



REPUBLIC OF KENYA

13TH PARLIAMENT | 4TH SESSION

THE SENATE

STANDING COMMITTEE ON NATIONAL COHESION, EQUAL OPPORTUNITY AND REGIONAL INTEGRATION

APPROVED
RT. HON. SEN
AMASON J. KINGI

② Hon. Speaker
You may approve
today MA
28/5/25

[Signature]
28/05/25

REPORT ON CONSIDERATION OF THE SENATE RESOLUTION ON
THE CURRENT STATE OF THE NATION

PAPERS LAID	
DATE	03/06/25
TABLED BY	Senate Majority
COMMITTEE	Cohesion
CLERK AT THE TABLE	<i>[Signature]</i>

THE SENATE
RECEIVED
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The Senate,
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LIST OF ABBREVIATIONS AND ACRONYMS

CS	Cabinet Secretary
CECM	County Executive Committee Member
CCO	County Chief Officer
PSC	Public Service Commission
NCIC	National Cohesion and Integration Commission
NGEC	National Gender and Equality Commission
OAG	Office of the Auditor General
PPRA	Public Procurement Regulatory Authority

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PRELIMINARIES

Establishment and Mandate of the Committee

The Standing Committee on National Cohesion, Equal Opportunity and Regional Integration is established under the Senate Standing Orders and is mandated ‘to consider all matters relating to the pursuit of national and inter-community cohesion, the equalization of opportunities and improvement in the quality of life and status of all persons, regional integration, the East Africa Legislative Assembly and the Pan African Parliament.’

Membership of the Committee

The Committee comprises –

1. Sen. Mohamed Said Chute, MP - **Chairperson**
2. Sen. James Lomenen Ekomwa, MP - **Vice-Chairperson**
3. Sen. Daniel Maanzo, EBS, MP - Member
4. Sen. Joyce Chepkoech Korir, CBS, MP - Member
5. Sen. Joseph Githuku Kamau, MP - Member
6. Sen. Betty Batuli Montet, MP - Member
7. Sen. Beth Kalunda Syengo, MP - Member
8. Sen. Okiya Omtatah, MP - Member
9. Sen. Gloria Orwoba, MP - Member

Committee Secretariat

The Secretariat of the Committee comprises –

1. Mr. Ibrahim Leruk - Principal Clerk Assistant I
2. Mr. Joseph Mwangi - Principal Clerk Assistant II
3. Ms. Purity Orutwa - Clerk Assistant II
4. Mr. Habbakuk Tiony - Clerk Assistant III
5. Mr. Walters Omondi - Legal Counsel II
6. Ms. Keziah Muthama - Fiscal Analyst III
7. Ms. Brenda Wekesa - Research Officer III
8. Ms. Lucianne Limo - Media Relations Officer II
9. Mr. Brian Omosa - Audio Officer
10. Mr. David Omondi - Procurement Officer III
11. Ms. Julie Muchiri - Accountant III
12. Mr. Benard Marwara - Serjeant-at-Arms

FOREWORD BY THE CHAIRPERSON

Honorable Speaker,

At a sitting of the Senate held on Wednesday, 24th July, 2024, the Senate adopted a Resolution on the Current State of the Nation, part of which directed the Standing Committee on National Cohesion Equal Opportunity and Regional integration to –

1. *engage the Public Service Commission and the National Cohesion and Integration Commission to audit the state of employment in the public service including county governments and propose strategies to adhere to meritocracy, equality and equity of opportunities across the public service as espoused in Article 232 of the Constitution on the values and principles of public service; and;*
2. *engage the Public Procurement Regulatory Authority to audit compliance with Section 53(6) of the Public Procurement and Assets Disposal Act by all public procurement entities with a view to establish a roadmap to ensure compliance of the said provisions of the Act.*

The Committee embarked on this assignment whereupon it invited and held deliberations with the Governors and key officials of the forty-seven county governments, under the following Thematic Areas –

- a) *Thematic Area 1:* The demographic composition of all employees of the County Governments in terms of gender, persons with disabilities, age and ethnicity;
- b) *Thematic Area 2:* The demographic composition of the County Executive Committee Members and Chief Officers in terms of gender, persons with disabilities, age and ethnicity;
- c) *Thematic Area 3:* Any recruitment conducted by the County in the last three years, outlining the positions that have been filled and the criteria applied in the selection of candidates;
- d) *Thematic Area 4:* The status of compliance by the County with section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C;
- e) *Thematic Area 5:* Affirmative action measures being implemented by the County in the promotion of women, youth and persons living with disabilities in recruitment and leadership; and
- f) *Thematic Area 6:* Any audits or assessments undertaken in the last three years to ascertain the level of inclusivity in the recruitment process.

The Committee also invited and held deliberations with the Public Procurement Regulatory Authority regarding compliance by public entities with Section 53(6) of the Public Procurement and Assets Disposal Act, with a view to establishing a roadmap to ensure compliance with the said provisions of the Act.

The Committee further held deliberations with the National Cohesion and Integration Commission regarding the ethnic and diversity audit of the county public service carried out by the Commission.

In total, the Committee held thirty-two (32) meetings where it received oral submissions and written Memoranda from the County Governors, the Public Procurement Regulatory Authority and the National Cohesion and Integration Commission. The Committee thereafter retreated to synthesize the submissions received whereupon it arrived at the Observations and Recommendations as set out in this Report.

Honorable Speaker,

The key recommendations by the Committee are as follows –

Thematic Area 1: Demographic Composition of all Employees of the County Governments in terms of Gender, Persons with Disabilities, Age and Ethnicity.

The Committee Recommends as follows –

1. That Mandera, Nandi and Wajir County governments should appoint the required number of women to comply with the constitutional requirement that not more than two-thirds of the members of appointive bodies shall be of the same gender. ('Not more than two-thirds gender' principle) within 18 months of tabling of this report. The County governments that are compliant should put policies in place to continue to adhere to the constitutional requirements.
2. That all the county governments should comply with the provisions of Article 54(2) and Section 13 of Persons with Disability Act and take affirmative action urgently by employing Persons with Disabilities (PwDs) to comply with the constitutional requirement to reserve five percent (5%) of appointive positions in county public Service within 18 months of tabling this report, noting that none of the county government is compliant with this provision of the law. The County governments should liaise with the National Council for Persons with Disabilities (NCPWD) during recruitment and selection to get a pool of qualified Persons with Disabilities (PwDs) applicants.
3. That the thirty-two (32) county governments that failed to comply with the requirement should ensure that at least 30% of the vacant positions are filled by candidates who are not from the dominant ethnic community in the county by putting deliberate measures in place to comply with the diversity requirement within 18 months of tabling of this report. These county governments are Kwale (Mijikenda, 75.2%), Kilifi (Mijikenda, 79%), Wajir (Somali, 91.05%), Mandera

(Somali, 81.4%), Meru (Meru , 90%), Kitui (Kamba, 90%), Machakos (Kamba, 85%), Makueni (Kamba, 92.63%), Nyandarua (Kikuyu, 93.66%), Nyeri (Kikuyu, 93.66%), Kirinyaga (Kikuyu, 96%), Muranga (Kikuyu, 93.7%), Kiambu (Kikuyu, 86%), Turkana (Turkana, 83.66%), West Pokot (Kalenjin ,93.57%), Samburu (Samburu, 76.65%), Uasin Gishu (Kalenjin, 85%), Garissa (Somali, 80.15%), Elgeyo Marakwet (Kalenjin, 96.22%), Nandi (Kalenjin, 95.67%), Baringo (Kalenjin, 92.93%), Laikipia (Kikuyu, 70.6%), Kajiado (Maasai, 70.53%), Bomet (Kalenjin, 97.28%), Kakamega (Luhya, 90.68%), Bungoma (Luhya, 83.6%), Vihiga (Luhya, 89.79%), Kisumu (Luo, 87.69%), Homabay (Luo, 76.98%), Migori (Luo, 71.77%), Kisii (Kisii,94.28%) and Nyamira (Kisii, 95%).

4. That all the county governments should use alternative means of job advertisement such as national/ local vernacular radio stations, social media, and local leaders to reach a wider pool of candidates while doing targeted civic education and advertising for recruitment opportunities.
5. That all the County Governments should use targeted job advertisements encouraging minority communities, youth, women and PWDs to apply and be considered.

Thematic Area 2: Demographic Composition of the County Executive Committee Members and Chief Officers in terms of Gender, Persons with Disabilities, Age and Ethnicity

The Committee recommends as follows –

1. That the following County governments namely; Kisumu, Kisii, Isiolo, Nyeri, Laikipia, Kajiado, Wajir and Embu County should comply with the constitutional requirements that not more than two-thirds of the members of appointive bodies shall be of the same gender. (*'not more than two-thirds gender' Principle*) in the composition of *county executive committee members and county chief officers*
2. That the 42 county governments that failed to comply with the constitutional requirement to reserve five percent (5%) of appointive positions (county executive committee members and chief officers) in the county public Service to Persons with Disabilities (PWDs) are required to comply with the law within 18 months of tabling of this report, with the exception of Lamu (5%), Taita Taveta (8.7%), Wajir (6.45%), Turkana (6.06%) and Nandi (5.26%) county governments that complied with the constitutional requirement to reserve the five percent (5%).

3. That all the County governments should put in place policies and guidelines that guarantee the inclusion of youths and marginalized groups in the county executive leadership positions
4. That the Senate amends the County Government Act to provide for the number and the timeline for appointment of chief officers following a gubernatorial election.
5. That the five (5) County governments of Elgeyo Marakwet, Kericho, Makueni, Nyandarua and Vihiga which had county executive committee members and county chief officers exclusively from the dominant ethnic community in their counties should adhere to the constitutional requirement on diversity and inclusivity and take immediate measures and not later than 18 months upon tabling this report in the Senate to comply with the requirement that at least 30% of the vacant positions are filled by candidates who are not from the dominant ethnic community in the county.

Thematic Area 3: Recruitment Conducted by the County Governments in the Last Three Years, the Positions That Have Been Filled and the Criteria Applied in the Selection of Candidates.

The Committee Recommends as follows –

1. That county all governments should strictly adhere to existing legal frameworks, including, the National Cohesion and Integration Act and the County Governments Act to ensure compliance with the law in recruitment and public service management. Additionally, County Public Service Boards must comply with Sections 66, 67, and 68 of the County Governments Act, which outline considerations for appointments, the requirement for wide publication of advertised positions, and the proper maintenance of recruitment records.
2. That all County Governments should take immediate measures to enhance the accessibility of the job advertisements through diversifying their means of advertisement by utilizing social media platforms, national radio stations and TV stations and use of local leaders to help reach a wider pool of candidates including special interest groups.
3. That County Public Service Boards should put in place guidelines and policies that should guarantee at least 30 percent of vacant entry-level positions are filled by candidates who do not belong to the dominant ethnic community in the county, as required under Section 65(1)(e) of the County Governments Act. These measures will foster diversity and promote fair representation in county employment.

Thematic Area 4: The Status of Compliance by the County with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C

The Committee Recommends as follows –

1. The twenty-two 22 county governments that failed to comply with Section 53(6) of the Public Procurement and Asset Disposal Act on reservation of 30% of procurement for special groups should take deliberate measures to ensure compliance within 12 months of tabling of this report in the Senate. These county governments are; Mombasa %, Kwale 19.9%, Wajir 8.8%, Isiolo 11.8%, Meru 10%, Embu 18.89%, Kitui 17.39%, Machakos 6.6%, Makueni 21%, Nyeri 27.1%, Kiambu 19.13%, Turkana 24%, Nandi 28.23%, Baringo 21%, Nakuru 27.4%, Samburu 9.2%, Narok 14.1%, Kericho 10.6%, Vihiga 15%, Migori 10.95%, Nyamira 11.83% and Nairobi 10.7%.
2. To enhance compliance with the 30% Access to Government Procurement Opportunities (AGPO) requirement, county governments that fall below the threshold should implement targeted interventions to increase procurement opportunities for special groups, including sensitization campaigns and capacity-building programs. Moreover, the Council of Governors should encourage sharing of best practices among county governments by replicating successful county-specific procurement initiatives, such as Trans Nzoia's NAWIRI programme to enhance local economic empowerment. Additionally, best practices from county governments with remarkable compliance such as Lamu and Elgeyo Marakwet should be studied and adopted where applicable to improve compliance and effectiveness in government procurement.
3. That the Public Procurement Regulatory Authority (PPRA) should report to the Senate on Access to Government Procurement Opportunities (AGPO) procurement performance at the end of every Financial Year.
4. That all county governments should develop and implement affirmative action programmes while carrying out benchmarking with their better performing counterparts in order to comply with Section 53(6) of the Public Procurement and Asset Disposal Act.
5. That all county executives should strictly adhere to Section 157(12) of the Public Procurement and Asset Disposal Act.

Thematic Area 5: Affirmative Action Measures Being Implemented by the County in the Promotion of Women, Youth and Persons with Disabilities in Recruitment and Leadership.

The Committee Recommends as follows –

1. That all County Governments should have in place and implement affirmative action policies prioritizing the empowerment of Persons with Disabilities (PwDs), women and minority groups in line with National Policies, including the following policies
 - a) An internship and capacity building policy
 - b) gender mainstreaming policy
 - c) Disability mainstreaming policy
 - d) Recruitment and Selection policy
 - e) Youth and ICT policy
2. That all county governments should develop a county minority register to track minority and marginalized communities within the county while fully implementing their affirmative action policies in place.

Thematic Area 6: Audits or Assessment Undertaken in the Last Three Years to ascertain the level of Inclusivity in the Recruitment Process

The Committee Recommends as follows –

1. That the Senate to organize capacity building programmes for county Assemblies that would enable them to effectively play their oversight role by ensuring that County executives comply with the law specifically on ethnic diversity and inclusivity during recruitment and promotions of employees, access to government procurement in line with sections 12, (7), 35(2) and 97(a), of the County Governments Act, 2012 and 53(6) of the public procurement and Asset Disposal Act, 2015

Other Recommendations

The Committee further recommends as follows –

1. The County Public service boards should prepare and implement a county employment equity plan for the purpose of eliminating ethnic imbalance,
2. That all the county governments should liaise with IGRTC and Council of Governors (CoG) to implement standardized county level recruitment guidelines, career progression policies, transition framework, salary structures to ensure consistent and equitable employment practices, counties to better their infrastructure to attract professionals,
3. That the County Public Service Boards should be empowered to fulfil their mandate without undue interference from county and national leadership, and
4. The Public Procurement Regulatory Authority should be adequately resourced to monitor and enforce compliance with the scheme, introducing administrative sanctions on procuring entities to enforce compliance

Honourable Speaker,

The Committee wishes to thank the Offices of the Speaker of the Senate and the Office of the Clerk of the Senate for the support extended to the Committee in the execution of its mandate. The Committee further extends its appreciation to the Governors who appeared before the Committee and provided invaluable information.

The Committee also appreciates the technical support accorded to it by the National Cohesion and Integration Commission (NCIC) and the Public Procurement Regulatory Authority (PPRA).

Finally, I thank my fellow Senators for their foresight and thoughtful participation in the inquiry and their dedication to the objectives of the inquiry. My appreciation also goes to the dedicated Secretariat who actively facilitated the proceedings of the Committee meetings.

Honourable Speaker,

It is now my pleasant duty and privilege, on behalf of the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration Committee to table the Report of the Committee on its consideration of the Senate Resolution on the Current State of the Nation, and to commend it to the House for debate and adoption pursuant to the provisions of the Senate Standing Order 223(6).

Signed.......... Date..... 28.05.2025.....

**SEN. MOHAMED SAID CHUTE, MP
CHAIRPERSON, STANDING COMMITTEE ON NATIONAL COHESION,
EQUAL OPPORTUNITY AND REGIONAL INTEGRATION**

CHAPTER ONE: INTRODUCTION

1.1 Background

1. The Senate Standing Committee on National Cohesion, Equal Opportunity and Regional Integration is established under Standing Order 218 of the Senate Standing Orders and is mandated '*to consider all matters relating to the pursuit of national and inter-community cohesion, the equalization of opportunities and improvement in the quality of life and status of all persons, regional integration, the East Africa Legislative Assembly and the Pan African Parliament*'.
2. At a sitting of the Senate held on Wednesday, 24th July, 2024, the Senate adopted a Resolution on the Current State of the Nation, part of which directed the Standing Committee on National Cohesion, Equal Opportunity and Regional Integration to –
 - a. *engage the Public Service Commission and the National Cohesion and Integration Commission to audit the state of employment in the public service including county governments and propose strategies to adhere to meritocracy, equality and equity of opportunities across the public service as espoused in Article 232 of the Constitution on the values and principles of public service; and*
 - b. *engage the Public Procurement Regulatory Authority to audit compliance with Section 53(6) of the Public Procurement and Assets Disposal Act by all public procurement entities with a view to establish a roadmap to ensure compliance of the said provisions of the Act.*
3. In fulfilment of its mandate the Committee invited the Governors of the 47 county governments to appear before the committee and make submissions to the Committee on the following Thematic Areas –
 1. The demographic composition of all employees of the County Governments in terms of gender, persons with disabilities, age and ethnicity;
 2. The demographic composition of the County Executive Committee Members and Chief Officers in terms of gender, persons with disabilities, age and ethnicity;
 3. Any recruitment conducted by the County in the last three years, outlining the positions that have been filled and the criteria applied in the selection of candidates;
 4. The status of compliance by the County with section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C;

5. Affirmative action measures being implemented by the County in the promotion of women, youth and persons living with disabilities in recruitment and leadership; and
 6. Any audits or assessments undertaken in the last three years to ascertain the level of inclusivity in the recruitment process.
4. The Committee held 32 meetings where it received oral submissions and written Memoranda. The Minutes of the meetings of the Committee are herein annexed as *Annex 1*.
 5. Thereafter, the Committee proceeded for a working retreat which provided the opportunity to consider the submissions from the Governors and to further draft, consider and approve its Report. The Report of the Committee contains a number of recommendations based on the Thematic Areas identified by the Committee.

CHAPTER TWO: LEGAL PROVISIONS ON DIVERSITY AND INCLUSIVITY IN KENYA

2.1 The Constitution of Kenya

6. Some of the significant provisions on diversity, equality and equity under the Constitution include-
 - i) The Preamble affirms that Kenyans are proud of the ethnic, cultural and religious diversity, and determined to live in peace and unity as one indivisible sovereign nation;
 - ii) Article 10 provides for National values and principles of governance; it recognizes ethnic diversity and the rights and equality of communities as a fundamental principle upon which the state is founded;
 - iii) Article 27 on Equality and freedom from discrimination. it provides that every person is equal before the law and has the right to equal protection and equal benefit of the Law.
 - iv) Article 54(2) of the Constitution requires that five per cent (5%) of the appointments made in the public sector should comprise persons with disabilities.
 - v) Article 56 requires the State to take affirmative action to redress past discrimination for minorities and marginalized groups and to particularly ensure that they are provided with special opportunities for access to employment.
 - vi) Article 174- Objects of devolution include fostering national unity by recognizing diversity; protect and promote the interests and rights of minorities and marginalized communities; equitable sharing of national and local resources among others.
 - vii) Article 232 expressly provides that the public service should be representative of the diverse Kenyan communities.
 - viii) Article 238 defines national security and outlines the principles that guide its promotion in Kenya. These principles emphasize on the respect for the rule of law, democracy, human rights and fundamental freedoms, and respect for diverse cultures of the communities within Kenya.
 - ix) The need for regional, ethnic and cultural diversity is also provided in various Articles with respect to elective and appointed public offices including- Article 90 (party lists for nomination); Article 130 (2) (the National Executive); Article 197 (1) and (2) (county assembly); Article 232 (public service); Article 238 (2) (d) (recruitment by national security organs); Article 241 (4) (composition of the Defense Forces); Article 246 (4) (National Police Service); Article 250 (4) (commissions and independent offices).

- x) Article 260 defines the terms “Affirmative Action” and “Marginalized community”

2.2 Statutes

7. Some relevant statutes create an institutional framework and provisions to promote diversity and inclusivity as follows-

- i) **The County Government Act**
 - a) Section 58A (15)- appointment of members of the public service board);
 - b) Section 65 (e)- at least 30% of the vacant posts at entry level are filled by candidates who are not from the dominant ethnic community in the county;
 - c) Section 68A- Promotion of equity by the county public service boards
 - d) Section 68C- Requires County public service boards to prepare employment equity plans for the purpose of eliminating ethnic imbalance and implementing the provisions of section 65(1)(e);
 - e) Section 97- requires Inclusion and integration of minorities and marginalized groups
- ii) **The National Gender and Equality Act** – Created the National Gender and Equality Commission (NGEC) whose functions include, 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
- iii) **The National Cohesion and Integration Act** - establishment of the National Cohesion and Integration Commission (NCIC) whose main purpose is to facilitate and promote equality of opportunity, good relations, harmony and peaceful co-existence between persons of the different ethnic and racial communities of Kenya, and to advise the Government on all aspects. **Section 7(1)** of the NCIC Act (2008) requires that all public institutions should ensure ethnic diversity in the employment of staff.
- iv) **The Employment Act, 2012- Section 5 (3)** prohibits discrimination on grounds of race, color, sex, language, religion, political or other opinion, nationality, ethnic or social origin, disability, pregnancy, marital status or HIV status.

- v) **The National Employment Authority Act (Cap. 227)** The object and purpose of this Act is to give effect to Articles 55(c) and 56(c) of the Constitution.
- vi) **The Public Service (Values and Principles) Act 2015-** section 7 (5) (a), section 10 (2) (c) prohibit discrimination.
- vii) **The Public Officer Ethics Act, 2003-** section 17 prohibits nepotism and favoritism among other misconduct.
- viii) **The Leadership and Integrity Act, 2012-** section 11 (c), section 13 (1) (f) prohibit discrimination
- ix) **The Persons with Disabilities Act, 2003-** section 13 (access to opportunities for suitable employment, section 12 (5% reservation of employment for PWDs), section 15 (discrimination by employers is prohibited)
- x) **The Political Parties Act (2011)-** The Political Parties Act has various provisions that aim at ensuring that party membership reflects Kenya's diversity. Sections 7(2) (b) and (c). A party can only be registered if its membership and the composition of its governing body reflect regional and ethnic diversity, gender balance, and representation of minorities and marginalized groups.
- xi) **The Social Assistance Act (Cap. 258A)-** This Act provides for conditions for the provision of social assistance to persons in need, as stated in Section 19(1). Section 17(3) defines persons in need to include PWDs.

2.3 International Instruments, Treaties and Conventions

- 8. International standards are legal instruments drawn up by governments, employers and workers. They are either conventions which are legally binding, international treaties that may be ratified by member States, or recommendations, which serve as non-binding guidelines. Further, Article 2(6) of the Constitution provides that any treaty or convention ratified by Kenya shall form part of the Laws of Kenya. They include-

- i) **Convention on Economic, Social and Cultural Rights**

Article 3 of this treaty requires States to ensure that men and women enjoy equal rights in all their economic, social and cultural rights.

ii) Convention on the Rights of Persons with Disabilities

Article 1 provides for the purpose of the disability convention as to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all PWDs, and to promote respect for their inherent dignity.

iii) Convention on Elimination of All Forms of Discrimination Against Women

This convention promotes equality and non-discrimination against women in political, economic, social, cultural, civil or any other fields.

iv) Convention on Civil and political Rights

Articles 25 and 29 provide for the rights to be enjoyed under this convention to include the right to take part in the public affairs by both men and women. These rights must be enjoyed equally and without discrimination.

2.4 National Policies

9. There are several policies relating to equality and non-discrimination that have been developed and adopted. They include-

i) Kenya Vision 2030

The Vision envisages the development of strategies aimed at increasing the participation of women in all economic, social and political decision-making processes, improving access to education for all disadvantaged groups, minimizing vulnerability by prohibiting retrogressive practices, and training PWDs and those with special needs.

ii) Sessional Paper No.3 on National Policy and Action Plan on Human Rights 2014

The policy is based on key human rights principles that include equality and non-discrimination. Some of the key issues it addresses include discrimination against women, abuse of children's rights, and limited access to services by PWDs, and youth unemployment.

CHAPTER THREE: DEMOGRAPHIC COMPOSITION OF THE COUNTY GOVERNMENTS' WORKFORCE IN TERMS OF GENDER, PERSONS WITH DISABILITIES, AGE AND ETHNICITY

3.1 Introduction

10. This Chapter sets out the submissions received from the county governments under *Thematic Area 1*, an analysis of the submissions, and the Observations by the Committee on the thematic area.

