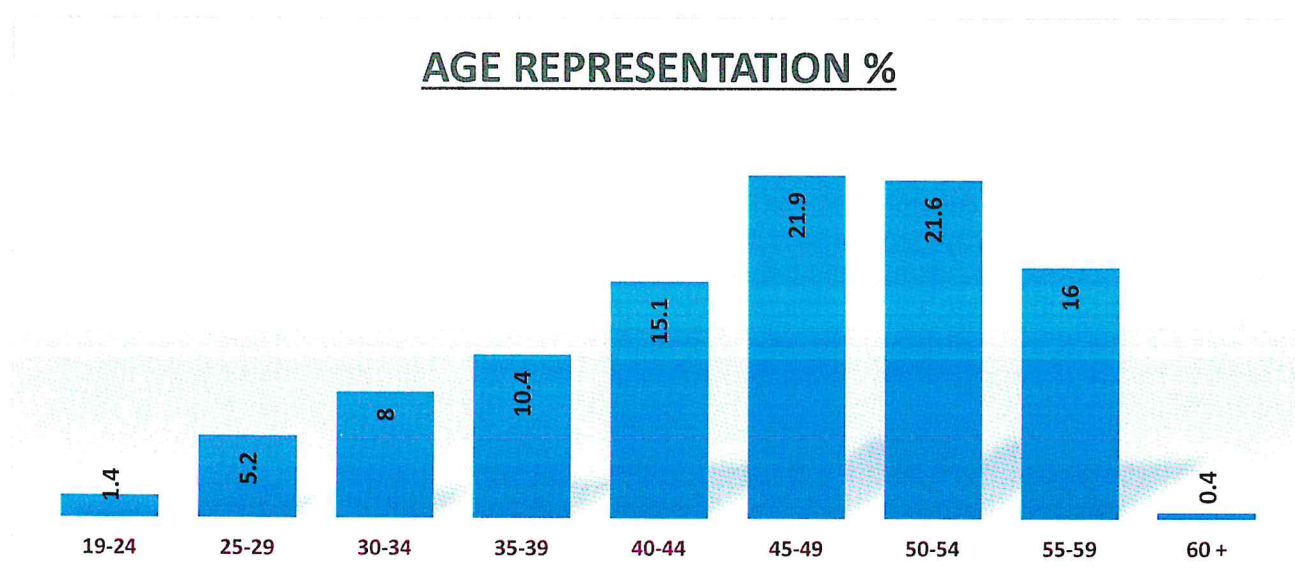
113. The Chief Executive Officer, Capt. William Ruto, appeared before the Committee on Saturday, 19th August 2023 and made the following submissions, that:



114. Thirty (30) out of forty-six (46) ethnic groups have been employed in KPA contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only twelve (12) ethnic groups are represented namely; Mijikenda, Luo, Taita, Luhya, Kikuyu, Kamba, Kalenjin, Kisii, Kenyan Somali, Borana, Embu and Teso;
115. Majority of KPA staff are from only two (2) communities namely, Mijikenda at 34.41% and Luo at 10.99%;
116. Before the passage of the 2010 Constitution, KPA had twenty-six (26) ethnic groups with the Mijikenda community dominating at 35.25%. The Authority has since increased the number of ethnic groups to thirty (30);
117. In the ratio between National population and employment proportion of the KPA staff, the Mijikenda community is greatly overrepresented with a positive variance of 29%; and
118. On matters promotions done at KPA in the last five (5) years, the Mijikenda, Luo, Taita and Kikuyu communities dominate at one thousand and forty-four (1,044) out of the one thousand, five hundred and eighty-five (1,585) employees promoted translating to 65.87%.



119. Out of the six thousand, five hundred and twenty-two (6,522) Staff in KPA, five thousand and eighty-nine (5,089) are male staff members and one thousand four hundred and thirty-three (1,433) are female staff members translating to 78.03% and 21.97% respectively, not achieving the required two thirds gender rule;
120. KPA has only nine (9) female staff members out of fifty-seven (57) in the composition of employees at Senior Management Level;



121. The Authority has a youth representation of 14.6% showing it has not accorded fair employment opportunities to the youth in line with Article 55 (c) of the Constitution;
122. KPA has faced the following challenges in its bid to enhance diversity of employees;
- Majority of those who have applied for employment whenever advertisements have been placed have been male.
 - Many jobs within KPA are skewed towards males for example, dockers and equipment operators as the work is manual in nature. Females tend to shy away from these jobs and many others, notably technicians, engineers, sailors and pilots.

Committee Observations

123. The Committee made the following observations:

- i. Thirty (30) out of forty-six (46) ethnic groups have been employed in KPA contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only twelve (12) ethnic groups are represented namely; Mijikenda, Luo, Taita, Luhya, Kikuyu, Kamba, Kalenjin, Kisii, Kenyan Somali, Borana, Embu and Teso;
- ii. Majority of KPA staff are from only two (2) communities namely, Mijikenda at 34.41% and Luo at 10.99%;
- iii. Out of the six thousand, five hundred and twenty-two (6,522) Staff in KPA, five thousand and eighty-nine (5,089) are male staff members and one thousand four hundred and thirty-three (1,433) are female staff members translating to 78.03% and 21.97% respectively, not achieving the required two thirds gender rule;
- iv. The Authority has a youth representation of 14.6% showing it has not accorded fair employment opportunities to the youth in line with Article 55 (c) of the Constitution;
- v. KPA has only nine (9) female staff members out of fifty-seven (57) in the composition of employees at Senior Management Level;
- vi. Before the passage of the 2010 Constitution, KPA had twenty-six (26) ethnic groups with the Mijikenda community dominating at 35.25%. The Authority has since increased the number of ethnic groups to thirty (30);
- vii. In the ratio between National population and employment proportion of the KPA staff, the Mijikenda community is greatly overrepresented with a positive variance of 29%; and
- viii. As relates promotions done at KPA in the last five (5) years, the Mijikenda, Luo, Taita and Kikuyu communities dominate at one thousand and forty-four (1,044) out of the one thousand, five hundred and eighty-five (1,585) employees promoted translating to 65.87%.

Committee Recommendations

124. The Committee made the following recommendations:

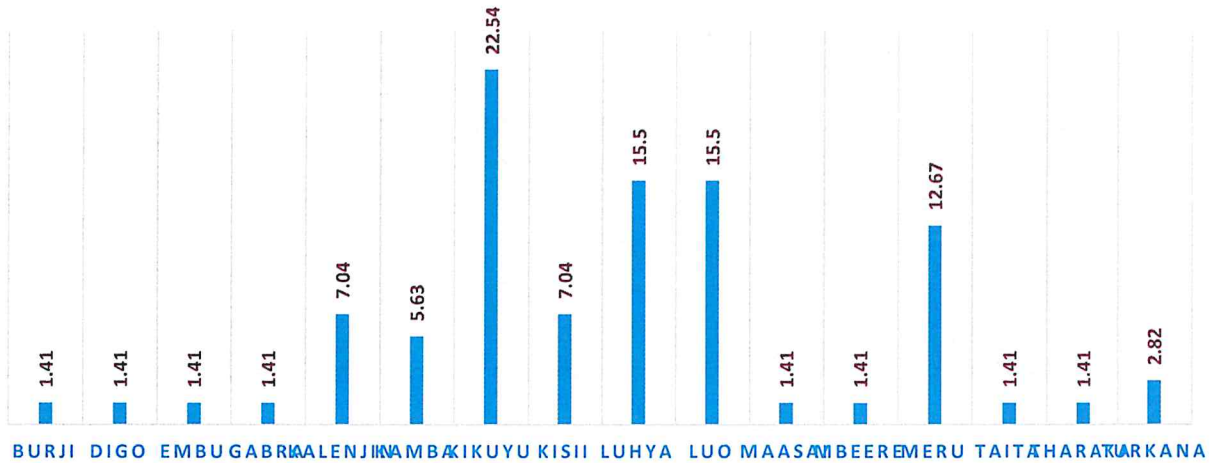
- i. The Authority should provide adequate and equal opportunities for appointment, training and advancement at all levels in terms of ethnicity, age, gender and Persons with Disabilities (PWDs);
- ii. The Authority should come up with a succession plan to replace the employees that are about to exit through natural attrition;
- iii. KPA should employ affirmative actions and measures towards recruiting employees from all the forty-six (46) in line with Article 232 of the Constitution; and
- iv. KPA should expand their scope of the job advertisements which will enable it to reach more ethnic groups.

9. KENYA INSTITUTE FOR PUBLIC POLICY RESEARCH AND ANALYSIS

125. Kenya Institute for Public Policy Research & analysis (KIPPRA) is a public institution that was established in May 1997 through a Legal Notice and commenced operations in June 1999.

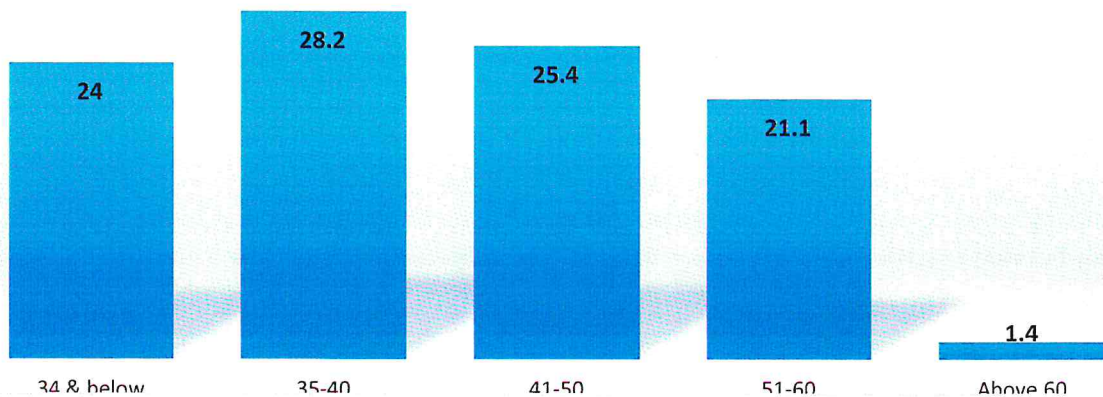
126. The Chief Executive Officer (CEO), Dr. Rose Ngugi appeared before the Committee on Saturday 19th August, 2023 and made the following submissions:

ETHNIC REPRESENTATION



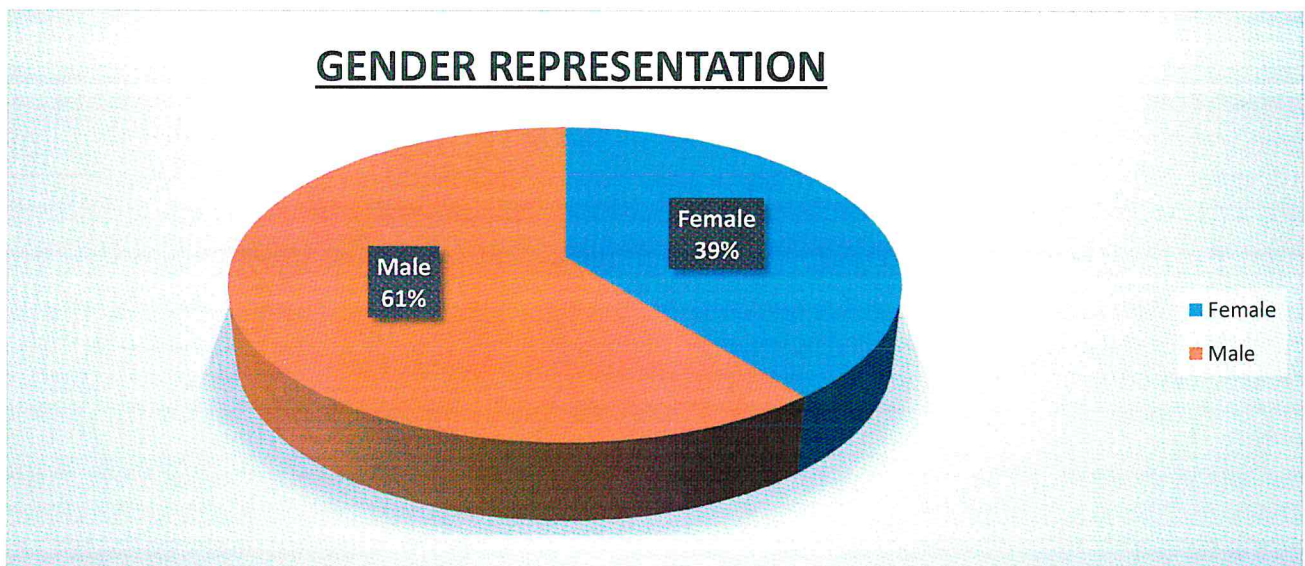
127. Sixteen (16) out of the forty-six (46) ethnic groups have been employed at the Institute contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. Only eight (8) ethnic groups have been represented at Senior Management Level namely; Digo, Kalenjin, Kamba, Kikuyu, Kisii, Luhya, Meru and Tharaka;
128. Majority of KIPPRA employees are from four (4) communities namely, Kikuyu at 22.54%, Luhya at 15.50%, Luo at 15.50% and Meru at 12.67%;
129. Before the passage of the 2010 Constitution, the Institute had eight (8) ethnic groups with the Kikuyu community dominating at 38.46%. KIPPRA has since increased the number of ethnic groups to sixteen (16);
130. In the ratio between National population and employment proportion, the Meru community is overrepresented with a positive variance of 8.53%; and
131. Promotions done in KIPPRA in the last five (5) years, the Kikuyu and Luo communities dominate at fifteen (15) out of the twenty-nine (29) employees promoted translating to 51.72%.

AGE REPRESENTATION



132. The Institute has a youth representation of 24%, showing it has not accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution;

GENDER REPRESENTATION



133. The Institute has twenty-eight (28) female staff members and forty-three (43) male staff members translating to 39.4% and 60.6% respectively, achieving the required two thirds gender rule;

134. KIPPRA has only five (5) female staff members out of the eleven (11) represented in the composition of employees at Senior Management Level;

135. KIPPRA has faced the following challenges in its bid to enhance diversity of employees;

- i. Attracting applicants from PWDs, the marginalized and minority ethnic communities with the required minimum qualifications.
- ii. Human Resource instruments that make leadership, management and supervisory courses mandatory for applicants from KIPS or equivalent Job Group 'P' form a barrier to applicants.
- iii. Female candidates shy away from applying for research positions hence the pool of male applicants outnumber the women in these positions.

136. KIPPRA has implemented the following mitigation measures to curb the challenges;

- i. The Institute's job adverts place a special emphasis on qualified candidates with disability, females, marginalized and minority ethnic communities to apply.
- ii. The wide circulation of job advertisements, including sharing with Ministries, departments, agencies, newspapers and Counties ensures that eligible candidates bring diversity in the pool of candidates.

Committee Observations

137. The Committee made the following observations:

- i. Only sixteen (16) out of the forty-six (46) ethnic groups have been employed in the Institute contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. Only eight (8) ethnic groups have been represented at Senior Management Level namely; Digo, Kalenjin, Kamba, Kikuyu, Kisii, Luhya, Meru and Tharaka;
- ii. Majority of KIPPRA employees are from four (4) communities namely, Kikuyu at 22.54%, Luhya at 15.50%, Luo at 15.50% and Meru at 12.67%;
- iii. The Institute has twenty-eight (28) female staff members and forty-three (43) male staff members translating to 39.4% and 60.6% respectively, achieving the required two thirds gender rule;
- iv. The Institute has a youth representation of 24%, showing it has not accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution;

- v. KIPPRA has only five (5) female staff members out of the eleven (11) represented in the composition of employees at Senior Management Level;
- vi. Before the passage of the 2010 Constitution, the Institute had eight (8) ethnic groups with the Kikuyu community dominating at 38.46%. KIPPRA has since increased the number of ethnic groups to sixteen (16);
- vii. In the ratio between National population and employment proportion, the Meru community is overrepresented with a positive variance of 8.53%; and
- viii. Promotions done in KIPPRA in the last five (5) years, the Kikuyu and Luo communities dominate at fifteen (15) out of the twenty-nine (29) employees promoted translating to 51.72%.

Committee Recommendations

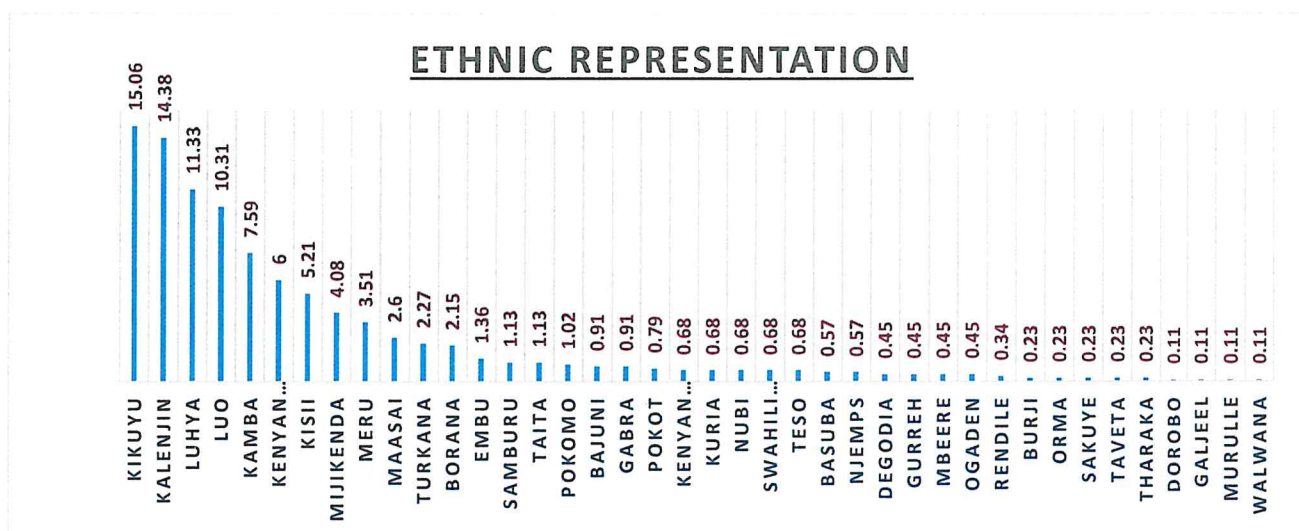
138. The Committee made the following recommendations:

- i. The Institute should provide adequate and equal opportunities for appointment, training and advancement at all levels in terms of ethnicity, age, gender and Persons with Disabilities (PWDs);
- ii. The Institute should employ affirmative actions and measures towards recruiting staff from all the forty-six (46) in line with Article 232 of the Constitution;
- iii. The Institute should expand their scope of the job advertisements which will enable it to reach more ethnic groups; and
- iv. KIPPRA should adhere to the provisions of Section 7 of the NCI Act, 2008 to ensure full compliance with legal requirements related to diversity and inclusivity.

10. KENYA AIRPORTS AUTHORITY (KAA)

139. Kenya Airports Authority (KAA) was established in 1992 by the KAA Act, Cap 395, which provides for the powers and functions of the Authority.

