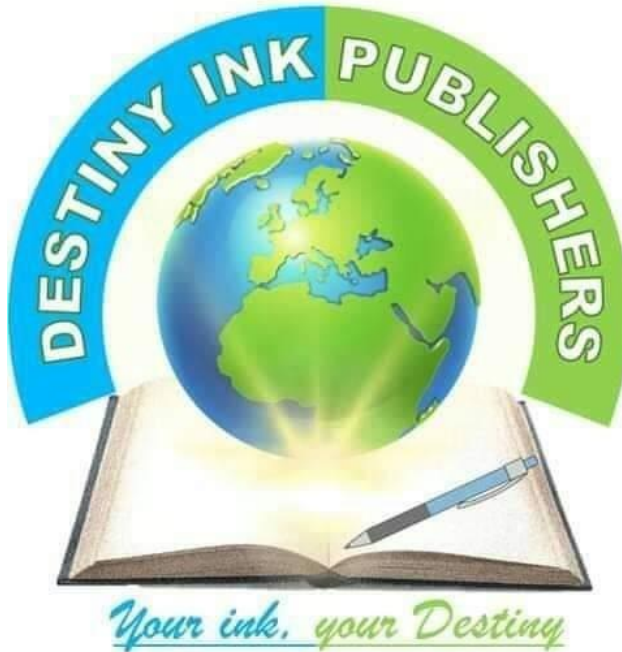


THE ART OF MANAGING PEOPLE

(Simplified)



• AFRICA • ASIA • AMERICA • EUROPE

PETER K. KEITANY, MBA.

The resource you can't avoid in life

The art of managing people and the other Peter K. Keitany, MBA.

Published and printed by:

Destiny Ink Publishers Ltd,

Machakos, Kenya.

Email: destinyinkpublishers@gmail.com

Tel: +254756652525/ +254758966662

© Peter K. Keitany 2024.

The moral rights of the author have been asserted.

First published 2024.

All rights Reserved. No part of this publication may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopy, recording or any information storage and retrieval system, without prior written permission of Destiny Ink Publishers Ltd.

Enquiries concerning reproduction may be sent to the publishing department, Destiny Ink Publishers Ltd, at the address above.

ISBN: 978-9914-9811-9-3

Cover design and illustration: Nadee Graphics.

Book design and layout: Kenn Graphics Official.

TABLE OF CONTENTS.

ABOUT THE AUTHOR	16
DEDICATION.....	17
ACKNOWLEDGEMENT.....	18
FOREWORD	19
INTRODUCTION.....	21
Important Statements	22
CHAPTER 1: EMPLOYMENT MATTERS.....	25
Growing careers.....	25
How to choose career.	25
How to grow career.	26
Role of parents in choosing career for children.....	26
How people choose wrong careers.	26
Benefits of having the right career.....	27
Challenges in growing career.....	27
Training and development.....	28
Types of training.	30
Benefits of training.....	31
What happens when there is no training.....	32
Skills inventory and audit.....	32
Skills audit.....	33
Dynamics of job market.	33
How labor dynamics can be stabilized.....	34
What employers need to know.....	34
Benefits of informed employers on job market.....	34

Effects of ignoring job market dynamics.	35
Unemployment	35
Causes of unemployment.	35
Effects of unemployment.	36
Government actions against unemployment.	36
Actions by the youth against unemployment.	37
Innovation	38
Types of innovation.	38
What encourages innovation.	39
Importance of innovation.	39
How can workers contribute to innovation	40
Obstacles to innovation.....	40
Mentoring.....	41
Reverse mentoring.....	42
Coaching.....	43
Transition from mediocrity to excellence.	43
How to achieve excellence in work place.	43
How employees can contribute to excellence.	44
How can employers contribute to excellence.....	44
Obstacles to excellence.	44
Why people despise excellence.	45
Price to pay to achieve excellence.....	45
Signs of difficult economic times.....	46
Effects of a bad economy.....	46
Signs of a good economy.....	47
Causes of economic recession.....	47
Employee response to difficult economic times (Austeritymeasures).	48

Government response to difficult economic times.	48
Insolvency	49
Types of insolvency.	49
Causes of insolvency.	50
Effects of insolvency.	50
How to cure insolvency.	51
What kills businesses.....	51
CHAPTER 2: TERMS OF EMPLOYMENT.	53
Terms	53
Allowances.	53
Benefits of leave.....	57
Demerits of leave.....	58
Implication for violation of terms of employment.	58
What actions can lead to summary dismissal of employees.	58
What is unfair termination.	59
Which institutions protect workers.	59
Domestic workers.	59
Key terms and conditions for domestic workers in Kenya.	60
Consequences for mistreating a domestic worker.	60
Why Kenyans seek for jobs abroad.	61
Influx of Kenyans abroad.	61
Benefits of working abroad.....	61
Common jobs abroad.....	62
Salaries Paid Per Month (approx. Kes.).....	62
Process of going abroad.	62
Challenges of working abroad.	63
Protection of wages.....	64

Why protect wages?	64
Who is responsible to protect wages?.....	65
What happens when there is no protection of wages?	65
Protection of children.....	65
Why parents subject their children to child labor.....	66
Effects of Child labor.....	66
CHAPTER 3: WORK ENVIRONMENT.....	67
General Safety	67
Signs of discomfort in work place.....	67
Emergency preparedness.....	68
Effects of work place stress.....	70
Causes of work-related stress.....	70
Signs of unrest in work place.....	70
Measures against work place stress.....	70
Occupational hazards.....	71
Employee wellness.....	71
Benefits of employee wellness.....	72
Effects in absence of employee wellness programs.....	72
Mental health.....	73
Causes of mental health problems.....	73
Signs of workers with mental health problems.....	74
Effects mental health.....	74
Measures against mental health problems.....	75
Alcoholism and drug addiction.....	75
Major harmful drugs in Kenya.....	76
Effects of alcoholism and drug addiction.....	76
Interventions against alcoholism and drug addiction.....	77

Balancing family and work.	78
Employer programs supporting family.	78
Effects of lack of work- life Balance (Integration).....	79
CHAPTER 4: RECRUITMENT PROCESS.....	80
How to prepare for an interview	82
Preparation;	82
How employers process recruitment	83
What fails candidates in interviews.	84
Student attachment process.	84
Why employers should pay attachees.	85
Challenges faced by attachees.	85
Internship process.....	85
CHAPTER 5: EMPLOYEE BENEFITS.	87
Termination of appointment.	88
Types of termination.....	88
How employers terminate employees indirectly.....	88
National Social Security Fund (NSSF).	90
Importance of gratuity and pension.	90
Pension.....	91
Pension requirements.....	91
Gratuity.	91
Requirements of gratuity.	92
Why pension processing takes too long.....	92
Consequences of ignoring employee benefits.	92
Retire early and young.	93
CHAPTER 6: HUMAN RIGHTS AND FREEDOMS.....	94
Purpose of rights and freedoms.	94

Basics of rights and freedoms.....	94
Rights and freedoms as provided by Kenyan Constitution of 2010.	95
Why there is still serious violations of human rights 14 Years after 2010 Constitution.	96
CHAPTER 7: CODE OF CONDUCT.....	97
Code of conduct.....	97
Signs of indiscipline.	97
How can employers strengthen the code of conduct.....	101
Role employee in the code of conduct.	101
Protocol and etiquette.	101
Basic decorum.....	102
Grooming.	102
Answering phone calls (Phone manners).	103
Table manners while eating.....	103
Toilet manners.....	104
Seating arrangement in functions (Seating manners).....	104
Other guests' Main guest Second Main guest other guests	104
National values and principles.....	105
National values and principles of governance.....	105
What are the penalties for violating the national values.	106
What makes officers violate the national values and principles.	106
How can employers help officers comply with national values.	106
Integrity issues.....	107
Importance of integrity	108
Integrity issues in offices.	108
Main causes of corruption.....	109
Signals of corruption.	110
Consequences of corruption.	110

How is dishonest punished.....	111
Measures by government against corruption.....	111
Disciplinary control.	112
Importance of disciplinary control.....	112
Common disciplinary actions against violations.	112
Common disciplinary violations by officers.	113
Guiding Principles in Disciplinary Action	113
Disciplinary procedure.....	114
The procedures to be followed: -	114
Conduct of investigations.	115
Interdiction.	115
Suspension.	115
Absence from duty without leave or reasonable.....	116
Absence from duty on grounds of Illness.....	116
Appeals	116
Reviews.....	116
Alternative ways of dealing with indiscipline.	116
How is discipline rewarded.	117
CHAPTER 8: EFFECTIVE LEADERSHIP.....	118
Are leaders born or made?	118
Styles of leadership.....	119
a) Autocratic style.....	119
b) Bureaucratic style.	119
c) Democratic style.	119
d) Laissez Faire style.	119
e) Participative style.	119
f) Transactional style.....	120

g)	Servant style.	120
h)	Affiliative style.	120
i)	Pacesetter style.	120
j)	Paternalistic style.	120
k)	Coaching style.	120
l)	Transformational leadership style.	121
	Features of transformational leadership.	121
	Characteristics of ineffective leaders.	122
	NB:	122
	CHAPTER 9: HUMAN RESOURCE MANAGEMENT(HRM) AUDIT.	123
	Types of audits.	123
	Importance of HRM audit.	123
	Areas of HRM audit.	123
	Personal details to check in audit.	124
	Audit report writing format.	124
	Qualities of a good audit report.	124
	Basic contents of audit report.	125
	Common sources of substantive audit evidence.	125
	Users of audit reports.	125
	Types of audit opinion and reports.	126
	Five (5) Cs in internal audit report writingformat/structure.	126
	Format of audit final report.	126
	Audit report data presentation.	126
	Note: -	127
	CHAPTER 10: EMERGING TRENDS.	128
	Labor relations.	128
	Factors influencing positive labor relations.	129

Factors influencing negative labor relations.....	129
Impacts of positive labor relations.....	129
Impacts of negative labor relations.....	130
Labor law.	130
Constitution of Kenya 2010.....	130
Employment Act 2007.....	130
Labor Relations Act 2007.	131
Labor Institutions Act 2007.	131
Occupational, Safety and Health Act (OSHA) 2007.....	131
Work Injury Benefits Act (WIBA) 2007.	131
Industrial Court Act 2011.	131
International conventions and treaties.....	132
NSSF Act 2013.	132
Advantages of labor laws.....	132
Disadvantages of labor laws.....	132
Unfair labor practices.	132
Performance management.	133
Strategic planning.	133
Performance contracting.	133
Staff Performance Appraisal System	133
Objectives of Performance Appraisal	133
Specific objectives.	134
Scope of application.....	134
End of year appraisal process.	134
Rewards and sanctions.	134
Performance management committee.	135
Other Performance Systems	135
Organization culture.....	135

What influences organization culture.	136
Importance of strong organization culture.	137
Effects of bad organization culture.	137
Signs of a bad organizational culture.	137
Efforts to improve organization culture.	138
Change management.	138
Reasons for change.	139
Resources required for change.	139
Risks of change.	139
Who triggers change?.....	140
Process of change.....	140
Change stages.	140
Reaction to change.	141
Merits of change.	141
Why people resist change?.....	141
How to overcome resistance to change.	142
Disaster Risk Management (DRM).....	142
Causes of disasters.....	143
Categories of disasters.	143
Sources of risks.	143
Common disasters and risks.	144
Impacts of disasters and risks.	144
Elements of disaster risk/Cycle.	145
Risk management process.	145
Mitigation/Remedies.	145
How to prepare for disaster risks.....	146
Risk techniques.	146

Sustainability at work place.	146
Factors to promote sustainability.	147
Benefits of sustainability.....	147
Signs of sustainable organizations.....	147
Effects of unsustainable organizations.....	147
How can workers contribute to sustainability.	148
How can employers promote sustainability.	148
Making money work for you.	148
Why money don't work for people.....	149
Why people fail to use their income to satisfy theirneeds.	149
How to avoid overspending.	150
Resolving conflicts.....	150
Common conflicts in a work place.	150
Effects of conflicts.....	150
How to resolve conflicts.	151
Components of conflict resolution.	151
How to prevent conflicts/Skills.	151
Emotional intelligence.	152
Components of emotional intelligence.	152
How to improve emotional intelligence.....	153
Barriers to emotional intelligence.....	153
Causes of low emotional intelligence.	153
Signs of low emotional intelligence.....	153
Effects of low emotional intelligence.	154
Data protection.	154
Personal data.	155
Sensitive personal data.....	155

Importance of consent.	155
Important principles in data protection.....	156
Talent management.	156
Aims of talent management.....	156
Components of talent management.	157
Functions of talent management.	157
How to grow talent in a work place.	157
Obstacles to talent management.	157
Green human resource management for climate change.	158
Climate change effects.....	158
Climate change actions.	159
Team building.....	160
Why teamwork?	160
Types of team building.....	160
Team development process/Stages.	161
Team development strategies.	161
Benefits of team building.	161
Signs of ineffective teamwork.....	162
Barriers to team building.....	162
Factors influencing team effectiveness.	162
Role of technology.....	163
Role of technology in organizations.	164
Advantages of technology.....	164
Disadvantages of technology.	165
APPENDIX.....	166
Appendix 1- Office Attire from Monday to Thursday.....	166
Table 2-Technical attire - all days.	167

NB: 167

REFERENCES 168

ABOUT THE AUTHOR

Peter K. Keitany is 59 years old, happily married to lovely wife Rosemary, blessed with three adult children; Mercy, Job and Faith. Professionally, Mr. Keitany has worked as a Senior Administrator/Human Resource Officer for 28 years in public service in Kenya. He served in Baringo County Government as the County Head of Human Resource Management (HRM) for eight (8) years.

He holds a Master's degree in Business Administration (MBA) HRM option, Moi University, and Bachelor's degree in Public Administration, Economics and Political Science from Marathwada University (India). He also holds a diploma in Mass Communication, diploma in Missions and 22 short course certificates. The writer is also a certified trainer with the Kenya School of Government (KSG). He has been trained in Senior Management Course (SMC) by KSG.

He is a motivational speaker, an author, a church planter and a gospel singer. He is an online preacher on social media and radio reaching and engaging more than 1.1 million of people monthly. He is a missionary to the rural church in Kenya.

He is a senior church leader and trainer with Baringo School of Missions which is affiliated to the Global Disciples Alliance (GDA) with presence in 72 countries in the world.

DEDICATION.

This book is dedicated to the members of my beloved family, human resource officers and Government officers who have been a great source of motivation and inspiration to me throughout the writing of this book.

I further dedicate it to my late mother, Kobilo Chepkaitany, who passed on in the year 2008, and raised me well as a single mother after I lost my father, Chepkaitany Kiboiwo, in 1976 when I was only 11 years old.

ACKNOWLEDGEMENT.

My acknowledgement, recognition and appreciation goes to the living God for the grace, protection, gift of life and good health which He has given me during the 29 years of public service.

I also from the bottom of my heart thank Mr. Thomas Ruto, the former Head Teacher of Sogon Primary school, in Baringo who assisted me go back to school in 1981 after I had dropped out for one year due to extreme personal challenges.

I further acknowledge my elder brother, Mr. Philemon Keitany, who funded my secondary education in Kenya and university education in India. He was also my father figure since my father passed on in 1976.

Many thanks to Radio Imani Baringo presenters Carol Sigei and Hildah Rop for giving me a forum and a media to share the ideas on people management with thousands of listeners who gave me very valuable feedback.

I thank my colleagues in the HR profession for the many years of interactions and information sharing in regard to the rich knowledge they have impacted on me in this profession.

I also appreciate Dr. Kandie Dorcas, PhD, CHRP-K for assisting in initial editing of this book.

Finally, to Destiny Ink Publishers Ltd led by Amb. Eric Kyalo (Destiny pusher) I forever remain grateful for your timely, transparent, honest and reliable work that has given this book the quality it brags of. Your work has touched lives and is inspiring. Keep moving.

FOREWORD

Human resources are the heartbeat of any organization, the vital force that propels it forward. In the dynamic landscape of modern business, where technology evolves at breakneck speed and global challenges constantly reshape the economic terrain, the role of human resource management becomes increasingly crucial. It is the bridge that connects the aspirations of individuals with organizational objectives fostering symbiotic relationship where growth is mutual and sustainable.

This compendium serves as a guiding light for human resource practitioners, offering insights, best practices and real organizational experiences to navigate the complexities of managing human capital in today's dynamic business environment. It equips human resource practitioners with knowledge to perform duties with professionalism and strict adherence to the rule of law thus creating a conducive work environment. It explores the multifaceted dimensions in human resource management (HRM) and its pivotal role in shaping organizational culture, fostering talent and driving innovations from recruitment and retention strategies to performance evaluation, talent development and emerging issues. The journey of human resource unfolds as a strategic imperative aligning individual aspirations with organizational goals to unlock the full potential of every individual worldwide.

It is imperative to note that behind every policy, program and decision lies the human element, the driving force that fuels innovation, fosters collaboration and defines the soul of an organization. Let us embrace the opportunity to empower individuals, nurture their talents and create workplaces where every voice is heard, every contribution is valued and every dream is realized.

The art of managing people and the other Peter K. Keitany, MBA.

The author is a passionate HR practitioner with vast knowledge and experience in management of human capital with great attention to integrity and detail. Together, let us champion the cause of human resource management, recognizing its transformative power to shape the future and celebrate the power of people and boundless opportunities that lie ahead, for in the realms of HR, the possibilities are limitless and the journey is as rewarding as the destination. May this book ignite your passion and expand your horizon on matters of human capital.

Kandie Dorcas, PhD, CHRP-K.

INTRODUCTION.

This book has been written to share the cutting edge matters and experiences relating to people management which every organization requires to survive the current cut throat competitive world. The lessons learnt here can also assist a lot in the family and community set up. Human resources (employees) are the greatest resources and assets in every organization and society followed by finance and equipment, and no one can afford to ignore them. You must use people everywhere to turn your goals, dreams and visions into reality. I have never seen anybody or organization succeeding without people in play. Failure is waiting anxiously for those who make blunders by mismanaging people.

The facts about the management of human resources (HR) are series of teachings and experiences shared by the author during various staff trainings and at Radio Imani Baringo for the last three (3) years from the year 2022 to date with adjustments as discussed during the many radio talk shows and trainings to accommodate the views of listeners or participants.

The book will equip human resource officers with insight and enable them to be agile and magnanimous backed by surgical wisdom so as to perform their duties professionally with strict attention to the rule of law which empowers them to become the steering and innovative engines of transformation in their organizations and nation.

It is also very handy to community groups and general public to access the critical information and make informed decisions in life to make this planet a better place to live in. Moreover, this will empower them to monitor and report on violations made by public institutions.

Furthermore, it is a fact that most of the major challenges we face today as a community and a nation is as a result of faulty decisions

we make, violation of the rule of law, the stinking rot of massive corruption and mismanagement of people.

This book also covers the emerging trends in HR including organization culture, change management, disaster risk management, sustainability, conflict resolution, emotional intelligence, data protection, talent management, green HR, team building, mentoring, coaching, transition to excellence, growing of careers and technological advancement.

It further tackles labor law, terms of employment, performance management, labor relations, rule of law, training and development, skills inventory, dynamics of job market, unemployment, difficult economic times, working abroad, protection of wages, leadership, audit and child labor.

My colleagues in the HR profession through many years of interactions and information sharing have indeed enriched my understanding on management of people. The book has been made simple and precise for easy understanding and adoption by readers.

Important Statements

The following are the important statements made in this book in black and white;

- The human resource of this century must embrace flexibility arrangements, remote work options, navigate into the uncharted waters and provide guidance through the intricacies of the evolving work place.
- The human resource function is the essential engine for sustainability in organizations.
- Technological advancement enables instant HR services to be delivered in real time basis.
- The HR must facilitate organizations to not only survive but also thrive in the midst of numerous challenges into the bright future so as to have a meaning.

- The current hybrid work place calls for flexibility so as to reshape the HR professional and dynamic landscape. Any rigidity is going fighting and against the mighty tide.
- The next real productivity frontier is a HR system blended with Artificial intelligence (AI) where technological disruptions are tolerated and utilized.
- There is urgent need to explore the latest trends, legal considerations, best practices and innovative solutions so as to shape and redefine the future of organizations through the HR function.
- Employee holistic wellness with the consideration on supportive supervision and conducive work environment is the backbone of excellent service delivery in any organization. We must invest in employee wellness and mental health.
- Emotional intelligence should be utilized to understand and manage well the dynamics of people's emotions in a work place for better service delivery.
- Crafting a smart formula to win, retain talent and reduce employee turnover is good for all employers.
- Coaching for impact by inspiring and empowering others to unlock the career possibilities with HR officers on the frontline will be a game changer for organizations.
- People must be helped to land in their proper careers to avoid frustration and to support those who are already in the wrong careers to adjust or shift accordingly.
- Data protection is an emerging trend which employees must get it right before they put themselves or their organizations into serious legal problems.
- Well-crafted work place policies and procedures are the cornerstone and framework for organizations' professionalism and compliance to the set standards.
- Organizations must manage risks and disasters by smartly navigating the work place challenges. The HR function must go green to contribute to the saving of the planet.

