

REPUBLIC OF KENYA

NYANDARUA COUNTY ASSEMBLY

1ST ASSEMBLY- 5TH SESSION

OFFICIAL REPORT

Wednesday 15th February, 2017

The Assembly met at the Assembly Chamber (P.C.E.A Hall) at 9:00 a.m.

[The Deputy Speaker, Hon. Edinald Wambugu King'ori in the Chair]

PRAYER

QUORUM CALL AT THE COMMENCEMENT OF THE SITTING

(There is no quorum as confirmed the clerk-at-the-table)

Speaker: Quorum having not been realised, I direct, pursuant to article 34 of our Standing Orders, that the bell be rung for ten minutes or until such a time within the ten minutes that quorum will have been achieved.

(Quorum bell rings for 4 minutes and Quorum is attained as confirmed by the clerk-at-the-table)

Very well, quorum having been achieved we can now proceed with the business for the morning session.
First Order.

PAPERS

REVIEW OF THE STANDING ORDERS

Speaker: County Member from Githioro, Hon. Dorcas Kihara.

Hon. Dorcas Kihara: Thank you, Mr Speaker, Sir. On behalf of the Vice Chairperson, House Business Committee, Hon. Edinald Wambugu King'ori, I wish to table the Report of the House Business Committee on the Review of the Standing Orders.

Thank you Mr. Speaker.

Speaker: Thank you, the report is duly tabled.

Next order.

NOTICES OF MOTION

1. NYANDARUA COUNTY GOVERNMENT REVENUE AND EXPENDITURE REVIEW

Speaker: Yes, Member for Kanjuiri Ridge, Hon Suleiman Kihika.

Hon. Suleiman Kihika: Thank you Mr Speaker, on behalf of the Chairperson, Public Investment and Accounts Committee, Hon. Sylvester Kagiri Mwangi, I beg to give notice of the following motion;

THAT this House does adopt the Report of the Public Investment and Accounts Committee on the Nyandarua County Government Revenue and Expenditure Review for the half year ended 31st December, 2014 as a report of this House and the recommendations therein as the resolutions of the House.

Thank you Mr Speaker Sir.

Speaker: Very well, notice is duly given and I believe the House Business Committee has already allocated time for its motion.

Next order.

2. REVIEW OF THE STANDING ORDERS

Speaker: Yes County Member from Githioro, Hon. Dorcas Kihara.

Hon. Dorcas Kihara: Thank you Mr Speaker, Sir. On behalf of the Vice Chairperson, House Business Committee, Hon. Edinald Wambugu King'ori, I beg to give notice of the following Motion;

THAT this House does adopt the Report of the House Business Committee on the Review of the Standing Orders as a report of this House and the recommendations therein as the resolutions of the House. Thank you Mr. Speaker Sir, I give notice.

Speaker: Very well, notice is duly given and I believe the House Business committee has already allocated time for its motion.

Next order.

MOTIONS

1. PROCEDURAL MOTION

(Hon. Kimani Njiraini rises on a point of order)

Speaker: What is it Member for Kaimbaga?

Hon. Kimani Njiraini: Thank you Mr. Speaker, Sir. I seek your guidance regarding this report of the House Business Committee because I am wondering whether it is not necessary for the entire House to first of all understand what these amendments are. I would propose that the members be given time to go through the report and identify the nitty-gritty.

Speaker: Member for Kaimbaga, this is a procedural motion, the substantive motion will give the members a chance to debate on the report.

Proceed County Member from Githioro.

Hon. Dorcas Kihara: Thank you Mr Speaker, Sir. On behalf of the Vice Chairperson, House Business Committee, Hon. Edinald Wambugu King'ori, I beg to move the following Motion;

THAT with the leave of the House, the Motion "THAT this House does adopt the Report of the House Business Committee on the Review of the Standing Orders as a report of this House and the recommendations therein as the resolutions of the House" be exempted from the requirement of Article 232 of the Standing Orders which requires that that the report of the Review of the Standing Orders be submitted to the Assembly at least six months before the end of its term.

Mr Speaker, we are expected to review the Standing orders for the next Assembly before our time expires. I recall we were all requested to forward our proposed amendments and I believe those who had any have already done that. We have been using these Standing Orders for the last four years, we know the weaknesses and the conflicts they have posed and ours is to ensure they are streamlined for the next Assembly.

Thank you Mr. Speaker, I beg to move and call Hon. Michael Kirumba to second.

Speaker: Yes, member for Kipipiri, Hon. Michael Kirumba.

Hon. Michael Kirumba: Thank you Mr Speaker. Mine is to second this motion which is purely a House Keeping motion as we are required to have the Standing Orders six months before our term expires. With those few remarks, I second this motion.

(Question proposed)

(Question put and agreed to)

Speaker: Next order.

(Hon. Peter Maina rises on a point of order)

Hon. Peter Maina: Thank you Mr Speaker, we have a motion of County Importance but since the Member for Rurii is here, we thought he is better placed to move it.

Speaker: Very well. Proceed Hon. Kamoche

Hon. Wahome Kamoche: Thank you Mr. Speaker, I rise to seek leave of the House to suspend the House so as to debate an issue of County importance...

(Hon. James Gachomba rises on a point of information)

Speaker: Member for Rurii, do you require the information from the Member for Njabini Kiburu?

Hon. Wahome Kamoche: Yes, Mr Speaker, Sir.

Hon. James Gachomba: Thank you Mr Speaker. I wish to inform the Member that he is not seeking leave because seeking leave means not moving the motion.

Hon. Wahome Kamoche: Thank you, Mr Speaker, Aware that there is a petition in our possession brought by the workers...

Speaker: Member for Rurii, you are out of order, you should be seeking leave to suspend the house for you to move a motion of county importance.

Hon. Wahome Kamoche: That is what I am doing, Mr Speaker, Sir, and I seek the support of the Hon. Members.

(Several Members rise on their feet.)

Speaker: Very well, the said motion has reached the office of the Speaker and the Speaker is satisfied that this is a matter of county importance and having been supported by the requisite number of Members, the motion can be moved as a substantive one. Consequently, the House stands suspended for 10 minutes.

(The House is suspended for 10 minutes)

QUORUM CALL ON RESUMPTION OF THE SITTING

(There is no quorum as confirmed the clerk-at-the-table)

Speaker: Quorum having not been recognized, I direct, pursuant to article 35 of our Standing Orders, that the bell be rung for eight minutes or until such time, within the ten minutes, that quorum will have been achieved.

(The bell rings for 4 minutes and quorum is achieved as confirmed by the Clerk-at-the-Table.)

Speaker: The division bell can be disengaged. Let us proceed. Hon. Kamoche.

