

COUNTY ASSEMBLY OF SAMBURU



THE HANSARD

Tuesday, 1st April, 2025

The Assembly met at the County Assembly Chambers at 9:30 am

The Speaker, (Mr. Lenamarle Stephen) in Chair

PRAYER

COMMUNICATION FROM THE CHAIR

CPSB CHAIRPERSON NOMINEE

The Speaker, (Mr. Lenamarle Stephen): Hon. Members, in accordance with section 58 (A) (7) of the County Government Act Cap. 265 His Excellency the Governor has forwarded the name of the nominee for the County Public Service Board Chairperson for approval by the County Assembly Pursuant to section 8 (1) (a) and section 58 (A) (9) of the County Government Act Cap. 265.

Through a letter dated 19th March, 2025 reference CGS/CA/APPT/VOL.2/008/28 and received on the same date by the office of the Clerk.

Hon. Members, in accordance with the provision of Standing Order 46 (2) which requires that if a message is received from the Governor or the Senator of the County at the time when the County Assembly is not in session, the Speaker shall with forthwith cause the message to be transmitted to every Member and shall report the message to the County Assembly on the day the County Assembly sits next.

Therefore, Hon. Members. Since the House is in recesses and in accordance with section 58 (A) (8), The County Assembly has 21 days to consider the nomination and by publication and transmission of this message to all Members pursuant to Standing Order 46 (3), the messages shall be deemed to have been laid before the County Assembly.

Hon. Members, in accordance with provision of section 7 (1) of The Public Appointments (County Assemblies Approval Act) 2017, I wish to report the receipt of the notification to the County Assembly the name of the nominee as follows:

1. Jonathan N. Lepoora – Chairperson County Public Service Board

Hon. Members, in accordance with section 8 of The Public Appointments County Assemblies Approval Act, 2017, the issues of consideration by the County Assembly in relation to any nomination shall be:

- a) The procedure used to arrive at the nominee including the criteria for the shortlisting of the nominees.

- b) Any Constitutional or statutory requirements relating to the office in question.
- c) The suitability of the nominee for the appointment proposed having regard to whether the nominee's credentials, abilities, experience and qualities meet the needs of the body to which the nomination is being made.

Hon. Members, having duly receiving the nominations, I direct as follows:

- a) That the Office of the Clerk to verify the preliminary compliance with a view of establishing admissibility and cause notification for approval hearing within seven days.
- b) That Pursuant to Standing Orders No. 55 (1) of the County Assembly of Samburu, I hereby submit notification for nomination to the Committee on Public Service and Administration, Social Welfare, Justice and Legal Affairs.

I thank you.

STATEMENTS

RESPONSE ON EMPLOYMENT, MANAGEMENT

AND RENUMERATION OF CASUAL WORKERS

The Speaker, (Mr. Lenamarle Stephen): Hon. Members, it is notified that the following statement is due for response today, Tuesday 1st April, 2025 at 9:30 AM Pursuant to Standing Order 45 (c):

- 1. Statement No. 002/2025, requested by Hon. Francis Lemartile; MCA Wamba West Ward, to the Chairperson, Sectoral Committee on Medical Services, Public Health and Sanitation, regarding employment, management and remuneration of casual workers in the Health Department.

Chairperson Committee on Medical Services, Public Health and Sanitation, (Hon. Leitoro Jeremiah): Thank you Hon. Speaker, I beg to respond to the statement sought by Hon. Lemartile Francis.

Hon. Speaker, the questions were as follows:

- 1. Recruitment of casual workers.

2. Financial implications and payments status.
3. Terms of engagement and legal compliance.
4. Master roll and attendance record.
5. Future plans for irregular engagement of staff.
6. Facilities without casual workers or support staff.

Hon. Speaker, the responses are for the questions that were highlighted by the Auditor General's report in regards to employment, management and enumeration of casual workers in Health Department.

Hon. Speaker, question one asked on the number of casual workers recruited by the Department since January, 2023. The management responded that they recruited only 40 casual workers and the rest of the workers were inherited from the previous government.

The next question under recruitment of casual worker was; what justification was used when hiring give that no staff ritualization was conducted. The response was that; hiring of more casual workers was necessitated on the following:

1. Server shortage of casual workers in County, none of the facilities met norms as per World Health Organization standard.

Hon. Speaker may be for clarification. Talking about casual workers does not necessarily mean those who do cleaning jobs. There are also other health-workers have been hired on casual basis.

2. Expansion of health care service in the County through operationalization of new OPD locks in Samburu County Referral Hospital, operationalization of three theaters; Baragoi, Suguta Marmar and Wamba, expansion of health facilities; construction of three in-patient wards, construction of new out-patient wards, construction of 10 new dispensaries, operationalization of previously constructed facilities that were not operational.