- Human resource officers must become real change agents and champions in organizations.
- HR etiquette is about building the workers' brand which is critical in today's business.
- Leaders who don't adapt to the evolving world are warned, they will get stuck in the old school of leadership which won't work in today's generation. Transformational or all-round leadership model should be adopted.
- High performance coaching aims at improving employee's performance through support and sharing feedback so as to navigate through the current complex business landscape.
- Organizations should be customer centric by driving effectiveness through people so as to attain sustainability. It is putting the customer at the heart of the operations by embracing diversity, equity, inclusion and holistic approach.

CHAPTER 1: EMPLOYMENT MATTERS.

This chapter deals with growing of careers, training and development, skills inventory, dynamics of job market, unemployment, mentoring, coaching, transition to excellence, difficult economic times and insolvency.

Growing careers.

- Career is an occupation undertaken in one's life with the opportunities to progress.
- Career guidance assist students understand their strengths, weakness and interests.
- It also gives students a clear picture to assist in making lifelong choices.
- It assists to acquire knowledge, information and skills.
- It is God given hence there is no one without a career since it is a part of life.
- Most people who landed in misplaced or wrong careers are frustrated and they need support to adjust or shift accordingly.

How to choose career.

- Examine yourself properly.
- Reflect on your motivation, calling and passion.
- Think about your long-term goals.
- Look at your education qualifications.
- Explore key various sectors.
- Seek professional guidance, ways and options.

The art of managing people and the other Peter K. Keitany, MBA.

- Take different critical self-assessments.
- Explore your key priority options.
- Make decision on the career you need

How to grow career.

- Find your purpose.
- Be with people who encourage you.
- Challenge yourself and discover your skills.
- Find a mentor to assist you through.
- Work beyond the expectations.
- Train more on your career.
- Don't waste time or resources. Be prudent.

Role of parents in choosing career for children.

- Giving freedom to the child to discover their skills.
- Provide motivation to develop and achieve goals.
- Encourage them to pursue their interests and ambitions.
- Provide love, acceptance and guidance.
- Don't force your child to take a career. It is disastrous.

How people choose wrong careers.

- Trying everything available.
- Peer influence mislead them.
- Over-relying on others e.g. parents, friends etc.
- Focusing on salary alone.

The art of managing people and the other Peter K. Keitany, MBA.

- Not knowing yourself e.g. calling.

Benefits of having the right career.

- Becoming more successful.
- Working with passion.
- More productivity is realized.
- Contributing positively to the economy.
- Builds professional network.
- Provides stability in a person.
- Becoming a better role model.

Challenges in growing career.

- Lack of required qualifications e.g. education or skills.
- Lack of time to develop.
- Lack of support.
- Lack of money.
- Fear of failure.
- Lack of vision.
- Lack of passion.
- Opposition from others.

Ginseng (2011) advises that for emotional wellness all people should be happy and contented while serving in their careers. ‘If what you do for a living is not what you enjoy doing even if it is what is putting bread on your table, you are doing an injustice to yourself. Discover your mission in life and the money will follow.’

NB: Career guidance and counseling is designed to assist an individual to make informed training and occupational choices. It enhances an individual's capacity to assess their competencies in order to establish a career plan and take initiatives to attain the plan.

Everyone needs to pursue career opportunities in line with their abilities, talent and interests. It is very frustrating to land into wrong careers. So, all should be careful

Training and development.

- Training is a transfer of skills and knowledge to workers.
- Officers are eligible for at least five (5) days training in a year.
- Newly recruited or transferred officers must be inducted within three (3) months of joining organizations.
- All training shall be based on identified training needs assessment (TNA).
- Employers shall discharge the function through Human Resource Management (HRM) Advisory Committees.
- Nomination and selection for training shall be based on prioritized training projections.
- Departments are required to prepare training projections based on Training Needs Assessment (TNA) to guide the HRM committees in nominating officers for training.
- Training programs comprise both short- and long-term courses in specific professions to impart required knowledge, skills and attitudes so as to enhance staff performance.
- Officers undertaking courses lasting more than four (4) weeks and above in local training institutions will be required to contribute to

the cost of their training at the rate of 10% of their basic salary per month in public service.

- Officers attending courses lasting more than four (4) weeks in institutions outside the country will contribute at the rate of 20% of their basic salary per month.
- Departments are expected to conduct induction training within three (3) months for newly recruited officers and those who have joined the departments on transfer, promotion and re- designation.
- An officer who attends a long-term course lasting six (6) months and above will be required to work for 2 years before qualifying for selection for another long course.
- The employers will grant course approval to officers proceeding on training before officers proceed for the training.
- The employer shall bond serving officers proceeding on approved courses of training locally or abroad lasting six (6) months and above to enable the employer to benefit adequately from their investment in training.
- Where a department considers the value/cost of a course lasting less than six (6) months to be high and constraining the organization's training budget, the officers will be bonded for a minimum period of one year but not exceeding five (5) years.
- Employers are expected to develop, update and maintain a skills inventory for all officers for purposes of identifying the available, and the required skills to guide the training, recruitment and succession management decisions.
- Officers undertaking long courses abroad will be paid respective countries' living allowance to cater for subsistence, accommodation and excess baggage.

- Officers attending workshops, retreats and conferences may be paid allowances at rates determined by employers from time to time.
- Workshops which are meant to review, develop and produce reports should be treated as retreats and should be for a maximum duration of ten (10) days.
- Employers will provide industrial attachment opportunities to students in tertiary and education institutions for a maximum period of three (3) months.
- Employers use internship programs as part of the job training for the purpose of moulding interns to become responsible citizens who will contribute effectively to the socio-economic development of the country.
- Internship programs shall be guided by the relevant legal provisions, professional bodies and shall not exceed one (1) year.
- Organizations should set aside 2% of their budget for staff training.

Types of training.

- In house training for a department.
- On the job or in service training.
- Induction training for new employees within 3 months.
- Undergraduate degree training.
- Master's degree training.
- Short term training for one year and below.
- Long term training for 5 years.
- PhD training.

- Scholarship training.
- Self-sponsored training.
- Internship training.
- Attachment training.
- Workshops, conferences and retreats.

Benefits of training.

- Fill skills gap in an organization.
- Impart required skills, knowledge and attitudes to enhance performance.
- Supports career progression, promotion and redesignation.
- Enhances succession management.
- Improves service delivery and productivity.
- Reduces employee turnover.
- Improve on team work.
- Promote uniformity in work processes.
- Improve staff morale.
- Promote job satisfaction.
- Reduces wastage in work place.
- Builds competitive advantage.
- Reduces staff layoffs.
- Maintains industrial peace.

The art of managing people and the other Peter K. Keitany, MBA.

- Enables sustainable businesses.

What happens when there is no training.

- Piling of a pool of unskilled workers.
- Too much wastage.
- Staff and management conflicts.
- Staff layoffs.
- Poor services.
- Low productivity.
- Many errors committed.
- Many staff disciplinary cases.
- Low morale and job satisfaction among the staff.

NB: Training develops and sharpens the skills and competences of people. Natural abilities are not enough for workers to bring out their entire potential. Training brings this out very well.

Skills inventory and audit.

- A skill is ability, aptitude, proficiency, expertise, craft and trade that requires special training.
- A skills inventory is a list of abilities, capabilities, qualifications and career goals of employees.
- It is a stock of skills required and skills actually in place within an organization for it to realize its mission, vision, goals and objectives.
- Skills available in the open labor market don't always match with job demand in an organization hence organizations should select those nearest to what every job demands.

- The steps of compiling and updating a skills inventory are; Plan to collect data, determine skills required, analyze job tasks, determine existing skills, establish HR skills in place, source data using questionnaires, establish tasks currently performed through management interviews, process data, analyze data and write skills report.

Skills audit.

- It is a process for identifying employee's skills and comparing them with the skills required by the organization now and in future so that the skill shortfall or surplus can be determined and addressed.
- The purpose of skills audit is to determine staff training needs, conduct a skills gap, assess performance, do a SWOT analysis for employees and assist organization in restructuring and deployment.

NB: Organizations must know the skills they have so as to exploit them fully and enhance service delivery.

Dynamics of job market.

- Job market is where employers search for employees and employees searches for jobs.
- Dynamics means it is in a constant change in behavior and progress.
- It is a physical place like Kenya or online i.e. abroad.
- Job market can be a local, a national or an international space.
- Labor dynamics can be measured through a survey of the number of employed and unemployed persons in a country.
- In Kenya the formal sector employs approx. 3 million persons while the informal sector employs approx. 15 million persons.

The art of managing people and the other Peter K. Keitany, MBA.

- The unemployment rate is about 5.7% in Kenya while labor dynamics is at 18.3 million (i.e. was 2.8% in 2009).

How labor dynamics can be stabilized.

- Remove obstacles to pension and housing schemes.
- Establish worker friendly laws and policies.
- Supply should equal the demand.
- There should be competitive wage.
- Improve on staff welfare.
- Strengthen workers unions.
- Encourage family paid leaves.

What employers need to know.

- The labor population.
- The applicant population.
- The applicant pool.
- The number of skilled individuals.
- Problem solving skills.
- Competence.
- High demand for flexibility, clear policies and cash.

Benefits of informed employers on job market.

- Make informed decisions.
- Ability to negotiate for proper pay, benefits and flexibility.
- Getting qualified and competent workers.

The art of managing people and the other Peter K. Keitany, MBA.

- Offers competitive pay package.
- Improve on staff retention.

Effects of ignoring job market dynamics.

- Inflexibility.
- Making bad decisions.
- Poor terms of service.
- High staff turnover.
- Failing to attract the best work force.

NB: Employers, employees and training institutions must always adjust to the market dynamics so that they are relevant.

Unemployment

- It is the state of school leavers or graduates not having jobs.
- It is the monster of the time which many countries are crying about especially the Third world.

Causes of unemployment.

- Poor economic growth.
- Increase in population or pressure.
- Poor agricultural performance.
- Climate change adverse effects.
- Few industries to employ people.
- Ineffective economic planning or a weak vision.
- Low saving and investment.

The art of managing people and the other Peter K. Keitany, MBA.

- Poor career choices which are not in line with the job market.
- Career challenges include low qualifications, little experience, self-doubt, fear and labor market dynamics.
- Corruption during hiring, selling of jobs and nepotism.

Effects of unemployment.

- Labor flight to other countries.
- Purchasing power is eroded.
- Stressed families leading to diseases.
- Low employee morale.
- Increase in violence or crime.
- Accumulation of debts by people i.e. living beyond their means.
- Loss of jobs, mental health and deaths.
- Increase in the poverty index.
- Drop in the living standards.
- Social issues like early pregnancies, devil worship etc.
- The youth depend on parents to survive.
- Raising struggling young families.
- People don't live but they just exist according to Jackson and Crooks (1993).

Government actions against unemployment.

- Improving skills to make people more flexible.
- Using labor intensive technology.

The art of managing people and the other Peter K. Keitany, MBA.

- Accelerating investment and saving culture.
- Strengthening industrialization e.g. in Singapore and South Korea.
- Investing more on youth services department.
- Improving on career education and guidance for better choices.
- Promotion of business or entrepreneurship.
- Establishing policies against unemployment.
- Fighting corruption in employment.
- Changing the education system to be skill based e.g. the ongoing Competence Based Curriculum (CBC).

Actions by the youth against unemployment.

- Being sharp and aggressive to grab the few existing jobs.
- Facing unemployment head on; fighting to survive. Don't fear but be courageous.
- Establishing a small business to give you an income. Don't just sit waiting for non-existent white collar jobs.
- Be flexible to work in various avenues to create wealth.
- Get technical advice from professionals while applying for jobs.
- Be wise and don't fall into many fake offers or traps for jobs.
- Choose your careers well as per your calling and the dynamic job markets (i.e. consider your personality, lifestyle and skills).
- Trust God and have faith in Him.
- Changing your career if you landed in the wrong one.

Wekhomba R. (2017) advises that employees should not be very insecure, remaining as employees for too long or dying as employees but they should purpose to graduate to employers. "No employer will make you a millionaire but he will be paying you peanuts to strengthen your dependency." He says employees should know when to quit employment and start their own companies.

Innovation

- Innovation has no end (dynamic) but it is a lifelong process since it is required to solve numerous problems in a society.
- Innovation is creativity or a search for a new idea to do work as per the necessity of the time e.g. Mpesa service in Kenya.
- It is an invention or creation which is crucial for success in organizations.
- It is a revolution and transformation which breaks the normal traditions.

Workers are involved in day to day work processes and can introduce innovation to improve the situation.

Innovation should be introduced early in primary school and be nurtured over the years.

Wekhomba R. (2017) says that any company which ignores innovation will perish adding that every problem in our society is an opportunity for an innovation.

Types of innovation.

- Incremental - sustaining small improvement gradually.
- Adjacent - focus on key business for breakthrough.

The art of managing people and the other Peter K. Keitany, MBA.

- Disruptive - creates a new market and networks.
- Basic research - expands existing knowledge.
- Radical - destroys existing business or products.

What encourages innovation.

- Rewards given by organizations.
- Having the right leaders in place.
- The need to minimize bureaucracy.
- Focus towards work life balance and integration.
- Promotion of culture or behavior.
- Linked to success in organizations.
- Need of nurturing talents.
- Hiring focus.
- Funding arrangements.
- Presence of a key problem.

Importance of innovation.

- Overcoming the challenge of inefficiency.
- Fosters growth and advancement e.g. using technology.
- Fights stagnation.
- Fights competition with others.
- Discovers new products or services.
- Improves production or profits.

The art of managing people and the other Peter K. Keitany, MBA.

- Improves brand and quality.
- Provides solutions to problems.
- Strengthens staff retention.

How can workers contribute to innovation

- Encouraging collaboration with workers and organizations.
- Holding brain storming sessions.
- Introducing new ideas.
- Developing skills of workers.
- Reporting on existence of key problems.

Obstacles to innovation.

- Lack of leadership.
- Lack of resources or funds.
- Lack of skilled workers.
- Stuck with personal experience, habits and knowledge.
- Focus on the short-term goals.
- Fear of change or risks.
- Lack of connection with science.
- Risk of being uncertain or doubt.
- Lack of a shared vision.

NB: We will indeed stagnate without innovation.

Mentoring.

- A mentor is a trusted counsel or a guide training a younger colleague. It is a learning relationship which a mentor and a mentee agree to partner so as to work collaboratively to achieve mutually agreed goals.
- It develops mentee's skills, abilities and knowledge.
- According to Global Disciples (2022) mentoring relationship is a supportive relationship that enables one not to make the same mistakes others have made. Everyone works better with an experienced friend.
- Mentoring is a process of teaching and learning in which an individual with more advanced experience and knowledge (mentor) is matched with a lesser-experienced and knowledgeable individual for the purpose of advancing the mentee's development.
- Effective mentoring involves commitment, love, respect, willingness, prayer, honesty, openness, trust, humility and persistence by the mentor and the mentee.
- Paul said 'follow my example as I follow the example of Christ'. A mentor is someone you strictly follow his steps.
- Jesus Christ invested three years of his life on earth with the 12 disciples and more than 2, 000 years later his impact continues. Mentoring was and is a great tool for training or equipping disciples.
- A mentor should impact the life of a mentee through love, trust, modeling and a good mentoring relationship.
- Speaking the truth in love strengthens trust but dishonesty, betrayal and lack of openness or communication will destroy trust.
- Effective listening skills makes mentoring successful.

The art of managing people and the other Peter K. Keitany, MBA.

- The mentor and mentee should create time for mentoring process to succeed.
- The words of a mentor have the power to inspire and transform the life of the mentee.
- The Biblical Barnabas impacted Saul (Paul) and John Mark while Paul impacted Silas.
- Paul impacted Timothy while Timothy impacted the church in Ephesus.
- Peter impacted John Mark while John Mark impacted readers of the gospel of Mark.
- Transformation teaching is a process which takes time. It is relational, experiential and instructional (interactive not theory).
- Mentoring is like parenting of a child from childhood, living on milk, to adulthood with ability to eat solid food.
- Mentoring ensures that a new employee is not left alone as a helpless one-day old infant to struggle on their own to survive, stagnate or die.

Reverse mentoring.

- It is where an individual who is considered less experienced or junior, shares knowledge, skills and experience in a specific area where they are more technical and knowledgeable with someone more senior or older e.g. a young employee training an older officer on ICT matters.
- If we don't embrace mentoring, we will be staring at reverse mentoring.

Coaching.

- It is a collaboration in which the person being coached (coachee) defines the agenda and the coach serves as a committed listener, active inquirer and instrument of change.
- Coaching for impact is to inspire and empower others to unlock the career possibilities.
- High performance coaching aims at improving employee's performance through support and sharing feedback so as to navigate through the current complex business landscape.

Transition from mediocrity to excellence.

- Mediocre is average or low quality, value or performance.
- Excellence is something outstanding and extremely good.
- Mediocrity is cheap and many people like it because it is easy to attain.
- However, we must aim at excellence which is very high, costly and more beneficial.

How to achieve excellence in work place.

- Setting intention and focus.
- Choosing one area of specialization.
- Having a high level of commitment.
- Always learning.
- Mastering core skills.
- Aiming high targets.
- Working extra time or overstretching.

- Knowing the organization's role and vision.

How employees can contribute to excellence.

- Working hard on their roles.
- Knowing their strengths and weaknesses and maximize on strengths.
- Using knowledge, talents and skills and exploiting them to the maximum.
- Being creative and innovative.
- Solving problems.

How can employers contribute to excellence.

- Setting high expectations.
- Motivating workers.
- Providing strategic direction.
- Focusing on developing high performers.
- Focusing on strategic hiring.
- Enforcing effective communication.
- Having a good working environment.
- Making sound legal strategic decisions.
- Promoting colleague empowerment.

Obstacles to excellence.

- Lack of consistency.
- Ineffective communication.

- Lack of trust.
- Working in isolation instead of team work.
- Inability to learn.
- Lack of clear goals.
- Inability to adapt new ways.
- Lack of resilience.
- Fearing challenges.
- Lack of action or procrastination.
- Heavy work overload.

Why people despise excellence.

- Difficulty in accepting failure.
- Envy of others' success.
- Fond of criticism.
- Aiming low or soft targets.
- Lack of training for improvement.
- Not upgrading skills and talents.
- Big gap between what we know and what we do.

Price to pay to achieve excellence.

- Taking serious action on targets.
- Stretching to reach the potential.
- Pushing through many challenges.

The art of managing people and the other Peter K. Keitany, MBA.

- Investing heavily.
- High level of commitment.
- Being discipline.
- Avoiding disappointment.
- Willing to pay a heavy price.
- Not following people blindly.
- Following your passion and vision.

Signs of difficult economic times.

Everywhere workers and many people are complaining and seriously stressed by difficult economic times as shown below;

- High levels of unemployment.
- High demand for goods.
- Decline in property sales.
- Low Gross Domestic Product (GDP).
- High government taxation.
- Increase in credit defaulters.
- Rising inflation and price of goods.

Effects of a bad economy.

- Decline in sales and profits in business.
- Staff layoffs.
- Delay in salary payment by employers.

The art of managing people and the other Peter K. Keitany, MBA.

- Cuts on spending, marketing and research.
- Low revenue collection.
- Low credit access.
- Industrial disharmony e.g. strikes.
- Business bankruptcy.
- Adverse effects on education, health and nutrition.

Signs of a good economy.

- Low unemployment rate.
- Steady growth.
- Consumer confidence.
- Increasing Gross Domestic Product (GDP).
- High spending.
- Higher incomes.
- Low inflation levels.
- More spending on developments and constructions.
- Lower death rates.

NB: The Largest and strong world economies today are USA, China, Japan, Germany, UK, France, Italy, Canada and Brazil. We need to borrow a leaf from them.

Causes of economic recession.

- Disruption in supply chain i.e. supply demand shock.
- High inflation rates.

The art of managing people and the other Peter K. Keitany, MBA.

- Massive financial crisis.
- High interest rates by the Central banks.
- Poor business, less production and exports.
- Massive corruption and theft.

Employee response to difficult economic times (Austerity measures).

- Cutting on non-essential costs.
- Negotiation on payment of debts i.e. rescheduling.
- Payment of debts.
- Investing more on the best income sources.
- Focusing on your best customers.
- Discussing issues with family.
- Selling assets to raise capital.
- Using discount prices to encourage more sales.
- Avoiding luxury expenses.
- Changing your lifestyle in response.

Government response to difficult economic times.

- Eliminating debts.
- Implementing the correct financial priorities.
- Increasing production.
- Increasing exports.
- Implementing strong financial systems.

The art of managing people and the other Peter K. Keitany, MBA.

- Implementing sound macro-economic policies.
- Establishing an emergency fund.
- Fighting corruption.
- Facilitating Kenyans to get jobs abroad.
- Implementing skill-based Competence Based Curriculum (CBC) education program to save future generations from serious unemployment.