140. The Chief Executive Officer, Mr. Alex Gitari appeared before the Committee on Wednesday 10th May, 2023 and made the following submissions:



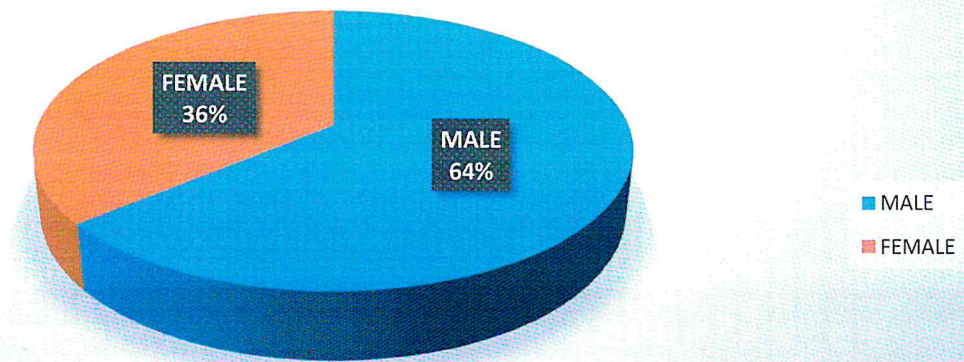
102. Forty out of forty-six (46) ethnic groups have been employed in IEBC contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only twenty-three (23) ethnic groups are represented namely; Kikuyu, Kalenjin, Luhya, Luo, Kamba, Kenyan Somali, Kisii, Mijikenda, Meru, Maasai, Turkana, Borana, Embu, Samburu, Taita, Pokomo, Pokot, Swahili-Shirazi, Kenyan Arabs, Teso, Rendille, Dorobo and Galjeel;

103. Majority of IEBC employees are from three (3) communities namely, Kikuyu at 15.06%, Kalenjin at 14.38%, Luhya at 11.33% and Luo at 10.31%;

104. In the ratio of National population and employment proportion, the Borana community is greatly overrepresented with a positive variance of 1.57%; and

105. Promotions done in the last five (5) years at IEBC, the Kalenjin, Luo and Meru communities dominate at twenty (20) translating to 40% out of the fifty (50) employees promoted.

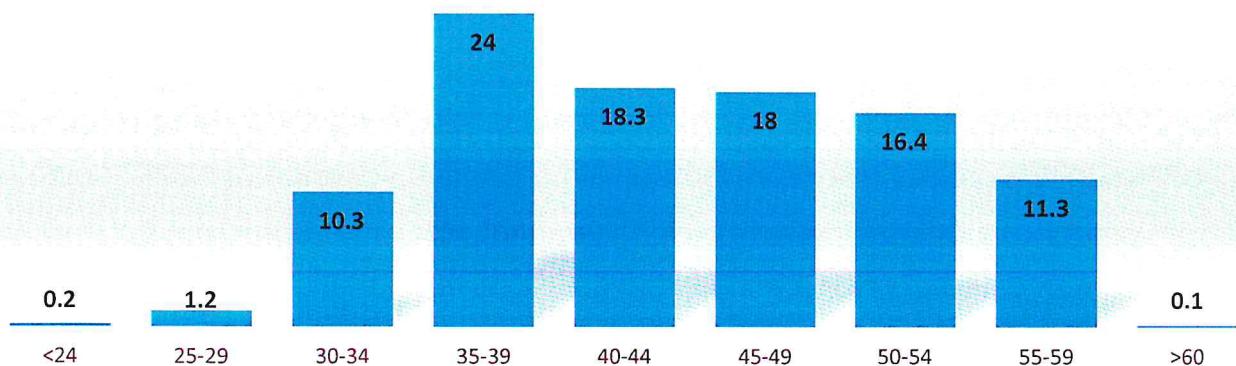
GENDER REPRESENTATION



106. The Commission has five hundred and sixty-four (564) male employees and three hundred and nineteen (319) female employees translating to 63.87% and 36.13% respectively, achieving the required two thirds gender rule;

107. The Commission has twenty-five (25) female staff members out of seventy-six (76) in the composition of employees at Senior Management Level;

AGE REPRESENTATION



108. The Commission has a youth representation of 11.7%; showing it has not accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution;

109. IEBC has faced the following challenges in its bid to enhance diversity of employees;

- i. Failure of the target population to apply for vacant posts when declared and advertised for filling.
- ii. Failure to meet the requisite qualifications for the advertised jobs.

110. To address the above, the Commission encourages everyone to apply for the declared vacancies.

Committee Observations

111. The Committee made the following observations:

- i. Forty (40) out of forty-six (46) ethnic groups have been employed in IEBC contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only twenty-three (23) ethnic groups are represented namely; Kikuyu, Kalenjin, Luhya, Luo, Kamba, Kenyan Somali, Kisii, Mijikenda, Meru, Maasai, Turkana, Borana, Embu, Samburu, Taita, Pokomo, Pokot, Swahili-Shirazi, Kenyan Arabs, Teso, Rendille, Dorobo and Galjeel;
- ii. Majority of IEBC employees are from three (3) communities namely, Kikuyu at 15.06%, Kalenjin at 14.38%, Luhya at 11.33% and Luo at 10.31%;
- iii. The Commission has five hundred and sixty-four (564) male employees and three hundred and nineteen (319) female employees translating to 63.87% and 36.13% respectively, achieving the required two thirds gender rule;
- iv. The Commission has a youth representation of 11.7%; indicating that it has not accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution
- v. The Commission has twenty-five (25) female staff members out of seventy-six (76) in the composition of employees at Senior Management Level;
- vi. In the ratio of National population and employment proportion, the Borana community is greatly overrepresented with a positive variance of 1.57%; and

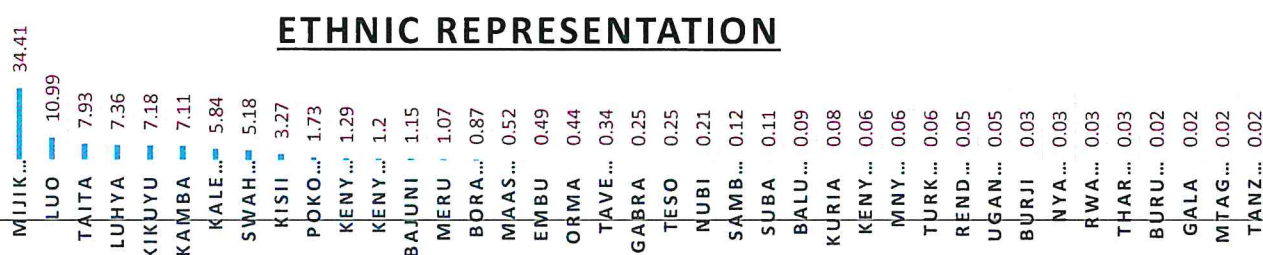
- vii. On matters promotions done in the last five (5) years at IEBC, the Kalenjin, Luo and Meru communities dominate at twenty (20) out of the fifty (50) employees promoted translating to 40%.

Committee Recommendations

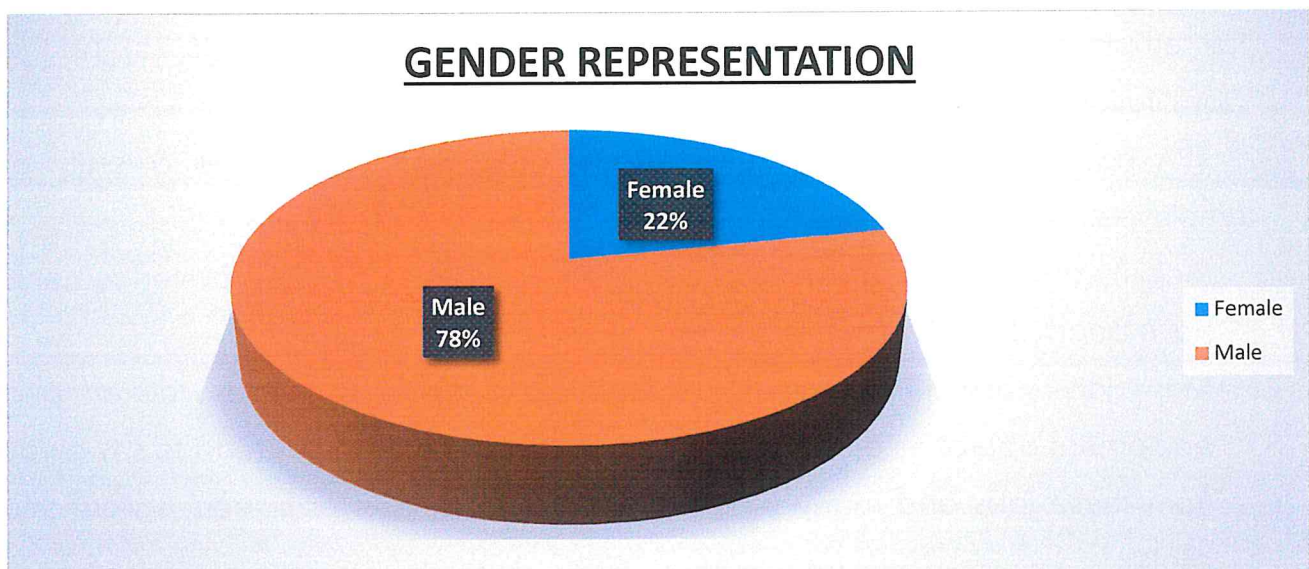
- The Commission should employ affirmative action measures in to enhance diversity representation of all the 46 ethnic groups in the institution, in line with Article 232 of the Constitution;
- The Commission should ensure promotions are based on merit and performance rather than favoritism or other non-merit factors which can lead to disparities in ethnic and gender representation;
- The Commission should expand the scope of the job advertisements which will enable it to reach more ethnic groups; and
- IEBC should provide adequate and equal opportunities for appointment, training and advancement at all levels in terms of ethnicity, age, gender and Persons with Disabilities (PWDs).

8. KENYA PORTS AUTHORITY

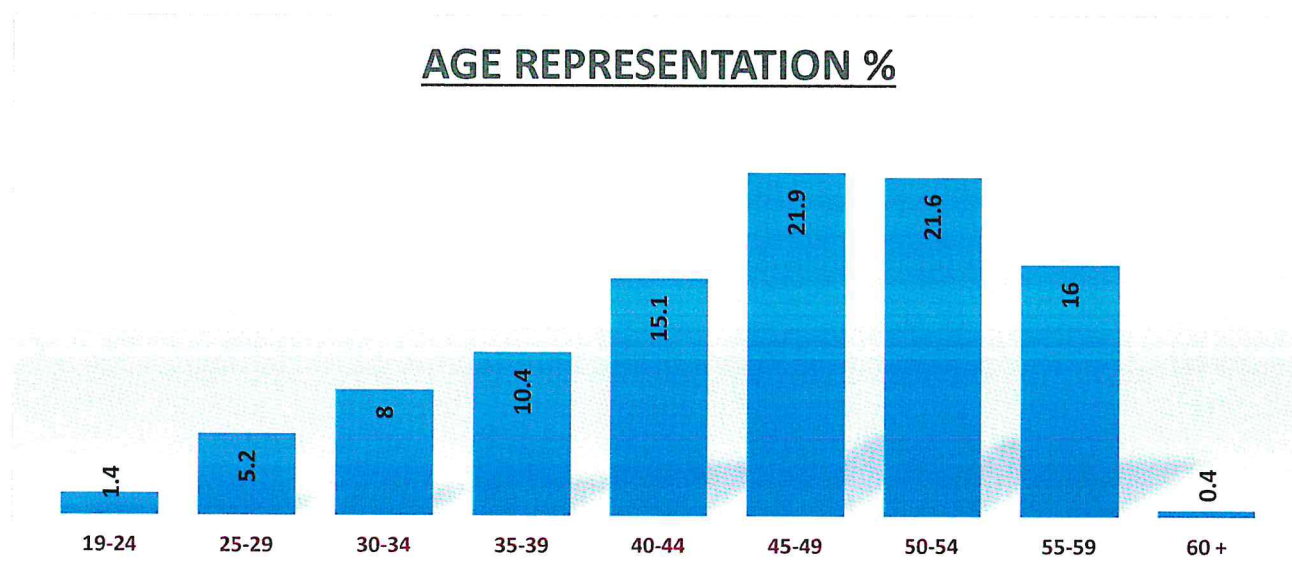
112. Kenya Ports Authority is a state Corporation established through an Act of parliament in January 1978. KPA is mandated to manage and operate all scheduled seaports and inland waterways along Kenya' coastline.
113. The Chief Executive Officer, Capt. William Ruto, appeared before the Committee on Saturday, 19th August 2023 and made the following submissions, that:



114. Thirty (30) out of forty-six (46) ethnic groups have been employed in KPA contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only twelve (12) ethnic groups are represented namely; Mijikenda, Luo, Taita, Luhya, Kikuyu, Kamba, Kalenjin, Kisii, Kenyan Somali, Borana, Embu and Teso;
115. Majority of KPA staff are from only two (2) communities namely, Mijikenda at 34.41% and Luo at 10.99%;
116. Before the passage of the 2010 Constitution, KPA had twenty-six (26) ethnic groups with the Mijikenda community dominating at 35.25%. The Authority has since increased the number of ethnic groups to thirty (30);
117. In the ratio between National population and employment proportion of the KPA staff, the Mijikenda community is greatly overrepresented with a positive variance of 29%; and
118. On matters promotions done at KPA in the last five (5) years, the Mijikenda, Luo, Taita and Kikuyu communities dominate at one thousand and forty-four (1,044) out of the one thousand, five hundred and eighty-five (1,585) employees promoted translating to 65.87%.



119. Out of the six thousand, five hundred and twenty-two (6,522) Staff in KPA, five thousand and eighty-nine (5,089) are male staff members and one thousand four hundred and thirty-three (1,433) are female staff members translating to 78.03% and 21.97% respectively, not achieving the required two thirds gender rule;
120. KPA has only nine (9) female staff members out of fifty-seven (57) in the composition of employees at Senior Management Level;



121. The Authority has a youth representation of 14.6% showing it has not accorded fair employment opportunities to the youth in line with Article 55 (c) of the Constitution;
122. KPA has faced the following challenges in its bid to enhance diversity of employees;
- Majority of those who have applied for employment whenever advertisements have been placed have been male.
 - Many jobs within KPA are skewed towards males for example, dockers and equipment operators as the work is manual in nature. Females tend to shy away from these jobs and many others, notably technicians, engineers, sailors and pilots.

Committee Observations

123. The Committee made the following observations:

- i. Thirty (30) out of forty-six (46) ethnic groups have been employed in KPA contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only twelve (12) ethnic groups are represented namely; Mijikenda, Luo, Taita, Luhya, Kikuyu, Kamba, Kalenjin, Kisii, Kenyan Somali, Borana, Embu and Teso;
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- viii. As relates promotions done at KPA in the last five (5) years, the Mijikenda, Luo, Taita and Kikuyu communities dominate at one thousand and forty-four (1,044) out of the one thousand, five hundred and eighty-five (1,585) employees promoted translating to 65.87%.

Committee Recommendations

124. The Committee made the following recommendations:

- i. The Authority should provide adequate and equal opportunities for appointment, training and advancement at all levels in terms of ethnicity, age, gender and Persons with Disabilities (PWDs);
- ii. The Authority should come up with a succession plan to replace the employees that are about to exit through natural attrition;
- iii. KPA should employ affirmative actions and measures towards recruiting employees from all the forty-six (46) in line with Article 232 of the Constitution; and
- iv. KPA should expand their scope of the job advertisements which will enable it to reach more ethnic groups.

9. KENYA INSTITUTE FOR PUBLIC POLICY RESEARCH AND ANALYSIS

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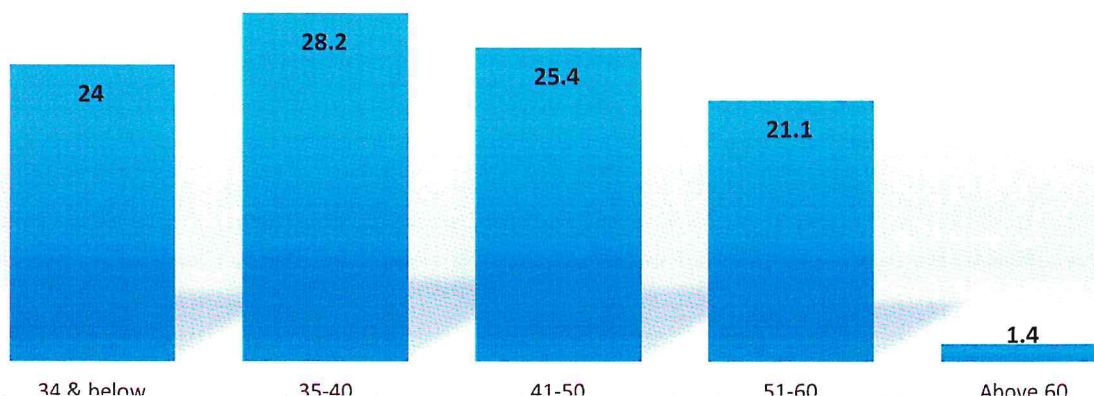
126. The Chief Executive Officer (CEO), Dr. Rose Ngugi appeared before the Committee on Saturday 19th August, 2023 and made the following submissions:

ETHNIC REPRESENTATION



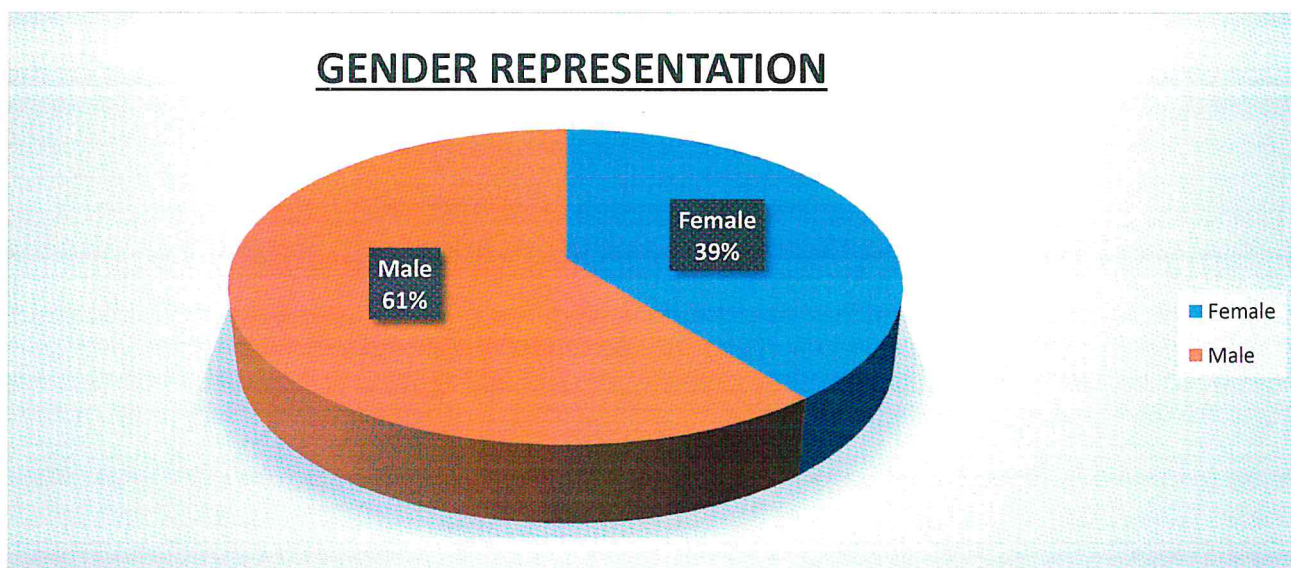
127. Sixteen (16) out of the forty-six (46) ethnic groups have been employed at the Institute contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. Only eight (8) ethnic groups have been represented at Senior Management Level namely; Digo, Kalenjin, Kamba, Kikuyu, Kisii, Luhya, Meru and Tharaka;
128. Majority of KIPPRA employees are from four (4) communities namely, Kikuyu at 22.54%, Luhya at 15.50%, Luo at 15.50% and Meru at 12.67%;
129. Before the passage of the 2010 Constitution, the Institute had eight (8) ethnic groups with the Kikuyu community dominating at 38.46%. KIPPRA has since increased the number of ethnic groups to sixteen (16);
130. In the ratio between National population and employment proportion, the Meru community is overrepresented with a positive variance of 8.53%; and
131. Promotions done in KIPPRA in the last five (5) years, the Kikuyu and Luo communities dominate at fifteen (15) out of the twenty-nine (29) employees promoted translating to 51.72%.