Hon. Wahome Kamoche: Mr. Speaker you are aware that there is a petition by the Kenya County Government Workers Union, the Kenya National Union Of Workers, the Kenya Clinical Officers Union, the Kenya Medical Practitioners And Dentist Union and the Union Of The Kenya Civil Servants on the removal from office of the Secretary to the Nyandarua County Public Service Board. Noting that the petition which has also been received in the office of the Clerk has necessary ground for the removal of a board member of the County Public Service Board...I have reservations on this and I am seeking for more time...

Speaker: Order members! We shall allow the member to move the motion as it is and then we shall deliberate on it. The Standing Orders allow the mover to move the motion for at least ten minutes and any other member that wants to debate on the same is allowed to do so for ten minutes. Hon. Kamoche you can proceed

Hon. Wahome Kamoche: Mr Speaker, you are aware that there is a petition by the Kenya County Government Workers Union, the Kenya National Union Of Workers, the Kenya Clinical Officers Union, the Kenya Medical Practitioners And Dentist Union and the Union Of The Kenya Civil Servants on the removal from office of the Secretary to the Nyandarua County Public Service Board; I would like to amend paragraph 2 because section 251 mentions a member of a Commission. I therefore ask for 10 minutes to have this amended.

(Hon. Kamau Ngotho rises on a point of information)

Speaker: Hon. Kamoche, do you require any information from Hon. Ngotho?

Hon. Wahome Kamoche: Yes.

Hon. Kamau Ngotho: Thank you Mr Speaker, we are still learning and the member for Rurii must have done some research. I want to inform him that paragraph 2 of his motion is within the legal framework. There is an issue that has come up in the senate on whether the secretary to the board is a member to the board. This is what was delivered; According to the County Government Act, 2012, the composition of the Board puts the secretary as a member of the County Public Service Board unlike the Secretary to the County Assembly Service Board who is not a member. County Government Act 2012;

58. (1) The County Public Service Board shall comprise —

- (a) A chairperson nominated and appointed by the county governor with the approval of the county assembly;
- (b) not less than three but not more than five other members nominated and appointed by the county governor, with the approval of the county assembly; and
- (c) A certified public secretary of good professional standing nominated and appointed by the governor, with the approval of the county assembly, who shall be the secretary to the board.

Here the secretary has been included in the composition of the board. For the County Assembly Service Board, the composition is as follows. County Government Act 2012 (12);

(3) The county assembly service board shall consist of-

- (a) The Speaker of the county assembly as the chairperson;
- (b) The Leader of the Majority Party or a member of the County Assembly deputed by him or her, as the vice-chairperson;

This is something that Nyandarua County Assembly does not do, it does not allow the Deputy Majority Leader to sit in the Board.

- (c) The Leader of the Minority Party or a member of the County Assembly deputed by him or her;

Hawataki tuwe katika vikao hivi

(Laughter)

- (d) one person resident in the County, appointed by the County Assembly from among persons who have knowledge and experience in public affairs, but who is not a member of the County Assembly.

Inaishia hapo and then we go to;

12 (4) The County Assembly Clerk shall be the secretary to the County Assembly Service Board.

Here the clerk comes in as a different person but in the County Public Service Board the Secretary is (c)

Article 58 (5)

The members of the Board may only be removed from office—

- (a) On grounds set out for the removal of members of a constitutional commission under Article 251(1) of the Constitution; and
- (b) By a vote of not less than seventy five percent of all the members of the county assembly.

We can decide to remove the members of the board but the threshold is very high and for us, it is about 30 members of this Assembly. If the member for Rurii will convince this House that article 251 (1) of the Constitution has been violated then it will go to a vote by a threshold of 30 members.

Mr Speaker, the only thing that is lacking in this motion are the grounds. They should be in the motion and I hope your wisdom will come in on this issue. Now that there is a petition mentioned, it would have been better if we had seen the petition and not a motion. We may probably have a Supplementary Order Paper in the afternoon session because I hear that the petition has been received in the Office of the Clerk. This should be a very Substantive Motion and should have the grounds for removal from office.

Speaker: Before any member contributes on the same, the office of the Speaker allowed this motion to be discussed in this House as a matter of county importance. We are not discussing the petition in this case. What is this matter of county importance? The mover is aware of this.

The motion is stating that the petition is within the Assembly but there is a procedure that should be followed. It comes to the Clerk of the County Assembly, then to the Speaker who takes is back to the Clerk to clarify on legal issues and finally it is reported by the Speaker on the floor of the House. The Speaker has not reported it to the House. This motion is a matter of county importance and it requires to be discussed. If there is a member that has any evidence on the grounds of removal of the secretary he or she is allowed to bring it. Hon. Kamoche proceed.

Hon. Wahome Kamoche: I appreciate the information given by Hon. Ngotho and I now move the motion of county importance...

(Hon. Michael Kirumba rises on a point of order)

Speaker: I do not know why so many members have risen on points of order even before the motion is moved. Hon. Kirumba proceed.

Hon. Michael Kirumba: Mr Speaker, the paper I have has very heavy issues because it is touching on the lives of the people of Nyandarua. It is also very clear from this paper that he is aware that the petition has not gone through all the procedures. I expected the prayers in this motion. It is a discussion. What resolutions are we going to make at the end of the day? I would expect that we put together all the grounds we have against the said person. We know that the threshold required for removal of the person from office by this House is very high. It would be better that by the time we come to transact this business, we shall not have contravened any law. I want everyone to understand the gravity of this matter because it is touching on lives of many employees. We need a resolution on this.

(Hon. Kimani Njiraini rises on a point of order)

Speaker: Hon. Njiraini, Hon. Kirumba is on a point of order.

(Hon. Kimani Njiraini rises on a point of information)

To whom are you giving this information?

Hon. Kimani Njiraini: To Hon. Kirumba.

Hon. Michael Kirumba: I think this information is important at this point in time. I accept.

Speaker: Hon. Njiraini proceed.

Hon. Kimani Njiraini: I want to inform the member that this is a motion of county importance. We are not factoring in the removal from office of any person. What is important now is that the county workers go back to work.

Hon. Michael Kirumba: Mr Speaker what the member has said is that we want a resolution that will solve this problem once and for all. We cannot take this lightly. If we anything do in contravention of the law we shall end up in a court of law. Even if we want to rush and do what we are expected to do, let the legal desk engage each other. This motion is a public document and anyone seeing it can see that it does not have any prayer. What will be the resolution at the end of the day? Let the legal experts go round the matter and then bring it to our attention. Let us have other documents in our file to support our case. Right now all I have is this paper.

