COUNTY GOVERNMENT OF KISUMU

COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

SECOND ASSEMBLY – SISXTH SESSION

Tuesday 10th May, 2022

House met in the Main Chamber at 02:30 p.m.

(The Temporary Speaker (Hon. Caren Muga) in the Chair)

PRAYERS

The Temporary Speaker (Hon. Muga): Mr. Clerk take us through the Order Paper of today.

The Temporary Speaker (Hon. Muga): Next order!!

COMMUNICATION FROM THE CHAIR

The Temporary Speaker (Hon. Muga): I want to recognize the presence of Mr. Benson Ouma Okonjo of Finance Department of the University of Nairobi. Mr. Benson, please feel welcome to this Assembly.

The Temporary Speaker (Hon. Muga): Next order!!

STATEMENT

The Temporary Speaker (Hon. Muga): Hon. George Ogutu.

Hon. Ogutu: Thank you Madam Speaker. Allow me to welcome Mr. Benson Okonjo in the Assembly. He contested in West Nyakach as an MCA. I believe his short stay here will help him understand the business we do this House. I want to request everyone to welcome him in Kisumu County Assembly. Thank you.

The Temporary Speaker (Hon. Muga): Next order!!

MOTION

PROGRESS REPORT FROM THE STANDING COMMITTEE OF LABOUR AND SOCIAL WELFARE ON THE KISUMU COUNTY PUBLIC SERVICE BOARD ANNUAL REPORT FOR THE YEAR 2021

BY

HON. RASHID MIRUKA, CENTRAL NYAKACH

(CHAIRPERSON, LABOUR AND SOCIAL WELFARE COMMITTEE)

The Temporary Speaker (Hon. Muga): Hon. Rashid Miruka, Chairperson, Labour Committee.

Hon. Miruka: Thank you Madam Speaker. Madam Speaker and Honourable Members, the Kisumu County Public Service Board forwarded to the County Assembly of Kisumu their annual report for year ended 2021 on 31st December 2021 (Annex i) and was susbequently committeed to the Committee on Labour and Social Welfare and cause a report on the same. On behalf of the County Assembly of Kisumu, this was tabled in the House as a Paper on 25th January 2022.

Mr. Speaker and Hon. Members,

Consequently, pursuant to the Standing Orders No. 182, the Hon. Speaker directed that the reports be committed to the Sectoral Committee of Labour and Social Welfare for interrogation and provide a report on the same.

Committee Mandates
The Sectoral Committee of Labour and Social Welfare is established under Standing Order No. 193 of the Second Schedule, and is mandated pursuant to Standing Order No. 193(5) (a),(b),(c),(d,(e),(f) and (g) and to *investigate all matters relating to labour, trade union, social welfare, human resource planning and development.*

The Composition of the Committee
The Committee as currently constituted comprises of the following Members:

1. Hon. Rashid Miruka - Chairperson
2. Hon. Consolata Ollows - Vice Chairperson
3. Hon. Benny Pete Oiko - Member

4. Hon. Jennipher Obonyo - Member
5. Hon. Prisca Misachi - Member
6. Hon. Florence Olang'o - Member
7. Hon. Samson Ameso - Member
8. Hon. Samuel Dede - Member
9. Hon. Lynnette Carren Muga - Member
10. Hon. Vincent Jagongo - Member
11. Hon. Inviolate Adhiambo - Member
12. Hon. Habil Nyasuna - Member
13. Hon. Julius Genga - Member
14. Hon. John Atieno Atieno - Member
15. Hon. Jacktone Ogendo - Member

Acknowledgements& Tabling

The Committee wishes to thank the County Assembly leadership, staff and members of the Committee who facilitated this matter thus far.