Insolvency

- It is the state of being bankrupt, collapse or failure by an individual or company.
- Many organizations who were vibrant have fallen into insolvency due to various complex situations.
- Liquidation is to kill or wind-up company due to bankruptcy
- Section 66-73 of the Employment Act (2007) provides guidelines on how to manage insolvency.

Types of insolvency.

- Receivership insolvency - it is offering a company time to recover.
- Voluntary arrangement insolvency – it is where the shareholders put the company it into liquidation.
- Balance sheet insolvency - it is where the company's liabilities exceed its assets.
- Cash flow insolvency - it is where the company cannot pay its debts.

- Administration insolvency - it is where the company cannot pay debts and no creditor can take action against the company.

Causes of insolvency.

- Poor financial management.
- Poor cash flow.
- Increase in expenses.
- Massive corruption.
- Legal penalties.
- Illness or death.
- Divorce or conflicts.
- Redundancy.

Effects of insolvency.

- Lack of profits.
- Absence of dividends.
- Job losses or redundancy.
- Suffering of workers, and stress.
- Poverty.
- Company is restricted from trade.
- Loss of business.
- Assets and cash are given back to claimants.
- Creditors lose their money.
- Piling of debts.

The art of managing people and the other Peter K. Keitany, MBA.

- Loss of partnership rights.
- Directors and shareholders pay back loans.
- Payment of staff on priority before creditors.
- Cutting on travel and leisure costs.

How to cure insolvency.

- Concentrating on the best customers.
- Concentrating on the best source of income.
- Cutting on costs.
- Repaying creditors.
- Offering discounted prices in return for immediate payments.
- Selling assets.
- Negotiating with creditors.
- Strictly monitoring payments.

What kills businesses.

- Lack of capital.
- Insufficient capital.
- Poor location.
- Lack of experience.
- Poor management.
- Unexpected growth.
- Personal use of funds.

- Misuse of funds.
- Overinvesting in physical assets.
- Poor credit arrangements/loans.
- Legal complications.

Wekhomba R. (2017) in his book, *Industrialize Yourself*, explains that many business people fail terribly because they ventured into the wrong business because of rushing to copy others, failing to manage their risks or undertaking poor feasibility studies. He says business is a unique calling to different people.

NB: Worker's salary has not made many millionaires or billionaires but business has made the bulk of the world's multibillionaires. The way to go is business and entrepreneurship. Workers' salary is just to provide initial capital to start businesses and grow them up to higher levels.

CHAPTER 2: TERMS OF EMPLOYMENT.

This chapter deals with workers' allowances, leave management, violation of terms, summary dismissal, terms of domestic workers, why people work abroad, protection of wages and child labor.

Terms

Below are the main terms of employment in accordance with the Human Resource Management Manual (PSC 2016);

- On appointment, an officer will be paid full salary from the date of assumption of duty.
- Officers shall not over-commit their salaries beyond two thirds ($\frac{2}{3}$) of their basic salaries to enable them take care of their basic needs.
- A salary structure will be based on the grading levels spelt out in the various career progression guidelines for various positions.
- An officer's annual incremental date shall be the first date of the month one is appointed.
- An advance of not more than one month's salary may be granted to an officer owing to circumstances beyond his control which has placed him in a difficult financial position requiring assistance e.g. emergencies like sickness, fire incidents etc.
- The recovery period for salary advance will be a period of not more than twelve (12) months. This provision should not be misused.
- Contracts may be written or oral but it is good practice to write.
- There shall be fair termination from employment i.e. procedural and lawful.
- Any terminated employee has a right of appeal and to a judicial review of their cases.

Allowances.

All officers are eligible for the following allowances;

- **House allowance** is applicable to their grades as stipulated by organization to support their accommodation.
- **Commuter allowance** where officers are not provided with office transport.
- It will be an offence for an officer in receipt of commuter allowance to use employer vehicle from house to office and vice versa.
- **Hardship allowance** is granted to officers deployed in designated hardship areas as determined by the employer from time to time.
- Officers shall be eligible for leave allowance payable once a year or twice for officers working in designated hardship areas as per policy.
- **Extraneous allowance** shall be paid to junior officers who are called upon to undertake extra responsibilities in addition to their normal duties and therefore work over and above the official working hours on a continuous basis.
- **Acting allowance** is granted to an officer for appointment to a higher post and is called upon to act at the rate of twenty percent (20%) of his substantive basic salary.
- Acting allowance will not be payable to an officer for more than six (6) months.
- An acting appointment shall not be made unless the period of such absence is for thirty (30) days and above.
- **Special duty allowance** is paid to an officer called upon to perform duties of a higher post but does not possess the necessary qualifications for appointment to that post at the rate of fifteen per cent (15%) of the officer's basic salary.
- Special duty allowance should not be paid to an officer performing duties of such a post unless the period of absence is (30) days and above.
- Special duty allowance will not be payable to an officer for more than six (6) months.
- **Accommodation allowance** is paid to an officer travelling

on duty and stays overnight away from his duty station at the rates determined by the employer from time to time.

- Where an officer's travelling abroad and accommodation expenses are covered in full by the employer or any other organization, a residual allowance of up to one-quarter ($\frac{1}{4}$) of the rate of subsistence allowance will be paid to him to cover incidental expenses.
- **Meal allowance** will be paid to officers travelling on duty within the country but who are not required to spend a night away from the permanent duty station.
- Meal allowance will not be paid alongside accommodation allowance.
- Meal allowance shall be paid at the rate of 15% for breakfast, 20% for lunch and 20% for dinner of the daily subsistence rate applicable.
- Meal allowance shall not be paid as a compensation for officers who are required to work beyond the official working hours.
- **Overtime allowance** may be granted to a junior officer with approval of the departmental head for overtime worked in excess of forty (40) hours per week, at the rate of one and a half ($1\frac{1}{2}$) times the officer's basic salary during working days and two (2) times the officers basic salary during other days including public holidays.
- Overtime allowance will be paid subject to a maximum of ten hours per week.
- **Transfer allowance** will be paid to an officer transferred from one station to another amounting to one (1) month's basic salary provided the new station is not less than 50 kilometers from the former station.
- Transfer allowance will not be paid to officers who are transferred at their own request and those who are deployed on temporary basis on relief duty for a period not exceeding five (5) months.
- **Field allowance** will be paid to field officers such as surveyors, plant operators, road foremen, prospectors etc.

whose duties entail continuous field work at the rate of 25% of the daily accommodation allowance as provided from time to time.

- **Annual leave** is a right to every officer and will be granted from 21-30 days recuperative purposes to enable the officer renew his energies and improve on efficiency as per organization's policy.
- Leave is to be away from work and a holiday is a period of leisure away from home or work. It is a day of festivity.
- Off duty is when one is not engaged on a regular duty.
- Annual leave is granted subject to the exigencies of work or service.
- Newly appointed employees will be required to serve for a minimum of three (3) months before they are granted annual leave.
- Annual leave is not accumulable but an officer may carry forward from one leave year to another not more than one-half of his annual leave entitlement.
- **Maternity leave** is granted to a female officer who is required to be absent from duty on account of confinement with full salary for a maximum period of ninety (90) calendar days exclusive of the annual leave due for the year.
- An application for maternity leave should be supported by a medical certificate.
- Should it be necessary to extend maternity leave beyond the prescribed period of ninety (90) calendar days on grounds of sickness of the mother, the officer will be granted sick leave subject to confirmation by a recognized medical practitioner.
- **Paternity leave** is granted to a male officer for a maximum period of ten (10) working days during the period of the spouse's maternity leave or child adoption leave.
- A male officer will be required to present a notification of birth of the child or a child adoption order.
- **Unpaid leave** may be granted for one (1) year on the

following grounds: - Urgent private affairs of exceptional nature and officers whose spouses are posted to foreign missions.

- There is no provision for unpaid study leave in the public service.
- **Compassionate leave** is granted an officer who has exhausted his annual leave entitlement for ten (10) working days in a year.
- An officer will be eligible for compassionate leave in the event of death of a close relative, parent, spouse, child or sibling.
- **Sick leave** is the approved absence of an officer from duty on account of illness and it includes weekends and public holidays. A medical certificate signed by a medical officer must be produced in every case of absence on account of illness.
- Officers will be granted up to three months leave on full pay followed by three months on half pay and thereafter the officer will not be eligible for salary.
- An officer on sick leave as a result of an accident or occupational disease will be entitled to full pay as per the Work Injury Benefits Act (WIBA).
- The affected officer will be a subject to assessment by a Medical Board to determine his fitness for further service.
- **Retirement leave** of thirty (30) days is granted to an officer who is due for retirement in addition to his annual leave.
- Leave of absence on the occasion of **public/religious festivals** may be granted without loss of pay for not more than two days a year, subject to the exigencies of the service.

Benefits of leave.

- Breaks monotony for employees.
- Reduces office conflicts.
- Good mental and physical health.

- Improve staff work life balance/integration.
- Lowers stress levels and enhances good health.
- Connects family roots during visits and enhance sense of belonging.
- Strong family and community outlook and bonding.
- Strengthens parenting.

Demerits of leave.

- Loss of working days by organizations.
- High cost to workers.
- Fatigue of workers due to many activities.
- Environmental waste during tours.
- Extravagance by families.
- Unrealistic expectations can strain families.

Implication for violation of terms of employment.

- Industrial unrest through strikes by unions.
- Interruption of service, production or closure.
- Destruction of property.
- Violence and loss of lives.
- Heavy legal penalties by courts.
- Dismissal of employees by employers.
- Poor services by workers.

What actions can lead to summary dismissal of employees.

Section 44 of the Employment Act 2007 stipulates the following as reasons for summary dismissal of an employee (i.e. termination without notice);

- Absence from duty without leave.
- Intoxication during working hours i.e. use of alcohol or drugs.
- Willfully neglecting work or working carelessly or improperly.

- Using abusive or insulting language to those in authority.
- Failing to obey lawful commands.
- Committing a criminal offence e.g. stealing office property.

What is unfair termination.

- Employer fails to prove a case.
- Termination without fair procedure.
- Acting without considering justice.
- Failing to communicate effectively to workers while writing letters.
- Discrimination on gender or tribal basis etc.
- Violation of human rights.

Which institutions protect workers.

- Staff Unions.
- Employers who follow the law.
- Parliament (National Assembly & Senate).
- County Assemblies.
- Ethics and Anti-Corruption Commission (EACC).
- Human Rights bodies.
- Labor Relations Court.
- Employment bodies i.e. Commissions and Boards.
- General public through petitions, demos etc.

Domestic workers.

- These are unskilled workers assigned duties in residential homes and farms as maids, security staff, taking care of livestock etc.
- Their rights are commonly abused everywhere by employers.

- The middle class are busy in their jobs or business and hence require workers to help with domestic chores.
- The official minimum wage for domestic workers in major cities in Kenya is Ksh. 13,572.00 per month while in the other smaller towns it is Ksh.7,240.95 per month as per Regulation Order of 1/5/2022 by the Ministry of Labor.
- Survey by Sweep South Organization (2022) found that domestic workers were paid an average of Ksh.8, 841 per month.
- But in the rural set up are paid between Ksh. 3, 000 and 6, 000 per month.

Key terms and conditions for domestic workers in Kenya.

- Two days rest per week.
- 21 days annual leave with full pay.
- Sick leave and gratuity pay at the end of contract.
- Maternity leave of 90 days for female staff.
- Medical cover to handle sickness.
- Safe work place or reasonable working conditions.
- Right to join a union of choice (i.e. KUDHEIHA).
- Compensation for injury while on duty as per WIBA Act.

NB: However, there is a great difficulty in enforcing these terms because most of the employers have low income, the law was too ambitious and seems it was passed without proper public participation to consider the real conditions on the ground. Moreover, there are no specific policemen assigned to enforce these terms of service in Kenya.

Consequences for mistreating a domestic worker.

- Six months imprisonment, fine of Ksh.50,000 or both
- Three months imprisonment, fine of Ksh.300,000 or both on safety violations

Why Kenyans seek for jobs abroad.

- High unemployment levels in the country.
- Difficult economic times push many people to USA, Canada, Australia, France, Finland, UK, Italy, Qatar, Saudi Arabia etc.
- Good terms of service abroad i.e. wage of Ksh.40, 000 to 75, 000 for domestic workers.
- Connections with relatives abroad encourage them.
- Economic success of those who have gone abroad.

Influx of Kenyans abroad.

1. Over 535, 000 Kenyan workers abroad mostly in USA, Canada, Australia and UK send back home over Ksh.497 billion annually. These countries have good, large and industrialized economies which provide many diverse employment opportunities.
2. Exporting labor to western countries is an emerging issue which has become intense in the last few years because of difficult economic times in the third world.
3. There is a need for the governments to improve the economy through prudent policies so as to avoid labor flight.
4. Third world will lose dearly in the long run if they over-export their labor or human resources outside.

Benefits of working abroad.

- Improved language skills and communication.
- Exposure to other cultures.
- Having a global mind and network.
- Payment of higher wages.
- Receipt of billions of shillings into the Kenyan economy.
- Travelling widely and getting informed.
- Bringing investors home in various sectors.

- Bringing home good cultural values e.g. integrity, investment etc.
- Studying and working.

Common jobs abroad

- Teaching/Lecturing.
- Nursing.
- Transport/driving, lorries.
- Hotel industry /catering.
- Construction industry.
- Domestic work.
- Business-shops, supermarkets.
- Manual jobs e.g. farming.

Salaries Paid Per Month (approx. Kes.)

Cadre Arabia	Kenya	USA	UK	Saudi
Nurses	100,000	775,000	694,000	72,000
Doctors	400,000	1.6m	700,000	-
Drivers	40,000	421,000	1,900	per Hr. 65,000
Waiter	6-8,000	331,000	1,900	per Hr. 50,000

Process of going abroad.

- Apply online or through an agent or contact abroad.
- Payment of the required fees.
- Applications arrangement can be linked to education, sports or green card.
- It is much easier to go for further studies than just looking for employment.
- Research well to avoid conmen or fake agents.
- Application for visa will cost Ksh.60, 000 and above.
- Obtain bank statement from sponsor of Ksh. 3-6 million or more depending on countries.

- Accommodation and upkeep fee abroad is Ksh.100, 000 per month or more.
- Medical insurance is approx. Ksh. 400, 000 annually.
- Academic and professional documents i.e. teaching, nursing, driving, passport etc.
- Fees per semester for a degree is Ksh. 815, 000 for 3 months or about 3.5 million for a master's program annually.
- Air ticket is about Ksh.108, 000 for UK or 200, 000 for USA. Book early to get favorable rates.
- Book flight and keep time lines. Arrive at the airport in advance since clearances take several hours.
- Look for organizations abroad which assist emigrants to settle faster.
- Live abroad and comply with their laws to avoid deportation.
- Manage cultural shock well.

NB: It is extremely expensive to go to abroad that is why it is out of the reach of very many people.

Challenges of working abroad.

- Culture shock i.e. too much freedom, women rights, pornography, gayism (LGBTQ), tricky family arrangements, working for 24 hours etc.
- Language barriers.
- Feeling home sick.
- Financial crisis.
- Racial discrimination.
- Far away from friends, loneliness.
- Different work culture i.e. payment per hour, day or week, integrity values.
- High cost of living e.g. accommodation, basic needs, food etc.
- Illegal actions or crime may lead to jail terms or repatriation.
- Domestic or gender based violence.
- Normal accidents i.e. transport, sports etc.

NB: It will be harmful for Kenya if it exports much of its labor in the long run. The influx must be regulated to make it favorable for the workers and the country.

Protection of wages.

- Wages are payments for labor/task as per the agreed contracts.
- Wages can be paid hourly, daily, weekly or monthly.
- An employer shall pay workers directly or through an agreed agent.
- Employer pays workers as per the agreed contracts or salary structures.
- Payment of wages be made after completion of job/task or end of the period.
- There is no court attachment of wages as a result of debts.
- Employers cannot deduct employees monthly salary beyond two-thirds.
- Casual staff are strictly paid per day while contract workers are paid per month.
- Employers shall process a monthly pay slip for workers.
- It is an offence for employers to fail to remit employees statutory deductions.
- Employee deductions shall be accurate without errors.
- Employers can recover from employees salaries in relation to pension, errors detected, loans, court orders, loss of funds or days absent from duty.

Why protect wages?

- For fair pay.
- To achieve uniformity and standards.
- To avoid misuse of workers.
- Ensure wages are paid correctly.
- To protect workers rights.
- To properly compensate for work done.
- It is good for the worker and employer.

Who is responsible to protect wages?

- Ministry of Labor through regulations.
- Human Resource Officers by strictly adhering to HR standards.
- International Labor Organization (ILO) through international treaties with nations.
- Human Resource policies, guidelines or manuals.
- Parliament through oversight.
- County Assemblies through oversight.
- Salaries and Remuneration Commission (SRC) by providing a uniform salary structure.
- Labor and Relations Court through judicial review.
- Staff unions through negotiations, picketing, strikes etc.
- Employment Act Cap 226.
- Human Resource Act 2012.
- County Governments Acts.
- National Audit Office through audit and monitoring of violations.

What happens when there is no protection of wages?

- Illegal acts/lawlessness by employers.
- Chaos in the employment sector.
- Unfair wages pay.
- Misuse of workers.
- Lack of uniformity in the minimum wage.
- Violation of workers rights.
- Suffering by families.
- Lack of workers' accountability.

Protection of children.

- Child labor is the exploitation of children through work which deprives them of school and childhood life.
- It is labor which is mentally, physically, socially and morally harmful to children.

Why parents subject their children to child labor.

- Extreme poverty.
- Unemployment.
- Limited access to education in nomadic areas.
- Inadequate laws or enforcement against the vice.
- Parents want to make ends meet due to hard economic times.
- Poor or irresponsible parenting.
- In war zones children are forced into wars.

Effects of Child labor.

- Increase in school drop outs.
- Increase in teenage pregnancies.
- Increase in alcoholism and drug abuse.
- Early and failed marriages.
- Involvement of children in armed conflicts.
- Bodily harm of children.
- Mental health disorders i.e. anxiety and depression.
- Self-harming or suicide.
- Learning disorders hence poor performance academically.
- Poor coherence in language e.g. use of insults.
- Eating disorders or lack of appetite.
- Physical ailments or injuries.
- Deaths due to environmental factors.
- Slavery of children locally or abroad.
- Trauma due to extreme life threatening experiences.
- Negative intellectual development of children.
- Occupational hazards i.e. diseases.

NB: All must purpose to protect children because abusing them is killing and frustrating our future. Children are very vital because they connect us and our future with the next generations.

CHAPTER 3: WORK ENVIRONMENT.

This chapter deals with employee safety, emergency preparedness, work place stress, employee wellness, mental health, alcoholism and drug addiction, balancing family and work.

1. Environment is a setting, social aspects and physical conditions involving tools, facilities and people. These have impacts on morale, relationships and health.
2. To create a conducive work environment the following are considered: health and safety, wellness, training, protective clothing and equipment, prevention of occupational hazards, medical cover, insurance (WIBA) cover, waste disposal, secured compound, counseling unit, transport and communication.

General Safety

- Employers should maintain a healthy and safe working environment for all workers.
- What to consider in environment also include risks, allowances, family welfare, counseling, housing, tools of work, salary, leave and policies.

Signs of discomfort in work place.

- Absenteeism by workers.
- Lack of interest in work.
- Many staff complains.
- Idleness by staff.
- Many conflicts among staff.
- Forgetfulness among staff.
- Failing to meet deadlines.
- Late reporting to work.
- Many staff seek for sick offs and leaves.
- Emotional instability among workers.

Emergency preparedness

- Every employer shall put in place measures to prevent and mitigate against accidents, explosions, fire, floods, earthquakes, bomb threats and prepare procedures to be followed in such events.
- Employers are responsible for ensuring that fire protection facilities are provided in buildings and are adequate and maintained as advised by Fire officers or Occupational Safety and Health officers.
- No hazardous or highly inflammable materials should be stored in buildings without the approval of the Fire/ Safety officer.
- Employers' buildings must have a Safety and Health Committee in accordance with the Factories and Other Places of Work (Safety and Health Committee) Rules;
- All fires, however small, must be reported to the Fire officer/Safety officer or the Police immediately they are noticed. The building or premises so affected by fire must be guarded and no evidence should be interfered with until investigations are over.
- All buildings must be fitted with fire detectors, extinguishers, alarms, water storage tanks and pumps dedicated to firefighting only and separate from the normal water supply.
- Employers shall ensure that all officers working in hazardous occupations undergo periodic medical examination.
- Employers shall ensure that all officers who are employed in any process involving exposure to wet or to any injurious or offensive substances are provided with adequate, effective and suitable protective clothing and appliances.
- The employers shall ensure that all plants including hoists and lifts, steam boilers and pressure vessels are properly maintained and that they undergo the statutory

examinations as per the Occupational Safety and Health Act 2007 requirements.

