

Machakos University



HUMAN RESOURCE POLICY

Contents

MUC VISION, MISSION, AND VALUE STATEMENT	1
DEFINITION OF TERMS.....	2
ACRONYMS/ABBREVIATIONS.....	4
1.0 SCOPE, PURPOSE AND INTERPRETATION	7
1.1 Scope and Purpose.....	7
1.2 Interpretation and Review.....	7
1.3 Legal and Administrative Framework	7
1.4 Implementation of the Manual.....	7
1.5 Conflict with the Law	7
2.0 INTRODUCTION TO MACHAKOS UNIVERSITY COLLEGE.....	Error! Bookmark not defined.
2.1 Background Information about MUC.....	5
2.2 The MUC Organization Structure.....	5
2.3 Delegation.....	5
2.4 General Obligations	5
3.0 RECRUITMENT AND SELECTION	8
3.1 Policy Objectives for recruitment and selection.....	8
3.2. Philosophy of MUC on Recruitment and Selection.....	8
3.3 Affirmative Action in Recruitment and Selection	8
3.4 Application for Employment	9
3.5 Recruitment Guiding Principles	9
3.6 Initial Appointment.....	9
3.7 Types of Appointment	9
3.7.1 Permanent and Pensionable Appointments.....	10
3.7.2 Contract Appointment.....	10
3.8 Temporary Appointment	11

3.8.1	Casual Employment Terms of Service (Article 36 and 37 of Employment Act 2007)	11
3.9	Acting Appointment	11
3.9.1	Power to Make an Appointment	12
3.9.2	Probationary Period	12
3.9.3	Confirmation on Appointment.....	12
3.10	Employment of Ex-employees.....	12
3.11	Transfer or Deployment within MUC.....	12
3.12	Employment Records	13
3.13	HOURS OF WORK	13
3.13.1	Official Working Hours	13
3.14	Attendance of duty	13
3.15	Visitors in the Work Place	13
4.0	LEAVE ADMINISTRATION	14
4.1	General MUC policy	14
4.2	Categories of leave.....	15
4.3	Annual Leave.....	15
4.3.1	Changes in Annual Leave Entitlement in a Leave Year	16
4.3.2	Computation of Annual Leave	16
4.4	Sick Leave/Convalesce Leave	17
4.4.1	Duration of Sick Leave.....	17
4.5	Compassionate Leave	18
4.6	Maternity Leave	18
4.7	Paternity Leave	19
4.8	Examination Leave	19
4.9	Un paid Leave.....	19

4.10	Terminal Leave	20
4.11	Leave for Sporting/Special Events	20
4.12	Leave during Public/Religious Holidays	20
4.13	Study Leave	20
4.14	Unpaid Study Leave.....	Error! Bookmark not defined.
5.0	REMUNERATION AND REWARD.....	22
5.1	Policy Statement on Salary, Advances and Loans.....	22
5.2	Types of Remuneration and Rewards	22
5.2.1	Monetary Remuneration and Rewards	22
5.2.2	Non-Monetary Rewards.....	22
5.3	Salary Structure at MUC.....	22
5.4	Commencement of Salary.....	23
5.5	Salary entry point of new appointees.....	23
5.6	Determination of Salary on Promotion.....	23
5.7	Effecting of Salary upon Promotion.....	23
5.8	Annual Increments.....	23
5.9	Payment to Casual Workers.....	Error! Bookmark not defined.
5.10	Deductions from Salaries	24
5.11	Review of Reward and Remuneration	24
5.12	Payment of Salary	24
5.13	Pecuniary Embarrassment	24
5.14	Sports and Social Club Membership	Error! Bookmark not defined.
5.14.1	Eligibility	Error! Bookmark not defined.
5.14.2	Eligibility Criteria	Error! Bookmark not defined.
5.14.3	Procedure for Application for Club Membership.....	Error! Bookmark not defined.

6.0	ALLOWANCES AND OTHER BENEFITS	25
6.1	General Policy	25
6.2	Staff Allowances.....	25
6.2.1	Acting Allowance.....	25
6.2.2	Special Duty Allowance	25
6.2.3	Resource Persons Allowance	25
6.3.4	Leave Allowance.....	26
6.3.5	Meal Allowance.....	26
6.3.6	Subsistence Allowance while on Duty within Kenya.....	26
6.3.7	Subsistence Allowance when Travelling on Official Duty outside Kenya	26
6.3.8	House Allowance.....	26
6.3.9	Entertainment Allowance	26
6.3.10	Commuter/Transport allowance.....	27
6.3.11	Mileage Allowance	27
6.3.12	Warm Clothing Allowance	Error! Bookmark not defined.
6.3.13	Winter Seasons	Error! Bookmark not defined.
6.3.14	Extraneous Allowance.....	27
6.3.15	Hardship Allowance	27
6.3.16	Transfer Allowance	27
6.3.17	Domestic Staff Allowance	Error! Bookmark not defined.
6.3.18	Telephone/Communication Facilities	28
6.3.19	Non-Practice Allowance.....	28
6.3.20	Provision for Utility Bills.....	28
6.3.21	Responsibility Allowance	28
7.0	TRANSPORT AND TRAVEL	28

7.1	Transport and Travelling	28
7.2	Travelling by Rail	28
7.3	Travelling by Road Using Public Means	29
7.4	Travelling in Own Car on Official Duty	Error! Bookmark not defined.
7.5	Travelling in University College Vehicle	Error! Bookmark not defined.
7.6	Travelling to other Countries	Error! Bookmark not defined.
7.7	Travelling within the Country or Region	Error! Bookmark not defined.
7.8	Travelling by Taxi.....	Error! Bookmark not defined.
7.9	Transportation of Luggage.....	Error! Bookmark not defined.
7.10	Driving of the MUC Vehicles	Error! Bookmark not defined.
7.11	Management of MUC Vehicles	30
7.12	Reporting of Accidents.....	30
7.13	Acquisition and Disposal of MUC Vehicles.....	30
8.0	TRAINING AND DEVELOPMENT	31
8.1	MUC Philosophy on Training and Development.....	31
8.2	General Conditions and Guidelines.....	31
8.3	Training and Development Objectives.....	31
8.4	Management Development Courses	32
8.5	Supervisory Training	32
8.6	Technical Training	32
8.7	Internal Training.....	32
8.8	Overseas Training.....	32
8.9	Management and Coordination of Training and Development.....	32
8.10	Training Needs Identification and Analysis.....	33
8.11	Staff Advisory Committee	33

8.12	Membership of the Staff Advisory Committee	33
8.13	Functions of the Staff Advisory Committee in Relation to Training	34
8.14	Annual Training and Development Plan	34
8.15	Policy on Secondment.....	Error! Bookmark not defined.
8.16	Secondment Arrangement.....	Error! Bookmark not defined.
8.17	Secondment Conditions.....	Error! Bookmark not defined.
8.18	Categories of Training Courses	Error! Bookmark not defined.
8.18.1	Training Selection.....	Error! Bookmark not defined.
8.19	Short Course Training Offered in and Outside Kenya	Error! Bookmark not defined.
8.20	Training and Development Expenses to be met by MUC	Error! Bookmark not defined.
8.21	Refund of Training Fees	Error! Bookmark not defined.
8.22	Bonding of Trainees	Error! Bookmark not defined.
8.23	Obligation to Sign Training Bonds.....	Error! Bookmark not defined.
8.24	Bonding Period.....	Error! Bookmark not defined.
8.25	Recovery of Expenses.....	Error! Bookmark not defined.
8.26	Subscription Fees to Professional Bodies	Error! Bookmark not defined.
8.27	Disembarkation report.....	Error! Bookmark not defined.
8.28	Examination Grants.....	Error! Bookmark not defined.
8.29	Professional Courses.....	Error! Bookmark not defined.
8.30.1	Technical Training Programmes.....	Error! Bookmark not defined.
8.30.2	Professional Self Sponsored Courses	Error! Bookmark not defined.
8.30.3	Part Time Courses	Error! Bookmark not defined.
8.31	Unpaid Study Leave.....	Error! Bookmark not defined.
8.32	Paid study leave	Error! Bookmark not defined.
8.33	Training and Development Monitoring and Evaluation	34

8.34	Student Internship	35
8.34.1	Objectives of Student attachment Programme	Error! Bookmark not defined.
8.34.2	Intern Specifications	Error! Bookmark not defined.
8.34.3	Internship Programme Implementation	Error! Bookmark not defined.
8.34.4	Rules & Regulations during Internship.....	Error! Bookmark not defined.
8.34.5	Payment of Stipend.....	Error! Bookmark not defined.
8.34.6	External Internship Supervision and Report	Error! Bookmark not defined.
8.34.7	Volunteers.....	Error! Bookmark not defined.
9.0	STAFF WELFARE WITHIN MUC.....	35
9.1	Staff Medical Scheme	35
9.2	Eligibility	35
9.3	Outpatient Expenses	Error! Bookmark not defined.
9.4	In-patient Expenses.....	Error! Bookmark not defined.
9.5	Counseling and Rehabilitation	35
9.6	Cost of Transport and Travelling in Connection with Medical Treatment	35
9.7	Medical and Hospital Treatment outside Kenya.....	36
9.8	Insurance.....	Error! Bookmark not defined.
9.8.1	Work Injury Benefits	36
9.8.2	Group Life Assurance Policy.....	36
9.8.3	Group Personal Accident Insurance Cover	37
9.8.4	Claims for Ex-Gratia Assistance.....	Error! Bookmark not defined.
9.8.5	Service Policy of Ex-Gratia Assistance.....	36
9.8.6	Eligibility for Ex-Gratia Assistance.....	36
9.9	Administration	Error! Bookmark not defined.
9.10	Membership of the Medical Committee	Error! Bookmark not defined.

