

COUNTY GOVERNMENT OF NAIROBI CITY



NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY
(THIRD SESSION)

Handwritten in blue ink:
① Ministry kindly facilitate for communication
(Signature)

Handwritten in red ink:
② Dkt
Trust see now and process
Cecil
16/09/2024

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PCA List
repute this for
admission & commitment.
16/09/2024
Dhs

[PUBLIC PETITION PURSUANT TO STANDING ORDER 214]

PETITION BY MOSES NGA'NGA' GUCHU ON BEHALF OF OTHER 67 (SIXTY-SEVEN) NURSES ON UNFAIR LACK OF PROMOTION BY NAIROBI COUNTY PUBLIC SERVICE BOARD IN THE LIST REF: NCPSB/HR/16/VOL III/866 DATED 25TH MAY 2023 AND PROMOTION CONTAINED IN LIST REF: NCPSB/HRM/16/VOL.IXL (05) DATED 26TH SEPTEMBER 2023.

I, THE UNDERSIGNED Citizen of Kenya is a resident of Nairobi City County on behalf of other 67 (Sixty-Seven) Nurses inherited from Defunct Nairobi City County (Defunct Local Authority) Employed in the year 2005.

DRAW the attention of the County Assembly of Nairobi to the following: -

AWARE THAT, Article 185 of the Constitution of Kenya, 2010 vests the legislative authority and oversight of the County Governments in the County Assembly;

THAT WHEREAS, under part 2 of the fourth schedule of the Constitution of Kenya, county health services including the human resource for health component is a devolved function;

THAT, the petitioners are nurses who were employed in the year 2005 by the Defunct Nairobi City Council and all with qualification of Certificate in Nursing according to the need of the said employer;

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CA - Karana
Please Print for approval
PCA chisp
16/09/2024



THAT, they were hired on collective Bargain agreement (CBA) term of employment but later promoted to job group 'K' in the year 2020 and in the same year 2020, their term of employment was changed from Collective Bargaining Agreement (CBA) to Salary Remuneration Commission (SRC) term following their request. The reason was to avoid discrimination in regard to salary disparities and always getting a low deal during promotion;

THAT, in the year 2022, the Union of Kenya County Government Workers Union agitated for promotion redesignation, right placement and historical injustice;

THAT, in the year 2023, the Nairobi County Public Service Board released a list of promotion REF; NCPSB/HR/6VOL/11/866 dated 25th May 2023 whereby they only considered 8(eight) Nurses from the forementioned Nurses totalling 79 (seventy-nine) Nurses. All with qualification of Degree (BSN);

THAT, those who were left out paraded in the office of Nairobi County Public Service Board and the office of Chief Officer Medical Service to appeal on their promotion and eventually the promotion following the forementioned appeal was released through letter References; HRM/16/VOL.IXL (05) dated 26th September 2023 and surprisingly only 4(four) Nurses from list of 71 (seventy-one) was released;

THAT, the 67(sixty-seven) Nurses who were left out without any written explanation posing unfair administrative action since they were also qualified;

NOTING THAT, the forementioned Nurses met the above injustice due to unprofessional advice from unprofessional human resource personnels;

THAT WHEREAS, petitioners, confirm that efforts have been made to have the matter addressed by the relevant body, it failed to give a satisfactory response;

AND THAT, all the matters in respect of which the petition is raised is not pending before any court of law or constitutional body.

NOW THEREFORE, your humble Petitioners PRAY that the County Assembly of Nairobi County intervenes and ensure that; -

PETITION BY MOSES NGA'NGA' GUCHU ON BEHALF OF OTHER 67 (SIXTY-SEVEN) NURSES ON UNFAIR LACK OF PROMOTION BY NAIROBI COUNTY PUBLIC SERVICE BOARD IN THE LIST REF: NCPSB/HR/16/VOL III/866 DATED 25TH MAY 2023 AND PROMOTION CONTAINED IN LIST REF: NCPSB/HRM/16/VOL.IXL (05) DATED 26TH SEPTEMBER 2023.