TERMS OF REFERENCES

Madam Speaker and Honourable Members, the Committee's specific mandate with regards to the annual report was as follows:-

1. To ensure that the County Public Service Board complied with the relevant provisions of the County Government Act, Labour laws, Regulatory requirements, corporate governance and best practices of Human Resource Management.
2. To study, analyze and examine the annual report for probity and any material defect.
3. To ensure that the County Public Service Board reports its activities in a transparent and accountable manner.
4. To examine in detail if the County Public Service Board was able to accomplish all the activities scheduled in its strategic and annual plan.
5. Identify any significant details or information in the report that may be of material importance to the House and the County Assembly of Kisumu in general.

LEGAL FRAMEWORK

Madam Speaker and Honourable Members, the committee was guided in its work by the following legal instruments:-

1. Section 59(1) (d) of the County Governments Act No.17 of 2012 which confers the County Public Service Board the duty of submitting regular reports to the County Assembly.

2. Section 59(1)(f) of the County Governments Act No. 17 of 2012 which requires the County Public Service Board to evaluate and report to the County Assembly on the extent to which the values and principles referred under Articles 10 and 232 of the Constitution are complied with by the Kisumu County Public Service Board.
3. Employment Act of 2007.
4. Section C15 (3) of the Human Resource Policies and Procedures Manual for Public Service of 2016 which provides for special duties and suitability interviews.
5. Section H4 (1) of the Human Resource Policies and Procedures Manual for Public Service of 2016 which provides for short and long term training programmes and courses in specific professions that are intended to impart required knowledge, skills and attitudes to enhance staff performance of public service officers.
6. The County Assembly of Kisumu Standing Orders.

ANALYSIS OF THE REPORT

Madam Speaker and Honourable Members, in several meetings held to interrogate and understand the Public Service Board's report, the Committee resolved to write a letter to the Board to provide responses on various gaps. Consequently, a letter dated 7th April 2022 was delivered to the Board. The Committee requested for a response on a date not later than 21st April 2022 (Annex ii).

A response (Annex iii) from the Board was delivered to the office of the Clerk of the Assembly. The Committee Clerk subsequently presented the response before the Committee for deliberation.

Madam Speaker and Honourable Members, from the response however, the Committee established the following concerns:

1. THAT the recruitment for Assistant ECDE Teachers III and Vocational Training Centre Trainers stalled due to lack of funds, contradicting the recruitment procedures. All job advertisements must have a budget provision before the process commences.
2. THAT the Board failed to provide comprehensive data on matters to do with Kisumu County's recruitment, selection and capacity development processes, human resource and performance management, and Declaration of Income, Assets and Liabilities (DIALS).
3. THAT the Board failed to provide a copy on the status of compliance with values and principles referenced in their report and its implementation plan/ status.
4. THAT the Board's report did not fully capture their functions as stipulated in Section 59 of the County Governments Act 2012.
5. THAT the great County's legal ability/capacity is giving a very low success rate (38.9%).

Despite the above, the Committee has sent letters to the Department of Health, Housing and Sanitation, the County Secretary and Attorney regarding the unanswered questions on the Board's annual report (Annex iv). We are awaiting communication on the same.

COMMITTEE RECOMMENDATIONS

Madam Speaker and Honourable Members, the Committee's prayer therefore is:

1. THAT during the review of proposed budget estimates for the FY 2022/2023, the Finance and Economic Planning Department should prioritize the process of confirming the appointment of the Assistant ECDE teachers and Vocational Training Centre Trainers, as interviews were already done.
2. THAT during the annual review of budget estimates for the FY 2022/2023, the Board and Executive Departments should include a budget for County Public Service staff who are due for promotions.
3. That this Honourable House resolve to allocate the Labour and Social Welfare Committee more time to comprehensively consider this matter from the date of tabling

CONCLUSION

Madam Speaker and Honourable Members, this is the progress report of the Committee since the day the Board's report was laid before the House, and it is following up with all the involved parties to ensure that the final and comprehensive report will be presented before this Honourable House for debate and for onward adoption.

It is therefore my honour and privilege, on behalf of the Labour and Social Welfare Committee to request this house to consider for approval, the prayer of the Committee and further to table this progress report before this Honourable House for consideration.