I am saying that we take cognizance of what Hon. Kamoche is saying but we need to go deeper and enrich this motion so that even when we are done, there will be no litigation. If we contravene the Constitution we are going to have dire consequences. We do not want to delay in this. We want things to go back to normal so that our people can get services in the dispensaries, collect revenue, right now in Kipipiri no revenue is being collected. We cannot afford to lose even a minute.

This is a very hot issue because it is touching on the lives of people, their payroll and the services they are supposed to get.

Speaker: Order member! It seems like you are missing the point. We are not discussing the petition. We are discussing the motion. The Speaker found it necessary to have this motion on the floor of the House. If you allow the mover of the motion to move it then your concerns will be captured in the HANSARD during the debate. Yes Hon. Gachomba.

Hon. James Gachomba: Mr Speaker, we are dealing with a very important matter of this county. This motion may not have any effect on the issue and we are saying that the mover of the motion be given time so that he can come up with a petition with all the grounds of removal of the person from office. We are only going to waste a lot of time which could be used by the member to go and put his House in order and then come back to us.

We have seen the county employees emptying faecal matter inside the County Public Service Board offices because of discontentment. If we have a petition we shall be able to move in as an Assembly and help.

Speaker: Hon. Kagiri.

Hon. Silvester Kagiri: This is a huge issue. We have gone through this motion and even if we would debate this motion for a whole day, we shall not come up with any resolution. We need to be know the accusations against the person they want removed from office so that when we shall be making resolutions, we shall do so from an informed position. The staff that we are talking about are our brothers and sisters but this is a House of rules and procedures. I do not see why we should waste a lot of time discussing something that we shall not make any resolutions on.

We can see the last paragraph and that is where you are coming from but what resolution are we going to make? What is this? There are other ways this member can use so that we can make a resolution. This is a motion on removal from office of a person and we shall have a committee that will investigate and give us the findings so that we can do something from there.

Speaker: Hon. Peter Maina

Hon. Peter Maina: Mr Speaker we are aware that there are brothers and sisters working in this county and have come from all the sub counties to listen to what we have to say about this.

We are not talking about the petition but what is happening on the ground, that the county staff is not working.

(Consultations)

Speaker: Order members!

Hon. Peter Maina: Mr Speaker, we are saying that the county staff are not working and there is a way that the members can give a way forward. How can we handle what is happening in the best way possible? We are not discussing the removal of anyone...

(Consultations)

Speaker: Order members! Members, I think you are not understanding this motion. I urge you members to allow the mover of the motion to proceed. No one according to this motion is being removed from office. Read it.

Hon. Kamau Ngotho.

Hon. Kamau Ngotho: This is something that we have done over and over again and it is unfortunate that this is the fourth year and we have not learnt yet. The motion is meant to seek leave to suspend the House and discuss a matter of county importance. This motion is taken to the Speaker and after it is approved, ten members rise in support of it and they have done so, and the motion is approved. All that has been left for the member for Rurii to do is to tell us the matter of county importance. It is after we discuss it that the Speaker is going to give a ruling, for instance if he sees the need to have a committee that will examine the issues brought up by the members, he will give that ruling. All that we are required to do is to discuss the matter.

Speaker: Members let us now allow the mover of the motion to proceed. Hon. Kamoche, proceed.

Hon. Wahome Kamoche: Thank you Mr Speaker. I appreciate that the members now understand the law. I want to take them back to what the law says, I am the chairperson of the Committee on Delegated County Legislation and we are the ones who deal with the memorandum between the government and this Assembly. Petition act 22 of 2012 (4) (1) (b) allows me to bring a petition but since I do not have one, I decided to bring this motion of county importance because there is a problem. There is a petition and Standing order 192 (3) says:

The Clerk shall, within seven days of the date of receipt of the Petition, review the Petition to ascertain whether the Petition meets the requirements of these Standing Orders and of the law. Then the Petition act 22 of 2012 (4) (2) says:

Notwithstanding section 4(1) (b), a member of the National Assembly or the Senate shall not be eligible to present a petition on his own behalf.

As a member of the County Assembly, I can present a petition on behalf the petitioner.

Hon. Wahome Kamoche: As an Hon. Member of this House I can move a petition on behalf of the petitioner. With regard to this, I move a motion on an issue of county importance.

Speaker: Hon. Wahome Kamoche, you are now allowed by the Speaker to procedurally move the motion.

Hon. Wahome Kamoche: Mr Speaker, aware that there is a petition in my possession by the Kenya County Government Workers Union; further concerned that the petition does not meet the set out procedures, I urge the House that, considering that there is a problem of workers...

(Several Members rise on points of order)

(Consultations)

Speaker: Order Members! Order! Move the motion Hon. Wahome Kamoche

Hon. Wahome Kamoche: Mr. Speaker, there is a crisis in this county; casual workers demonstrated. In view of this there are some issues I wish to raise.

(Consultations)

Speaker: Order Members! You are consulting so loudly that the mover's voice cannot be recorded clearly.

Hon. Wahome Kamoche: The requirements of the law allow me to move a motion on the petition. There is a crisis which, I agree with the Member for Kipipiri, touches on the lives of the people. The problem occurred after the County Public Service Board refused to follow some procedures. If comprehensive care units and tuberculosis cure units are not operational, people will die. Lack of provision of water in the hospitals may also occasion deaths of people.

There was an agreement that employees, including casuals, who had not been issued with letters of appointment be issued with the same.

Article 185 of the Constitution vest legislative power in this House. In view of this, I have tangible evidence that was brought to me why the secretary of the County Public Service Board should be removed from office.

(Hon. Peter Kairu rises on a point of order)

(The Speaker consults with the clerk-at-the-table)

Speaker: What is it Hon. Peter Kairu

Hon. Peter Kairu: Mr. Speaker, is it in order for the Hon. Member to say he has tangible evidence for the removal of the secretary to the County Public Service Board yet we are not aware of it?

Speaker: So Hon. Peter Kairu you are not aware of what Hon. Wahome Kamoche is saying?

Hon. Peter Kairu: We are not aware of the tangible evidence he is talking about unless he produces it. I have nothing related to the issues at hand that amounts to tangible evidence.

Speaker: Hon. Members, the more you continue raising point of orders the more you sabotage the mover's intention to move the motion. I will not allow any other point of order until Hon. Wahome Kamoche is through with moving the motion.

*(The Speaker consults with the clerk-at-the-table
Consultations)*

Order Members! Order!
Proceed Hon. Wahome Kamoche

Hon. Wahome Kamoche: Mr Speaker, I did not say that the House has tangible evidence, I said I have tangible evidence.

Mr. Speaker, I move this motion as a motion of importance so that something can be done urgently. The demonstration is halting service delivery. If service delivery is halted we become more than eighty percent affected. That is the seriousness of the issue.