1. The Investigation is done and justice be delivered by recommending that the County Public Service Board promotes and back date the aforementioned nurses just like their colleagues’;
2. The violators are punished to act as deterrence to avoid further violations of the same;
3. Audit be done to all human resource officers working in Nairobi city county government, starting with top management and legal action be taken to any human resource officer operating without a practicing license; and
4. Make any other order that it may deem fit in the circumstances of this petition

And your Petitioners will forever pray.

Presented by;

Hon. Speaker, MCA

On behalf of;

67 (Sixty-Seven) Nurses aggrieved.

And by extension;

- **All residents of Nairobi County.**

→ Coast bus

* - Loading zones (forced to pay) -

* → for now they are paying as dropping & picking

* →

~~DLS~~
Kindly Review
and advise
18/3/2024



~~III. PCA-Chip~~
Kindly deal and
give response
19/3/2024

MOSES NGA'NG'A GUCHU
NAIROBI CITY COUNTY
EMPLOYEE
PF20050001459
mnguchu@gmail.com
0721135472

March 4, 2024

~~I. DLS~~
Kindly confirm the status
of this petition received first
on 26th Dec 2023.
ADT
18/3/24

ON BEHALF OF OTHER 67
(SIXTY-SEVEN) NURSES
INHERITED FROM DEFUNCT
LOCAL AUTHORITY AND
EMPLOYED IN THE YEAR 2005

COMMITTEE ON LABOUR AND SOCIAL WELFARE COMMITTEE
NAIROBI COUNTY ASSEMBLY
P.O. BOX
NAIROBI

THROUGH
CLERK OF NAIROBI COUNTY ASSEMBLY
P.O. BOX
NAIROBI.

~~CA - Kanana~~
Kindly confirm the
position and let
us discuss
After
PCA-Chip
19/03/24

1ST REMINDER

RE: PETITION ON VIOLATION OF ACT 2015 ON FAIR
ADMINISTRATION ACTION AND VIOLATION OF LEGAL NOTICE
NUMBER 52 OF 2012 (HUMAN RESOURCE MANAGEMENT
PROFESSIONALS ACT) BY NAIROBI COUNTY PUBLIC SERVICE

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BOARD IN PROMOTION CONTAINED IN LIST REF:
NCPSB/HR/16/VOL.11/866 DATED 25TH MAY 2023 AND PROMOTION
CONTAINED IN LIST REF: NCPSB/HRM/16/VOL.IXL (05) DATED 26TH
SEPTEMBER 2023.

Kindly receive my warmest compliments.

I refer to the above captioned matter dated 21st December 2023 and received on
28th December 2023 and copy attached herein I request the committee to
investigate the allegation and make the appropriate recommendation and revert
to me with their position on the same. Regrettably, I have not received any
response even acknowledgement confirming receipt of my petition.

Kindly look into the matter and respond within fourteen (14) days hereof, clearly
indicating your position with regard to the above concerns, steps taken if any or
intended actions and time frames in the event.

Yours faithfully,



Moses Nga'ng'a Guchu

CC.

COMMITTEE OF LABOUR
SENATE OF REPUBLIC OF KENYA

THROUGH

CLERK OF SENATE OF REPUBLIC OF KENYA
clerk.senate@parliament.go.ke

CHIEF EXECUTIVE OFFICER
KENYA NATIONAL COMMISSION ON HUMAN RIGHTS
P.O. BOX 74359-00200
NAIROBI
complaint@knchr.org

8

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MOSES NGA'NGA' GUCHU

PF20050001459

FORMER DEFUNCT NURSE

INHERITED FROM DEFUNCT

NAIROBI CITY COUNCIL (DEFUNCT LOCAL AUTHORITY)

P.O. BOX

NAIROBI

mnguchu@gmail.com



21/12/2023

ON BEHAIF OF OTHER 67 (SIXTY-SEVEN)

NURSES INHERITED

FROM DEFUNCT NAIROBI

CITY COUNTY (DEFUNCT LOCAL AUTHORITY)

EMPLOYED IN THE YEAR 2005.

CHAIRPERSON

LABOUR AND SOCIAL WELFARE COMMITTEE

NAIROBI COUNTY ASSEMBLY

THROUGH

CLERK OF COUNTY ASSEMBLY

^{COUNTY}
NAIROBI COUNCIL ASSEMBLY

P.O BOX

NAIROBI

clerk@nairobiassembly.go.ke