Madam Speaker, the meeting that we have had as a House Committee, we resolved to present this report and request your indulgence that you admit it as presented before you today and you accord the Committee three weeks so that we conclude and table it before the lapse of our term. Thank you.

The Temporary Speaker (Hon. Muga): Thank you very much Hon. Rashid Miruka the Chairperson of the Standing Committee Labour and Social Welfare. The progress report on the Kisumu County Public Service Board Annual Report for the year ended 31st December, 2021 has been presented by the Chairperson. Is there any Member with any contrary issue to this, then the floor is now open.

(Loud consultations)

The Temporary Speaker (Hon. Muga): Honourable Members, it seems that there is nothing to be deliberated on this progress report and the Chairperson has requested this House that they be accorded and extension for three weeks, to enable them bring a comprehensive report. So, I would like to get it from the Honourable Members if the three weeks the Committee has requested is appropriate or there is an objection to that.

The Temporary Speaker (Hon. Muga): Hon. Ogutu.

Hon. Ogutu: Thank you Madam Speaker. Three weeks is too much considering that we are approaching an election campaign. This report may fail to reach this Floor. So, Madam Speaker, through your wisdom, I believe that you can only accord this Committee and extension of a week and a half is enough for the committee to prepare a report. Thank you.

The Temporary Speaker (Hon. Muga): Thank you Hon. Ogutu. Honourable Members, please allow me to put a question on this matter. Those of the opinion that we give the Committee of Labour and Social Welfare an extension of a week and a half to enable them bring a comprehensive report before this House?

(Question put and negatived)

The Temporary Speaker (Hon. Muga): Honourable Members, the three weeks extension that the Committee had requested stands…

(Loud consultations)

The Temporary Speaker (Hon. Muga): Order!! Honourable Members. Before you correct my ruling, please come up with the way it way put. The Committee requested that they be accorded an extension of three weeks. Hon. Ogutu came up with a counter proposal of a week and a half. So, it was either the three weeks requested by the Committee of the counter proposal made by Hon, Ogutu. So, the counter proposal made by Hon. Ogutu did not carry the day.

Honourable Members, it stands that the proposal made by the Committee carried the day in accordance to the question put. Madam Clerk, please approach the chair.

(The Speaker consults with the Clerk at the Table)

Hon. Ngeta: On a Point of Order. Madam Speaker, we cannot continue sitting here watch you mislead the House. Please refer to the Standing Order, read it and understand…

The Temporary Speaker (Hon. Muga): Order!! Order!! Honourable Members, please let us have one meeting.

Hon. Ogutu: Thank you Hon. Ngeta. That is the issue I wanted to raise. Madam Speaker, you have to withdraw that ruling.

The Temporary Speaker (Hon. Muga): Leader of Majority, can you please approach the Chair.

(The Speaker consults with the Leader of Majority)

(Loud consultations)

The Temporary Speaker (Hon. Muga): Order!! Order!! Honourable Members, this is a House of rules and procedures. So, I have consulted widely and we realized that there was some misunderstandings. The ruling that I had earlier made needs to be expunged from the Hansard. Please let me give the Leader of majority to give directions.

Leader of Majority (Hon. Onyango): Thank you. I believe that your direction is quite okay. This is because ordinarily, this is supposed to be a discretionary duty of the Speaker. It is not supposed to be put to debate and a question should not be put. So, I want ask you but humbly that you give direction based on the circumstances that Members have talked about. Thank you.

The Temporary Speaker (Hon. Muga): Thank you. As it has been brought before the House by the Chairperson of the Standing Committee of Labour and Social Welfare, the Committee is aware on the magnitude of work that they are supposed to do and the made a request before the House that they be accorded an extension of three weeks. That is what we need to do because they need to bring before this House a comprehensive report. So, the extension of three weeks is granted. Thank you.

The Temporary Speaker (Hon. Muga): Next order!!