9.11	Medical Policy Compliance	36
9.12	Dress Code within MUC	37
9.12.1	Aims and Objectives.....	37
9.12.2	Normal Business Attire within MUC	37
9.12.3	Dress Down Days.....	37
9.12.4	General Guidelines on Casual Attire	37
9.12.5	Dress Code Disclaimer	38
9.13	MUC UNIFORM POLICY	38
9.13.1	Preamble	38
9.13.2	Aims and Objectives.....	38
9.13.3	Eligibility of Uniform Issuance.....	39
9.13.4	Corporate Uniform Standards.....	40
9.13.5	Re-supply of Uniform	40
9.13.6	Exemptions.....	40
9.14	Review of Policy	Error! Bookmark not defined.
10.0	CORPORATE TELEPHONY COMMUNICATION	41
10.1	Introduction	41
10.2	Purpose	41
10.3	Eligibility	41
10.4	Airtime Ceilings and Purchase of Handsets	41
10.5	Choice of Network	41
10.5.1	Handsets.....	41
10.5.2	Roaming Charges	41
10.5.3	Direct Lines.....	42
10.5.4	Cost Management.....	42

10.5.5	Airtime Reimbursement.....	42
11.0	ADVANCES AND LOANS.....	42
11.1	General advances of Salary.....	42
11.2	STAFF LOANS.....	43
11.2.1	Staff Car Loan Scheme.....	Error! Bookmark not defined.
11.2.2	Application for Car Loan.....	Error! Bookmark not defined.
11.3	Repayment of Motor Vehicle Loan.....	Error! Bookmark not defined.
11.4	Staff House Ownership Scheme.....	Error! Bookmark not defined.
11.4.1	Introduction.....	Error! Bookmark not defined.
11.4.2	Eligibility.....	43
11.4.3	Application for Mortgage.....	Error! Bookmark not defined.
11.4.4	Fees and Charges Payable by Employees.....	Error! Bookmark not defined.
11.4.5	Repayment of Mortgage.....	Error! Bookmark not defined.
11.4.6	Cessation of Employment.....	Error! Bookmark not defined.
11.4.7	Security for Mortgage.....	Error! Bookmark not defined.
11.4.7	Number of Mortgage advances.....	Error! Bookmark not defined.
12.0	STAFF WELFARE.....	43
12.1	MUC Philosophy on Staff Welfare.....	Error! Bookmark not defined.
12.2	Death of an Employee in Service.....	43
12.3	Death of an Employee’s Spouse and Child.....	Error! Bookmark not defined.
12.3.1	Transporting the Body of a Deceased Member of Staff.....	Error! Bookmark not defined.
12.3.2	Transportation of Staff Members to Attend Funerals.....	Error! Bookmark not defined.
12.4	Employees Weddings.....	Error! Bookmark not defined.
12.5	Farewell Parties.....	Error! Bookmark not defined.
12.6	Visiting Sick Employees.....	Error! Bookmark not defined.

12.7	Employee savings and credit policy	44
12.8	Welfare Fund.....	44
13.0	PERFORMANCE MANAGEMENT	44
13.1	Philosophy of Service on Performance Management	44
13.2	Objectives of Performance Management	44
13.3	Performance Management Process.....	45
13.4	Performance Targets.....	45
13.5	Agreement on Targets	45
13.6	Annual Work Plans.....	46
13.7	Signing of Performance Agreements	46
13.8	Assessment Procedure.....	46
13.9	Progress Reports	46
13.10	Staff Performance Review	46
13.11	Implementation Process	47
13.12	Performance Management System	47
13.13	Performance Monitoring and Evaluation	47
13.14	Handling of Appeals	48
14.0	SEPARATION.....	48
14.1	Policy Statement	Error! Bookmark not defined.
14.2	Termination of Probationary Appointments	Error! Bookmark not defined.
14.3	Termination Notice for Probationary Contract.....	Error! Bookmark not defined.
14.4	Termination of Appointment	Error! Bookmark not defined.
14.5	Earned Un-utilized Leave	Error! Bookmark not defined.
14.6	Remunerative Benefits	50
14.7	Dismissal.....	50

14.8	Resignation.....	50
14.9	General.....	Error! Bookmark not defined.
14.10	Employee Categories	49
14.11	Employees on Probation.....	49
14.12	Employees on Permanent Terms.....	49
14.13	Contract Staff	49
14.14	Waiving of Notice Pay by an Employee	49
14.15	Retirements.....	49
14.15	Normal (Mandatory) Retirement.....	49
14.16	Retirement on Medical Grounds	50
14.17	On Abolition of Office	Error! Bookmark not defined.
14.18	Retirement in Public Interest	50
14.19	Voluntary Retirement	Error! Bookmark not defined.
14.20	Redundancy Procedure.....	50
14.21	Death while in Service.....	Error! Bookmark not defined.
14.22	Next of Kin.....	50
15.0	RETIREMENT SCHEMES	51
15.1	General.....	51
15.2	Pension Scheme	51
15.3	Certificate of Service	51
16.0	EMPLOYEE REWARD AND RECOGNITION	51
16.1.	Policy Statement	51
16.2	Policy Objectives	52
16.3.	Types of Awards	52
16.3.1	The Principal's Award.....	52

16.3.2	Exemplary Awards.....	52
16.3.3	Exceptional Awards.....	52
16.3.4	Integrity Awards.....	52
16.3.5	Long Service Awards	52
17. 0.	OCCUPATIONAL HEALTH, SAFETY AND ENVIRONMENT	53
17.1.	Philosophy of the University College on Safety Issues	53
17.2	Objectives of the Policy.....	54
17.3	Responsibility for Occupational Health, Safety and Environment.....	54
17.3.1	Organization Responsibilities:.....	54
17.3.2.	Employees Responsibilities	55
17.4	Thematic Areas in Occupational Health Safety and Environment.....	55
17.4.1	Housekeeping.....	55
17.4.2	Sanitary Facilities	56
17.4.3	Work Place Ventilation	56
17.4.4	Lighting System	56
17.4.5	Hot and Cold	57
17.4.6	First Aid Management within the University College	57
17.4.7	Clean Water	57
17.4.8	Occupational Health Check-ups	57
17.5	SAFETY.....	57
17.5.1	Working Environment.....	58
17.5.2	Protective Equipment and Clothing.....	58
17.5.3	Smoking.....	58
17.5.4	Alcohol and Substance Abuse	58
17.5.5	Environment.....	58

18.0	SUCCESSION PLANNING AND STAFF RETENTION	59
18.1	Succession Planning	59
18.2	Purpose of Planning within the University College.....	59
18.3	Key Components of Succession Planning.....	60
18.3.1	Position Description and Responsibilities/Competencies/Skills.....	60
18.3.2	Individual Assessment and Skills/Competencies, Development Needs	60
18.3.3	Roll-out Process	60
18.4	Employee Retention Strategy	60
18.4.1	Provision of a Positive Working Environment.....	61
18.4.2	Recognize, Reward and Reinforce the Right Behavior.....	61
18.4.3	Involvement and Engagement	61
18.4.4	Develop Skills and Potential.....	61
18.4.5	Evaluate and Measure	61
18.5	Talent Management within the University College	61
18.5.1	Talent Management Strategies.....	62
19.0	PROMOTION	62
19.1	Philosophy on Promotions	62
19.2	Qualifications for Promotion	63
19.3.	Mandate of the Staff Advisory committee (SAC) in relation to Promotions	63
19.4.	Seniority	63
19.5	Notification of Promotion.....	63
19.5.1	Seniority on Promotion.....	63
19.6	Effective Date of Promotions.....	64
20.0	CODE OF CONDUCT.....	64
20.1	Philosophy of Code Conduct	64

20.2	General Rules	64
20.3	Other Rules and Instructions	64
20.4	General Obligations.....	65
20.4.1	Public Officers Ethics Act, 2003.....	65
20.4.2	Wealth Declaration	65
20.4.3	Obedience	65
20.4.4	Best Judgment.....	65
20.4.5	Duty Attendance	65
20.4.6	Hours of Duty	65
20.4.7	Absence from Duty without Permission	66
20.4.8	Absence on Grounds of Ill-Health	66
20.4.9	Rule of Law.....	66
20.4.10	Responsibility.....	66
20.4.11	Conduct towards Clients	66
20.4.12	Part-time Employment.....	66
20.4.13	Pre- employment Medical Examination and Fitness Tests.....	67
20.5	Rules of Conduct for Employees	67
20.5.1	Conflict of Interest	67
20.5.2	Integrity and Honesty	67
20.5.3	Conduct in Public	67
20.5.4	Reticence in Public Matters	67
20.5.5	Award of Contracts	67
20.5.6	Disposal of Boarded Assets.....	68
20.5.7	Publication and Divulgence of Official Matters	68
20.5.8	Correspondence with the Media	68