Hon. Michael Kirumba rises on a point of order but it is vetoed

Speaker: Hon. Wahome Kamoche now call the seconder of your motion

Hon. Wahome Kamoche: I call upon Hon. Peter Maina to second.

Speaker: Yes Hon. Peter Maina

Hon. Peter Maina: Thank you Mr Speaker. I rise to support the concern of hon. Wahome Kamoche.

(Consultations)

Mr Speaker, protect me from Hon. Silvester Kagiri.

Speaker: Order Members! Order!

Hon. Peter Maina: The petitioners have approached this House to help them. I remember the Committee on Justice, Legal Affairs and Public Service brought a report in this House requiring that the employees who worked under the defunct local authorities be employed on permanent and pensionable terms.

In 2015, three committees of this House compiled a report and recommended that the casual workers be confirmed in permanent and pensionable terms and those who used to work under the defunct local authorities be absorbed.

As far as we are discussing the County Public Service Board, there is a problem which emanates from a department of the county government. The casual labourers work under a certain department of the Executive. The said department has failed to present a request to the County Public Service Board for confirmation of the casual workers on permanent and pensionable terms. The department has failed the county government. Apart from inheriting the assets and the liabilities of the defunct local authorities, the county government also inherited the employees who worked under the same. It is therefore a pity to see that the affected workers cannot pay fees for their children or put food on the table just because they have not been paid. In this electioneering year we need to understand that the staff who are on go-slow are also voters. Our political competitors promise county staff that they will give them jobs yet we, the incumbent, are the ones empowered to ensure county employees are employed on legitimate and appropriate terms. We earn our salaries and benefit from allowances yet the Executive cannot pay a salary of Kshs.6000 to a casual worker.

The County Public Service Board employs on behalf of the county government. The Board cannot employ without a request from the Executive. As we crucify the Board we should also consider the failure of the Executive. What is the department concerned doing? The County Executive advertised for positions of revenue collectors and indicated that one of the minimum qualifications was KCSE grade C. The County Executive never considered that there were other revenue collectors who needed to be absorbed. So the Executive made a request to recruit instead of absorbing the already working revenue collectors. The relevant department now blames the Board.

There is an employee in the Department of Health Services who needed to be promoted. The Executive should look at a circular that was released by SRC to see how fast it can promote the employee.

With those remarks Mr. Speaker I wish to second

(Question proposed)

Speaker: Member for Mirangine, Hon. David Ndirangu.

Hon. David Ndirangu (Mirangine): Mr Speaker, protect me from the loud consultations in the House.

Speaker: Order Members! Order!

Hon. David Ndirangu (Mirangine): Thank you Mr Speaker. The problem at hand has been caused by the County Public Service Board. The Board has for the umpteen times directed the employees of the defunct county council of Nyandarua and the town council of Ol'kalou to bring documents in order to be absorbed by the county government on permanent and pensionable terms. But this has been in vain; the Board has never since confirmed the said employees on permanent and pensionable terms. Why recruit new staff while the county government has employees who have worked for more than ten years and have not been confirmed? I support what the casual did because if you cry for many times and your cries are not heard you resort to an act that will cause the county government to listen to you. The casuals' move of running to court has born no fruits. The county government should confirm the casuals, who are our brothers and sisters and have gone for months without salaries, on permanent and pensionable basis Mr. Speaker. There should be no discrimination in the process. The said casuals have contributed to development of this county a great deal. Thank you Mr Speaker.

Speaker: Member for Njabini Kiburu, Hon. James Gachomba.

Hon. James Gachomba: Thank you Mr Speaker. I support the motion on the petition. The mover has the interest of the county at heart. The case of the casuals in question is saddening. When the county government was receiving the assets and the liabilities of the defunct local authorities, it should have also inherited the employees who worked under the same and absorbed them permanently. The casuals went to court to seek a solution to their predicament. Nonetheless, the Executive should negotiate with the casual labourers and forge a conclusive solution to the dilemma faced by the latter. One cannot comprehend why an employee who was recruited as a casual worker can still be a casual worker ten year after employment. The reports by the Committee on Implementation and the Committee on Justice, Legal Affairs and Public Service recommend one thing: absorption of the casual workers in question. The County Assembly has the authority and capacity to dictate employment of staff. In fact, the casuals have not been bought aprons and gumboots, yet they are being exploited.

The petition should be well formulated, citing relevant laws and capturing all casuals' grievances, and brought to this assembly. What we are doing now is just debating a motion on the casuals' situation as moved by the member for Rurii. So Hon. Wahome Kamoche should be allowed time to re-draft the petition and present it to the County Assembly even if it is in the afternoon.

Article 251 of the Constitution provides that a member of a commission can be removed from office for serious violation of various provisions of the Constitution, especially provision of Chapter Six. Thank you Mr Speaker.

Speaker: The Deputy Leader of Majority, Hon. Michael Kirumba.

Hon. Michael Kirumba: Thank you Mr Speaker. The motion has come to unravel some issues that were not earlier clear. The House should not lose sight of resolutions that it made that the casuals in question should be absorbed on permanent and pensionable terms; that the relevant departments should make requests to the County Public Service Board that casuals working under them should be employed on permanent and pensionable terms.

The casuals in question have said that enough is enough and they have come out to demand their justice. This House have been called to be the arbiter. The petition, having gone through all the necessary processes, should be brought to this House as soon as it is practicable. Documentary evidence on the accusations against the secretary to the County Public Service Board should be presented to the County Assembly, lest we be accused of using hearsay make our resolutions.

We are aware that there are some health workers who are paid through AIE means. Some of them have gone for over four months without payments. Their children have even stopped schooling due to lack of fees. The damage that the county government cases due to the failure to keep its acts right cannot be compensated. Time cannot be reversed for the children who have been forced out of school. These health workers should be included in the case of the casuals. You may not find the reason why the health workers have not been paid for long.

The office of the sub-county administrator for Kipipiri Ward has been locked due to failure of the Executive to pay rent for several months. That is going to affect activities like bursary issuance because the applications forms are already in the office that was locked by the landlord. The landlord has put padlocks that you cannot even break. That should go on record. That is how bad things are Mr Speaker. This is because some people are not doing what they are employed to do. This will have very serious consequences. We cannot bury our heads in the sand and assume that it is business as usual Mr Speaker. The casuals have a representation in this House. This assembly will be proved to have teeth to bite, if it ensures that the grievances of the casuals in question are acted upon. If this is not done the whole exercise will be an undertaking in futility. We should strike and strike very hard so that, in future, nobody will attempt to frustrate the workers of Nyandarua. They are citizens of this county too and they deserve the best.