MOTION

PROGRESS REPORT FROM THE STANDING COMMITTEE OF LABOUR AND SOCIAL WELFARE ON THE PAYMENT OF RETIREMENT BENEFITS FOR THE FORMER MUNICIPAL COUNCIL RETIREES OF 2007

BY

HON. RASHID MIRUKA, MCA, NORTH NYAKACH

(CHAIRPERSON, LABOUR AND SOCIAL WELFARE COMMITTEE)

The Temporary Speaker (Hon. Muga): Yes Hon. Rashid Miruka.

Hon. Miruka: Thank you Madam Speaker and Honourable Members, please allow me to present a Report from the Standing Committee of Labour and Social and Welfare on the Payment of Retirement Benefits for the Former Municipal Council Retirees of 2007. Madam Speaker and Honourable Members, We were given this Petition sometimes back with specific timelines to handle it and present it. Unfortunately, we have not concluded yet.

Madam Speaker and Honourable Members, at the plenary session of the County Assembly of Kisumu held on Tuesday 19th October 2021 at 1430 hrs. (Annex i), the Hon Speaker presented a petition submitted by the Clerk of the Assembly.

Pursuant to the provisions of the Kisumu County Assembly Standing Orders No. 217, the Hon. Speaker direct the Labour Committee to look at the petition, and call to action to investigate on the grievances it contains.

Committee Mandates

The Sectoral Committee of Labour and Social Welfare is established under Standing Order No. 193 of the Second Schedule, and is mandated pursuant to Standing Order No. 193(5) (a),(b),(c),(d,(e),(f) and (g) and to *investigate all matters relating to labour, trade union, social welfare, human resource planning and development.*

The Composition of the Committee

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19. Hon. Jennipher Obonyo - Member
20. Hon. Priscah Misachi - Member
21. Hon. Florence Olang'o - Member
22. Hon. Samson Ameso - Member
23. Hon. Samuel Dede - Member
24. Hon. Lynnette Carren Muga - Member
25. Hon. Vincent Jagongo - Member
26. Hon. Inviolate Adhiambo - Member
27. Hon. Habil Nyasuna - Member
28. Hon. Julius Genga - Member
29. Hon. John Atieno Atieno - Member
30. Hon. Jacktone Ogendo - Member

Acknowledgments

I would like to send my special gratitude to all Members of the Committee including the secretariat for their endless contributions towards this investigation.

I therefore humbly submit this progress report for consideration by the House on behalf of the Committee.

BASIS OF INVESTIGATION

Madam Speaker and Honourable Members, the Committee resolved to investigate on the status of payment of retirement benefits for the former Municipal Council retirees of 2007 submitted before the House. The elements of the investigation were as follows:

1. That the former Municipal Council retirees of the year 2007 have not been paid their retirement benefits
2. That the retirees have suffered psychological trauma and financial difficulties due to unpaid retirement dues.
3. That some of the retirees have died without getting their retirement benefits.

LEGAL BASIS OF THE INVESTIGATION

Madam Speaker and Honourable Members, the Committee was guided in its work by the following legal instruments:-

1. The Constitution of Kenya, 2010.
2. The County Governments Act, 2012.
3. The Registered Collective Bargaining Agreement Act No.190 of 2002 (Rule No. 29(e)).
4. The Pensions (Amendment) Act No. 6 of 2003.
5. The County Assembly of Kisumu Standing Orders and
6. Any other National Policy or County Legislations. All legislative proposals must be consistent with existing laws of the State.

SUBMISSIONS BY THE PETITIONERS

Madam Speaker and Honourable Members, as was earlier mentioned in this report, a petition submitted by the Hon. Speaker was committed to the Labour and Social Welfare Committee to carry out intensive investigation on the matters of contention therein. The Committee in accordance with Article 185 of the Constitution of Kenya read together with section 8 of the County Government's Act 2021 communicated to the petitioners, asking them to provide detailed information to their attendant demands vide a letter dated 15th February 2022, Ref No: CAK/CGK/CS/VOL.VI/2/22(51) (Annex ii).

In the aforementioned letter, the Committee also invited the petitioners for a meeting to enable them express their grievances and all the channels they had used to get their due benefits.