The next question under recruitment of casual workers was; why was the County Public Service Board not involved in recruitment process of casual workers contrary to The County Government Act, 2012; which mandates The County Public Service Board in hiring County employees.

The response was; though The County Public Service Board was not involved in the recruitment process of the casuals, the Board was informed of existence of the casual employees and it was in the process of regularizing the engagement, however, there were changes in the Board management with resignation of the former Secretary to the Board which delayed the process.

Hon. Speaker, they have provided an attachment from the former Secretary to the Board addressing the Chief Officer Finance for payment of engaged casual workers.

Another question under recruitment was; the Department to provide a list of all casual workers including their names, work stations, duties and the Wards they came from. Hon. Speaker, that is attached as Annexure 2. I think the Hon. Member for Wamba West has copy of the document with him.

Hon. Speaker, while answering that question, I would also like to let my brother know that as he does that, he should consider question two on justification of hiring that goes in-hand with the list of all casual workers. You will find that there are Wards that have not been considered in that matter because of the reasons given here.

It is not all Wards that have theaters... *(Interjection on a point of order by Hon. Lemartile)*

Chairperson Committee on Medical Services, Public Health and Sanitation, (Hon. Leitoro Jeremiah): Hon. Speaker, I am still reading the response, he should wait until I finish.

The Speaker, (Mr. Lenamarle Stephen): What is the point of order Hon. Lemartile? Hon. Leitoro takes your seat.

MCA Wamba West Ward, (Hon. Lemartile Francis): Thank you Hon. Speaker. The Hon. Chairperson should read us the response by the Department instead of adding what was not in the response.

The Speaker, (Mr. Lenamarle Stephen): Okay. Hon. Leitoro just read the response

(Interjection by Hon. Silapia on point of order not allowed)

The Speaker, (Mr. Lenamarle Stephen): Hon. Members, let him finish so that you can react.

Chairperson Committee on Medical Services, Public Health and Sanitation, (Hon. Leitoro Jeremiah): Hon. Member, you will have your opportunity to react, so mcheze chini.

On question two; implication on financial implication and none payment status: what is the total monthly remuneration for the engaged casual workers?. Hon. Speaker, the additional financial implication for the 40 casual workers who are engaged is KSHs. 3, 036, 807.

Has the Department adhered to section 18 (2) of Employment Act, 2007; which mandates timely payment of wages. The Department has been paying workers through voucher system without delaying until this Financial Year 2024/2025 when the Controller of Budget issued...

(Interjection by the Speaker)

The Speaker, (Mr. Lenamarle Stephen): Just continue...

Chairperson Committee on Medical Services, Public Health and Sanitation, (Hon. Leitoro Jeremiah): Hon. Speaker, I want them to pay attention so that...

(Interjection on point of order by Hon. Asha)

The Speaker, (Mr. Lenamarle Stephen): No point of order Hon. Asha. Let the Hon. Chairperson finish.

Chairperson Committee on Medical Services, Public Health and Sanitation, (Hon. Leitoro Jeremiah): Hon. Speaker, I beg for your attention. The Hon. Members need to be attentive so that they will not stand and ask questions that do not make sense...

(The Majority Leader and Hon. Silapia raising hands)

The Speaker, (Mr. Lenamarle Stephen): Majority Leader, what is your problem

Specially Elected MCA, (Hon. Lenamatiyo Silapia): Hon. Speaker, Members have an issue on the Ward...

The Speaker, (Mr. Lenamarle Stephen): Hon. Silapia, Hon. Leitoro, take your seat. Let the Majority Leader raise the issue.

The Majority Leader, (Hon. Lentukunye Christopher): Mr. Speaker, I think this is a House of rules and orders. I think the Chair should withdraw, he is saying that we are asking questions that we are asking senseless questions, Yes.

The Speaker, (Mr. Lenamarle Stephen): Okay, Hon. Leitoro just move on

(Hon. Lemoosa raises his hand)

The Speaker, (Mr. Lenamarle Stephen): Hon. Lemoosa, let Hon. Leitoro finish then...

Chairperson Committee on Medical Services, Public Health and Sanitation, (Hon. Leitoro Jeremiah): Hon. Speaker, I beg for your protection. I was requested to read the statement, Hon. Speaker I think it is not fair that I am interrupted, let them pay attention Hon. Speaker.

(Interjection by Hon. Lenamparasio on a point of order)

The Speaker, (Mr. Lenamarle Stephen): Just let him finish.

MCA Loosuk Ward, (Hon. Lenamparasio Phelix): Hon. Speaker, I think point of order supersedes everything here...