We should get out of this for good; just because you're on the payroll and getting your salary and you are chief executive you think those who are down there are not important. There is a saying; those people who are eating with the spoon will never appreciate those eating with their fingers and can never know they are getting scalded. And this is the story that has been from generation to generation, the people eating with forks and spoons will imagine that the people eating with their fingers are not having the meat, and this is critical, people should appreciate that it is just by sheer luck that you are able to have the fork from morning to evening and you cannot tell your creator what it is you want, it is by the mercy of the creator that you are able to have the fork and the spoon. We truly need to approach this matter from a very mature perspective to be able to put everything to perspective once and for all. Mr Speaker, I think your direction should be to the effect that as soon as it is practicable, with immediate effect we get the document so that we can be able to strike and strike very hard, so that many years to come, this petition will have come to make people wake up. I think we are on the right path, as it should be. Let all this papers flow like yesterday. You can decide to have an ad-hoc committee with some timelines, with the petition reviewed and the prayers with everything so that they will be in line with all the written laws, the constitution and everything. So that nothing will be challenged, because Mr Speaker you are aware that the same matter was got in the Judiciary the other day and because of some loose ends here and there maybe it did not achieve its desired effects, this time round we cannot afford the mistake

of having it not go the right way for good of the majority of this county. Otherwise Mr. Speaker, I support that.

Speaker: Thank you, yes Hon Margret Wamuyu member from Ndaragwa sub-County, she had confused me because she has raised her hand many times.

Hon Margaret Wamuyu: Asante sana Mheshimiwa Spika, Yangu ni machache sana. Mheshimiwa Spika nimeshindwa ni kwa nini tunasumbuliwa na haya mambo yaliyoletwa mbungeni na wafanyi kazi wa county council, jambo hili la husisha pande zote, mbunge na executive. Nasema tungetaka kujua hawa watu. Bodi ya wafanyi kazi limefanya nini kwa sababu hakuna yeyote aliyetoka Sudan sisi sote in watu wa Nyandarua, hakuna anayetakiakana kurudi kwao. Mheshimiwa Spika, county yetu imekuwa ya kusukumwa kusukumwa na sisi ndio tulichaguliwa na wanchi ili kuwaatetea kwa kupiga kelele pasipoenada vizuri na hata kuwaambia Rais anapokuja. Na ninaona uwoga imewaingia wambunge kwa sababu viti vingi hapa havina watu ilihali twajadili mambo ya muhimu hapa ...

(Hon. Michael Kirumba rises on a point of order)

Speaker: Yes, Hon Kirumba, what is it order! Order! Proceed

Hon. Michael Kirumba: Mr Speaker the standing orders are very clear, is the member in order to say that the members are out while quorum as stipulated in the standing orders has not been contravened, I think the member should appreciate our legislative role and really not go on record on that root, this is a house of rules, the members who are out there are still here.

Speaker: Actually Hon Margret you are completely out of order and you need to withdraw because you could have raised the issue of quorum. Obviously you need to know the rules, so can you withdraw.

Hon. Margaret Wamuyu: Mheshimiwa Spika inafaa tuone mbali kama waheshimiwa. nikisoma hii karatasi naona ikijikanganya. Mheshimiwa Spika mimi najua anayekalia hicho kiti ni mtu ambaye anaona mbali sana. Ninasononeka sana nikiona watu wetu wa kazi wakisumbuliwa na kazi imesimama na vile tunahitaji pesa ya kufanya kazi. Kuna swali nitauliza, hata kama kuna vita kati ya bodi na wafanyi kazi, naskia watu walofika darasa la nane ndio wanataka kufutwa kazi, lakini swali langu ni, mtu wa kufagia ni masomo yapi anahitaji ili aweze kugafagia. Ambalo nitaomba ni walio kwenye bodi na executive wajadiliane kuhusu hawa watu kwa sababu watakao athirika sana ni wambuge wa kuchaguliwa. Waheshimiwa wenzangu, tushikane mikono tupigane haya mambo, hakuna mtu tunasema afutwe kazi, tunataka majadiliano mazuri. Mawakili tulio nao mbungeni wanatosha kupeana mawaidha yanayofaa.

Speaker: Thank you, Hon. Members you are only allowed to speak for only five minutes so please let us observe the time. Ok we go on the other side. Hon Paul Nderitu member for Keriita.

Hon Paul Nderitu: Thank you Mr Speaker, protect me from Hon. Kairu, I will not dwell so much on this issue because this is not the first time we have had this issue, as the chairman of the Implementation committee and I appreciate that we have some of the members of the committee, I urge them that we come up with a convincing report in this house that will solve the problem of this county, this is a County Assembly that has no powers Mr. Speaker. The county Assembly has no authority because this is not the first time we have discussed the issue of casual laborers. It will depend with your ruling whether the report will be compiled and tabled for we have to deal with this issue once and for all. Let us not keep repeating the same issue Mr. Speaker, we have two or three other reports on the same issue, we should not keep repeating the

same issue in this county. We should try and find out who is behind the scene, we should not play politics while our people are suffering; this is a problem. We should get to know why the county government did not observe the resolutions. Why? Because we want to employ our brothers and sisters and we do not want to think about the people who have worked for this county for many years. Which county are we working for if our brothers have worked for more than ten years as casuals and cannot be employed permanently? We have to go according to the Law, if not so we are all going down. Let us discuss this issue as honorable members and do the necessary while we can for our brothers and sisters. I do not have much.

Speaker: Yes, Hon. Kagiri, the member for Githioro ward.

Hon. Silvester Kagiri: Thank you Mr Speaker finally your eye has caught me, I raise to support the motion, bearing in mind that now the wording of the motion is good not the way it was initially. Some of the sentiments I wanted to raise have been raised by the honourable Chairman of the implementation committee. When a motion is passed in this house, I understand the office of the Speaker communicates to the executive through certain offices and that office is supposed to take action, the question now is who is this who is sleeping on the job, we passed that motion brought by the legal and by the implementation committees saying that the casual workers must be confirmed, who is this who was to effect this? We go to the county government act and we get to know the executive and the board are supposed to work together, it is very unfortunate that we are running and we know that after recruiting the enforcement officers, unfortunately Mr. Speaker I am the chairman of the public accounting committee, there was an audit query. 120 enforcement officers were employed, where did the 50 come from? so here we need to tread very carefully and put something we call sycophancy aside, all am saying is that the casual workers are our sisters and brothers; if competitive recruitment was done and besides this there was another 50 officers recruited by the county executive then what is hindering the casuals to be employed, so when debating this when the petition comes, we will try and whoever comes because we have to follow the law, they have to tell us if the office of the Speaker communicated to the Executive, and did the Executive communicate with the Board that this is the group of casuals that need to be absorbed. I support the motion and this is the right time to debate this as much as they are saying the sun is setting we have to stamp our authority, we give the committee time to come up with a report and we will support it

Speaker: Hon Beth Wahito, County Member from Njabini Kiburu ward.

