



Mrs. Amina Mohamed
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Kenya

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Your Excellency,

LACK OF SOCIAL DIALOGUE IN KENYA

Public Services International (PSI) brings together more than 20 million workers, represented by over 700 unions in 163 countries and territories. We are a global trade union federation dedicated to promoting quality public services in every part of the world. Our members, two-thirds of whom are women, work in social services, health care, municipal and community services, central government, and public utilities such as water, electricity and education.

PSI observes a worrying trend in Kenya in relation to the Government's capacity to encourage industrial democracy, harmony and declining to address emerging industrial issues raised by unions. In February 2017, we already addressed a letter to the Cabinet of Health in relation to the doctors' and nurses' strike.

On Friday 2nd March 2018, the Kenya Universities Staff Union (KUSU), called its members to withdraw labour in a national strike against the government and 31 public university managements for failing to negotiate collective bargaining covering the 2017-2021 cycle. This is the result of months of fruitless meetings without any concrete outcome.

We further observe that the Government of Kenya, through its various agencies, has not availed of the instruments put in place by labour legislation to amicably address and improve emerging union concerns before they snowball into a crisis. It is important to note that long strikes are not only detrimental to harmonious working relations but also for the economy at large. The Government should understand that education, and especially higher education, is an engine for development of any economy globally.

We therefore urge you to commit to the operationalisation of Article 41 of the Constitution of Kenya: Labour Relations, specifically Article 41 (5) "Every trade union, employers' organisation and employer has the right to engage in collective bargaining".

In addition, we are particularly worried by the lack of representation of both workers and employers of public higher education on the newly created inter-ministerial committee that has been tasked with education reform in Kenya. Moreover, the chair of this committee is from a private education institution, whereas it is this committee that is supposed to produce a counter-proposal for the collective agreement. We therefore urge you

to address this issue and secure a balanced representation in the composition of the inter-ministerial committee. There can be no social dialogue without negotiation, nor representation by the social partners.

PSI will keep observing the situation in the country and will bring these issues before the International Labour Organization (ILO) if needed.

Yours faithfully,



Rosa Pavanelli
PSI General Secretary

cc.

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