1. That they were given retirement letters by the Municipal Council of Kisumu via a letter dated 12th June 2007 (*Documents presented by the petitioners to be unpacked in the final report),* indicating that the treasurer ought to have prepared their dues and paid them within a period of six (6) months of the retirement.
2. That after their dues were not processed, they proceeded to the office of the Hon. Governor, who delegated the task to the current county Director of Human Resource (Mr. Nyakinya) to process their payments.

3. That they also contacted the Office of the Ombudsman who they say tried to reach the office of the Governor on their behalf.
4. And being that their benefit dues have never been processed since their retirement, they have suffered for the last 15 years and making a plea to the Assembly to hear their prayers.

Madam Speaker and Honourable Members, the Committee thereafter came up with the following:

1. That letters to be written to the respondents to explain why they have not yet expedited the matter at hand.
2. That the petitioners should produce all the relevant documents needed by the Committee to enable it take up the matter very fast. The documents should be produced early enough to enable the Committee to scrutinize them.
3. That the petitioners should be heard comprehensively to enable the Committee conduct a thorough investigation and eventually produce a comprehensive report that will help the petitioners get their dues.
4. That the Committee should look into the futile efforts made by petitioners which eventually led to the petition.
5. That the Committee should set a date and meet with all involved parties to reach an amicable agreement.

Madam Speaker and Honourable Members, through the office of the Clerk, the Committee notified the Commission on Administrative Justice, the Human Resource Department and the Internal Audit Department to provide detailed responses on the attendant demands of the petition vide letters referenced: CAK/CGK/ADMIN/VOL.VI/3/22 (103), CAK/CGK/ADMIN/VOL.VI/3/22 (104) and CAK/CGK/ADMIN/VOL.VI/3/22 (105) (Annex iii).

The Committee also tried communicating with the said Mr. Hongo on how matters of the petition will be reaching his office. Unfortunately Mr. Speaker, the number provided by the petitioners is no longer in service.

The Commission on Administrative Justice (Office of the Ombudsman) confirmed the initiation of the petition (Annex iv). However, the Committee is yet to receive the actions taken so far and the progress of the resolution process.

Madam Speaker and Honourable Members, the two aforementioned departments did not heed to the Committee's communication, and the Committee again in its sitting of Thursday 17th March 2022 resolved to do a reminder to the Departments.

The Committee again communicated to the County Government of Kisumu's Human Resource and Internal Departments vide letters referenced CAK/CGK/ADMIN/VOL.VI/3/22 (106) and CAK/CGK/ADMIN/VOL.VI/3/22 (107) (Annex v). The Human Resource Department, through

Mr. Nyakinya informed the Committee that they are not in a position to give a response regarding the petition as the matter was forwarded to the Internal Audit Department for action.

After having scrutinized the Internal Auditor's responses *(Details will also be provided in the final report),* the Committee resolved to schedule for an *inter parties* meeting in order to get a way forward and finally dispense with the matter.

COMMITTEE RECOMMENDATIONS

The Committee's prayer therefore is:

1. That the Committee will convene an *inter parties* meeting with the petitioners, the Internal Audit Department and the parties responsible to reach an amicable decision.
2. That this Honourable House resolve to allocate the Labour and Social Welfare Committee more time to comprehensively conclude this matter from the date of tabling of this progress report before this House for consideration.

CONCLUSION

Madam Speaker and Honourable Members, this is the Committee's progress since the day the petition was committed, and it is following up with the involved respondents to ensure they attend its next meeting and ensure that the final report is presented before this Honourable House.

It is therefore my honour and privilege, on behalf of the Labour and Social Welfare Committee to move this motion on the report on Petition No.3 of 2021 before this Honourable House for consideration.

Madam Speaker and Honourable Members, please allow me on behalf of the Standing Committee of Labour and Social Welfare to request for more time to enable the Committee have inter-parties discussions with the petitioners so that we get to the bottom of this matter so that it is handled conclusively. Thank you.