Hon. Beth Wahito: I also support this motion, we have discussed the issue in the house for a very long time and this is the right time to come up with a solution. It is very sad for we all know that some of this people are being paid seven thousand shillings, others six thousand shillings and still getting this is a big problem, and the person doing this is earning more than three hundred thousand and can never think of the casual workers who have done a lot for this county for the last fifteen years and yet they are planning to chase them away, If there is need to employ casual workers or cleaners for the county, these are the people to be absorbed. We have discussed this issues since 2014 and I do not know what is happening Mr. Speaker, we need clear information for us not to work with rumors from all over, we need to form a committee so that we can know what the problem is. I remember there was a time the casual workers in the health department were not paid for over six months and when we found out on inviting the chief officer they had not been paid, he started saying we are going to pay them he did not even care yet the money had been budgeted for. Let us halt the issue of promotions and employment first and deal with this issue. We had invited the board secretary and the CEC who said the governor had stopped the recruitment of nurses, if it so, let them bring all the documents to the committee

we get to see them but if there is going to be employment, these casuals are the ones who should be absorbed first.

Speaker: Yes, Hon Njiraini.

Hon. Kimani Njiraini: I will go directly to the point, first is to thank Hon. Kamoche for coming up with the motion, this is an issues that touches everyone in the county and it is sad if it goes to the media that we do not want to pay our casual workers. We do not want our brothers to suffer, they have really pleaded with this Honorable House. I have three questions to ask to the executive what the failure of employment is, Is it the failure of the executive? Is it the failure of the casuals by not submitting their documents? Why did the acting CEC by that time not make sure this people had been employed three years ago only to employ others and by that time he was a member of County Public Service Board? I think this is an area that has failed the casual workers, they have thus moved to other offices and failed and have now moved to the ground to seek political positions having failed so much. This are our brothers and sisters and they have families and children and people who depend on them. On making resolutions, the resolutions should be one these people should be employed permanently, secondly they should be compensated they should be promoted, they should be given a conducive environment to work in. We have a lot today and our town is full of litter, I don't think there is any other form of experience needed to clean other than what this people have and I would urge that before we leave the assembly, because the budget is there, the money is there, we should be furnished with information on the amount of money they have not been paid.

[The Deputy Speaker (Hon. Wambugu King'ori) leaves the chair]

Temporary Speaker (Hon. Dorcas Kihara) assumes the chair]

This is a very serious issue and we need our brothers and sisters to be employed permanently and their dues paid. Even the Governor and this should be captured by the HANSARD, what is he doing to salvage the situation? He has failed.

Speaker: Thank you, yes Hon Tiziana Mwangi.

Hon Tiziana Mwangi: Thank you Madam Speaker for giving me this chance, there are something that we need to check. Do we have power as an Assembly? These people concerned should be made to learn a lesson for misusing power and this is the right time we should make people know that when you are given an office, you should take care of that office while following all the rules and regulations. One person entrusted in an office should not make all the others suffer, these people have families and I do not understand how a person is expected to stay even for a month without pay, yet he is expected to pay school fees and even pay rent. We cannot survive for a month without pay ourselves. On the issue of promotions, they are not considered nor in the issue of permanency, for how long will they continue to suffer? Madam Speaker you have heard so much, this issue should be handled urgently for our sisters and brothers to get what they deserve, and not only them but even the other staff. Thank you Madam Speaker I beg to sit.

Speaker: Yes, Hon Mumba.

Hon. Mumba Gichini: Thank you Madam Speaker, I would like to support the motion with a few points, it is very sad to be given an office and somebody misuses the office. It is sad for us to expect someone to work the whole day without food, we are expecting the county to perform while the workers of the county are not being catered for. If you go to Wanjohi, there

are people rushing to *Waheshimiwas* for assistance yet they are employed, this is sad. Let it go on record, that there are people in this county who are making sure that the county has failed. We have been singing here since 2014, that the casuals be employed and nothing has happened, just like *Mheshimiwa* Tiziana has said, it is as though we have no power. We make resolutions but nothing comes out of them. It is a high time, as an Assembly, that we exercise our powers. I would liken this situation to George Orwell's novel, '*Animal Farm*', where all animals are said to be equal but some are more equal than others.

Some people go for long without receiving their salaries yet they are working equally with others who receive their pay without delays. They are equal because they are all Nyandarua workers but some are undermined. The sweetness of your work is the fruits which in this case, is the salary. We all come to work because there is some earnings. That should be a motivation for our workers. Let everyone in this county enjoy the fruits of their labour. With those few remarks, may God bless you. Thank you.

Speaker: Thank you very much Hon. Mumba. Yes, Member for Karau Hon. Kamau Ngotho.

Hon. Kamau Ngotho: Thank you Madam Speaker, for allowing us to participate in this motion that has been brought by the Hon. Member for Rurii, courtesy of the workers union.

Madam Speaker, we have to revisit this issue from where it began. When the matter of casuals and nurses was brought to the House sometime back, the committee on Justice, Legal Affairs and Public Service went and brought a report to this House. We passed the resolutions and I have to be very clear on the issues the committee raised. One of the recommendation was to absorb the casual labourers.

[Temporary Speaker (Hon. Dorcas Kihara) leaves the chair]

[The Deputy Speaker (Hon. Wambugu King'ori) assumes the chair]

Secondly, the issue also found its way into this House through a Joint Committee of the Committees on Justice, Legal Affairs and Public Service, Committee on Education as well as the Committee on Implementation. The period that is usually stipulated for implementation, which according to our Standing Orders is 60 days had elapsed. Actually, it was many months after the resolutions were made in this House. Again, the same resolutions were passed in this House through another committee.

Mr Speaker, the HR department relied heavily on the resolutions of this House. The HR department is in the Office of the Governor and it came with an organogram that had recommendations of all individual workers. If for example a worker has reached class four, it recommended that such a worker should be absorbed at a certain grade. The document also specified the salaries and the retirement date. In other words, the document was very exhaustive. The document was taken to the Board and was also tabled in the Committee when the Joint Committee summoned the HR.

Mr Speaker, you see the kind of emotions this issue has elicited. We have to put these things right. The reason why emotions flared was because one member of the Board was mentioned. We have people defending ills Mr. Speaker. We have to say these things. We cannot be preaching water here and we are drinking wine.