3.2 Overview of Submissions

11. The Committee received submissions under *Thematic Area 1* from the county governments as follows-

1) Mombasa County Government

12. The Governor, Mombasa County submitted as follows-
- (a) Mombasa County executive had a total workforce of 5,076 of which 2,354 (46.37%) were female and 2722 (53.62%) were male and persons with disabilities were 52 (1.02%) of the total workforce;
 - (b) The county government employees age distribution was such that 1504(29.7%) were between the ages of 18-35 years, 1504 (29.7%) were between the ages of 36-59 years while 3555 (70.3%) were 60 years and above; and
 - (c) On the matter of ethnicity of the employees of the county government, the predominant community was Mijikenda with 2018 (39.75%) followed by Swahili with 451(8.8%) and Luo with 376(7.4%) of the workforce. Other communities represented in the workforce included Kalenjin 70(1.38%), Kikuyu 277(5.45%), Kamba 307(6.40%), Bajun 245(4.83%), Kenya Arab 153(3.01%), Masai 13(0.26%), Kisii 160(3.15%), Meru 91(1.79%), Somali 98(1.93%), Taveta 33(0.65%), Orma 3(0.06%), Embu 29(0.57%), Teso 6(0.12%), Burji 1(0.02%), Degodia 2(0.04%), Borana 30(0.59%), Kuria 7(0.14%), Kenyan Asia 42(0.83%), Gureeh 2 (0.04%), Pokot 1(0.02%), Kenyan European 1(0.02%), Basuba 1(0.02%), Foreigner 1(0.02%), Pokomo 60(1.18%), Turkana 1(0.02%), Samburu 5(0.09%), Ajuuran 2(0.04%) and Tharaka 3(0.06%).

2) Kwale County Government

13. The Governor, Kwale County, submitted as follows -

- (a) Kwale County executive had a total workforce of 4,049 of which 2,035(50.26%) were female and 2,014 (49.74%) were male and persons with disabilities were 42 (1.04%) of the total workforce;
- (b) The county government employees age distribution was such that 18-35 years were 1337(33%), 36-50 years are 2,108(52%) and those above 50 years were 604(14.19%), and
- (c) On the matter of ethnic community composition of the employees of the County government, the predominant community was Mijikenda with 3044 (75.2%) followed by Kamba with 409(10.1%), Kikuyu 107(2.6%) of the workforce. Other communities represented in the workforce included Swahili Shirazi 34(0.8%), Bajun 12(0.3), Luo 58(1.4%), Kisii 51(1.3%), Meru 25(0.6%), Kenyan Arab 12(0.3%), Maasai 5(0.1%), Embu 10(0.2%), Turkana 4(0.04%), Kenyan Asian 7(0.1%), Dorobo 2(0.06%), Boran 2(0.06%), Teso 3(0.07%), Pokomo 19(0.5%), Samburu 1(0.04), Taita 99(2.5%), Gabra 2(0.06%), Other Kenyans 6(0.1%) Orma 1(0.04%) ,Burji 1(0.04%), Basuba 1(0.04%), Kuria 1(0.04%), Rendile 1(0.04%), Mbeere 1(0.04%), Somali 14(0.3%), Tharaka 2(0.06%), Taveta 3(0.07%), Kalenjin 31(0.8%), Luhya 84(2.1%)

3) Kilifi County Government

14. The Governor, Kilifi County, submitted as follows-

- (a) Kilifi County had a total workforce of 4,297 of which 2,439(57%) were female and 1859 (43%) were male and persons with disabilities were 31 (1%) of the total workforce;
- (b) The county government employees age distribution was such that 18-35 years are 904(21%), 36-59 years are 3375(79%) and those above 60 years were 18(0.05%), and
- (c) On the matter of ethnic community composition of the employees of the County government, the predominant community was Mijikenda with 3416 (79%) followed by Kamba with 114(3%), Kikuyu 109(3%) of the workforce. Other communities represented in the workforce included Kalenjin 38(1%), Luhya 82(2%), Dorobo 2(0.04%), Rendille 2(0.04%), Somali 27(1%), Luo 69(2%), Kisii 49(1%), Burji 3(0.05%), Kenya Arab 44(1.02%), Swahili 17(0.39%), Meru 44(1.02%), Basuba 1(0.03%), Foreigner 1(0.03%), Mbeere 1(0.03%), Sakuye 1(0.03%), Tharaka 1(0.03%), Others 27(1%), Maasai 3(0.05%), Watta 3(0.05%), Embu 7(0.09%), Gabra 2(0.03%), Kenya

Asian 12(0.32%), Taveta 5(0.07%), Borana(0.06%), Turkana 1(0.03%), Taita 107(0.16%), Samburu 2(0.04%), Pokomo 49(1%), Teso 2(0.04%) and Orma 4(0.06%).

4) Tana River County Government

15. The Governor, Tana River County, submitted as follows-

- (a) Tana River County had a total workforce of 4,297 of which 2,438 (57%) were female and 1,859 (43%) were male and persons with disabilities were 31(1%) of the total workforce.
- (b) The County government did not provide further information on the age distribution and the employees ethnic composition.

5) Lamu County Government

16. The Governor, Lamu County, submitted as follows-

- (a) Lamu County had a total workforce of 1,494 of which 729 (49%) were female and 765 (51%) were male and the persons with disabilities were 18 (1.20%) of the total workforce;
- (b) The county government employees age distribution was such that 18-35 years were 678 (45%), 36-59 years were 801 (54%) and those above 60 years were 15(1%); and
- (c) On the matter of ethnicity of the employees of the county government, the predominant community was Bajun with 558 (37.35%) followed by Kikuyu with 324 (21.69%) and Mijikenda 189(12.65%). Other communities represented in the workforce included Kalenjin 15(1%), Kenyan Arab 62(4.15%), Orma 41(2.74%), Nubian 1(0.07%), East African 1(0.07%), Turkana 1(0.07%), Pokot 1(0.07%), Kenyan Somali 34(2.28%), Kamba 47(3.15%), Luhya 42(2.81%), Luo 40(2.68%), Kisii 19(1.27%), Meru 19(1.27%), Swahili 9(0.60%), Other Kenyan 3(0.2%), Embu 16(1.07%), Boni 27 (1.81%), Burji 2(0.13%), Taita 34(2.28%), Kenyan Asian 1(0.07%), Mbeere 1(0.07%), Maasai 2(0.13%), Boran 2(0.13%), Teso 2(0.13%) and Gabra 1(0.07%).

6) Taita Taveta County Government

17. The Governor, Taita Taveta County, submitted as follows-

- (a) Taita Taveta County had a total workforce of 3,369 of which 1,899 (56.37%) were female and 1,470 (43.63%) were male and persons with disabilities were 18 (0.53%) of the total workforce;

- (b) The county government employees age distribution was such that 18-35 years were 1305 (38.74%), 36-50 years are 1,465 (43.48%) and those above 51 years were 599(17.78%); and
- (c) On the matter of ethnicity of the employees of the county government, the predominant community was Taita with 2,256 (66.96%) followed by Taveta with 303(8.99%) and Kamba with 222 (6.59%). Other communities represented in the workforce included Gabra 1 (0.03%), Gosha 1(0.03%), Teso 2(0.06%), Pokomo 4(0.12%), Samburu 1(0.03%), Somali 12(0.33%), Boran 4(0.12%), Mijikenda 109(3.24%), Ogaden 1(0.03%),Mbeere 5(0.15%), Kenyan Asian 1(0.03%), Bajun 5(0.15%), Embu 11(0.33%), Kenyan Arab 8(0.24%), Swahili Shirazi 1(0.03%), Maasai 22(0.65%), Kenyan European 1(0.03%), Kuria 1(0.03%), Meru 30(0.89%), Kisii 52(1.54%), Luo 65(1.93%), Luhya 101(3%) and Kalenjin 40(1.19%).

7) Wajir County Government

18. The Governor, Wajir County, submitted as follows-

- (a) Wajir County had a total workforce of 4,002 of which 1,274 (31.83%) were female and 2,728 (68.17%) were male and persons with disabilities were 91 (2.27%) of the total workforce;
- (b) The county government employees age distribution was such that 18-35 years were 1,879 (46.95%) and those above 35 years are 2,123 (53.05%); and
- (c) On the matter of ethnicity of the employees of the county government, the predominant community was Somalia with 3,644 (91.05%) followed by Kikuyu with 74(1.85%). Other communities represented in the workforce included Turkana 2(0.05%), Tharaka 1(0.02%), Teso 2(0.05%), Taveta 1(0.02%), Swahili Shirazi 3(0.07%), Rendile 2(0.05%), Pokot 3(0.07%), Other Kenyan 41(1.02%), Oromo 8(0.2%), Mijikenda 5(0.12%), Meru 40(1%), Mbeere 5(0.125%), Maasai 1(0.02%), Luo 24(0.6%), Luhya 20(0.5%), Kisii 35(0.87%), Kikuyu 74(1.85%), Kenyan Arab 1(0.02%), Kamba 32(0.8%), Kalenjin 12(0.3%), Gabra 5(0.12%), Embu 4(0.1%), Burji 3(0.07%), Boran 33(0.82%) and Bajun 1(0.02%).

8) Mandera County Government

19. The Governor, Mandera County, submitted as follows-

- (a) Mandera County had a total workforce of 4,040 of which 1,003(25.1%) were female and 3,037 (74.9%) were male and persons with disabilities were 92 (2.27%) of the total workforce;

- (b) The county government employees age distribution was such that 18-40 years were 3,101(77.53%), 40-60 years were 908(22.73%) and those above 60 years were 31(0.775%); and
- (c) On the matter of ethnicity of the employees of the county government, the predominant community was Somali with 3,289(81.4%) followed by Kikuyu with 46(1.15%) and Luhya with 44(1.1%). Other communities represented in the workforce included Daasanach 1(0.025%), Turkana 2(0.05%), Pokomo 2(0.05%), Mbeere 13(0.32%), Gabra 2(0.05%), Borana 19(0.47%), Tharaka 5(0.12%), Samburu 3(0.07%), Bajun 3(0.07%), Embu 6(0.15%), Taita 1(0.025%), Basuba 2(0.05%), Mijikenda 3(0.075%), Meru 27(0.675%), Kisii 32(0.8%), Maasai 3(0.075%), Kamba 34 (0.85%), Luo 26(0.65%), Other Kenyan 43(1.08%),Burji 4(0.10%) and Kalenjin 37(0.93%).

9) Marsabit County Government

20. The Governor, Marsabit County, submitted as follows-

- (a) Marsabit County had a total workforce of 2,869 of which 1,229(43%) were female and 1640 (57%) were male and persons with disabilities were 51 (1.8%) of the total workforce;
- (b) The county government employees age distribution was such that 18-35 years were 1,460(50.9%), 36-59 years are 1,356(43.7%) and those above 60 years were 53(1.8%); and
- (c) On the matter of ethnicity of the employees of the county government, the predominant community was Borana with 981(34.2%) followed by Gabra with 592(20.6%) and Rendile with 384(13.38%). Other communities represented in the workforce included Wayyu 20(0.7%), Turkana 34(1.2%), Somali 194(1.6%), Sidam 13(0.5%), Samburu 82(2.6%), Sakuye 25(0.87%), Pokot 1(0.03%), Oromo 1(0.03%), Nyamwezi 2(0.06%), Mijikenda 1(0.03%), Meru 65(2.2%), Mbeere 2(0.06%), Maasai 1(0.03%), Luo 15(0.5%), Luhya 19(0.66%), Konso 17(0.6), Kisii 17(0.6%), Kikuyu 67(2.3%), Kenyan Arab 8(0.3%), Kamba 15(0.5%), Kalenjin 23(0.8%), Teso 1(0.03%), Gucha 1(0.03%), Giriama 1(0.03%), Embu 3(0.1%), El Molo 8(0.3%), Daasanach 17(0.6%), Burji 248(8.64%), Asharaf 7(0.24%) and Arsi 4(0.13%).

10) Isiolo County Government

21. The Governor, Isiolo County, submitted as follows-

- (a) Isiolo County had a total workforce of 1,713 of which 793 (46%) were female and 920 (54%) were male and persons with disabilities were 30 (1.8%) of the total workforce;
- (b) The county government employees age distribution was such that 18-35 years were 569(33.22%), 36-45 years were 554(32.34%) and those above 46 years were 590(33.44%); and
- (c) On the matter of ethnicity of the employees of the county government, the predominant community was Borana 778(45.4%) followed by Somali with 283(16.52%) and Meru with 258(15.1%). Other communities represented in the workforce included Kalenjin 7(0.4%), Kikuyu 91(5.3%), Luhya 14(0.8%), Luo 17(1%), Kamba 13(0.8%), Bajun 5(0.3%), Kisii 10(0.6%), Pokot 2(0.1%), Maasai 4(0.2%), Sakuye 122(7.1%), Embu 11 (0.6%), Kenyan Arab 1(0.1%), Turkana 82(4.8%), Rendile 3(0.2%), Orma 4(0.2%), Burji 3(0.2%), Mbeere 4(0.2%), Boni Sanye 2(0.1%), Gabra 49(2.9%) and Samburu 64(3.7%).

11) Meru County Government

22. The Governor, Meru County, informed the Committee that-

- (a) The County had a total workforce of 5,524 of which 3,480 (63%) are female and 2,044 (37%) are male. The People with Disability are 78 (1%) of the total workforce;
- (b) The county government employees age distribution was such that 18-35 years are 1,348(24.45%), 36-59 years are 4,163(75%) and those above 60 years are 13(0.24%), and
- (c) On the matter of ethnic community composition of the employees of the County government, the predominant community was Mijikenda 2018(39.75%) followed by Swahili with 451(8.8%), Luo 376(7.4%), other communities represented in the workforce included Kalenjin 12(0.22%), Luhya 24(0.43%), Luo 15(0.27%), Maasai 3(0.05%), Kisii 24(0.43%), Somali 7(0.12%), Taita 5(0.09%), Embu 59(1.07%), Burji 1(0.02%), Samburu 3(0.05%), Tharaka 71(1.29%), Borana 8(0.14%), Rendile 1(0.02%), Mbeere 21(0.38%) and Turkana 8(0.14%).

12) Tharaka Nithi County Government

23. The Governor, Tharaka Nithi County, submitted as follows-

- (a) Tharaka Nithi County had a total workforce of 2,641 of which 1,493 (56.5%) were female and 1,148 (43.5%) were male and persons with disabilities were 34(1.28%) of the total workforce;

- (b) The county government employees age distribution was such that 18-39 years were 1,113 (42.14%), 40-59 years are 1,518 (57.48%) and those above 60 years were 10(0.38%); and
- (c) On the matter of ethnicity of the employees of the county government, the predominant community was Meru with 1,813(68.65%) followed by Tharaka with 565(21.39%) and Kikuyu with 106(4.01%). Other communities represented in the workforce included Kalenjin 13(0.49%), Burji 1(0.04%), Gabra 1(0.04%), Mijikenda 1(0.04%), Taita 1(0.04%), Luhya 10(0.38%), Luo 2(0.08%), Kamba 37(1.4%), Kisii 12(0.45%), Somali 2(0.08%), Embu 59(2.23%) and Mbeere 18(0.68%).

13) Embu County Government

24. The Governor, Embu County, submitted as follows-

- (a) Embu County had a total workforce of 3,561 of which 2,155(60.52%) were female and 1,406(39.49%) were male and persons with disabilities were 26(0.73%) of the total workforce;
- (b) The county government employees age distribution was such that 18-35 years were 867(24.35%), 36-55 years are 2,244(63%) and those above 56 years are 450(12.64%); and
- (c) On the matter of ethnicity of the employees of the county government, the predominant community was Embu with 1,973(55.41%) followed by Mbeere with 722(20.28%) and Kikuyu with 393(11.04%). Other communities represented in the workforce included Kalenjin 14(0.39%), Luhya 16(0.45%), Luo 13(0.37%), Kamba 222(6.23%), Kisii 15(0.42%), Meru 152(4.27%), Tharaka 17(0.48%) and Other Kenyans 24(0.67%).

14) Kitui County Government

25. The Governor, Kitui County, submitted as follows-

- (a) Kitui County had a total workforce of 5,565 of which 3,409 (61.3%) were female and 2,156 (38.7%) were male and the persons with disabilities were 51(0.92%) of the total workforce;
- (b) The county government employees age distribution was such that 18-35 years were 1,619(29.1%), 36-59 years are 3,934(70.7%) and those above 60 years are 12(0.2%), and
- (c) On the matter of ethnicity of the employees of the county government, the predominant community was Kamba with 5,050(90.75%) followed by Kikuyu with 154(2.77%) and Meru with 71(1.28%). Other communities represented in the workforce included Kalenjin 27(0.49%), Luhya

51(0.92%), Bajun 1(0.02%), Kenyan Arab 2(0.07%), Luo 48(0.86%), Maasai 2 (0.04%), Kisii 40(0.72%), Mijikenda 6 (0.11%), Somali 8(0.14%), Taita 3(0.05%), Embu 41(0.74%), Teso 2(0.04%), Tharaka 19(0.34%), Borana 2(0.04%), Orma 1(0.02%), Mbeere 17(0.31%), Pokomo 3(0.05%), Taveta 1(0.02%) and Swahili Shirazi 12(0.22%).

15) Machakos County Government

26. The Governor, Machakos County, submitted as follows-

- (a) Machakos County had a total workforce of 7,361 of which 4,291 (58%) were female and 3,070 (42%) were male and persons with disabilities were 65(0.88%) of the total workforce;
- (b) The county government employees age distribution was such that 18-30 years were 621(8.4%), 31-59 years are 6,640(90%) and those above 60 years were 100(1.35%); and
- (c) On the matter of ethnicity of the employees of the county government, the predominant community was Kamba with 6,304 (85.64%) followed by Kikuyu with 376(5.11%) and Meru with 143(1.94%). Other communities represented in the workforce included Kalenjin 56(0.76%), Luhya 120(1.63%), Luo 74(1.01%), Maasai 18(0.24%), Kisii 114(1.55%), Mijikenda 17(0.23%), Somali 15(0.2%), Taita 17(0.23%), Embu 48(0.65%), Teso 6(0.08%), Samburu 1(0.01%), Bajun 1 (0.01%), Gosha 1 (0.01%), Basuba 1(0.01%), Pokomo 1(0.01%), Pokot 2(0.03%), Gabra 2(0.03%), Tharaka 3(0.04%), Kuria 3(0.04%), Kenyan Arab 3(0.04%), Borana 4(0.05%), Mbeere 15(0.18%) and Kenyan Asian 12(0.16%)

16) Makueni County Government

27. The Governor, Makueni County, submitted as follows-

- (a) Makueni County had a total workforce of 3,815 of which 2,311 (61%) were female and 1,504 (39%) were male and persons with disabilities were 91(2.4%) of the total workforce;
- (b) The county government employees age distribution was such that 18-35 years were 1,039(27%), 36-55 years were 2,458(64%) and those above 56 years were 318(8%); and
- (c) On the matter of ethnicity of the employees of the county government, the predominant community was Kamba 3,534(92.63%) followed by Kikuyu with 90(2.36%), Meru 36(0.94%), other communities represented in the workforce included Kalenjin 22(0.58%), Luhya 26(0.68%), Luo 24(0.63%), Embu 1(0.39%), Taita 8(0.21%), Somali 4(0.1%), Mijikenda 6(0.16%),

Maasai 3(0.08%), Kisii 32(0.84%), Sakuye 1(0.03%), Turkana 1(0.03%), Taveta 1(0.03%), Borana 1(0.03%), Pokomo 1(0.03%), Kuria 1(0.03%), Teso 1(0.03%), Tharaka 2(0.05%), Swahili Shirazi 2(0.05%) and Mbeere 4(0.1%)

17) Nyandarua County Government

28. The Governor, Nyandarua County, submitted as follows-
- (a) Nyandarua County had a total workforce of 3,831 of which 2,484 (63.84%) were female and 1,347 (36.16%) were male and persons with disabilities were 45(1.17%) of the total workforce;
 - (b) The county government employees age distribution was such that 18-35 years were 834(21.77%), 36-59 years were 2,976(77.68%) and those above 60 years were 21(0.55%); and
 - (c) On the matter of ethnicity of the employees of the county government, the predominant community was Kikuyu 3,588(93.66%) followed by Meru with 65(1.65%), Embu 45(1.17%). Other communities represented in the workforce included Kalenjin 11(0.46%), Luhya 14(0.57%), Luo 6(0.24%), Maasai 2(0.08%), Meru 16(0.65%), Mijikenda 4(0.16%), Embu 7(0.28%), Samburu 2(0.08%), Kuria 1(0.04%) and Mbeere 1(0.04%).

18) Muranga County Government

29. The Governor, Murangá County, submitted as follows-
- (a) Muranga County had a total workforce of 4,982 of which 3,204 (64%) were female and 1,778 (36%) were male and persons with disabilities were 38 (0.76%) of the total workforce;
 - (b) The county government employees age distribution was such that 18-40 years were 2,178(43.71%), 41-59 years are 2,787(55.94%) and those above 60 years are 17(0.34%); and
 - (c) On the matter of ethnicity of the employees of the county government, the predominant community was Kikuyu with 4,668(93.7%) followed by Meru with 60(1.2%) and Luhya and Embu with 36(0.72%) each. Other communities represented in the workforce included Kalenjin 14(0.28%), Luhya 36(0.72%), Foreigner 1(0.02%), Tharaka 1(0.02%), Gabra 1(0.02%), Kuria 1(0.02%), Bajun 1(0.02%), Taita 1(0.02%), Teso 1(0.02%), Turkana 1(0.02%), Kenyan Arab 1(0.02%), Gabra 1(0.02%), Kuria 1(0.02%), Luo 19(0.38%), Kisii 30(0.60%), Somali 4(0.08%), Embu 36(0.72%), Borana 2(0.04%), Mbeere 4(0.08%) and Swahili Shirazi 2(0.04%).

19) Kiambu County Government

30. The Governor, Kiambu County, submitted as follows-

- (a) Kiambu County had a total workforce of 6,899 of which 4,498 (65%) were female and 2,401 (35%) were male and persons with disabilities were 90(1.30%) of the total workforce;
- (b) The county government employees age distribution was such that 18-35 years were 1,448(21%), 36-55 years are 4,630(67%) and those above 56 years are 821(12%); and
- (c) On the matter of ethnicity of the employees of the county government, the predominant community was Kikuyu with 5,934(86%) followed by Meru with 206(3%) and Kamba with 190(3%). Other communities represented in the workforce included Kalenjin 53(1%), Luhya 114(2%), Luo 83(1%), Others 109(2%), Kisii 120(2%) and Embu 90(1%)

20) Turkana County Government

31. The Governor, Turkana County, submitted as follows-

- (a) Turkana County had a total workforce of 4,487 of which 1,622 (36%) were female and 2,865 (64%) were male and persons with disabilities were 107(2.38%) of the total workforce;
- (b) The county government employees age distribution was such that 18-35 years were 1,848 (41.19%), 36-50 years are 2,259 (50.35%) and those above 51 years were 380(8.47%); and
- (c) On the matter of ethnicity of the employees of the county government, the predominant community was Turkana with 3,754(83.66%) followed by Kalenjin with 237(5.28%) and Luhya with 163(3.63%). Other communities represented in the workforce included Kikuyu 74(1.65%), Luo 90(2%), Kamba 17(0.38%), Borana 1(0.02%), Maasai 5(0.11%), Kisii 77(1.72%), Meru 18(0.40%), Mijikenda 2(0.04%), Somali 11(0.25%), Taita 3(0.07%), Bajun 3(0.07%), Non Kenyans 3(0.07%), Embu 5(0.11%), Pokot 4(0.09%), Samburu 6(0.13%), Teso 10(0.22%) and Pokomo 5(0.11%).