The Speaker, (Mr. Lenamarle Stephen): You are out of order Hon. Lenamparasio

MCA Loosuk Ward, (Hon. Lenamparasio Phelix): But the point of order supersedes everything...

The Speaker, (Mr. Lenamarle Stephen): You are out of order.

MCA Loosuk Ward, (Hon. Lenamparasio Phelix): You do not know what I want to ask...

The Speaker, (Mr. Lenamarle Stephen): No, just let him finish. Hon. Leitoro continue

Chairperson Committee on Medical Services, Public Health and Sanitation, (Hon. Leitoro Jeremiah): Hon. Speaker, the question I was addressing on question two which asks whether the Department adhered to section 18 (2) of Employment Act, 2007; which mandates timely payment of wages...

(Interjection by Hon. Lenamparasio on a point of order)

MCA Loosuk Ward, (Hon. Lenamparasio Phelix): Hon. Speaker if you are not biased, point of order...

(Hon. Silapia and Hon. Nakinyi requesting to contribute on a point of order)

The Speaker, (Mr. Lenamarle Stephen): No, Hon. Lenamparasio...

MCA Loosuk Ward, (Hon. Lenamparasio Phelix): Just listen to my point of order...

The Speaker, (Mr. Lenamarle Stephen): I cannot listen to Hon...

MCA Loosuk Ward, (Hon. Lenamparasio Phelix): Then you are biased...

The Speaker, (Mr. Lenamarle Stephen): Just let him finish...

MCA Loosuk Ward, (Hon. Lenamparasio Phelix): You do not know what I want to ask and on what point of order...

The Speaker, (Mr. Lenamarle Stephen): I gave Hon. Lemartile who was the Mover time...

MCA Loosuk Ward, (Hon. Lenamparasio Phelix): We are Members here. There is nothing that can move a Member, point of order Hon. Speaker...

The Speaker, (Mr. Lenamarle Stephen): Hon. Lenamparasio, you are out of order...

MCA Loosuk Ward, (Hon. Lenamparasio Phelix): I am not out of order, you do not know what I want to say...

The Speaker, (Mr. Lenamarle Stephen): Just continue...

Chairperson Committee on Medical Services, Public Health and Sanitation,(Hon. Leitoro Jeremiah): Hon. Speaker, if it is a matter of withdrawing for my Hon. Member to...

MCA Loosuk Ward, (Hon. Lenamparasio Phelix): It has nothing to do with withdrawing...

The Speaker, (Mr. Lenamarle Stephen): I will give you time to speak after...

MCA Loosuk Ward, (Hon. Lenamparasio Phelix): No, listen to my point of order Hon. Speaker.

The Speaker, (Mr. Lenamarle Stephen): Just continue Hon. Leitoro...

MCA Loosuk Ward,(Hon. Lenamparasio Phelix): You are very biased...

Chairperson Committee on Medical Services, Public Health and Sanitation,(Hon. Leitoro Jeremiah): Hon. Speaker...

The Speaker, (Mr. Lenamarle Stephen): Hon. Lenamparasio, I want you to withdraw that statement that the Chairperson is...

MCA Loosuk Ward, (Hon. Lenamparasio Phelix): I will not.

The Speaker, (Mr. Lenamarle Stephen): Sergeant-At-Arms. Please make sure that Hon. Lenamparasio is out of this building before we continue.

(Sergeant-At-Arms requesting Hon. Lenamparasio to step out of the chambers)

...Hon. Lenamparasio we cannot continue until you get out. Hon. Leitoro, do not continue until Hon. Lenamparasio gets out. Hon. Majority Leader I think you can assist us. We cannot continue until the Hon. Member gets out.

The Majority Leader, (Hon. Lentukunye Christopher): Mr. Speaker, I still request you shed light on this because I do not think whether it is my mandate to get a Member out of the House. Our Standing Orders are very clear that when the Speaker rules it is the mandate of the Speaker and not the Majority Leader otherwise the Member is not a Member of my party.

The Speaker, (Mr. Lenamarle Stephen): And that is why we are saying that the Member should be out before we continue. No, before Hon. Leitoro continues let us give him time to finish so that we can react and no pint of order. Continue Hon.

MCA El'barta Ward, (Hon. Leitoro Jeremiah): Yes. Mr. Speaker I am going to read what is in this Paper and not that I am adding anything and so I beg for your protection. The question that I was addressing was this that pertains if the Department had two sections 18/2 of the Employment Act 207 which mandate timely payment of wages. "The Department has been paying casual workers through voucher system without delays until this Financial Year 2024/2025 when the Budget Controller issued an advisory that no payment of wages should be done outside IPPD see attached letter from the County Secretary that is attached in annexure 3 and the Hon. Member can confirm that there is that attachment.