20.5.9 Interviews with Public.....	68
20.5.10 Official Documents - Legal Proceedings.....	68
20.5.11 Incivility towards Customers.....	68
20.5.12 Notice Boards.....	69
20.5.13 Smoking, alcohol and drug abuse	69
20.5.14 Dress Code	69
20.5.15 Uniforms and Protective Clothing.....	69
20.5.16 Staff Identification Badges.....	69
20.5.17 Communication Facilities - Misuse	69
20.5.18 Betting and Gambling	70
20.5.19 Membership to Political Party.....	70
20.5.20 Pecuniary Embarrassment	70
20.5.21 Misuse of Official Stamps and Falsification of Records	70
20.6 SEXUAL HARASSMENT.....	70
20.6.1 Policy Statement	70
20.6.2 Definition.....	70
20.6.3 Perceived Harassment	71
20.6.4 Procedures for Dealing with Sexual Harassment.....	71
20.6.5 Legal Proceedings	71
20.6.6 Misuse of MUC Property.....	72
20.6.7. Penalties.....	72
20.6.8 Conflict Resolution	72
20.6.9 Review.....	72
21.0 MANAGEMENT OF EMPLOYEE RELATIONS.....	73
21.1 General Policy Statement	73

21.2 Discipline and Conduct	73
21.3 Staff Counseling	73
21.4 Administration of Discipline.....	73
21.4.1 Due Process of Discipline	73
21.5 Description of Offences	75
21.6. Disciplinary Measures	76
21.6.1 Appeal	76
21.6.2 Disciplinary Actions.....	76
21.6.3 Demotion	77
21.6.4 Surcharging of Staff.....	78
21.6.5 Interdiction from duty	78
21.6.6 Suspension from Duty.....	79
21.6.7 Retirement in the University College’s Interest.....	80
21.7 Staff Advisory Committee (SAC)	81
21.7.1 Mandate of Staff Advisory Committee (SAC) on Staff Discipline.....	81
21.8 Grievance Handling.....	81
22.0 MANAGEMENT OF GENDER AND DISABILITY	82
22.1 Gender Policy	82
22.1.1 General Policy Guideline	82
22.2 Disability Policy.....	82
22.2.1 General Policy Guideline	82
22.2.2. Guidelines for the Employment of People with Disabilities	83

MUC VISION, MISSION, AND VALUE STATEMENT

MksU Vision Statement

A Preferred University of Excellence in Scholarship and Service Delivery

MksU Mission Statement

Provide Scholarly Education Through Training, Research and Innovation for Industrial and Socio-economic Transformation of our Communities

MksU Core Values

- Integrity** - To honestly deliver on our promises to our stakeholders
- Accountability** - To always be accountable in the assigned duties
- Professionalism** - To be committed to high standards of training and service delivery
- Inclusivity** - Respect for diversity
- Creativity** - Determination to continually improve
- Teamwork** - To actively work together to achieve common goals
- Equity** - To strive to be an equal university where meritocracy is practiced in all areas

MksU Identity Statement

Machakos University is an academic institution committed in generating and transmitting knowledge, skills and attitude through Science, Technology and Innovation for the benefit of humanity.

MksU Philosophy Statement

The Philosophy of Machakos University is: “Education for Industrial and Economic Transformation.”

DEFINITION OF TERMS

The terms in subsequent sub-paragraphs shall have meanings specifically assigned to them as follows:

Basic Salary - Means pay of an employee excluding house allowance, overtime, subsistence allowance or any other allowances.

Calendar Year - Means the period from 1st January, to 31st December of the same year.

Cabinet Secretary - Refers to the Cabinet Secretary responsible for Education

Child - Means child of a MACHAKOS UNIVERSITY COLLEGE employee and shall include a legally adopted child who is fully depended on the employee and is up to the age of 18 years or if a full time, student, in an approved educational establishment up to the age of 25 years. The child must have been registered officially with supporting documents and must appear on the employee's next of kin form. This form must be updated from time to time when there are changes in the family.

Code of Ethics has meaning as assigned in the Public Officers Ethics Act.

Council - means the MACHAKOS UNIVERSITY COLLEGE COUNCIL.

Committee - Means any committee established by either Council or any other

Discipline - is the observance of rules, regulations and norms. It is also a good mechanism for sanctions and rewards. Self discipline and good attitude to work are virtues to be upheld while in the University College service. Discipline takes the form of laws, rules and regulations, policies and practices.

Employee - Means an individual employee of MACHAKOS UNIVERSITY COLLEGE employed for wages or salary.

Employment Conduct and Ethics - means the minimum standards and principles that guide the actions, decisions and the general behavior of conduct of the employees in the University College They deal with what is good or bad or right or wrong in a moral or legal sense.

Family - Means the spouse and dependent children of a MACHAKOS UNIVERSITY COLLEGE employee.

Financial Year - Means the period from 1st July, to 30th June of the following Year.

Gross Salary - Is pay of an employee including all allowances.

Governance organ of the University College.

Head of Department/Section -Means any person for the time being officially appointed and authorized to perform the duties of Head of Department /Section.

Immediate Family- Refers to the declared nuclear family consisting of spouse and dependent children.

Induction -Means a process that enables a new employee to adapt and acquaint oneself with the position and the organizational environment.

Leave Year - Means any period between 1st January and 31st December of the year.

Manager - Refers to Human Resource Manager of Machakos University College

Management Board - Means the Board comprising the Principal, Deputy Principal(s), the Registrars and any other person properly authorized to act on behalf in a matter, whether under powers expressly delegated or not.

Minor - means a person who has not attained age of 18 years

Net Pay - Means pay after all statutory and voluntary deductions.

Nuclear Family - A family unit consisting of a mother/father and their children.

Officer - Includes an employee of Machakos University College unless otherwise stated.

Pensionable Terms - Has meaning as assigned to it in the Machakos University College Staff Pension Scheme and the relevant Trust Deed and Rules.

Per Diem - refers to the daily rate allowance payment to an officer to cater for both accountable and non accountable accommodation and subsistence expenses in connection with official work. It may also refer to a specific amount of money that the University College shall allow an individual employee to spend per day, to cover living expenses in connection with official work. It is the allowance given to the employee/worker for completing a task or going on official tour away from home.

Public Service - Means and includes employment in the mainstream Civil Service, Government owned Enterprises. It excludes service in the private sector and civil society organizations

Pro-rata-Means computation of an employee's benefits for the period served in relation to the full time entitlement.

Security in University Premises - in the context of this Manual, "security" means the safeguarding of classified information, property, materials and people

Service - Means University College Employment from date of entry to the date of exit

Spouse - Means and includes any persons to whom an employee is [or has been married] to under any recognized law.

The Order - means the MACHAKOS UNIVERSITY COLLEGE Legal Order No. 130 of 2011.

ACRONYMS/ABBREVIATIONS

The following acronyms have the following meaning as used in this manual.

AA	-	Automobile Association of Kenya
AIDS	-	Acquired Immune Deficiency Syndrome
BOG	-	Board of Governors
GoK	-	Government of Kenya.
GLAS	-	Group Life Assurance Scheme.
GPAIC	-	Group Personal Accident Insurance Cover.
HIV	-	Human Immunodeficiency virus
HRM	-	Human Resource Manager
ID	-	Identity Card
RBA	-	Retirement Benefits Act.
SRBS	-	Staff Retirement Benefits Scheme.
TDR	-	Trust Deed and Rules.
TSC	-	Teachers Service Commission
MTTI	-	Machakos Technical Training Institute
MUC	-	Machakos University College
WIBA	-	Work Injury Benefits Act.

INTRODUCTION TO MACHAKOS UNIVERSITY

2.1 Background Information about MksU

Machakos University (MksU) was Chartered on 7th October, 2016. It is the successor to Machakos University College which was established through a Legal Notice No. 130 of 5th September, 2011.

2.2 The MksU Organization Structure

The MksU Organization Structure shall provide clear reporting relationships of the various envisioned positions in the University. The Structure shall be as approved by the University Council.

2.3 Delegation

The Council may delegate any of its functions and powers under the Terms and Conditions of Service to the Vice-Chancellor who may in turn delegate one's duties and powers to a relevant and competent officer of the University.