21) West Pokot County Government

32. The Governor, West Pokot County submitted as follows-

- (a) West Pokot County had a total workforce of 4,946 of which 2,436 (49.35%) were female and 2,510 (50.75%) were male and persons with disabilities were 23(0.46%) of the total workforce;

- (b) The county government employees age distribution was such that 18-35 years are 2083(42.11%), 36-55 years are 2,667(53.92%) and those above 56 years are 196(3.96%), and
- (c) On the matter of ethnic community composition of the employees of the County government that the predominant community was Kalenjin 4,628(93.57%) followed by Luhya with 173(3.5%), Kikuyu 48(0.97%), other communities represented in the workforce included Luo 21(0.42%), Kamba 9(0.18%), Maasai 7(0.14%), Kisii 29(0.57%), Meru 2(0.04%), Taita 2(0.04%), Kuria 2(0.04%), Mijikenda 3(0.06%), Somali 4(0.08%), Teso 7(0.14%), Samburu 4(0.08%), Mbeere 1(0.02%), Turkana 6(0.12%) and El molo 1(0.02%).

22) Samburu County Government

33. The Governor, Samburu County, submitted as follows-
- (a) Samburu County had a total workforce of 2,564 of which 954 (37%) were female and 1,610 (63%) were male and persons with disabilities were 33(1.29%) of the total workforce;
 - (b) The county government employees age distribution was such that 18-30 years were 371(14%), 31-59 years are 2,187 (86%) and those above 60 years were 6(2%); and
 - (c) On the matter of ethnicity of the employees of the county government, the predominant community was Samburu with 1,963(76.65%) followed by Turkana with 197(7.68%) and Kikuyu with 134 (2.38%). Other communities represented in the workforce included Kalenjin 62(2.42%), Luhya 19(0.74%), Luo 13(0.5%), Maasai 8(0.35%), Burji 1(0.04%), Italians 2(0.08%), Kamba 13(0.5%), Maasai 8(0.35%), Kisii 20(0.78%), Meru 41(1.6%), Mijikenda 2(0.08%), Somali 37(1.44%), Taita 1(0.04%), Dorobo 15(0.59%), Embu 1(0.04%), Teso 1(0.04%), Borana 5(0.2%), Rendille 23(0.9%), Njemps 3(0.12%) and Gabra 2(0.08%).

23) Trans Nzoia County Government

34. The Governor, Trans Nzoia County, submitted as follows-
- (a) Trans Nzoia County had a total workforce of 4,125 of which 2,278 (55%) were female and 1,847 (45%) were male and persons with disabilities were 51(1.24%) of the total workforce;
 - (b) The county government employees age distribution was such that 18-35 years were 1,277(31%), 36-55 years were 2,540(61%) and those above 56 years were 308(8%); and

- (c) On the matter of ethnicity of the employees of the county government, the predominant community was Luhya with 2,265(54.90%) followed by Kalenjin with 1,103(26.7%) and Kisii with 216(5.23%). Other communities represented in the workforce included Luo 135(3.30%), Teso 66(1.60%), Turkana 47(1.14%), Kisii 216(5.23%) and Other Kenyans 73(1.8%)

24) Uasin Gishu County Government

35. The Governor, Uasin Gishu County, submitted as follows-

- (a) Uasin Gishu County had a total workforce of 4,639 of which 2,787 (60.1%) were female and 1,852 (39.9%) were male and persons with disabilities were 101(2.17%) of the total workforce;
- (b) The county government employees age distribution was such that 18-39 years were 1,785(38.48%), 40-59 years are 2,851(61.46%) and those above 60 years were 3(0.06%); and
- (c) On the matter of ethnicity of the employees of the county government, the predominant community was Kalenjin with 3,976(85%) followed by Luhya with 253(5.45%) and Kikuyu 180(3.88%). Other communities represented in the workforce included Luo 78(1.68%), Kamba 17(0.37%), Maasai 7(0.15%), Njemps 3(0.06%), Kisii 5(0.11%), Meru 4(0.09%), Mijikenda 3(0.06%), Somali 3(0.06%), Taita 60(1.29%), Embu 3(0.06%), Teso 11(0.24%), Samburu 3(0.06%), Tharaka 1(0.02%), Borana 4(0.09%), Kuria 3(0.06%), Gabra 2(0.04%), Orma 2(0.04%), Rendille 2(0.04%), Bajuni 1(0.02%), Giriama 1(0.02%), Taveta 1(0.02%), Suba 1(0.02%) and Turkana 15(0.32%)

25) Elgeyo Marakwet County Government

36. The Governor, Elgeyo Marakwet County Government, submitted as follows-

- (a) Elgeyo Marakwet County had a total workforce of 2,518 of which 1,611 (63.98%) were female and 907 (36.02%) were male and persons with disabilities were 24(1%) of the total workforce;
- (b) The county government employees age distribution was such that 18-35 years were 338(13.42%), 36-59 years are 2,175(86.38%) and those above 60 years are 5(0.19%); and
- (c) On the matter of ethnicity of the employees of the county government, the predominant community was Kalenjin with 2,423(96.22%) followed by Luhya with 43(1.7%) and Kikuyu and Kisii 13(0.5%) each. Other communities represented in the workforce included Kikuyu 13(0.52%), Kisii

14(0.56%), Luo 9(0.36%), Maasai 1(0.04%), Meru 2(0.08%), Turkana 3(0.12%), Dorobo 1(0.04%), Ilchamus 1(0.04%) and Kamba 6(0.24).

26) Nandi County Government

37. The Governor, Nandi County, submitted as follows-

- (a) Nandi County had a total workforce of 3,003 of which 2,028 (67.53%) were female and 975 (32.47%) were male and persons with disabilities were 34(1.13%) of the total workforce;
- (b) The county government employees age distribution was such that 18-39 years were 1,099 (36.6%), and those above 41-60 years were 1,904 (63.4%); and
- (c) On the matter of ethnicity of the employees of the county government, the predominant community was Kalenjin with 2,852(95.67%) followed by Luhya with 75(2.5%) and Kisii with 22(0.73%). Other communities represented in the workforce included Kikuyu 6(0.20%), Luo 1(0.03%), Kamba 6(0.20%), Maasai 1(0.03%), Meru 2(0.07%), Orma 1(0.03%), Somali 4(0.10%), Taita 1(0.03%), Teso 1(0.03%), Samburu 1(0.03%), Pokot 3(0.10%), Borana 1(0.03%), Kuria 1(0.03%), Pokomo 1(0.03%) and other Kenyan 2(0.07%).

27) Baringo County Government

38. The Governor, Baringo County, submitted as follows-

- (a) Baringo County had a total workforce of 3,764 of which 2,322 (61.7%) were female and 1,442 (38.3%) were male and persons with disabilities were 39(1%) of the total workforce;
- (b) The county government employees age distribution was such that 18-39 years were 1,027(27.28%), 40-49 years are 1,567(41.63%) and those above 50 years were 1,170(31.08%); and
- (c) On the matter of ethnicity of the employees of the county government, the predominant community was Kalenjin with 3,498(92.93%) followed by Kikuyu with 82(2.18%), and Ilchamus with 48(1.28%). Other communities represented in the workforce included Luhya 38(1.01%), Luo 21(0.56%), Kamba 13(0.35%), Maasai 4(0.11%), Kisii 25(0.67%), Meru 4(0.11%), Mijikenda 2(0.05%), Taita 1(0.03%), Embu 3(0.08%), Samburu 1(0.03%), Somali 5(0.13%), Swahili Shirazi 6(0.16%), Nubian 3(0.08%), Pokomo 1(0.03%), Turkana 8(0.21%), and Kenyan Arab 1(0.03%).

28) Laikipia County Government

39. The Governor, Laikipia County Government, submitted as follows-
- (a) Laikipia County had a total workforce of 2,517 of which 1,531 (60.83%) were female and 986 (39.17%) were male and persons with disabilities were 41 (1.63%) of the total workforce;
 - (b) The county government employees age distribution was such that 18-35 years were 929(36.9%), 36-59 years were 1,581(62.8%) and those above 60 years were 7(0.27%); and
 - (c) On the matter of ethnicity of the employees of the county government, the predominant community was Kikuyu with 1,777(70.6%) followed by Kalenjin with 163(6.48%) and Meru with 128(5.09%). Other communities represented in the workforce included Luhya 34(1.35%), Luo, 29(1.15%), Kenya Asian 1(0.04%), Taita 1(0.04%), Kamba 35(1.39%), Gabra 1(0.04%), Burji 2(0.08%), Dorobo 3(0.12%), Maasai 110(4.37%), Kisii 39(1.55%), Mijikenda 4(0.16%), Somali 23(0.91%), Embu 9(0.36%), Sakuye 1(0.04%), Teso 3(0.12%), Swahili Shirazi 3(0.12%), Samburu 73(2.90%), Borana 13(0.52%), Kuria 1(0.04%), Mbeere 3(0.12%), Pokomo 1(0.04%) and Turkana 3(0.12%).

29) Nakuru County Government

40. The Governor, Nakuru County, submitted as follows-
- (a) Nakuru County had a total workforce of 5,258 of which 3,087 (58.7%) were female and 2,171 (41.3%) were male and persons with disabilities were 84(1.60%) of the total workforce;
 - (b) The county government employees age distribution was such that 18-35 years were 1,231(23.4%), 36-50 years were 2,506(47.7%) and those above 51 years were 1,521(28.96%); and
 - (c) On the matter of ethnicity of the employees of the county government, the predominant community was Kikuyu with 2,481(47.21%) followed by Kalenjin with 1,375(26.15%) and Kisii with 440(8.37%). Other communities represented in the workforce included Bajun 3(0.06%), Basuba 1(0.02%), Burji 1(0.02%), Luhya 302(5.74%), Luo 256(4.87%), Kenya Arab 3(0.06%), Gosha 1(0.02%), Gabra 4(0.08%), Kamba 120(2.28%), Maasai 65(1.24%), Meru 69(1.31%), Mijikenda 3(0.06%), Somali 14(2.66%), Taita 14(2.66%), Embu 18(0.34%), Teso 18(0.34%), Kenya Asian 10(0.19%), Swahili Shirazi 2(0.04%), Samburu 9(0.17%), Njemps 3(0.06%), Borana 8(0.15%), Kuria 7(0.13%), Mbeere 7(0.13%), Pokomo 1(0.02%), Turkana 13(0.25%) and other Kenyan 5(0.10%)

30) Narok County Government

41. The Governor, Narok County, submitted as follows-
- (a) Narok County had a total workforce of 5,478 of which 2,348 (42.86%) were female and 3,130 (57.14%) were male and persons with disabilities were 199(3.63%) of the total workforce;
 - (b) The county government employees age distribution was such that 18-40 years were 3,057(55.81%), 41-59 years were 2,391(43.64%) and those above 60 years were 30(0.55%); and
 - (c) On the matter of ethnicity of the employees of the county government, the predominant community was Maasai with 3,781(69.02%) followed by Kalenjin with 1,015(18.51%) and Kikuyu with 283(5.17%). Other communities represented in the workforce included Luhya 64(1.17%), Luo 65(1.19%), Kamba 29(0.53%), Bajun 1(0.02%), Kisii 135(2.46%), Meru 21(0.38%), Mijikenda 2(0.03%), Somali 13(0.23%), Taita 1(0.02%), Basuba 2(0.03%), Rendille 1(0.02%), Njemps 4(0.07%), Embu 5(0.09%), Teso 3(0.05%), Samburu 9(0.16%), Borana 2(0.03%), Dorobo 16(0.29%), Kuria 19(0.35%), Mbeere 1(0.02%), Turkana 3(0.05%) and Other Kenyans 3(0.05%).

31) Kajiado County Government

42. The Governor, Kajiado County, submitted as follows-
- (a) Kajiado County had a total workforce of 4,483 of which 1,914 (42.70%) were female and 2,569 (57.30%) were male and the persons with disabilities were 23(0.51%) of the total workforce;
 - (b) The county government employees age distribution was such that 18-35 years were 1,756(39.2%) and those above 35 years were 2,727(60.8%); and
 - (c) On the matter of ethnicity of the employees of the county government, the predominant community was Maasai with 3,162(70.53%) followed by Kikuyu with 555(12.38%) and Kamba with 229(5.11%). Other communities represented in the workforce included Kalenjin 151(3.35%), Luhya 75(1.67%), Luo 69(1.54%), Kisii 107(2.39%), Meru 47(1.05%), Rendille 2(0.04%), Mijikenda 2(0.04%), Somali 29(0.64%), Njemps 2(0.04%), Taita 3(0.07%), Embu 18(0.40%), Teso 1(0.02%), El molo 1(0.02%), Samburu 6(0.13%), Oromo 1(0.02%), Borana 6(0.13%), Gabra 1(0.02%), Kuria 2(0.04%), Kenyan Arab 1(0.02%), Pokomo 3(0.07%), Turkana 5(0.11%) and Other Kenyans 6(0.13%).

37) Kirinyaga County Government

48. The Governor, Kirinyaga County, submitted as follows-
- (a) Kirinyaga County had a total workforce of 2,310 of which 1,422 (61.6%) were female and 888 (38.4%) were male and the persons with disabilities were 38(1.6%) of the total workforce;
 - (b) The county government employees age distribution was such that 18-35 years were 976 (21.9%), 36-59 years were 1,314 (77.25%) and those above 60 years were 20(0.9%); and
 - (c) On the matter of ethnicity of the employees of the county government, the predominant community was Kikuyu with 2,126(92%) followed by Embu with 54(2.2%), and Meru with 54(2.2%). Other communities represented in the workforce included Luhya 9(2.44%), Luo 6(0.30%), Kamba 27(1.2%), Kisii 16(0.7%), Mijikenda 2(0.1%), Tharaka 1(0.04%), Borana 1(0.04%), Pokomo 1(0.04%) and Kalenjin 13(0.6%)

38) Nyamira County Government

49. The Governor, Nyamira County, submitted as follows-
- (a) Nyamira County had a total workforce of 4,384 of which 2,335 (55.50%) were female and 1,949 (44.50%) were male and persons with disabilities were 51(1.09%) of the total workforce;
 - (b) The county government employees age distribution was such that 18-35 years were 1,250 (28.5%), 36-55 years were 2,845 (64.9%) and those above 55 years were 289 (6.6%); and
 - (c) On the matter of ethnic community composition, the Committee was informed that the predominant community was Kisii 4,165(95%) followed by other tribes at 219(5%).

39) Vihiga County Government

50. The Governor, Vihiga County, submitted as follows-
- (a) Vihiga County had a total workforce of 3,271 of which 2,000 (61.1%) were female and 1,271 (38.9%) were male and persons with disabilities were 29 (0.9%) of the total workforce;
 - (b) The county government employees age distribution was such that 18-35 years were 996 (30.4%), 36-59 years were 2,243 (68.6%) and those above 60 years were 32(1%); and
 - (c) On the matter of ethnicity of the employees of the county government, the predominant), Other Kenyans 17(0.53%), Pokomo 14(0.44%), Swahili

3(0.09%) and Taita 3(0.09%). community was Luhya with 2,937 (89.79%) followed by Kalenjin with 118 (3.67%) and Luo with 104 (3.18%). Other communities represented in the workforce included Kikuyu 24(0.73%), Kamba 8(0.24%), Maasai 2(0.06%), Kisii 51(1.56%), Meru 5(0.15%), Mijikenda 1(0.03%), Taita 3(0.09%), Embu 1(0.03%), Samburu 1(0.03%), Tharaka 2(0.06%), Kuria 13(0.40%) and Pokomo 1(0.03%).

40) Bungoma County Government

51. The Governor, Bungoma County, submitted as follows-

- (a) Bungoma County had a total workforce of 5,076 of which 3,625 (56.79%) were female and 2,758 (43.21%) were male and persons with disabilities were 80 (1.25%) of the total workforce;
- (b) The county government employees age distribution was such that 18-35 years were 1,343 (21.04%), 36-50 years were 3,814 (59.75%) and those above 51 years was 1,226(19.20%); and
- (c) On the matter of ethnicity of the employees of the county government, the predominant community was Luhya with 5,336(83.60%) followed by Kalenjin with 692(10.84%) and Teso 109(1.71%). Other communities represented in the workforce included Kikuyu 50(0.78%), Luo 82(1.28%), Kamba 23(0.36%), Maasai 2(0.03%), Kisii 46(0.72%), Meru 12(0.19%), Mijikenda 5(0.08%), Somali 7(0.11%), Taita 2(0.03%), Embu 1(0.02%), Samburu 2(0.03%), Bajun 1(0.02%), Kuria 4(0.06%), Dorobo 2(0.03%), Pokomo 1(0.02%), Basuba 1(0.02%), Kenya Asia 3(0.05%), Kenya Arab 2(0.03%), Turkana 2(0.03%) and Other Kenyans 8(0.12%).

41) Busia County Government

52. The Governor, Busia County, submitted as follows-

- (a) Busia County had a total workforce of 3,935 of which 2,104 (53.46%) were female and 1,831 (46.54%) were male and persons with disabilities were 44 (1.12%) of the total workforce;
- (b) The county government employees age distribution was such that 18-35 years were 1,053(26.76%), 36-54 years are 2,525(64.17%) and those above 55 years were 357(9.07%); and
- (c) On the matter of ethnicity of the employees of the county government, the predominant community was Luhya with 2,313(58.78%) followed by Teso with 1,176(29.9%) and Luo with 267(6.9%). Other communities represented in the workforce included Kalenjin 43(1.09%), Kikuyu 32(0.81%), Kamba

17(0.43%), Meru 9(0.22%), Boni 1(0.03%), Swahili 1(0.03%), Taita 2(0.05%), Pokomo 1(0.03%), Embu 7(0.17%) and Kisii 66(1.67).

42) Kisumu County Government

53. The Governor, Kisumu County, submitted as follows-

- (a) Kisumu County had a total workforce of 5,264 of which 2,782(52.85%) were female and 2,482(47.15%) were male and persons with disabilities were 74(1.40%) of the total workforce;
- (b) The county government employees age distribution was such that 18-35 years were 1,590(30.21%), 36-59 years were 3,642(669.19%) and those above 60 years were 32(0.61%); and
- (c) On the matter of ethnicity of the employees of the county government, the predominant community was Luo with 4,616(87.69%) followed by Luhya with 297(5.64%) and Kisii with 154(7.4%). Other communities represented in the workforce included Kalenjin 72(1.32%), Kikuyu 21(0.41%), Kenya Asian 5(0.09%), Kamba 23(0.44%), Maasai 4(0.07%), Meru 90.15%), Ugandan 1(0.02%), Mijikenda 3(0.06%), Somali 2(0.04%), Taita 7(0.13%), Abasuba 6(0.11%), Embu 2(0.04%), Teso 24(0.46%), Bajun 1(0.02%), Sudanese 1(0.02%), Kenya Arab 1(0.02%), Taveta 1(0.02%), Samburu 1(0.02%), Kuria 4(0.07%), Mbeere 1(0.02%), Pokomo 1(0.02%), Turkana 1(0.02%) and Other Kenyan 3(0.06%).

43) Homabay County Government

54. The Governor, Homabay County, submitted as follows-

- (a) Homabay County had a total workforce of 7,554 of which 4,023 (53.3%) were female and 3,531 (46.7%) were male and persons with disabilities were 51(0.67%) of the total workforce;
- (b) The county government employees age distribution is such that 18-35 years were 2,676 (35.4%), 36-60 years were 4,844 (64.2%) and those above 60 years were 34(0.5%); and
- (c) On the matter of ethnicity of the employees of the county government, the predominant community was Luo with 5,815(76.98%) followed by Suba with 1,388(18.37%) and Kisii with 172(2.28%). Other communities represented in the workforce included Kalenjin 37(0.49%), Kikuyu 19(0.25%), Luhya 87(1.15%), Kamba 9(0.12%), Maasai 4(0.05%), Meru 2(0.02%), Mijikenda 4(0.05%), Sakuye 1(0.01%), Taita 3(0.04%), Tharaka 1(0.01%), Borana 1(0.01%), Kuria 3(0.04%), Swahili 4(0.05%), Turkana 1(0.01%) and Teso 3(0.04%).

44) Migori County Government

55. The Governor, Migori County, submitted as follows-
- (a) Migori County had a total workforce of 3,270 of which 1,593 (49%) were female and 1,677 (51%) were male and persons with disabilities were 50(1.53%) of the total workforce;
 - (b) The county government employees age distribution was such that 18-35 years were 785(24.01%), 36-55 years were 2,259(69.08%) and those above 56 years were 226(6.91%); and
 - (c) On the matter of ethnicity of the employees of the county government, the predominant community was Luo with 2,347(71.77%) followed by Kuria with 550(16.81%) and Kisii with 204(6.23%). Other communities represented in the workforce included Kalenjin 23(0.67%), Luhya 98(2.99%), Kikuyu 16(0.48%), Kamba 6(0.18%), Kenya Arab 1(0.03%), Maasai 2(0.06%), Meru 2(0.06%), Mijikenda 1(0.03%), Somali 2(0.03%), Taita 3(0.09%), Embu 2(0.06%), Teso 1(0.03%), Kenya Asian 1(0.03%), Basuba 10(0.30%) and other Kenyans 5(0.15%).

45) Kisii County Government

56. The Governor, Kisii County, submitted as follows-
- (a) Kisii County had a total workforce of 5,617 of which 2,839 (50.54%) were female and 2,778 (49.46%) were male and the persons with disabilities were 103(1.83%) of the total workforce;
 - (b) The county government employees age distribution was such that 18-35 years were 1,193 (21.24%), 36-59 years were 4,352 (77.48%) and those above 60 years were 72(1.28%); and
 - (c) On the matter of ethnicity of the employees of the county government, the predominant community was Kisii with 5,295 (94.28%) followed by Luo with 113(2.01%) and Kikuyu with 53(7.4%). Other communities represented in the workforce included Kuria 12(0.21%), Mbeere 1(0.02%), Foreigner 2(0.04%), Samburu 1(0.02%), Embu 4(0.06%), Taita 3(0.05%), Boni 1(0.02%), Gabra 1(0.02%), Meru 12(0.21%), Maasai 2(0.04), Kamba 23(0.41%), Kikuyu 53(0.94%) and Kalenjin 30(0.53%).

46) Nairobi County Government

57. The Governor, Nairobi County, submitted as follows-

d) *Ethnic diversity of the County Governments' workforce and compliance with the requirement that the dominant Community in a county should not exceed 70% of that County's workforce.*

65. On the requirement that the dominant ethnic community in a county should not exceed 70% of a county's total workforce, several counties demonstrated ethnic diversity in their workforce composition. Marsabit County government had the most diverse workforce, with the dominant ethnic community constituting only 34.20% of her workforce. Other county governments with a high level of ethnic diversity in their workforce include Lamu with (37.35%), Nairobi (37.82%), Mombasa (39.75%), Isiolo (45.40%), Nakuru (47.31%), Trans Nzoia (54.90%), Embu (55.41%), Busia (58.78%), and Taita Taveta (66.96%).
66. Conversely, the larger number of county governments lacked ethnic diversity in their workforce, with the dominant ethnic community occupying more than 90% of the workforce. The Bomet County government had the least ethnic diverse workforce. It had a high of 97.28% of her workforce consisting of the dominant ethnic community in the county. This was followed by Elgeyo Marakwet with (96.30%), Nandi (95.67%), Nyandarua (95.57%), Nyamira (95.00%), Kisii (94.28%), Murang'a (93.70%), Nyeri (93.66%), West Pokot (93.57%), and Baringo (92.93%) of their workforce occupied by the dominant ethnic community in the county.
67. In assessing the ethnic diversity of county workforces based on the number of distinct Kenyan communities represented, some counties stood out for their inclusivity. Nairobi County led with representation from 35 different communities, followed closely by Marsabit (33), Kwale and Kilifi (32 each), Garissa (30), Nakuru (29), Mombasa, Lamu, and Kisumu (28 each), Wajir, Uasin Gishu, Laikipia, Machakos, and Taita Taveta, each with 26 communities represented in their workforce.
68. On the other hand, some counties exhibited limited ethnic diversity within their workforces. Trans Nzoia County had the lowest diversity, with only 8 communities represented. It was followed by Kiambu (9), Elgeyo Marakwet (10), Embu (11), Kirinyaga (12), Nyandarua and Busia (13 each). Vihiga, Bomet, and Tharaka counties each had 15 communities represented.
69. The Table below summarizes the ethnic diversity of County Governments' total workforce.