Under Financial implication and payment status, the other question was to provide breakdown of months that have not been paid and explanation for the delays, months not paid are July, August, September, October, November, and December in 2024 and January and February in 2025; the delays was because of advisory by the Budget Controller on payment through IPPD hence it took time to regularize this.

Another question on Financial Implementations and status was that given the Auditor General report indicate irregular payments what steps has the department taken to rectify the Financial mismanagement; the department is in collaboration with the Human Resource department and has so far rectified the irregularity by ensuring that all the casuals acquired personal numbers and are engaged through the County Public Service Board so that they are paid through the IPPD County Payroll Manager and are paid on time. Mr. Speaker they have confirmed that up to now they have received their IPPD numbers. On terms of engagement and legal compliance; what are the specific terms for engagement for these casual workers, casual basis for three months so the response was that they are engaging them on casual basis of three months as per the labor laws. Given that some casual workers have been engaged beyond three months why has the department failed to regularize their contract as required by Section 37(1) 37(b) of employment Act 007 the Department has now regularized the contract of the casual workers and going forward the regulations are stipulated in Section 37(1) (b) of the employment Act 2007 will be adhered to.

Another question pertaining the engagement and legal compliance; does the department provide any form of the medical cover or insurance of these workers as per the work requirements of the work injury benefit Act 2007, the answer is yes most casual workers are registered and those not registered have been communicated to register.

There was a question on master role and work attendance record provide us with the current master role provided to confirm the attendance and work done by the casual workers and the response was that the master roles are available at each health facility where the casual workers are and sample of the master roles are annexed annexure 4; what measures have been put in place to ensure proper record keeping an accountability to avoid payroll fraud. Details of casual workers including names, ID numbers, and bank account are captured in our records.

Question number 5 on future plans for irregularly engaged staff what plans does the Department have to regularize or terminate the employment of these workers while ensuring compliance with employment clause; the Department is in the process of doing staff rationalization so that only required staff will be retained at the facilities.

Another question is, how the department will ensure adherence to Public Finance Management Act 2012 Section 196 to avoid further irregular expenditures; the Department is in the process of doing staff rationalization so that only required staff will be retained at the facilities and their engagement done through County Public Service Board.

Another similar question was what corrective measures are being taken to prevent future legal financial risk arising from non compliance with labor laws and the response was that the Department is in the process of doing staff rationalization so that only required staff will be retained at the facility and the engagement done through County Public Service Board.

The sixth question was facilities without casuals' workers or support staffs so the question was what plan does the Department have for health facilities that currently have no casual workers on adequate support staff and the Department is in the process and the response is the Department is in the process of doing staff rationalization of all facilities including facilities which did not have casual workers to ensure all facility have the required staff. Facilities with casuals not paid through the County treasury are supported through DANIDA Funds.

Another question on the same issue is how does the Department address to staff shortage in these facilities while ensuring fairness in payment distribution, Mr. Speaker the response is as follows that the Department currently has a severe shortage of staff especially the skilled health care workers across all cadres, none of the health facilities meet staffing norms as per the WHO. However, issues of inadequate budgetary allocation to the Department and high wage bill in the County may not allow the Department meet this norms the Department request for adequate funding to address these issue.

Another question that was raised was if there is a long-term strategy to ensure adequate staffing in all health facilities across the County a long-term strategy to ensure adequate staffing in all health facilities can only be achieved through increased budgetary allocation to the department.

The last question is, what plans the department has for health facilities that currently have no casual workers or adequate support staff; the department is in the process of doing staff rationalization in all facilities including facilities which do not have casual workers to ensure that all the facilities have the required staff. Facilities with casuals not paid through the County treasury are supported through DANIDA.

Mr. Speaker, that is all from the department for now I will sit and seek further clarification, thank you Mr. Speaker.

MCA Wamba West Ward, (Hon. Lemartile Francis): Thank you Mr. Speaker. I wish to thank my able Chair for Health and the entire Committee for this comprehensive response from the department and put on some few points given by the department, it is extremely so much contradicting because to the first question I ask how many casual workers have been recruited by the department and the gave us a number of 40 and the list submitted to us have 362, the department is contradicting itself by not giving the correct information. On my second question on why the County Public Service Board was not involved in the recruitment of these casual workers to the letter given the response from the department they gave us a letter wrote on the 25th September 2023 and my question should stand by the year February 2025 the letter does not explain because the letter offered...

(Point of Information by Minority Leader)

Minority Leader, (Hon. Leleruk James): I ra on a Point of Information that these are weighty issues being raised and we do not have that list as Hon. Members. So, we cannot confirm what is being said and so we need to be provided with the Statements.