AGE REPRESENTATION



132. The Institute has a youth representation of 24%, showing it has not accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution;

GENDER REPRESENTATION



133. The Institute has twenty-eight (28) female staff members and forty-three (43) male staff members translating to 39.4% and 60.6% respectively, achieving the required two thirds gender rule;

134. KIPPRA has only five (5) female staff members out of the eleven (11) represented in the composition of employees at Senior Management Level;

135. KIPPRA has faced the following challenges in its bid to enhance diversity of employees;

- i. Attracting applicants from PWDs, the marginalized and minority ethnic communities with the required minimum qualifications.
 - ii. Human Resource instruments that make leadership, management and supervisory courses mandatory for applicants from KIPS or equivalent Job Group 'P' form a barrier to applicants.
 - iii. Female candidates shy away from applying for research positions hence the pool of male applicants outnumber the women in these positions.
136. KIPPRA has implemented the following mitigation measures to curb the challenges;
- i. The Institute's job adverts place a special emphasis on qualified candidates with disability, females, marginalized and minority ethnic communities to apply.
 - ii. The wide circulation of job advertisements, including sharing with Ministries, departments, agencies, newspapers and Counties ensures that eligible candidates bring diversity in the pool of candidates.

Committee Observations

137. The Committee made the following observations:
- i. Only sixteen (16) out of the forty-six (46) ethnic groups have been employed in the Institute contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. Only eight (8) ethnic groups have been represented at Senior Management Level namely; Digo, Kalenjin, Kamba, Kikuyu, Kisii, Luhya, Meru and Tharaka;
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 - iii. The Institute has twenty-eight (28) female staff members and forty-three (43) male staff members translating to 39.4% and 60.6% respectively, achieving the required two thirds gender rule;
 - iv. The Institute has a youth representation of 24%, showing it has not accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution;

- v. KIPPRA has only five (5) female staff members out of the eleven (11) represented in the composition of employees at Senior Management Level;
- vi. Before the passage of the 2010 Constitution, the Institute had eight (8) ethnic groups with the Kikuyu community dominating at 38.46%. KIPPRA has since increased the number of ethnic groups to sixteen (16);
- vii. In the ratio between National population and employment proportion, the Meru community is overrepresented with a positive variance of 8.53%; and
- viii. Promotions done in KIPPRA in the last five (5) years, the Kikuyu and Luo communities dominate at fifteen (15) out of the twenty-nine (29) employees promoted translating to 51.72%.

Committee Recommendations

138. The Committee made the following recommendations:

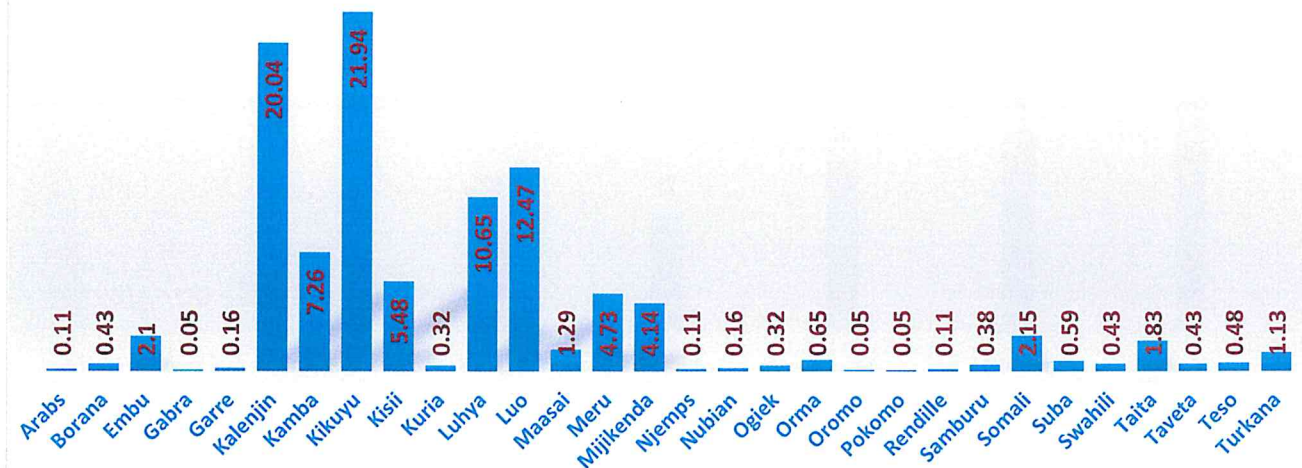
- i. The Institute should provide adequate and equal opportunities for appointment, training and advancement at all levels in terms of ethnicity, age, gender and Persons with Disabilities (PWDs);
- ii. The Institute should employ affirmative actions and measures towards recruiting staff from all the forty-six (46) in line with Article 232 of the Constitution;
- iii. The Institute should expand their scope of the job advertisements which will enable it to reach more ethnic groups; and
- iv. KIPPRA should adhere to the provisions of Section 7 of the NCI Act, 2008 to ensure full compliance with legal requirements related to diversity and inclusivity.

10. KENYA AIRPORTS AUTHORITY (KAA)

139. Kenya Airports Authority (KAA) was established in 1992 by the KAA Act, Cap 395, which provides for the powers and functions of the Authority.

140. The Chief Executive Officer, Mr. Alex Gitari appeared before the Committee on Wednesday 10th May, 2023 and made the following submissions:

ETHNIC REPRESENTATION IN KAA



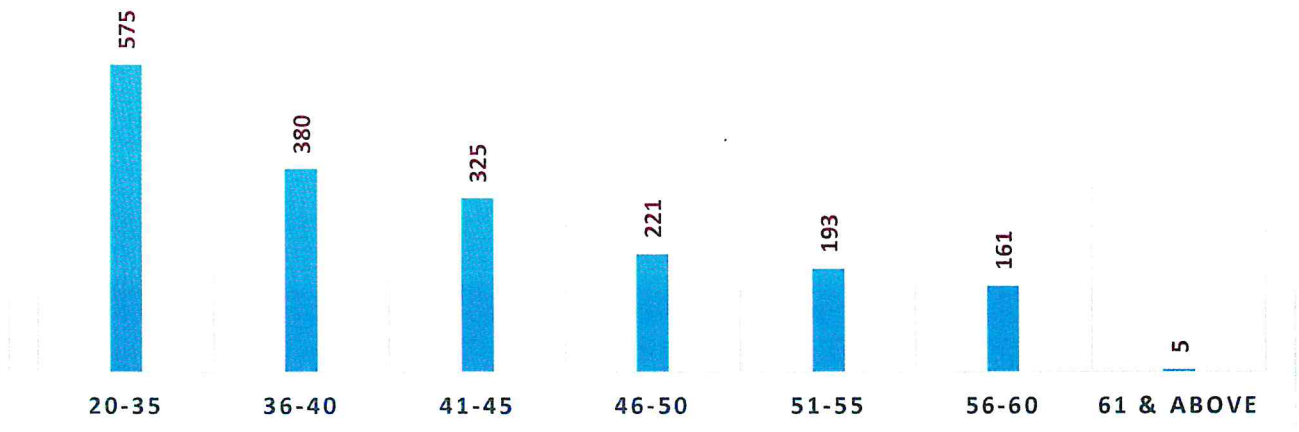
141. Thirty (30) out of the forty-six (46) ethnic groups have been employed in KAA contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only twelve (12) ethnic groups have been represented namely; Arabs, Embu, Kalenjin, Kikuyu, Kamba, Kisii, Mijikenda, Luhya, Luo, Maasai, Somali and Suba;

142. Majority of KAA employees are from four (4) communities namely, Kikuyu at 21.94%, Kalenjin at 20.04%, Luo at 12.47% and Luhya at 10.65%;

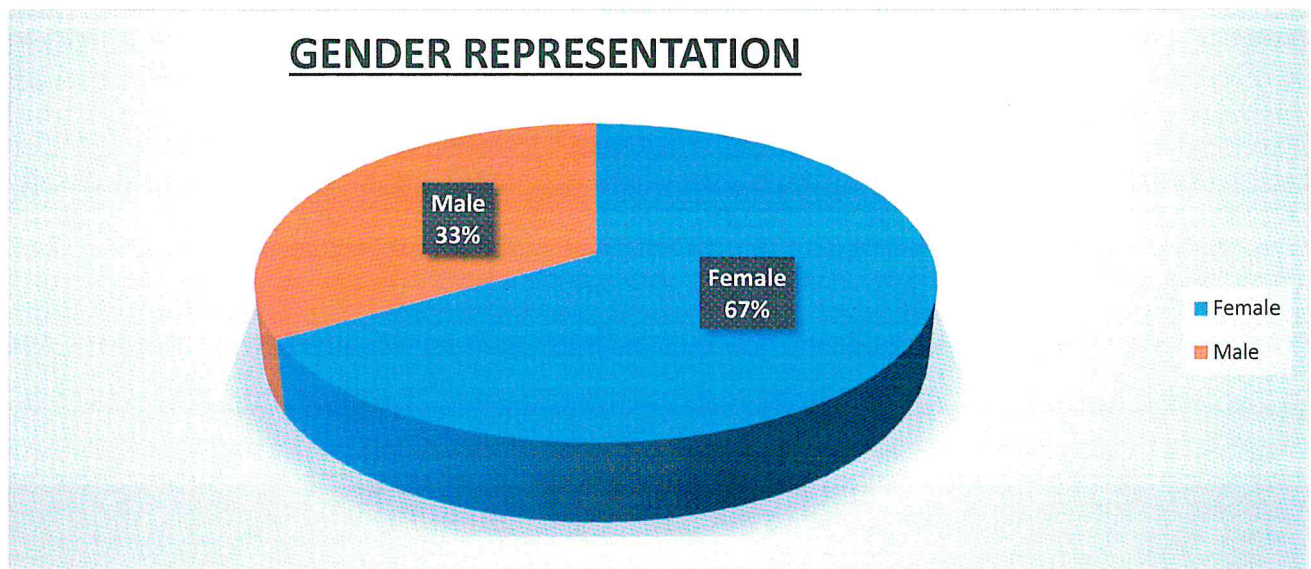
143. In the ratio between National population and employment proportion, the Kalenjin community is overrepresented with a positive variance of 6.70%; and

144. Promotions done in KAA in the past five (5) years, the Kikuyu, Kalenjin, Luo and Luhya communities dominate at ninety-two (92) out of the one hundred and thirty-six (136) employees promoted, translating to 67.6%.

AGE REPRESENTATION



145. The Authority has a youth representation of 30.91% indicating it has adequately accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution;



146. The Authority has one thousand, two hundred and thirty-nine (1,239) male employees and six hundred and twenty-one (621) female employees translating to 66.6% and 33.4% respectively, achieving the required two thirds gender rule;

147. KAA has faced the following challenges in its bid to enhance diversity of employees;

- i. Ethnic community diversity gap.
- ii. Gender disparity in job grades.
- iii. PWDs representation.

148. The Authority has implemented the following mitigation measures;

- i. KAA has put an institutional framework to continuously monitor and recommend gap management in regard to ethnic community diversity.
- ii. KAA has instituted affirmative action of preferring the lesser.
- iii. The Authority is progressively implementing the Workplace Disability Mainstreaming Policy without sacrificing merit.

Committee Observations

149. The Committee made the following observations:

- i. Thirty (30) out of the forty-six (46) ethnic groups have been employed in KAA contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only twelve (12) ethnic groups have been represented namely; Arabs, Embu, Kalenjin, Kikuyu, Kamba, Kisii, Mijikenda, Luhya, Luo, Maasai, Somali and Suba;
- ii. Majority of KAA employees are from four (4) communities namely, Kikuyu at 21.94%, Kalenjin at 20.04%, Luo at 12.47% and Luhya at 10.65%;
- iii. The Authority has one thousand, two hundred and thirty-nine (1,239) male employees and six hundred and twenty-one (621) female employees translating to 66.6% and 33.4% respectively, achieving the required two thirds gender rule;
- iv. The Authority has a youth representation of 30.91% indicating it has accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution;
- v. In the ratio between National population and employment proportion, the Kalenjin community is overrepresented with a positive variance of 6.70%; and

- vi. Promotions done in KAA in the past five (5) years, the Kikuyu, Kalenjin, Luo and Luhya communities dominate at ninety-two (92) out of the one hundred and thirty-six (136) employees promoted, translating to 67.6%.

Committee Recommendations

150. The Committee made the following recommendations:

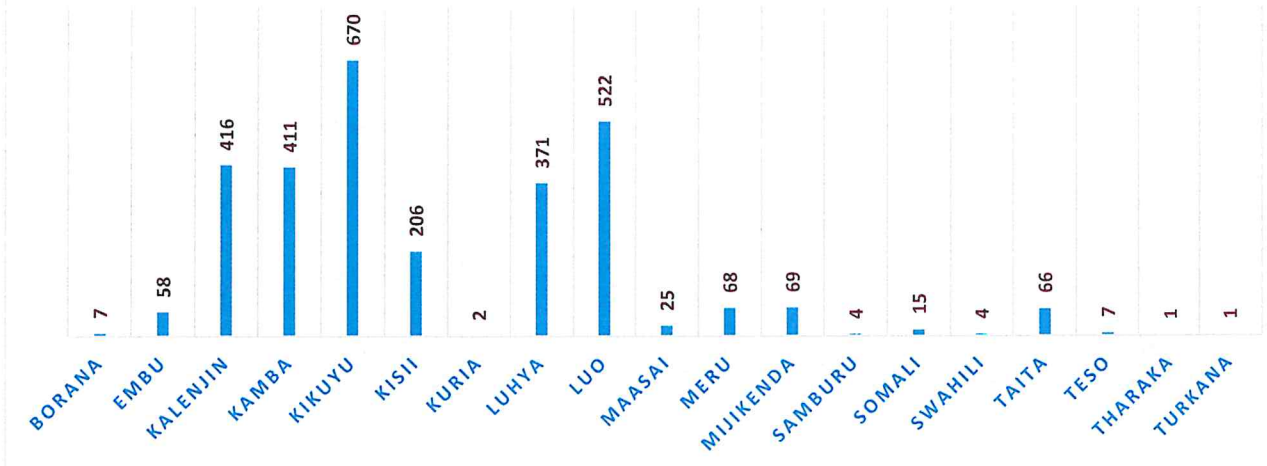
- i. The Authority should provide adequate and equal opportunities for appointment, training and advancement at all levels in terms of ethnicity, age, gender and Persons with Disabilities (PWDs);
- ii. The Authority should adhere to the provisions of Section 7 of the NCI Act, 2008 to ensure full compliance with legal requirements related to diversity and inclusivity;
- iii. The Authority should employ affirmative actions and measures towards recruiting employees from all the forty-six (46) in line with Article 232 of the Constitution; and
- iv. KAA should expand their scope of the job advertisements which will enable it to reach more ethnic groups.

11. KENYA RAILWAYS CORPORATION (KR)

151. Kenya Railways (KR) is a State Corporation in Ministry of Transport, Infrastructure, housing and Urban Development. The Corporation was established in 1978 under the Kenya Railways Corporation Act (Cap 397) of the laws of Kenya to take over the railways section in Kenya after the collapse of East Africa Community in 1977 which managed the East African Railways and Harbors Corporation.

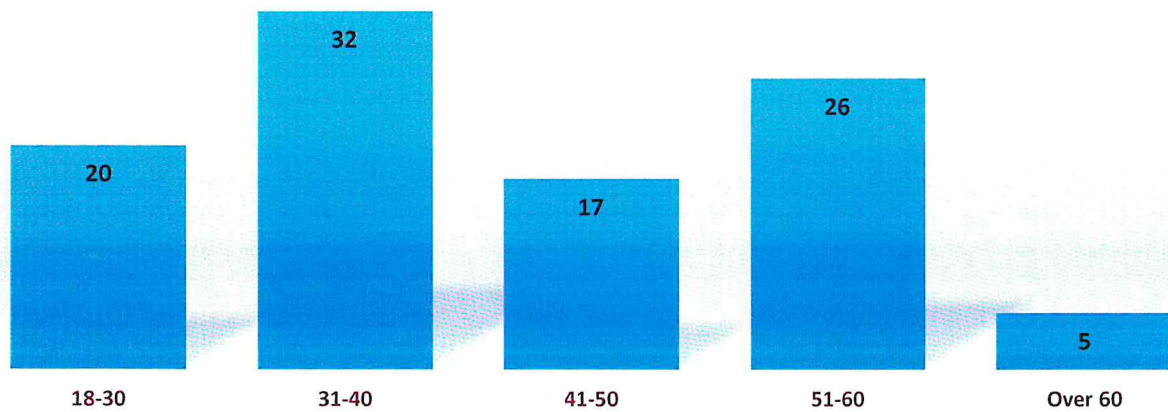
152. The Chief Executive Officer (CEO) appeared before the Committee on Friday 18th August, 2023 and made the following submissions:

ETHNIC REPRESENTATION

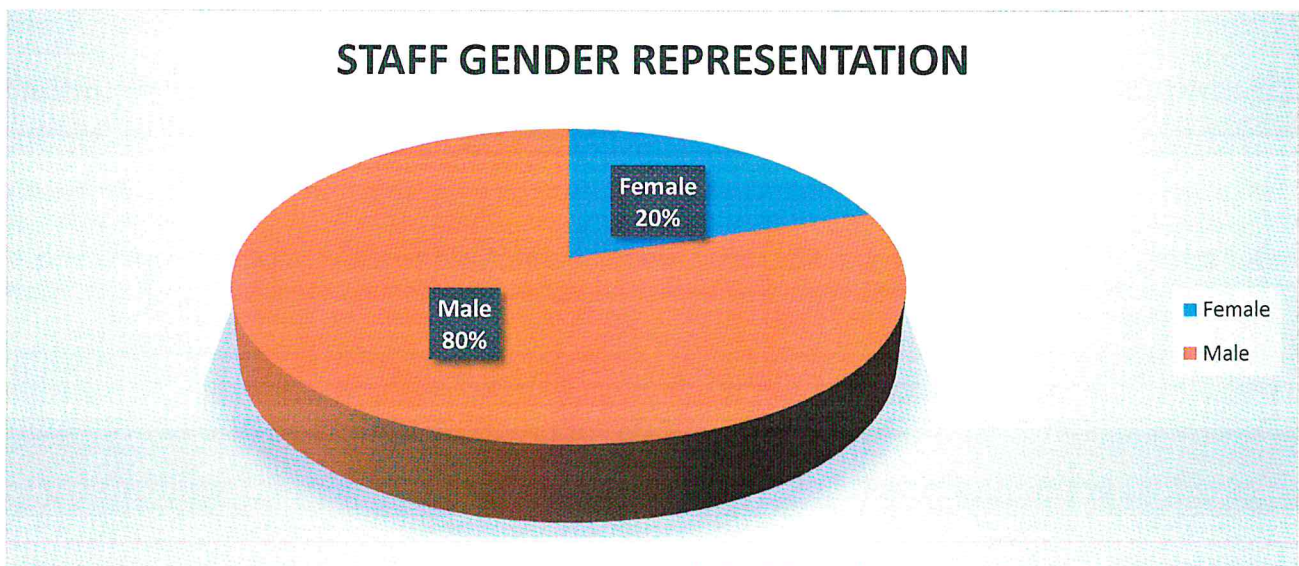


153. Nineteen (19) out of the forty-six (46) ethnic communities have been employed in KRC contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only eight (8) ethnic communities are represented namely; Embu, Kalenjin, Kamba, Kikuyu, Kisii, Luhya, Luo, and Meru;
154. Majority of employees at the Corporation are from five (5) communities namely Kikuyu at 22.29%, Luo at 17.86%, Kalenjin at 14.23%, Kamba at 14.06% and Luhya at 12.69%;
155. In the ratio between National population and employment proportion, the Luo community is overrepresented with a positive variance of 7.21%;
156. Promotions done in KRC in the past five (5) years, the Luo, Kikuyu and Luhya communities dominate at eighty-one (81) out of the one hundred and twenty-eight employees promoted, which translates to 62.28%.

AGE REPRESENTATION



157. KRC has a youth representation of 52% showing it has accorded fair employment opportunities to the youth in line with Article 55 (c) of the Constitution;



158. The Corporation has five hundred and seventy-one (571) female employees and two thousand, three hundred and fifty-two (2,352) male employees translating to 20% and 80% respectively, not achieving the required two thirds gender rule;

159. The Corporation has ten (10) female staff members out of twenty-six (26) in the composition of employees at Senior Management Level;

160. KRC has faced the challenge of being male dominated for years since it is an engineering institution in its bid to enhance diversity of employees.