The Temporary Speaker (Hon. Muga): Thank you very much Chairperson of the Committee on Labour and Social Welfare. The progress report of the Sectoral Committee on Labor and Social Welfare on the Payment of Retirement Benefits for the Former Municipal Council Retirees of the year 2007, has been presented before the House by the Committee's Chairperson, Hon. Rashid Miruka. I want to request Members with any input to this report to do so amicably.

The Temporary Speaker (Hon. Muga): Yes, Hon. Paul Okiri.

Hon. Okiri: Thank you Madam Speaker. I do not agree with this committee, and your office has the prerogative to ask the Committee to give the progress reports of both reports for members to hold on to as they wait for the final report. At least one report should have been with us, as it is

unwise for this August House to accept the giving of progress reports of the two reports Madam Speaker.

(*Feet thumping*)

We could have exempted the committee on that because they had invested too much time on this report, they should have been giving us a final report pending a progress report of the second report yet to be presented to the House. However, in a case where honorable Members earn allowances and other benefits such as airtime, morning tea, mileage allowance etc., but fail to deliver a report is quite uncalled for. The subject at hand is quite sensitive and it is clear that the petitioners who are expecting for a breakthrough on this matter are toothless and depend on this House to see them out of this quagmire because we were elected for the same reason to help them. They offered their services to this great County up to retirement and deserve their retirement benefits. Madam Speaker, we are almost ending this Second Assembly as we are heading a general election, and for this House to be reconstituted, it would be in October, 2022. Even then, there will follow a one-month recess, so giving them an extension only implies that this House will be discussing this matter next year.

Madam Speaker, the retirees are going through hard economic times especially after a long delay of disbursing their benefits. Some have even died due to stress. Some of these retirees' children could not continue with school because of financial constraints and yet the committee is still requesting for an extension bearing in mind that even some of us won't be back to this Assembly next year. If the committee means well for the locals as well as this County then, they should have specified a duration as short as one week, so that we come back after the seven days and get a comprehensive report. After that, we hand over the matter to the Chairperson of the Committee on Implementation to follow up on the progress and make sure that it is done before he goes home.

Hon. Agolla: A point of information Madam Speaker.

The Temporary Speaker (Hon. Muga): Yes, Hon. Erick Agolla.

Hon. Agolla: Madam Speaker, is it in order for Hon. Paul Okiri to retaliate and confirm that I am going home? I want to reaffirm that by God's grace, I am going to be in this Assembly after August General Election so believe it. I also want to inform the member that I will still be the Chairperson of the Implementation Committee in the next session, thank you.

(Laughter)

The Temporary Speaker (Hon. Muga): To Hon. Okiri, I believe that you have heard the member, so, just join him in prayer. You now have only one minute, so, continue.

Hon. Okiri: Madam Speaker, going home entails a lot. When I talk about that, I do not mean him coming back to this Assembly. However, by 6: 30 am on August, this year, the Assembly will not be working, so we will be going home before that time.

My final submission is that, those people have a lot of problems and if there is a way in which we as the people who are in charge can help them, let us do so. Even we ourselves and those who will not make it back to the next Assembly – some of these matters will still be here.

Madam Speaker just allow me to quote in Luo language as also allowed by the Standing Order… if you allow mw please

The Temporary Speaker (Hon. Muga): Continue.

Hon. Okiri: Thank you. In Luo language it is said and even in the Bible and I quote '*timne wadu kaka in be idwaro ni mondo obi otimni*' thanks a lot and I beg to support.

The Temporary Speaker (Hon. Muga): the Leader of Majority is on his feet please;

The Temporary Speaker (Hon. Muga): Hon. Speaker, before I say anything, I was just wondering whether Hon. Agolla is going to change his gender so that coming back here is a guarantee for him.

(Laughter)

But, that as it may be…

(Hon. Agolla stood on his feet)

The Temporary Speaker (Hon. Muga): What is it Hon. Agolla?