MCA Nyiro Ward, (Hon. Lemoosa Jonathan): Mr. Speaker Sir this House is a House of order and Members engage each other with decorum guided by Standing Orders but the problem here is we stand up interrupting Motions or Statements without following the correct order and quoting the Standing Order you are Standing for this bring problems when you shout a Point of Order without citing exactly which Point of Order, thank you.

The Speaker, (Mr. Lenamarle Stephen): Hon. Chair Leitoro. How many copies do you have of this list of the casual workers?

MCA Elbarta Ward, (Hon. Leitoro Jeremiah): Mr. Speaker we had issues because we requested the Hon. Members be given copies of all annexures but it seems that the challenge is in the secretariat and I do not know how we will have those issues addressed. Personally, I do not have the copies that Hon. Lemartile has. We can continue because the Hon. Member can still confirm from his end whatever queries that the Hon. Member has. If the Hon. Member agrees that we can continue then we do so, thank you Mr. Speaker.

The Speaker, (Mr. Lenamarle Stephen): Hon. Lemartile you can continue.

MCA Wamba West Ward, (Hon. Lemartile Francis): Thank you Mr. Speaker. Our secretariat provided only one copy for the annexures, I request the Members that we continue with the same. What I was putting across is that the letter given by the department on why County Service Board were not involved in the recruitment of these casual workers and the response given by the Department was that there is a letter written on September 2023 which does not apply to this question because the question I asked was on February 2025 and the letter given cannot explain that.

Mr. Speaker the next issue is the list for these casual workers it was well provided and the most queries are how these casual workers were distributed. To my analysis as per the list Maralal Ward had 175 casual workers, Loosuk 9, Suguta 30, Lodokejek 21, Porro 25, Baawa 9, Ang'ata Nanyokie 13, El'barta 27, Nyiro 0, Ndoto 7, Nachola 3, Wamba East 7, Wamba West 3, Wamba North 0, Waso 23 so that is the main reason for asking for this Statement to know whether these casual workers were equitably distributed across our facilities, as per the Ward I represent I have 11 facilities and only one facility was given 3 so why are we denying the people of other Wards employment or services in their facilities. I do not know whether we call the Department to come and explain this variance because the list provided is not fairly distributed yet we are still constructing some facilities. There is unfairness to the people we represent. We better divide the casual workers to all our facilities. I beg the Chair...

The Speaker, (Mr. Lenamarle Stephen): Hon. Leitoro do you have that data from which Ward?

MCA El'barta Ward, (Hon. Leitoro Jeremiah): let me give some sort of clarifications. If the Hon. Member is not satisfy, we will still make more inquiry and most of these questions have been in the County general Report and my good Chairman for *PIC* and *PAC* has the capacity to invite the Hon. CECM for health to enquire on this issue.

However, we would like to take this opportunity just to on clarifications on matters that have been addressed by my Hon. Chair that on issue number 1 that he raised on the number of casual workers recruited by the department. That question was so specific, the question was how many casual workers have been recruited by the department since January 1st 2023, the answer is forty, yes but whatever number that was provided was 300 plus, these are inclusive of all the casual

workers even those ones that have been inherited from the previous government perhaps the department could have done was to give out these forty and give detailed on how these forty have been distributed in all wards.

I also want to bring this clarity. There is no way the all Wards can able to have equaled number of casuals. Based on this reason you find a Ward like Maralal which has a County referral Hospital. The number of staff required in the County Referral Hospital is too many as compared to other wards that even do not have a sub-county kind of hospital. Maybe the least hospital we can be able to get from there is dispensary. And from this list again let bus also remember that there are casuals who have been recruited under DANIDA. Most of those who were recruited by DANIDA are usually working in dispensaries and if the Hon. Member would like to be given a full list of casuals working under DANIDA and County, perhaps the equation could have come out very clearly so that we can be abler to give a breakdown.

On the issue of County Public Service Board not involved in the recruitment process contrary to the County Amendment Act 2012. I think the letter that was provided was dated September, 2023. On contractual bases, they are usually given three years. I think the three years are not yet over and I do not know why the Hon. Member want us to give an updated February 2025 contractual letters from the County Service Board yet the three years are not over. Unless if I did not understand the question, I think those are some of the clarities although I still insist *PIC* and *PAC* matters to do with auditors general query are best addressed in this committee and I am going to assist the Member. I am a defender of executive however there some sort of clarities bases on the responses that I was given, it might not be hundred percent satisfactory but in case the Hon. Member want to get clarity on this issue, the best person who can be able to do it is the CECM and we will be able to invite him as a committee of *PIC* and *PAC*, we will be able to grill the Hon. CECM so that all questions raised by the Hon. Member will be able be addressed adequately and even our new standing order also gives the right to interact with the CECM until that time I would urge the Hon. Member to seek an alternative way of getting clarity of this matter through our able committee *PIC* and *PAC*. Thank you Hon. Speaker.

