

Tuesday, 10th March, 2020 COUNTY ASSEMBLY OF SIAYA DEBATES

REPUBLIC OF KENYA
SIAYA COUNTY ASSEMBLY
THE HANSARD

Second County Assembly - Fourth Session

Tuesday, 10th March, 2020

The House met at the County Assembly Chamber at 2.30 p.m.

[The Temporary Speaker (Hon. Opanga) in the Chair]

PRAYERS

NOTICES OF MOTIONS

STATUS OF FACILITIES AT THE FISH LANDING BAYS

Hon. Otieno: Thank you, Mr. Temporary Speaker. I wish to Move a Motion:

THAT this House adopts Report of Committee on Agriculture, Livestock and Fisheries on the status of County Government facilities at the fish landing bays in the County laid on the Table of the House on Thursday, 5th March, 2020 at 2.30 p.m.

CHAMPIONS FOR CHANGE LEADERSHIP COURSE FOR MCAs

I wish to give notice of Motion:

THAT this House adopts the Report of Committee on Agriculture, Livestock and Fisheries on Champions for Change leadership course for MCAs in agriculture sector laid on the Table of the House on the same day. Thank you.

Hon. Temporary Speaker: Thank you, Hon. Member. I think the clerks at the Table, the two reports should be slated for debate and I believe Hon. Members you have been provided with copies of the same. So on Thursday depending on the business that is also there, the two reports might be debated.

STATEMENTS

Hon. Temporary Speaker: Again, Hon. Otieno will read the Statement on behalf of Hon. Otiato.

STATUS OF STAFF ON DISCIPLINARY PROCEEDINGS

Hon. Otieno: Thank you, Mr. Temporary Speaker. On behalf of Hon. Member for East Yimbo Ward, I wish to give a Statement on the Floor,

Pursuant to SONo.41 (2c), I rise to seek a Statement from the CECM in charge of Governance and Administration on the Status of staff on disciplinary proceedings that have lasted more than six months particularly those on half salary due to suspension or interdiction. Sub Article 41(1) of the Constitution of Kenya provides for the right of every person to fare Labour practices.

Noting that our courts have held that six months should be the maximum period for suspension or interdiction, and that indefinite or longer periods amount to contractive dismissal for which an employee may sue for reinstatement or damage, which may be very costly on the County.

Noting with concern that Siaya County has always reported high wage Bill and continued payments on half pay with house allowances for unused labour force, double less the effect on would be useful public resources.

CECM on Governance and Administration should provide departmental list of all officers on suspension or interdiction. On the list, the CECM should attach the following:

- a. The list of officers with disciplinary cases including their names, designations, department, major offence and its brief description.
- b. Copy of employment letter of the officer showing disciplinary case.
- c. Copy of show cause letter and the response if any.
- d. Minutes of disciplinary proceedings.
- e. Detailed summary of status of disciplinary process.
- f. County policy document on disciplinary process and or County Human Resource Manual if any.

Thank you.

Hon. Temporary Speaker: Thank you, this Statement stands committed to Committee on Governance and Administration.

Hon. Otieno: Thank you, Mr. Temporary Speaker.

Pursuant to SO No.41 (2c), I rise to seek a Statement from the CECM Finance on the Project Management Committee (PMC) funds for 2018/2019 and 2019/2020.

1. In the Statement the CECM should explain the status of PMC funds from the 5 percent fund deduction from all projects cost for 2018/2019 and 2019/2020.
2. Include details on total amount collected from all the project's cost in the FY mentioned with evidence of the collection of the said funds e.g. bank statements.

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3. Give plans the County Government has in paying out the collection to deserving PMC Members for projects undertaken so far and how and when the payment will be made.
4. Kindly give the frequency and methodology of the payment.

Thank you.

Hon. Temporary Speaker: Thank you, I think this stands committed to Committee on Finance and Economic Planning Committee.

Chair Governance, how long would we wait or expect a response on this because it should be within 14 days?

Hon. Otieno: I have heard what you have said but the author of the Statement stresses here that it is urgent, therefore, if the chair could work with 7 days that could be better as per his directive here on the Statement.

Hon. Temporary Speaker: Okay, we will give them a maximum of 14 days and a minimum of 7 days to work, that has been the norm. Chair Finance is not in but we will also give them 14 days and expect a response from them after that.

MOTION
ADJOURNMENT

Hon. Temporary Speaker: Hon. Members would we be upstanding for adjournment. Hon. Members, there being no other business this House stands adjourned until tomorrow Wednesday, 11th March, 2020 at 9.30 a.m. in the chamber.

The House rose at 3.12 p.m.