Table 1: Ethnic Diversity of all Forty-Seven (47) County Governments

No.	County	Number of Ethnic Communities	Dominant Ethnic Group	% of Dominant Ethnic Group	Compliance
1.	Baringo	25	Kalenjin	92.93	Non-compliant
2.	Bomet	15	Kalenjin	97.28	Non-compliant
3.	Bungoma	24	Luhya	83.6	Non-compliant
4.	Busia	13	Luhya	58.78	Compliant
5.	Elgeyo-Marakwet	10	Kalenjin	96.3	Non-compliant
6.	Embu	11	Embu	55.41	Compliant
7.	Garissa	25	Somali	80.12	Non-compliant
8.	Homa Bay	18	Luo	76.98	Non-compliant
9.	Isiolo	23	Borana	45.4	Compliant
10.	Kajiado	25	Maasai	70.53	Non-compliant
11.	Kakamega	20	Luhya	90.68	Non-compliant
12.	Kericho	Incomplete information			
13.	Kiambu	9	Kikuyu	86	Non-compliant
14.	Kilifi	32	Mijikenda	79	Non-compliant
15.	Kirinyaga	12	Kikuyu	92	Non-compliant
16.	Kisii	18	Kisii	94.28	Non-compliant
17.	Kisumu	28	Luo	87.69	Non-compliant
18.	Kitui	23	Kamba	90.75	Non-compliant
19.	Kwale	32	Mijikenda	75.2	Non-compliant
20.	Laikipia	26	Kikuyu	70.60	Non-compliant
21.	Lamu	28	Bajuni	37.35	Compliant
22.	Machakos	26	Kamba	85.64	Non-compliant
23.	Makueni	22	Kamba	92.63	Non-compliant
24.	Mandera	24	Somali	81.41	Non-compliant
25.	Marsabit	33	Borana	34.20	Compliant
26.	Meru	18	Meru	89.86	Non-compliant
27.	Migori	20	Luo	71.77	Non-compliant
28.	Mombasa	28	Mijikenda	39.75	Compliant
29.	Murang'a	21	Kikuyu	93.70	Non-compliant
30.	Nairobi City	35	Kikuyu	37.82	Compliant
31.	Nakuru	29	Kikuyu	47.21	Compliant

32.	Nandi	18	Kalenjin	95.67	Non-compliant
33.	Narok	24	Maasai	69.02	Compliant
34.	Nyamira	2	Kisii	95.00	Non-compliant
35.	Nyandarua	13	Kikuyu	95.57	Non-compliant
36.	Nyeri	19	Kikuyu	93.66	Non-compliant
37.	Samburu	23	Samburu	76.56	Non-compliant
38.	Siaya	No data provided			
39.	Taita Taveta	26	Taita	66.96	Compliant
40.	Tana River	No data provided			
41.	Tharaka Nithi	15	Meru	68.65	Compliant
42.	Trans Nzoia	8	Luhya	54.90	Compliant
43.	Turkana	20	Turkana	83.66	Non-compliant
44.	Uasin Gishu	26	Kalenjin	85.70	Non-compliant
45.	Vihiga	15	Luhya	89.79	Non-compliant
46.	Wajir	26	Somali	91.05	Non-compliant
47.	West Pokot	17	Kalenjin	93.57	Non-compliant

70. Additionally, an *ethnic & diversity audit of the County Public Service conducted by NIC in 2023 across 47 counties* indicated that on average, the top ten ethnic groups in employment in the counties public service were Kalenjin at (15.475%), Kikuyu (15.40%), Luhya (13.00%), Luo (9.15%), Kamba (8.73%), Kisii (7.50%), Mijikenda (5.08%), Meru (4.78%), Somali (4.31%), and Maasai (4.00%). In contrast, the bottom five ethnic groups represented in county government employment showed that Wayyu, Asians, Gosha, Malakote, and Kenyan European are at 0%, indicating little to no effort to their inclusion.

Table 2: National Composition in terms of ethnicity combined for all the Forty-Seven County governments' workforce

No.	Community	Freq.	Percentage
1.	Kalenjin	28,556	15.45
1.	Kikuyu	28,462	15.40
2.	Luhya	24,039	13.00
3.	Luo	16,920	9.15
4.	Kamba	16,148	8.73
5.	Kisii	13,857	7.50

6.	Mijikenda	9,392	5.08
7.	Meru	8,832	4.78
8.	Somali	7,970	4.31
9.	Maasai	7,400	4.00
10.	Turkana	3,555	1.92
11.	Taita	2,890	1.56
12.	Embu	2,396	1.29
13.	Borana	1,912	1.03
14.	Teso	1,803	0.98
15.	Samburu	1,750	0.95
16.	Pokomo	1,050	0.57
17.	Suba	881	0.48
18.	Orma	773	0.42
19.	Bajun	748	0.40
20.	Mbeere	738	0.40
21.	Kuria	720	0.39
22.	Tharaka	715	0.39
23.	Swahili	633	0.34
24.	Gabra	624	0.34
25.	Rendille	375	0.20
26.	Taveta	343	0.19
27.	Kenyan-Arab	261	0.14
28.	Burji	249	0.13
29.	Ilchamus	232	0.13
30.	Other Kenyan	212	0.11
31.	Sakuye	111	0.06
32.	Kenyan Asian	86	0.05
33.	Arab	73	0.04
34.	Dorobo	39	0.02
35.	Waata	39	0.02
36.	Foreigner	23	0.01
37.	Daasanach	19	0.01
38.	Konso	17	0.01
39.	El-Molo	13	0.01
40.	Nubi	9	0.00
41.	Wayyu	9	0.00
42.	Asian	7	0.00

43.	Gosha	1	0.00
44.	Malakote	1	0.00
45.	Kenyan European	1	0.00
	Total	184,876	100

Table 3: Demographic Composition in terms of gender, age, ethnicity PwDs and dominant Community in the County governments' workforce

No.	County	Total Workforce	Male (Number & Percentage)	Female (Number & Percentage)	Age Bracket Percentages	Ethnic Groups Represented (Number)	Dominant Ethnic Group (Number & Percentage)	PwDs (Percentage)
1.	MOMBASA	5,076	2722 (53.6%)	2,354 (46.3%)	(36-59): 3,555 (70.3%)	31	MIJIKENDA 2,018 (39.75%)	52 (1.02%)
2.	KWALE	4,049	2,014 (49.74%)	2,035 (50.26%)	(36-59):2,108 (52%)	32	MIJIKENDA 3,044 (75.2%)	42 (1.04%)
3.	KILIFI	4,297	1859 (43%)	2,439 (57%)	(36-59):3,375 (79%)	33	MIJIKENDA 3,416 (79%)	31 (1%)
4.	TANA RIVER	4,297	1,859 (43%)	2,438 (57%)	N/A	N/A	N/A	31 (1%)
5.	LAMU	1,494	765 (51%)	729 (49%)	(36-59):801 (54%)	28	BAJUN 558 (37.35%)	18 (1.2%)
6.	TAITA TAVETA	3,369	1,470 (43.63%)	1,899 (56.37%)	(36-50):1,465 (43.48%)	26	TAITA 2,256 (66.96%)	18 (0.53%)
7.	GARISSA	3,184	N/A	N/A	ABOVE 35 YEARS 1,989 (62%)	36	SOMALI 2,551 (80.12%)	N/A
8.	WAJIR	4,002	2,728 (68.17%)	1,274 (31.83%)	35-59 YEARS 2,1223 (53.05%)	28	SOMALI 3,644(91.05%)	91 (2.27%)
9.	MANDERA	4,040	3,037 (79.9%)	1,003 (25.1%)	18-40 YEARS 3,101	24	SOMALI 3,289(81.4%)	92 (2.29%)

19.	NYERI	3,831	1,347 (36.16%)	2,484 (63.84%)	2,976 (77.68%)	19	KIKUYU 3,588 (93.66%)	21 (0.55%)
20.	KIRINYAGA	2,310	888 (38.4%)	1,422 (61.6%)	36-59 YEARS 1,314 (77.25%)	12	KIKUYU 2,126 (96%)	38 (1.6%)
21.	MURANGA	4,982	1,778 (36%)	3,202 (64%)	41-59 YEARS 2,787 (55.94%)	24	KIKUYU 4,668 (93.7%)	17 (0.34)
22.	KIAMBU	6,899	2,401 (35%)	4,498 (65%)	36-55 YEARS 4,630 (67%)	9	KIKUYU 5,934 (86%)	90 (1.30%)
23.	TURKANA	4,487	2,865 (64%)	1,622 (36%)	36-50 YEARS 2,259 (50.35%)	20	TURKANA 3,754 (83.66%)	107 (2.38%)
24.	WEST POKOT	4,946	2,510 (50.75%)	2,436 (49.35%)	36-55 YEARS 2,667 (53.92%)	17	KALENJIIN 4,628 (93.57)	23 (0.46%)
25.	SAMBURU	2,564	1,610 (63%)	954 (37%)	31-59 YEARS (86%)	23	SAMBURU 1,963 (76.65%)	33 (1.29%)
26.	TRANS NZOIA	4,125	1,847	2,278	36-55	8	LIHYA	51

			(45%)	(55%)	YEARS		2,265 (54.90%)	(1.24%)
27.	UASIN GISHU	4,639	1,852 (39.9%)	2,787 (60.1%)	40-59 YEARS 2,851 (61.46%)	26	KALENJIN 3,976 (85%)	101 (2.17%)
28.	ELGEYO MARAKWET	2,518	907 (36.02%)	1,611 (63.98%)	36-59 YEARS 2,175 (86.38%)	11	KALENJIN 2,423 (96.22%)	24 (1%)
29.	NANDI	3,003	975 (32.47%)	2,028 (67.53%)	41-60 YEARS 1,904 (63.4%)	18	KALENJIN 2,852 (95.67%)	34 (1.13%)
30.	BARINGO	3,764	1,442 (38.3%)	2,322 (61.7%)	40-49 YEARS 1,567 (41.63%)	19	KALENJIN 3,498 (92.93%)	39 (1%)
31.	LAIKIPIA	2,517	986 (36.9%)	1,531 (60.83%)	36-59 YEARS 1,581 (62.8%)	25	KIKUYU 1,777 (70.6%)	41 (1.63%)
32.	NAKURU	5,258	2,171 (41.3%)	3,087 (58.7%)	36-50 YEARS 2,506 (47.7%)	29	KIKUYU 2,481 (47.21%)	84 (1.60%)
33.	NAROK	5,478	3,130 (57.14%)	2,348 (42.86%)	18-40 YEARS 3,057 (55.81%)	20	MAASAI 3,781 (69.02%)	199 (3.63)
34.	KAJIADO	4,483	2,569 (57.30)	1,914 (42.70)	ABOVE 35 YEARS	25	MAASAI 3,162	23

				(46.7%)		(53.5%)	YEARS 4,844 (64.2%)	18	LUO 5,815 (76.98%)	51 (0.67%)
44.	MIGORI	3,270	1,677 (51%)	1,593 (49%)	36-55 YEARS 2,259 (69.08%)	18	LUO 2,347 (71.77%)	50 (1.53%)		
45.	KISII	5,617	2,778 (49.46%)	2,839 (50.54%)	36-59 YEARS 4,352 (77.48%)	16	KISII 5,295 (94.28%)	103 (1.83%)		
46.	NYAMIRA	4,384	1,949 (44.50%)	2,335 (55.50)	36-55 YEARS 2,845 (64.9%)	OTHER	KISII 4,165 (95%)	51 (1.09%)		
47.	NAIROBI	16,321	7,661 (46.94%)	8,660 (53.06%)	41-59 YEARS (53.4%)	34	KIKUYU 6,173 (37.82%)	172 (1.05%)		

3.4 Committee Observations on demographic composition of the County Governments' workforce in terms of gender, persons with disabilities, age and ethnicity.

71. The Committee observes as follows-

- a) Forty-four (44) county governments with the exceptions of Mandera, Wajir and Nandi Counties complied with the constitutional requirements that not more than two-thirds of the members of appointive bodies shall be of the same gender. ('Not more than two-thirds gender' Principle).
- b) There were disproportionately more female employees in each of the county Governments' workforce when compared to male employees. The representation of female employees in the county governments' workforce ranged from 25% in Mandera County government to 65% in Kiambu county government. This high level of female workforce compared to the male counterparts was occasioned by the huge number of nurses and ECDE teachers who were predominantly of the female gender.
- c) All the forty-seven (47) county governments failed to comply with the constitutional requirement to reserve five percent (5%) of appointive positions in their workforce for persons with disabilities. The representation of persons with disabilities in the county governments' workforce ranged from a low of 0.34% (Murang'a) to 3.63 % (Narok). Siaya and Tana River County governments did not provide data on employees with disabilities in their workforce.
- d) All the forty-seven (47) county governments had representation of all the age groups. The exact composition of youth (aged between 18 and 35) could not be easily ascertained and data was not disaggregated to reflect these groupings.
- e) Thirty-two (32) county governments failed to comply with the requirement to ensure that at least 30% of the vacant post are filled by candidates who are not from the dominant ethnic community in the county. These 32 county governments had the dominant community having the following percentages; Kwale (Mijikenda, 75.2%), Kilifi (Mijikenda, 79%), Wajir (Somali, 91.05%), Mandera (Somali, 81.4%), Meru (Meru , 90%), Kitui (Kamba, 90%), Machakos (Kamba, 85%), Makueni (Kamba, 92.63%), Nyandarua (Kikuyu, 93.66%), Nyeri (Kikuyu, 93.66%), Kirinyaga (Kikuyu,

96%), Murang'a (Kikuyu, 93.7%), Kiambu (Kikuyu, 86%), Turkana (Turkana, 83.66%), West Pokot (Kalenjin, 93.57%), Samburu (Samburu, 76.65%), Uasin Gishu (Kalenjin, 85%), Garissa (Somali, 80.15%), Elgeyo Marakwet (Kalenjin, 96.22%), Nandi (Kalenjin, 95.67%), Baringo (Kalenjin, 92.93%), Laikipia (Kikuyu, 70.6%), Kajiado (Maasai, 70.53%), Bomet (Kalenjin, 97.28%), Kakamega (Luhya, 90.68%), Bungoma (Luhya, 83.6%), Vihiga (Luhya, 89.79%), Kisumu (Luo, 87.69%), Homabay (Luo, 76.98%), Migori (Luo, 71.77%), Kisii (Kisii, 94.28%) and Nyamira (Kisii, 95%). Tana River, Nyamira and Kericho County governments failed to provide a complete data on the ethnic composition of their workforce.

- f) Twelve (12) county governments complied with the requirement to ensure that at least 30% of the vacant post are filled by candidates who are not from the dominant ethnic community in the county. These 12 counties had the dominant community having the following percentages; Mombasa (Mijikenda, 39.75%), Lamu (Bajun, 37.35%), Taita Taveta (Taita, 66.96%), Marsabit (Borana, 34.2%), Isiolo (Borana, 45.4%), Tharaka Nithi (Meru, 68.65%), Embu (Embu, 55.41%), Trans Nzoia (Luhya, 54.90%), Nakuru (Kikuyu, 47.21%), Narok (Maasai 69.02%), Busia (Luhya, 58.78%) and Nairobi (Kikuyu, 37.82%).
- g) Majority of the county governments that complied with the requirement to ensure that at least 30% of the vacant post were filled by candidates who are not from the dominant ethnic community in the county were either counties that would be classified as urban areas counties or counties that had no outright dominant ethnic community in the diverse ethnic communities residing in that particular county. There were no evident specific measures put in place by these county governments to comply with the requirement.
- h) Despite Kericho, Uasin Gishu, Machakos, Laikipia, Kiambu, Kisumu and Kajiado being cosmopolitan counties, with diverse ethnic communities and demographics, they failed to comply with the employment requirement for individuals not from the dominant ethnic communities.
- i) In terms of ethnic community representation in the county government's workforce based on the number of distinct Kenyan communities represented, some counties stood out for their inclusivity. Nairobi County led with representation from 35 different communities, followed closely by Marsabit (33), Kwale and Kilifi (32 each), Garissa (30), Nakuru (29), Mombasa, Lamu, and Kisumu (28 each), Wajir, Uasin Gishu, Laikipia, Machakos, and

Taita Taveta, each with 26 communities represented in their workforce. On the other hand, some counties exhibited limited ethnic diversity within their workforces. Trans Nzoia County had the lowest diversity, with only 8 communities represented. It was followed by Kiambu (9), Elgeyo Marakwet (10), Embu (11), Kirinyaga (12), Nyandarua and Busia (13 each). Vihiga, Bomet, and Tharaka counties each had 15 communities represented

- j) In terms of the total number of specific ethnic groups in employment across 47 counties, on average, the top ten ethnic groups in employment in the counties public service were Kalenjin at (15.475%), Kikuyu (15.40%), Luhya (13.00%), Luo (9.15%), Kamba (8.73%), Kisii (7.50%), Mijikenda (5.08%), Meru (4.78%), Somali (4.31%), and Maasai (4.00%). On the other hand, the bottom five ethnic groups represented in county government employment showed that Wayyu, Asians, Gosha, Malakote, and Kenyan European are at 0%, indicating little to no effort to their inclusion.
- k) An ethnic and diversity audit of the County Public Service conducted by NCIC in 2023 found that county governments face challenges and constraints that are a hindrance to achieving ethnic balance among them-
 - i) Staff inherited from defunct local authorities who were grossly drawn from locals,
 - ii) Poor county infrastructure that is proving non attractive to professional and skilled personnel from non-dominant communities,
 - iii) political interference of employment in the county public service,
 - iv) lack of clear framework to guide inter county transfer, Rural counties being unattractive to skilled personnel,
 - v) laxity by oversight organs in holding employing organs accountable,
 - vi) low awareness on diversity laws by boards and county officials and the public are not conversant with what the law provides for them.
- l) NCIC in its Audit Report proposed the following measures to address the challenges identified and promote inclusivity-
 - i) that the County Public service boards should prepare and implement a county employment equity plan for purpose of eliminating ethnic imbalance;
 - ii) county governments to liaise with Intergovernmental Relations Technical Committee (IGRTC) and Council of Governors (CoG) to implement standardized county level recruitment guidelines, career progression policies, transition framework, salary structures to ensure consistent and equitable employment practices;

- iii) counties to better their infrastructure in order to attract professionals;
- iv) empower county public service boards to fulfill their mandate without undue interference from county and national leadership; and
- v) launch targeted sensitization campaigns for county governments, educating county boards, political leaders, and county staff on legal implications of diversity and inclusivity issues.

CHAPTER FOUR: DEMOGRAPHIC COMPOSITION OF COUNTY EXECUTIVE COMMITTEE MEMBERS AND COUNTY CHIEF OFFICERS

4.1 Introduction

72. This Chapter sets out the submissions received from the county governments under *Thematic Area 2*, an analysis of the submissions, and the Observations by the Committee on the thematic area.

4.2 Overview of Submissions

73. The Committee received submissions under *Thematic Area 2* from the county governments as follows-

1) Mombasa County Government

74. The Governor, Mombasa County submitted as follows-

- a) Mombasa County had a total of 10 County Executive Committee members, of which seven (70%) were of male while three (30%) were female. There were 14 Chief Officers of which eight (63%) were of male while six (37%) were female. There was only one (7%) person with disabilities.
- b) In terms of ethnicity the executive had representation from 11 ethnic communities including, Mijikenda (6), Luo (4), Bajun (1), Taita (1), Kamba (1), Somali (1), Kenyan Arab (3), Luhya (1), Orma (2), Swahili-Shirazi (2) and Kisii (2)

2) Kwale County Government

75. The Governor, Kwale County submitted as follows-

- a) Kwale County had a total of 10 County Executive Committee Members, of which six (60%) were of male while four (40%) were female. There were 12 Chief Officers of which nine (75%) were male while three (25%) were female. There was only one (8.33%) person with disabilities.
- b) In terms of ethnicity the executive had representation from 4 ethnic communities including, Kamba (2), Luhya (1), Swahili Shirazi (2) and Mijikenda (17)

3) Kilifi County Government

76. The Governor, Kilifi County submitted as follows-

- a) Kilifi County had a total of 14 County Executive Committee Members, of which eight (57.14%) were of male and six (42.85%) were female. There were 24 Chief Officers, of which thirteen (59%) were of male and nine (41%) were female. There was only one (5%) person with disabilities.
- b) In terms of ethnicity the County Executive there were Mijikenda (26), Somalis (4), Kamba (1), Luhya (1), Luo (1), Taita (1) and Watta (1), and Kenyan Arab (1).

4) Lamu County Government

77. The Governor, Lamu County submitted as follows- -

- a) Lamu County had a total of 7 County Executive Committee Members, of which five (71.42%) were male and two (28.57%) were female. There were 13 Chief Officers, of which nine (69.23%) were male and four (30.76%) were female. There was only one (7.69%) person with a disability.
- b) In terms of ethnicity the executive had representation from 7 ethnic communities including, Mijikenda (2), Bajun (9), Kenyan Arab (4), Kikuyu (2), Luhya (1), Somali (1) and Taita (1).

5) Taita Taveta County Government

78. The Governor, Taita Taveta County submitted as follows-

- a) Taita Taveta had a total of 9 County Executive Committee Members and 13 Chief Officers making a total of 23, of which sixteen (69.57%) were male and seven (30.43%) were female. There were two (8.70%) persons with disability;
- b) In terms of ethnicity the County Executive had representation from 3 ethnic communities including, Kamba (2), Taita (17) and Taveta (4)

6) Garissa County Government

79. The Governor, Garissa County submitted as follows-

- a) Garissa County had a total of 10 Executive Committee Members, of which seven (70%) were male and three (30%) were female. There were 30 Officers of which twenty (66.67%) were male and ten (33.33%) were female. There was one (3.33%) person with a disability.
- b) The County did not provide data on the ethnic distribution of the County Executive.

7) Wajir County Government

80. The Governor, Wajir County submitted as follows-

- a) Wajir County had a total 10 County Executive Committee Members and 21 Chief Officers making a total of 31, of which twenty-three (74.19%) were male and eight (25.81%) were female. There were two (6.45%) persons with disability.
- b) On the ethnicity of both CECMs and CCOs, twenty-nine (93.56%) were from the Somali Community whereas two (6.45%) were from the Minority communities.

8) Mandera County Government

81. The Governor, Mandera County submitted as follows-

- a) Mandera County had a total of 9 County Executive Committee Members, of which two (22.22%) were female and seven (77.78%) were male. There were 31 Chief Officers, of which twenty (64.52%) were male and eleven (35.48%) were female.
- b) In terms of ethnicity, the executive had representation from 2 ethnic communities including Somali (39) and other Kenyan (1).

9) Marsabit County Government

82. The Governor, Marsabit County submitted as follows-

- a) Marsabit County had a total of 10 County Executive Committee Members, of which three (30%) were female and seven (70%) were male. There were 24 Chief Officers, of which seven (29.17%) were female and seventeen (70.83%) were male. There was only one (2.945%) person with a disability.
- b) In terms of ethnicity the executive had representation from 10 ethnic communities including, Gurreh (5), Borana (11), Burji (3), Gabra (7), Samburu (1), Rendille (3), Konso (1), Ajuran (1), Samburu (1) and Turkana (1).

10) Isiolo County Government

83. The Governor, Isiolo County submitted as follows-

- a) Isiolo County had a total of 6 County Executive Committee Members, of which five (83.33%) were male and one (16.67%) were female. There were 30 Chief Officers, of which twenty-three (76.66%) were male and seven (23.33%) were female.

- b) In terms of ethnicity the executive had representation from 11 ethnic communities including, Meru (4), Borana (12), Orma (5), Somali (3), Kikuyu (1), Samburu (2), Turkana (3), Gabra (1), Ajuran (1), Gureeh (3) and Ogaden (1).

11) Meru County Government

84. The Governor, Meru County submitted as follows-

- a) Meru County had a total of 10 County Executive Committee Members, of which, four (33.33%) were female and eight (66.67%) were male. There were 8 Chief Officers, of which two (25%) were female and six (75%) were male.
- b) In terms of ethnicity the executive had representation from 3 ethnic communities including, Meru (15), Tharaka (1) and Kikuyu (2).

12) Tharaka Nithi County Government

85. The Governor, Tharaka Nithi County submitted as follows-

- a) Tharaka Nithi County had a total of 8 County Executive Committee Members and 16 Chief Officers, of which eight (33.33%) were female and sixteen (66.67%) were male.
- b) In terms of ethnicity, the executive had representation from 3 ethnic communities including, Tharaka (8), Kamba (1) and Meru (15).