MCA Wamba West Ward, (Hon. Lemartile Francis): Thank you Hon. Speaker. Maybe my fellow Member from *PIC* and *PAC*, I think that is well elaborated, maybe if there were issues which will be discussed in the *PIC* and *PAC* and there are being restricted to the questions raised

by the auditor general, we will not have time to discuss about Wamba West, this is the venue for me to speak on behalf of Wamba West people. Still I do not get it well because as per the labor laws, a casual contract is three months.

They're supposed to be three months and getting very clear that the department is giving us contradicting information. First question, they say the department has now regularized contracts of the casual workers which is three months and by now, they are telling us they have recruited only 40 and 320 are inherited, for how many years would somebody still work as a casual worker in this County which is very wrong against the law. We have clearly breached that law and also it is inhuman for those workers, keeping them for that long as a casual worker.

Lastly, the department has provided us that having somebody whom you have not paid from July up to date is those people are still your employee because they have stated here they have paid from July to February that is inhuman for a person to work for a full year without a salary. This is extremely very wrong. So going forward as per the Chair, I think the department did to make things very clear because as per the statement, they are contradicting themselves. I concur with the Chair that we will summon them to appear before the House so that they will explain to us. Thank you Hon. Speaker.

The Speaker, (Mr. Lenamarle Stephen): Thank you, so Hon. Leitoro, what a member is going to do is to reframe a question, the question that is not answered, there those which have been answered and you inquire again the same what has not been answered. The issue of casual workers, they should be written in form that we can know how many have been employed between 2023 and now and those who have been inherited. So I think that one we can be able to do we can reframe the question and ask the CECM again to answer.

MCA Wamba West Ward, (Hon. Lentukunye Christopher): Thank you Mr. Speaker, I would like to take this opportunity to appreciate the Hon. Member for Wamba West for bringing these questions for discussions. I also want to appreciate the Hon. Chair for trying to bring the response from the CECM concern. We have seen from the Report that there are two wards not considered in the recruitment of health facility casual workers. I accept that we cannot all be equal but there must be something called equity. I do not think whether the value of Wamba North is zero as well as Nyiro Ward. In addition to what you have directed the Chair to inquire

from the CECM, I think the issue of Wamba north and Nyiro ward should also be answered. Thank you.

The Speaker, (Mr. Lenamarle Stephen): Thank you, that one can be included. Hon. Silapia.

Specially Elected MCA, (Hon. Lenamatiyo Silapia): Thank you Hon. Speaker, Let me take this opportunity also to thank the Hon. Member for Wamba west for bringing these questions for department of health and also the Chair for health for this Report. I also stand and echo and also support on what Hon. MCA Wamba North has said that we have realized that equity is not considered.

Some wards are getting zero and others are getting 175 and that one is not in order and even before God that one is inhuman and we feel that that even in other wards to be considered and let it be on records that even those wards are within Samburu County unless they tell us otherwise because we deserve those positions. I think this statement was originated from auditor general Report but it was for 2023/2024 and I do not know how it is being related to 2022 for the last regime that they are saying they have inherited both casual workers.

Again how long was the term for those casual workers served? The other thing, I just want to ask you that your leadership in this House, I think it is in order for Hon. Member to raise a point of order and we are raising a point of order because we do not know what is going on. We do not have this document. So the County Assembly administration has failed us because this is their work to make sure that they serve Hon. Members for this document. Next time all Members should be served with these copies. Thank you Hon. Speaker.

The Speaker, (Mr. Lenamarle Stephen): Hon. Lemoosa.

MCA Nyiro Ward, (Hon. Lemoosa Jonathan): Thank Hon. Speaker. I think I want to echo the same statement that of course equity is important in resource sharing. Taxation law guide us that there is taxation if there is no service rendered. It is really of great concern and nobody should drag us down by saying Wamba North and Nyiro wards has zero casual workers just because they are the beneficiaries of the previous regime. We are still tax payers and I want to believe even the forty.

We have specifically 15 wards and I think we have health facilities in all wards. In Nyiro Ward for example, we have new facilities like Simale, and the rest like Sarima. Simale is operationalizing but there no such casual helpers. I think it is prudent just like what our Chair said the Hon. Leitoro that there is need for us to have the CECM of the department of health because our Standing Orders give us an opportunity to invite them so that they give the correct information. To come and explain what it is because there is a lot of ambiguity and with that I want to believe that we need equity because we are tax payers, we need our share of whatever happening in the County. Thank you.