2.4 General Obligations

Employee obligations

- a) Employees shall be required to discharge their functions in the interest of Machakos University. It shall be a fundamental obligation for all employees to conduct themselves appropriately and dedicate their loyalty to the University;
- b) Employees shall be expected to maintain high standards of professionalism, ethics and integrity;
- c) Employees shall serve in such Schools/Faculties, Departments/Divisions/Units as MksU may from time to time determine taking into account exigencies of MksU;
- d) Employees shall devote themselves entirely to the duties of their posts during their tenure of employment;
- e) Employees shall render obedience to persons placed in MksU over them;
- f) An employee shall not absent oneself from duty during working hours, leave the appointed place of work, proceed to a place other than that which one is usually employed or exchange duty with any other employee, without due permission of the immediate supervisor;
- g) Employees shall follow and observe fully and always the hours of work prescribed or as may be prescribed from time to time by the University;
- h) Every employee shall be responsible for proper, efficient and effective discharge of the duties and responsibilities entrusted to him/her;
- i) Employees shall give special attention to economic use of resources in the discharge of official duties;

- j) Employees shall maintain professionalism and courtesy at all times and maintain acceptable standards of conduct, dress and personal hygiene befitting the dignity and image of MksU;
- k) Every employee shall give correct information in connection with the performance of one's duties and responsibilities;
- l) Every employee shall ensure that any communication received from a member of the public, or from a public or private body is dealt with expeditiously and courteously;
- m) An employee shall declare to MksU one's personal interests where such interests are likely to interfere with the official duties or to affect personal judgment on official matters;
- n) Employees shall undergo medical, practical, educational or vocational tests as may be required by MksU;
- o) The safety and security of employees, the property and the public shall be of paramount consideration to all employees during the performance of their duties;
- p) An employee shall not by conduct or speech render oneself open to suspicion of dishonesty;
- q) Employees shall be required to abide by all MksU Statutes, Policies and Circulars as may be issued by MksU from time to time;
- r) Employees shall be required to declare to MksU any gifts, hospitality or other benefits offered to them in the course of duty.

Employer obligations

- a) Allow access to relevant information and feedback;
- b) Confidential handling of information;
- c) Courteous and timely response to requests, complaints and enquiries;
- d) Prompt payment of services offered as per agreement on submission of all relevant documents;
- e) Enhance employees competence through training and development;
- f) Ensure staff progression as per the Appointments and Promotions Criteria;
- g) Provide safe, secure and healthy working environment;
- h) Provision of necessary working tools and equipment;
- i) Fair remuneration commensurate to services rendered;

- j) Use of the University's facilities and services free from harassment by other users;
- k) Not to discriminate any employee based on any form of discrimination.

1.0 SCOPE, PURPOSE AND INTERPRETATION

1.1 Scope and Purpose

The Human Resource Policy Manual embodies the generic terms and conditions of service and basic rights, duties and obligations of employees of Machakos University Namely:-

Staff in Grades 1-4

Staff in Grades 5-15

This Human Resource Policy Manual serves as an important reference point for decision-making and represents the broad principles of attracting, engaging, developing, motivating and retaining high quality staff for MksU. It also contains a set of behavior expectations intended to promote employee creativity and innovation required to sustain high levels of productivity. The principles underpinning this manual are derived from MksU Vision, Mission, Objectives and Core Values which are intended to create conducive working environment. MksU is committed to adopting and maintaining high standards of Human Resource Management to support high level of performance, organizational efficiency and effectiveness. It also gives provisions on the various ways of exiting MksU staff.

1.2 Interpretation

The interpretation of this Human Resource Policy and Procedure Manual shall rest with the University Management Board subject to the right of appeal to the University Council.

1.3 Legal and Administrative Framework

This manual is aligned to the provisions of the Constitution of Kenya 2010, the Universities Act 2012, the Employment Act 2007, the Machakos University Charter, MksU Statutes, Commission for University Education University Standards and Guidelines 2014 and any other relevant Labour Legislation in Kenya.

1.4 Implementation of the Manual

The Vice-Chancellor shall responsible for the full implementation of the contents in this Human Resource Policy Manual. However, such may be delegated to a relevant and competent officer.

1.5 Conflict with the Law

This Human Resource Policy Manual is not a Statute, a Contract or a Regulation but a Policy document for guidance. This Manual shall therefore be read together with and in

light of the letter of employment, the Constitution of Kenya, Statutes, Circulars in existence and as issued from time to time. Should this Human Resource Policy be found to be inconsistent with the written law, then the law shall prevail.

3.0 RECRUITMENT AND SELECTION

3.1 Policy Objectives for recruitment and selection

The objectives of this Policy are to:

- a) Establish standards for recruitment, selection and placement that shall enhance attraction, engagement and retention of motivated and high caliber staff for effective service delivery;
- b) Ensure successful career and succession planning.

3.2. Philosophy of MksU on Recruitment and Selection

- a) MksU is an equal opportunity employer and vacant positions shall be competitively filled based on merit and equity to provide it with necessary knowledge, skills, competencies and attitudes for effective performance and service delivery.
- b) Authority to hire shall be vested in the Council and the University Management Board
- c) MksU shall not discriminate against an employee or a prospective employee or harass an employee or a prospective employee on grounds of race, colour, sex, language, religion, political or other opinion, nationality, ethnic or social origin, disability, pregnancy, mental or HIV status.

3.3 Affirmative Action in Recruitment and Selection

- i. MksU shall observe gender mainstreaming guidelines based on the public policy concepts of assessing the different implications for women and men of any planned policy action, including legislation and programmes, in all areas and levels. This shall offer a pluralistic approach that values the diversity among both men and women in all professional, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equity in all areas including recruitment of staff.
- ii. MksU shall observe disability mainstreaming in line with the government regulations by considering applicants with disability during recruitment and giving equal opportunity in interview and selection processes and consider their special needs and challenges as an added advantage. MksU shall provide the necessary facilities to enable people living with disabilities to work comfortably and productively.
- iii. MksU shall mainstream the marginalised in line with the government regulations by considering such applicants during recruitment and giving equal opportunity in interview and selection processes.

- iv. MksU shall observe youth mainstreaming in line with government regulations by considering youthful applicants.
- v. MksU shall not discriminate directly or indirectly against any person on any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth.

3.4 Application for Employment

MksU relies on the accuracy of the information contained in the application for employment and the accuracy of other data presented throughout the recruitment, selection and appointment process. Any misrepresentation or falsification in any of this information or data shall result in exclusion of the individual from further consideration for employment. Applicants will be expected to fully disclose all relevant information.

3.5 Recruitment Guiding Principles

The following shall guide recruitment within MksU:

- a) Recruitment shall be done against approved establishment. Recruitment and selection on all arising vacancies shall be filled competitively. This applies to both internal and external recruitment. In all cases, the focus of this process shall be to ensure that MksU is staffed with the best skills and competencies available both internally and the labour market. The Council shall be responsible for recruitment of staff in all positions. Consideration for appointment shall be based on relevant qualifications, experience, merit, competency and attitude desired to perform in the roles effectively;
- b) Any additional position required outside the approved structure and establishment shall be submitted to the Council for consideration and approval before implementation and structure amended accordingly;
- c) The Council shall provide Job Descriptions and person specifications.
- d) Recruitment shall be based on approved Job Descriptions. All employees and their supervisors shall ascent to a current Job Description, a copy which shall be kept by the Human Resource Management Department.
- e) All potential employees shall be interviewed by relevant organs.
- f) Recruitment of staff shall be guided by the approved staff projection.

3.6 Selection Guiding Principles

3.7 Initial Appointment

The Council shall appoint all employees of the University. Potential employees shall be expected to accept/reject an offer within the period stipulated in the offer.

3.8 Types of Appointment

An employee may be appointed on any of the following Terms of Service:

- i. Permanent and Pensionable; to incorporate grade I-IV
- ii. Contract;
- iii. Temporary;
- iv. Casual.

3.8.1 Permanent and Pensionable Appointments

An Officer shall qualify to be employed on permanent and pensionable terms only if one:

- a) is a Kenyan;
- b) is 50 years of age and below, but not a minor;
- c) meets the stipulated minimum requirements for the relevant Terms of Service.

3.8.2 Contract Appointment

Appointment on contract terms shall be informed by the prevailing regulations on employment, and it shall also be a MksU strategy on wage bill cost reduction and performance oriented strategy.

Vacancies that cannot be filled on pensionable terms due to non-availability of suitable Kenyan citizens, or when it is not necessary to offer such permanent and pensionable employment for reasons as may be decided upon by the Council from time to time. A contract employee shall be entitled to a gratuity as per the contract.

3.8.2.1 Renewal of Contract

An employee who wishes to be considered for renewal of contract must apply to the appointing authority at least three (3) months for staff below the level of full Professor or equivalent before expiry of the current contract. For full professors and equivalent, such application should be made at least six (6) months before expiry of contract term. This provision equally applies for notification of intention not to renew the contract.

The University shall consider and notify within a reasonable period and depending on the contract period, the officer serving on contract terms in writing of the Council's intention to renew or extend the contract. Such an officer shall signify his/her acceptance or rejection in writing.

The terms of engagement for such officer shall be clearly spelt out in the letter of appointment and/or in the terms and conditions of service document to be signed between the Council and the officer being so engaged.

3.8 Temporary Appointment

Appointment on temporary terms shall apply to cases where employees of MksU would normally not be required beyond a period of twelve (12) months. This shall be done as and when the need arises and shall not attract a gratuity.

3.8.1 Casual Employment Terms of Service

Casual employees may be engaged for a period not exceeding three (3) months and shall be paid a wage on daily basis and any other payments as the Council may deem fit. Employment on Casual Terms shall continue to be governed by the provisions of the Employment Act, 2007 and other Government Regulations as revised from time to time.