Mr Speaker, we have a duty and we swore to uphold the constitution. I am not saying this to excite the workers listening to us back there. I have no interest at all and actually, they come

from different areas. However, we have a duty as an Assembly. How on earth can one body called the County Public Service Board be taking this House for a ride? Not even this House, this County. I am saying this with authority because I have never even gone there to beg for someone I know to be employed. Last week they said that the relevant sectors never wrote a letter demanding that these people be absorbed yet they have the power.

This is the reason why when the workers went to the Court, it gave the power back to the Board. The Board has all the powers to absorb this people. However, they are playing cat and mouse game. They are blaming the Assembly at some instances and at others, they blame the Governor by saying that he is not approving the move to absorb the casuals. They have gone to the extents of blaming the Chief Officers of various departments. This matter has nothing to do with the Assembly, H.E. the Governor or even the C.Os. This matter squarely lies on the CPSB and the secretary should already have given these people letters the moment we said that as an Assembly.

Mr Speaker, we made ourselves categorical the other day when we said that the young men who had been given letters to work in the enforcement department be absorbed. They were around seven. When the matter reached the Board, it claimed that the cabinet had resolved not to employ anymore people yet these people had been given letters before the cabinet sat and resolved so. You remember the Speaker saying that the matter was *functus officio*. This implies that the moment they gave these people letters, they started working immediately. However, these people are still languishing at home with letters of appointment. So, there is something that is happening in the Board.

Again, they said that they recruited about seventy enforcement officers yet those on the payroll are over a hundred. Where do the others come from? In December I was stopped by some workers, that is the reason I think this issue ought to have come as a full petition rather than a motion, I was stopped by two casual workers in my town and it was almost Christmas time. They were a lady and a gentleman. You remember even the Assembly was facing the same problems of money. They told me that they were even afraid of staying at home. Their children want clothing, they want food and shelter. These people had not been paid for two months.

Mr Speaker, with all due respect and courtesy, we have been given mandate by the people and if we don't carry them out, God has a way of working things. These members are very few to remove us from office because, for example, the casuals in Karau are less than ten. If you cannot address the issues of the less privileged in the society because we are their voices, I see no reason why God cannot remove us from office. If they had requested me to go with them to the Board, I could have been there too because these are grave issues. Were these workers to go on hunger strike, I would join them because these are grave issues. There is no need for hiding. The issue is with the Board. The issue is not with the Governor, Assembly or anywhere else. The issue is with the Board.

As we look for a way forward, I have to recount an occurrence. When there was a dinner organized by the Governor sometimes last year, he told the casuals that he had directed the relevant departments to ensure that their dues had been paid by the following day. Then the morning after, when the COs were reporting to work they found a letter from Board instructing them not to pay the casuals or else they would be surcharged. To be exact, the letter said, 'pay at your own peril, you will be surcharged'. When the Governor who is the C.E.O. of the County says the workers to be paid, then, the Secretary of the Board issues letters against any attempt to pay the workers, the question that comes to my mind is, Who is running the government? For instance, if President Uhuru makes a statement that he wants a Collective Bargaining Agreement (CBA) with workers

to be implemented, there is no way the Head of Public Service, Margaret Kobia, will say, we are not going to implement that. There are things called Executive Orders Mr. Speaker. It unravels the politics behind all these dramas. What or who is giving the CPSB all those powers to write these kind of letters? Who is this calling the shots in this County? I believe that when H.E. the Governor makes such a declaration, the relevant people should wake up early the following day to ensure that it has been implemented. However, we are seeing a situation where a letter from the Board and signed by the secretary of the Board is warning the COs from paying the workers.

Therefore, as we dig deeper into this issue without resulting to blame games, let people understand their mandate by following the County Governments Act which they carry with them all the time. Let them know that they have the power to absorb these ninety four people and the other twenty four under CHS because it was the recommendation of the committee on health services. What is happening?

Mr Speaker, I want to give my way forward. I believe these committees (Implementation, Education and Justice and Legal committees) know that there is nothing much to go and do for five days. This is because the reports are in this House. Why has the Board failed to implement the resolutions made long time ago? The HR department recommended that the people be absorbed at different job groups. Who is holding these people at ransom? Even when you do calculations on the wage bill, you will find that these people are not consuming even Kshs.4 million a month. This amount cannot even do a bridge. Maybe this is what... Let me not continue in that line because I might be told I am saying the wrong thing.

Mr Speaker, let these people be absorbed so that we stop having the same debate over and over again. Those who are holding the County at ransom because they have some godfathers that are protecting them be known. We should put them in the open because if we fail as this Assembly to put this matter to rest, God will bring another MCA from Karau or Rurii to say those things because they will be brave enough. We have the mandate to say them now and people should hide under other issues. This is a call to duty, period. We have all been called to a duty and we must perform that duty without fear or favour.

As I second, I would like to say that this matter should not take more than five days and I urge the leadership of the union because I can see them in the gallery to call us if things are not done. We can even go for a three-day hunger strike and camp there for days and nights so that these people know that things are not right within our county. Things are going haywire. This is a county we love and we should protect it at all costs. Thank you Mr. Speaker.

Speaker: Yes, Hon. Dorcas Kihara, the County Member from Githioro.

Hon. Dorcas Kihara: Thank you Mr. Speaker, I rise to contribute on this motion of county importance. As an Assembly we have a constitutional duty of representation. These employees who are suffering from this injustice are our people and we need to represent them. Again, this is a House rules and procedures. We legislate as well. It has become a tradition that we pass laws, we pass budgets and other legislations but they are never implemented. I recall when we passed the motion on the pending bills but nothing was implemented. It was until the contractors brought a petition in this House that it was implemented. We are here again. Reports have been written and recommendations formulated especially about absorption of these casual workers but nothing has been done. As Hon. Ngotho has put it, we waited for 60 days for implementation but nothing has been done. Now we have a petition in this House for us to deliberate on.

Mr Speaker, we need to know the source of the problem. Who is failing? Because we cannot go on passing legislations that are not implemented within the statutory timelines. Further, we have memorandums that are signed particularly on absorption of casual workers and are not

implemented. If a signed memorandum is not implemented, we will find ourselves in a situation where Comprehensive Care Centres (CCCs) are closed. Who will take care of our people yet these are also people we represent? We are exposing our people to health hazards and as such, we need to know the source of this problem and if we don't act now, God will judge us harshly. We need to make a resolution and take action.

We are hoping that the Committee which will look into the petition will do it diligently remembering that we swore that we will deliberate on each and every agenda without fear or favour. Actually, we do a prayer in our sessions and committees' sittings for God to guide us. I am urging, through your ruling, the committee that will have the mandate of looking at the petition will do it diligently. The committee should treat this issue as an emergency because we need our people to go back to work and we need our towns to be clean. We also need casual workers to be paid. Let us call a spade a spade and not a big spoon. We should hit the nail on the head by identifying the source of the problem, take a decisive action and let justice be done.