MCA Suguta Marmar Ward, (Hon. Leleruk James): Thank you Mr. Speaker, I also raise to thank the Hon. Chair for health for giving us this information and also to thank the Hon. Member for Wamba West for raising the same. For equity, we are here representing the Samburu County people, equity is needed for all wards. That is why we have a County and we need to balance in terms of employment because employment is an issue within our County, within our wards. So I support the Hon. Members for inviting the CECM to come and clarify the criteria used for employment because like in my Ward, it has been elevated to a sub-County hospital.

Suguta Marmar Ward, (Hon. Leleruk James): So that is the essence because more casual workers or staffs are needed and we want to urge the Hon. Member the Chair for Health. As per the contracts or casuals the months that are required to be a casual worker is 3 months and now, they have stayed for 1 year. I have seen the department is saying they are rationalizing the payment or register to include. We hope the casual workers are within their system. I think they should absolve because they have served at a maximum time that is required for them to be employed permanently.

On the issue of County Service Public Board, it is working and there is no reason as to why the department is not engaging the County Service Public Board because it is fully constituted and it is working. So, I think going forward when the CEC comes here, he should come and tell us, yes, these workers have been employed because the health department within our County it is of essence, we need more staff within the health department. We have so many health centers without casual workers. In my ward particularly I have 6. Even if you do as per the list provided it is not enough, we need more staffs to be employed. Those also with the DANIDA we also

need to see that list of the DANIDA so that we know how many are employed with the DANIDA and how many are employed with the County Government.

So, I think I would like to congratulate my brother for at least they have given us an elaborate statement that we needed to be actualized. So that the members who have been saying they have been employed particularly in my ward. There is somebody who has served for 12 years as a casual and up to now I am not even seeing his/her name. It is not about DANIDA we are doing some injustice to some of our staff. How can someone who has served for 12 years volunteer within the hospital when people are being employed that person is being left out and you bring a new person, are we doing justice to our people?

That is the reason why I need the CEC Health to come before this House. We have amended our Standing Orders. This question also can be generating a statement and we will ask as Hon. Members when the CEC is here so that we ask as per the wards and general about the County Government.

MCA Elbarta Ward, (Hon. Leitoro Jeremiah): Thank you Hon. Speaker. I would also like to take this opportunity to thank the Hon. Members who have contributed to this matter. Indeed, it is true we have issues to do with our casuals and not necessarily unique to the Department of Health. But, for purposes of clarity I think it would be good for the Committee and the Hon. Members if they can be able to get a full updated list of both the casuals that have been engaged by the County Government and those that are being supported by the DANIDA.

So that we might be able to actually see on how casual workers have been distributed across all our 15 wards. But the fact remains recruitment of the casual workers it will be difficult to consider recruiting a certain specific number and giving a fixed number equally distributing to the 15 wards for the reason that I have given. There wards that carry bigger facilities, County referral hospital. I want to let the members understand such kind of hospital will not run example: If we employ let us say around 45 casual workers it will not be fair to distribute 3 to every ward and yet we understand there are facilities they receive patients from Baragoi, South Horr, Wamba west (County referral hospital).

There are a lot of issues that are being handled in the County referral hospital. And also, the initial engagement what I was referring to of the casual workers was done on 2023. The

department has been renewing the contracts and right now at times from the labor laws, I think you are not supposed to renew someone's contract for more than twice without observing that person to permanent and pensionable. But I want to confirm that they have been renewing and we will request the department to give the Hon. Members the recent renewal agreement that the department has engaged the casual through County Public Service Board.

On these issues there are that are best responded to the CEC because they are the technical people who are handling these issues and at times it will even be appropriate for the Hon. Members during that time when the CEC will be here every Hon. Member will be able to categorically ask question pertaining to their wards. And from that point of view, they will be able to be responded to. Now that our Standing Order allow us to invite the CECs to the Hon. House to give clarity on this issue.

I do not know the kind of route we are going to take if we will invite the CECs on a normal session like this or we will go the Committee way. And we have now the Committee of Health and the Committee of PIC and PAC. I think the Hon. Member from Wamba West from what I have observed he wants us to deal through the Committee of Health and we have no issue with that. But we will request if you will give us the way forward to handle this through the Committee of Health. I will therefore wish to categorically invite all the Hon. Members who have issues pertaining to the statements that have been raised by the Hon. Member.

If we will be able to go that way, we would like to invite them to be present so that they can be able to ask these questions specifically to the CEC. And when we will be able to bring the Report to this House, they will also be part and parcel of the team that have interrogated the CEC. And if at all you will also make a request that the CEC will be the first CEC to come this Hon. House on a normal sitting session. Then I think that will be better because all Hon. Members will be present and be able to ask questions.