161. The Corporation has implemented the following mitigation measures;

- i. Integrating female employees and promotion of affirmative actions in order to onboard more female employees.
- ii. Through the Railways Training Institute, KRC is making efforts to encourage female students to join the institution for engineering courses which constitutes to the highest number of jobs.

Committee Observations

162. The Committee made the following observations: -

- i. Nineteen (19) out of the forty-six (46) ethnic communities have been employed in KRC contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only eight (8) ethnic communities are represented namely; Embu, Kalenjin, Kamba, Kikuyu, Kisii, Luhya, Luo, and Meru;
- ii. Majority of employees at the Corporation are from five (5) communities namely Kikuyu at 22.29%, Luo at 17.86%, Kalenjin at 14.23%, Kamba at 14.06% and Luhya at 12.69%;
- iii. The Corporation has five hundred and seventy-one (571) female employees and two thousand, three hundred and fifty-two (2,352) male employees translating to 20% and 80% respectively, not achieving the required two thirds gender rule;
- iv. KRC has a youth representation of 52% showing it has accorded fair employment opportunities to the youth in line with Article 55 (c) of the Constitution;
- v. The Corporation has ten (10) female staff members out of twenty-six (26) in the composition of employees at Senior Management Level;
- vi. In the ratio between National population and employment proportion, the Luo community is overrepresented with a positive variance of 7.21%;
- vii. Promotions done in KRC in the past five (5) years, the Luo, Kikuyu and Luhya communities dominate at eighty-one (81) out of the one hundred and twenty-eight employees promoted, which translates to 62.28%.

Committee Recommendations

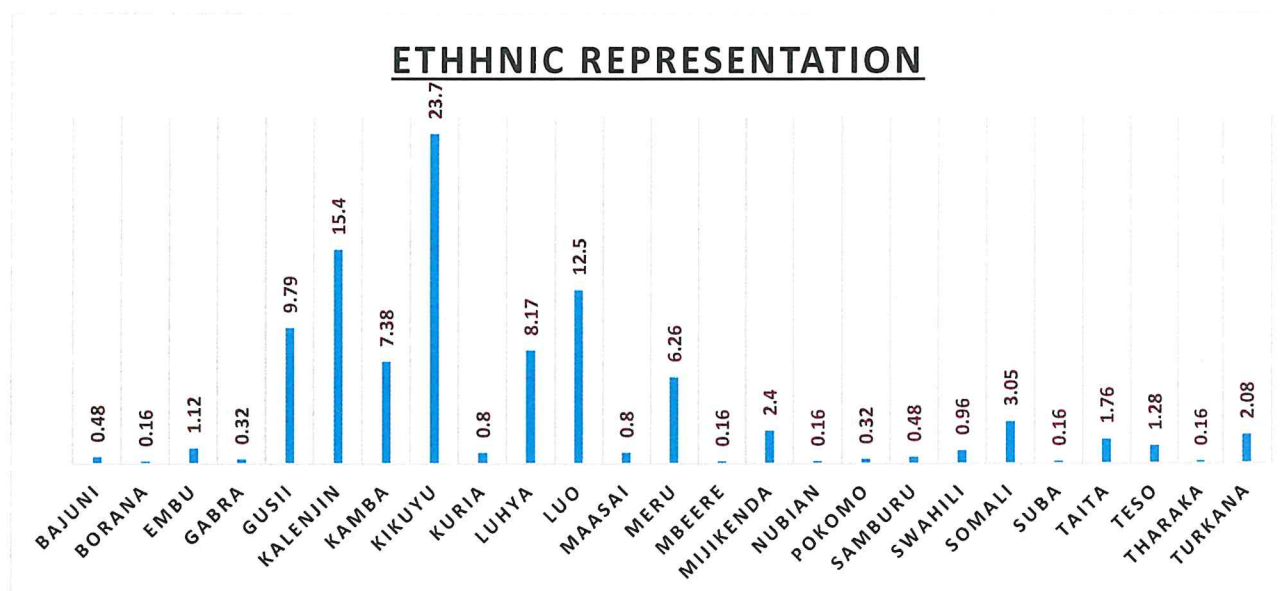
163. The Committee made the following recommendations: -

- i. KRC should adhere to the provisions of Section 7 of the NCI Act, 2008 to ensure full compliance with legal requirements related to diversity and inclusivity;
- ii. The Corporation should provide adequate and equal opportunities for appointment, training and advancement at all levels in terms of ethnicity, age, gender and Persons with Disabilities (PWDs);
- iii. The Corporation should employ affirmative actions and measures towards recruiting employees from all the forty-six (46) in line with Article 232 of the Constitution; and
- iv. KRC should expand their scope of the job advertisements which will enable it to reach more ethnic groups.

12. RURAL ELECTRIFICATION AND RENEWABLE ENERGY CORPORATION (REREC)

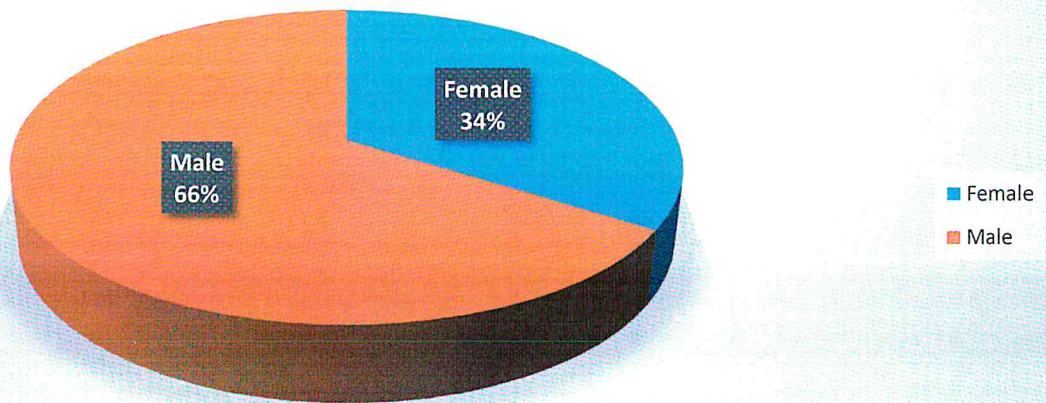
164. Rural Electrification and Renewable Energy Corporation (REREC) (formerly the Rural electrification Authority) is a State Corporation established under the Energy Act, 2019, is mandated to enhance provision of electricity in the rural areas of the country as well as develop, manage and promote the use of renewable energy in Kenya.

165. The Chief Executive Officer, CPA Peter K. Mbugua appeared before the Committee on Tuesday 9th May, 2023 and made the following submissions:



166. Only twenty-five (25) out of the forty-six (46) ethnic communities have been employed in REREC contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only ten (10) ethnic communities are represented namely; Kikuyu, Embu, Gabra, Kalenjin, Kamba, Luhya, Luo, Mbeere, Meru and Nubian;
167. Majority of employees at the Corporation are from three (3) communities namely, Kikuyu at 23.7%, Kalenjin at 15.4%, and Luo at 12.5%;
168. Before the passage of the 2010 Constitution, the Corporation had only nine (9) ethnic groups with the Kikuyu community dominating at 22.58%. REREC has since increased the number of ethnic groups to twenty-five (25) and the representation of the Kikuyu to 23.7%.

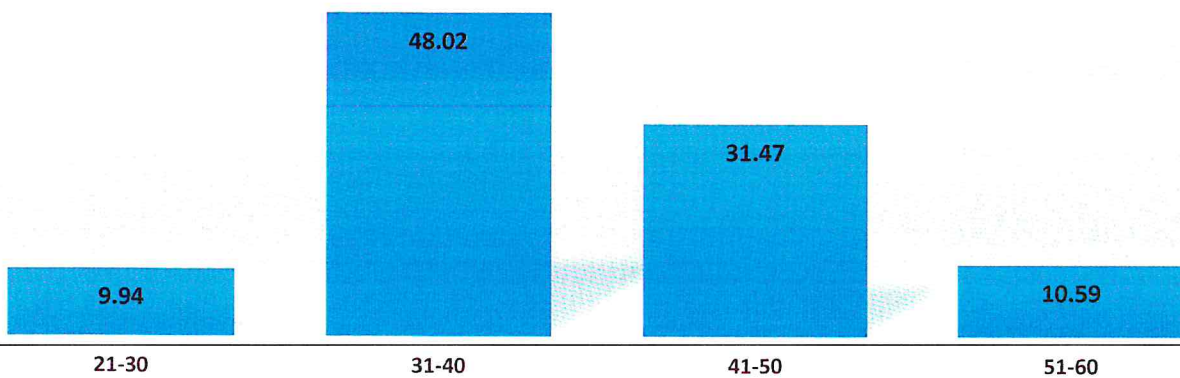
STAFF REP BY GENDER



169. The Corporation has two hundred and ten (210) female employees and four hundred and thirteen (413) male employees translating to 34% and 66% respectively, achieving the required two thirds gender rule;

170. The Corporation has eight (8) female staff members out of thirty-six (36) in the composition of employees at Senior Management Level;

AGE DISTRIBUTION %



171. REREC has a youth representation of 58%; showing it has fairly accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution;

172. REREC has faced the following challenges in its bid to. Enhance diversity of employees;

- i. REREC's operations are mainly in the regional areas with sometimes harsh terrains, risk of banditry, remote and long distance hence a hinderance to staff who have disabilities to perform effectively.
- ii. The marginalized communities fail to apply for jobs mainly because of lack of proper communication channel.

Committee Observations

173. The Committee made the following observations:-

- i. Only twenty-five (25) out of the forty-six (46) ethnic communities have been employed in REREC contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only ten (10) ethnic communities are represented namely; Kikuyu, Embu, Gabra, Kalenjin, Kamba, Luhya, Luo, Mbeere, Meru and Nubian;
- ii. Majority of employees at the Corporation are from three (3) communities namely, Kikuyu at 23.7%, Kalenjin at 15.4%, and Luo at 12.5%;
- iii. The Corporation has two hundred and ten (210) female employees and four hundred and thirteen (413) male employees translating to 34% and 66% respectively, achieving the required two thirds gender rule;
- iv. REREC has a youth representation of 58%; showing it has fairly accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution;
- v. The Corporation has eight (8) female staff members out of thirty-six (36) in the composition of employees at Senior Management Level; and

- vi. Before the passage of the 2010 Constitution, the Corporation had only nine (9) ethnic groups with the Kikuyu community dominating at 22.58%. REREC has since increased the number of ethnic groups to twenty-five (25) and the representation of the Kikuyu to 23.7%.

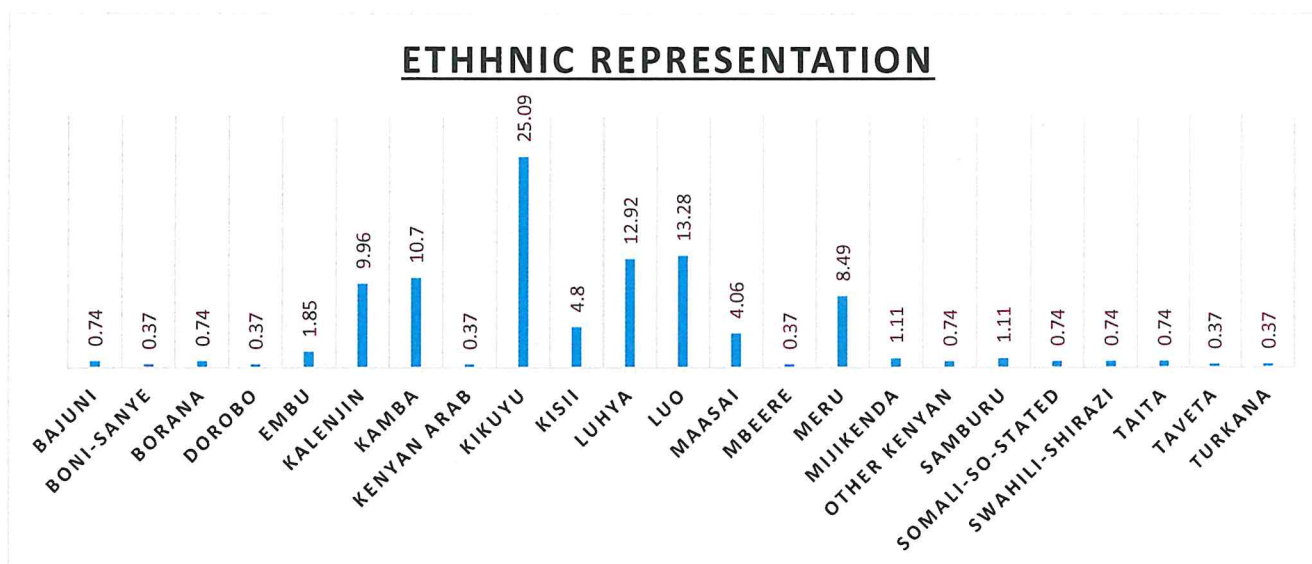
Committee Recommendations

174. The Committee made the following recommendations: -
- i. REREC should adhere to the provisions of Section 7 of the NCI Act, 2008 to ensure full compliance with legal requirements related to diversity and inclusivity;
 - ii. The Corporation should provide adequate and equal opportunities for appointment, training and advancement at all levels in terms of ethnicity, age, gender and Persons with Disabilities (PWDs);
 - iii. The Corporation should employ affirmative actions and measures towards recruiting employees from all the forty-six (46) in line with Article 232 of the Constitution; and
 - iv. REREC should expand their scope of the job advertisements which will enable it to reach more ethnic groups.

13. NATIONAL POLICE SERVICE COMMISSION

175. National Police Service Commission (NPSC) is established by Article 246 (1) of the Constitution of Kenya 2010 and Article 248 (2) (j) as one of the Chapter 15 Commissions and Independent Offices.

176. The Chief Executive Officer (CEO) Mr. Peter Leley, appeared before the Committee on Saturday 19th August, 2023 and made the following submissions:



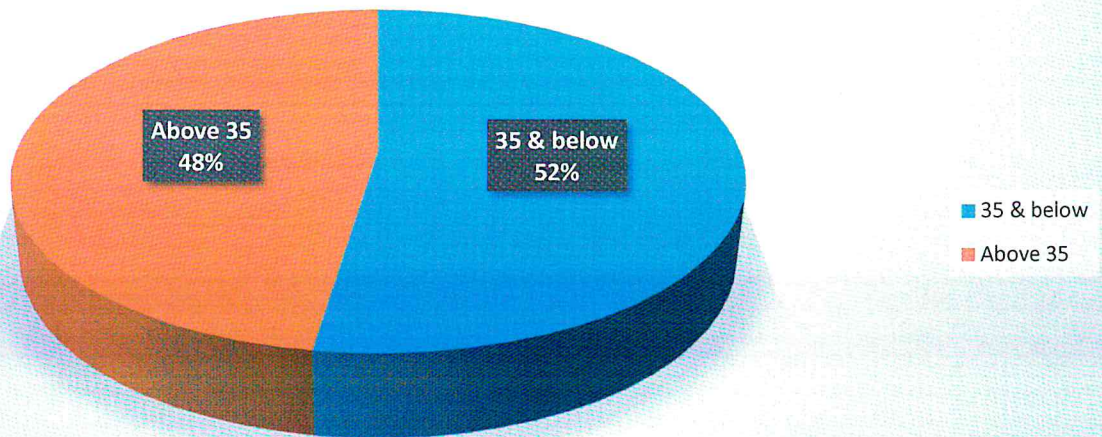
177. Only twenty-two (22) out of the forty-six (46) ethnic communities have been employed in NPSC contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only nine (9) ethnic communities are represented namely, Borana, Kalenjin, Kamba, Kikuyu, Luhya, Luo, Maasai, Meru and Mijikenda;

178. Majority of employees at the Commission are from four (4) communities namely Kikuyu at 25.09%, Luo at 13.38%, Luhya at 12.92%, and Kamba at 10.70%;

179. The Commission has sixteen (16) female staff members out of thirty-six (36) in the composition of employees at Senior Management Level; and

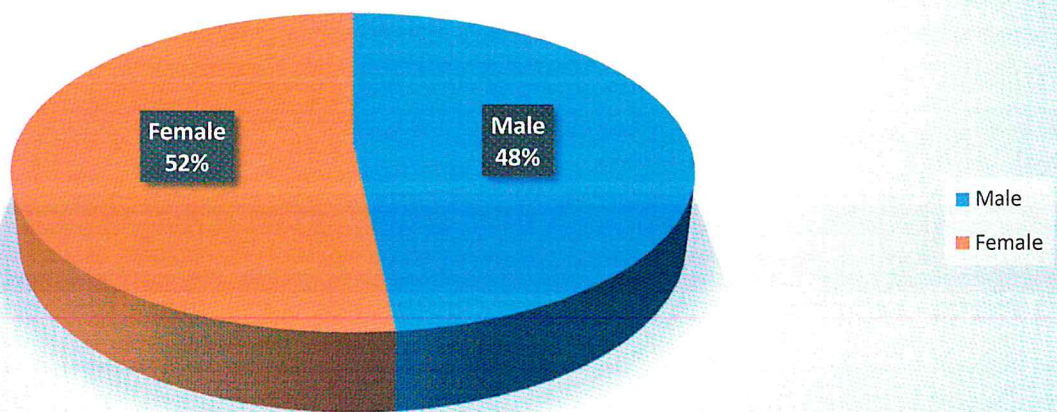
180. In the ratio between National population and employment proportion, the Kikuyu community is overrepresented with a positive variance of 7.96%.

AGE REPRESENTATION



181. NPSC has a youth representation of 52.4%; showing it has fairly accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution;

GENDER REPRESENTATION



182. The Commission has one hundred and forty (140) male employees and one hundred and thirty-one (131) female employees translating to 51.66% and 48.34% respectively, achieving the required two thirds gender rule;

183. The Commission has faced the following challenges in its bid to enhance diversity of employees;

- i. Inadequate PE budget vote to meet the establishment needs
- ii. Underrepresentation of marginalized communities

184. NPSC has implemented the following mitigation measures to curb the challenges;

- i. Collaborate with National Treasury for increased PE budgetary allocation.
- ii. Undertake affirmative action programmes.

Committee Observations

185. The Committee made the following observations:-

- i. Only twenty-two (22) out of the forty-six (46) ethnic communities have been employed in NPSC contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only nine (9) ethnic communities are represented namely, Borana, Kalenjin, Kamba, Kikuyu, Luhya, Luo, Maasai, Meru and Mijikenda;
- ii. Majority of employees at the Commission are from four (4) communities namely Kikuyu at 25.09%, Luo at 13.38%, Luhya at 12.92%, and Kamba at 10.70%;
- iii. The Commission has one hundred and forty (140) male employees and one hundred and thirty-one (131) female employees translating to 51.66% and 48.34% respectively, achieving the required two thirds gender rule;
- iv. NPSC has a youth representation of 52.4%; showing it has fairly accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution;
- v. The Commission has sixteen (16) female staff members out of thirty-six (36) in the composition of employees at Senior Management Level; and
- vi. In the ratio between National population and employment proportion, the Kikuyu community is overrepresented with a positive variance of 7.96%.

Committee Recommendations

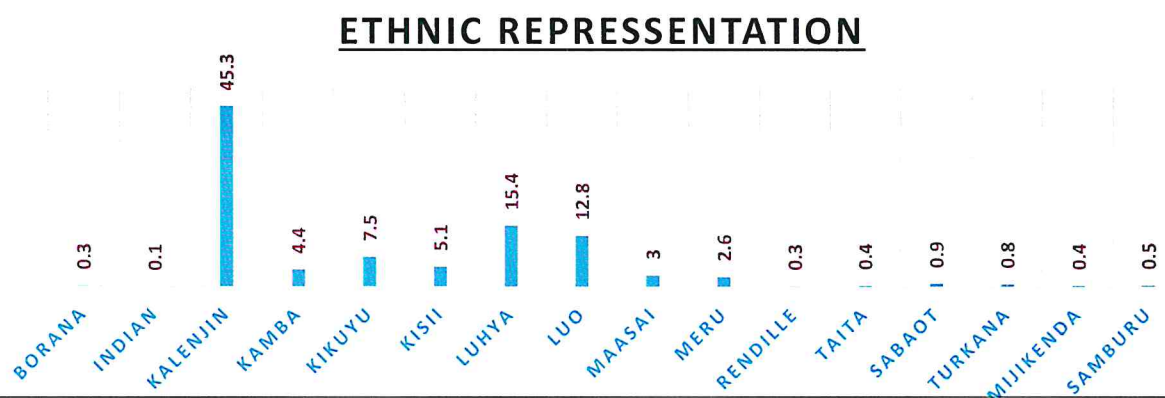
186. The Committee made the following recommendations:-

- i. The Commission should provide adequate and equal opportunities for appointment, training and advancement at all levels in terms of ethnicity, age, gender and Persons with Disabilities (PWDs);
- ii. NPSC should employ affirmative actions and measures towards recruiting employees from all the forty-six (46) in line with Article 232 of the Constitution;
- iii. The Commission should expand their scope of the job advertisements which will enable it to reach more ethnic groups; and
- iv. The Authority should adhere to the provisions of Section 7 of the NCI Act, 2008 to ensure full compliance with legal requirements related to diversity and inclusivity.