13) Embu County Government

86. The Governor, Embu County submitted as follows-

- a) Embu County had a total of 10 County Executive Committee Members, of which two (20%) were female and eight (80%) were male. There were 23 Chief Officers with sixteen (69.5%) were male and seven (30.4%) were female. There was only one person with a disability.
- b) In terms of ethnicity, the executive had representation from 5 ethnic communities including, Embu (22), Mbeere (6), Kamba (3), Kikuyu (1) and Tharaka (1).

14) Kitui County Government

87. The Governor, Kitui County submitted as follows-

- a) Kitui County had a total of 10 County Executive Committee Members, of which four (40%) were female and six (60%) were male. There were twenty-

five (25) Chief Officers, of which seventeen (68%) were male and eight (32%) were female. There was only one person with disability.

- b) In terms of ethnicity, the executive had representation from 2 ethnic communities including, Kamba (33) and Tharaka (2).

15) Machakos County Government

88. The Governor, Machakos County submitted as follows-

- a) Machakos County had a total of 10 County Executive Committee Members, of which five (50%) were female and five (50%) were male. There were 34 Chief Officers, of which twenty-five (73.5%) were male and nine (26%) were female.
- b) In terms of ethnicity, the executive had representation from 2 communities; Kamba (34), Others (10).

16) Makueni County Government

89. The Governor, Makueni County submitted as follows-

- a) Makueni County had a total of 12 County Executive Committee Members, of which four (33.33%) were female and eight (66.67%) were male. There were 17 Chief Officers, of which eleven (64%) were male and six (35%) were female.
- b) In terms of ethnicity, the executive had representation from 1 ethnic community Kamba (29)

17) Nyandarua County Government

90. The Governor, Nyandarua County submitted as follows-

- a) Nyandarua County had a total of 37 Executive Members, of which eleven (29.73%) were female and twenty-six (70.27%) were male.
- b) In terms of ethnicity the executive had representation from 1 ethnic community Kikuyu (37)

18) Nyeri County Government

91. The Governor, Nyeri County submitted as follows-

- a) Nyeri County had a total of 14 County Executive Committee Members, of which three (21.43%) were female and eleven (78.57%) were male. There were 12 Chief Officers, of which nine (75%) were male and three (25%) were female. There was only one (3.8%) person with a disability.

- b) In terms of ethnicity, the executive had representation from 4 ethnic communities including, Kikuyu (22), Meru (2), Somali (1) and Sakuye (1)

19) Kirinyaga County Government

92. The Governor, Kirinyaga County submitted as follows-

- a) Kirinyaga County had a total of 10 County Executive Committee Members and 14 Chief Officers thereby having a total of 24, of which ten (38.46%) were female and fourteen (61.54%) were male. There was only one member who is a person living with.
- b) In terms of ethnicity, the executive had representation from 3 ethnic communities including, Kikuyu (23), Luo (2) and Meru (1)

20) Muranga County Government

93. The Governor, Murangá County submitted as follows-

- a) Muranga County had a total of 10 County Executive Committee Members, of which three (30%) were female and seven (70%) were male. There were 17 Chief Officers, of which twelve (70.59) were male and five (29.41) were female.
- b) In terms of ethnicity, the executive had representation from 4 ethnic communities including, Kikuyu (23), Kamba (1), Kalenjin (1) and Somali (2).

21) Kiambu County Government

94. The Governor, Kiambu County submitted as follows-

- a) Kiambu County had a total of 9 County Executive Committee Members, of which five (55.56%) were female and four (44.44%) were male. There were 19 Chief Officers, of which twelve (63.16%) were male and seven (36.84%) were female. There was only one (3.5%) person with disability.
- b) In terms of ethnicity, the executive had representation from 7 ethnic communities including, Kikuyu (25), Kamba (1), Embu (1), Maasai (1), Kalenjin (1), Meru (2) and Somali (1).

22) Turkana County Government

95. The Governor, Turkana County submitted as follows-

- a) Turkana County had a total of 10 County Executive Committee Members, of which three (30%) were female and seven (70%) were male. There were

23 Chief Officers of which fifteen (65.22%) were male and eight (34.78%) were female. There were two (8%) people with disabilities.

- b) In terms of ethnicity, the executive had representation from 2 ethnic communities including, Turkana (32) and Somali (1).

23) West Pokot County Government

96. The Governor, West Pokot County submitted as follows-

- a) West Pokot County had a total of 10 County Executive Committee Members, of which three (30%) were female and seven (70%) were male. The County has 14 Chief Officers, of which ten (71.43%) were male and four (28.57%) were female. There was only one (7.14%) person with a disability.
- b) In terms of ethnicity the executive had representation from 1 ethnic community, Kalenjin (24).

24) Samburu County Government

97. The Governor, Samburu County submitted as follows-

- a) Samburu County had a total of 10 County Executive Committee Members, of which four (40%) were female and six (60%) were male. The County had 22 Chief Officers, of which eighteen (81.8%) were male and four (18%) were female. There was only one (3.13%) person with a disability.
- b) In terms of ethnicity, the executive had representation from 5 ethnic communities including, Samburu (26), Rendile (2), Turkana (2), Kikuyu (1) and Dorobo (1).

25) Trans Nzoia County Government

98. The Governor, Trans Nzoia County submitted as follows-

- a) Trans Nzoia County had a total of 10 County Executive Committee Members, of which four (40%) were female and six (60%) were male. The County had 16 Chief Officers, of which ten (62.5%) were male and six (37.5%) were female. There was only one (3.84%) person with a disability.
- b) In terms of ethnicity the executive had representation from 6 ethnic communities including, Kalenjin (4), Kikuyu (2), Luhya (17), Luo (1), Kisii (1) and Teso (1).

26) Uasin Gishu County Government

99. The Governor, Uasin Gishu County submitted as follows-

- a) Uasin Gishu County had a total of 10 County Executive Committee Members, of which three (30%) were female and seven (70%) were male. The County had 20 Chief Officers, of which thirteen (65%) were male and seven (35%) were female. There was only one (3.33%) person with a disability.
- b) In terms of ethnicity, the executive had representation from 4 ethnic communities including, Kalenjin (27), Kikuyu (1), Luhya (1) and Somali (1)

27) Elgeyo Marakwet County Government

100. The Governor, Elgeyo Marakwet County submitted as follows-

- a) Elgeyo Marakwet County had a total of 25 County Executive Committee Members and Chief Officers, of which eight (32%) were female and seventeen (68%) were male.
- b) In terms of ethnicity, the executive had representation from 1 ethnic community, Kalenjin (25)

28) Nandi County Government

101. The Governor, Nandi County submitted as follows-

- a) Nandi County had a total of 9 County Executive Committee Members, of which three (33.33%) were female and six (66.6%) were male. There were 10 Chief Officers of which seven (70%) were male and three (30%) were female. There was only one (5.26%) person with a disability.
- b) In terms of ethnicity, the executive had representation from 2 ethnic communities including Kalenjin (18) and Luhya (1).

29) Baringo County Government

102. The Governor, Baringo County submitted as follows-

- a) Baringo County had a total of 10 County Executive Committee Members, of which three (30%) were female and seven (70%) were male. There were 19 Chief Officers of which thirteen (68%) were male and six (31.5%) were female.
- b) In terms of ethnicity, the executive had representation from 2 ethnic communities including Kalenjin (18) and Kikuyu (1).

30) Laikipia County Government

103. The Governor, Laikipia County submitted as follows-

- a) Laikipia County had a total of 7 County Executive Committee Members, of which two (28.5%) were female and five (71%) were male. There were 13 Chief Officers of which ten (76.9%) were male and three (23%) were female.
- b) In terms of ethnicity, the executive had representation from 7 ethnic communities including, Kalenjin (3), Maasai (2), Meru (1), Turkana (2), Kikuyu (10), Burji (1) and Samburu (1).

31) Nakuru County Government

104. The Governor, Nakuru County submitted as follows-

- a) Nakuru County had a total of 10 County Executive Committee Members, of which four (40%) were female and six (60%) were male. There were 23 Chief Officers with eight (34.7%) were female and fifteen (65%) were male.
- b) In terms of ethnicity, the executive had representation from 7 ethnic communities including, Kalenjin (10), Kisii (2), Luhya (1), Kikuyu (17), Meru (1), Kamba (1) and Luo (1).

32) Narok County Government

105. The Governor, Narok County submitted as follows-

- a) Narok County had a total of 10 County Executive Committee Members, of which three (30%) were female and seven (70%) were male. There were 20 Chief Officers of which thirteen (61.9%) were male and seven (38%) were female. There was only one (3.33%) person with a disability.
- b) In terms of ethnicity, the executive had representation from 3 ethnic communities including, Kalenjin (7), Maasai (21) and Kikuyu (2).

33) Kajiado County Government

106. The Governor, Kajiado County submitted as follows-

- a) Kajiado County had a total of 28 County Executive Committee Members and Chief Officers, of which twenty-one (75%) were male and seven (25%) were female.
- b) In terms of ethnicity, the executive had representation from 2 ethnic communities including, Maasai (22) and Others (6).

34) Kericho County Government

107. The Governor, Kericho County submitted as follows-

- a) Kericho County had a total of 10 County Executive Committee Members, of which five (50%) were female and five (50%) were male. There were 12 Chief Officers with ten (83.3%) were male and two (16.6%) females.
- b) In terms of ethnicity, the executive had representation from 1 ethnic community, Kalenjin (22).

35) Bomet County Government

108. The Governor, Bomet County submitted as follows-

- a) Bomet County had a total of 10 County Executive Committee Members, of which five (50%) were female and five (50%) were male. There were 13 Chief Officers, of which six (46%) were male and seven (53.8%) were female. There was only one (4.3%) person with a disability.
- b) In terms of ethnicity, the executive had representation from 2 ethnic communities including, Kalenjin (22) and Other (1).

36) Kakamega County Government

109. The Governor, Kakamega County submitted as follows-

- a) Kakamega County had a total of 10 County Executive Committee Members and 32 Chief Officers with male being 47.83% and female 52.17%. There was one officer living with disability (2.38%).
- b) In terms of ethnicity, the executive had representation from 7 ethnic communities including, Luhya (35), Luo (2), Somali (1), Kikuyu (1), Taita (1), Ajuran (1) and Teso (1).

37) Vihiga County Government

110. The Governor, Vihiga County submitted as follows-

- a) Vihiga County had a total of 10 County Executive Committee Members, of which seven (70%) were male and three (30%) were female. There were 14 Chief Officers out of which four (16.6%) were female and ten (83.3%) were male. There was only one (4.16%) person with a disability.
- b) In terms of ethnicity, the executive had representation from 1 ethnic community, Luhya (24).

38) Bungoma County Government

111. The Governor, Bungoma County submitted as follows-

- a) Bungoma County had a total of 10 County Executive Committee Members and 11 Chief Officers of which 33.3% are female and 66.6% male.
- b) In terms of ethnicity, the executive had representation from 3 ethnic communities including, Luhya (18), Kalenjin (2) and Teso (1).

39) Busia County Government

112. The Governor, Busia County submitted as follows-

- a) Busia County had a total of 10 County Executive Committee Members, of which three (30%) were female and seven (70%) were male. There were 19 Chief Officers with fourteen (73.6%) were male and five (26%) were female. There was one (3.45%) person with a disability.
- b) In terms of ethnicity the executive had representation from 5 ethnic communities including, Luhya (18), Teso (7), Luo (2), Kikuyu (1) and Somali (1).

40) Kisumu County Government

113. The Governor, Kisumu County submitted as follows-

- a) Kisumu County had a total of 9 County Executive Committee Members, of which three (33.33%) were female and six (66.66%) were male. There were 12 Chief Officers, of which eleven (91.6%) were male and one (8.3%) were female.
- b) In terms of ethnicity, the executive had representation from 4 ethnic communities including Luo (18), Kikuyu (1), Kenya Asian (1) and Meru (1).

41) Homabay County Government

114. The Governor, Homabay County submitted as follows-

- a) Homabay County had a total of 10 County Executive Committee Members, of which three (30%) were female while seven (70%) were male. The County had 18 Chief Officers with thirteen (72%) were male and five (27.7%) were female.
- b) In terms of ethnicity, the executive had representation from 2 ethnic communities including Luo (22) and Suba (6).

42) Migori County Government

115. The Governor, Migori County submitted as follows-

- a) Migori County had a total of 9 County Executive Committee Members and 15 Chief Officers, of which 66.7% are male and 33.33% female.
- b) In terms of ethnicity the executive had representation from 5 ethnic communities including, Luo (14), Kuria (5), Taita (1), Luhya (2) and Suba (2).

43) Kisii County Government

116. The Governor, Kisii County submitted as follows-

- a) Kisii County had a total of 10 County Executive Committee Members with three (30%) were female and seven (70%) were male. The County has 15 Chief Officers with thirteen (86.6%) male and two (13%) female.
- b) In terms of ethnicity, the executive had representation from 2 ethnic communities including, Kisii (24) and Luo (1).

44) Nyamira County Government

117. The Governor, Nyamira County submitted as follows-

- a) Nyamira County had a total of 10 County Executive Committee Members with three (30%) were female and seven (70%) were male. There are 13 Chief Officers, of which nine (69.2%) were male while four (30%) were female.
- b) In terms of ethnicity, the executive had representation from 2 ethnic communities including, Kisii (22) and Other (1)

45) Nairobi City County Government

118. The Governor, Nairobi County submitted as follows-

- a) Nairobi County had a total of 10 County Executive Committee Members and 29 Chief Officers, of which ten (62.5%) were male and six (37.5%) were female. There was only one (3.84%) person with a disability.
- b) In terms of ethnicity, the executive had representation from 9 ethnic communities including, Kalenjin (2), Kamba (3), Kikuyu (15), Kisii (3), Luhya (5), Luo (6), Somali (3), Meru (1) and Samburu (1).

4.3 Analysis of the Submissions on Demographic Composition of County Executive Committee Members and County Chief Officers

119. A summary of the analysis of the submissions received under this thematic Area is detailed below-

a) *Gender composition of the County Governments' County Executive Committee Members and County Chief Officers' workforce and compliance with 'not more than two- third gender' principle*

120. In adherence to the two-thirds gender principle, a number of county governments demonstrated deliberate efforts toward gender balance in the composition of County Executive Committee Members (CECMs) and Chief Officers (CCOs). Makueni County had the highest male-to-female ratio of 51.72% to 48.28%, followed by Kakamega (47.83% male, 52.17% female). Vihiga County government had 45.83% male to 54.17% female, distinctively hiring more women than men in these leadership roles. Other county governments with a fair gender representation in their workforce included, Kiambu (57.14% male, 42.86% female), Kilifi (58.33% male, 41.67% female), Kirinyaga and Trans Nzoia (both 61.54% male, 38.46% female), Mombasa (62.5% male, 37.5% female), Nakuru (63.64% male, 36.36% female), and Kitui (65.71% male, 34.29% female).

121. Conversely, several county governments showed significant disparities in gender representation of their (CECMs) and (CCOs) workforce. Kisumu County government had the widest gap, with 80/19 male: female representation. This was closely followed by Kisii (80/20), Isiolo (78 /22), Nyeri (77/23), and Samburu, Laikipia and Kajiado (each with 75/25), Wajir (74/25) and Embu (73//27) also reflected a wider gap in gender representation of their workforce and hence non-compliance with the constitutional requirements.

b) *Ethnic diversity of the County Governments' County Executive Committee Members and County Chief Officers workforce and compliance with the requirement that the dominant Community in a county should not exceed 70% of that County's workforce.*

122. An analysis of ethnic representation among County Executive Committee Members (CECMs) and Chief Officers (CCOs) revealed significant disparities in diversity across county governments' workforce. The County governments which had diverse ethnic representation in the composition of the (CECMs) and (CCOs) workforce include, Nairobi City County which had representatives from 9 different communities, followed by Mombasa, Marsabit, and Isiolo with 8 communities each; Laikipia and Lamu with 7 each; Trans Nzoia and Kakamega with 6 each; and Embu, Samburu, and Nakuru, each with 5 communities represented.

123. On the other hand, county governments such as Makueni, Elgeyo Marakwet, Vihiga, and Nyandarua had the least diverse workforce in terms of ethnic groups representation in their (CECMs) and (CCOs) workforce with only 1 ethnic group represented among their CECMs and CCOs. Other County Governments, including Nyamira, Kisii, Mandera, Kitui, West Pokot, Nandi, Turkana, Kajiado, Bomet, and Homa Bay, had only 2 communities each included in their executive leadership.

c) Persons with Disabilities (PwDs) representation in County executive committee members and county chief officers' workforce and compliance with the 'at least 5% PwDs representation' requirement

124. An analysis of the inclusion of Persons with Disabilities (PwDs) in County Executive Committee Members (CECMs) and Chief Officers (CCOs) revealed that only a few county governments met the minimum 5% PwDs representation threshold. These were Taita Taveta, with PwDs comprising 8.7% of its CECMs and CCOs, followed by Wajir 6.45%, Turkana 6.06%, Nandi at 5.26%, and Lamu at 5%. The remaining county governments did not comply with the requirements when filling these leadership positions.

4.4 Committee Observations on the Demographic Composition of County Executive Committee Members and County Chief Officers

125. The Committee observes as follows-

i) On gender composition of the County Governments' county executive committee members and county chief officers, thirty-seven (37) county governments with the exception of Siaya and Tana River Counties (which did not provide data) complied with the constitutional requirements that not more than two-thirds of the members of appointive bodies shall be of the same gender while 10 county governments did not meet the requirements that not more than two-thirds of the members of appointive bodies shall be of the same gender. (*'not more than two-thirds gender'* Principle). They include; Kisumu, Kisii, Isiolo, Nyeri, Laikipia, Kajiado, Wajir and Embu Counties.

ii) On the representation of Persons with Disabilities (PwDs) County executive committee members and county chief officers, only five (5) county governments complied with the constitutional requirement to reserve five percent (5%) of appointive positions in public Service for persons with

disabilities. The five counties that complied with the requirement included; Lamu (5%), Taita Taveta (8.7%), Wajir (6.45%), Turkana (6.06%) and Nandi (5.26%). Forty-two (42) county governments did not comply with the constitutional requirement to reserve five percent (5%) of appointive positions in Public Service for persons with disabilities with respect to the appointment of the county executive committee members and county chief officers.

- iii) On the requirement that the dominant community in a county should not have more than 70% of the appointive positions in the county public service, Makueni, Nyandarua, Elgeyo Marakwet, Kericho, Vihiga County government had all their CECMs and CCOs appointed from the dominant ethnic community in their respective Counties, failing to comply with the law.

CHAPTER FIVE: RECRUITMENT CONDUCTED BY THE COUNTY GOVERNMENTS IN THE LAST THREE YEARS, THE POSITIONS THAT HAVE BEEN FILLED AND THE CRITERIA APPLIED IN THE SELECTION OF CANDIDATES

5.1 Introduction

126. This Chapter sets out the submissions received from the county governments under *Thematic Area 3* and the Observations by the Committee on the thematic area.

5.2 Overview of Submissions

127. The Committee received submissions under *Thematic Area 3* from the county governments as follows-

1) Mombasa County Government

128. The Governor, Mombasa County submitted as follows-

- (a) Mombasa County filled 955 positions over the last three financial years, with 341 persons recruited in 2021/2022, 520 persons in 2022/2023, 55 persons in 2023/2024, and 39 persons in 2024/2025;
- (b) The selection process was based on fair competition, merit, regional balance; inclusivity, and affirmative action. Criteria included academic qualifications, experience, interview performance, and the 70-30 regional balance rule for equitable distribution; and
- (c) The county also prioritized diversity in gender, ethnicity, and age, with affirmative action for women, youth, and persons with disabilities (PwDs).

2) Kwale County Government

129. The Governor, Kwale County submitted that Kwale County filled 626 positions over the last three financial years, with 242 recruited in 2021/22, 193 in 2022/23, and 191 in 2023/24.

3) Kilifi County Government

130. The Governor, Kilifi County submitted as follows-

- (a) Kilifi County filled 230 positions over the last three financial years in 2021/22, 2022/23, and 2023/24;

- (b) The recruitment process criteria were based on merit and adhered to principles of regional balancing, gender and ethnicity mainstreaming, and affirmative action for persons with disabilities, youth, minorities, and marginalized communities.

4) Lamu County Government

131. The Governor, Lamu County submitted as follows -

- (a) Lamu County filled 503 positions over the past three financial years, with 175 (34.79%) going to males and 328 (65.21%) to females;
- (b) The recruitment criteria were in accordance with Section 65 of the County Governments Act, 2012.

5) Taita Taveta County Government

132. The Governor, Taita Taveta County submitted as follows-

- (a) Taita Taveta County filled 1,236 positions during the 2021/22, 2022/23, and 2023/24 financial years. Of these 665 (53.80%) were women, while 571 (46.20%) were men;
- (b) The recruitment distribution over the years was as follows: 572 employees were recruited in 2021, 312 in 2022, 294 in 2023, and 58 in 2024;
- (c) The job advertisements were published through newspapers and the county's official website.

6) Wajir County Government

133. The Governor, Wajir County submitted that Wajir County filled 324 positions over the last three financial years of 2021/22, 2022/23, and 2023/24 in accordance with Section 65 of the County Governments Act, 2012.

7) Mandera County Government

134. The Governor, Mandera County submitted as follows -

- (a) Mandera County filled 917 positions over the last three financial years 2021/22, 2022/23, and 2023/24;
- (b) The selection criteria adhered to the provisions of the Constitution, the County Governments Act, and other applicable laws to ensure fairness and transparency in the recruitment process.

8) Marsabit County Government

135. The Governor, Marsabit County submitted that Marsabit County filled 940 positions over the past three years of 2021/22, 2022/23, and 2023/24.

9) Isiolo County Government

136. The Governor, Isiolo County submitted that Isiolo County filled 317 positions over the last three financial years, with 84 recruited in 2021/22, 199 in 2022/23, and 34 in 2023/24.

10) Meru County Government

137. The Governor, Meru County submitted as follows-

- (a) Meru County filled 248 positions over the past three years;
- (b) In 2022, 29 employees were hired, comprising 19 males (65.5%) and 10 females (34.4%), with 26 (89.65%) from the dominant ethnicity;
- (c) In 2023, the county recruited 238 staff members, including 81 males (34.04%) and 157 females (65.97%), with 220 (92.44%) from the dominant ethnicity and 2 (0.84%) being persons with disabilities (PWDs);
- (d) While in 2024, a total of 10 employees were recruited, evenly split between males and females (50% each), with 80% from the dominant ethnicity and 1 (10%) being a PWD.

11) Tharaka Nithi County Government

138. Tharaka Nithi County submitted as follows -

- (a) Tharaka Nithi County filled 77 positions over the past three financial years;
- (b) The recruitment process considered several criteria, including minimum qualifications as per the advertisement, ethnic distribution, regional balance, inclusion of applicants with special needs, and gender representation.

12) Embu County Government

139. The Governor, Embu County submitted as follows-

- (a) Embu County filled 704 positions in the past three financial years. Of these, 337 (47.87%) were male and 367 (52.13%) were female.
- (b) The recruitment was distributed as follows: 157 in FY 2021/22, 119 in FY 2022/23, and 428 in FY 2023/24.

13) Kitui County Government

140. The Governor, Kitui County submitted as follows-

- (a) Kitui County filled a total of 654 positions over the last three financial years. The distribution was as follows: 522 positions in 2021/2022, 114 in 2022/2023, and 18 in 2023/2024.
- (b) The advertisements criteria were done through daily newspaper and uploading on county newspaper websites, remaining there for 21 days in line with provisions of Kitui County Human Resources Policies and procedures manual for public service, 2018.

14) Machakos County Government

141. The Governor, Machakos County submitted as follows-

- (a) Machakos County filled a total of 1,365 positions over the last three financial years in 2021/22, 2022/23, and 2023/24. Comprising 807 males and 558 females; and
- (b) The recruitment process was based on merit and adhered to principles of inclusivity, including representation of Kenya's diverse communities, equal opportunities for youth, gender balance, persons with disabilities, minorities, regional distribution, and compliance with human resource policies.

15) Makueni County Government

142. The Governor, Makueni County submitted that Makueni County filled a total of 496 positions over the last three financial years 2021/22, 2022/23, and 2023/24. Of these, 247 (49.8%) were male, while 249 (50.2%) were female.

16) Nyandarua County Government

143. The Governor, Nyandarua County submitted that Nyandarua County filled a total of 496 positions over the last three financial years (2021/22, 2022/23, and 2023/24).