My only question is to request the Hon. Member that the time the CEC will be in the House let us all be present so that you can raise those issues because at times if you will not be able to be present during the time when the CEC will be giving explanations on this issue then I think the issue will keep on repeating itself. So, considering those request Hon. Speaker you will give us the way forward. If we are going to deal through the Committee of Health or invite the CEC to

come to this Hon. House now that we all understand it is something new to us. So that they will be able to come and give more clarity on this issue. Thank you.

MCA Wamba East Ward, (Hon. Lelengeju Jackson): Thank you Hon. Speaker. I first of all thank the entire member for Wamba West for raising the statement and also equally thank the Hon. Member for Elbarta Ward for the elaboration he has given. I agree with the Member, Chair of Health we have serious problem to stuffing of our facilities across the County that is. Though, I equally agree that we cannot employ them equally but it has to be equitable because the levels differ, one ward to another given the level of facilities that we have in our wards.

I want to urge the Members that match as we seek for these questions from the responsible department. We are in budget process making session, we pay attention to allocation of this key departments like; health because of the employment, the dispensaries that we have built, the ones that we continue building. We need to allocate adequate budgets for them, just like we need to allocate budget to education because of ECD teachers. I also propose that we need further engagement with the concerned CEC and his team so that we can put these issues together.

I really urge Members that this time round let us look at the priorities in these budgets. Key departments like the ones that employ people, ECD teachers and health we need to relook at the budget they are being allocated. Because some of them are given inadequate budget yet we expect them to employ people at the same time rendering services. I think of the idea when the CEC comes, we all purpose to attend is engagement meeting so that our questions get answered on the floor when they are valuable. Thank you.

The Speaker, (Hon. Lenamarle Stephen): So that I can give directions.

Majority leader, (Hon. Lentukunye Christopher): Thank you Mr. Speaker. I have gone through this list. And I think what we are requiring for the CEC to come here, I have seen somebody George Kennedy Lemasagarai a security in Lolmolok and I know I have a very old man called Lenaruti. Because I know this is one is from Loosuk not from my ward. And maybe I will go further and get clarity from the CEC the Chairman of the Health Department. Because if you see the list of those that have been saying I have a list of around 30 now I am seeing the number will be reducing.

And what I am seeing Lmisigiyo dispensary being written as Suguta Ward which is in Hon. Lekuchula ward. And also, we are not against our people getting employment but if somebody has been written that he is working within my ward, he should be working within my ward not being written as a Suguta and somebody is working somewhere else. Also, the issue I raised about the one lady who is very old and has worked for 12 years and her name is here but at the payroll, while others are receiving their pay she is not.

So, I want justice to be done on Rose Lekaraab, she is a very old woman who has worked tirelessly and she is from my ward. She has been crying day and night why she has not been employed? And today I am seeing in this list she is among the casuals and she has not been receiving. She has stayed for those years and not receiving any amount of money. So, those are the issues I want to follow and make sure justice be done to Rose Lekairab.

I urge the Hon. Chair to go through this list and give us a comprehensive one. Specific wards that the staff are working because we are seeing a lot of issues within this list. If we start talking about this list, it is not one that we can say it is conclusively the number we have said. It will either go high or reduced. I think it is better this statement to be differed; I think you should give an order so that we can go further about this report. Thank you.

MCA Loodokejek Ward, (Hon. Lekuchula David): Thank you Hon. Speaker. I want to join my colleagues to appreciate the efforts made by the Member from Wamba West, to raise this issue. And also, to appreciate the effort made by the Chair for Health to respond to these questions which were raised by the Hon. Member. I just request, as a concerned member that we understand the issues that we have in Health department. I do not think the Chair can be able to answer all these questions or to clarify some issues concerning the casuals who are working different facilities. Because maybe, you know the Chairman cannot identify a casual who is working in Wamba.

The Speaker, (Hon. Lenamarle Stephen): Order! Order! Hon. Lekuchula. Are you not speaking on behalf of the Chairman? Just put your point and do not speak on behalf of the chairman.

MCA Loodokejek Ward, (Hon. Lekuchula David): Thank you for your guidance. I just request that you give us your guidance on how to summon the CEC to appear here for all members to contribute. After members going through the document knowing who is working in your facility

and not a resident of your ward. Those are the issues that we want to sought out when the CEC is here. Thank you, Hon. Speaker Sir.

The Speaker, (Hon. Lenamarle Stephen): Hon. Members now I think the direction will be, we are going to invite not summon the CEC for Health to come and clarify. But before that I request the Hon. Member for Wamba West to put down all these questions all the concerns of the Members and forward it to the Clerk later tomorrow so that we can invite the CEC. And as members have said let us all come here so that we raise and ask questions concerning our wards. Thank you.

ADJOURMENT

Hon. Members the time being 15 minutes to 11 o'clock and there being any other business this Assembly now adjourns until Tuesday 1st April, 2025 at 2:30 pm.