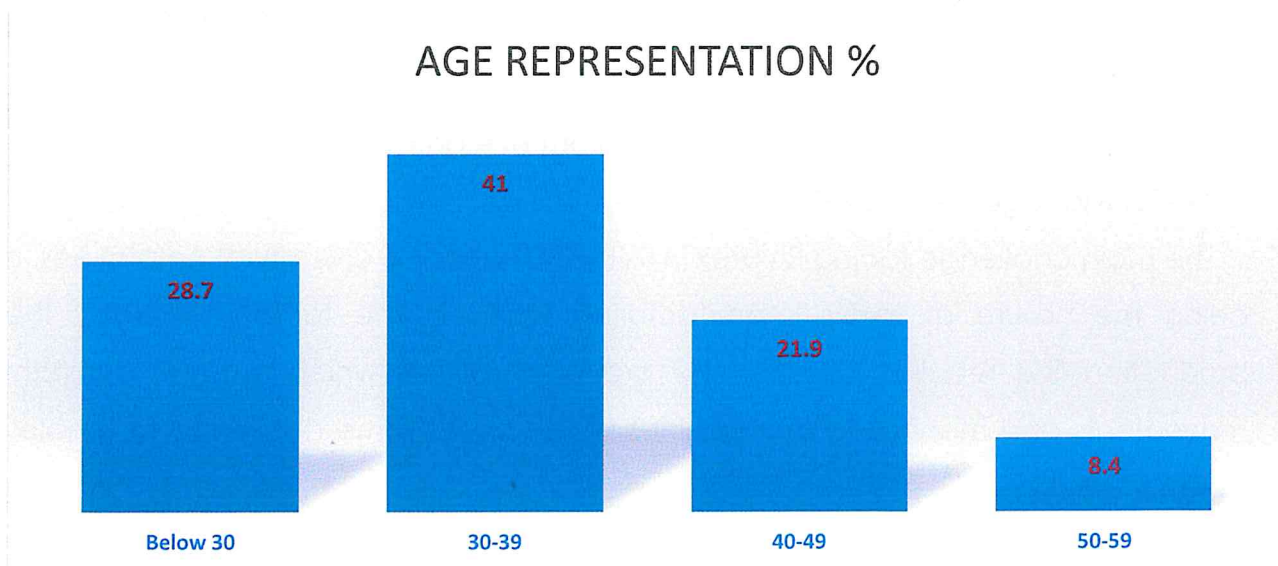
14. RIVATEX EAST AFRICA LIMITED

187. Rivatex East Africa Limited was established in 1976 as a joint venture between the Kenyan Government represented by the Industrial and Commercial Development Corporation (ICDC) and a consortium of foreign investors.

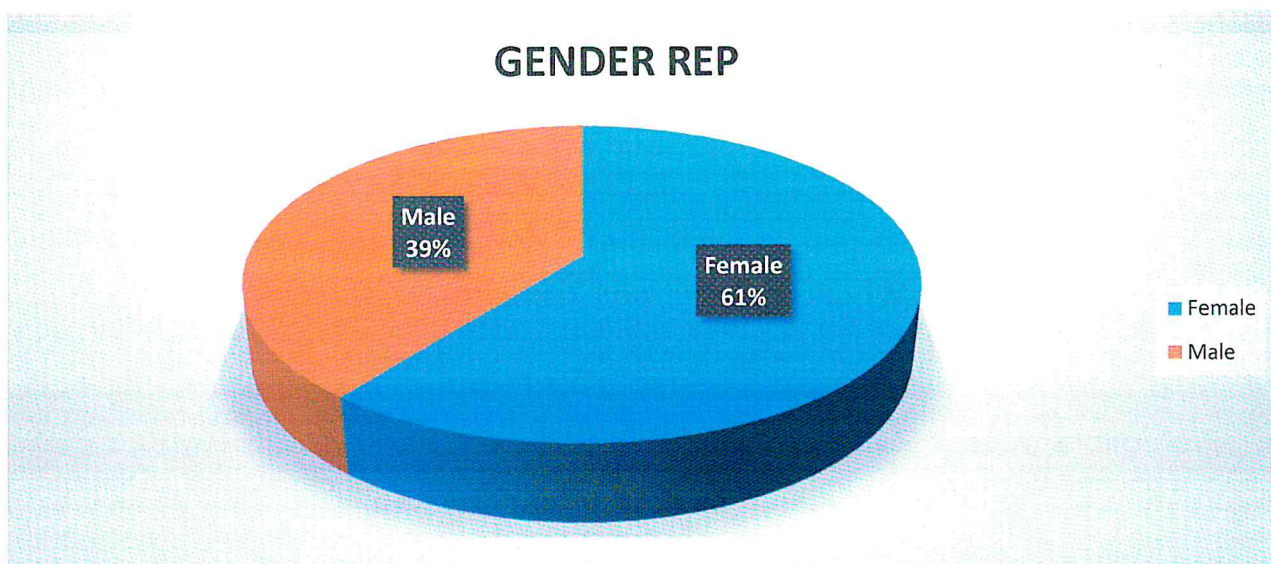
188. The Chief Executive Officer (CEO) Prof. Thomas Kipkurgat, EBS, appeared before the Committee on Wednesday, 30th August 2023 and made the following submissions:



189. Sixteen (16) out of the forty-six (46) ethnic groups have been employment in Rivatex contrary to the provisions of article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only seven (7) ethnic groups are represented namely; Kalenjin, Luo, Embu, Kamba, Indians, Meru and Kikuyu;
190. Majority of employees at the Company are from the Kalenjin community at 45.3%;
191. In the ratio between National population and employment proportion, the Kalenjin community is overrepresented with a positive variance of 31.93%; an
192. Promotions done in Rivatex in the last five (5) years, the Kalenjin, Luyha and Luo communities dominate at twenty-four translating to 60% out of the forty (40) employees promoted.



193. Rivatex has a youth representation of 69.7%, showing it has accorded fair employment opportunities to the youth in line with Article 55 (c) of the Constitution;



194. Rivatex has four hundred and fifty-four (454) male staff and two hundred and ninety-five (295) female staff translating to 60.61% and 39.39% respectively, achieving the two thirds gender rule;
195. Rivatex has two (2) female staff members out of eighteen (18) in the composition at Senior Management Level;
196. The main challenge facing Rivatex in its bid to enhance diversity of employees, is being the nature of textile manufacturing works in the factory whereby the production line requires people who are physically fit which requires constant movements and monitoring of machines which poses some challenge to employ PWDs.
197. The management proposes that the Government both the county and national to consider empowering the communities in the marginalized areas to access information and ensure sensitization of people from marginalized communities and also PWDs to consider applying for employment opportunities placed by public institutions.

Committee Observations

198. The Committee made the following observations:

- i. Sixteen (16) out of the forty-six (46) ethnic groups have been employment in Rivatex contrary to the provisions of article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only seven (7) ethnic groups are represented namely; Kalenjin, Luo, Embu, Kamba, Indians, Meru and Kikuyu;
- ii. Majority of employees at the Company are from the Kalenjin community at 45.3%;
- iii. Rivatex has four hundred and fifty-four (454) male staff and two hundred and ninety-five (295) female staff translating to 60.61% and 39.39% respectively, achieving the two thirds gender rule;
- iv. Rivatex has a youth representation of 69.7%, showing it has accorded fair employment opportunities to the youth in line with Article 55 (c) of the Constitution;
- v. Rivatex has two (2) female staff members out of eighteen (18) in the composition at Senior Management Level and;
- vi. In the ratio between National population and employment proportion, the Kalenjin community is overrepresented with a positive variance of 31.93%; and
- vii. Promotions done in Rivatex in the last five (5) years, the Kalenjin, Luyha and Luo communities dominate at twenty-four (24) out of the forty (40) employees promoted translating to 60%.

Committee Recommendations

199. The Committee made the following recommendations:

- i. The Company should come up with a tenable succession plan to replace staff that exit due to natural attrition. The plan should detail increasing the youth representation at the Fund.
- ii. Rivatex should expand the scope of the job advertisements which will enable it to reach more ethnic groups;

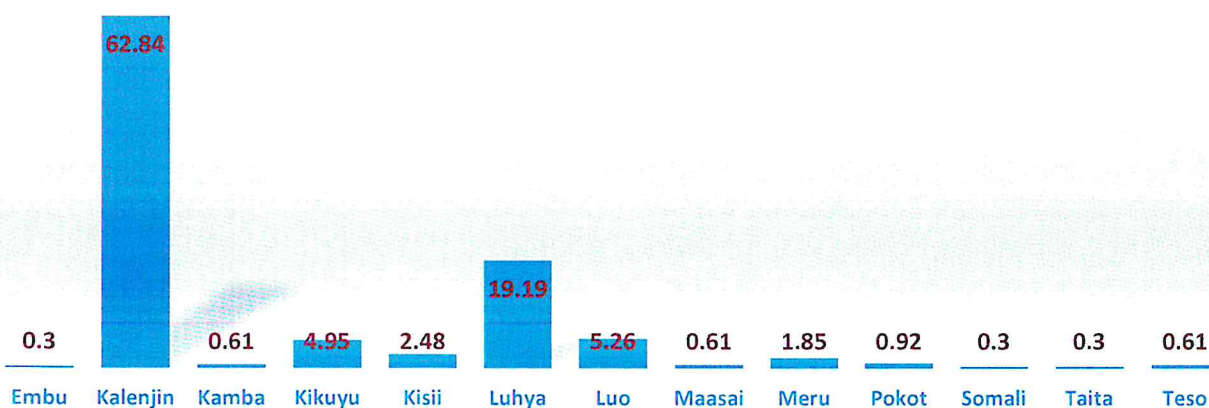
- iii. Rivatex should employ affirmative action measures in employment to enhance diversity representation of all the forty-six (46) ethnic groups in the Authority, in line with Article 232 of the Constitution; and
- iv. Rivatex should provide adequate and equal opportunities for appointment, training and advancement at all levels in terms of ethnicity, age, gender and Persons with Disabilities (PWDs).

15. KENYA SEED COMPANY LIMITED

200. Kenya Seed Company is a State Corporation that was incorporated in 1956 with its main goal to research, develop, market, distribute and avail certified top quality, high yielding agricultural seeds of various varieties within Kenya, Africa and beyond.

201. The Chief Executive Officer (CEO) Mr. Sammy Kiplagat Chepsiror, appeared before the Committee on Thursday, 31st August 2023 and made the following submissions:

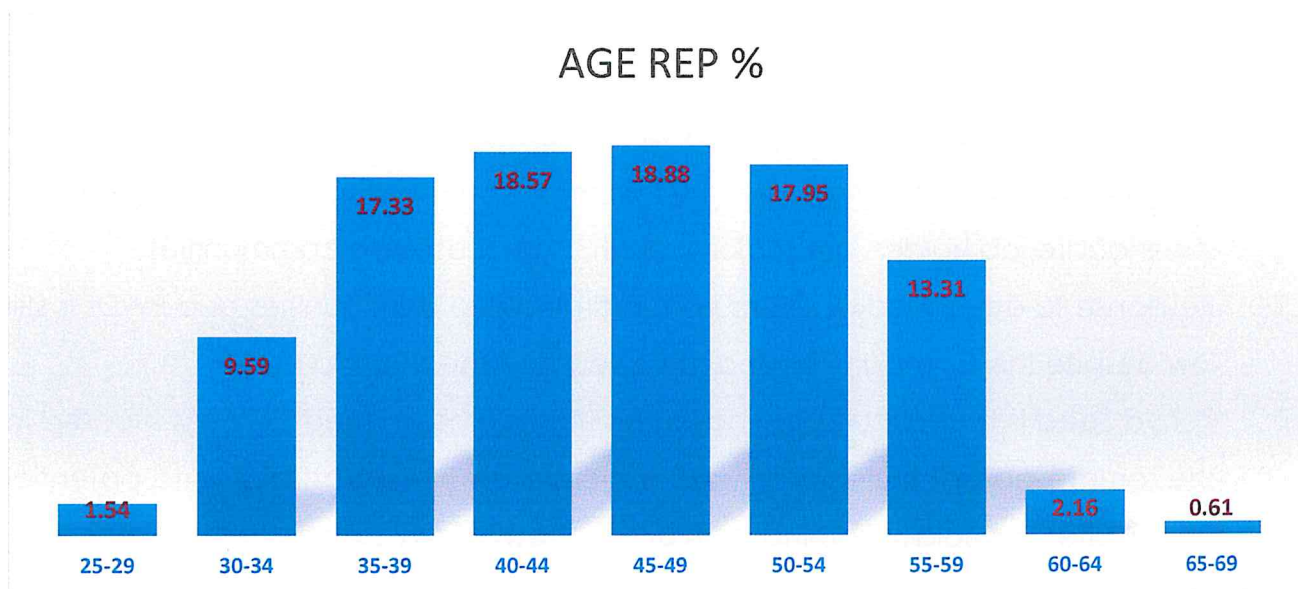
ETHNIC REPRESENTATION %



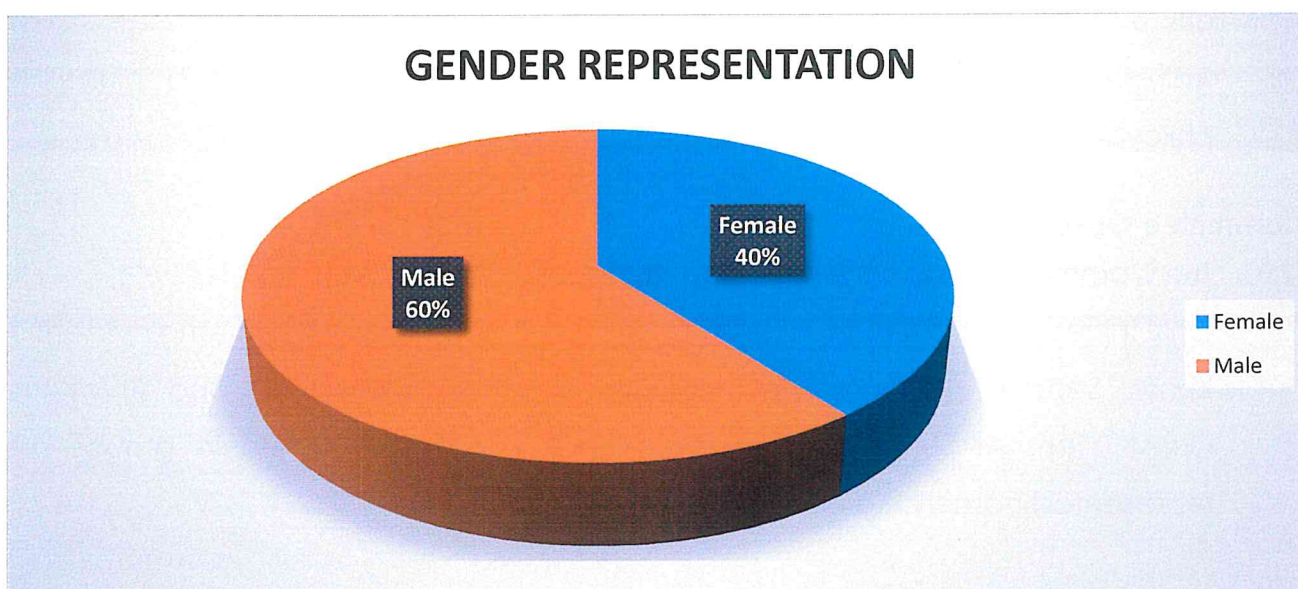
202. Only thirteen (13) out of the forty-six (46) ethnic groups have been employment in KSC contrary to the provisions of article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only four (4) ethnic groups are represented namely; Kalenjin, Kikuyu, Luhya and Luo;

203. Majority of employees at the Company are from the Kalenjin community at 62.84%;

204. In the ratio between National population and employment proportion, the Kalenjin community is overrepresented with a positive variance of 50.29%.



205. KSC has a youth representation of 11.13%, showing it has not accorded fair employment to the youth in line with Article 55 (c) of the Constitution;



206. The Company has one hundred and twenty-eight (128) female staff and one hundred and ninety-five (195) male staff translating to 39.63% and 60.37% respectively, achieving the required two thirds gender rule;
207. Kenya Seed has four (4) female staff members out of fifteen (15) in the composition of employees at Senior Management Level and;
208. The Company has faced the following challenges in its bid to enhance diversity of employees;
- i. Due to the geographical location of the Company, the catchment area for labour is predominantly occupied by two main communities. This explains why the lower cadre job holders are majorly drawn from these two communities.
 - ii. Response to advertised positions from marginalized communities and PWDs is still low despite the Company endeavors to encourage them to apply.
 - iii. Kenya Seed is an agriculturally based institution whose Head Office is situated in the remote part of the country and is therefore not very attractive to potential candidates especially coming from urban areas of city status.
209. Kenya Seed has implemented the following mitigation measures;
- i. Ensuring that whenever opportunities arise, advertisements are done to attract more responses from outside Trans-Nzoia County.
 - ii. Continuously implementing an affirmative action with the view of reaching more officers from other communities.
 - iii. Adherence to the Company's recruitment procedure as indicated in the HR policy.

Committee Observations

210. The Committee made the following observations:
- i. Only thirteen (13) out of the forty-six (46) ethnic groups have been employed in Kenya Seed contrary to the provisions of article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only four (4) ethnic groups are represented namely; Kalenjin, Kikuyu, Luhya and Luo;
-

- ii. Majority of employees at the Company are from the Kalenjin community at 62.84%;
- iii. The Company has one hundred and twenty-eight (128) female staff and one hundred and ninety-five (195) male staff translating to 39.63% and 60.37% respectively, achieving the required two thirds gender rule;
- iv. Kenya Seed has a youth representation of 11.13%, indicating it has not accorded fair employment to the youth in line with Article 55 (c) of the Constitution;
- v. Kenya Seed has four (4) female staff members out of fifteen (15) in the composition of employees at Senior Management Level and;
- vi. In the ratio between National population and employment proportion, the Kalenjin community is overrepresented with a positive variance of 50.29%.