- The Work Injury Benefits Act (WIBA) 2007 provides for compensation for accidents and occupational diseases arising out of and in the course of an officer's employment. Only injury, diseases or death arising from occupational hazards are compensable.
- The Group Personal Accident (GPA) covers permanent bodily injury or death arising from bodily injury caused solely by violent external visible means and provided such death occurs not later than six (6) calendar months after the accident.
- Any claim submitted after one year will be time barred and will not be accepted.
- Every employer shall establish a unit for provision of guidance and counseling services in order to address the psychological needs of officers.
- HIV/AIDS shall be treated like any other challenging issue at workplace.
- An officer shall not be discriminated or stigmatized on the basis of HIV status. It is an offence for any person to discriminate another on the ground of actual, perceived or suspected HIV status in the work place.
- HIV screening shall not be a requirement for recruitment into employment. Screening shall be confidential, voluntary and undertaken after counseling.
- Addiction to drugs or substance will be treated like any other disease. An officer who is suffering from drug and substance abuse problem will be placed in rehabilitation and referred to a doctor for evaluation.

NB: If we don't prepare to face emergencies and risks in our work places then we will be vulnerable. This may lead to lose of huge property and many lives.

Effects of work place stress.

- Poor work performance or productivity.
- Low staff morale.
- Lack of passion for work by workers.
- Poor customer care service.
- Diseases arising out of mental health.

Causes of work-related stress.

- Sickness or diseases.
- Bad or ineffective supervisors.
- Poor communication.
- Poor relationships e.g. marital challenges.
- Financial constraints.
- Time pressure.
- Alcoholic bosses.
- Negative thinking.
- Perfectionism.
- Low self-esteem.

Signs of unrest in work place.

- Disobedience.
- Go slow.
- Ill health.
- Violence and conflicts.
- Strikes or demos.
- Media attacks against employer by workers.

Measures against work place stress.

- Adherence to professionalism.
- Avoiding personal issues, corruption or conflict of interest.
- Having vision for careers.
- Loyalty to the employer be enhanced.

- Avoiding extending work place stress to home and vice versa.
- Guidance and counseling against mental stress be encouraged.
- Medical rehabilitation of staff suffering from alcoholism and drug addiction.
- Insurance cover to compensate those injured in accidents (WIBA).
- Supplying staff with protective gear.
- Formation of a committee on work place safety.
- Prevention of accidents.
- Emergency preparedness.
- Having a comprehensive medical cover for staff.
- Implementing employee wellness programs.
- Spiritual nourishment i.e. introducing chaplaincy.

NB: Work place stress is a silent killer today and all institutions must address it. Stressed workers are equal to poor productivity. Work place stress also shortens life.

Occupational hazards.

- Hazards experienced in the work place can be chemical, biological, psychological and physical.
- It is suffering due to issues related to the work environment.
- Occupational hazards include time pressure, long working hours, stress, noise/air pollution, chemical pollution, burnout or fatigue, physical or moral injury, accidents and diseases.

Employee wellness.

- Employee wellness means being in good health condition (i.e. fitness).

- It is any activity supporting better health at work e.g. medical screening, incentives, fitness programs, behavior change management, social support and competition.
- It includes policies on good health culture.
- It is about reducing staff negatives and increasing the positives.
- Employee holistic wellness with the consideration on supportive supervision and conducive work environment is the backbone of excellent service delivery.
- Employers should develop and implement employee welfare and wellness programs in the work place to tackle occupational/lifestyle complications.
- Employers can promote employee wellness through staff welfare programs, counseling, team building, recreational activities, investing in their future lives (pension), family support programs and leave management.

Benefits of employee wellness.

- Increase in productivity.
- High staff morale.
- Better staff retention.
- Reduction of stress levels.
- Reduction in health care costs.
- Reduce in health risks.
- Less absenteeism among workers.
- Improve friendliness among workers (i.e. camaraderie).

Effects in absence of employee wellness programs.

- Poor services.
- Family conflicts.
- Mental health issues (i.e. burn out, errors).
- Alcoholism and drug abuse.
- Low motivation.
- Absenteeism.
- Dismissal from service.

- Suicide or murder cases.
- High staff turnover.
- Occupational hazards e.g. pollution, accidents, diseases etc.

Ginseng (2011) says that emotional wellness involves our relationship with others as well as our relationship with ourselves where we must exercise self-control in our entire life like in eating, exercising, rest, working, drinking, playing and sex. Self-control means moderation where you don't overdo anything and this leads to a healthy life. People must have positive attitudes so as to overcome problems and hence have good mental health.

Mental health.

- Stress is a pressure or strain where mental equilibrium is distorted.
- Mental health is emotional wellbeing involving feelings, psychological (thinking) and social (relationship).

Causes of mental health problems.

- Abuse, neglect and trauma.
- Loneliness or social isolation.
- Poverty and debts.
- Tight work deadlines.
- Family challenges or disputes.
- Ineffective communication.
- Physical health conditions.
- Wrong expectations.
- Bereavement.
- Heavy work load.
- Bad or negative organization culture.
- Negative work environment.
- Inflexible working hours for staff.
- Understaffing.
- Long working hours without a break.
- Body chemical imbalance/genetics.

Signs of workers with mental health problems.

- Lateness.
- Look too tired.
- Lack of concentration in office.
- Unable to make decisions.
- Likes staying alone.
- Sleepy and bored.
- Dislike for multiple tasks.
- Ant-social or withdrawal from friends.
- Always frustrated.
- Idleness.
- Making many errors in work/forgetful.
- Request for many sick offs.
- Emotionally unintelligent/anger.
- Frequent complaints about others.
- Lack of interest in work.
- Against negative feedback.
- Loss of appetite.

Effects mental health.

- Unhappiness.
- Family conflicts.
- Suicide or deaths.
- Relationship problems.
- Alcoholism and drug addiction.
- Poverty.
- Absenteeism.
- Homelessness.
- Indiscipline.
- Retirement on medical grounds.
- Dismissal from service.
- Financial problems.
- Legal problems.

- Poor service delivery.
- Mood swings.
- A bother to colleagues, clients and management.
- Erratic or strange behavior.

Measures against mental health problems.

- Keen attention to warning signs.
- Routine medical checkups.
- Getting urgent help when needed.
- Establish a staff counseling unit.
- Employers should improve working conditions.
- Implement staff welfare schemes e.g. salary, housing, transport, medical, leave, insurance, gratuity, pension, tools of work, communication (i.e. WIFI).
- Fighting stigma and discrimination.
- Employing wellness services e.g. fitness.
- Staff rehabilitation services.
- Spiritual intervention (i.e. engage chaplaincy).
- Supportive supervision.
- Reasonable work adjustments.
- Seek family or external support.

NB: Workers struggling with mental issues are very poor in service delivery.

Alcoholism and drug addiction.

- Alcoholism is a very severe form of alcohol abuse. It is an alcoholic disorder where people are unable to manage their drinking habits.
- Drug Addiction is drugs or substance abuse which is harmful and causes disorder.
- Harmful and alcoholic drinks and drugs are very common and are distributed widely in Kenya.
- The poisonous alcoholic drinks and drugs have adversely affected Kenyan population hence has got the attention of the

government which has started reviewing the current legal frame work and licensing procedures.

- Alcoholism and drug addiction is becoming the curse of this century for it comes with serious challenges for the society.

Major harmful drugs in Kenya.

- Marijuana (cannabis, weed).
- Alcohol.
- Cocaine (coke).
- Heroine/Shisha.
- Changaa.
- Mandrax.
- Beer.
- Wines/spirits.
- Tobacco.
- Kuber.
- Miraa.
- Fentanyl.
- Hallucinogens.
- Inhalants.
- Harmful chemicals.

Effects of alcoholism and drug addiction.

- Liver strain, damage and failure.
- Mental confusion.
- Brain damage.
- Lung or heart disease.
- Memory loss.
- Weak immunity.
- Pancreas disease.
- High blood pressure.
- Seizures and epilepsy.
- Cancer of the mouth, throat, breast, voice box, colon, liver, esophagus & rectum.

- Enhanced spread of HIV/AIDS.
- Family conflicts/deaths.
- Poor parenting or irresponsible behavior.
- Poor service delivery.
- Poor or ineffective decision making.
- Difficulty in daily living.
- Dismissal from jobs.
- Adversely affects reproduction.
- Increase in school/college drop outs.
- Failed family relationships.

Interventions against alcoholism and drug addiction.

- Abstaining from drinking.
- Reduction of drinking.
- Avoiding negative peer pressure influence.
- Avoiding the habit of drinking at home.
- Getting professional assistance.
- Applying family emotional support.
- Community social support to overcome.
- Being busy in personal daily schedules.
- Using only the prescribed medication or drugs.
- Embracing Christian or religious values.
- Counseling and rehabilitation of victims.
- Enforcement of the existing laws by government agencies as currently done.
- Review of government licensing.
- Spiritual intervention (i.e. engaging chaplaincy in institutions).

Ginseng (2011) says for emotional wellness people should refrain from anything harmful like alcohol, drugs etc. while for spiritual wellness people must have a personal relationship with God. People should know their destiny and put their faith in God.

NB: Alcoholism and drug abuse cause sickness to workers and make them unfit for productivity. This also adversely affects family and society hence it must be managed before they mismanage and micro-manage the workers and families.

Balancing family and work.

- It is a division of time of employee between working and family or leisure.
- There should be an equilibrium between demands of work career and personal life.
- Poor work life balance/integration is caused by increased heavy responsibility at work place.
- Family stability is very crucial in life.
- Work provides economic stability to family.
- It is disastrous when you lose a job or family.
- Serious organizations are moving towards flexible arrangements and remote work options in an effort to navigate into the uncharted waters. This will guide them through the intricacies of the evolving work place.
- The current hybrid work place calls for flexibility so as to reshape the HR professional and dynamic landscape.
- Practices of flexible work include care of dependants, holidays, educational programs, staff training, wellness, fitness, fun or recreational activities.
- There is a need to balance work, family, leisure (social amenities) and health.
- Children whose parents enjoy balanced/integrated work life are better in school and health wise. They have few indiscipline cases.

Employer programs supporting family.

- Paid care leaves for women (maternity, men (paternity) and youth.
- Flexible spending for dependants i.e. spouses, children.

- Flexible work time i.e. off duty as per need, online work, telework, holiday, weekend schedules etc.
- Wellness programs i.e. employee, family support.
- Employee assistance programs i.e. medication, rehabilitation, tax exemption etc.
- Medical cover for employees and family.
- Insurance cover for employees.
- Pension and gratuity for staff.
- Children on-site day care services like breast feeding.
- Allow children at work place.
- Provide child care subsidies e.g. funds given on delivery.
- Fight discrimination or stigma.
- Transfer officers near home areas when there is a need.

Effects of lack of work- life Balance (Integration).

- Mental health issues.
- Low staff satisfaction.
- Family separation, divorce or deaths.
- High staff turnover.
- Family poverty and conflicts.
- Poor work performance.
- Hurting productivity.
- Criticism or violence against employer (physical or online).
- Poor or irresponsible parenting.

NB: Since work and family don't balance well anymore, we need to integrate them together for better service delivery and stability in the family. A worker stressed at home is a poor in regard to performance.

CHAPTER 4: RECRUITMENT PROCESS.

- This chapter deals with how to prepare for a job interview, processing of student industrial attachment and internship programs.
- These are the main procedures in a recruitment process in accordance with Human Resource Management Manual (PSC 2016);
- Preparing human resource plans to support achievement of goals and objectives and it includes providing for a budget e.g. on recruitment, promotion, redesignation etc.
- Declaring all vacant posts to the recruiting body.
- Advertising publicly all vacant posts in a manner that reaches the widest pool of potential applicants with sufficient days before closure of the advert as per job description.
- Recruitment be undertaken on the basis of fair competition and merit; representation of Kenya's diverse communities; adequate and equal opportunities to all gender, youth, members of all ethnic groups, persons with disabilities and minorities.
- A candidate applying for employment can do so online or manually as per organization's requirements.
- An offer of appointment may be withdrawn if the candidate does not accept in writing to take up the appointment within (7) days from the date of offer.
- An officer appointed on permanent or contract terms shall be issued with a letter of appointment specifying the terms and conditions of service.
- A letter of appointment shall state these particulars of employment; the name and address of the employee, job title, date of commencement of work, terms and duration of employment, place of work, remuneration, terms and conditions of employment and terms of separation.
- The first appointment documents to be produced are; national identity card, birth certificate, KRA tax PIN, original academic and professional certificates, certificate of good conduct, passport size photograph and bank account details.
- Declaration of income, assets and liabilities to assist in monitoring integrity matters.

- Completion of next-of-kin form to assist process benefits in case of death.
- Background check or record of previous employment including reasons for exit from employment. This helps avoid incompetent workers.
- Medical examination by a medical officer to check for any serious health complications.
- At least one (1) month before the expiry of the six (6) months probationary period, the supervisor shall consider the officer's performance, conduct and capabilities whether or not the officer is suitable for confirmation.
- Where an officer's performance is unsatisfactory, he shall be informed in writing and the probation period may be extended for a maximum period of three (3) months.
- Should the officer's performance fail to improve on expiry of the extended probation period, his probationary appointment shall be terminated.
- On completion of probationary period of six months satisfactory service the officer is confirmed and begins to contribute to pension or gratuity.
- Appointment on contract terms will be made under the following circumstances;
 - Where persons to be appointed may not qualify for pension, where officers are appointed to serve on fixed term projects, appointments at senior levels (advisors), where capacity in the organization is lacking or specific skills are required and personal staff of specified state officers.
- An officer will be informed in writing at least three (3) months before the expiry of the contract about the expiry to prepare them for exit.
- Contract appointments will be limited to a maximum period of three years renewable or non-renewable period of six years.
- Re-designation conditions are; suitability interview for officers who are moving from one cadre to another. Suitability interview shall not apply for posts which fall within the same job family.
- Employers are required to promote qualified officers before processing the re-designation requests, subject to existence of

vacancies and officers' demonstration of competence, merit and ability in performance.

- Promote equality of opportunity in employment and will not discriminate directly or indirectly against an employee on grounds of race, sex, pregnancy, marital status, health status, ethnic or social origin, color, age, disability, religion, conscience, belief, culture, dress, language or birth.
- Gender balanced service by ensuring that not more than 2/3 of positions in its establishment are filled by either gender (male or female).
- Persons with disability be accorded equal opportunities for employment provided they have the necessary qualifications.
- The principle that at least five (5) percent of all appointments shall be for persons with disabilities should be complied with.
- Providing facilities, structures and effect such modification, whether physical, administrative or otherwise, in the workplace as may be reasonably required to accommodate persons with disabilities (PWDs).
- To employ non-citizens where there are no citizens with the appropriate qualifications.

How to prepare for an interview

- Failing to prepare for an interview is planning to fail.
- Many candidates fail in interviews because of going into interviews unprepared or failing to comply with simple procedures and requirements.

Preparation;

- Comply with basic advert requirements (read notes about the job and understand), proof your competence, passion and skills. It accounts for 70% marks.
- Apply for a job only if you qualify as per advert requirements.
- Effective communication, general knowledge and appearance (grooming) accounts for 30% marks.

Tell us about yourself is a brief explanation of your CV. It covers the name, age, region, family, religion, soft skills, professional

(study, certificates and registration/licensing) and academic (primary, secondary and university) qualifications and experience (work place, position, years served and duties). You should cover in 5-7 minutes.

- Show confidence and courtesy. Be very organized and don't panic.
- Good planning: Arrive early and in advance at the interview venue to settle and have good rest.
- Know about the organization you want to work in: Their governance structure, legal status, names of its top leadership, main functions, office location and recent developments. You can ask, Google or visit their website.
- Be clear, relevant, attractive and audible during interview.
- Knock the door, enter and establish eye contact during interview.
- Demonstrate your confidence even when you don't know some answers after all you can't know everything. Request the panel to pass to next question if you don't know.
- What is your weakness? Say something you can turn into a positive.

How employers process recruitment.

- Planning by having a budget for salary and equipment required for the office.
- Advertisement for 21 days in national newspapers and online (Website).
- Receiving applications manually or online.
- Long listing of all applicants by secretariat.
- Short listing of applicants who meet the set requirements by secretariat.
- Constituting an interview panel by giving them appointment letters.
- Carrying out interview which can be theory (written or oral) or practical e.g. for drivers.
- Scoring candidates individually and ranking by members of the interview panel.
- Signing of the interview score sheets and report with recommendations by all the panelists for ownership and transparency.

The art of managing people and the other Peter K. Keitany, MBA.

- Appointment letters to successful candidates are issued while regret letters are issued to unsuccessful candidates.
- Reporting on duty, orientation and induction for new employees.
- It is required that recruitment records are kept in safe custody awaiting auditing.

NB: It's very expensive to flout the procedures on recruitment for they may lead to nullification or prosecution of the panelists by the authorities.

What fails candidates in interviews.

- Failing to comply with the advertisement requirements and the procedures.
- Displaying incompetence during interview.
- Displaying misconduct during interview.
- Failing to comply with leadership and integrity clearances; chapter six (6) from DCI (good conduct), KRA (Tax compliance), EACC (Ethics and Anti-corruption), HELB (Higher Education Loans Board) and CRB (Loans clearance).
- Adverse background information from former employers i.e. dismissal from service for malpractice, social media cyber bullying, illegalities, indecency etc. This may be obtained from the National Intelligence Service (NIS), social media or other sources.
- Regional balance, issues of gender, minorities, marginalized groups and PWDs.
- Corrupt practices by panelists i.e. nepotism, bribery, leaking questions to preferred candidates etc.

Student attachment process.

- It is meant to assist students do practical in an office environment, to pass college exams and graduate.
- Application by student to the respective departments attaching copies of letter from their college and National ID.
- Insurance cover for 3 months is provided.
- Issuance of approval letters with the required office conditions.
- Orientation and briefing of the students before commencement.

The art of managing people and the other Peter K. Keitany, MBA.

- Assignment to a supervisor who will be assessing and filling the student logbook.
- The lecturer will visit the student towards the end of attachment for assessment.
- A recommendation letter is provided at the end of the attachment by the department.
- No advertisement is done in attachment.
- No leave days are given in attachment.
- It is silent on payment terms in attachment.
- National Industrial Training Authority (NITA) can sponsor the students.
- The maximum period for attachment is three months.

Why employers should pay attachees.

- They work for long hours.
- They need support to overcome the stressful conditions.
- They contribute to organization's productivity.
- It is fair to apply human face.

Challenges faced by attachees.

- Lack of funds for upkeep since they are far away from their colleges.
- Lack of vacancies in departments.
- Sexual harassment during attachment by some supervisors or staff.
- Lack of commitment to the work by supervisors.
- Failure by lecturers to visit students for assessment.
- Misconduct by attachees i.e. violation of office rules, dress code etc.
- Long delays in approval by departments or approval coming after the attachment period.
- Non payment of stipend by employers.

Internship process.

- It is to assist graduates acquire skills on the job.

- Declaration of vacancies is a must.
- Budgeting for internship by organizations i.e. planning.
- Advertisement of vacancies by specific commissions or boards.
- Application by interns for the positions.
- Long listing and short listing of the applicants.
- Invitation for interviews.
- Carrying out of interviews to select the best for the internship jobs.
- Selection and appointment as per job descriptions.
- Posting or deployment of the interns.
- Payment of stipend as per the certificates (certificate, diploma or degree).
- Statutory deductions are made (KRA, NHIF and NSSF).
- Appointment is for one year period non-renewable after which they can be absorbed if subject to availability of vacancies.
- Orientation, briefing and induction before commencement.
- 21 leave days are given annually.
- NHIF medical cover is provided.
- Exit interview is done to learn from their experiences.
- Recommendation letter is given after assessment at the end of the period.

CHAPTER 5: EMPLOYEE BENEFITS.

- This chapter deals with housing, mortgage, medical, car loan, transport, gratuity and pension.

PSC HRM Manual (2016) provides important employees' benefits as indicated below;

- Benefits promotes wellbeing of employees in sickness, old age etc. through various welfare schemes. It is an advantage given to an employee in addition to salary payment.
- Most of the benefits are linked to salary grades or job groups, ability to repay, personal documents and staff requests.
- Employers may deny employees benefits due to indiscipline, forgery, violating regulations or the law.
- Major benefits include housing, car loan, mortgage, medical, life insurance, transport etc.
- The employer provides houses for employees who are required to pay rents at prevailing market rates.
- The employer can establish a mortgage scheme for officers to facilitate the purchase or construction of residential houses.
- The employer can establish a medical cover to provide medical benefits for staff, their spouses and dependant children.
- The employer can establish the staff car loan scheme to enable officers purchase cars.
- The employer will provide transport for an employee travelling on duty outside the duty station.
- When travelling by road or railway on transfer or duty outside the duty station, an officer will be eligible to claim applicable reimbursements of the amount of the fare paid as per tickets.
- All employees will use pool transport when travelling on official duty outside their duty stations or imprests to facilitate use of public transport depending on the nature of work and cost implication.
- Transport facilities for a deceased officer and immediate family members shall be provided at employer expense to the place of burial when an officer dies while in service and if the spouse or dependant children die while the officer is still in the service.

