



NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY - FOURTH SESSION

REQUEST FOR STATEMENT

Subject: Status of confirmation of staff engaged on Permanent and Pensionable Terms within the "Green Army."

Hon. Speaker, Pursuant to the provisions of Standing Order No. 47(2)(c), I wish to request a statement from the Chairperson of the Sectoral Committee on Labor and Social Welfare regarding the status of confirmation of officers employed within the County Executive, commonly referred to as the 'Green Army'.

Hon. Speaker, the matter concerns fifty-five (55) staff members engaged on terms designated as permanent and pensionable. These officers continue to perform their duties but, to date, have not been formally confirmed in their appointments. It is further alleged that this protracted delay is linked to purported failures in their performance appraisal process.

Hon. Speaker, the continued non-confirmation of staff who have served beyond their probationary period raises serious concerns regarding compliance with Section 42 of the Employment Act, 2007 regarding the maximum duration of a probationary contract, and Section 71 of the County Governments Act, 2012, which provides for the automatic confirmation of a public officer upon the lapse of the probationary period without a formal decision. Furthermore, any decision to deny confirmation on the basis of performance must adhere to the principles of Article 47 on Fair Administrative Action and Article 41 with regard to Fair Labor Practices of the Constitution, which mandate procedural fairness, including the right to be heard as stipulated under Section 41 of the Employment Act.

Hon. Speaker, in the statement, the Chairperson should inquire into and report on: -

- i) A comprehensive list of the names and corresponding employee numbers of the fifty-five (55) staff members involved.
- ii) A detailed statement of the specific reasons, supported by documentary evidence for the non-confirmation of the aforementioned staff, and an explanation of how the process complied with the requirements of Section 41 of the Employment Act and the constitutional right to fair administrative action; and

- iii) Certified copies of the relevant official documentation, including minutes from the County Public Service Board and minutes from the sector that formally considered and resolved the non-confirmation of the employees, including the dates of such resolutions.

HON. HASHIM KAMAU, MCA
MEMBER FOR CARLIFORNIA WARD
NAIROBI CITY COUNTY ASSEMBLY

DATE.....31/09/25.....