Committee Recommendations

211. The Committee made the following recommendations:

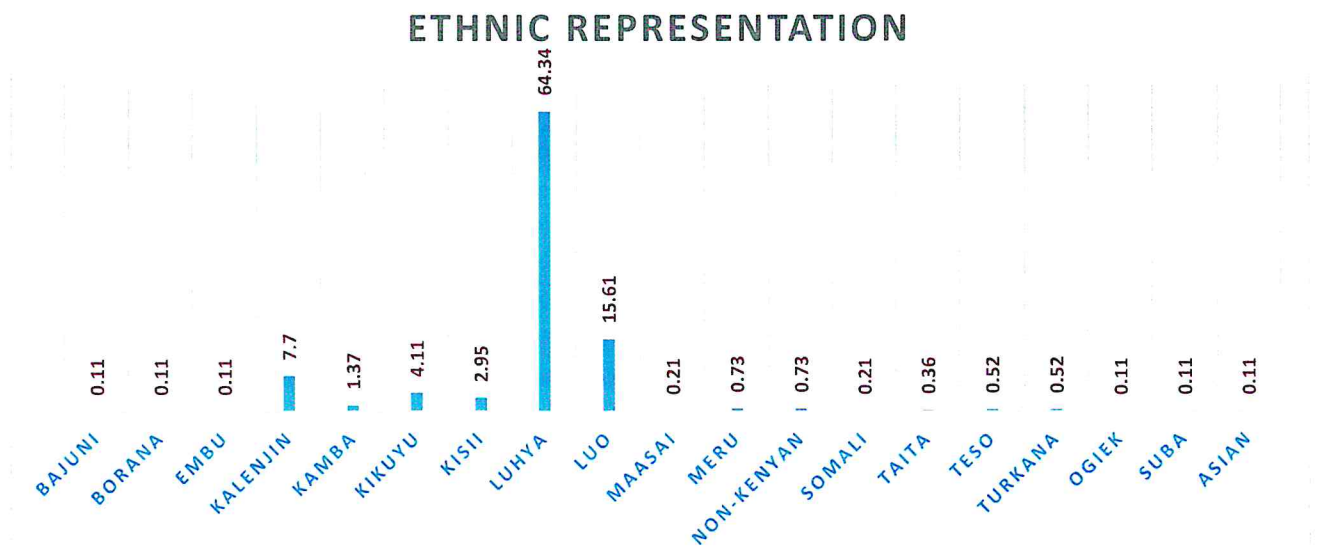
- i. The Company should come up with a tenable succession plan to replace staff that exit due to natural attrition. The plan should detail increasing the youth representation at the Fund.
- ii. Kenya Seed should expand the scope of the job advertisements which will enable it to reach more ethnic groups;
- iii. Kenya Seed should employ affirmative action measures in employment to enhance diversity representation of all the forty-six (46) ethnic groups in the Authority, in line with Article 232 of the Constitution; and
- iv. The Company should provide adequate and equal opportunities for appointment, training and advancement at all levels in terms of ethnicity, age, gender and Persons with Disabilities (PWDs).

16. MASINDE MULIRO UNIVERSITY OF SCIENCE AND TECHNOLOGY

212. Masinde Muliro University of Science and Technology (MMUST) was established in 2002 as a Constituent College of Moi University (then named Western University College of Science and Technology). This was an initiative by the Government of

Kenya to upgrade the Western College of Applied Sciences (WECO) that had been training students in TVET programmes since 1972.

213. The Vice Chancellor Prof. Solomon Shibairo, appeared before the Committee on Tuesday, 29th August 2023 and made the following submissions:



214. Only eighteen (18) out of the forty-six (46) ethnic groups have been employed in the University contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, ten (10) ethnic groups are represented namely, Embu, Kalenjin, Kamba, Kikuyu, Kisii, Luhya, Luo, Meru, Somali and Teso;

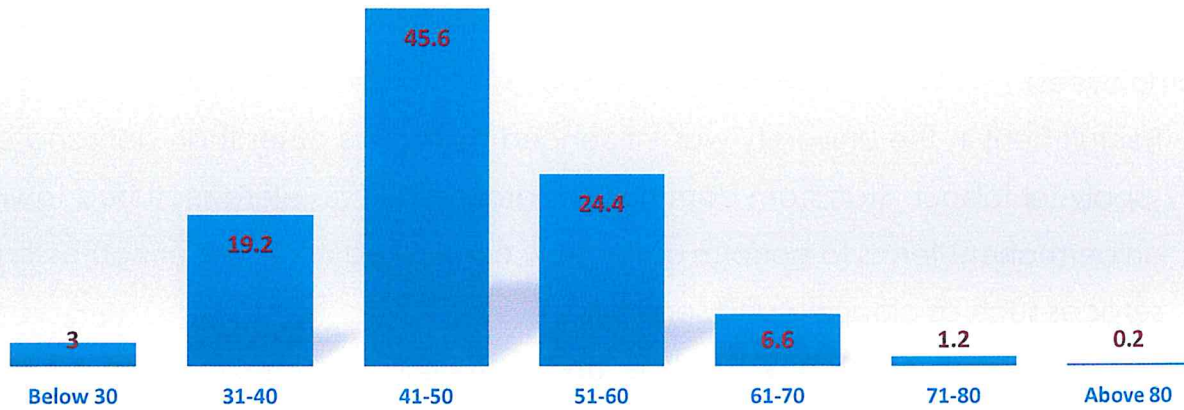
215. Majority of MMUST employees are from the Luhya community at 64.34%;

216. Before the passage of the 2010 Constitution, 67.13% of MMUST employees were still from the Luhya ethnic community;

217. In the ratio between National population and employment proportion of the employees in the University, the Luhya community is overrepresented with a positive variance of 50.04%;

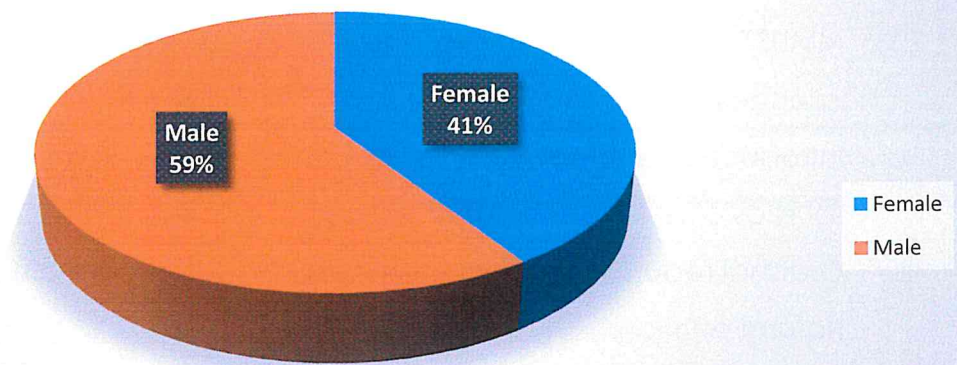
218. Promotions done in MMUST in the last five (5) years, the Luhya community dominates at four hundred and fifty-nine (459) out of the six hundred and twenty-seven (627) employees promoted translating to 73.21%.

AGE REPRESENTATION %



219. The University has a youth representation of 22.2% among the employees, showing it has not fairly accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution;

AGE REPRESENTATION



220. Out of the nine hundred and forty-eight (948) staff in MMUST, 40.93% are women and 59.07% are men, the institution has achieved the two thirds gender rule;
221. MMUST has thirty-seven (37) female staff members out of the one hundred and seventy-three (173) represented in the Senior Management Level;
222. The University has faced the following challenges in its bid to enhance diversity of employees;
- i. Recruitment in the University was influenced by factors other than demand and supply for labour. Staff from communities around MMUST were recruited to work on permanent terms to perform duties now considered non-core or non-essential services such as cleaning and security.
 - ii. MMUST had a bloated workforce and a runaway wage bill that became unsustainable. By 2012, the University was not able to honor its financial and statutory obligations amounting to over Kshs. 100 million in unpaid taxes, pension dues and Sacco deductions.
 - iii. In 2013, a new management team put in place measures to manage staff recruitment and the wage bill. These measures included freezing of employment for non-academic staff in core areas such as cleaning and security and freezing of staff promotions.
223. MMUST has implemented the following mitigation measures to curb the challenges;
- i. Introduction of the Private Self Sponsored Programme (PSSP) which increased the sources of revenue for the University.
 - ii. Gradual reduction of staff members in the non-core areas due to retirement and natural attrition.
 - iii. Deliberate cost-cutting measures made MMUST achieve sustainability to levels that were unmatched by any other University in Kenya.
 - iv. MMUST has embraced the values and principles of the Public Service espoused under Article 232 of the Constitution.
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Committee Observations

224. The Committee made the following observations:

- i. Only eighteen (18) out of the forty-six (46) ethnic groups have been employed in the University contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, ten (10) ethnic groups are represented namely, Embu, Kalenjin, Kamba, Kikuyu, Kisii, Luhya, Luo, Meru, Somali and Teso;
- ii. Majority of MMUST employees are from the Kalenjin community at 64.34%;
- iii. Out of the nine hundred and forty-eight (948) staff in MMUST, 40.93% are women and 59.07% are men achieving the two thirds gender rule;
- iv. The University has a youth representation of 22.2% among the employees, showing it has not fairly accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution;
- v. MMUST has thirty-seven (37) female staff members out of the one hundred and seventy-three (173) represented in the Senior Management Level;
- vi. Before the passage of the 2010 Constitution, 67.13% of MMUST employees were still from the Luhya ethnic community;
- vii. In the ratio between National population and employment proportion of the employees in the University, the Luhya community is overrepresented with a positive variance of 50.04%;
- viii. Promotions done in MMUST in the last five (5) years, the Luhya community dominates at four hundred and fifty-nine (459) out of the six hundred and twenty-seven (627) employees promoted, translating to 73.21%.

Committee Recommendations

225. The Committee made the following recommendations:

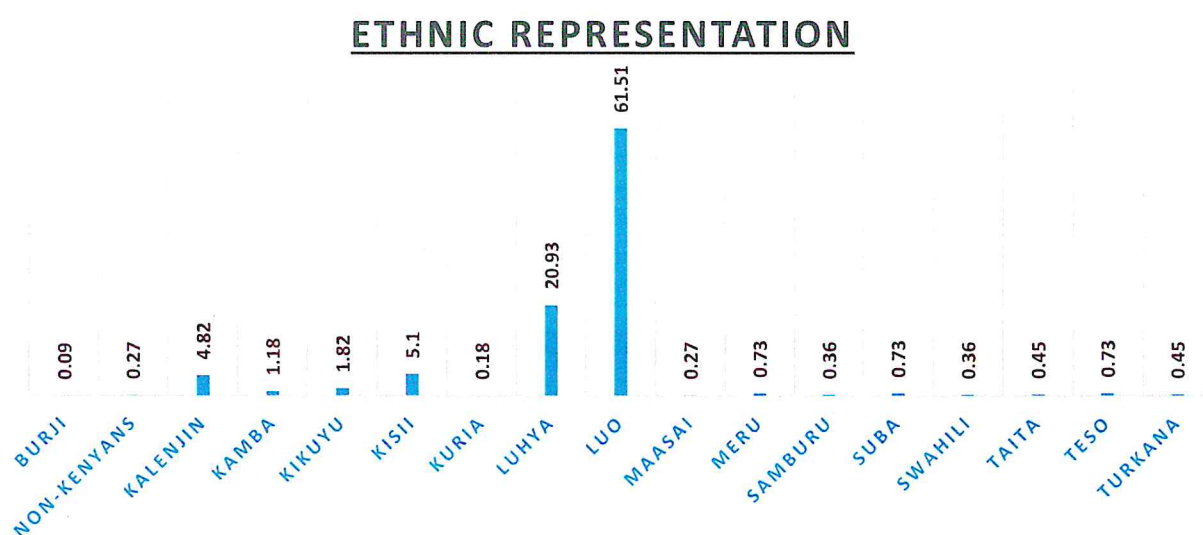
- i. The University should consider succession planning and efforts to attract younger talent to ensure a more balanced age distribution within the workforce;
- ii. MMUST should acknowledge and address any historical patterns of discrimination by implementing affirmative action measures to rectify past imbalances;

- iii. The University should adhere to the provisions of Section 7 of the NCI Act, 2008 and Article 232 (1) (h) and (i) of the Constitution to ensure full compliance with legal requirements related to diversity and inclusivity; and
- iv. The University should provide adequate and equal opportunities for appointment, training and advancement at all levels in terms of ethnicity, age, gender and Persons with Disabilities (PWDs).

17. MASENO UNIVERSITY

226. Maseno University is a public University based in the Maseno District of the Kisumu County, along the Equator, which was fully fledged as a University in 2001 after being a constituent college of Moi University for a decade. It is an accredited University, enacted by an Act of Parliament in 1981.

227. The Vice Chancellor Prof. Julius Nyabundi PhD, OGW, appeared before the Committee on Tuesday, 29th August 2023 and made the following submissions:



228. Only sixteen (16) out of the forty-six (46) ethnic groups have been employed in Maseno contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only seven (7) ethnic groups are represented in the non-

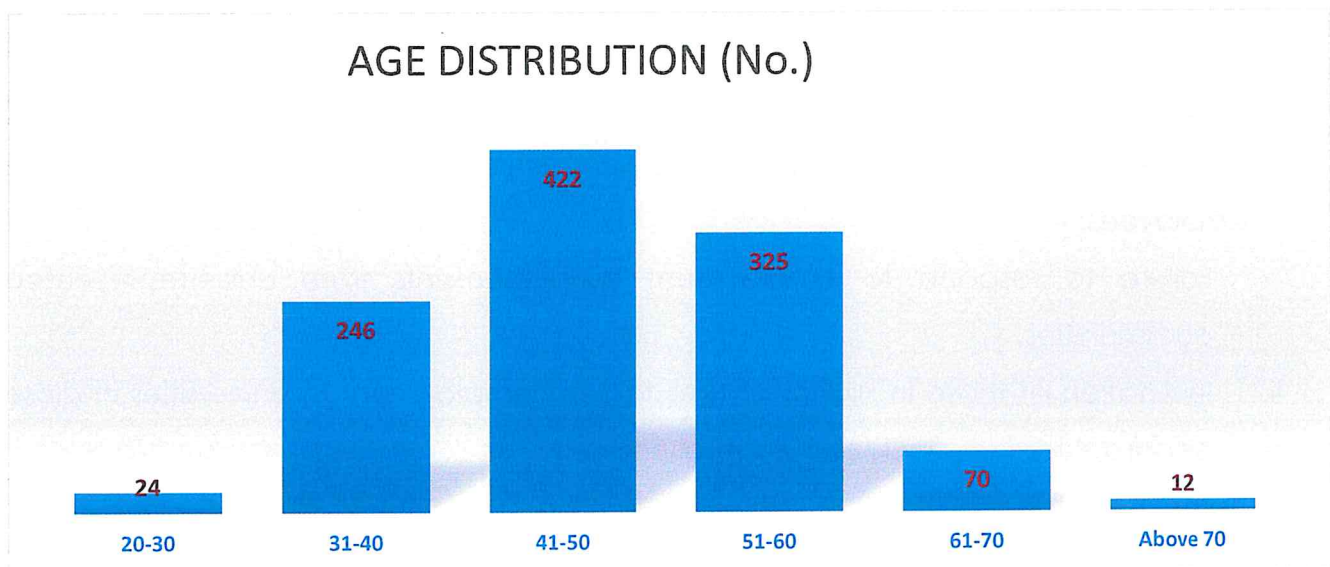
teaching staff namely, Kalenjin, Kikuyu, Kisii, Kuria, Luhya, Luo and Meru while only nine (9) ethnic groups are represented in the teaching staff namely, Kalenjin, Kamba, Kikuyu, Kisii, Luhya, Luo, Meru, Teso and Swahili;

229. Majority of employees at the University are from the Luo community at 61.51%;

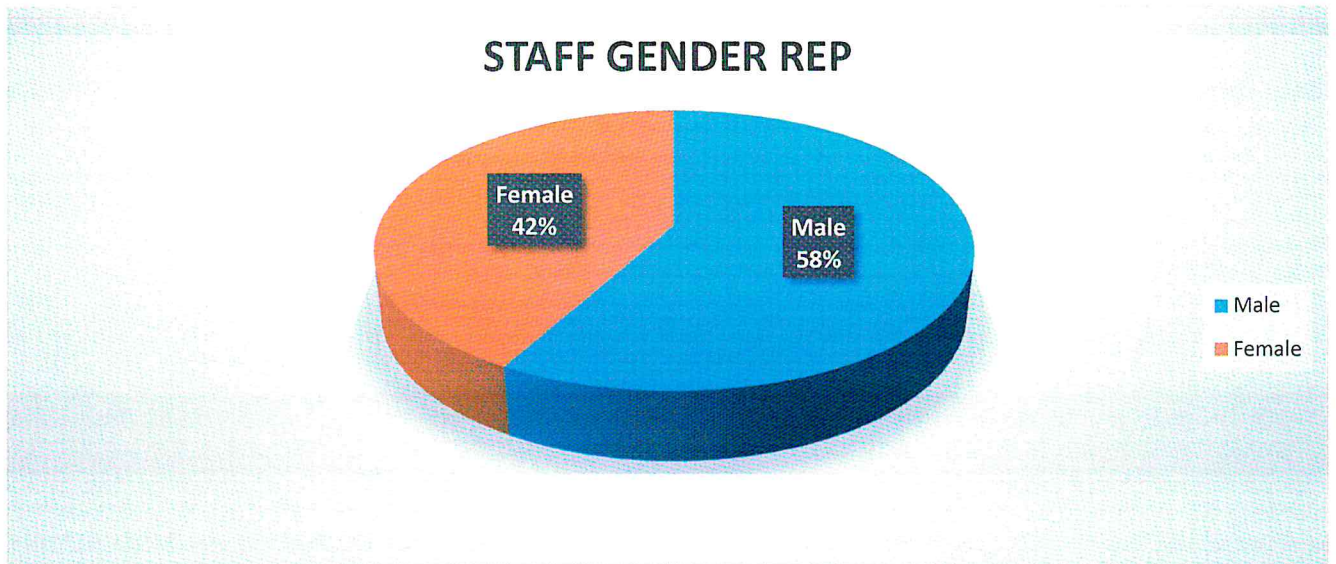
230. Before the passage of the 2010 Constitution, Maseno still had only sixteen (16) ethnic groups with the Luo community dominating at 65.41%. The University has since retained the number of ethnic groups and reducing the representation of the Luo to 61.51%;

231. In the ratio between National population and employment proportion, the Luo community is overrepresented with a positive variance of 50.81%; and

232. Promotions done in Maseno in the last five (5) years, the Luo community dominates at thirty-two (32) out of the fifty-six (56) employees promoted, translating to 57.13%.



233. The University has a youth representation of 24.57% showing it has not accorded fair employment opportunities to the youth in line with Article 55 (c) of the Constitution;



234. The University has six hundred and thirty-eight (638) male staff and four hundred and sixty-one (461) female staff translating to 58.05% and 41.95% respectively, achieving the required two thirds gender rule;

235. The University has fifty-six (56) female staff members out of one hundred and fifty-seven (157) employees in the composition at Senior Management Level;

236. Maseno has faced the following challenges in its bid to enhance diversity of employees;

- i. Failure to respond to employment advertisements from underrepresented communities.
- ii. Inclination of those in higher cadres to seek employment in Universities in close geographical proximity to their rural homes.
- iii. The rural location of the University lends it a provincial aura denying it the opportunity to be cosmopolitan in nature.
- iv. Heavy response to job advertisement from overrepresented communities.
- v. Local communities' preference and attraction to the University especially for lower cadre jobs.

237. The University has implemented the following mitigation measures to curb the challenges;

- i. Continuous placement of job advertisements through national accessible forums.

- ii. Replacement of staff with underrepresented groups through head hunting.
- iii. Giving preference to non-local and PWDs where they qualify.
- iv. Tapping into the Alumni networks to promote the brand image of the University.

Committee Observations

13. The Committee made the following observations:

- i. Only sixteen (16) out of the forty-six (46) ethnic groups have been employed in Maseno contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only seven (7) ethnic groups are represented in the non-teaching staff namely, Kalenjin, Kikuyu, Kisii, Kuria, Luhya, Luo and Meru while only nine (9) ethnic groups are represented in the teaching staff namely, Kalenjin, Kamba, Kikuyu, Kisii, Luhya, Luo, Meru, Teso and Swahili;
- ii. Majority of employees at the University are from the Luo community at 61.51%;
- iii. The University has a youth representation of 24.57% showing it has not accorded fair employment opportunities to the youth in line with Article 55 (c) of the Constitution;
- iv. The University has six hundred and thirty-eight (638) male staff and four hundred and sixty-one (461) female staff translating to 58.05% and 41.95% respectively, achieving the required two thirds gender rule;
- v. The University has fifty-six (56) female staff members out of one hundred and fifty-seven (157) employees in the composition at Senior Management Level;
- vi. Before the passage of the 2010 Constitution, Maseno still had only sixteen (16) ethnic groups with the Luo community dominating at 65.41%. The University has since retained the number of ethnic groups and reducing the representation of the Luo to 61.51%;
- vii. In the ratio between National population and employment proportion, the Luo community is overrepresented with a positive variance of 50.81%; and
- viii. Promotions done in Maseno in the last five (5) years, the Luo community dominates at thirty-two (32) out of the fifty-six (56) employees promoted, translating to 57.13%.