17) Nyeri County Government

144. The Governor, Nyeri County submitted as follows-

- (a) Nyeri County filled 126 positions in FY 2021/2022, 217 candidates in FY 2022/2023, and 124 candidates in FY 2023/2024;

- (b) The selection process was guided by educational and professional qualifications, work experience, gender parity, and regional representation across sub-counties and wards.
- (c) Emphasis was placed on diversity and inclusivity, ensuring opportunities for marginalized groups and persons with disabilities. While integrity, ethics, and compliance with Chapter Six of the Constitution of Kenya were key considerations in the recruitment process.

18) Murang'a County Government

145. The Governor, Murang'a County submitted that Murang'a County filled 306 positions over the past three financial years and the process was based on merit, fair competition, and diversity.

19) Kiambu County Government

146. The Governor, Kiambu County submitted as follows-
- (a) Kiambu County filled 239 positions over the last three financial years, with a breakdown by fiscal year showing 155 recruiters employed in FY 2023/2024, 17 in FY 2022/2023, and 67 in FY 2021/2022;
 - (b) The County Public Service Board selection of candidates was guided by Section 65 of the County Governments Act, 2012, emphasizing merit, fair competition, and representation of the county's diversity as key criteria.

20) Turkana County Government

147. The Governor, Turkana County submitted as follows-
- (a) Turkana County filled 190 positions over the past three financial years through a competitive recruitment process;
 - (b) The distribution was 73 in FY 2021/22, 29 in FY 2022/23, and 88 in FY 2023/24. Noting that gender representation stood at 62.11% male and 37.89% female.

21) West Pokot County Government

148. The Governor, West Pokot County submitted as follows-
- (a) West Pokot County filled 751 positions with male being 440 (58.6%) and female 311 (41.1%);
 - (b) The youth took up majority of the county's recent appointments at 482(62.6%);

- (c) Ethnicity of the employees in the past three years were drawn from thirteen (13) Kenyan tribes for inclusion in recruitment

22) Samburu County Government

149. The Governor, Samburu County submitted that Samburu County filled 240 positions with male being 158 and female 82 which was done by the County Public Service Board through a competitive process.

23) Trans Nzoia County Government

150. The Governor, Trans Nzoia County submitted as follows-

- (a) Trans Nzoia County filled 1,082 positions over the past three fiscal years, with 478 in FY 2021/2022, 325 in FY 2022/2023, and 279 in FY 2023/2024;
- (b) The county is committed to represent a diverse community and adhering to Section 65 1(e) of the County Governments Act, which requires that at least 30% of vacant positions are filled by individuals from non-dominant ethnic communities within the county.

24) Uasin Gishu County Government

151. The Governor, Uasin Gishu County submitted as follows-

- (a) Uasin Gishu County filled 424 positions in FY 2021/2022, a significant increase to 1,455 in FY 2022/2023, and a subsequent drop to 205 in FY 2023/2024;
- (b) Over the years, 51 shortlisted candidates failed to attend interviews, with an absenteeism rate of 30.8% among marginalized groups, minorities, and candidates from other counties. This trend highlights a challenge in attracting and retaining applicants from these groups, as candidates from dominant tribes and other counties were more likely to attend the interviews.

25) Elgeyo Marakwet County Government

152. The Governor, Elgeyo Marakwet County submitted as follows-

- (a) Elgeyo Marakwet County filled 221 positions;
- (b) The recruitment process was guided by merit, requisite qualifications, and relevant experience as per the job advertisements;
- (c) The County Government ensured inclusivity by considering gender balance, persons with disabilities, regional representation, and overall diversity.

26) Nandi County Government

153. The Governor, Nandi County submitted that Nandi County filled 145 positions over the past three financial years

27) Baringo County Government

154. The Governor, Baringo County submitted that Baringo County filled a total of 258 positions over the last three financial years. This included 30 employees in FY 2021/22 and 228 employees in FY 2023/24, with no recruitment in FY 2022/23 due to a transition period

28) Laikipia County Government

155. The Governor, Laikipia County submitted that Laikipia County filled 835 positions over the last three financial years 2021/22, 2022/23, and 2023/24.

29) Nakuru County Government

156. The Governor, Nakuru County submitted as follows-

- (a) Nakuru County filled 985 positions over the last three financial years, with 293 hired in FY 2021/22, 478 in FY 2022/23, and 214 in FY 2023/24;
- (b) The county employment criteria recruitments were conducted in full compliance with constitutional and statutory provisions, including Article 27(4), Article 54(2), Article 55(c), and Article 56(c) of the Constitution of Kenya, which promote inclusivity and representation. Additionally, the process adhered to Article 232(1) (g, h, i) of the Constitution and Section 65(1) (b, c, e) and Section 65 of the County Governments Act, 2012, ensuring fairness and transparency in recruitment.

30) Narok County Government

157. The Governor, Narok County submitted that Narok County filled 898 positions over the last three financial years.

31) Kajiado County Government

158. The Governor, Kajiado County submitted that Kajiado county filled a total of 87 positions over the past three financial years.

32) Kericho County Government

159. The Governor, Kericho County submitted as follows-

- (a) Kericho County filled 152 positions over the past three financial years;
- (b) Out of the total, 53 (34.46%) were male and 99 (65.14%) were female;
- (c) The majority community accounted for 148 employees (97.37%), while 4 (2.63%) were from non-dominant communities; and
- (d) In terms of age distribution, 83 (54.60%) were between 18-35 years, while 69 (45.40%) were above 35 years.

33) Bomet County Government

160. The Governor, Bomet County submitted as follows-

- (a) Kericho County Government filled 958 positions over the last three years, with 239 employees hired in the 2021/2022 financial year, 156 in 2022/2023, and 563 in 2023/2024;
- (b) The recruitment process was based on merit, gender balance, experience, qualifications, relevant courses, regional balance, and diversity;
- (c) The county faced challenges in recruitment and retention, as applicants from other Counties often failed to attend interviews or declined job offers. Additionally, some of those who accepted positions applied for inter-county transfers shortly after employment; and
- (d) Certain roles within the county public service, such as Sub-Ward Administrators, require hiring from the local community due to the nature of their work.

34) Kakamega County Government

161. The Governor, Kakamega County submitted that Kakamega County filled 691 positions over the last three financial years 2021/22, 2022/23, and 2023/24 to strengthen public service delivery.

35) Vihiga County Government

162. The Governor, Vihiga County submitted that Vihiga county filled 532 positions over the last past three years with 217 recruited in the 2021/2022 financial year, 133 in 2022/2023, and 182 in 2023/2024.

36) Bungoma County Government

163. The Governor, Bungoma County submitted as follows-

- (a) Bungoma County filled 620 positions over the last three years, with 373 (60%) being male and 247 (40%) females; and
- (b) To ensure transparency and wide reach, the recruitment advertisements were published in national newspapers and made accessible on the county's website.

37) Busia County Government

164. The Governor, Busia County submitted that Busia County filled 1,346 positions over the past three financial years, and that the recruitment process was conducted in line with the county government's mandate to strengthen public service delivery.

38) Kisumu County Government

165. The Governor, Kisumu County submitted as follows-

- (a) Kisumu County filled 476 positions over the last three financial years 2021/2022, 2022/2023, and 2023/2024;
- (b) The recruitment process was conducted by the County Public Service Board under its mandate as provided in Section 59 of the County Governments Act.

39) Homa Bay County Government

166. The Governor, Homa Bay County submitted as follows-

- (a) Homa Bay County filled 2,070 positions over the past three years across various cadres. Of these, 1,037 (50.1%) were male, while 1,033 (49.9%) were female;
- (b) To promote inclusivity, the county employed 15 persons with disabilities, representing 0.72% of the total recruits. Additionally, the recruitment process prioritized youth employment, with 1,129 young people making up 54.54% of the total hires.

40) Migori County Government

167. The Governor, Migori County submitted as follows-

- (a) Migori County filled 370 positions across different cadres over the last three financial years. Of these, 248 (67.03%) were male, while 122 (32.97%) were female;
- (b) The recruitment process included individuals from eight different ethnic groups, with the most dominant being Luo at 75.40%, followed by Kuria at 18.64%. The remaining five ethnic groups accounted for 5.96% of the total hires.

41) Kisii County Government

168. The Governor, Kisii County submitted as follows-

- (a) Kisii County filled 415 positions over the last three financial years.
- (b) The breakdown of recruitment was 350 employees in 2021/2022, 49 in 2022/2023, and 16 in 2023/2024.

42) Nyamira County Government

169. The Governor, Nyamira County submitted as follows-

- (a) Nyamira County filled 304 positions over the last three financial years.
- (b) The county hired 50 employees in 2021/2022, 19 in 2022/2023, and 235 in 2023/2024.

43) Nairobi County Government

170. The Governor, Nairobi County submitted as follows-

- (a) Nairobi County filled 6,717 positions over the past three years;
- (b) In the financial year 2021/22, 1,214 employees were hired, followed by 316 employees in 2022/23, and 5,187 employees in 2023/24.

44) Kirinyaga County Government

171. The Governor, Kirinyaga County submitted as follows-

- (a) Kirinyaga County filled 228 positions over the past three financial years: 121 in FY 2021/2022, 114 in FY 2022/2023, and 53 in FY 2023/2024;
- (b) To promote affirmative action, the County Public Service Board (CPSB) implemented measures such as adjusting cut-off points for well-performing Persons with Disabilities (PwDs) and youth candidates, and establishing an online recruitment platform to facilitate applications from PwDs, youth, and women, reducing the need for travel.

45) Garissa County Government

172. The Governor, Garissa County submitted that Garissa County filled 496 positions during the financial years 2021/22, 2022/23, and 2023/24.

5.3 Committee Observations on the recruitment conducted by the County Governments in the last three years, the positions filled, and the criteria applied in the selection of candidates.

173. The Committee observes as follows-

- i) That there were varying numbers of positions filled by county governments in the last three years with no standard for recruitment and selection of employees.
- ii) Majority of the county governments during the recruitment process primarily advertised job vacancies on their websites and national newspapers, raising concerns about the accessibility and reach of these advertisements to a broader audience. This approach limits access to employment information, particularly for individuals in rural areas or those with limited internet access, potentially excluding qualified candidates from the recruitment process.
- iii) Majority of the county governments did not fully meet the requirements for inclusivity in recruitment, particularly in the representation of Persons with Disabilities (PwDs), youth, and ethnic diversity.

**CHAPTER SIX: THE STATUS OF COMPLIANCE BY THE COUNTY
GOVERNMENTS WITH SECTION 53(6) OF THE PUBLIC PROCUREMENT
AND ASSET DISPOSAL ACT, CAP.412C**

6.1 Introduction

174. This Chapter sets out the submissions received from the county governments under *Thematic Area 4* and the Observations by the Committee on the thematic area.

6.2 Overview of Submissions

175. The Committee received submissions under *Thematic Area 4* from the county governments as follows-

176. **The Governor, Mombasa County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C for the Financial Year 2023/2024 and submitted that the Actual AGPO spent was Kshs. 412,033,071.91. The breakdown of AGPO spending included Kshs.99,298,344.59 allocated to women, Kshs. 305,579,767.32 to youth, and Kshs. 7,154,960.00 to Persons with Disabilities (PwDs)

177. **The Governor, Kwale County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C for the Financial Year 2023/2024 and submitted that the total procurement budget was Kshs. 7,103,456,527.00 and the Actual AGPO spent was Kshs.1,420,386,129.00 (19.9%).

178. **The Governor, Kilifi County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C for the Financial Year 2023/2024 and submitted that the Actual AGPO spent was Kshs. 2,559,227,803.00 (29.55%). The breakdown of AGPO spending included Kshs.1,206,358,827.20 allocated to women, Kshs. 1,276,553,671.90 to youth, and Kshs. 76,315,304.06 to Persons with Disabilities (PwDs).

179. **The Governor, Tana River County**, Government did not provide any data.

180. **The Governor, Lamu County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C for the Financial Year 2023/2024 and submitted that the total

procurement budget was Kshs. 2,074,257,400.13 and the Actual AGPO spent was Kshs. 1,376,940,125.13 (66.38%). The breakdown of AGPO spending included Kshs.509,119,715.00 allocated to women, Kshs. 137,590,580.0 to youth, and Kshs. 58,606,980.00 to Persons with Disabilities (PwDs).

181. **The Governor, Taita Taveta County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C for the Financial Year 2023/2024 and submitted that the total procurement budget was Kshs. 1,945,873,298.00 and the Actual AGPO spent was Kshs.609,642,104.49 (31.33%). The breakdown of AGPO spending included Kshs.277,092,357.74 allocated to women, Kshs. 288,962,184.86 to youth, and Kshs. 43,547,561.89 to Persons with Disabilities (PwDs).
182. **The Governor, Garissa County** did not provide any data.
183. **The Governor, Wajir County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C for the Financial Year 2023/2024 and submitted that the total procurement budget was Kshs. 4,683,919,890.00 and the Actual AGPO spent was Kshs. 413,162,261.00 (8.8%).
184. **The Governor, Mandera County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C for the Financial Year 2023/2024 and submitted that the total procurement budget was Kshs. 2,774,557,568.00 and the Actual AGPO spent was Kshs. 1,021,770,178.05 (36.8%.) The breakdown of AGPO spending included Kshs.699,037,050.60 allocated to women, Kshs. 200,951,415.80 to youth, and Kshs. 121,781,711.65 to Persons with Disabilities (PwDs).
185. **The Governor, Marsabit County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C for the Financial Year 2023/2024 and submitted that the total procurement budget was provided for half year; 1st July to 31st December 2024. Spending on AGPO was Kshs. 536,693,876 which was 58.07% for the half year. Details of the rest of FY 2023/2024 were not submitted.
186. **The Governor, Isiolo County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C for the Financial Year 2023/2024 and submitted that the actual procurement budget spent was Kshs. 100,050,619.00 and the Actual AGPO spent was Kshs. 1,176,721,997.20 (11.8%).

187. **The Governor, Meru County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C for the Financial Year 2023/2024 and submitted that the total procurement budget was Kshs. 3,512,263,092.19 and the Actual AGPO spent was Kshs.359,135,449.00 (10%). The breakdown of AGPO spending included Kshs.163,811,687.32 allocated to women, Kshs. 181,882,646.68 to youth, and Kshs. 13,441,115.00 to Persons with Disabilities (PwDs).
188. **The Governor, Tharaka Nithi County**, appraised the Committee on the status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C, for the Financial Year 2023/2024. Submitting that the actual procurement budget spent amounted to Kshs. 1,534,412,613 and the Actual AGPO spent was Kshs. 466,107,920 (30.38%). The breakdown of AGPO spending included Kshs. 274,452,136 allocated to women, Kshs. 182,459,142 to youth, and Kshs. 9,196,636 to Persons with Disabilities (PwDs).
189. **The Governor, Embu County** appraised the Committee on the status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C, for the Financial Year 2023/2024 and submitted that the actual procurement budget spent amounted to Kshs. 604,791,205.82, while Actual AGPO spent was Kshs. 114,288,129 (18.89%). The breakdown of AGPO spending included Kshs. 51,681,200 allocated to women, Kshs. 62,606,929 to youth, and Kshs. 0 to Persons with Disabilities (PwDs).
190. **The Governor, Kitui County**, appraised the Committee on the status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C, for the Financial Year 2023/2024. Informing the committee that the Actual procurement budget spent amounted to Kshs. 3,605,678,714.45 and Actual AGPO spent totaled Kshs. 626,932,976.49 (17.39%).
191. **The Governor, Machakos County**, appraised the Committee on the status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C, for the Financial Year 2023/2024. Submitting that the total procurement budget amounted to Kshs. 4,459,263,700 and Actual AGPO spent was Kshs. 295,545,301 (6.6%). The breakdown of AGPO spending included Kshs. 150,806,990.16 allocated to women, Kshs. 118,063,609.95 to youth, and Kshs. 26,674,701.20 to Persons with Disabilities (PwDs).
192. **The Governor, Makeni County**, appraised the Committee on the status of compliance with Section 53(6) of the Public Procurement and Assets Disposal

Act, Cap. 412C, for the Financial Year 2023/2024. Noting that the total procurement budget was Kshs. 2,969,319,347, while the actual procurement budget spent amounted to Kshs. 2,528,546,573.86 and Actual AGPO spent was Kshs. 531,192,093.38 (21%). The breakdown of AGPO spending included Kshs. 234,257,091.47 allocated to women, Kshs. 277,753,587.91 to youth, and Kshs. 19,181,441.00 to Persons with Disabilities (PwDs).

193. **The Governor, Nyandarua County**, appraised the Committee on the status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C, for the Financial Year 2023/2024 and submitted that the total procurement budget was Kshs. 1,753,272,688 and the Actual AGPO spent amounted to Kshs. 532,721,572.56 (30.4%). The breakdown of AGPO spending included Kshs. 262,156,115.59 allocated to women, Kshs. 254,239,867.06 to youth, and Kshs. 25,325,590.00 to Persons with Disabilities (PwDs).
194. **The Governor, Nyeri County**, appraised the Committee on the status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C, for the Financial Year 2023/2024. Informing the committee that the actual procurement budget spent amounted to Kshs. 2,000,239,599 and Actual AGPO spent was Kshs. 541,990,216.20(27.10%). The breakdown of AGPO spending included Kshs. 18,309,056.00 allocated to women, Kshs. 9,153,265.00 to youth, and Kshs. 153,100.00 to Persons with Disabilities (PwDs).
195. **The Governor, Kirinyaga County**, appraised the Committee on the status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C, for the Financial Year 2023/2024 and submitted that the total procurement budget spent amounted to Kshs. 1,283,488,165 and Actual AGPO program totaled Kshs. 837,579,539.
196. **The Governor, Murang'a County**, appraised the Committee on the status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C, for the Financial Year 2023/2024. Informing the committee that the total procurement budget amounted to Kshs. 1,781,272,666 and Actual AGPO spent was Kshs. 869,990,796 (48.84%). The breakdown of AGPO spending included Kshs. 458,182,194.00 allocated to women, Kshs. 297,087,087.00 to youth, and Kshs. 110,679,632.44 to Persons with Disabilities (PwDs).
197. **The Kiambu County** submissions on the status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C, for the Financial Year 2023/2024 showed that the total procurement budget was Kshs. 8,849,212,930, while the actual procurement budget spent amounted to Kshs.

5,830,486,149.16 and Actual AGPO spent was Kshs. 1,115,435,017 (19.13%). The breakdown of AGPO spending included Kshs. 520,109,445.25 allocated to women, Kshs. 520,109,445.25 to youth, and Kshs. 110,530,789.00 to Persons with Disabilities (PwDs).

198. **The Governor, Turkana County**, appraised the Committee on the status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C, for the Financial Year 2023/2024. Submitting that the actual procurement budget spent amounted to Kshs. 5,614,203,557 and Actual AGPO expenditure was Kshs. 1,332,879,786 (24%). The breakdown of AGPO spending included Kshs. 542,199,616.00 allocated to women, Kshs. 701,636,990.00 to youth, and Kshs. 89,043,180.00 to Persons with Disabilities (PwDs).
199. **The Governor, West Pokot County**, appraised the Committee on the status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C, for the Financial Year 2023/2024 and submitted that the total procurement budget was Kshs. 876,725,590, while the actual procurement budget spent amounted to Kshs. 431,670,184.30 and actual expenditure under AGPO was Kshs. 299,540,904.34 (34.17%). The breakdown of AGPO spending included Kshs. 178,268,625.36 allocated to women, Kshs. 106,234,508.88 to youth, and Kshs. 15,037,710.10 to Persons with Disabilities (PwDs).
200. **The Governor, Samburu County** appraised the Committee on the status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C, for a period of six months in the Financial Year 2023/2024 and submitted that the actual expenditure under AGPO was Kshs. 655,447,916.40.
201. **The Governor, Trans Nzoia County**, appraised the Committee on the status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C, for the Financial Year 2023/2024 and submitted that the total procurement budget was Kshs. 3,353,550,345, while the actual expenditure under AGPO was Kshs. 1,539,785,816.69 (45.9%). The breakdown of AGPO spending included Kshs. 1,200,387,937.68 allocated to women, Kshs. 241,897,169.06 to youth, Kshs. 83,426,388.00 under the NAWIRI County-Specific Program, and Kshs. 14,074,321.95 to Persons with Disabilities (PwDs).
202. **The Governor, Uasin Gishu County**, appraised the Committee on the status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C, for the Financial Year 2023/2024 and submitted that the total procurement budget was Kshs. 2,019,329,263 and Actual AGPO expenditure was Kshs. 628,093,664.08 (31%). The breakdown of AGPO spending included Kshs.

260,640,435.98 allocated to women, Kshs. 319,393,885.50 to youth, and Kshs. 48,059,342.60 to Persons with Disabilities (PwDs).

203. **The Governor, Elgeyo Marakwet County**, appraised the Committee on the status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C, for the Financial Year 2023/2024 and submitted that the actual expenditure under AGPO was Kshs. 771,666,917 (49%).
204. **The Governor, Nandi County**, appraised the Committee on the status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C, for the Financial Year 2023/2024 and submitted that the total procurement budget was Kshs. 1,985,417,314 and the actual expenditure under AGPO was Kshs. 560,479,822 (28.23%). The breakdown of AGPO spending included Kshs. 152,463,705.00 allocated to women, Kshs. 386,961,122.00 to youth, and Kshs. 21,054,995.00 to Persons with Disabilities (PwDs).
205. **The Governor, Baringo County**, appraised the Committee on the status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C, for the Financial Year 2023/2024 and submitted that the actual procurement budget spent amounted to Kshs. 2,012,605,442 and actual expenditure AGPO was Kshs. 422,029,704 (21%). The breakdown of AGPO spending included Kshs. 176,091,928.00 allocated to women, Kshs. 207,269,246.00 to youth, and Kshs. 38,668,530.00 to Persons with Disabilities (PwDs).
206. **The Governor, Laikipia County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C for the Financial Year 2023/2024 and submitted that the total procurement budget was Kshs. 1,196,676,357 and the Actual AGPO spent was Kshs. 371,679,905 (31.05%). The breakdown of AGPO spending included Kshs. 242,886,576 allocated to women, Kshs. 118,146,938 to youth and Kshs. 10,646,391 to Person with Disabilities (PwDs).
207. **The Governor, Nakuru County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C for the Financial Year 2023/2024 and submitted that the actual procurement spend was Kshs. 2,711,804,397 and the Actual AGPO spent was Kshs. 742,937,698 (27.4%).
208. **The Governor, Narok County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal

Act, Cap. 412C for the Financial Year 2023/2024 and submitted that the total procurement budget was Kshs. 6,436,315,505, the actual procurement spend was Kshs. 1,930,894,650.9 and the Actual AGPO spent was 273,355,924.05 (14.1%). The breakdown of AGPO spending included Kshs. 162,252,251 allocated to women and Kshs. 110,103,673.05 to youth.

209. **The Governor, Kajiado County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C for the Financial Year 2023/2024 and submitted that the actual procurement spend was Kshs. 1,244,500,000 and the Actual AGPO spent was Kshs. 402,346,984.02 (32%). The breakdown of AGPO spending included Kshs. 166,695,930.80 allocated to women, Kshs. 145,925,557 to youth and Kshs. 89,725,496.02 to Persons with Disabilities (PwDs).
210. **The Governor, Kericho County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C for the Financial Year 2023/2024 and submitted that the total procurement budget was Kshs. 2,816,793,590 and the Actual AGPO spent was Kshs. 301,027,100 (10.6%). The breakdown of AGPO spending included Kshs. 123,411,635 allocated to women, Kshs. 123,411,635 to youth and Kshs. 16,971,557 to Persons with Disabilities (PwDs).
211. **The Governor, Bomet County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C for the Financial Year 2023/2024 and submitted that the actual procurement spent was Kshs. 2,928,180,946 and the Actual AGPO spent was Kshs. 915,923,085.48 (31.3%).
212. **The Governor, Kakamega County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C for the Financial Year 2023/2024 and submitted that the Actual AGPO spent was Kshs. 1,928,789,427.21. The breakdown of AGPO spending included Kshs. 828,468,913.44 allocated to women, Kshs. 829,971,936.28 to youth and Kshs. 270,330,577.49 to Persons with Disabilities (PwDs).
213. **The Governor, Vihiga County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C for the Financial Year 2023/2024 and submitted that the total procurement budget was Kshs. 1,504,281,814 and the Actual AGPO spent was Kshs. 227,206,044.15 (15%).