- An employee may resign from his appointment by giving one (1) month notice or by paying one month's gross salary in lieu of such notice.
- On resignation, an employee is required to settle outstanding liabilities to the employer. An employee will be paid terminal benefits as specified in the letter of appointment.
- Legally no one will be denied terminal benefits even if they are dismissed from employment.

NB: Employee's benefits are very ambitious and expensive hence should be implemented gradually and progressively.

Termination of appointment.

- The employment of an employee serving on contract or probationary terms may be terminated by giving appropriate period of notice or gross salary in lieu of notice.

Types of termination.

- Mutual agreement by consent of both parties.
- Resignation or voluntary termination.
- Involuntary, forced termination or constructive discharge.
- Expiry of contract period.
- Layoffs due to poor business or redundancy.
- Termination for misconduct.
- Wrongful termination i.e. un-procedural.

How employers terminate employees indirectly.

- Using very tight supervision and excessive control to push staff out.
- Giving many instructions and targets to overstretch the staff and create burn out.
- Sidelining officers by assigning their jobs to others.
- Micromanaging staff to stress them.

NB: This intervention is inhuman, illegal and must be avoided.

Exit is departure or termination from a job through several factors as indicated below.

- The most common forms of termination are resignation, termination, expiry of contract, mandatory retirement age at 60 years, retirement on 50-year rule, retirement on medical grounds, retirement on public interest, retirement on abolition of office, retirement at 65 years for persons living with disabilities (PWDs), dismissal for misconduct and death while in office.
- All employees shall retire from the service on attaining the mandatory retirement age of 60 years or 65 years for persons with disabilities.
- An employee on attaining the age of 50 years may opt to retire any time and will be required to give a notice of one (1) month.
- An employee whose pension is determined under the Pensions Act and has completed ten (10) years of service, will be eligible for pension.
- Where an employee is unfit for continued service due to ill-health he may be considered for retirement on medical grounds with the determination by a medical board.
- An employee may be retired either on the abolition of the office he holds or upon the re-organization of an office.
- Dismissal is termination of appointment arising out of disciplinary proceedings.
- An employee whose pension is determined under the Pensions Act and is dismissed from the service shall not be eligible for pension benefits. However, he will be entitled to employer's contribution under N.S.S.F. Act, the Widows and Children's Pension Scheme and Provident.
- Upon the death of an employee, the legal beneficiary shall be paid death gratuity and dependants pension.
- An employee who is a member of the NSSF shall be eligible for terminal benefits.
- A certificate of service will be given to an employee, upon his retirement, resignation, dismissal or termination of appointment.
- Testimonials and letters of commendation may be awarded to employees by supervisors as a motivation for exemplary service.

National Social Security Fund (NSSF).

- NSSF Act No. 45 of 2013 came into force on 10/1/2014 but implementation was delayed until 2023 due to a court case.
 - The main objective is to provide social security to workers in old age, self-employed and their dependants.
 - An employer with one or more employees shall register employees and themselves as members.
 - Mandatory contributions for employee and employer.
- Delay in monthly remittance of deductions on time leads to penalties of 5% to the employer.
- The new NSSF Act increased deductions from Ksh. 400 to 2,160 per employee in phase one.
 - It affects employees and employers, self-employers and dependants.
 - The self-employed can join voluntary monthly contribution of Ks. 200 and above.
 - An employer who neglects NSSF membership shall be fine Ksh.50,000 or jail term.
 - NSSF benefits cannot be transferred, set off against debts or attached by a court order.
 - NSSF officers involved in corruption issues shall be fined Ks. 2 million or jail term of 5 years.
 - Benefits of NSSF include retirement pension at 60 years survivorsand emigrant payment, mortgage for housing projects and funeral grant.

Importance of gratuity and pension.

- Financial stability after exit of regular employment.
- Living a healthy life.
- Protection of dependants.
- Taking care of the future lives of workers.
- Provides old age security.
- Meeting basic needs.
- Living longer i.e. life expectancy.
- Appreciating workers for good work.

Pension.

- It is a benefit paid by the government to officers after mandatory retirement at 60 years of age or at 65 years of age for persons living with disabilities (PWDs).
- If an officer dies while in service the identified dependants (spouse or children) will access the benefit.
- Officers who retire on medical grounds or on public interest will also access pension.
- To access pension an officer must have worked in public service for 10 years.

GOK pension is now contributory (i.e. 7.5% employer and 2.5% employee) after many years of being non- contributory. This will be increased gradually over the years.

- Pension is paid in lumpsum and monthly.

Pension requirements.

- Copies (2) of National ID.
- Latest pay slips (3 months).
- HELB clearance.
- KRA clearance and PIN certificate.
- Office/department clearance.
- Bank details.
- Original Employer's ID.
- Signed Official Secrets Act form.
- Signed Declaration of Income, Assets and Liabilities.
- Filled Pension Commutation Form.
- Copies of appointment, probation, confirmation, redesignation and promotion letters.

Gratuity.

- Monthly contribution is 15% employer and 12% for Lapfund and Laptrust employee salary.
- The GOK began contributions on 7.5% to 2.5% rate and this will increase gradually.
- Seconded officers to counties contribute 31% of monthly salary.

The art of managing people and the other Peter K. Keitany, MBA.

- The deductions are invested by pension bodies to earn an interest annually.
- It is paid after retirement, resignation, end of contract, retirement on medical grounds, termination, abolition-of-office or death.
- It is deducted for a one-year period and above.

Requirements of gratuity.

- Copy of National ID.
- Clearance from employer.
- Bank details.
- Copy of KRA Pin certificate.
- Reason and proof for exit i.e. resignation letter, retirement notice, termination letter etc.

Why pension processing takes too long.

- Errors in retirement age or documents of workers.
- Late submissions by workers (It should be submitted one year before retirement).
- Long bureaucratic process.
- Lack of follow ups by the staff.
- Corruption practices e.g. demand for bribes.
- Conflicts between beneficiaries e.g dependants.
- Use of wrong addresses/misdirection of letters.
- Financial inability of employer or budgetary constraints.

NB: The ideal maturity period for pension or gratuity is from 14 days to one month.

Consequences of ignoring employee benefits.

- Absenteeism by employees.
- High staff turnover.
- Many legal suits against employers.
- Sick workers.
- Work place stress and mental health.
- Suicide or deaths by workers.

- Poor parenting and weak families.
- Low staff motivation.
- Poor service delivery.
- High cost of medication.

Retire early and young.

Kiyosaki (2012) in his book; Retire Young, Retire Rich, advises workers to retire young from employment, get rich and stay rich. He says working alone does not make one rich but investment does. The writer says retiring young and energetic gives you ample time to be rich by investing and building businesses. He says being an employee all your entire life is planning to be poor at the end. He says a worker may lose or get little government retirement benefits due to fall in poor investment plans of gratuity or pension schemes e.g. stock markets. This will kill the future of millions of workers. Medical expenses will go up for retirees hence creating a very difficult situation.

Alan Greenspan, the former chairman of Federal Reserve Board in US, said, “We need to start teaching financial literacy in schools so that children learn to take care of themselves instead of waiting for government or companies to take care them.”

Workers retiring at 60-75 years will have little energy to invest leading to more complications. This justifies the reason why workers must retire early to manage well their future lives. This proves that giving pension and gratuity to workers when they are weak, sick and tired is unsustainable. There are also many factors which may make employees access retirement benefits very late or not at all.

CHAPTER 6: HUMAN RIGHTS AND FREEDOMS.

- This chapter deals with the purpose of rights and freedoms, basics on rights and freedoms, the rights and freedoms provided by the Kenya constitution and why there are violations of the same rights and freedoms.
- Human rights are moral principles on human behavior in a country which are justified, acceptable and sound. Freedoms are rights to act, speak, think and access certain things.
- There is a strong linkage between rule of law and human rights hence human resource officers in all organizations must comply with human rights so as to deliver justice to employees in line with fair labor practices and administrative action. HR officers should be human rights defenders.
- Compliance with human rights will save public and private institutions from heavy penalties and litigation arising from violations of the rights.
- Violations of human rights may lead to lose of huge funds, jobs, income or even lives. It can also invite painful curses to the violators.
- All citizens, private and public organizations must comply with the rights and freedoms.

Purpose of rights and freedoms.

- To preserve dignity of individuals and community.
- To promote social justice.
- To realize potential of human beings.

Basics of rights and freedoms.

- They belong to each individual and are not a favor from anyone or the state.
- They must be consistent to Chapter 4 on Bill of Rights of the Constitution of Kenya 2010 from article 19 to 57.
- State organs and persons are bound to comply with the rights and freedoms.
- The enjoyment of the rights has limitations i.e. it must be within the law and you cannot violate the rights of others.
- The limitations to rights must be reasonable and justifiable.

- Limitations shall not include torture, cruelty, inhuman practices, degrading punishment or slavery.
- There must be fair trial and habeas corpus (production of prisoners or arrested persons for trial in court).
- Every person has the right to institute court proceedings regarding denial, violation or threats to the rights.
- The High Court shall interpret on cases touching on compliance to human rights.
- It is the duty of every state organ and persons (agents) to observe, respect, protect, promote and fulfill the rights.
- The rights shall address the needs of vulnerable groups, women, children, Persons Living with Disabilities (PLWDs), the elderly, youth, ethnic communities, minorities, marginalized and religions.

Rights and freedoms as provided by Kenyan Constitution of 2010.

- Right to life which begins from conception. Abortion is not allowed.
- Equality and freedom in access to opportunities without discrimination on basis of gender, color, age, religion, dress, ethnicity, birth, language, health status or PLWD.
- Human dignity is about protection from degrading actions.
- Freedom and security from cruelty.
- Freedom from slavery or forced labor.
- Right to privacy of home, family and property.
- Right to conscience, religion, belief and opinion.
- Freedom of expression, ideas but without hate speech or war propaganda.
- Freedom of media includes independent print and electronic media without state control.
- Access to information by state institutions.
- Freedom of association i.e. to join and participate in associations of choice.
- Right to participate in demos, picketing and presenting petitions to authorities.

- Right to make political choices i.e. choice of political parties and leaders, and having free and fair elections using secret ballot. Public officers/civil servants must be politically neutral.
- Freedom of movement to enter and leave Kenya.
- Right to own property anywhere in Kenya.
- Right to fair labor practices i.e. remuneration, work conditions, joining unions etc.
- Right to clean and healthy environment through various conservation measures.
- Economic and social rights i.e. health, housing, food, education, safe clean water, social security and emergency treatment.
- Right to cultural and language choices.
- Protection of family i.e. marriage of adults of opposite sex.
- Right to reasonable quality of goods and services.
- Fair administrative action i.e. lawful, efficient and procedural.
- Right of arrested persons i.e. to be told reason of arrest, to talk to family or advocate and to appear in a court within 24 hours.
- Fair hearing in any dispute of trial i.e. use of credible evidence, representation by advocate, trial in open court and rejection of incriminating evidence.
- Right of detained or imprisoned persons i.e. to be produced in a court for trial (habeas corpus).

Why there is still serious violations of human rights 14

Years after 2010 Constitution.

- Ignorance by many people.
- Expensive cost of litigation in fighting for the rights hence it is not affordable for many people.
- Impunity by powerful people who are well connected in government and private sector.
- Corruption where people prefer short cuts to beat the standard lawful procedures.
- Long tedious bureaucratic processes put off many people.
- Some people choose to forgive and forget (e.g. the famous '*kuwachia Mungu*' approach).

CHAPTER 7: CODE OF CONDUCT.

This chapter deals with employee code of conduct, protocol and etiquette, national values and principles, integrity issues, disciplinary control and alternative ways against indiscipline.

Code of conduct.

- An employee is required to comply with the provisions of Chapter Six of the Constitution on Leadership and Integrity and Articles 10 and 232 of the Constitution, Leadership and Integrity Act 2012, Public Officer Ethics Act 2003, Anti-corruption and Economic Crimes Act 2003, Labor Relations Act 2007 and the Employment Act 2007.
- Code is made up of rules to follow on personal behavior, moral principles meant to promote good image, conduct and improve service delivery.
- The code is a clear outline of expected behavior of staff and instructions on good practice.
- The code brings order and good manners in an organization.
- It is an organizational manual with rules, values, ethics and vision of a business.

Signs of indiscipline.

- Lack of enforcement rules.
- Bad habits are displayed.
- Favoritism.
- Unethical conduct.
- Lack of motivation.
- Lack of communication.

- Lack of leadership.
- Lack of proper supervision.
- Violation of rights.
- Lack of a grievance procedure.
- Lack of rules and regulations.

Employees are required to comply with the following codes of conduct;

- Officers are required to work **40 hours** spread over 5 days in a week.
- Officers are required to observe these **public holidays** in Kenya; New year's - 1st January; Good Friday, Easter Monday, Labor Day - 1st May, Madaraka day- 1st June, Idd-ul-Fitr, Mashujaa day-20th October, Jamhuri day - 12th December, Christmas day - 25th December and Boxing Day -26th December.
- An employee shall carry out his/her duties in accordance with the **rule of law**.
- An office is a position of **trust** and the authority and responsibility vested on an officer shall be exercised in the best interest of the organization.
- An employee shall, to the best of his/her ability carry out their duties efficiently and honestly, in a **transparent and accountable** manner, keeping accurate records and documents and reporting truthfully on all matters of the organization.
- An employee shall carry out his duties **professionally** as per the legal procedures and treat fellow officers with respect. He shall also act in a manner that maintains public confidence. There shall be no shifting of blame games in work place.
- An employee shall not use the office to **unlawfully or wrongfully enrich** himself or any other person.
- An employee shall not engage in activities that amount to

abuse of office or discrimination.

- An employee is prohibited from accepting or requesting for **gifts** whether in the form of money, goods, free passages or other personal benefits unless the gift is non-monetary and does not exceed the value prescribed by regulation or the gift is from a relative or friend given on a special occasion recognized by custom.
- An employee shall not use his office to wrongfully or unlawfully influence the acquisition of **property**.
- A **conflict of interest** involves a conflict between the office and the private interests of an officer leading to improper influence on the performance of official duties.
- An employee shall not award a contract or influence the award of a contract to himself/herself, spouse or relative, business associate or corporation, partnership or other body in which the officer has an interest.
- An employee shall not participate in other **gainful employment**.
- An employee shall ensure that **property** that is entrusted to his care is adequately protected and not misused or misappropriated.
- An employee shall ensure that **confidential or secret** information or documents entrusted to his care are adequately protected from improper disclosure.
- An employee shall not **falsify** any records or misrepresent information to the clients.
- An employee shall not act as an **agent** furthering the interest of a political party.
- An employee shall carry out the duties of the office with **impartiality** and objectivity.
- An employee shall not use his office as a venue for soliciting, collecting **harambees** (fund raising), either as a collector or promoter of public collection, obtain money or other property from a person using his official position.
- An employee shall conduct **private affairs** in a manner that maintains public integrity of the office; pay taxes due from

him within the prescribed period and not neglect their financial or legal obligations.

- An employee shall not **bully** any person i.e. offensive behavior, vindictive, cruel, malicious, humiliating or undermining.
- An employee shall not **sexually harass** a client or fellow officer, exerting pressure for sexual activity or favors, making careless physical contact that is sexual in nature or making gestures, noise, jokes or comments regarding another person's sexuality.
- An employee shall not practice **undue favoritism** to their relations and close relatives at the expense of the service.
- An employee shall report to the authorities an act that he considers improper or unethical.
- Every employee shall on initial appointment, on exit and bi-annually submit a truthful **declaration of income, assets and liabilities** of himself, spouse(s) and dependent children under eighteen (18) years of age to the employer.
- Employees offering common services such as receptionists, drivers, support staff etc. are required to wear appropriate **uniforms** issued with at least two pairs.
- All employees are required to be well **groomed** and decently dressed to maintain an appropriate standard of dress and personal hygiene in public and private life.
- An employee should conduct himself or herself in a friendly, courteous and professional manner.
- The dressing shall be **decent and moderate** as indicated in the appendix attached in page 91.
- An employee should give honest and impartial **advice** without fear or favor.
- An employee shall not knowingly give **false** or misleading information to members of the public or to any other employee.

- All employees shall live within their means. They should avoid unrealistic **debts** and always honor their financial commitments to avoid compromising on their integrity.
- All employees are encouraged to participate in organized **social events** e.g. parties, retreats, team building etc. They shall observe integrity in social joints or places outside the work place.
- All staff **complaints** are to be channeled through the heads of department for order to prevail.
- The **official language** shall be English and Kiswahili while transacting office business.
- A staff shall treat his/her fellow staff and member of public with **courtesy** and respect at all times. Drunkenness, indecent acts, smoking or use of drugs in the workplace are prohibited.
- All employees should maintain healthy and clean working **environment** and shall seek medical attention when necessary. They shall observe **safety** measures.

How can employers strengthen the code of conduct.

- Staff training and awareness.
- Signing of the code of conduct as a commitment.
- Disseminating the code to community leaders and members of the public.
- Identify champions to assist in campaigns.
- Formation of Integrity committees to assist in entrenchment.

Role employee in the code of conduct.

- Strictly follow the code.
- Signing of the code of conduct as a commitment.
- Reporting misconduct to the authorities.

Protocol and etiquette.

- This is about having good manners everywhere.

- People treat others depending on their manners.
- Good manners make others feel good.
- It is about official formality or appropriate behavior.
- It is based on customs and traditions which are dynamic.
- Acceptable culture and behavior commands respect.
- Dressing conveys a message (body language).
- HR etiquette is about building a person's brand which is critical in today's business.

Basic decorum

- Be courteous to people.
- Apologize for mistakes made.
- Smile as you greet people.
- Say goodbye as you leave.
- Make handshakes as you stand.
- Make introductions before you talk to people e.g. ask for name and position then say 'nice to meet you' or 'good to see you'.
- Use the correct titles of people e.g. Mr., Mrs., Dr., H.E, Madam, Sir, Director etc.
- Use the surname to call gentlemen; many ladies prefer first name.
- Respect others space; don't be too close to people or hugging them without their permission.
- Be diplomatic by turning your demands into requests by using words such as kindly, please, thank you etc.

Grooming.

- Take a bath regularly and apply oil to your body.
- Put on clean clothes matching with the shoes, tie, belt etc.
- No cloth sharing is allowed.
- Proper attire; put on suit with tie for men and trouser suit or skirt suit for women but should not be tight.
- No mini-skirts, jeans, piped trousers or open shoes.

- No bright or shouting color suits i.e. white, blue, red, green, purple etc.
- Proper suit colors (dull colors) are grey, dark, dark blue etc.
- Men should button their coats only when standing (specifically the middle button).
- In hot weather open shoes, Kaunda suit, T-shirt with collar may be worn i.e. light clothing.

Answering phone calls (Phone manners).

- Don't answer phone calls in washrooms, church meetings, ceremonies, seminars or while driving. Also, in front of your boss unless with their permission.
- Put your phone on silent mode and use low ringtones.
- Apologize for wrong numbers called.
- Ask people if they have time to talk to you after salutation.
- Make phone calls and be patient; don't call people many times. Call twice and if they don't pick just send a text message to them.
- Don't put someone on speaker during phone call unless they are aware.
- Use good and respectable ringtones.

Table manners while eating.

1. There should be no eating and talking at the same time but it can be done alternately.
2. Chew your food with a closed mouth.
3. Don't overstretch hands for items in the next table like salt, tooth pick. Request your neighbor to assist. It is a nuisance.
4. Don't leak your fingers even if the food is very sweet.
5. Don't eat food before the guest but wait for a signal from your host.
6. Don't clear your plate but leave some little food.
7. There should be no sneezing, belching or surfing.

8. Use toothpick while covering your mouth with the left hand to prevent food particles from flying into the food of your neighbor.
9. Don't take too much wine in parties to avoid misbehavior.
10. Spoons and knives should be placed on your right hand while the fork will be on the left hand.
11. Place the table napkin on your lap before you begin eating.
12. Thank your host for the food.

Toilet manners

- Flush toilet after use.
- Maintain silence while using washrooms.
- Using toilets appropriately to ensure they are clean.
- Respect gender by entering the right washrooms.

Seating arrangement in functions (Seating manners).

- Be punctual in functions/meetings. Plan to arrive early.
- The senior guest arrives last and leaves first.
- Arrange people in order of their seniority/hierarchy.
- Recognize people with their titles.
- Don't sit close to your boss unless protocol allows.
- In determining seniority for officials use length of service, age and date of appointment.

5 3 1 2 4 6

Other guests' Main guest Second Main guest other guests

- i) The most important guest sits on the left
- ii) The second most important guest sits on the right

NB: Many workers, leaders and people in communities are despised and overlooked every day because of violating the rules of protocol and etiquette.

National values and principles.

Officers shall comply with the following constitutional national values and principles in accordance with article 232 of the Constitution 2010;

- High standards of professional ethics;
- Efficient, effective, economic use of resources;
- Responsive, prompt, effective, impartial and equitable provision of services;
- Involvement of the people in the process of policy making;
- Accountability for administrative acts;
- Transparency and provision to the public of timely, and accurate information;
- Fair competition and merit as the basis of appointments and promotions;
- Representation of Kenya's diverse communities; and
- Adequate and equal opportunities for appointment, training and advancement, at all levels of the public service relation to men and women; the members of all ethnic groups; and persons living with disabilities.