Hon. Agolla: Madam Speaker, you know that it has been long since we saw the Leader of Majority in this House…

(Laughter)

Ever since he was challenged by the 'tablets'. I can say here that he is totally confused and do not understand. I am a more disciplined driver and I may come here to even drive the County Assembly vehicles. I was also a very good security person so; I can arm myself as one here. Therefore, it does not matter much whether I come back as a member of the County Assembly or not but, I believe I will be back here in Jesus name, thank you.

The Temporary Speaker (Hon. Muga): Thank you for the clarification; however, I did not know that it is a matter of life and death. Madam Speaker, personally I want to confirm that I am very peaceful and I believe I will be around quite a bit.

Honourable Members, allow me say that these reports were committed to this House on the months of October and December, 2021. The matters which were being petitioned on were grave ones that this Housed Committee needed to have given very serious consideration. I am aware that the committee has faced challenges especially from the executive arm of the Government as per the response that ought to have been received. However, I want to remind the committee that they enjoy powers of the High Court so that if at all they are not getting responses which are desired, then, they can summon whoever is not cooperating to appear before the Assembly. I do not believe that by continuously giving us progress reports is the panacea for such a grave matter. It is not. Madam Speaker, in any case, the Assembly is going to be adjourned *sine die* in the month of June. It therefore means that the committees conveniently purposes for this matter to die also which is not good enough for the business of this House. I would have hoped that even if the time is short at least they would have been grateful enough to do something good within that short time. The chairperson is a good friend of mine; I have always believed in his competency. But, the Chairperson, you know that there are ways in which you can circumvent a problem. You do not just give up and request to given more time when you know very well that even if you are given more time, you are still not going to deliver…

The Temporary Speaker (Hon. Muga): Leader of Majority, what is it.

Leader of Majority (Hon. Onyango): Madam Speaker, it is like, and allow me to demonstrate it just to connect what am saying. It's like when you are visiting by a beautiful woman, you prepare dinner for her and then you go to bed, immediately you start snoring and in the morning when the lady now wants to go, you ask her, when are you coming back? I mean it doesn't work like that. Chairman I believe you can do better even within this short time, thank you.

The Temporary Speaker (Hon. Muga): Hon. Ogutu, please bear with me the Leader of Minority is on his feet.

Leader of Minority (Hon. Oiko): Thank you Madam Speaker, today is a very wonderful day. The analogy the Leader of Majority has given to refer to the work being done at the Labour Committee, if it has been doing that in the past then this House would have risen to another level that is the analogy you have given.

But Madam Speaker this matter it weighty, it is not a simple matter. You may wish you can finish it within two to three weeks but am telling you that for a conclusive decision to been made, it is a good time. Because this is something that happened in 2007 and most of the officers who were there are not there, the records are not there and you want to piece the records together it is hard. Another big issue is that, the County Government is not leaning of this today because when Devolution started, this matter was with them and no one is ready to give you the records and that is the situation this committee is facing.

So, for the committee to conclude and make a report that can hold water, more time will be needed and just as the Hon. Okiri said that this matter may go up to the next assembly for it to be conclusively concluded. It is not an easy matter because it involves money. This people need money and when you make a decision go pay them but with sketchy records where will you get them? So it needs more time thank you Madam Speaker.

The Temporary Speaker (Hon. Muga): Senior member seems to be on her feet Hon. Ogutu

Hon. Ogutu: Madam Speaker, who is more senior than me?

The Temporary Speaker (Hon. Muga): Hon. Pamela Odhiambo is on her feet and she is a senior Member.

Hon. Pamela Odhiambo: Thank you Madam Speaker, the way I see this report it is complete because the committee is talking about Recruitment of Assistant ECD teachers. Is this not the report Madam Speaker?

The Temporary Speaker (Hon. Muga): We are on the report on Payment for Retirees.

Hon. Ogutu: Madam Speaker, I request that, please give me time to make my submissions on this matter.

The Temporary Speaker (Hon. Muga): We are on the report for retirees but it is included in it.

The Temporary Speaker (Hon. Muga): Hon. Ogutu, you are out of order.

Hon. Pamela Odhiambo: Madam Speaker, please let me continue.