3.9 Acting Appointment

- i. Acting appointment shall apply where someone is called upon to perform duties that are distinct and in higher position than one's day to day responsibilities. For a person to qualify for appointment in an acting position, one must meet the minimum requirements as set out in the job description and specification for the position one is to be appointed to act.
- ii. However, in circumstances where an officer is called upon to perform additional duties of a position within the same level (grade), this shall not result to the payment of acting allowance nor special duty allowance. In addition where an officer does not meet the minimum requirements for the higher position and is called upon to perform those duties the officer shall be paid special duty allowance.
- iii. Acting and special duty allowance shall not be paid twice for the position. Therefore, in the event that an acting officer is away on leave for more than 30 days, acting allowance or special duty allowance shall be stopped so that the officer acting can be paid the special or acting allowance.
- iv. Acting shall be for a minimum of thirty calendar days.
- v. For long term appointments the position should be filled within six (6) months.
- vi. Acting appointment shall be limited to six (6) months at any given time. However, when an employee has been appointed to act in a post for up to six (6) months and is not confirmed to the substantive post, a decision must be made to either confirm the employee or to revert him/her to his/her substantive post. Notwithstanding the above, an employee who acts in a post for a period exceeding six (6) months may be confirmed in that post. This shall only apply when the position in which the employee is acting falls vacant. Acting appointments shall be categorized as follows:
 - a) Short term acting shall apply where the incumbent is away on leave, training, secondment, or any other reason as may be stated.

- b) Long term acting shall apply when a position becomes vacant pending recruitment. Such cases may be occasioned by: death, resignation, termination and re-designation.

3.9.1 Power to Make an Appointment

The power to appoint any person or hold to act in any office/capacity in the University is vested in the Council which may delegate some of these powers to the Vice- Chancellor

3.9.2 Probationary Period

Except in cases secondment or transfer from other public services, all employees on first appointment shall serve a probationary period of six months which may be terminated or extended for not more than six (6) months. During the probationary period, appraisal reports on the employee's performance and general conduct shall be made to the Deputy Vice-Chancellor (Administration, Planning & Finance). Any shortcomings noticed about the employee during the probationary period shall be notified to him/her. At the conclusion of the probationary period, the employee shall be informed in writing whether or not one has been granted employment on permanent terms.

3.9.3 Confirmation on Appointment

Upon successful completion of probationary period, an officer shall be confirmed on appointment with effect from the due date of expiry of probationary period. Confirmation letters shall be signed by the Deputy Vice- Chancellor (AP & F).

3.10 Employment of Ex-employees

- a) Former employees of MksU may be re-employed depending on the circumstances that prompted their separation from MksU. A former employee, who is re-hired, shall be subjected to the same recruitment and selection process as all other applicants.
- b) A former employee who is re-employed shall be given a new appointment letter, whose terms and conditions shall be fully applicable without regard to any period of former service.

3.11 Transfer or Deployment within MksU

- a) An employee of the University shall be deployed as the appointing authority may deem fit and necessary;
- b) The employee shall devote oneself entirely to the duties of ones' post during the prescribed hours of duty in the University.
- c) MksU's employees are not limited to the work, which may be specified in their contract of employment, but may be called upon to perform any other duty for which they are charged in connection with the working of the University.

3.12 Employment Records

- a) Employee record files shall be maintained and shall contain records relating to the employees' employment history, during their tenure of employment.
- b) Staff files are the property of MksU, and information contained therein shall be held in confidence
- c) Employees shall provide timely information to update their files.

3.13 HOURS OF WORK

3.13.1 Official Working Hours

The University official working hours run from Monday to Friday and shall be as follows:

Office Assistants

Morning session: 7.00 A.M to 1.00 P.M

Afternoon session: 2.00 P.M to 4.00 P.M

Other Staff

Morning session: 8.00 A.M to 1.00 P.M

Afternoon session: 2.00 P.M to 5.00 P.M

Though the general office hours are as enumerated above, Heads of Department shall not be restricted to utilizing their staff during these hours when there is any cause requiring their service either earlier or later. In addition, these days and hours may change according to the shift requirements of some Schools/Faculties, Departments and Units.

Any work undertaken by an employee working beyond office hours or during weekends and Public Holidays shall require prior approval by the Deputy Vice- Chancellor (Administration, Planning and Finance). A register of such extra hours worked shall be kept for tracking with a view to compensating the workers.

3.14 Attendance of duty

An employee of the University shall not absent oneself from duty during working hours, leave one's appointed place of work, proceed to a place other than that to which one is usually employed, or in case of those working in shifts, exchange duty with any other employee without due permission from one's immediate supervisor. Such an act shall be considered as a breach of employment contract and may attract a disciplinary action.

3.15 Visitors in the Work Place

- a) To provide for the safety and security of employees, only authorized visitors shall be allowed in the workplace. Restricting visitors is intended to help ensure security, decrease insurance liability, protect confidential information, safeguard employee

welfare, and avoid potential distractions and disturbances. Employees are discouraged from receiving personal visitors during working hours. Where this is unavoidable, personal visitors shall be received in the waiting room. An employee receiving a personal visitor shall spend the shortest time possible with the visitor and shall sign and endorse the gate pass.

- b) All visitors entering the University shall report to the reception desk for further guidance
- c) Employees are encouraged to see their personal visitors during breaks in order to minimize disruption of work and maintain high levels of productivity.
- d) The main reception shall maintain a register of all visitors, purpose of each individual visit, whether personal or official, employee to be seen, time of arrival and time of departure. This information shall be countersigned by the employee visited and shall be submitted on a monthly basis to the Registrar in charge of Human Resources.

4.0 LEAVE ADMINISTRATION

Policy Statement

The purpose of this policy is to provide all eligible employees with time for rest, relaxation, and for recuperative purposes to enable an officer renew one's energies and improve efficiency, while still receiving full compensation from the University.

The University encourages employees to take all the annual leave days for which they are eligible. New permanent employees are expected to work for at least six (6) consecutive months to be eligible for leave and leave benefits on pro rata basis. The University recognizes and appreciates that a rested employee is an effective worker.

4.1 General MksU policy

- a) All employees shall be entitled to annual leave as shall be determined by MksU from time to time. Leave shall not be commuted either for cash or carried forward without written consent of the Vice- Chancellor.
- b) Accrued leave days shall devolve to the estate of an employee in the event of one's death. All leave is subject to exigencies of service and shall be sanctioned at the discretion of MksU. An employee may be recalled from leave due to exigencies of work. Unexpired leave shall be taken during a mutually agreed future date.
- c) Any employee who proceeds on leave (except in circumstance of sick leave) before approval is granted shall be deemed to be absent from duty without permission and consequently liable for disciplinary action. Leave shall be applied using a prescribed form.
- d) Leave shall be taken on the basis of a School/Faculty, Department or any other Unit Leave Plan, a copy of which should be filed with the Registrar in charge of Human Resources.

4.2 Categories of leave

For the purpose of leave administration, leave shall normally fall under the following categories;-

- Annual Leave;
- Maternity Leave;
- Paternity Leave;
- Unpaid Leave;
- Study Leave;
- Sick/Convalescent Leave;
- Compassionate Leave;
- Leave for Special Purposes;
- Terminal Leave;
- Sabbatical Leave;
- Leave of Absence;
- Professional Attachment Leave;
- Disembarkation Leave;
- Other forms of leave that may be determined by University or Government from time to time.

4.3 Annual Leave

- i. An employee shall be eligible for annual leave at the commencement of a “leave year”.
- ii. A newly appointed officer shall be required to complete a minimum of six (6) months before being granted annual leave. Such a leave shall be calculated on pro-rata basis for the year of one’s appointment;
- iii. A “leave year” shall commence 1st January and end on 31st December of the calendar year;
- iv. Annual leave shall be utilized within a given leave year. Employees shall be required to programme their leave in such a way that leave does not spill over to another year;
- v. An annual leave of thirty (30) days for grades 12 and below and thirty six (36) days for grades 13 and above exclusive of Saturdays, Sundays and public holidays shall be granted to University staff;

- vi. Annual leave is not accumullatable. Hence, leave earned shall be taken within the leave year it falls due and not more than one half of the annual leave entitlement shall be allowed to be carried forward to the next leave year, subject to such carry over being approved by the Deputy Vice- Chancellor (Administration, Planning & Finance).
- vii. Application for leave carry over should be submitted to the Deputy Vice- Chancellor (Administration, Planning & Finance) by 30th November of the applicable leave year.
- viii. Where leave is nonetheless accumulated due to exigencies of the University operations and is duly authorized and the accumulation approved by the Deputy Vice-Chancellor (Administration, Planning and Finance)., arrangement could be made to compute part or whole of the employees leave entitlement for cash payment with approval from the Deputy Vice- Chancellor (Administration, Planning and Finance)..
- ix. Deferment of annual leave from one leave year to another shall not be permitted except in very exceptional circumstances with prior approval of the Deputy Vice-Chancellor (Administration, Planning and Finance).
- x. An officer who has not availed oneself for the annual leave due for the year in which one's employment ceases shall be entitled to terminal leave in accordance with Section 28 of the Employment Act, 2007, which provides that: "every employee shall be entitled where employment is terminated after the completion of two or more consecutive months of service during any twelve months leave earning period to not less than one and three quarter days of leave with full pay, in respect of each completed month of service in such period, to be taken consecutively'.
- xi. By the nature of duty for teaching members of staff shall only take their annual leave at the beginning or the end of semester.
- xii. Accumulated leave shall not exceed 45 days for grades 12 and below and 54 days for grades 13 and above at any one leave year at any given time;
- xiii. All departments shall prepare a leave roster for the calendar year and forward the same to the Deputy Vice- Chancellor (Administration, Planning and Finance) by February every year for compiling and monitoring.