National values and principles of governance.

Officers shall comply with the following national values and principles of governance in accordance with Public Service Act (Values and Principles) 2015 and article 10 of the constitution.

- Patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people;
- Human dignity, equity, social justice, inclusiveness, equality, human rights, non- discrimination and protection of the marginalized;
- Good governance, integrity, transparency and accountability; and
- Sustainable development.

What are the penalties for violating the national values.

1. Interdiction of officers.
2. Suspension from office.
3. Reprimand (including severe reprimand).
4. Recovery of the cost of any loss or breakage caused by default or negligence.
5. Withholding, deferment and stoppage of salary increment.
6. Dismissal from service.
7. Reduction in rank/demotion.

What makes officers violate the national values and principles.

- Low salary or poverty.
- Bad or negative culture.
- Moral decadence.
- Greed.
- Personal interest.
- Impunity.
- Tribalism or ethnicity.
- Nepotism.
- Bureaucracy.
- Dictatorship.
- Lack of capacity.

How can employers help officers comply with national values.

- Training staff.
- Applying sanctions to violators.
- Signing of code of conduct by staff.

Integrity issues.

- Integrity is about honesty, the right or wrong according to Ethics and Anti- Corruption Commission (EACC). It is about moral values.
- Corruption is very rampant in Kenya and it is the monster and the elephant in the room.
- There is a big gap in fighting corruption which has defeated all the generations who have grown up since independence; that is why Generation Z in Kenya and worldwide has recently jumped into the fray to confront it head on with full force.
- Many corruptions cases center on the flouting of the standard procurement rules.
- Corruption has become the norm, lifestyle and part of life in Kenya and world over.
- It is in the blood stream of both private and public sectors as a two way venture. It is the ‘emerging profession’ in the world today. It is an outright theft.
- It is now generally accepted, and unwritten law in the public sector where 10% of contracts is given by contractors as kickbacks to senior government officials.
- Jobs are sold in public sector from Ksh.100, 000-500,000 and even running up to millions.
- In Kenya there has been a frequent and common talk on budgeted corruption.
- The public sector is notorious for corruption works in partnership with the private sector.
- The prominent notices declaring public offices as free corruption zones are just but white, blatant, daring and damned lies.
- While corruption has been going on in counties for years in the former local government system more corruption was devolved from national government from the year 2013 on top of devolution of equipment, functions, human and financial resources. This means bad manners were also transferred to counties. They say resources follow functions

but we have learnt also in this scenario that corruption follow resources.

- Lack of integrity by top leaders, managers, law enforcers, court officials, auditors and church leaders gives a fertile ground for corruption in Kenya.
- Corruption is a crime against humanity and it is the cancer of the world today.
- Corruption has destroyed many people, careers, families and economies of the world.
- Everyone is crying about corruption and is looking for a savior in you.
- Let us all fight corruption to save our nation and our future.

Importance of integrity

1. Vibrant economy.
2. Access to donor aid.
3. Good moral values in society.
4. Good service delivery.
5. Low cost of services.
6. Confidence in institutions.
7. People get their rights.

Integrity issues in offices.

- Conflict of interest.
- Fraud and forgery.
- Theft.
- Favoritism and playing politics in office.
- Abuse of office.
- Bribery to offer services.
- Under banking.
- Kickbacks in contracts or tenders.
- Outright extortion.
- Nepotism in employment.
- Collusion.
- Irregular employment.

- Unlawful acquisition of property.
- Violation of laws.
- Violation of human rights e.g. discrimination on race, tribe, gender or sickness.
- Unprofessionalism.
- Misuse of information.
- Using office to operate harambees (funds drive).
- Bullying.
- Sexual harassment.
- Implementing unplanned projects.
- Petty corruption i.e. small scale.
- White collar corruption by graduates e.g. hacking accounts.
- Getting employment using fake certificates.
- Selling or buying jobs or sex for jobs, internship or attachment.
- Leaking job interview questions.
- Employing persons who are not applicants.
- Employing persons who are not qualified (not on merit).
- Circumventing procurement procedures and working backwards.
- Falsifying staff locking in and out register.
- Faking office claims.
- Top management giving contracts to their secret companies.
- Falsifying wealth declaration forms by officers and bosses.
- Failing to do due diligence before approving transactions.
- Overpricing of goods and services by engineers.
- Using public vehicles for personal work.
- Double registration of vehicles e.g. having both government and private registration for one vehicles.

Main causes of corruption.

- Decay in moral values.
- Weak accounting systems.
- Tedious bureaucratic process.
- Personal gain.

- Greed.
- Poverty.
- Lack of professionalism.
- Bad governance.
- Political favors.
- Impunity.
- Low staff salary.
- Weak civil society.
- Corrupt law enforcers e.g. Police, EACC Inspectors, Judicial officers (magistrates).
- Weak media.
- Inefficient public sector.
- Weak enforcement system.
- Lack of transparency.
- Lack of good will by top leadership.

Signals of corruption.

- Staying in office until very late hours.
- Not taking leaves by staff.
- Extravagant lifestyle.
- Resisting transfers and rotation.
- Buying goods from the same supplier.
- Speaking in low tones while on phone.
- Overfriendliness with suppliers.
- Not taking job promotions.
- Senior officers doing minor jobs.
- Creating emergencies to buy things.
- Offering contracts to the same people.
- Buying large quantities of goods to last long.
- Request for approvals late in the day e.g. Friday at 4 pm.

Consequences of corruption.

- Poor economy.
- Poor service delivery.

- Poor development.
- Denial of donor aid.
- Looting spree.
- High cost of services.
- Increased crime or insecurity.
- Moral decay.
- Loss of confidence in organizations.
- Stress, depression and mental health to family.
- Engaging incompetent staff.
- Destruction of careers.
- Suffering in families due to prosecution, dismissals etc.

How is dishonest punished.

- Administrative action for petty offences.
- Recovery of cost or attachment of property.
- Dismissal from service.
- Prosecution in courts.

Measures by government against corruption.

- Law enforcement.
- Job rotation and transfers.
- Litigation.
- Auditing.
- Integrity testing.
- Investigation.
- Asset recovery.
- Oversight.
- Systems review.
- Staff training.
- Awareness creation to employees and public.
- Providing laws and guidelines.
- Encourage and protect whistle blowers.

- Whistle blowers should report corrupt cases confidentially since corruption fights back.
- Establishing a feedback mechanism for the public.
- Establishing an integrity committee, officers and champions.
- Declaration of zero tolerance to corruption by top leadership.

Ginseng (2011) says that a good reputation is more valuable than all the riches on earth and advises people to avoid bad company because it corrupts good morals.

Disciplinary control.

- It is the due process of justice and any lawful punishment which is fair to the staff and employers.
- The purpose is to correct the behavior of an employee so as to improve performance. It is not just about mere punishment or dismissal.
- Discipline is an approach by management to modify undesirable behavior or work using supervisors as per the legal procedures.

Importance of disciplinary control.

- Enforcing standards of behavior.
- Ensure efficient services.
- Discourage lawlessness.

Common disciplinary actions against violations.

- Verbal or warning in writing.
- Interdiction from duty.
- Suspension from work.
- Reprimand (normal or severe).
- Recovery of cost.
- Surcharge.
- Deferring increment or promotion.

- Reduction in rank.
- Dismissal.
- Prosecution.

Common disciplinary violations by officers.

- Absenteeism.
- Corruption.
- Conflict of interest.
- Poor work performance.
- Abuse of office.
- Sexual harassment.
- Theft.
- Disobeying lawful orders.
- Alcoholism and drug addiction.
- Political favors.
- Defamation of employer.
- Fighting in office.
- Breaching confidentiality.
- Use of insulting language.
- Gross misconduct.
- Nepotism or tribalism.

Guiding Principles in Disciplinary Action

The PSC HRM Manual (2016) provides the disciplinary procedure as indicated below;

- Natural justice.
- Fairness.
- Written accusations.
- Adequate notices.
- Decisions made on proof.
- Neutral authority hears the case.
- Accused to attend case in person.

The power to exercise disciplinary control and removal of officers are vested on the respective Boards/commissions who can take the following actions: -

Disciplinary procedure

- If criminal proceedings are instituted against an officer or where an officer has been acquitted of a criminal charge in a court of law, the accounting officer shall not be prevented from dismissing or otherwise punishing him.
- Where an officer has been charged on desertion of duty, the letter shall be addressed to his last known address by registered mail.
- Disciplinary cases should be dealt with and finalized within a period of six (6) months.

The procedures to be followed: -

- Carry out a preliminary investigation as to the circumstances surrounding the act of misconduct.
- Issue the officer with statement of the alleged offence ('show cause' letter) and the charges framed against him/her and invite him to state in writing the grounds to exonerate himself or herself.
- The officer shall respond to the charges within seven (7) to twenty one (21) days from the date of the 'show cause' letter depending on where they are located from the office.
- The case shall be presented to the Human Resource Management Committee for deliberation and recommendation.
- If the officer fails to respond within the specified period or if in the opinion of the Management, the explanation given, is not satisfactory he shall forward the case with comments to the board for decision.

Conduct of investigations.

- (i) Constitute a team of not less than three (3) officers to investigate the matter.
- (ii) The officers conducting the investigation shall be senior to the accused officer, neutral and should not have dealt with the case before.

The report of the investigation shall be submitted to the board and shall contain:

1. Evidence collected by the team;
2. Analysis of the evidence and statements;
3. A statement on whether the charges have been proved or not.

Interdiction.

- Interdiction is to allow investigations to be conducted in a case which may lead to dismissal.
- The officer shall be eligible for half ($\frac{1}{2}$) of his/her basic salary with full house allowance and medical benefits.

Suspension.

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

- When disciplinary proceedings have been instituted against the officer and dismissal is being considered.
- When he has been convicted of a serious criminal offence or gross misconduct.
- The officer shall be entitled to full house allowance, medical benefits and no basic salary.
- The officer will be required to report to his supervisor at agreed intervals, if necessary.

Absence from duty without leave or reasonable.

- Where an officer is absent from duty without leave or reasonable or lawful cause for a period exceeding twenty four (24) hours, and is not traced within a period of ten (10) days from the commencement of such absence, the officer's salary shall be stopped.
- The officer shall be addressed a 'show cause' letter through his last known address by registered post.

Absence from duty on grounds of Illness.

An officer shall produce proof of sickness/sick leave certified by a medical practitioner on resumption of duty.

Appeals

An officer dissatisfied by a decision made against him may appeal to the commission or board within a period of thirty (30) days from the date of the letter conveying such decision.

Reviews.

An officer may apply for a review of his case by court within six (6) months after the decision of the commission or board.

Alternative ways of dealing with indiscipline.

It is not always necessary to destroy careers of people; sometimes there is a need to restore people depending on the factors surrounding their cases as shown below;

1. Counseling to support staff with mental health issues.
2. Guidance and training in relation to poor performance.
3. Dispute resolution to reduce staff conflicts.
4. Supportive supervision/redeployment.

5. Staff motivation.
6. Treatment and rehabilitation.
7. Retirement on 50 year rule with benefits.
8. Retirement on medical grounds with benefits.
9. Retirement on public interest with benefits.
10. Rewarding good behavior.
11. Resolving issues early enough.

How is discipline rewarded.

- Promotion to next grade.
- Recognition with letters or publicly.
- Giving additional allowances.
- Enhancing welfare benefits.
- Sponsoring staff training.
- Giving 13th salary equivalent to a monthly basic.
- Sponsoring holiday leaves locally and abroad.

NB; Communication is very important not only in organizations but also in day to day routine. To get more details about communication read my book, Journalism, published by Destiny Ink Publishers Ltd 2024.

CHAPTER 8: EFFECTIVE LEADERSHIP.

- This chapter deals with the meaning of leadership, whether leaders are born or made, styles of leadership, transformational leadership and characteristics of ineffective leaders.
- Leadership is the behavior to assist people align their collective direction and strategic plans to the organization's goals.
- It is an act of guiding a team to achieve organization's set goals through the power of direction and motivation.
- A leader is a person whose role is to guide, coach and inspire others towards an organization's shared goal.
- It is an ability of a person to effectively lead, influence and guide employees in an organization.
- Not all people are leaders; if we put the wrong people in leadership positions we will suffer a lot. Many people are followers.
- Good leaders have a calling to love and assist people while bad or ineffective leaders may be leaders who lose direction and focus on the way.
- Leadership cuts across both gender in organizations i.e. church, schools, companies, associations, communities etc.
- Leaders must provide leadership because any vacuum will mess up many things in organizations.
- We need to support leaders so that they can deliver on their mandate instead of unwarranted criticism.

Are leaders born or made?

- It is generally believed that leaders are made through a long process of preparation to maturity.
- Although leaders are born, they must go through much nurturing, mentoring and coaching before they can be ready and effective to run organizations.
- Effective leaders must first gain experience and competence required to steer an organization to success.
- Children are born with talent and calling but must go through training in family as a children, in school and community to gain experience so as to provide leadership. That is why you cannot fish

a fresh leader from the village to be a Managing Director of a company.

Styles of leadership.

Lewin R. (1939), Madsen S. (2020) and Murphy M. (2023) explain various types of leadership styles as indicated below;

a) Autocratic style.

- The leader makes all decisions and directs all processes.
- It operates in a rigid environment.

b) Bureaucratic style.

- Status quos is maintained.
- It is against any change.
- Ignores creativity.
- Not keen on taking risks.

c) Democratic style.

- Focuses more on high employee engagement in the organization.
- Decision making is inefficient.
- It is not keen on technical expertise.

d) Laissez Faire style.

- It is a free style method.
- It has very little or no guidance from the leader.
- More control is given to the workers.
- Employees are left to deal with their own issues.
- The leader may intervene late and things may go out of hand.
- It is also called delegative style.

e) Participative style.

- Presence of team work and active engagement.
- The leader is accessible and approachable.

f) Transactional style.

- Motivation of employees through incentives.
- Based on transactional processes.
- More focus on practical and factual matters.
- Against any change.
- It is also called managerial style.

g) Servant style.

- Active listening.
- With foresight and empathy.
- Targets to grow people.

h) Affiliative style.

- Emphasis on feedback.
- More focus on employees.
- Keen on emotional intelligence.
- Encourages active participation.

i) Pacesetter style.

- Targets the best achievement.
- Focus on efficiency.
- It works well when workers are highly competent and motivated.

j) Paternalistic style.

- Decisions are made unilaterally.
- Employees welfare is a top priority.
- More focus on long term goals.

k) Coaching style.

- Believes on the potential of others.
- Emphasis on partnership with others.
- There is active listening.

- Encourages feedback from employees.
- Encourages learning and career development.

NB: All the above leadership styles have their merits and demerits hence there is a need to blend their features to get something better.

The most popular and more effective leadership style currently is transformational leadership which is discussed in details below.

I) Transformational leadership style.

- Transformational means it brings complete positive change in an organization.
- It can be a dramatic change in the composition, structure and character of an organization.
- It can lead to a radical conversion and metamorphosis of an organization.
- Transformational leadership is where a leader works with teams to achieve the desired and shared objectives and ideal vision.
- It is about depending on others to achieve the organization's results
- It is also called visionary leadership style.

Features of transformational leadership.

- Creativity, opinions and new thinking is emphasized.
- Effective communication skills.
- It has a strategic focus and a shared vision.
- Encourages feasible risk taking.
- Entrenches emotional intelligence.
- It encourages dedication, hard work, boldness and resilience.
- It is open and values strategic partnerships and collaborations.
- Empowers others through motivation, coaching and mentoring.
- Promotes talent management.
- Trusts and inspires team spirit and active participation.
- Active listening and feedback is inspired.
- Leadership by example.
- Recognizes and rewards good performance.

- Implements good governance i.e. rule of law, integrity, transparency and accountability etc.

NB: Despite the fact that transformational leadership is the most preferred style worldwide it is not a panacea since it has the disadvantage of emotional exhaustion for the leaders where employees have low competence or skills to perform tasks. The leader will be overworked where there is a gap in the human resources leading to a failure to meet the organizational goals and objectives.

Characteristics of ineffective leaders.

- Lone rangers who ignore team work.
- Lack of mentoring skills.
- Killing the talents and potential of others.
- Selfish and only trusts themselves.
- Working with dictatorial tendencies and forcing things to happen.
- Lacking integrity in their work and buried deep in corruption.
- Serving for selfish gains with a narrow vision e.g. just there to look for power or money.

NB:

- If we put in positions people who are not leaders to lead then there will be great incompetence and mismanagement in families, organizations and nations. This will be very costly and painful for everybody; we must put the right people in the right places.
- Every five (5) years Kenyans cry that they chose the wrong political leaders and they keep on changing them without any meaningful impact.
- In some cases the public make more serious mistakes by removing true leaders and replacing them with those who have no leadership skills and the cycle goes on and on in organizations and communities. It is indeed very frustrating due to the inaccuracies in this complex area of leadership.
- We must all wake up and do the right thing or we will become great fools by not learning from our mistakes.

CHAPTER 9: HUMAN RESOURCE MANAGEMENT (HRM) AUDIT.

- HRM audit is the official inspection of an organization's HRM records and operations by an independent body annually e.g. by the Auditor General, Ethics and Anti-Corruption Commission (EACC) for public sector and Audit firms for private organizations.

Types of audits.

- Financial Audit- looks at all financial transactions against the existing policy guidelines.
- Operational Audit- checks all operations against the policy guidelines.
- Internal Audit- inspects all management's internal operations against the policy guidelines.
- Information Technology (IT) Audit- looks at the integrity of the technology and systems being used e.g. revenue or payroll systems etc.
- HR Audit- looks at all HR structures, systems and transactions against policy guidelines.
- Quality Audit- checks the set quality standards against the transactions.

Importance of HRM audit.

- Provides credibility to organizations' operations.
- Gives confidence to the management and shareholders.
- Ensures value for money in HR transactions.
- Checks on unprofessional misconduct or corrupt practices e.g. ghost workers.

Areas of HRM audit.

- Payroll system e.g. IPPD for County and National governments.
- Recruitment, selection, appointment, transfers and deployment.
- Terms and conditions of service for employees.
- Staff salary and allowances.
- Tax compliance and other statutory deductions.

- Staff benefits i.e. medical, transport, leave, work environment and terminal benefits.
- Performance management practices.
- Training, development and labor relations.
- Disciplinary control and staff cases.
- Lifestyle audit i.e. using the existing initial wealth declaration forms.

Personal details to check in audit.

- Name, national ID number and employment number.
- Date of birth/age.
- Grade/job group.
- Academic and professional qualifications.
- Work station.
- Letters of appointment, promotion, redesignation and transfer/deployment.
- Terms of employment i.e. casual, contract, probation or permanent.

Audit report writing format.

- Procedures of a report; the auditor's opinion on whether the entity's HR transactions comply with generally accepted HR practices.
- Standard measure of audit.
- Situation/findings.
- Risks.
- Management comments.
- Auditors recommendations and person responsible.
- Audit opinion and conclusion.

Qualities of a good audit report.

- Brief.
- Precise.
- Simple and intelligible to a common man.
- Unambiguous.
- Free from fear and favor i.e. objective.

Basic contents of audit report.

- Letter head of the institution.
- Title of report.
- Date.
- Reference number.
- Name of auditee/audit client/addressee.
- Water mark (Confidential/draft).
- Name of auditor (s) and titles.
- Signatories.
- Copy to...

Common sources of substantive audit evidence.

- Confirmation Letters-Auditors send letters to third parties, such as customers or vendors, asking them to verify amounts recorded in the entity's books.
- Original source documents e.g. Payrolls, LPO/LSO/contract letters/files/payment vouchers/minutes of meetings/cheque books etc.
- Physical observations.
- Comparisons to external data.
- Recalculations/re-computation and analysis.

Users of audit reports.

- The entity's management.
- Board of directors.
- Shareholders.
- Potential investors.
- Government.
- Regulatory authorities/bodies.
- Financial Institutions /banks.
- Donor community.
- Members of public.
- Judicial bodies e.g. courts.
- Law enforcers/EACC/DCI.

Types of audit opinion and reports.

- Unqualified opinion-clean report.
- Qualified opinion.
- Disclaimer of opinion.
- Adverse opinion.

Note: The above are commonly used by external auditors only.

Five (5) Cs in internal audit report writing

format/structure.

- Condition-the standard practice; policy, laws and other regulatory frameworks that guide.
- Cause: why/what happened/state of affairs/situation.
- Criteria: what is expected.
- Conclusion: effects of the deviation from standards/norm/requirements.
- Consequence/risk: impact of the deviations from the norm or standard practices/operations.

Format of audit final report.

- Executive summary.
- Background information.
- Audit objectives.
- Audit scope.
- Methodology.
- Findings.
- Audit query.
- Risks.
- Managements comments.
- Auditors recommendation.
- Audit opinion and conclusion- provides the current status.

Audit report data presentation.

- Prose form i.e. brief writings.