Mr Speaker, I support and call the motion mover to respond.

Speaker: Yes, motion mover.

Hon. Wahome Kamoche: Thank you Mr Speaker. I wish to commend the members for their contributions. This petition raises some statutory matters. Actually, they are legal and procedural matters. This is a scenario where a public officer has demonstrated arrogance and disrespect to his colleagues. He has particularly issued threats and other ill-advised directives. We are referring to Board letters of 13th December 2016, 10th January 2017 and 30th January 2017. As a legal matter, we all signed the code of conduct which the Committee on Delegated County Legislation spearheaded.

When someone violates Chapter six of the Constitution, violates County Governments Act, Standing Orders of this House and other regulations, it amounts to a criminal act. These people are struggling to get their respect and dignity. As we speak, we have nurses who were promoted to job group N and one year down the line, they have not received a coin. Others were supposed to be employed but they have not been given appointment letters and still others have those letters at home. I am urging this Assembly to ensure that every departments' request in this county is accepted. We have some drivers who are casual labourers. If they go on strike, who will perform their duties? We have cleaners and other workers who collect revenues at bus stops. They should be accepted.

In reference to Petition to Parliament Procedure Act No. 22, 2012, I am allowed by the law to present this petition by the workers. Standing Order No. 192 also allows me to go ahead and present the petition on behalf of the workers because they can't do it themselves. And, what we are trying to do is to look for a solution because we wouldn't want to see other departments crippled. For instance, if the hospitals are closed and someone falls down here, you need a vehicle and driver to rush them to the hospital only to find that the hospital is closed. And actually, 'tutakupeleka na pikipiki' if the drivers are also on strike.

It is very sad that we are talking of an officer who has disregarded his duties. I want to say that Article 73 (b) of the Constitution has been violated by someone who is sitting somewhere. You know I rely on the law Mr Speaker. I subject myself to the legal framework. If you observe keenly, the officer has contravened Chapter six of the Constitution and Standing Orders Nos. 192 to 196 of this House. More importantly, Standing Order No. 187 on the Committee on Delegated County Legislation, where I am the chair, has been infringed. This amounts to infringement of fundamental rights of our people and it is completely against the principles of natural justice.

As the Hon. Member for Rurii, I am of the opinion that the Secretary of the CPSB must go because he doesn't believe in the rule of law. However, this is not an impeachment motion. If I was to be asked, he is wrong in his workings and assessments. The former County Secretary, Hon. Frank Kanja, brought an organogram showing the structure of the county government. It was adopted in this House. As the Chairman, I invited Hon. Kanja to my committee and he came and made some submissions. He showed the committee that he had given directions but we were disappointed there is somebody working to frustrate the Executive.

Mr Speaker, all I am trying to say is that we should address this issue urgently and immediately. The other day, people demonstrated in Rurii. We were with *mheshimiwa* Dorcas. They were saying, 'Kamoche must go' because we made a promise to give water to the people but we didn't fulfil the promise. All the wrath was directed to me yet I am not in charge of providing water to the people. And, I expect more protests because two more health clinics have been closed.

Mr Speaker, people are on a go slow in the department of roads. Contractors are claiming that they are not getting their LSOs. Treasury is also on a go slow. I think every department has been hit by this problem. We need to see our roads being constructed because the person who gives instructions is just sitting there citing that he has not been paid. I would like to give some very critical information. We have a civil engineer who is not employed but attached. In other words, we have people who, in principle, are helping the County Government to work. My worry is that these positions held by these people are vacant.

I am urging this House to ensure that the people are absorbed and given a properly written paper. This is because we have had instances where people are given 'funny' letters. In reference to section 36 of Labour Act, whoever has worked for 90 days in this County Government automatically qualifies to be employed on a permanent and pensionable terms. If such a person goes to the court of appeal, this county might end up losing in terms of litigation costs. We have people who have been working as casual laborers for 17 years.

Therefore, it is my opinion that we listen to the prayers contained in this petition and respect the workers. When the workers' union brought the petition to this House, there was no matter in court therefore, they are just here to demand justice in the Assembly. Let the prayers of the petitioners be heard, fulfilled and honored by this House. Also, we need the petition to be brought into this House through the right channel because it is with clerk. I believe we need to give directions that the clerk should ensure that the letter reaches the relevant offices as soon as possible. Whether the petition is wrong or not, it is the work of the members to challenge that. I beg that you give a direction because this issue is a legal matter and a matter of justice.

As I rest my case, it is my hope that you will give a clear direction as to how the matter will be resolved. I believe that the CPSB has contravened the constitution, the Standing Orders and other regulations. I also hope that the directions will lead to the absorption of the casual workers. Additionally, it is my hope that they will also receive proper letters and their arrears will be cleared in full so that they can continue executing duties. To that end, I would like to end my submissions by saying that the secretary must go.

(Question put and agreed to)

Speaker: Hon. Members, I think you are aware of what you have discussed and resolved. It is that the County Assembly of Nyandarua played its role to ensure that all the casual laborers are employed on permanent and pensionable terms. The Executive arm of government seems to

be dragging behind in execution of its mandates. This is a matter that the Assembly requires to take over. Remember we are the elder brothers of this honorable county.

The issue of absorption of casual workers is very weighty and should be resolved within the shortest time possible and the Assembly will do this through a comprehensive report, within fourteen days to be exact. Meanwhile, the Assembly will communicate to Executive that the casual workers should continue working and receive their dues in full until the matter is concluded comprehensively by this Assembly.

Therefore Hon. Members, we shall deliberate on that. And because the matter touches on many prayers by the union, and, involves a lot of committees in this House such as the Committee on Implementation, Committee on Justice, Legal Affairs and Public Service, Committee on Delegated County Legislation and because we are dealing with matters of Labour, we also need to involve the Committee on Education. Therefore, there should be an *ad hoc* committee that will look into all those matters raised. As an assembly, we know that we have a housekeeping committee that deals with issues. This is the House Business Committee and we will meet immediately after this session and before the afternoon session and come up with an *ad-hoc* committee composed of four members of the committees that this matter touches on.

We shall look into this matter at House Business Committee and then we will communicate immediately as at what time this matter will be expended. Thank you.

Next order.

ADJOURNMENT

Speaker: Having no other business for this morning session Hon. Members, this House stands adjourned until the next sitting which is today, Wednesday, the 15th day of February, 2017 at 2.30 p.m.

(The House rose at 11.47 a.m.)