Committee Recommendations

238. The Committee made the following recommendations:

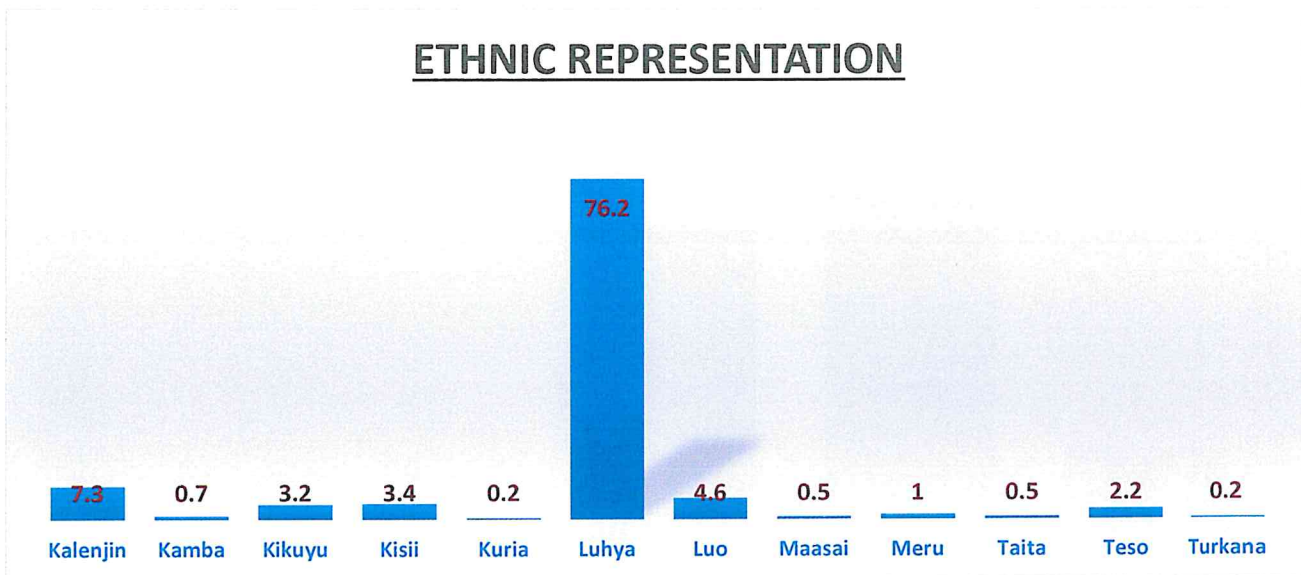
- i. Maseno should expand the scope of the job advertisements which will enable it to reach more ethnic groups;
- ii. The University should employ affirmative action measures in employment to enhance diversity representation of all the forty-six (46) ethnic groups in the Authority, in line with Article 232 of the Constitution;
- iii. Maseno should provide adequate and equal opportunities for appointment, training and advancement at all levels in terms of ethnicity, age, gender and Persons with Disabilities (PWDs); and
- iv. The University should adhere to the provisions of Section 7 of the NCI Act, 2008 and Article 232 (1) (h) and (i) of the Constitution to ensure full compliance with legal requirements related to diversity and inclusivity.

18. KIBABII UNIVERSITY

239. Kibabii university College was established as a constituent college of Masinde Muliro University of Science and Technology (MMUST) by Legal Notice No. 115 of 2011. Later, Kibabii University (KIBU) became a fully-fledged public University afterward of Kibabii University Charter in 2015.

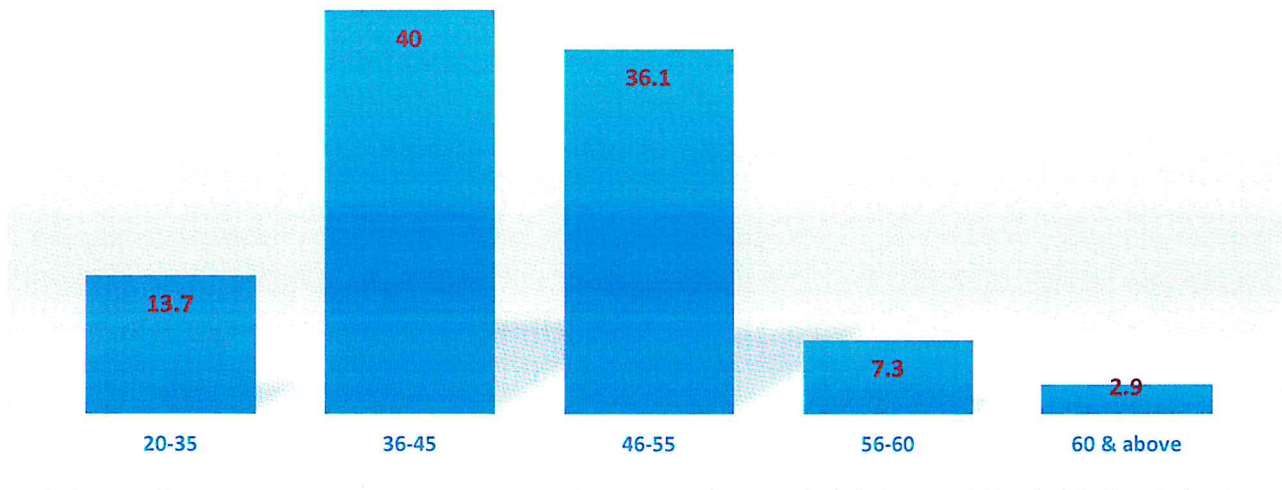
240. The Vice Chancellor Prof. Isaac Odeo, appeared before the Committee on Wednesday, 30th August 2023 and made the following submissions:

ETHNIC REPRESENTATION



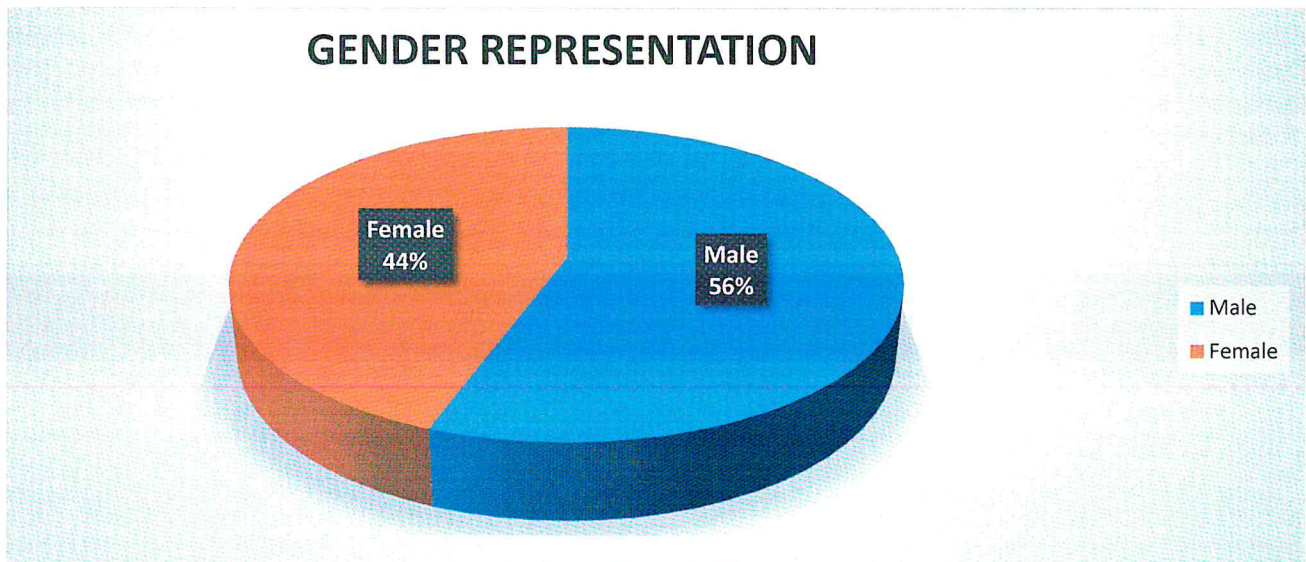
241. Only twelve (12) out of the forty-six (46) ethnic groups have been employed in KIBU contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only nine (9) ethnic groups are represented namely; Luhya, Teso, Kuria, Kalenjin, Kamba, Kikuyu, Kisii, Luo and Meru;
242. Majority of employees at the University are from Luhya community at 76.2%;
243. In the ratio between National population and employment proportion, the Luhya community is overrepresented with a positive variance of 61.85%; and
244. Promotions done in KIBU in the last five years, the Luhya community dominates at one hundred and fifty-two (152) out of the one hundred and eighty-nine employees promoted, translating to 80.42%.

AGE REPRESENTATION



245. The University has a youth representation of 13.7% showing it has not accorded fair employment opportunities to the youth in line with Article 55 (c) of the Constitution;

GENDER REPRESENTATION



246. The University has one hundred and eighty-two (182) female staff and two hundred and twenty-eight (228) male staff translating to 44.4% and 55.6% respectively, achieving the two thirds gender rule;
247. KIBU has thirty-three (33) female staff members out of one hundred and nine (109) in the composition at Senior Management Level;
248. The University has faced the following challenges in its bid to enhance diversity of employees;
- i. High expectations from politicians.
 - ii. High expectations from the community who fail to understand University procedures.
 - iii. Freeze on recruitment by the Government.
 - iv. Underfunding from the Government.
 - v. Unwillingness by prospective staff to relocate from their current well-established stations such as urban centres.
 - vi. Unwillingness by some professionals such as Doctors, Legal Professionals and Engineers to relocate from their current well-established stations.
249. KIBU has implemented the following mitigation measures to curb the challenges;
- i. Adhering to recruitment procedures and requirements as guided by respective Acts and regulations and policies.
 - ii. Conducive working conditions to encourage employees to join the University.
 - iii. Enhanced resource mobilization.

Committee Observations

250. The Committee made the following observations:
- i. Only twelve (12) out of the forty-six (46) ethnic groups have been employed in KIBU contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only nine (9) ethnic groups are represented namely; Luhya, Teso, Kuria, Kalenjin, Kamba, Kikuyu, Kisii, Luo and Meru;
 - ii. Majority of employees at the University are from Luhya community at 76.2%;

- iii. The University has one hundred and eighty-two (182) female staff and two hundred and twenty-eight (228) male staff translating to 44.4% and 55.6% respectively, achieving the two thirds gender rule;
- iv. The University has a youth representation of 13.7% showing it has not accorded fair employment opportunities to the youth in line with Article 55 (c) of the Constitution;
- v. KIBU has thirty-three (33) female staff members out of one hundred and nine (109) in the composition at Senior Management Level;
- vi. In the ratio between National population and employment proportion, the Luhya community is overrepresented with a positive variance of 61.85%; and
- vii. Promotions done in KIBU in the last five years, the Luhya community dominates at one hundred and fifty-two (152) out of the one hundred and eighty-nine employees promote out of the one hundred and eighty-nine employees promoted, translating to 80.42%.

Committee Recommendations

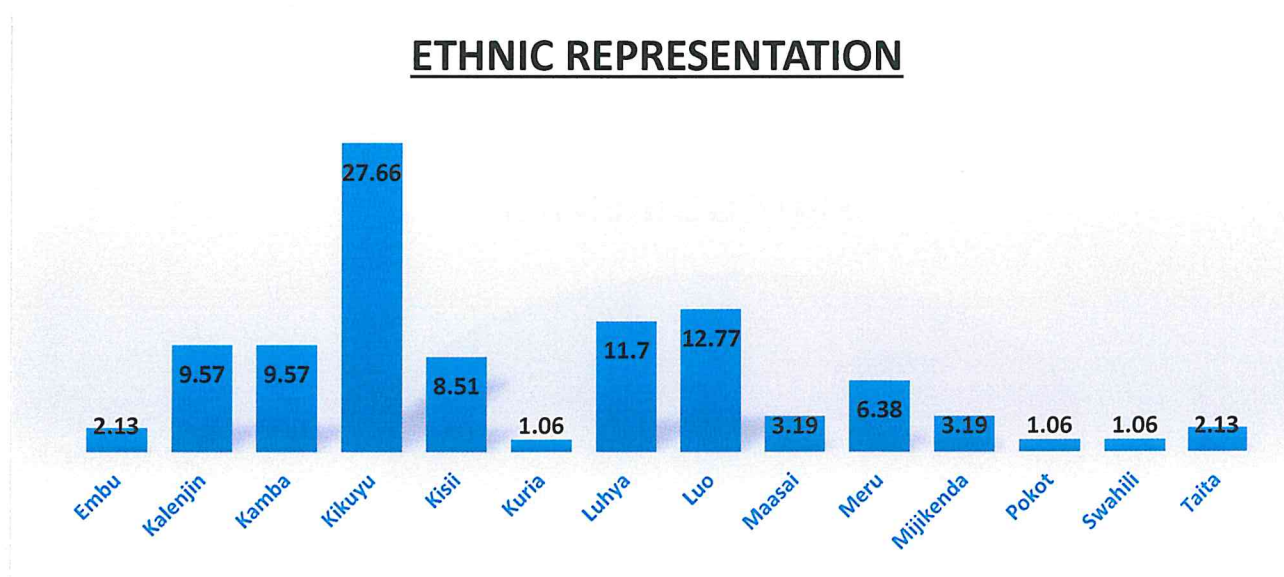
251. The Committee made the following recommendations:

- i. KIBU should come up with a tenable succession plan to replace staff that exit due to natural attrition. The plan should detail increasing the youth representation at the University.
 - ii. The University should expand the scope of the job advertisements which will enable it to reach more ethnic groups;
 - iii. KIBU should employ affirmative action measures in employment to enhance diversity representation of all the forty-six (46) ethnic groups in the Authority, in line with Article 232 of the Constitution; and
 - iv. The University should provide adequate and equal opportunities for appointment, training and advancement at all levels in terms of ethnicity, age, gender and Persons with Disabilities (PWDs).
-

19. KENYA EXPORT PROMOTION AND BRANDING AGENCY

252. Kenya Export Promotion and Branding Agency (KEPROBA) is a State Corporation born out of the merger between the then Brand Kenya Board and Export Promotion Council vide legal notice number 110 of 2019. The Agency has a mandate of implementing export promotion and nation branding initiatives and policies to promote Kenya's export of goods and services.

253. The Acting Chief Executive Officer Ms. Floice Mukabana, appeared before the National Cohesion and Equal Opportunity Committee on Tuesday, 8th August 2023 and made the following submissions:

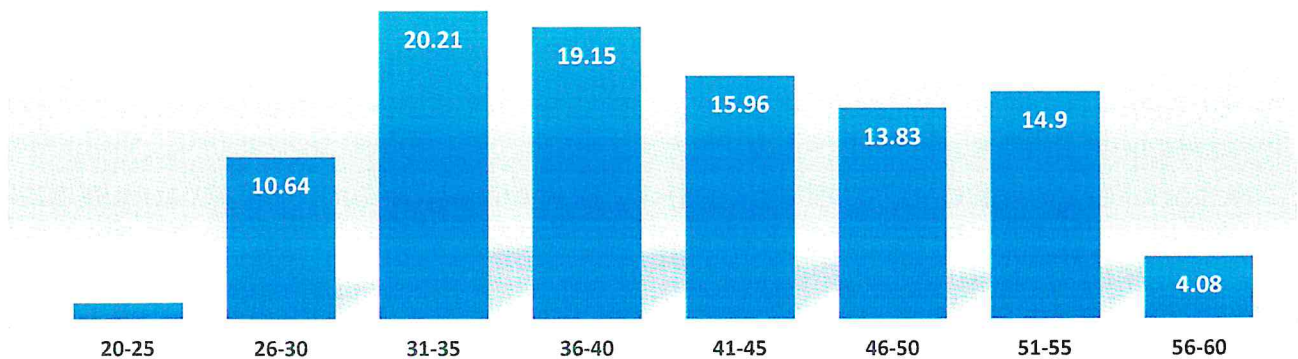


254. Only fourteen (14) out of forty-six (46) ethnic groups have been employed in KEPROBA contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only eight (8) ethnic groups are represented namely, Kalenjin, Kamba, Kikuyu, Kisii, Luhya, Luo, Maasai and Arab;

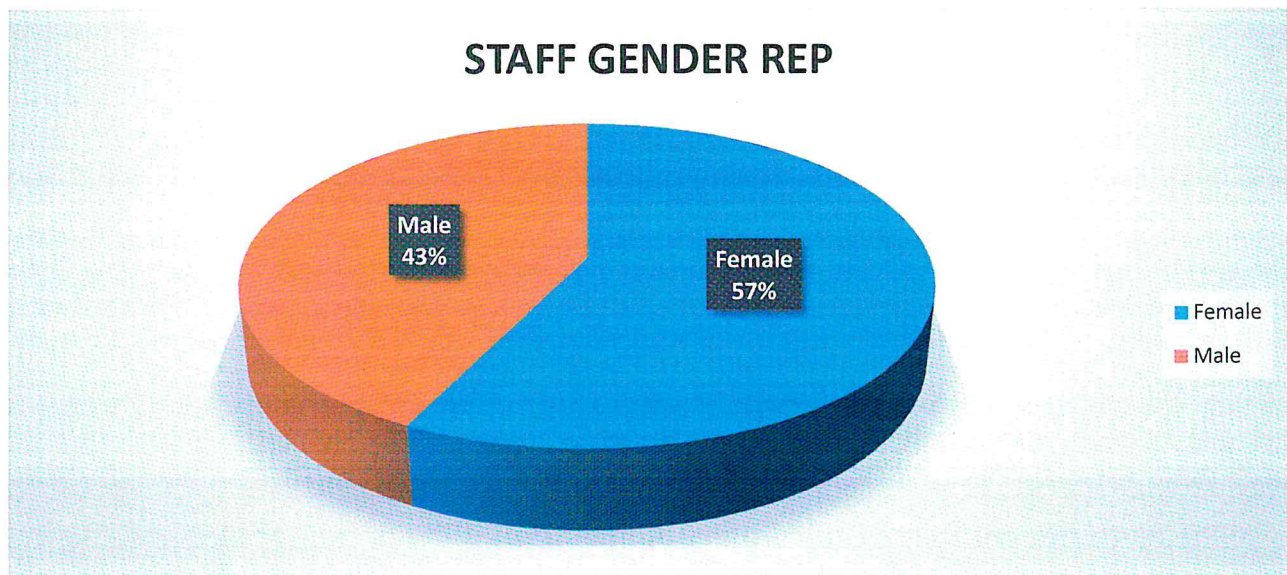
255. Majority of KEPROBA employees are from three (3) communities namely, Kikuyu at 27.66%, Luo at 12.77% and Luhya at 11.70%;

256. In the ratio of between National population and employment proportion, the Kikuyu community is overrepresented with a positive variance of 10.53%.

AGE REPRESENTATION



164. KEPROBA has a youth representation of 31.91%; showing it has accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution;



165. The Agency has forty-five (45) male staff members and fifty-nine (59) female staff members translating to 47% and 63% respectively, achieving the two thirds gender rule;

166. The Agency has only nine (9) female staff members out of the twenty (20) represented in the composition of employees at Senior Management Level;

167. KEPROBA has faced the following challenges in its bid to enhance diversity of employees;
- i. Limited applications or none from applicants from marginalized communities.
 - ii. Limited applications or none from PWDs and other special groups.
 - iii. Budgetary constraints to recruit have been an impediment in engaging new employees.
168. The Agency has implemented the following mitigation measures to curb the challenges;
- i. Make deliberate effort to recruit staff from marginalized communities.
 - ii. Make deliberate effort to recruit PWDs. Advertisement will be shared through the NCPWD for dissemination and encouragement to apply.
 - iii. Lobby for increment in budgetary allocation to support recruit of staff.