- Graphs (if necessary).
- Charts i.e. bar, flow and pie charts.
- Tabulation/tables.
- Summarized data.

Note: -

1. Large data is presented as an appendix/annexure to the main audit report to help it flow.

2. Always avoid grammatical/typographic/careless mistakes/errors/omissions etc. because it has serious effect on decision making by management and reputation on the office of the auditor. Do due diligence (proof reading and verification of real situations) before any audit report is issued.

NB: If we give people financial, human and artificial resources and fail to audit then we are giving a green light for mismanagement, outright theft, massive looting, corruption and many integrity challenges. There will be no value for money if there is no auditing and oversight in the world of today. The level of dishonesty in Kenya and many other nations in the world calls for serious HR , systems and financial audits to stem the new cancer.

CHAPTER 10: EMERGING TRENDS.

This chapter deals with labor relations, labor law, performance management, organization culture, change management, disaster risk management, sustainability at work, making money work for you, resolving conflicts, emotional intelligence, data protection, talent management, green HRM, team building and role of technology.

Labor relations.

- It is the relationship between employers and employees and the political decisions and laws that are at play, PSC HRM Manual (2016).
- All employees may join any registered and recognized union of their choice.
- Employees shall not be victimized for being members or participating in trade union activities.
- Employees are not allowed to be officials of more than one trade union.
- Union meetings shall be convened to take place during the employees' free time.
- Employers shall deduct trade union dues from the salaries of union members and pay the monies into the bank account of the trade union;
- Employers will endeavor to have good working relations with the unions in order to maintain industrial harmony and should a trade dispute arise the resolution of that dispute will be as provided for in the Labor Relations Act.
- An employee may participate in a strike if the trade dispute on terms and conditions of employment is unresolved after conciliation and seven days written notice of strike has been given to the employer.
- The objectives of the trade unions institutional framework are to ensure that the collective bargaining process is compliant with the constitution and the relevant legislations, provide a platform for consultations with all stakeholders and to promote labor relations and industrial peace.

Factors influencing positive labor relations.

- Legal and economic policies.
- Technological change.
- Managerial behavior.
- Power of labor unions.
- Organization culture.
- Charismatic leadership.
- Staff morale.
- Staff welfare.

Factors influencing negative labor relations.

- Bullying.
- Low salary pay.
- Lack of clear policies.
- Conflicts.
- Poor work environment.
- Politics.
- Bad or ineffective managers.
- Dishonesty.
- Poor staff welfare schemes.
- Lack of flexibility.
- Excesses by employers.

Impacts of positive labor relations.

- High staff motivation.
- Increase in productivity.
- Satisfied customer.
- Growth of organizations.
- Increase in income.
- Reduced conflicts.
- Good work environment.

Impacts of negative labor relations.

- Inefficiency.
- Absenteeism.
- Errors and delays.
- High labor turnover.
- Industrial action, strikes, demos or picketing.
- Increase in lawsuits.
- Low production.
- Poor performance.

Labor law.

- Labor law is the legislation on the responsibility of the employer and the rights of the employee.
- It brings order and demarcates boundaries for the employers and employees.
- Failure to comply with labor laws can bring down organizations.
- The source of labor law is the constitution, legislation by Parliament and International treaties.

Constitution of Kenya 2010.

1. Article 27 dwells on equality and freedom of workers.
2. There shall be no discrimination on sex, pregnancy, race, language or tribe.
3. Article 41 dwells on trade unions rights.

Employment Act 2007.

- Basic rights of workers.
- Duties of employer.
- Leaves and staff welfare.
- Fair termination.

- Amended 2021 on the right to disconnect from work by employees to have their private and personal time outside working hours.

Labor Relations Act 2007.

- Rights of unions.
- Strikes.
- Forming of associations.

Labor Institutions Act 2007.

- Contracts.
- Collective Bargaining Agreement (CBA).
- Redundancy.
- Labor Council to manage labor laws.

Occupational, Safety and Health Act (OSHA) 2007.

1. Safe and healthy work environment.
2. Staff welfare against risks.

Work Injury Benefits Act (WIBA) 2007.

- Workers insurance against risks.
- Compensation for injury, disability or death.

Industrial Court Act 2011.

- Labor Relations High Court.
- Judicial review of employment matters i.e. evaluation of actions by the executive.
- Ensures justice is done for the employees and employers in a timely manner.

International conventions and treaties.

- Kenya is a member of ILO and has ratified the conventions on the rights of workers.
- Right to join trade unions.
- Right to participate in union activities.
- No forced labor (slavery).

NSSF Act 2013.

- Employee pension or gratuity.
- Monthly contributions /deductions.
- Providing security at old age.

Advantages of labor laws.

- Employees know their rights.
- Fair labor practices by employers.
- Enlighten employees on obligations.
- Provides workers with standards to follow.
- Provides conducive working conditions.

Disadvantages of labor laws.

1. Heavy financial penalties to employers for violations (i.e. heavy burden).
2. Labor courts appear to favor employees in cases.
3. Enforcement can destroy low skilled workers.
4. Makes some workers lazy and arrogant i.e. poor performers hiding in the law.

Unfair labor practices.

- Gross misconduct by workers.
- Unequal pay for the same work.
- Abuse of workers' rights by employers.

- Wrongful termination.
- Failing to follow due process by employers.
- Discrimination of workers on sex, tribe, race, color or language by employers.

NB: When there is a conflict between the constitution and the laws enacted by the National Assembly the Constitution prevails while the National Assembly legislation prevails over the County laws.

Performance management.

Strategic planning.

- It is a process planning for achievement of overall long term goals of the organization, PSC HRM Manual (2016).
- The plans will be the basis for setting performance targets for which it shall be cascaded to the individual level.

Performance contracting.

- Performance Contracting is a negotiated process in which departments set their performance targets based on their mandates, functions and strategic objectives.
- The department responsible for public service shall issue guidelines to public service agencies in implementation.

Staff Performance Appraisal System

Staff Performance Appraisal system (SPAS) involves work planning, setting of agreed performance targets, feedback and reporting.

Objectives of Performance Appraisal

The overall objective of the appraisal system is to manage and improve performance in the public service by enabling a higher level of staff participation and involvement in planning, delivery and evaluation of work performance.

Specific objectives.

- Link individual performance targets with organizational strategic objectives and work plan;
- Promote communication between appraisee and supervisor with continuous feedback on work progress;
- Set the basis on which an officer's performance is monitored and evaluated as stipulated in the individual work plan;
- Provide information for decision making on administrative and human resource issues such as renewal of contracts, promotions, delegation of duties, training, deployment, rewards and sanctions.

Scope of application.

- The SPAS shall apply to all categories of staff in the departments.
- The prescribed appraisal form will be completed by all officers annually in consultation with the supervisors.
- The appraisee will hold discussions with the immediate supervisor to agree on the work plan.
- The performance targets shall thereafter be set as agreed in the discussions by latest 31st July of each year. For each performance target to be assessed there will be performance indicators. Some organizations use the calendar year.

End of year appraisal process.

1. The supervisor and appraisee are required to meet at the end of the year to discuss the overall performance for the whole appraisal period;
2. The appraisee should prepare a preliminary report on the extent to which set targets were achieved as agreed at the beginning of the performance year.

Rewards and sanctions.

The overall goal is to establish a basis for rewarding exemplary performance and administering sanctions for poor performance, motivate employees to have positive attitude to work and to

enhance productivity.

Performance management committee.

Members of the Performance Management Committee shall be heads of departments and are expected to perform their duties with diligence, integrity, impartiality and confidentiality.

Other Performance Systems

- The Balanced Score card (Financial, customer, map framework, internal process, learning and growth perspectives)
- Management by objectives.
- Budget Driven Business Plans.
- Forced Distribution.
- Competence Based.
- Graphic Rating Scales.
- ISO Standards.
- Rapid Results Initiative (RRI).
- 360 Degrees feedback.
- Internal process Perspective.

Organization culture.

- Culture is about ideas, customs and social behavior of a particular people, group or society.
- It is a way of life, lifestyle, customs, habits or values.
- Organization culture grows through many stages from infancy, maturity to decline e.g. chaotic, maturing, thriving, fracturing and deterioration.
- Other writers have identified entrenchment, tension, exploration and transformation as the main stages while others have dwelled on idea stage, survival stage, early late, establishment stage and late growth or decline stage.
- Culture is dynamic and keeps changing over the years in a family, a school, an organization or a community. Global culture evolves e.g. Japanese and western culture (Anglo-American).

- In Japanese culture there is more focus on harmonious relations in whole organizations but it is competitive and individualistic like the western society.
- The Anglo-American society is more obsessed with bureaucratic systems, excellence and winners and losers.
- There is need to borrow culture from successive economies like Japan, Germany, England, USA and Pacific countries who have open communication and delegated power.
- Culture varies according to different work environments.
- The components of organizational culture are values, norms and artifacts.
- Values are beliefs in what is best for organization like performance, competence, innovation, quality, customer service and teamwork.
- Norms are unwritten and informal rules of behavior like how managers treat workers, work ethic, how to handle power, loyalty or politics.
- Artifacts are the visible and tangible aspects of an organization that people hear, see and feel e.g. communication, manners, how clients are treated etc.
- Harrison (1972), Handy (1981), Schein (1985), Williams, Dobson and Walters (1989) and Cooke and Lafferty (1989) discuss more on classification, change and assessment of organizational culture.

What influences organization culture.

1. Attitudes.
2. Mentalities or thoughts.
3. Interests.
4. Perceptions.
5. Education standards.
6. Family background.
7. Community norms and values.
8. Religion.
9. Type of leadership.
10. Type of communication.
11. Purpose and mission.

Importance of strong organization culture.

- Attract and keep strong talent.
- Keep employees engaged.
- Make more income or productivity.
- Provide consistency and direction.
- Guide decisions and actions.
- Fuel work force and help them to reach their potential.
- Better on-boarding processes.
- Increase employee retention.
- Increase joy at work place.
- Enhance company brand.
- Reduce mental health issues.

Effects of bad organization culture.

- Gossiping.
- Low employee engagement.
- High absenteeism.
- Lack of empathy.
- Lack of flexibility.
- High employee turnover.
- Many conflicts.
- Low productivity.
- Fall of organizations.
- Illegalities.

Signs of a bad organizational culture.

- Lack of team work or bonding.
- Unmotivated staff.
- Lack of recognition of work done.
- Unstable work life balance.
- Lack of direction from top management.
- Extreme criticism.
- Bad reputation.
- Core values are not defined.

- Violation of existing laws and procedures.
- High employee turnover.
- Absenteeism or lateness.
- Unhealthy competition between employees.
- Employees don't feel valued.
- Ambiguity in roles or values.
- Values and norms are not enforced.
- Top management ignore the agreed standards.

Efforts to improve organization culture.

1. Having a purpose.
2. Knowing your mission.
3. Having core values.
4. Evaluating existing culture and taking necessary action.
5. Aligning to leadership.
6. Communicating effectively with all stakeholders.
7. Engaging employees as agents of culture change.
8. Monitoring and evaluation.
9. Having a plan for the future.

NB: Negative or bad culture is very disastrous to organizations' goals and achievements since it raises a mountain of numerous challenges.

Change management.

- Change is to make it different and it can be radical or simple.
- It can be voluntary or forceful depending on the compelling situations.
- Change management is thoughtful planning calling for sensitive implementation with affected parties in structured approach.
- It needs the application of knowledge tools and results so as to impact on performance.
- The objective of change management is to maximize benefits, minimize risks and handling well and positively the psychology.

- It is important to identify the need for change before implementation.
- Understand the forces for or against change since it is marked by denial and resistance.
- Those supporting status quos may be always emotional.
- Change invites risk and hence many people fear.
- Change in many cases are transitional, moving forward and into the future.
- Need for change coordinators or champions with passion and commitment to follow through the change process.
- Human resource officers must become change agents in organizations.
- Leaders who don't adapt to the evolving world will get stuck in the old school of leadership which won't work in today's generation.

Reasons for change.

- Constant technology change.
- Political policies.
- Market demand.
- Change in leadership.
- Competition.
- Poor performance.
- Economic difficulties.
- Access to resources.
- Embracing new vision and values.

Resources required for change.

- Change team or champions.
- Professional input or consultancy.
- Committed leadership.
- Finance.
- Technology.

Risks of change.

- Lack of stakeholder support.

- Lack of direction from top management.
- Resistance due to disbelief.
- Poor management of change.
- Competition.
- Lack of funds.
- Lack of champions.
- Ambiguity.
- High cost involved.
- Insufficient time.
- Management's incompetence.
- Entrenched attitudes, emotions and behavior.

Who triggers change?

- Junior officers pressure through protests, strikes etc.
- Top management fighting competition.
- Government as intervention to solve an emerging problem.

Process of change.

- Assess the institution's capability.
- Identify the need and create awareness on stakeholders.
- Explain the reasons and benefits of the change.
- Identify and train change team, pioneers or champions to lead.
- Involve all stakeholders.
- Analyze, test and set the tone.
- Link the change to performance and establish win-win situation.
- Provide leadership.
- Celebrate small victories.
- Develop a change plan.
- Approve the change plan.
- Implement the change plan.
- Manage focus and resilience.

Change stages.

1. Shock /Revolt.
2. Anger.
3. Acceptance.
4. Commitment.

Reaction to change.

- Disengagement.
- Withdrawal.
- Confrontation.
- Sadness.
- Worry.
- Anger.
- Disenchantment.
- Confusion.
- Disorientation.

Merits of change.

- Confidence building.
- Opens more opportunities.
- New learning or education.
- Building on strengths.
- Developing more skills.
- Motivation.
- Encourages flexibility.
- Improves productivity.
- Manages mental stress.

Why people resist change?

- Fear of loss of jobs and benefits.
- Stuck on self-interest.
- Misunderstanding.
- Poor reward systems.
- Limited opportunities.
- Fear of the unknown.

- Lack of trust.
- Poor communication strategies.
- Comfort with status quo (why fix it and yet it is working?).
- Unfamiliarity.
- Peer pressure.
- Politics in play.
- Loss of control.
- Loss of confidence.
- Faulty approach or introduction.
- Fear of failure.
- Learning new systems is challenging.
- Difference in situation assessment.
- Accepting new responsibilities.

NB: Sources of resistance will be at individual and organization levels with fear of insecurity and threat to power and resources. Embrace change or change will change you.

How to overcome resistance to change.

- Education and communication for clarity.
- Facilitation and support through counseling and training.
- Negotiations and exchange value.
- Reinforcement by building a conducive environment.
- Effective use of management tools.
- Use of coercion where necessary.
- Manipulation and cooperation.
- Using the power of a positive mindset.

Disaster Risk Management (DRM).

- Disaster is a sudden accident or catastrophe which causes great damage or deaths.
- Risk is exposure to danger, peril, threat or fear.
- Organizations must manage risks by smartly navigating the work place challenges.
- Disasters are unexpected happenings causing huge loss of life and property.

- Disaster management is about efforts initiated to prevent disasters or minimize their impacts to society and environment.
- Risk management is a systematic ongoing process by which an organization identifies and implements programs to reduce risk exposure.
- Many organizations, public or private, have Disaster Risk departments or committees or officers to handle safety programs.
- There is a need to identify risks in work place through brainstorming sessions, expert opinion, history and team based assessments.
- Mitigating risks to reduce the impacts on people is key.
- Risk and disasters are inevitable in any society.

Causes of disasters.

- Poverty makes people vulnerable e.g. living in slums.
- Rapid urbanization leads to slums, crimes, pollution, accidents and environmental degradation.
- Environmental degradation leads to floods, destruction of coastline and climate change effects.
- Lack of awareness on occurrences and evacuation.
- War and civil strife due to competing interests, religion or ethnic intolerance.
- Transition in cultural practices due to dynamic society i.e. from traditional to industrialization mode of production.

Categories of disasters.

- Natural events like floods, landslides, droughts etc. which are not preventable.
- Manmade caused by human errors like fire, explosions, traffic accidents, radiation, contamination of air, mining etc. These can be avoided.

Sources of risks.

- Property destroyed or stolen.

- Liability - payment made to compensate injured parties.
- Loss of lives.
- Health - unfavorable working conditions.
- Financial - credit and interests.
- New technologies.
- Poor execution of decisions.
- Trade, bills and bonds.

Common disasters and risks.

1. Floods.
2. Landslides.
3. Lightning.
4. Drought.
5. Thunderstorms.
6. Fires.
7. Strong winds.
8. Crime.
9. Terrorism.
10. Civil unrest or strife.
11. Mining caves.
12. Collapsing buildings.
13. Electric faults.
14. Earthquakes.
15. Tsunamis.
16. Heat waves.
17. Cyclones.
18. Storms.

Impacts of disasters and risks.

- Injury.
- Deaths.
- Homelessness.
- Poverty.
- Mental health.
- Destruction of property.
- Loss of income.
- Damage of ecosystems.

Elements of disaster risk/Cycle.

- Identification.
- Assessment.
- Communication.
- Mitigation to minimize damage.
- Response.
- Recovery.
- Being proactive.
- Documentation and reporting.
- Preparedness.
- Prevention.
- Monitoring.
- GIS mapping of disasters.

Risk management process.

- Establish the context of the risk or nature.
- Identify the risk, source or exposure.
- Analyze the risk i.e. frequency or probability.
- Evaluate the risk i.e. rate the category.
- Treat the risk i.e. have a record and a plan to counter.
- Monitor and review the risk i.e. checking accuracy and mitigation.
- Communication and consultation with all parties.

Mitigation/Remedies.

- Procure insurance covers.
- Avoid violent or insecure spots.
- Relocate to safer grounds.
- Practice sound land use planning/constructions.
- Minimize the effects.
- Practice effective communication.
- Establish a disaster risk policy.
- Training staff on disaster risk.
- Sensitize public on disaster risk.
- Monitoring and evaluation.

How to prepare for disaster risks

- Public awareness creation
- Installing warning systems.
- Training staff.
- Identify the risks.
- Check the probability.
- Have mitigation strategies.
- Planning for resources.

Risk techniques.

- Accept minimal risks.
- Minimize risks through precautions.
- Share risks among workers and organization e.g. NHIF comprehensive medical cover or life insurance for civil servants.
- Use of contingency reserve set aside for unforeseen costs e.g. WIBA compensation insurance.
- Mentoring junior officers to learn best practices from senior officers.

Sustainability at work place.

- It is the ability to be managed at certain level.
- It is a positive standing or growth.
- It is about a business making profits.
- The human resource function is an essential engine for sustainability.
- Without sustainability means you are a candidate for failure.
- Organizations should not only survive but must thrive to have meaning.
- Organizations should be customer centric by driving effectiveness through people so as to attain sustainability. It is putting the customer at the heart of your operations. They should embrace diversity, equity, inclusion and holistic approach.
- Well-crafted work place policies and procedures are the cornerstone and framework for organizations' professionalism and compliance to the set standards.

Factors to promote sustainability.

- Availability of cheaper raw materials, energy, infrastructure etc.
- Access to suitable market, technology and human resource.
- Good governance, innovation and work environment.

Benefits of sustainability.

- Good image.
- High productivity.
- Employee retention.
- High profits.
- Waste reduction.
- Compliance with statutory regulations.
- Highly competitive advantage.

Signs of sustainable organizations.

- Diversity and flexibility.
- Good policies.
- High HR morale.
- Energy efficiency.
- High revenue (profit making).
- Openness and good governance.
- Good customer service.
- Good future plans i.e. strategic.

Effects of unsustainable organizations.

- Diminished productivity.
- Poor client service.
- Limited resources.
- Economic hardships.
- Harmful environment.

How can workers contribute to sustainability.

- Supporting organization's vision and mission.
- Working hard and smart.
- Taking care of customers.
- Loyalty in the organization.
- Practicing integrity.

How can employers promote sustainability.

- Avoid much expenditure on luxury.
- Training employees to enable them be effective.
- Avoiding corruption or mismanagement.
- Motivating employees.
- Having good policies.
- Setting the correct goals, plans and vision.
- Reducing waste.
- Effective communication.
- Implementing the right priorities.
- Investments to expand business.
- Collaborating with others.
- Having proper supply chain system.

Making money work for you.

- Don't work for money, let money work for you, Kiyosaki R. (1997).
- If you work for money, you will never be rich.
- Rich people don't work for money but money works for them because they know wealth comes from investment and not from working.
- Generate and control your money by investing in assets.
- Invest your savings in assets that grow.
- Save regularly, invest in stocks or real estate.
- Pay your debts and open a side business (side hustle).
- Avoid debts when possible.
- Work with a budget and have a finance plan.

- Build your company and improve on income generation.
- Turn your money into more money.
- Lend money to others and get interest.
- Millionaires invest in stock, commodities, funds and real estate.
- The Bible teaches us not to love money or be addicted to it for it's the root cause of evil.
- Money will never be enough.

Why money don't work for people.

- Lack of ethics.
- Overspending disease.
- Lack of faith.
- Lack of discipline.
- Pride.
- Impressing others.
- Poor plans.
- Greed.
- Corruption.
- Excess risk taking.
- Lacking financial intelligence.