4.3.1 Changes in Annual Leave Entitlement in a Leave Year

Effect of changes of one's annual leave entitlement, the leave in respect of the leave year in which the change occurs shall be calculated by reference to the proportion with the number of days, service on the different salary scales as the case may be.

4.3.2 Computation of Annual Leave

a) First Year of Service

New employees shall be eligible for leave after serving for six months in the MksU, however, leave may be granted under exceptional circumstances with appropriate approval. After the first six months, the whole of the leave for the period from the

commencement of service up to the end of leave year may be granted. The amount of leave due shall be calculated by reference to the proportion which the period from the commencement of service to the end of the year bears 365 or 366 days, as the case may be.

b) Last Year of Service

In the case of an employee retiring or leaving service, leave shall not extend beyond the last day of service. An employee shall therefore, be required to commute for cash, any leave days outstanding.

c) Other Years of Service

During other years of service except probationary appointment and last year of service, annual leave shall be granted on annual basis; the employee qualifies for complete annual leave entitlement any time after the commencement of leave year.

d) Incomplete Year of Service

Where an employee has, during his leave year, a period of unpaid service, the annual leave entitlement for that leave year shall be calculated by reference to the proportion which the paid service in that leave year bears to 365 or 366 days as the case may be.

4.4 Sick Leave/Convalesce Leave

- a) Sick leave is defined as an approved absence of an employee from duty on account of illness. Sick leave must be granted by a duly authorized officer as indicated hereunder and the medical certificate, duly signed, submitted to the Deputy Vice- Chancellor (Administration, Planning and Finance) through the supervisor /immediate Senior Officer within two days of absence.
- b) Convalescent leave means a period of absence of an employee granted on recommendation of a qualified medical officer for the employees recuperative purposes, immediately following an illness. An employee may be granted sick/convalescent leave in a leave year subject to the maximum period indicated below and provided it is certified by the medical officer in charge that there is reasonable prospect of eventual recovery and fitness for duty.

4.4.1 Duration of Sick Leave

a) Sick Leave Granted by Medical Practitioner

Medical Practitioner may authorize absence from duty up to a maximum of four (4) days. Any period in excess of four (4) days shall require to be countersigned by the Head, Machakos University Health Unit.

b) Sick Leave Granted by Medical Practitioner

Medical Practitioner may authorize absence from duty up to a maximum of twenty one (21) days. Should it be necessary to allow absence from duty in excess of these periods, clear and convincing reasons must be given by the Head of the Health Unit.

- c) An employee on permanent and pensionable terms of service or on contract terms of service shall be granted sick/convalescent leave up to six (6) months on full pay, followed by six (6) months half pay in a leave year, while an employee on probationary and temporary terms of service shall be granted up to two (2) months full pay followed by two (2) months on half pay in a leave year.
- d) If after the period of sick/convalescent leave as per clause (c), the employee is unlikely to resume duty, then the University shall arrange for a Medical Board, which shall submit a report with their recommendations for deliberation by the University Management Board.
- e) Sick Leave Caused by an Employee's Negligence or Misconduct

In the case of sick leave and/or convalescent leave rendered necessary by the employee's own negligence or misconduct, his salary may be forfeited for the whole period of his/her absence from duty.
- f) When an officer is admitted in an approved hospital while on annual leave, the leave shall be recomputed and the number of days spent in hospital excluded subject to medical evidence being provided.
- g) Every new recruit who is offered employment by the University shall be required to undergo a medical examination conducted by a medical practitioner in a recognized institution and a Medical Certificate issued.

4.5 Compassionate Leave

Under special circumstances an employee may be granted compassionate leave of up to a maximum of ten (10) working days in a leave year. An employee will only be eligible for compassionate leave in the event of death of a parent, spouse, child or sibling. The compassionate leave granted shall not be part of the annual leave days:

4.6 Maternity Leave

- a) Female members of staff who are required to be absent from duty on account of confinement, shall be granted maternity leave with full pay for a maximum period of three (3) months which are inclusive of weekends and public holidays.
- b) A female employee shall be entitled to her annual leave days besides the maternity leave due for the year.
- c) An application for maternity leave should be submitted to the Deputy Vice- Chancellor (Administration, Planning & Finance) thirty (30) days before the expected date of confinement. The application should be supported by a medical certificate indicating the date on which maternity leave should commence.
- d) Immediately on expiry of maternity leave before resuming her duties a female employee may proceed on sick leave or with the consent of the employer on annual leave; compassionate leave; or any other leave.

4.7 Child Adoption Leave

- a) An employee who has been granted adoption rights under the Children's Act and wishes to take leave for purposes of bonding and integrating the child into the family, will be entitled to Child Adoption Leave in accordance with the Employment Act, subject to production of an adoption order.
- b) Where the adoption is by both the employee and spouse, and the spouse is also an employee in the service, child adoption leave will only apply to the female officer

4.8 Paternity Leave

- a) A male employee shall be entitled to two (2) weeks paternity leave with full pay during the period of the spouse's maternity leave.
- b) Evidence of the birth of the child should be provided
- c) Such leave shall not earn any allowance
- d) Such paternity leave shall be taken not later than a week after the child's birth.
- e) For the paternity leave to be granted, prove of marriage should be provided.

4.9 Examination Leave

- a) Employees shall be required to notify the Registrar (Administration and Planning) through their Head of Department/Section in writing of their intention to pursue a given course. Employees undertaking courses which have been officially approved may be granted four (4) days for exam preparation and time offs during the actual exam days subject to a maximum of 10 days per annum. Such employees shall be required to forward application to Registrar (Administration and Planning) through their Head of Department/Section at least two (2) weeks prior to proposed date of commencement. Application shall always be accompanied by a certified Examination Timetable.
- b) The leave shall not be deducted from the annual leave. Applications for examination leave for courses not approved shall not be granted.

4.9 Leave of Absence

Leave of absence may be granted to an employee on the following grounds:-

- a) For non-teaching and teaching staff, leave of absence may be considered for matters requiring urgent private business or proven cases of exceptional hardships or appointment/secondment to a public office. The full details of the case, which shall be regarded as being strictly confidential, shall be submitted to the Deputy Vice- Chancellor (AP&F) in writing.

- b) Leave of absence when granted shall be for a maximum of two terms of five (5) years each.
- c) An employee requiring leave of absence beyond two (2) terms shall request for such extension from the Chairman of Council through the Vice -Chancellor.
- d) Leave of absence shall not attract annual salary increment.
- e) Unless it is specifically stated to the contrary, an employee on leave of absence shall be required to submit their full pension contributions to their pension scheme.
- f) An employee on leave of absence may be considered for promotion
- g) An employee on leave of absence shall continue to discharge his/her liabilities to the University.

4.10 Terminal Leave

(a) An employee shall be granted terminal leave in preparation to retirement. Terminal leave shall be for thirty (30) calendar days with pay in addition to the normal annual leave entitlement. Terminal leave shall be taken thirty (30) days preceding the effective date of retirement. It will neither be commuted for cash nor will the employee qualify for additional leave allowance.

(b) Prior to retirement the employer shall organize for trainings/seminars/ workshops to prepare the employee for retirement including giving psychological counselling and investment advice.

4.11 Leave for Sporting/Special Events

Employees who are selected by a recognized body or club to participate as a playing member of a team in any approved sporting event, of national or international event may subject to exigencies of MksU be granted special leave with pay to participate in the event. Special leave granted for this purpose shall not be deducted from the annual leave and shall be to maximum of thirty (30) days. No transport or leave allowance shall be granted in respect of this leave.

4.12 Leave during Public/Religious Holidays

All employees shall qualify for leave during gazetted public/religious holidays and any other days that may be declared by the State. When employees are required to work over such holidays they shall be given equivalent time off in lieu of the time worked.

4.13 Study Leave

Study leave shall be considered by the training committee to ensure that provision of services is not compromised due to inadequate human resource. The committee will

consider the relevance of the course to the overall institutional needs and where approved, the employee shall be paid 80% of their basic pay and house allowance.

The following category of staff may qualify for study leave with pay:

- a) Employees selected for approved training programmes locally and abroad by the University, the Government and Donor Agencies;
- b) Self-sponsored employees who undertake approved training programmes relevant to operations of the University.
- c) Employees who sit for recognized and approved examinations based on the timetable which must be provided together with the leave application. An employee granted this leave shall be required to submit results of such an examination.

4.14 Sabbatical Leave

- (a) The University considers that in the interests of both the University and members of staff, it is desirable that members of staff should be released from their normal duties at intervals during their career to undertake further study, teaching, professional services and/or research.
- (b) Sabbatical leave shall be granted at the rate of nine (9) months to members of staff on permanent terms only after completion of six (6) years continuous service with the University from the date of appointment or since return from sabbatical or study leave.
- (c) Sabbatical leave shall be granted on full basic salary, house allowances and medical cover.
- (d) Application for sabbatical leave shall be as outlined in the Sabbatical leave Policy.