214. **The Governor, Bungoma County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C for the Financial Year 2023/2024 and submitted that the total procurement budget was Kshs. 4,230,275,677 and the Actual AGPO spent was Kshs. 1,269,082,703 (42.49%).
215. **The Governor, Busia County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C for the Financial Year 2023/2024 were not clear in their submissions.
216. **The Governor, Siaya County** did not submit any documents on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C.
217. **The Kisumu County**, submissions on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C for the Financial Year 2023/2024 showed that the total procurement budget was Kshs. 3,250,146,848.98 and the Actual AGPO spent was Kshs. 731,928,268.43.
218. **The Governor, Homabay County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C for the Financial Year 2023/2024 and submitted that the Actual AGPO spent was Kshs. 1,246,027,414.57.
219. **The Governor, Migori County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C for the Financial Year 2023/2024 and submitted that the actual procurement spend was Kshs. 3,093,707,805.18 and the Actual AGPO spent was Kshs. 338,836,505.99 (10.95%).
220. **The Governor, Kisii County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C for the Financial Year 2023/2024 and submitted that the total procurement budget was Kshs. 2,410,916,486.08 and the Actual AGPO spent was Kshs. 492,708,254 (31.9%). The breakdown of AGPO spending included Kshs. 210,211,602.77 allocated to women, Kshs. 260,156,964.86 to youth and Kshs. 22,339,686.56 to Persons with Disabilities (PwDs).
221. **The Governor, Nyamira County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal

Act, Cap. 412C for the Financial Year 2023/2024 and submitted that the actual procurement budget spent was Kshs. 1,038,445,730 and the Actual AGPO spent was Kshs. 122,883,503.44 (11.83%).

222. **The Governor, Nairobi County**, appraised the Committee on the Status of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C for the Financial Year 2023/2024 and submitted that the total procurement budget was Kshs. 12,730,652,485 and the Actual AGPO spent was Kshs. 1,371,362,751 (10.7%).

6.3 Committee Observations on the status of compliance by the County Governments with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C

223. The Committee observes as follows-

- i) That county governments such as Lamu (66.38%), Taita Taveta (31.33%), Mandera (36.8%), Tharaka Nithi (30.38%), Nyandarua (30.4%), Kirinyaga (65.26%), Murang'a (48.84%), West Pokot 34.17%, Trans Nzoia 45.9%, Uasin Gishu 31%, Elgeyo Marakwet 49%, Laikipia 31.05%, Bomet 31.3%, Kakamega 30.96% and Kisii 31.90% complied with Section 53(6) of the Public Procurement and Asset Disposal Act.
- ii) That 22 county governments did not comply with Section 53(6) of the Public Procurement and Asset Disposal Act. They include; Mombasa %, Kwale 19.9%, Wajir 8.8%, Isiolo 11.8%, Meru 10%, Embu 18.89%, Kitui 17.39%, Machakos 6.6%, Makueni 21%, Nyeri 27.1%, Kiambu 19.13%, Turkana 24%, Nandi 28.23%, Baringo 21%, Nakuru 27.4%, Samburu 9.2%, Narok 14.1%, Kericho 10.6%, Vihiga 15%, Migori 10.95%, Nyamira 11.83% and Nairobi 10.7%.
- iii) Some county governments signed Memorandum of Understanding with banks to finance the special groups thereby helping them access credit; this was exemplified by the Trans Nzoia County NAWIRI program.
- iv) That some county executives had not reported on preference and reservations to disadvantaged groups to the Public Procurement Regulatory Authority as provided under Section 157(12) of the Public Procurement and Asset Disposal Act.

**CHAPTER SEVEN: AFFIRMATIVE ACTION MEASURES BEING
IMPLEMENTED BY THE COUNTY GOVERNMENTS IN THE
PROMOTION OF WOMEN, YOUTH AND PERSONS WITH DISABILITIES
IN RECRUITMENT AND LEADERSHIP**

7.1 Introduction

224. This Chapter sets out the submissions received from the county governments under *Thematic Area 5* and the Observations by the Committee on the thematic area.

7.2 Overview of Submissions

225. The Committee received submissions under *Thematic Area 5* from the county governments as follows-

1) Mombasa County Government

226. The Governor, Mombasa County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and PwDs in recruitment and leadership include;

- (a) Establishment of a Youth Empowerment Program that had engaged five thousand (5,000) youth in productive work as opposed to idleness that leads to drug abuse, crime and other vices;
- (b) Implementation of an internship program that affirmatively engaged the youth of Mombasa County to the Departments they are trained on. The program had engaged four hundred and sixty-eight (468) interns who were paid stipends as per the Salary and Remuneration Commission's guidelines;
- (c) Attachment opportunities for students who are pursuing different courses in different institutions to allow them to acquire practical aspects of their respective areas of specialization in a real work environment. The engaged attaches stood at six hundred (600) in number annually;
- (d) Adherence with the law on two thirds gender rule by ensuring representation of women at all levels of service in the County Public Service;
- (e) Incorporation of National Cohesion, Values and Principles in performance contracting indicators in the County Performance Management System; and
- (f) Making provision for special opportunities for access to employment for the PwDs by actively seeking applicants through liaising with the Mombasa County Government.

2) Kwale County Government

227. The Governor, Kwale County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and PwDs in recruitment and leadership include;

- (a) The County encourages the special groups to apply for jobs;
- (b) The County sensitizes the people on the need to participate in any recruitment when positions are advertised;
- (c) The County has a flexible application process and interviews are either physical or online;
- (d) The Percentage of PwDs in leadership positions is 2.39%. The gender distribution of employees in leadership position is comprised of 35 female employees representing 31.5%;
- (e) There is a bursary program to promote education; and
- (f) The County funds vocational and technical training programs tailored to the needs of special groups.

3) Kilifi County Government

228. The Governor, Kilifi County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;

- (a) Approved disability mainstreaming policy;
- (b) Approved recruitment and Selection policy; and
- (c) Approved gender Mainstreaming Policy

4) Tana River Government

229. The Governor, Tana River County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;

- (a) Affirmative Action Policies prioritizing the recruitment of Persons with Disabilities (PwDs), women and minority groups in line with both National Policies;
- (b) Targeted Recruitment Initiatives like advertising through the local channels and conducting outreach programs within communities; and
- (c) Equal Opportunity Employment Guidelines to ensure that all job vacancies were accessible to everyone, and we emphasize equal opportunity during the hiring process.

5) Lamu County Government

230. The Governor, Lamu County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;

- (a) Affirmative Action Policies prioritizing the recruitment of Persons with Disabilities (PwDs), women and minority groups in line with both National Policies;
- (b) Targeted Recruitment Initiatives like advertising through the local channels and conducting outreach programs within communities; and
- (c) Equal Opportunity Employment Guidelines to ensure that all job vacancies were accessible to everyone, and we emphasize equal opportunity during the hiring process.

6) Taita Taveta Government

231. The Governor, Taita Taveta County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in leadership include;

- (a) Persons With Disability Act in place;
- (b) Youth Welfare and Empowerment Act;
- (c) Public sensitization programs; and
- (d) Inclusivity in recruitment.

7) Wajir County Government

232. The Governor, Wajir County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;

- (a) Approved gender mainstreaming policy;
- (b) Approved disability mainstreaming policy; and
- (c) Developing a County Employment equity plan is the process.

8) Mandera County Government

233. The Governor, Mandera County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership is that the current composition of staff, over 60%, falls within 20-35 years.

9) Marsabit County Government

234. The Governor, Marsabit County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Targeted consideration of vulnerable groups in recruitment;
 - (b) Deliberate regional balance of employees within the county;
 - (c) Special sponsorship and capacity building incentives for vulnerable groups;
 - (d) Adherence to gender equity in recruitment; and
 - (e) Representation in decision making bodies

10) Isiolo County Government

235. The Governor, Isiolo County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Approved gender mainstreaming policy; and
 - (b) Approved disability mainstreaming policy

11) Meru County Government

236. The Governor, Meru County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Approved gender mainstreaming policy;
 - (b) Capacity building at Kenya School of Government to attend training programs on women transformative in leadership to enhance their skills;
 - (c) Inclusion in County Boards and Committees;
 - (d) Meru Youth Service Initiative empowering the youth with skills training, community service and job creation; and
 - (e) Meru County Persons with Disability Act of 2016 enhancing the rights, inclusion and well-being of Persons with Disabilities (PwDs).

12) Tharaka Nithi Government

237. The Governor, Tharaka Nithi County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Approved gender mainstreaming policy; and
 - (b) Approved disability mainstreaming policy

13) Embu County Government

238. The Governor, Embu County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Development of Gender policy and Legislation;
 - (b) Disability mainstreaming policy;
 - (c) Capacity Building Programs aimed at enhancing capacity for the various target groups; and
 - (d) Training and performance contracting policy.

14) Kitui County Government

239. The Governor, Kitui County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Approved gender mainstreaming policy;
 - (b) Approved disability mainstreaming policy;
 - (c) In the last three years during recruitment, out of 654 employees, 322 were female while youth accounted for 525 with 6 Persons with Disabilities (PwDs);
 - (d) Giving waivers during recruitment for Persons with Disabilities (PwDs); and
 - (e) Industrial Attachment opportunities were given.

15) Machakos County Government

240. The Governor, Machakos County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Approved gender mainstreaming policy; and
 - (b) Approved disability mainstreaming policy

16) Makueni County Government

241. The Governor, Makueni County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) According equal employment opportunities to special groups through widespread advertisement of job opportunities;

- (b) The current staff composition in the County shows inclusion of special groups;
- (c) Establishment of community centers serving as vital hubs for digital access information and community engagement;
- (d) Establishment of the Makueni Integrated vocational empowerment center, one specifically supports Persons with Disabilities (PwDs);
- (e) *Ujuzi teke teke* ‘skills on the go’ which is a youth empowerment programme to enhance entrepreneurial skills in the youth;
- (f) Development of youth empowerment intervention through Ajiry center; and
- (g) Establishment of an agricultural training center for youth empowerment.

17) Nyandarua County Government

242. The Governor, Nyandarua County informed the Committee that the affirmative action’s being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) According equal employment opportunities to special groups through widespread advertisement of job opportunities; and
 - (b) The current staff composition in the County shows inclusion of special groups

18) Murang’a County Government

243. The Governor, Murang’a County informed the Committee that the affirmative action’s being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Approved gender mainstreaming policy;
 - (b) Approved disability mainstreaming policy;
 - (c) Internship programs to help the youth acquire necessary skills to help them in the work environment;
 - (d) Disability week to help sensitize the community on Persons with Disabilities (PwDs); and
 - (e) Murang’a Youth Service.

19) Kiambu County Government

244. The Governor, Kiambu County informed the Committee that the affirmative action’s being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Approved gender mainstreaming policy;

- (b) Rolling out of various programs to empower youth (Kiambu County Youth Day Celebrations, Meta digital & Digital entrepreneurship training, Kiambu County enterprise development fund, Inaugural Youth employability summit, Film capacity building workshop, referee training, Coach training, Football County's champions cup, Talanta hela program); and
- (c) Infrastructure development specifically stadiums to upgrade and rehabilitate the (Thika stadium, Kanjeru stadium, Kagwe stadium, Githunguri stadium, Kirangari stadium and Thigio stadium and distributing sports equipment)

20) Turkana County Government

245. The Governor, Turkana County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Approved gender mainstreaming policy;
 - (b) Approved disability mainstreaming policy;
 - (c) Inclusive job descriptions and advertisement;
 - (d) Special sponsorship and capacity building initiatives; and
 - (e) Deliberate regional balance.

21) West Pokot County Government

246. The Governor, West Pokot County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Placing advertisements in media accessible to all groups; even on social media platforms;
 - (b) Placing the youth in attachment and internship opportunities at the County Public Service giving them opportunities when the vacancies arise; and
 - (c) Giving equal opportunities to the female candidates in any vacancies advertised in comparison to their male counterparts.

22) Samburu County Government

247. The Governor, Samburu County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include complying with the national laws on two thirds gender rule and allocation of AGPO.

23) Trans Nzoia County Government

248. The Governor, Trans Nzoia County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Approved gender mainstreaming policy;
 - (b) Approved disability mainstreaming policy;
 - (c) Inclusive job descriptions and advertisement;
 - (d) Implementation of the Two Thirds Gender Rule;
 - (e) Legislative Framework Development; and
 - (f) Economic Empowerment- Establishment of the Nawiri Fund, an LPO financing scheme.

24) Uasin Gishu County Government

249. The Governor, Uasin Gishu County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Conversion of terms of engagement of E.C.D.E teachers whose majority were females from contract to permanent and pensionable terms of employment in line with their schemes of service;
 - (b) Targeted consideration of vulnerable groups in recruitment;
 - (c) Deliberate regional balance of employees within the county. The County Government has also outsourced cleaning services from a company that engages only the Deaf Community;
 - (d) Special sponsorship and capacity building incentives for vulnerable groups;
 - (e) Adherence to gender equity in recruitment; and
 - (f) Representation in decision making bodies.

25) Elgeyo Marakwet County Government

250. The Governor, Elgeyo Marakwet County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Approved Internship policy;
 - (b) Inclusive recruitment process;
 - (c) Providing support to Persons with Disabilities (PwDs) officers in the county by giving them guide allowance;
 - (d) Approved equity employment plan;

- (e) Partnership with the civil society through programmes like, Tujiajiri in partnership with the Kenya Commercial Bank supporting youth to undertake technical courses in local VCTs, PEPEA program supporting the youths to study abroad in countries like Finland, Australia, Canada among others; and
- (f) Strategic plan of the board has included strategies and activities to ensure compliance to the constitution and other laws

26) Nandi County Government

251. The Governor, Nandi County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;

- (a) Approved Gender mainstreaming policy;
- (b) Targeted recruitment and promotion;
- (c) Wide circulation of job advertisements;
- (d) Forwarding hard copies of job adverts to National Council for Persons with Disabilities (NCPWD);
- (e) Capacity building programs;
- (f) Increased budget allocation for gender training and Embu County women revolving fund; and
- (g) Organizing key activities and community engagement

27) Baringo County Government

252. The Governor, Baringo County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;

- (a) Approved gender mainstreaming policy; and
- (b) Inclusivity during recruitment

28) Laikipia County Government

253. The Governor, Laikipia County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;

- (a) The Laikipia County government has an Enterprise Fund Programme that assist micro and small enterprises to access credit for business capital and enhance entrepreneurial skills by providing training;
- (b) Offering internship opportunities;
- (c) Collaborating with Organizations that advocate for people with disabilities to support inclusive recruitment efforts;

- (d) Providing bias reduction training for hiring managers to ensure equal opportunities;
- (e) Enforcing anti – discrimination policies;
- (f) Gender mainstreaming policy; and
- (g) Inclusive job descriptions and advertisement.

29) Nakuru County Government

254. The Governor, Nakuru County informed the Committee that the affirmative action’s being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Inclusivity in recruitment; and
 - (b) Inclusivity of special groups in senior level

30) Narok County Government

255. The Governor, Narok County informed the Committee that the affirmative action’s being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Enforcement of institutional framework and values and principles;
 - (b) High standards of professional ethics;
 - (c) Efficient, effective and economic use of resources;
 - (d) Involvement of people in the process of policy making;
 - (e) Accountability for administrative acts;
 - (f) Representation of Kenya’s diverse communities;
 - (g) Responsive, prompt, effective, impartial and equitable provision of services; and
 - (h) Transparency and provision to the public of timely, accurate information.

31) Kajiado County Government

256. The Governor, Kajiado County informed the Committee that the affirmative action’s being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Approved Kajiado County Women Empowerment Fund Act, 2021 for empowering women in the County, to provide for the administration of the Fund and for connected purposes;
 - (b) Approved Gender mainstreaming policy;
 - (c) Approved Kajiado County Disability Mainstreaming; and

- (d) Approved Kajiado County Public Finance Management (youth and women enterprise fund) regulations, 2016.

32) Kericho County Government

257. The Governor, Kericho County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Approved gender mainstreaming policy;
 - (b) Approved disability mainstreaming policy;
 - (c) Offering internship programs to the youth; and
 - (d) Ensuring inclusivity during recruitment.

33) Bomet County Government

258. The Governor, Bomet County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Youth empowerment programs i.e. Bomet Digital Conference, Bomet County Hackathon, Equipping of ICT labs in Vocational Training Centers;
 - (b) Economic empowerment i.e. distribution of incubators, chicks and issuance of beehives to groups;
 - (c) Inclusion and participation of Persons with Disabilities (PwDs) in sporting activities;
 - (d) Convening Bomet youth conference; and
 - (e) Approved legislative framework development for the empowerment of special groups.

34) Kakamega County Government

259. The Governor, Kakamega County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Placing advertisements in media accessible to all groups; even on social media platforms;
 - (b) Placing the youth in attachment and internship opportunities at the County Public Service giving them opportunities when the vacancies arise; and
 - (c) Ensuring inclusivity during recruitment.

35) Nyeri County Government

260. The Governor, Nyeri County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Approved gender mainstreaming policy;
 - (b) Inclusive job descriptions and advertisement; and
 - (c) Development programs i.e. internships.

36) Siaya County Government

261. The Governor, Siaya County did not submit any data on the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in leadership.

37) Garissa County Government

262. The Governor, Garissa County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Approved gender mainstreaming policy;
 - (b) Approved disability mainstreaming policy;
 - (c) Wide circulation of adverts; and
 - (d) Youth empowerment program.

38) Kirinyaga County Government

263. The Governor, Kirinyaga County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Inclusivity in recruitment;
 - (b) Approved gender mainstreaming policy; and
 - (c) Approved disability mainstreaming policy.

39) Nyamira County Government

264. The Governor, Nyamira County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Enactment of Nyamira County people with Disabilities Act;

- (b) Construction of an ICT hub in Nyamira for training youths to access online job opportunities and technology-based innovations;
- (c) The County has signed an MoU with a Non state institution called Practical Action that trains, coaches and mentors' youth in agribusiness;
- (d) Nyamira county trade development revolving fund act aimed at providing affordable credit to MSMEs; and
- (e) 30% of CECMs and Chief Officers are female; one Chief Officer is a PwD with 23% of directors in the County being female.

40) Vihiga County Government

265. The Governor, Vihiga County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;

- (a) Inclusivity in recruitment;
- (b) Approved gender mainstreaming policy; and
- (c) Approved disability mainstreaming policy

41) Bungoma County Government

266. The Bungoma County does not have any tangible programs on the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership.

42) Busia County Government

267. The Governor, Busia County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;

- (a) Approved gender mainstreaming policy;
- (b) Inclusivity during recruitment; and
- (c) The staff composition shows that women are more than men.

43) Kisumu County Government

268. The Kisumu County submissions on the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;

- (a) Approved gender mainstreaming policy;

- (b) Climate Change Planning Committees to link the community and County on matters of climate change;
- (c) Appointing special groups to serve in bursary committees; and
- (d) Recruitment of 7 sign language interpreters to promote sign language communication.

44) Homabay County Government

269. The Governor, Homabay County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;

- (a) Enforcement of institutional policy framework (Sexual and gender-based violence policy 2023, Gender inclusivity and participation policy for municipalities of 2024, Disability Act of 2020, Climate change Act of 2020, Finance Act, Child welfare and protection policy, Homabay county education bursary & scholarship Fund, County Human Resource policy and procedures manual and a draft youth policy);
- (b) Strong institution to coordinate affirmative action;
- (c) Preparation of Youth, women & Persons with Disabilities (PwDs) for job market and leadership through offering internships, attachment, mentorship, bursaries programs;
- (d) Gender-based Violence Recovery Centers and safe spaces. i.e. Safe space at Wasimo Girls to support the re-entry of teenage mothers into school;
- (e) Breastfeeding parlors for lactating mothers;
- (f) Construction of disability-friendly offices and workspaces;
- (g) Bursaries and scholarships for 599 vulnerable students ensuring their access to education; and
- (h) *Boda Boda* Fund to support youth by providing grants to the SACCOs.

45) Migori County Government

270. The Governor, Migori County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;

- (a) Approved gender mainstreaming policy;
- (b) Disability friendly infrastructures; and
- (c) Availability of assistive devices.

46) Kisii County Government

271. The Governor, Kisii County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Youth training center dubbed 'Ajiry' to enhance ICT skills, so far 12,000 youths have been trained;
 - (b) The County Public Service Board disseminates adverts; and
 - (c) The County has signed an MoU with Stanbic bank to help special groups access credit.

47) Nairobi County Government

272. The Governor, Nairobi County informed the Committee that the affirmative action's being implemented by the County in promotion of women, youth and Persons with Disabilities (PwDs) in recruitment and leadership include;
- (a) Affirmative Action Policies prioritizing the recruitment of Persons with Disabilities (PwDs), women and minority groups in line with both National Policies;
 - (b) Targeted Recruitment Initiatives like advertising through the local channels and conducting outreach programs within communities;
 - (c) Equal Opportunity Employment Guidelines ensuring that all job vacancies are accessible to everyone, and we emphasize equal opportunity during the hiring process;
 - (d) Internship program to the youth providing them an opportunity for mentorship;
 - (e) Training support for officers pursuing academic growth to ensure equal opportunities for career advancement; and
 - (f) Setting up a functional help desk, during the advertisement period to assist those applicants with difficulties during the application process.

7.3 Committee Observations on Affirmative Action Measures being implemented by the county governments in the promotion of women, youth and persons with disabilities in recruitment and leadership.

273. The Committee observes as follows –

- i) Majority of the County governments had approved affirmative action policies prioritizing the recruitment of Persons with Disabilities (PwDs), women and minority groups in line with National Policies and in compliance

with constitutional requirements to reserve 5% of appointive positions for persons with disabilities.

- ii) A number of county governments had internship program that targeted the youth that was tailored to give an opportunity for mentorship.
- iii) A number of county governments had established Youth Empowerment Program and ICT training facilities to engage the youth in productive work

CHAPTER EIGHT: AUDITS OR ASSESSMENT UNDERTAKEN IN THE LAST THREE YEARS TO ASCERTAIN THE LEVEL OF INCLUSIVITY IN THE RECRUITMENT PROCESS

8.1 Introduction

274. This Chapter sets out the submissions received from the county governments under *Thematic Area 6* and the Observations by the Committee on the thematic area.

8.2 Overview of Submissions

275. The Committee received submissions under *Thematic Area 6* from the county governments as follows-

1) Mombasa County Government

276. The Governor, Mombasa County, informed the Committee that the audits undertaken in the last three years include:

- (a) The Office of Auditor General (OAG) and National Cohesion and Integration Commission (NCIC) undertook an Audit every year and in 2023 respectively; and
- (b) Audits by the County Assembly of Mombasa.

2) Kwale County Government

277. The Governor, Kwale County, informed the Committee that the audits undertaken in the last three years include:

- (a) Audit by the Office of the Auditor General (OAG) every year; and
- (b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023

3) Kilifi County Government

278. The Governor, Kilifi County, informed the Committee that the audits undertaken in the last three years include:

- a) Audit by the Office of the Auditor General (OAG) every year;
- b) Audit by the Kilifi County Public Service Board on the County Public Service Compliance with National Values and Principles of Governance for the year 2023;

- c) Audit by the National Cohesion and Integration Commission (NCIC) in 2023; and
- d) Audit by the County Assembly of Kilifi

4) Lamu County Government

279. The Governor, Lamu County, informed the Committee that the audits undertaken in the last three years include:

- a) Audit by the Office of the Auditor General (OAG) every year;
- b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023;
- c) Audit by the Human Resource Audit by Public Service Board;
- d) Audit by the National Treasury in April,2024; and
- e) Audit by the County Assembly of Lamu.