Why people fail to use their income to satisfy their needs.

- Lack of restraint.
- Lack of start-up capital.
- Bad friends.
- Poor self-esteem.
- Exposure to bad decisions.
- Faulty business model.
- Poor marketing initiatives.
- Lack of financial skills.
- Lack of persistence.
- Lack of discipline.

How to avoid overspending.

- Create a budget and shop lists.
- Having a saving culture.
- Removing temptation to buy things.
- Paying debts on time.
- Saving on utility bills like water, power etc.
- Reducing telephone bills.
- Eating at home.
- Buying second hand goods e.g. cars or clothes.
- Not following always new market products.
- Saving for business.

Resolving conflicts.

- Conflict is a serious disagreement in a family, a work place, a community or a nation.
- Conflicts are all over affecting us in our daily lives and they need proper solutions.

Common conflicts in a work place.

- Poor work habits or values.
- Resistance to change.
- Unclear tasks.
- Sexual harassment.
- Relationships mix.
- Different work styles.
- Salary payment disputes.
- Work environment issues.

Effects of conflicts.

- Work disruption.
- Decreased productivity.
- Mental health issues.
- High staff turnover.
- Low staff morale.

- Violence or deaths.
- Termination or job losses.
- Escalation of conflicts.
- Absenteeism.

NB: Some conflicts may lead to positive change, creativity (new ideas) or cohesiveness in organizations. Not all conflicts are bad.

How to resolve conflicts.

- Facing them head on; don't fear them.
- Establish an early warning system.
- Conflict mapping.
- Choosing the right time to tackle the matter.
- Planning ahead and don't wait for conflict to happen.
- Avoiding blame game or name calling.
- Getting the correct facts /information.
- Active listening from parties involved in a conflict.
- Showing empathy.
- Accepting mistakes and apologizing.
- Conflict management.
- Encouraging mediation.

Components of conflict resolution.

- Controlling emotions of parties.
- Seeking for understanding.
- Identifying the needs of parties.
- Seeking for mutual benefit.

NB: Integration, compromise, domination and avoidance may be applied to resolve team conflict where applicable.

How to prevent conflicts/Skills.

- Getting the real facts.
- Talking with the people who have issues early enough.
- Establishing clear roles and procedures for everyone.

- Active listening.
- Managing anger i.e. emotional intelligence.
- Empathizing.
- Negotiating.
- Training on conflict resolution.
- Prioritizing conflict.
- Carrying out credible investigation.
- Communicating effectively.
- Developing a plan for conflict resolution.
- Identifying points of agreement and capitalizing on them.
- Taking quick action to salvage situation.
- Tackling conflicts head on.

NB: Manage well clashing personal egos - name calling, ridicule, insults, threats, blame games, defensiveness and inflexibility. If we don't resolve conflicts in a work place, a family and a society we will be in for many shocks, surprises and serious damages.

Emotional intelligence.

- Emotions are feeling while intelligence is the ability to understand and deal with difficult situations.
- It is the ability to understand, use and manage your emotions in positive ways to manage stress, communicate effectively, empathize with others and overcome challenges.
- It is understanding and managing well the dynamics of people's emotions in a work place.
- Emotionally unintelligent people cause myriads of problems in a society.
- Today's management is also keen on financial intelligence and artificial intelligence.

Components of emotional intelligence.

- Empathy.
- Social skills.
- Self-awareness.

- Effective communication.
- Motivation.
- Self-regulation.

How to improve emotional intelligence.

- Active listening.
- More self-awareness.
- Recognizing others' feelings.
- Communicating early.
- Staying positive.
- Empathizing with people.
- Being open minded.
- Listening to the feedback.

Barriers to emotional intelligence.

- Unaware of others' emotions i.e. triggers, stress etc.
- Misunderstanding of conflicts.
- Poor decisions.
- Pride.
- Difficulty in identifying and managing emotions e.g. doctors can be overwhelmed due to drug addiction, alcoholism, corona virus etc. yet they should be offering solutions.

Causes of low emotional intelligence.

- Medical conditions e.g. autism.
- Mental health conditions or stress.
- Addiction to drugs or alcohol.
- Inability of the brain to manage emotions.
- Bad background weakens self-esteem e.g. children raised under oppression or abuse.
-

Signs of low emotional intelligence.

- Difficulty in controlling emotions.
- Struggling with anger, sadness and frustrations.

- Always right and cannot be corrected or convinced.
- Oblivious to the feelings of others or very insensitive.
- Poor copying skills/complex.
- Struggling with relationships.
- Common with outbursts.
- Quick in turning conversations to themselves or rushy conclusions.

Effects of low emotional intelligence.

- Struggling to understand and control emotions.
- Common with sharp reactions, upsets and unexpected outbursts.
- Broken relationships.
- Overblowing small matters.
- Uncontrollable.
- Always stressed.

NB: Emotional intelligence is a perfect weapon which can be used to resolve many conflicts in our work places, families and communities.

Data protection.

- Data is the information used for calculation or decision making.
- Data is processed by means of equipment in response to instruction e.g. computer.
- It is about fair and proper use of information about people, clients and suppliers.
- There is right to privacy in relation to data.
- There is a need to build trust and achieve legal compliance.
- Unauthorized loss and access of data can result in a serious breach of people's rights which may lead to heavy penalties, Data protection Act (2019).

- This is an emerging trend which employees must get it right before they put themselves or their organization into serious problems.
- Data protection covers all aspects of data management through the entire life cycle of data collection, processing, storing, dissemination, erasure and deletion.

Personal data.

- Name.
- Health information.
- Income.
- Cultural profile.
- Address/contacts.

Sensitive personal data.

- Health status or sickness.
- Family details/children, spouse.
- Biometric data/finger prints.
- Social status or ethnic origin.

Importance of consent.

- It is a person's agreement to the processing of their data.
- Data controllers and processors must get consent before using people's data.
- There should be use of a language which one understands.
- Consent must be voluntary and not forceful.
- A person must have the capacity to understand and communicate consent hence he should not be a child.
- A person has a right to withdraw consent though it will not affect the lawful processing as per the prior consent.
- Consent must be obtained from the person before the transfer of data to another controller or country. This requires the approval by the Data Commissioner.
- Data will be transferred only to countries with similar laws in use as Kenya.

Important principles in data protection.

- Data processing must be lawful, fair and transparent.
- It should be accountable and compliant to the required standards.
- It should not be excessive but adequate.
- It must be with integrity and confidential.
- Data accuracy/correctness should be current without errors hence should be reviewed regularly.
- Deletion of data once through with the use.
- Data must be used as per the original purpose and shall not be misused.

NB: Violation of data protection standards may lead to very heavy penalties (fines) or legal action hence it requires total compliance by all especially online where there is massive outright violations.

Talent management.

- Talent is a special, natural and mental power. It is a skillful brilliance.
- People have different talents which we need to exploit.
- Employers engage and develop workforce to be more productive.
- Employers should also craft a smart formula to win, retain talent and reduce employee turnover.

Aims of talent management.

- Identifying and recruiting the best talent.
- Getting the best to drive organization.
- Success depends on good people.
- Wrong people fail organization.
- Sustainability of organization calls for retention of the best.

Components of talent management.

- Planning as per needs, acquiring and knowing the needs.
- Attracting the best talent and encouraging success planning.
- Selecting and developing people and improving them through training.
- Retaining the best employees and assessing them through M and E.

Functions of talent management.

- Workforce planning-defining the skills needed/job description.
- Recruitment process-getting the best through competitive exercise.
- Onboarding-orientation and induction.
- Training and development to improve skills.
- Performance management system for results or production.
- Salary and benefits to motivate staff.
- Succession planning -future plan to fill gaps and replace exits.

How to grow talent in a work place.

- Knowing the objectives of the company for linkage.
- Identifying opportunities to exploit.
- Providing diverse learning options.
- Creating culture for continuous learning.
- Promoting performance coaching.
- Promoting leadership development.
- Stakeholders approach be used i.e. involvement.

Obstacles to talent management.

- Offering good salary to attract talents.
- Attracting the best is expensive.
- Encouraging passion is not easy.
- Embracing interests of others.

- Resources and technology to be deployed is expensive.

Knowledge management is a resource to harness, conserve and protect from loss, misuse or abuse so as to enhance service delivery, economic growth and productivity. This supports the generation of new ideas.

NB: In public and private sectors there is a huge pool of talent which needs to be identified, developed adequately and fully utilized. A mechanism should be developed for recognizing, harnessing, nurturing and retaining talent. We must invest heavily here to realize good results.

Green human resource management for climate change.

- Green HRM for climate is about policies, practices and systems that stimulate green behavior of employees to create environment friendly sensitive organization.
- Climate change is about weather conditions variation i.e. warmer, wetter or drier, shifting patterns of heat, volcanoes or greenhouse gases.
- Climate change effects are the greatest challenges facing humanity today.
- Deaths from climate change effects is approx. 5 million people annually.
- Efforts must be made by workers to make the planet earth a healthy place for human beings. Climate change is today a human resource matter because it adversely affects the work place.

Climate change effects.

- Loss of economic livelihoods.
- Loss of lives.
- Mental health.
- Hunger.
- Poor nutrition.
- Diseases.
- Pollution.

- Extreme weather conditions.
- Soil erosion.
- Floods.
- Biodiversity loss.
- Landslides.
- Drought.
- Desertification.
- Global warming.
- Storms.
- Severe fires.
- Rising sea level.
- Melting ice.

Climate change actions.

- Roof water harvesting to reduce run off.
- Change of energy source to green/clean energy to include solar, wind, wave, tidal and geothermal power.
- Construction of roads, bridges and buildings to withstand climate change effects.
- Reducing waste.
- Reusing or recycling waste.
- Encouraging use of public transport.
- Cycling or walking where possible.
- Introducing electric machines e.g. cars, motorcycles etc.
- Planting of trees.
- Implementing climate smart projects.
- Carbon credit interventions.
- Reduction of daily energy consumption at home and office.
- Working from home where possible.
- Reducing use of fossil fuels like petrol, paraffin and diesel.
- Protecting forests.
- Reducing the carbon going into the atmosphere.
- Creating employee and public awareness.
- Organizations should measure their greenhouse gas emissions and take necessary action.

- Improvement of energy efficiency by employers.
- Investigating green energy equipment by employers.
- Developing locally adaptation solutions.
- Employers should encourage sustainable transport.

NB: Workers drive transformation and industrialization in both public and private sectors and should be empowered to implement the climate green actions to save the world from the danger of extinction as a result of global warming. Climate change effects can actually clear the entire human race.

Team building.

- Team building is a process of causing a group of people to work together as a team by means of activities and events designed to increase motivation and cooperation.
 - Bonding is to establish a relationship with someone based on shared feelings, interests or experience. It is like joining things securely by adhesive (glue), heat or pressure.
1. A team is a collection of individuals who highly communicate and direct their energies towards a known defined goal achieved through a joint effort for the benefit of all. It has a common goal, a greater understanding, high interactions, disciplined and interdependent.

Why teamwork?

- It is democracy at work.
- Embracing change.
- Enhances effective decision making.
- Strengthens human development creativity and motivation.
- Promotes network development and connectivity.

Types of team building.

- Personality based involves using staff skills. It is about knowing introverts and extroverts and treating them accordingly.

- Activity based is about playing games together e.g. football, volleyball, swimming, tug of war, hide and seek, communication transfer, dancing, balloon games, athletics, Bible games, meat (*'nyama nyama'*) game etc. It is also eating together and breaking normal official protocols.
- Problem solving based includes adaptive, collaboration, communication and decision making.

Team development process/Stages.

- Forming is the polite or honey moon stage
- Storming is the fighting or conflict stage
- Norming is the settling or stability stage
- Performing is the stage to achieve goals and results
- Ending, exit or adjourning or final stage is for reward and sanction

Team development strategies.

- Forming stage is for providing structure, terms of reference and goals. Also creating confidence, inspiration and involvement of everyone.
- Storming stage is for facilitating, training, providing role models, building consensus and conflict resolution.
- Norming stage is for coaching, receiving feedback, promoting discussions and decisions.
- Performing stage is for fulfilling dreams, promoting members participation and sharing information.
- Ending stage is about option of renewal or termination, active listening, providing direction and getting feedback.

Benefits of team building.

- Increasing productivity or service delivery.
- Solving complex problems.
- Team decision making.
- Encouraging creativity and innovation.
- Encouraging flexibility.

- Enhancing communication.
- Improving morale and satisfaction.
- Building trust.
- Strengthens ownership by members.
- Identifying leadership skills.
- Discovering strengths and weaknesses.
- Developing confidence.
- Builds mutual dependency.
- Promotes collective accountability.
- Creates synergy and outcomes.
- Enhances interpersonal relations.
- Thrives on challenges.
- Has no internal competition.
- Injection of new blood and ideas.
- Motivation by high values and ideas.
- Setting of high quality targets.
- More linked to goals, results and successes.

Signs of ineffective teamwork.

- Complaints on quality service.
- Decreased productivity.
- Presence of conflicts.
- Complaints about discrimination.

Barriers to team building.

- Pride.
- Selfishness.
- Poor communication.
- Mistrust.
- Lack of transparency.

Factors influencing team effectiveness.

- Environment where close members meet regularly with organization's authority.

- Members are involved in setting goals hence support their achievement.
- Roles are clear and don't overlap and the leadership is accessible to members.
- Procedures are clear and decisions are made by consensus.
- Meetings are frequent on problem solving and feedback mechanism.
- Relationships are strong with cohesive team identity, tolerance and conflict resolution procedures.

NB: No one achieves anything tangible in a family, a work place or a country if they are working in or with negative energy or disunity as their motivation. A team is a great resource in itself.

Role of technology.

- Technology is applying scientific knowledge for practical purposes e.g. use of technical processes in tasks.
- Technology has radically transformed lives of people for many centuries and it will continue to do so.
- Organizations must embrace flexibility so as to harness the great potential which comes with technology.
- The next productivity frontier is a HR system blended with Artificial intelligence (AI) where technological disruptions are tolerated and utilized.
- Technology including the alternative media (social media) enables instant HR services to be delivered in real time i.e. Facebook, Twitter, YouTube, TikTok, Instagram, WhatsApp, among others.
- Almost all major organizations in both public and private sectors have social media accounts and pages to ensure they are not left behind by the emerging powerful media. This makes the delivery of HR services sharing more efficient, effective and economical.
- Despite the efficiency and effectiveness there was the challenge of many Kenyans unable to access the new media

due to poor network coverage in some areas and lack of the necessary.

- Some of the services which can be digitized are recruitment, selection, appointment and transfers, payroll control, terms and conditions of service, benefits, leave management, health and safety, performance management, training and development, code of conduct, disciplinary control, audit and labor relations.
- There is an urgent need to explore the latest trends, Artificial Intelligence, legal considerations, best practices and innovative solutions so as to shape and redefine the future of HRM function.

Role of technology in organizations.

- Enable people to access resources and services.
- Efficiency in transport, health, production, food and socialization.
- Equip people to improve lives.
- Technology through internet has made the world a global village.

Advantages of technology.

- Quick access to information.
- Increased efficiency e.g. Mpesa service.
- Facilitates learning e.g. online learning, Google.
- Breaks distance barrier e.g. zoom meetings.
- Increase productivity.
- Improved advertising.
- Efficiency in transport industry e.g. robots.
- Simplify tasks.
- Efficiency in report writing and statistics.
- Create new jobs i.e. online jobs.
- Improve status in the entertainment industry.
- Efficiency and effectiveness in communication.
- Efficiency in medical research.

- Reduces the burden of workers.
- Promotes demand for skilled jobs e.g. ICT.

Disadvantages of technology.

- Expensive for small organizations.
- Increased dependency e.g. cellphones, calculators, internet.
- Risk of job losses e.g. Kericho tea picking machines.
- Online businesses may kill physical businesses.
- Increase in online crime e.g. bank fraud, theft, hacking, risk to data, conmen, white collar crime etc.
- Waste of productive time e.g. on social media.
- Risk of radiation, diseases, occupational hazards etc.
- Machines or computers are sometimes limited in some tasks.
- A human being must be there to operate systems, equipment or machines.
- Human error may mislead i.e. garbage in garbage out.

APPENDIX

Appendix 1- Office Attire from Monday to Thursday

Serial No.	Gentlemen	Ladies
1.	Trouser (Not jeans).	A dress/skirt/trouser and blouse.
2.	Shirt with collar (with or without tie) long sleeved or short sleeved.	A skirt or trouser suit.
3.	A coat or blazer.	A coat/sweater/blazer.
4.	Shoes (Not slippers or open shoes).	Shoes (Not slippers or canvass).
5.	T-shirt with collar.	T-shirt with collar.
NB	No caps, jeans, slippers, hipsters, open tops, bare backs, very tight clothing, piped trousers or off shoulder.	No mini-skirts, caps, jeans, slippers, hipsters, open tops, bare backs, very tight clothing, piped trousers or off shoulder

Table 2-Technical attire - all days.

Serial No.	Gentlemen	Ladies
1.	Trouser.	A dress/skirt and blouse.
2.	Shirt with collar (Short or long sleeved).	A skirt or trouser suit.
3.	Shoes (Not slippers or open).	Shoes (Not slippers or open).
4.	T-shirt with collar.	T-shirt with collar.
5.	Protective clothing issued by the employer.	Protective clothing issued by the employer.

NB:

- In warmer or hot climate areas the employees will wear short sleeved shirts, blazers and Kaunda suit without a tie.
- Employees provided with branded clothing are to use them as part of their official attire in order to promote the corporate image.
- Fridays will be a dress down day where employees don't wear official clothing.
- Official colors shall be black, grey, dark blue (suit), white (shirts) etc. (Not very bright colors especially the suit for

men).

- Any lady's skirt above the knees is a mini-skirt.

REFERENCES

The following are the references in relation to the writing of this book: -

Kiyosaki R, Rich Dad Poor Dad, 1997

Jackson and Crooks, Unemployment, 1993

Amstrong M, Hand Book of Human Resource Management Practice, 2009

Lewin K., Leadership Styles, 1939

Madsen S., Leadership Styles, 2020

Murphy M., Leadership styles (Amazon.com), 2023

Wekhomba R., Industrialize Yourself, 2017

Kiyosaki R.T., Retire Young, Retire Rich, 2012

Ginseng Publishers, Keys to Excellent Health, 2011

B.P. Singh, T.N. Chhabra and P.L. Taneja, Personnel Management and Indust. Relations, 1990

Government of Kenya, Human Resource Management and Development, 2015

Government of Kenya, Recruitment and Training Policy, 2005

Government of Kenya, Induction Hand Book for Public Service, 2006

Constitution of Kenya, 2010, Chapter 232, Articles 13, 10, 31 and 35

County Governments Act No. 17, 2012 (Section 55-68)

PSC HRM Policies and Procedures Manual, 2016

County Public Service Human Resource Manual, 2013

Work Injury Benefits Act (WIBA), 2007

Employment Act, 2007

Occupational Safety and Health Act (OSHA), 2007

Labor Relations Act, 2007

Labor Institutions Act, 2007

Public Officer Ethics Act, 2003

Ethics and Anti-Corruption Act, 2011

Public Service (Values and Principles) Act, 2015

The art of managing people and the other Peter K. Keitany, MBA.

PSC Discipline Manual, 2016
Public Service Act, 2012
Fair Administrative Action Act, 2015
Data Protection Act, 2019
Access to Information Act, 2016
Computer Misuse and Cyber Crimes act, 2018
Data Protection Regulations, 2021
National ICT Guidelines, 2020
Digital Economy Blue Print, 2019
Narcotics and psychotropic Substance Control Act, 1994
Ant-Corruption and Economic Crimes Act, 2003
Children Act, 2022
Sessional Paper (NITA) No.2 of 2013
Kenya Information, Communication Technology Act, 2022
Science, Technology and Innovation Act, 2012
Climate Change Act, 2023
National Climate Action Plan, 2022
National Climate Change Policy
Agenda for Sustainable Development, 2030
Kenya Vision 2030
Baringo County Policy, 2023
International Treaty on Data/ICT
Provident Fund Act
Pensions Act Cap 189
NSSF Act, 2012
Public Audit Act 2015
Witness Protection Act 2006
Bribery Act 2016
Proceeds of Crime and Anti-Money Laundering Act 2009
Widows and Children Pension Act
Baringo County Water Policy, 2023
Kenya Penal Code
Code of Regulations

The art of managing people and the other Peter K. Keitany, MBA.

Derek et al. 2014, Human Resource Management.

Cascio W. F., 1986, Managing Human Resources.

Mutsuddi I., 2011, Managing Human Resources.

Saleemi N.A., 2009, Personnel Management Simplified Revised.

G.A. Cole, 2002, Personnel and Human Resource Management.

Ian Sutton, 2010, Process Risk and Reliability Management.

Dennis P. Nolan, 2019, Handbook of Fire and Explosion Protection.

H.T. Graham and R. Bennett, 1998, Human Resource Management.

Hackett P., 1979, Success in Management: Personnel.

KIPPRA, 2021, Reports.

Interviews with workers during trainings and the public on radio shows.