4.15 Disembarkation Leave

A member of staff who has completed their course or sabbatical leave outside the country shall be granted ten (10) working days leave upon return

4.16 Professional Attachment Leave

- (a) The employer considers that in the interest of both the Employer and members of staff it is desirable that members of staff should be released from their normal duties at intervals during their career to undertake professional attachment.
- (b) Professional attachment leave will be granted to members of staff on permanent terms only after completion of two (2) years continuous service with the University from the date of appointment or since return from professional attachment.

- (c) Staff members wishing to go for such leave shall apply to the Chair, Staff Training Committee through their respective Head of Department/Section.
- (d) Professional leave shall be granted at the rate of three (3) months .
- (e) Professional leave will be granted on full pay.

5.0 REMUNERATION

5.1 Policy Statement on Salary, Advances and Loans

The University, under the auspices of the Salaries and Remuneration Commission shall negotiate with the relevant staff unions, at agreed intervals, review of existing salary levels and revise the salary structure to enable it to provide a competitive remuneration package and incentives so as to attract and retain competent personnel in MksU based on prevailing economic factors, ability to pay and government reviews.

5.2 Types of Remuneration

MksU may offer remuneration and/or rewards in recognition of exemplary performance as per the laid down in reward policy.

5.2.1 Monetary Remuneration

Monetary remuneration and rewards shall be limited to:

- a) Basic Salary;
- b) Allowances;
- c) Cash bonuses;
- d) Honorarium;
- e) Perks

5.2.2 Non-Monetary Rewards

Non-monetary rewards shall include and not limited to the following incentives:

- a) Gift vouchers;
- b) Letters of Commendation;
- c) Recognition Certificates;
- d) Awards

5.3 Salary Structure

The University salary structure for non-teaching staff shall consist of fifteen (15) grades (1-15) and Graduate Assistant to Professor for teaching staff.

5.4 Commencement of Salary

The salary of an employee shall commence from the date of reporting. Where an employee appointed temporarily to a vacant post is confirmed therein, he/she shall draw the full salary of the office from the date on which he/she is deemed to have been confirmed and from that date, shall cease to draw salary or benefits in respect of any other office, which one may have held hitherto. An employee shall be paid full salary with effect from the date of reporting on duty. The salary details shall be as provided for in the letter of offer of appointment. Payment shall be made in Kenya currency to the employee's bank account or any mode as provided for in law.

5.5 Salary entry point of new appointees

The entry point of a newly appointed employee shall be the minimum in the salary scale in which one has been appointed.

Enhanced entry point shall however, be considered on the basis of higher qualifications and/or previous relevant experience of the appointee subject to the requirements as stipulated by the Council from time to time.

5.6 Determination of Salary on Promotion

If an officer is promoted from one Job grade to another the officer shall be awarded two (2) salary increments from his current basic salary.

However, if after the two salary increments, the officer's salary is less than the minimum of the salary scale attached to his new Job Grade, one shall receive the minimum of the salary scale attached to one's new Job Grade on the effective date of promotion.

An officer shall retain the incremental date as stipulated in the appointment letter.

Enhanced increments shall however, be considered on the basis of the requirements as stipulated by the Council from time to time.

5.7 Increment on Attainment of higher Academic Qualification

An employee who attains a higher academic qualifications prior to promotion shall be eligible for one (1) salary increment upon submission and verification of the relevant certificate by the Training Committee

5.8 Effecting of Salary upon Promotion

Where an employee has been promoted but has not reported and started discharging duties of the new designation, he shall continue to receive the salary of the previous scale until such a time he reports and begins to discharge duties on the promotional grade.

5.9 Annual Increments

The incremental date for employees permanent/contract terms will be 1st January annually for all those staff appointed and report for duty between 1st January and 30th

June and the incremental date for those appointed and report for duty between 1st July and 31st December will be 1st July annually

5.10 Deductions from Salaries

Deductions from Salaries shall be made in compliance with provisions of Employment Act of 2007 19(1)-(2). Where an employee is liable to pay any amount to MksU, such amount shall be deducted from the salary or from any sums due to the employee. This shall be subject to the total deductions not being more than two thirds (2/3) of the basic Salary. An employee may authorize MksU to deduct various specified amounts of money from his salary to meet various obligations.

5.11 Review of Reward and Remuneration

MksU shall review its remuneration and reward system from time to time putting into consideration cost living adjustment, performance, market comparative analysis and government regulation. Any review undertaken shall be within the guidelines set by the Salaries and Remuneration Commission.

5.12 Payment of Salary

An employee shall receive full pay from the date he/she reports on duty. Salaries shall be paid monthly and all earnings and deductions shall be tabulated in a pay slip. All salaries shall be paid through an employee's bank account. All deductions from an employee's salary shall not be allowed to exceed two thirds (2/3) of the employee's basic salary at any one time.

5.13 Pecuniary Embarrassment

- a) The efficiency of a University officer shall be regarded as gravely impaired and the value of one's services seriously diminished if, for any cause whatever, one becomes financially embarrassed. Heads of Departments/Supervisors are responsible for reporting to the Deputy Vice- Chancellor (Administration, Finance and Planning), any case in which it appears that an officer is suffering from serious pecuniary embarrassment.
- b) If such embarrassment is caused by imprudence or other reprehensible cause, it shall be held to be an offence as negatively affecting the image of the University and the trustworthiness of the individual. The officer concerned shall be considered to have forfeited that honorable position in the University which is necessary to give one a claim to promotion or increments. These benefits shall not be permitted to accrue to him/her again until one has relieved oneself from the discredit of one's position. In any aggravated case of this description, the officer concerned shall be liable to dismissal and the onus shall rest on one to show that the circumstances do not justify the imposition of the full penalty.
- c) If an employee is adjudicated bankrupt or enters into a composition with one's creditors, one shall, on the fact being known, be suspended from duty and be liable to be dismissed. One may, however, be reinstated if the examination of all the facts and of the schedule

prepared by the Court, or – where the exercise of disciplinary control has been delegated – the empowered officer, is satisfied that the officer’s difficulties have been occasioned by unavoidable misfortune or other extenuating circumstances, and not by extravagance or culpable improvidence;

- d) An employee against whom proceedings have been started with a view to bankruptcy, or who has filed one’s petition in bankruptcy or entered into a compromising position with one’s creditors must as soon as possible inform the relevant supervisor of the fact. Failure to do so shall render the employee liable to dismissal without any further disciplinary proceedings being necessary.

6.0 ALLOWANCES AND OTHER BENEFITS

6.1 General Policy

It is the Policy of MksU to compensate its employees for additional effort put in their respective roles. Allowances payable to employees shall be determined by the Council from time to time. The allowances shall be payable in accordance with rates and conditions applicable in each case as defined in the employees’ terms of service; government circulars/guidelines as issued from time to time; and this manual. Payment of any or all of the allowances provided in this section shall be paid depending on the ability to pay and sustain the payments.

6.2 Staff Allowances

These are additional allowances that are meant to compensate for additional responsibilities or working environment which the basic salary does not fully compensate for.

6.2.1 Acting Allowance

An acting allowance shall be paid to an employee appointed in acting capacity to such a position at the rate of 20% of his/her basic salary;

6.2.2 Special Duty Allowance

An special allowance shall be paid to an employee appointed in acting capacity to such a position at the rate of 15% of his/her basic salary;

6.2.3 Resource Persons Allowance

Where an employee is required out of his normal duties to perform duties of a resource person, guest speaking, lecture or any other similar assignment as may be determined shall be eligible for resource persons allowance at prescribed government rates or as otherwise approved by the Council.

6.3.4 Leave Allowance

A regular employee shall be paid leave allowance.

For newly appointed employees, one shall be required to complete a minimum period of six (6) months' service before being granted annual leave, and earn leave allowance. Payment of leave allowance shall be paid annually.

6.3.5 Lunch Allowance

When an employee travels on official duty from his duty station for less than eight (8) hours but does not spend the night, he shall be entitled to lunch allowance at prescribed government rates or as otherwise approved by the Council from time to time.

6.3.6 Subsistence Allowance while on Duty within Kenya

An employee, who travels outside the duty station on official duties and is required to stay overnight and makes his/her own arrangements for boarding and lodging, shall be eligible for payment of subsistence allowance at prescribed government rates or as otherwise approved by the Council from time to time.

6.3.7 Subsistence Allowance when Travelling on Official Duty outside Kenya

An employee who is required to travel on duty outside Kenya shall be paid subsistence allowance at the prescribed government rates or as otherwise approved by the Council from time to time.

An employee traveling outside the country whose boarding and lodging expenses are being met in full by the Kenya Government, the University or any other body shall be paid, a residual allowance of up to one-quarter of the standard rate of subsistence allowance to cover incidental expenses. Where only lodging is provided free of charge, a subsistence allowance may be paid at three-quarters of the standard rate.

Subsistence allowance outside the country shall be paid up to a maximum of five (5) days of staying.

An employee is required to provide evidence of travel such as copies of passport and payment vouchers for personal record purpose in the Human Resource Department.