5) Taita Taveta County Government

280. The Governor, Taita Taveta County, informed the Committee that the audits undertaken in the last three years include:

- a) Audit by the Office of the Auditor General (OAG) every year; and
- b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023

6) Wajir County Government

281. The Governor, Wajir County, informed the Committee that the audits undertaken in the last three years include:

- a) Audit by the Office of the Auditor General (OAG) every year; and
- b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023

7) Mandera County Government

282. The Governor, Mandera County, informed the Committee that the audits undertaken in the last three years include:

- a) Audit by the Office of the Auditor General (OAG) every year;
- b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023; and
- c) Audit by the County Assembly of Mandera

8) Marsabit County Government

283. The Governor, Marsabit County, informed the Committee that the audits undertaken in the last three years include:

- a) Audit by the Office of the Auditor General (OAG) every year;
- b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023;
- c) Audit by Marsabit County Assembly; and
- d) Audit by Institute of Human Resource Management

9) Isiolo County Government

284. The Governor, Isiolo County, informed the Committee that the audits undertaken in the last three years include:

- a) Audit by the Office of the Auditor General (OAG) every year;
- b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023; and
- c) Audit by the County Assembly of Isiolo

10) Meru County Government

285. The Governor, Meru County, informed the Committee that the audits undertaken in the last three years include:

- a) Audit by the Office of the Auditor General (OAG) every year; and
- b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023

11) Tharaka Nithi County Government

286. The Governor, Tharaka Nithi County, informed the Committee that the audits undertaken in the last three years include:

- a) Audit by the Office of the Auditor General (OAG) every year;
- b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023; and
- c) Audit by the National Gender and Equality Commission

12) Embu County Government

287. The Governor, Embu County, informed the Committee that the audits undertaken in the last three years include:

- a) Audits by the Office of the Auditor General (OAG) every year;

- b) Audits by the National Cohesion and Integration Commission (NCIC) in 2023; and
- c) Audits by the County Assembly of Embu

13) Kitui County Government

288. The Governor, Kitui County, informed the Committee that the audits undertaken in the last three years include:

- a) Audits by the Office of the Auditor General (OAG) every year;
- b) Audits by the National Cohesion and Integration Commission (NCIC) in 2023; and
- c) Audits by the County Assembly of Kitui and County Public Service Board

14) Machakos County Government

289. The Governor, Machakos County, informed the Committee that the audits undertaken in the last three years include:

- a) Audit by the Office of the Auditor General (OAG) every year;
- b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023; and
- c) Audit by the County Assembly of Machakos
- d) Audit by IHRM

15) Makueni County Government

290. The Governor, Makueni County, informed the Committee that the audits undertaken in the last three years include:

- a) Audit by the Office of the Auditor General (OAG) every year;
- b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023; and
- c) Audit by the County Assembly of Makueni

16) Nyandarua County Government

291. The Governor, Nyandarua County, informed the Committee that the audits undertaken in the last three years include:

- a) Audit by the Office of the Auditor General (OAG) every year;
- b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023; and
- c) Audit by the County Assembly of Nyandarua

17) Murang'a County Government

292. The Governor, Murang'a County, informed the Committee that the audits undertaken in the last three years include:
- a) Audit by the Office of the Auditor General (OAG) every year; and
 - b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023

18) Kiambu County Government

293. The Governor, Kiambu County, informed the Committee that the audits undertaken in the last three years include:
- a) Audit by the Office of the Auditor General (OAG) every year; and
 - b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023

19) Turkana County Government

294. The Governor, Turkana County, informed the Committee that the audits undertaken in the last three years include:
- a) Audit by the Office of the Auditor General (OAG) every year;
 - b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023; and
 - c) Audit by the County Assembly of Turkana

20) West Pokot County Government

295. The Governor, West Pokot County, informed the Committee that the audits undertaken in the last three years include:
- a) Audit by the Office of the Auditor General (OAG) every year;
 - b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023; and
 - c) Audit by the County Assembly of West Pokot

21) Samburu County Government

296. The Governor, Samburu County, informed the Committee that the audits undertaken in the last three years include:
- a) Audit by the Office of the Auditor General (OAG) every year;
 - b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023; and
 - c) Audit by the County Assembly of Samburu.

22) Trans Nzoia County Government

297. The Governor, Trans Nzoia County, informed the Committee that the audits undertaken in the last three years include:

- a) Audit by the Office of the Auditor General (OAG) every year;
- b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023; and
- c) Audit by the County Assembly of Trans Nzoia.

23) Uasin Gishu County Government

298. The Governor, Uasin Gishu County, informed the Committee that the audits undertaken in the last three years include:

- a) Audit by the Office of the Auditor General (OAG) every year; and
- b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023.

24) Elgeyo Marakwet County Government

299. The Governor, Elgeyo Marakwet County, informed the Committee that the audits undertaken in the last three years include:

- a) Audit by the Office of the Auditor General (OAG) every year; and
- b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023.

25) Nandi County Government

300. The Governor, Nandi County, informed the Committee that the audits undertaken in the last three years include:

- a) Audit by the Office of the Auditor General (OAG) every year; and
- b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023.

26) Baringo County Government

301. The Governor, Baringo County, informed the Committee that the audits undertaken in the last three years include:

- a) Audit by the Office of the Auditor General (OAG) every year;

- b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023; and
- c) Audit by the County Assembly of Baringo.

27) Laikipia County Government

302. The Governor, Laikipia County, informed the Committee that the audits undertaken in the last three years include:

- a) Audit by the Office of the Auditor General (OAG) every year; and
- b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023.

28) Nakuru County Government

303. The Governor, Nakuru County, informed the Committee that the audits undertaken in the last three years include:

- a) Audit by the Office of the Auditor General (OAG) every year; and
- b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023.

29) Narok County Government

304. The Governor, Narok County, informed the Committee that the audits undertaken in the last three years include:

- a) Audit by the Office of the Auditor General (OAG) every year;
- b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023; and
- c) Audit by the County Assembly of Narok.

30) Kajiado County Government

305. The Governor, Kajiado County, informed the Committee that the audits undertaken in the last three years include;

- a) Audit by the Office of the Auditor General (OAG) every year;
- b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023; and
- c) Audit by the County Assembly of Kajiado.

31) Kericho County Government

306. The Governor, Kericho County, informed the Committee that the audits undertaken in the last three years include;
- a) Audit by the Office of the Auditor General (OAG) every year; and
 - b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023.

32) Bomet County Government

307. The Governor, Bomet County, informed the Committee that the audits undertaken in the last three years include;
- a) Audit by the Office of the Auditor General (OAG) every year;
 - b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023, and
 - c) Audit by the County Assembly of Bomet.

33) Kakamega County Government

308. The Governor, Kakamega County, informed the Committee that the audits undertaken in the last three years include;
- a) Audit by the Office of the Auditor General (OAG) every year;
 - b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023; and
 - c) Audit by the County Public Service Board to establish the Universal Health Coverage staff in the County Public Service.

34) Nyeri County Government

309. The Governor, Nyeri County, informed the Committee that the audits undertaken in the last three years include;
- a) Audit by the Office of the Auditor General (OAG) every year;
 - b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023; and
 - c) Audit by the County Assembly of Nyeri.

35) Garissa County Government

310. The Governor, Garissa County, informed the Committee that the audits undertaken in the last three years include;

- a) Audit by the Office of the Auditor General (OAG) every year;
- b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023; and
- c) Audit by the County Assembly of Garissa.

36) Kirinyaga County Government

311. The Governor, Kirinyaga County, informed the Committee that the audits undertaken in the last three years include;
- a) Audit by the Office of the Auditor General (OAG) every year;
 - b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023; and
 - c) Audit by the County Assembly of Kirinyaga.

37) Nyamira County Government

312. The Governor, Nyamira County, informed the Committee that the audits undertaken in the last three years include;
- a) Audit by the Office of the Auditor General (OAG) every year; and
 - b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023.

38) Vihiga County Government

313. The Governor, Vihiga County, informed the Committee that the audits undertaken in the last three years include;
- a) Audit by the Office of the Auditor General (OAG) every year;
 - b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023; and
 - c) Audit by the County Public Service Board.

39) Bungoma County Government

314. The Governor, Bungoma County, informed the Committee that the audits undertaken in the last three years include;
- a) Audit by the Office of the Auditor General (OAG) every year; and
 - b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023.

40) Busia County Government

315. The Governor, Busia County, informed the Committee that the audits undertaken in the last three years include;
- a) Audit by the Office of the Auditor General (OAG) every year; and
 - b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023.

41) Kisumu County Government

316. The Kisumu County submission to the Committee indicate that the audits undertaken in the last three years include an audit by the Office of the Auditor General (OAG) every year.

42) Homabay County Government

317. The Governor, Homabay County, informed the Committee that the audits undertaken in the last three years include;
- a) Audit by the Office of the Auditor General (OAG) every year;
 - b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023; and
 - c) Audit by the County Assembly of Homa Bay.

43) Migori County Government

318. The Governor, Migori County, informed the Committee that the audits undertaken in the last three years include;
- a) Audit by the Office of the Auditor General (OAG) every year;
 - b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023; and
 - c) Audit by the County public Service Board of Migori on compliance to the Constitutional provisions.

44) Kisii County Government

319. The Governor, Kisii County, informed the Committee that the audits undertaken in the last three years include;
- a) Audit by the Office of the Auditor General (OAG) every year;
 - b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023; and
 - c) Audit by the County Assembly of Kisii.

45) Nairobi City County Government

320. The Governor, Nairobi County, informed the Committee that the audits undertaken in the last three years include;

- a) Audit by the Office of the Auditor General (OAG) every year;
- b) Audit by the National Cohesion and Integration Commission (NCIC) in 2023; and
- c) Audit by the County Assembly of Nairobi.

8.3 Committee Observations on any audits or assessments undertaken in the last three years to ascertain the level of inclusivity in the recruitment process.

321. The Committee observes as follows-

- i) That all counties were audited by the Office of the Auditor General (OAG) annually.
- ii) That all the counties were audited by the National Cohesion and Integration Authority in 2023
- iii) That some of the counties have been audited by their County Assemblies
- iv) That some of the counties have been audited by the Institute of Human Resource Management on request by the counties.

CHAPTER NINE: SUBMISSIONS BY THE NATIONAL COHESION AND INTEGRATION COMMISSION AND THE PUBLIC PROCUREMENT REGULATORY AUTHORITY

9.1 Introduction

322. This Chapter sets out the submissions received from the National Cohesion and Integration Commission and the Public Procurement Regulatory Authority.
323. The National Cohesion and Integration Commission (NCIC) apprised the committee on the outcome of ethnic and diversity audit of the county public service carried out by the Commission, while the Public Procurement Regulatory Authority (PPRA) apprised the Committee on the matter of compliance with Section 53(6) of the Public Procurement and Assets Disposal Act by public procurement entities with a view to establish a roadmap to ensure compliance of the said provisions of the Act.

9.2 Submissions by the National Cohesion and Integration Commission (NCIC)

324. NCIC informed the Committee that the Commission conducted an ethnic and diversity audit of the county public service whose outcome were as follows –
- (a) The county governments had a massive workforce of 184,876 employees.
 - (b) Only thirteen of the county governments had complied with section 65 1 (e) of the County Governments, which provides the need to ensure that at least thirty percent of the vacant posts at entry level are filled by candidates who are not from the dominant ethnic community in the county. The counties include; Narok, Tana River, Taita Taveta, Embu, Busia, Trans Nzoia, Nakuru, Isiolo, Mombasa, Nairobi, Tana River, Lamu and Marsabit.
 - (c) That eighteen (40%) of the counties had significantly dropped in compliance with the provisions of the County Governments Act, with over 90% ethnic composition of the dominant community in the county. These include; Bomet 97.35%, Elgeyo Marakwet 96.41%, Vihiga 95.98, Nandi 95.98%, Nyandarua 95.64%, Nyamira 94.75%, Kisii 94.37%, Mandera 93.49%, Kericho 93.31%, Wajir 93.18%, Makueni 92.52%, Nyeri 92.38%, Murang'a 92.22%, Kirinyaga 92.20%, West Pokot 91.45%, Kakamega 90.8% and Siaya 90.43%.

- (d) The challenges and constraints that are a hindrance to achieving ethnic balance include; Staff inherited from defunct local authorities who were grossly drawn from locals, Poor county infrastructure that is proving non attractive to professional and skilled personnel from non-dominant communities, political interference of employment in the county public service, lack of clear framework to guide inter county transfer, Rural counties being unattractive to skilled personnel, laxity by oversight organs in holding employing organs accountable, low awareness on diversity laws by boards and county officials and the public are not conversant with what the law provides for them.
- (e) To address the challenges and promote inclusivity in the county public service, the County Public service boards should prepare and implement a county employment equity plan for purpose of eliminating ethnic imbalance, county governments to liaise with Intergovernmental Relations Technical Committee(IGRTC) and Council of Governors(COG) to implement standardized county level recruitment guidelines, career progression policies, transition framework, salary structures to ensure consistent and equitable employment practices, counties to better their infrastructure in order to attract professionals, empower county public service boards to fulfill their mandate without undue interference from county and national leadership, launch targeted sensitization campaigns for county governments, educating county boards, political leaders, and county staff on legal implications of diversity and inclusivity issues.
- (f) The county governments had employed 98,299 public servants for the period 2016-2023.

9.3 Submissions by the Public Procurement Regulatory Authority (PPRA)

325. PPRA informed the committee that it conducted a compliance status audit of the counties with section 53(6) of the Public Procurement and Asset Disposal Act; 2015 whose outcome were as follows –

- (a) That 14 counties which include; Meru, Nandi, Marsabit, Garissa, Isiolo, Kericho, Kiambu, Kisii, Mandera, Migori, Tana River, Tharaka Nithi, Turkana, and Vihiga had failed to comply with the mandatory procurement reporting requirements for the financial year 2022/23 and 2023/24 raising concerns about transparency and accountability in public procurement processes at the county level.

- (b) That significant challenges in the implementation of the preference and reservations scheme, which is meant to promote inclusivity in public procurement were experienced. Some procuring entities allocate less than the required minimum of 30% of tenders to enterprises owned by women, youth, and persons with disabilities (PWDs). Furthermore, some entities failed to award any contracts to businesses owned by PWDs, limiting their access to government procurement opportunities.
- (c) That many disadvantaged groups lack adequate skills and knowledge on public procurement processes, making it difficult for them to compete effectively. Additionally, there is misuse of the Access to Government Procurement Opportunities (AGPO) certificates, where some registered disadvantaged groups act as intermediaries ('middlemen') rather than executing contracts themselves. This practice undermines the purpose of the AGPO initiative and limits direct benefits to the intended groups.
- (d) That a small group of established disadvantaged businesses by some procuring entities. Instead of ensuring fair competition and inclusivity, these entities repeatedly award contracts to the same suppliers, failing to rotate opportunities as required by procurement regulations.
- (e) That the National treasury had put in place measures to address the challenges including, LPO/LSOs financing through affirmative funds, establishment of AGPO desks at Huduma center to carry out AGPO registration at county levels, re-engineering of the AGPO portal to facilitate the special groups, issuance of periodic circulars and letters to accounting officers on prioritization of payments to these category groups and providing for unbundling procurements of goods, works and services in practicable quantities for the purpose of ensuring maximum participation of citizen contractors, disadvantaged groups, small, micro and medium enterprises in public procurement.
- (f) That necessary measures need to be taken to address the challenges and additional resources are needed to monitor and enforce compliance with the scheme, introducing administrative sanctions on procuring entities to enforce compliance and reporting on the schemes and offering continuous training and sensitization of the special interest group on the AGPO.

CHAPTER TEN: COMMITTEE RECOMMENDATIONS

326. Based on the Observations made under each of the six Thematic Areas under inquiry, the Committee makes the following Recommendations –

THEMATIC AREA 1

Recommendations on demographic composition of all employees of the County Governments in terms of gender, persons with disabilities, age and ethnicity.

The Committee Recommends as follows –

1. That Mandera, Nandi and Wajir County governments should appoint the required number of women to comply with the constitutional requirement that not more than two-thirds of the members of appointive bodies shall be of the same gender. ('Not more than two-thirds gender' principle) within 18 months of tabling of this report. The County governments that are compliant should put policies in place to continue to adhere to the constitutional requirements.
2. That all the county governments should comply with the provisions of Article 54(2) and Section 13 of Persons with Disability Act and take affirmative action urgently by employing Persons with Disabilities (PwDs) to comply with the constitutional requirement to reserve five percent (5%) of appointive positions in county public Service within 18 months of tabling this report, noting that none of the county government is compliant with this provision of the law. The County governments should liaise with the National Council for Persons with Disabilities (NCPWD) during recruitment and selection to get a pool of qualified Persons with Disabilities (PwDs) applicants.
3. That the thirty-two (32) county governments that failed to comply with the requirement should ensure that at least 30% of the vacant positions are filled by candidates who are not from the dominant ethnic community in the county by putting deliberate measures in place to comply with the diversity requirement within 18 months of tabling of this report. These county governments are Kwale (Mijikenda, 75.2%), Kilifi (Mijikenda, 79%), Wajir (Somali, 91.05%), Mandera (Somali, 81.4%), Meru (Meru, 90%), Kitui (Kamba, 90%), Machakos (Kamba, 85%), Makueni (Kamba, 92.63%), Nyandarua (Kikuyu, 93.66%), Nyeri (Kikuyu, 93.66%), Kirinyaga (Kikuyu, 96%), Murang'a (Kikuyu, 93.7%), Kiambu (Kikuyu, 86%), Turkana (Turkana, 83.66%), West Pokot (Kalenjin, 93.57%), Samburu (Samburu, 76.65%), Uasin Gishu (Kalenjin, 85%), Garissa (Somali, 80.15%), Elgeyo Marakwet (Kalenjin, 96.22%), Nandi (Kalenjin, 95.67%), Baringo (Kalenjin, 92.93%), Laikipia (Kikuyu, 70.6%), Kajiado (Maasai, 70.53%), Bomet (Kalenjin, 97.28%), Kakamega (Luhya, 90.68%), Bungoma (Luhya, 83.6%), Vihiga (Luhya, 89.79%), Kisumu (Luo, 87.69%),

Homabay (Luo, 76.98%), Migori (Luo, 71.77%), Kisii (Kisii,94.28%) and Nyamira (Kisii, 95%).

4. That all the county governments should use alternative means of job advertisement such as national/ local vernacular radio stations, social media, and local leaders to reach a wider pool of candidates while doing targeted civic education and advertising for recruitment opportunities.
5. That all the County Governments should use targeted job advertisements encouraging minority communities, youth, women and PWDs to apply and be considered.

THEMATIC AREA 2

Recommendations on demographic composition of the County Executive Committee Members and Chief Officers in terms of gender, persons with disabilities, age and ethnicity;

The Committee recommends as follows –

1. That the following County Governments namely; Kisumu, Kisii, Isiolo, Nyeri, Laikipia, Kajiado, Wajir and Embu County should comply with the constitutional requirements that not more than two-thirds of the members of appointive bodies shall be of the same gender. (*‘not more than two-thirds gender’* Principle) in the composition of *county executive committee members and county chief officers*
2. That the 42 County Governments that failed to comply with the constitutional requirement to reserve five percent (5%) of appointive positions (county executive committee members and chief officers) in the county public Service to Persons with Disabilities (PWDs) are required to comply with the law within 18 months of tabling of this report, with the exception of Lamu (5%), Taita Taveta (8.7%), Wajir (6.45%), Turkana (6.06%) and Nandi (5.26%) county governments that complied with the constitutional requirement to reserve the five percent (5%).
3. That all the County Governments should put in place policies and guidelines that guarantee the inclusion of youths and marginalized groups in the county executive leadership positions
4. That the Senate amends the County Government Act to provide for the number and the timeline for appointment of chief officers following a gubernatorial election.
5. That the five (5) County Governments of Elgeyo Marakwet, Kericho, Makueni, Nyandarua and Vihiga which had county executive committee members and county chief officers exclusively from the dominant ethnic community in their counties should adhere to the constitutional requirement on diversity and

inclusivity and take immediate measures and not later than 18 months upon tabling this report in the Senate to comply with the requirement that at least 30% of the vacant positions are filled by candidates who are not from the dominant ethnic community in the county.

THEMATIC AREA 3

Recommendations on recruitment conducted by the County Governments in the last three years, the positions that have been filled and the criteria applied in the selection of candidates.

The Committee Recommends as follows –

1. That all County Governments should strictly adhere to existing legal frameworks, including, the National Cohesion and Integration Act and the County Governments Act to ensure compliance with the law in recruitment and public service management. Additionally, County Public Service Boards must comply with Sections 66, 67, and 68 of the County Governments Act, which outline considerations for appointments, the requirement for wide publication of advertised positions, and the proper maintenance of recruitment records.
2. That all the County Governments should take immediate measures to enhance the accessibility of the job advertisements through diversifying their means of advertisement by utilizing social media platforms, national radio stations and TV stations and use of local leaders to help reach a wider pool of candidates including special interest groups.
3. That County Public Service Boards should put in place guidelines and policies that should guarantee at least 30 percent of vacant entry-level positions are filled by candidates who do not belong to the dominant ethnic community in the county, as required under Section 65(1)(e) of the County Governments Act. These measures will foster diversity and promote fair representation in county employment.

THEMATIC AREA 4

Recommendations on the status of compliance by the County with Section 53(6) of the Public Procurement and Assets Disposal Act, Cap. 412C;

The Committee Recommends as follows –

1. The twenty-two 22 County Governments that failed to comply with Section 53(6) of the Public Procurement and Asset Disposal Act on reservation of 30% of procurement for special groups should take deliberate measures to ensure compliance within 12 months of tabling of this report in the Senate. These county governments are; Mombasa %, Kwale 19.9%, Wajir 8.8%, Isiolo 11.8%,

Meru 10%, Embu 18.89%, Kitui 17.39%, Machakos 6.6%, Makueni 21%, Nyeri 27.1%, Kiambu 19.13%, Turkana 24%, Nandi 28.23%, Baringo 21%, Nakuru 27.4%, Samburu 9.2%, Narok 14.1%, Kericho 10.6%, Vihiga 15%, Migori 10.95%, Nyamira 11.83% and Nairobi 10.7%.

2. To enhance compliance with the 30% Access to Government Procurement Opportunities (AGPO) requirement, county governments that fall below the threshold should implement targeted interventions to increase procurement opportunities for special groups, including sensitization campaigns and capacity-building programs. Moreover, the Council of Governors should encourage sharing of best practices among county governments by replicating successful county-specific procurement initiatives, such as Trans Nzoia's NAWIRI programme to enhance local economic empowerment. Additionally, best practices from county governments with remarkable compliance such as Lamu and Elgeyo Marakwet should be studied and adopted where applicable to improve compliance and effectiveness in government procurement.
3. That the Public Procurement Regulatory Authority (PPRA) should report to the Senate on Access to Government Procurement Opportunities (AGPO) procurement performance at the end of every Financial Year.
4. That all county governments should develop and implement affirmative action programmes while carrying out benchmarking with their better performing counterparts in order to comply with Section 53(6) of the Public Procurement and Asset Disposal Act.
5. That all county executives should strictly adhere to Section 157(12) of the Public Procurement and Asset Disposal Act.

THEMATIC AREA 5

Recommendations on affirmative action measures being implemented by the county in the promotion of women, youth and persons with disabilities in recruitment and leadership.

The Committee Recommends as follows –

1. That all the County Governments should have in place and implement affirmative action policies prioritizing the empowerment of Persons with Disabilities (PwDs), women and minority groups in line with National Policies, including the following policies
 - f) An internship and capacity building policy
 - g) gender mainstreaming policy
 - h) Disability mainstreaming policy
 - i) Recruitment and Selection policy
 - j) Youth and ICT policy

2. That all county governments should develop a county minority register to track minority and marginalized communities within the county while fully implementing their affirmative action policies in place.

THEMATIC AREA 6

Recommendations regarding audits or assessments undertaken in the last three years to ascertain the level of inclusivity in the recruitment process.

The Committee Recommends as follows –

1. That the Senate to organize capacity building programmes for county Assemblies that would enable them to effectively play their oversight role by ensuring that County executives comply with the law specifically on ethnic diversity and inclusivity during recruitment and promotions of employees, access to government procurement in line with sections 12, (7), 35(2) and 97(a), of the County Governments Act, 2012 and 53(6) of the public procurement and Asset Disposal Act, 2015

OTHER RECOMMENDATIONS

The Committee further recommends as follows –

1. The County Public service boards should prepare and implement a county employment equity plan for the purpose of eliminating ethnic imbalance,
2. That all the county governments should liaise with IGRTC and Council of Governors (CoG) to implement standardized county level recruitment guidelines, career progression policies, transition framework, salary structures to ensure consistent and equitable employment practices, counties to better their infrastructure to attract professionals,
3. That County Public Service Boards should be empowered to fulfil their mandate without undue interference from county and national leadership, and
4. The Public Procurement Regulatory Authority should be adequately resourced to monitor and enforce compliance with the scheme, introducing administrative sanctions on procuring entities to enforce compliance