Committee Observations

169. The Committee made the following observations:
- i. Only fourteen (14) out of forty-six (46) ethnic groups have been employed in KEPROBA contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only eight (8) ethnic groups are represented namely, Kalenjin, Kamba, Kikuyu, Kisii, Luhya, Luo, Maasai and Arab;
 - ii. Majority of KEPROBA employees are from three (3) communities namely, Kikuyu at 27.66%, Luo at 12.77% and Luhya at 11.70%;
 - iii. The Agency has forty-five (45) male staff members and fifty-nine (59) female staff members translating to 47% and 63% respectively, achieving the two thirds gender rule;
 - iv. KEPROBA has a youth representation of 31.91%; showing it has accorded employment opportunities to the youth in line with Article 55 (c) of the Constitution;
 - v. The Agency has only nine (9) female staff members out of the twenty (20) represented in the composition of employees at Senior Management Level; and

- vi. In the ratio of between National population and employment proportion, the Kikuyu community is overrepresented with a positive variance of 10.53%.

Committee Recommendations

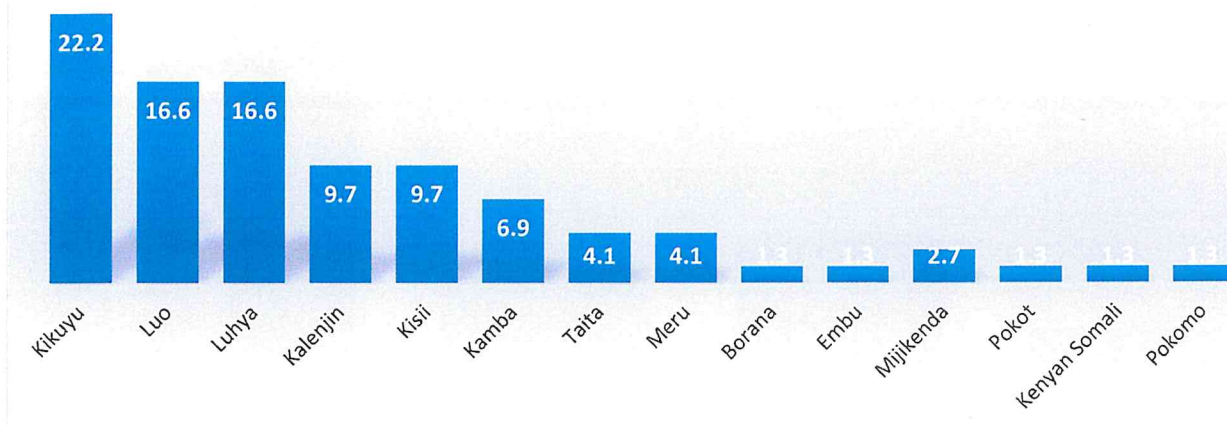
170. The Committee made the following recommendations:

- i. The Agency should expand the scope of the job advertisements which will enable it to reach more ethnic groups;
- ii. KEPROBA should employ affirmative action measures in employment to enhance diversity representation of all the forty-six (46) ethnic groups in the Authority, in line with Article 232 of the Constitution;
- iii. KEPROBA should provide adequate and equal opportunities for appointment, training and advancement at all levels in terms of ethnicity, age, gender and Persons with Disabilities (PWDs); and
- iv. The Agency should adhere to the provisions of Section 7 of the NCI Act, 2008 and Article 232 (1) (h) and (i) of the Constitution to ensure full compliance with legal requirements related to diversity and inclusivity.

20. KENYA INDUSTRIAL PROPERTY INSTITUTE

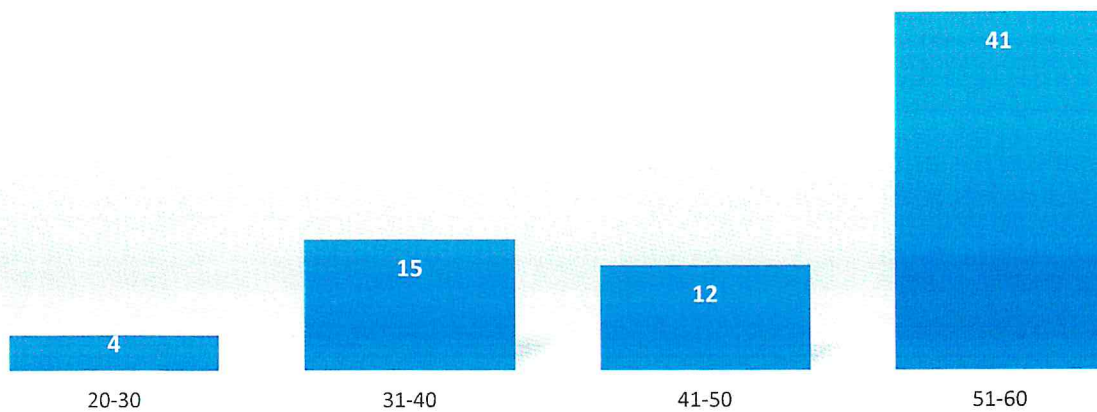
- 171. Kenya Industrial Property Institute (KIPI) is a Government Parastatal under the Ministry of Investments, Trade and Industry. The Institute was established on 2nd May 2002 upon the coming into force of the Industrial Property Act 2001.
- 172. The Chief Executive Officer (CEO) Ms. Norah Ratemo, appeared before the Committee on National Cohesion and Equal Opportunity on Thursday, 10th August, 2023 and made the following submissions:

ETHNIC REPRESENTATION



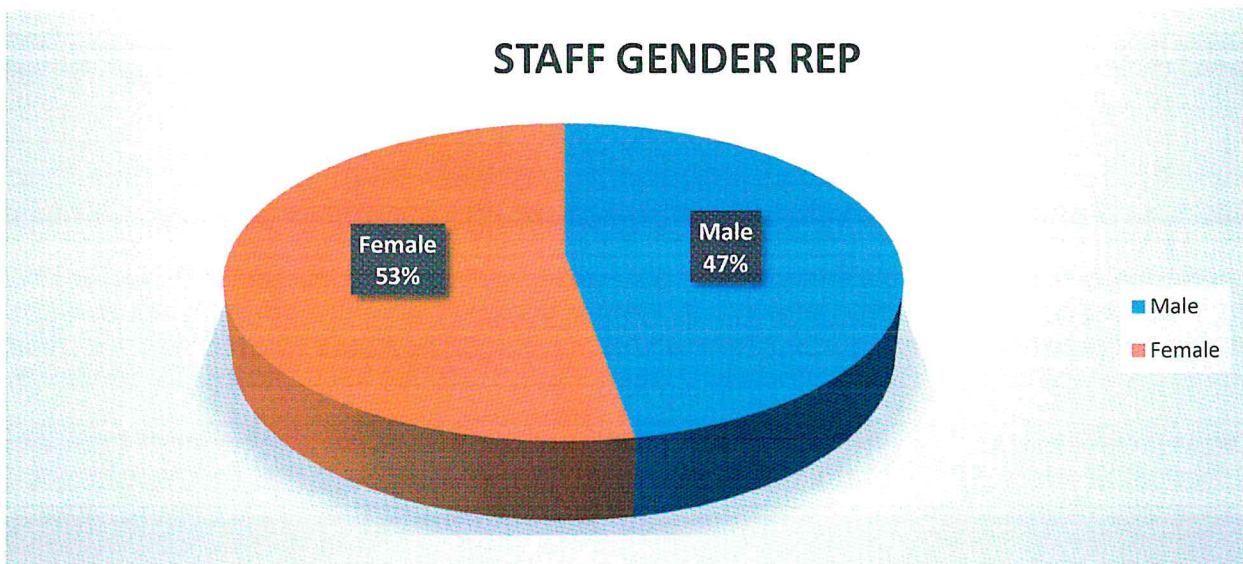
173. Only fourteen (14) out of forty-six (46) ethnic groups have been employed in KIPi contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only three (3) ethnic groups are represented namely, Luo, Kikuyu and Kamba;
174. Majority of KIPi employees are from three (3) communities namely, Kikuyu at 22.2%, Luo and Luhya at 16.6% each;
175. Before the passage of the 2010 Constitution, KIPi had only twelve (12) ethnic groups with the Kikuyu community dominating at 24.7%. The Institute has since increased the number of ethnic groups to fourteen, reducing the representation of Kikuyu to 22.2%.

AGE REPRESENTATION



176. KIPi has a youth representation of 26.39%; showing it has not accorded fair employment opportunities to the youth in line with Article 55 (c) of the Constitution;

STAFF GENDER REP



177. The Institute has thirty-four (34) male staff members and thirty-eight (38) female staff members translating to 47.22% and 52.78% respectively, achieving the two thirds gender rule;

178. The Institute has two (2) female staff members out of the four (4) represented in the composition of employees at Senior Management Level;

179. KIPi has faced the following challenges in its bid to enhance diversity of employees;

- i. Freezing of employment due to pending merger.
- ii. Minimal number of vacancies advertised as per KIPi's establishment.

Committee Observations

180. The Committee made the following observations:

- i. Only fourteen (14) out of forty-six (46) ethnic groups have been employed in KIPi contrary to the provisions of Article 232 (1) (h) and (i) of the Constitution. At Senior Management Level, only three (3) ethnic groups are represented namely, Luo, Kikuyu and Kamba;
- ii. Majority of KIPi employees are from three (3) communities namely, Kikuyu at 22.2%, Luo and Luhya at 16.6% each;
- iii. The Institute has thirty-four (34) male staff members and thirty-eight (38) female staff members translating to 47.22% and 52.78% respectively, achieving the two thirds gender rule;
- iv. KIPi has a youth representation of 26.39%; showing it has not accorded fair employment opportunities to the youth in line with Article 55 (c) of the Constitution;
- v. The Institute has two (2) female staff members out of the four (4) represented in the composition of employees at Senior Management Level; and
- vi. Before the passage of the 2010 Constitution, KIPi had only twelve (12) ethnic groups with the Kikuyu community dominating at 24.7%. The Institute has since increased the number of ethnic groups to fourteen, reducing the representation of Kikuyu to 22.2%.

Committee Recommendations

181. The Committee made the following recommendations:

- i. KIPi should adhere to the provisions of Section 7 of the NCI Act, 2008 and Article 232 (1) (h) and (i) of the Constitution to ensure full compliance with legal requirements related to diversity and inclusivity.
- ii. The Institute should expand the scope of the job advertisements which will enable it to reach more ethnic groups;
- iii. KIPi should employ affirmative action measures in employment to enhance diversity representation of all the forty-six (46) ethnic groups in the Authority, in line with Article 232 of the Constitution; and
- iv. The Institute should provide adequate and equal opportunities for appointment, training and advancement at all levels in terms of ethnicity, age, gender and Persons with Disabilities (PWDs).

5.0 GENERAL OBSERVATIONS

182. Arising from the submissions made, the Committee made the following observations, That:

- 1) There are significant ethnic imbalances in the composition of employees at various levels where some ethnic groups are overrepresented while others are underrepresented. This could lead to perceptions of bias, unequal opportunities and potential conflicts, however Article 232(1) (h) of the Constitution of Kenya, 2010 expressly provides that the public service should be representative of the diverse Kenyan communities.
- 2) Gender imbalances persist across multiple institutions, with men being overrepresented in many cases, especially in Senior Management Levels. This reflects a lack of gender equity and hinders the full participation of women in decision-making processes. The reports indicate significant gender disparities in leadership roles, with fewer women in senior positions. This reflects a gender bias in career progression and decision-making roles within institutions.

- 3) There are noticeable age differences in the personnel makeup, with older people frequently holding important leadership roles. This may hinder innovation and the adoption of new methods and technologies, thus mentoring programmes must be established to ensure a smooth transition.
- 4) Board Members of public institutions are not recruited in the same manner as employees and are mostly nominees/representatives of various interests groups, however it is worth noting that the composition of most Board Members is from highly represented communities in the country and there is usually very little diversity within the Boards.
- 5) All institutions indicate the representation of Persons with Disabilities (PWDs) is minimal, falling short of the Constitutional requirement of at least 5%. This underscores a lack of inclusivity and accommodation for Persons with Disabilities (PWDs)
- 6) Most public institutions are not fully compliant with Constitutional provisions regarding diversity. This non-compliance reflects a failure to adhere to the highest law of the land.
- 7) Some institutions report challenges in attracting diverse talent due to limited outreach efforts and lack of targeted strategies to appeal to individuals from underrepresented groups.
- 8) Most public institutions appear to have a history of perpetuating the status quo without making significant efforts to address diversity and inclusion issues. This institutional inertia can impede progress.
- 9) Most public institutions lack transparency in reporting on diversity metrics which can hinder public accountability and trust.
- 10) There was a consistent pattern of exclusion of some communities among all institutions that appeared before the Committee and in most institutions, it is visible that some communities have been excluded from employment at all cadres which then violates the requirements of the **Constitution** on cohesion and equity.

The discourses of exclusion and marginalization are responsible for continued lack of cohesion and unity among Kenyan communities.

- 11) The findings of the audit report demonstrate that historical injustice and lack of cohesion in Kenya is a major issue in addressing inequalities in the civil service requires strong political will and commitment and demands of the recognition that Kenya as a nation is far more important than any single ethnic community.
 - 12) It is only by taking a pro-active political solution and deploying resources to the relevant segments of the Kenyan society that would provide a chance to create a "One Kenya, One People" and be able to recognize our diversity as a resource.
 - 13) Despite the provisions of Article 54 (2) of the Constitution of Kenya, 2010 that requires that Persons with Disabilities should make up at least five per cent (5%) of the workforce, none of the institutions interviewed have complied.
 - 14) Majority of the regional institutions have the local community as the majority community; however, it is also worth noting that local communities are mostly found in the lower cadre jobs which have a low pay and are therefore less likely to attract communities from far flung areas.
 - 15) There was a freeze on employment in most public institutions which made it hard to bring in new employees despite some institutions being understaffed. However, institutions are allowed to replace employees who exit either through natural attrition or otherwise.
 - 16) Section 7 of the National Cohesion and Integration Act, 2008 obligates all public establishments to ensure representation of Kenya's diversity by *having no more than one-third of staff from the same ethnic group*. It is worth noting that there are ethnic communities with the highest representation in the country of the national population. The Committee proposes to amend this section of the Act by having no more than one-fifth of staff so as to reflect the proportion of ethnic representation in the country.
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6.0 GENERAL RECOMMENDATIONS

183. The Committee made the following recommendations: That within six months of the adoption of this report –

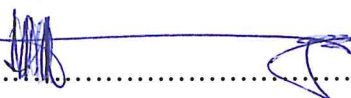
1. The Public Service Commission and the National Cohesion and Integration Commission (NCIC) should establish robust diversity and inclusion policies that target and rectify disparities related to ethnicity, gender, age and disabilities. These policies must feature specific objectives, detailed action plans and effective accountability measures to ensure meaningful progress and results. The report should be submitted annually.
2. Public institutions should develop and implement an ethnic diversity policy in their recruitment and promotion. This policy should give effect to the values and principles of Article 232 (g) (h) (i) of the Constitution and should include proactive measures to attract a diverse pool of candidates. The policy should be presented to the Committee on National Cohesion and Equal Opportunity Committee for review.
3. The National Gender and Equality Commission (NGEC) should collaborate with public institutions to prioritize gender mainstreaming efforts to enhance the presence of women across various organizational hierarchies, particularly in leadership roles. This may entail implementing mentorship programs, fostering leadership development initiatives and gender sensitive policies.
4. The National Youth Council should spearhead initiatives to promote the active participation of the youths in decision-making processes by creating opportunities for their engagement, providing training and establishing mentorship programs to empower the voices of young individuals in shaping policies and programs.
5. The Public Service Commission should implement a mandatory policy for the appointing body for Members of Boards or Councils to adhere to the requirements of Article 232 of the Constitution of Kenya that requires that there should be diversity in public institutions. The policy should be submitted to the National

Cohesion and Equal Opportunity Committee for a comprehensive assessment and evaluation to ensure its effectiveness in promoting inclusive representation and equity in employment opportunities;

6. The Public Service Commission should oversee the implementation of oversight mechanisms to guarantee adherence to Constitutional diversity requirements within public institutions. Accountability measures should be enforced for institutions that fail to meet these requirements, ensuring that diversity standards are upheld and respected.
 7. The Public Service Commission should facilitate the redeployment of personnel to different institutions to guarantee adequate representation of all communities within the civil service. This action aims to enhance diversity and inclusivity in the public sector workforce.
 8. Public Service Commission (PSC) through the Directorate of Personnel Management as the central posting authority, to affirmatively correct the anomaly of their staff establishment so as to comply with Section 7 (2) of the National Cohesion and Integration Act, 2008.
 9. Parliament should amend the National Cohesion and Integration Act, 2008 to oblige the Head of the Public Service to quarterly report to the National Assembly on the staff establishment with specific emphasis on how ethnic and marginalized groups are represented.
 10. By six months of the adoption of this report, the twenty (20) institutions covered under this report should proactively implement provisions of Article 56 (c). These institutions should adopt recruitment strategies, including deliberate head-hunting policy for the marginalized groups because some of these communities have internalized the logic of self-exclusion and therefore do not apply for jobs even when they are qualified due to long periods of marginalization.
-

11. The Public Service Commission should develop a policy for addressing ethnic diversity in the public service as a benchmark in performance contracting to guide regular review of how each institution is addressing diversity.
12. The National Gender and Equality Commission should formulate legislation that would reduce the inequalities in the civil service.

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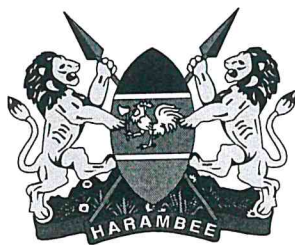
DATE

21/03/2024

HON. YUSSUF ADAN HAJI, DSM, M.P

CHAIRPERSON, COMMITTEE ON NATIONAL COHESION AND EQUAL OPPORTUNITY

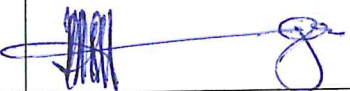


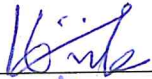



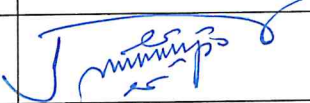

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 21 MAR 2024	
Day: Thurs	
TABLED BY:	Hon Yussuf Adan Haji, mp Chairperson, Committee on cohesion & Equality opportunity A. Shubuko
CHECKED BY:	

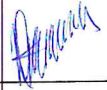
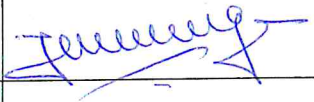


**COMMITTEE ON NATIONAL COHESION AND EQUAL OPPORTUNITY
13TH PARLIAMENT – THIRD SESSION 2024**

ADOPTION LIST

Date 7TH MARCH 2024 Venue NGCDF BOARDROOM, HARAMBEE STAGE.
 Agenda CONSIDERATION AND ADOPTION OF THE SECOND REPORT
ON EMPLOYMENT DIVERSITY

No.	NAME	SIGNATURE
1.	The Hon. Yussuf Adan Haji, DSM, MP -Chairperson	
2.	The Hon. Liza Chelule Chepkorir, MP. -Vice Chairperson	
3.	The Hon. Yusuf Hassan Abdi, MP	
4.	The Hon. Harrison Garama Kombe, MP.	
5.	The Hon. Charles Kamuren, MP.	
6.	The Hon. Charles Ong'ondo Were, MP.	
7.	The Hon. Edward Kaunya Oku, MP.	
8.	The Hon. Joseph Samal Lomwa MP.	
9.	The Hon. Martin Peters Owino MPH, MP.	
10.	The Hon. Eng. Paul Nzengu, MP.	
11.	The Hon. Agnes Pareyio Mantaine, MP.	
12.	The Hon. Duncan Maina Mathenge, MP.	

No.	NAME	SIGNATURE
13.	The Hon. Fredrick Lusuli Ikana, MP.	
14.	The Hon. Irene Nyakerario Mayaka, MP.	
15.	The Hon. Jane Wangechi Kagiri, OGW, MP.	
16.	The Hon. Joseph Iraya Wainaina OGW, MP.	
17.	The Hon. Joseph Hamisi Denar, MP.	
18.	The Hon. Mary Maingi, MP.	
19.	The Hon. Muthoni Marubu, MP.	
20.	The Hon. Onesmus Ngogoyo Nguro, MP.	
21.	The Hon. Teresia Wanjiru Mwangi, MP.	