The Temporary Speaker (Hon. Muga): No! You cannot continue with what you don't understand.

Hon. Pamela Odhiambo: Madam Speaker, I want to discuss what is there because we are discussing two reports …

The Temporary Speaker (Hon. Muga): Honourable Member, **t**hat one had been discussed…

Hon. Pamela Odhiambo: Madam Speaker, this report had been discussed in the assembly and we do not want to be discussing one report every now and then. This retirees need their money and this assembly can do their budget only when they know how much is to be paid to this people because I see this thing is still going up to the next assembly and these people most of them have died but the families are still there and what was brought here was a comprehensive report and there was a resolution in this House that this people be paid. Let us just be frank and open because we are going to pass a budget mid this June. Let the committee find out how much we owe this people so that we can see if we can even fix half of it in the budget so that these people are paid, thank you.

The Temporary Speaker (Hon. Muga): Hon. Ogutu, as you contribute, please inform the Senior Member that this report has never been discussed in this Assembly.

Hon. Ogutu: Thank you Madam Speaker, I believe that, this particular committee, I may use a word which I believe is not appropriate to be use in this House. They have taken this House for granted.

Madam Speaker, first of all we are talking about a report which was committed to them in 19th October, 2021. Madam Speaker, what really amused me most is that this report infringes into the lives of our people who have worked for this County for many years. Some of these people are still alive while some have departed and their families are still around. I would like to say that the committee is not serious because I raised an objection today for the extension of this report. I knew what I was saying because when reports from this Committee were being distributed we were given out in two copies. I went through them and questioned why a House Committee should bring two progress reports at the same time. The most important one is this one that touches the lives of the people who worked for Kisumu County thereby not been subdued to the pension for 15 years after their retirement.

Madam Speaker, I believe that the Leader of Majority has put it clear that we have areas which we can exhaust from the Standing Orders and all the laws binding us within the County. I would like to say that if the committee is still asking for more time then, we are not serious about the concerns of our people. I believe that some of us here have already decided that they are going home due to the results from the party nominations that were held. If it is like that, then the people who are going are expecting something from the Assembly. Just imagine a situation whereby you will wait for another 15 years knowing very well that there is something little which can move you to the next level. It is my belief that, it is the responsibility of this committee to bring us a report in this Assembly so that by the time we are looking into the Budget for this financial year then we can be able to fix the payment of these people who tirelessly worked for this County.

Madam Speaker, these Hon. Members know what stress is. Some of the Members have been stressed with the just concluded nomination process and some of them have not been seen in this House. Some Members have appeared today after many weeks. I believe that these people who worked for this County have gone through stress because they are expecting their dues which they worked for. We are aware of the situation in which our economy is in right now which is wanting. Some of the members of this particular group have children who are supposed to go to school and they are expecting to be paid their dues.

Madam Speaker, I believe that at the end of this discussion you are the one to decide but you should remember that you should make a decision for the people who are helpless because cannot come to this Assembly to defend themselves. Let us sympathize with these Members of our community. Let the committee bring us a conclusive report which we can fix the payment of these people.

The Temporary Speaker (Hon. Muga): Thank you. I would like to direct the Chairperson of the Standing Committee of Labour and Social Welfare that this issue is considered weighty and it is touching the lives of our people. I will give you an extension of 14 (fourteen) days to bring a comprehensive report before the House. Thank you.

The Temporary Speaker (Hon. Muga): Next Order!

ADJOURNMENT

The Temporary Speaker (Hon. Muga): There being no any other business to transact, the House stands adjourned to 11th May 2022 at 9.00 a.m.

(House rose at 03.45 p.m.)

Addendum

The Hansard Team

Zablon Otiende – Senior Hansard Reporter

Edward Odanga – Hansard Reporter

Fanuel Okode – Hansard Reporter

Patrick Okoyo – Hansard Reporter

Jacklyne Otieno – Hansard Reporter

Jesca Otieno – Hansard Reporter

Vallery Achieng' – Hansard Reporter