6.3.8 House Allowance

The University shall provide house allowance to all employees (other than those on casual terms). This allowance shall be reviewed from time to time as per the policy governing the Salaries and Remunerations Commission.

6.3.9 Entertainment Allowance

Members of MksU management who are called upon to provide hospitality and entertainment shall be granted a non-accountable entertainment allowance, at the rates applicable at Machakos University that may be reviewed from time to time.

6.3.10 Commuter/Transport allowance

All employees (except those on casual terms) shall be provided with Commuter/House to Office Allowance at the rates applicable at Machakos University that may be reviewed from time to time.

6.3.11 Mileage Allowance

When an employee is authorized to use his or her own vehicle for official University business, the employee shall be paid mileage allowance at the prevailing AA rates to a maximum of 1800 cc.

The total allowance payable shall be limited to the distance by the most economical and direct route.

6.3.14 Extraneous Allowance

- a) Extraneous Allowance may be paid to employees working in certain offices as a way of compensating them for extraneous nature of their duty as they are required to work for long hours during week days, weekends and sometimes on public holidays. The rates of payment shall be at prescribed government rates or as otherwise approved by the Council from time to time. The eligible officers shall be those offering special and essential services as determined from time to time. This allowance shall not be paid for an officer who shall be away for a continuous period of 30 calendar days.

6.3.15 Hardship Allowance

- a) Employees stationed in areas gazetted as hardship areas shall be eligible for payment of hardship allowance. The rate of hardship allowance shall be at prescribed Government Rates or as otherwise approved by the University Council from time to time.
- b) Hardship allowance shall not be paid for any continuous period of absence from specified areas in excess of thirty (30) days.

6.3.16 Transfer Allowance

- a) When an employee is posted from one station to another, he shall be eligible for payment of transfer allowance prior to departure to the new station. Transfer allowance shall also be payable when an employee is appointed and posted to an outside station.
- b) Transfer allowance shall not be paid when there is no physical movement.
- c) The rate of transfer allowance shall be as determined by the Council from time to time.

6.3.18 Telephone/Communication Allowance

In order to sustain delivery of quality and efficient service, Machakos University may provide telephone allowance to prescribed offices/ officers at a rate determined by Council from time to time.

6.3.19 Non-Practice Allowance

The allowance shall be paid to professional working for MksU at rates approved by Council from time to time. Eligible professionals shall be as determined by University Council from time to time.

6.3.20 Utility Allowance

This shall be water and electricity allowance paid to members of staff as determined by Council and at rates prescribed by Government or as otherwise approved by the Council from time to time.

6.3.21 Responsibility Allowance

The allowance shall be payable to Deans of Schools/Faculties, Directors, Chairpersons of Departments, Heads of Departments/ sections/ units and any other officers from time to time who are required to undertake responsibilities over and above their normal duties. The responsibility allowance shall be paid to them as approved by the Council.

7.0 TRANSPORT AND TRAVEL

Introduction

Transport at the expense of MksU may be provided for an officer, on occasions when they are travelling on official duty, approved medical treatment/convalescent leave, retirement and termination of service, other than resignation or dismissal or termination/expiry of contractual agreement before attaining the age of Sixty (60) years for non- academic 65 for PWD and 75years for academic staff.

Travel shall be by official or private means.

7.1 Transport and Travel by Official Means

An employee may be granted permission by the Vice- Chancellor or an officer authorized by the Vice- Chancellor, to use a University vehicle while traveling on duty.

University vehicles are intended for official purposes only, and should not be used for private purpose such as business or pleasure. An employee who makes improper use of a University vehicle shall render oneself liable for disciplinary action.

Whenever a University vehicle is to be used, it is compulsory that the details of the journey be indicated in the work ticket. Any driver (or officer for the time being authorized to drive the vehicle) found operating without a work ticket authorizing the journey in question, or found carrying unauthorized passengers or goods shall be

subjected to disciplinary action. The Government Vehicle Check Unit is empowered to stop and check any University vehicle and prefer charges where appropriate against the driver/officer.

7.2 Transport and Travel by Private Means

There shall be various modes of transport and travel by private means as given below:

7.2.1 Travel by Personal Means

Traveling in own car on official duty shall be granted if an employee seeks prior approval from the Deputy Vice- Chancellor (Administration, Planning & Finance) or an authorized officer. Where such permission is granted, the employee shall be entitled to a Motor Vehicle Mileage Allowance as per the prevailing University approved rates or government regulation on such travel.

An employee who is compelled to travel by rail shall be under the following guidelines:

- a) may be issued with a railway warrant or claim reimbursement of the fares paid for;
- b) all employees shall be eligible to travel on First Class;
- c) An employee traveling by rail shall be eligible for a refund of the cost of any meals or bedding supplied by the rail company at full public rates on production of the rail catering receipts.

Whenever a University vehicle is to be used, it is compulsory that the details of the journey be indicated in the work ticket. Any driver (or officer for the time being authorized to drive the vehicle) found operating without a work ticket authorizing the journey in question, or found carrying unauthorized passengers or goods shall be subjected to disciplinary action. The Government Vehicle Check Unit is empowered to stop and check any University vehicle and prefer charges where appropriate against the driver/officer. The driver of the University vehicle shall be fully responsible for any penalties arising from a traffic related offence that is attributable to the negligence of the driver.

7.2.2 Travel by Public Means

When traveling by public means an employee shall be advanced an allowance to cater for whole or part of the journey to and from official duties. Public means shall include;

a) Travel by road

It can either be by public service vehicle or taxi.

An employee travelling by road to and from official duty shall be facilitated to cater for the whole journey. An employee who is compelled to travel by taxi may claim

reimbursement of the cost of taxi fares at market rates, provided that no University transport is available, or use of public transport is deemed to be inconvenient.

b) Travel by Rail

An employee travelling by rail to and from official duty shall be facilitated to cater for the whole journey. An employee who is compelled to travel by rail may claim reimbursement of the fare at market rates, provided that no University transport is available.

c) Travel by Water

An employee travelling by water to and from official duty shall be facilitated to cater for the whole journey. An employee who is compelled to travel by water may claim reimbursement of the fare at market rates, provided that no University transport is available.

d) Travel by Air

When an employee is traveling by air on official duty, the University shall facilitate the ticketing to and from. It shall be used only where air travel is deemed appropriate and shall be in accordance with the prevailing government policy.

7.3 Management of MksU Vehicles

MksU shall operate transport pool so as to ensure economical use of vehicles. All employees shall be expected to share vehicles when traveling on duty in the same direction. All MksU vehicles shall be driven by MksU drivers unless authority for self-drive has been granted by the Deputy Vice- Chancellor (AP&F). All employees requiring using official transport shall be expected to follow the laid down procedures as stipulated in the fleet management policy.

7.3.1 Reporting of Accidents

In the event of an accident involving a University vehicle, the driver shall report the accident to the police immediately and inform the Deputy Vice- Chancellor (AP&F) through the officer in-charge. The officer in-charge shall then inform the insurance company as per the insurance policy cover.

7.3.2 Acquisition and Disposal of MksU Vehicles

Acquisition and Disposal of MksU vehicles shall be done in accordance with the law i.e. the Public Procurement and Asset Disposal Act, 2015 and Public Procurement and Disposal Regulations Act, 2006 or any other relevant legislation.

8.0 TRAINING AND DEVELOPMENT

8.1 MksU Philosophy on Training and Development

Staff training and development is crucial to the success of an organization. It plays a key role in improving the performance of an organization in realizing its goals and objectives. It also aims at improving the capacity of staff in order to enable them to realize their full potential and enhance their professionalism. Training and development shall be as outlined in the training and development policy.

8.2 General Conditions and Guidelines

The following factors shall be considered when reviewing requests for training:

- a) The request and recommendation thereto must be either within the Departmental training projections or be necessitated by an urgent training need that is evaluated by the Human Resource Department;
- b) The course must be such that it shall improve the employee work performance and also enhance one's potential for additional responsibilities;
- c) The course must be directly related to the nature of the employee substantive duties/post or the post one may be required to occupy on completion of the course or be appropriate for the nature and intent of the office;
- d) Admission must be from a Government of Kenya recognized institution;
- e) Study leave and sponsorship shall not be for a basic academic requirement.
- f) The employee must have completed the probationary period and be confirmed for permanent and pensionable service at MksU for training in excess of one month.

8.3 Training and Development Objectives

The main Objectives of Training are to:-

- a) Provide an induction programme for newly recruited staff by introducing them to the University and its functions;
- b) Equip employees with skills, Knowledge, and attitudes relevant to their duties and in preparation for more responsible positions in the University;
- c) Develop staff capacity for efficient and effective performance of respective tasks within the University;
- d) Ensure availability of sufficiently trained manpower to cope with the changing needs of the University;
- e) Provide operational procedures and administrative tools for effective implementation of the training policy;

- f) Provide a basis for identifying training requirements and appropriate training and development opportunities to all staff;
- g) Develop general awareness of the University training and development procedures;
- h) Prepare staff for career development and succession; and
- i) Inculcate the desired corporate culture and help staff adapt to change.

8.4 Management Development Courses

These courses shall be geared towards building management capacity for present and future requirements of MksU. Short courses shall be in specialized technical areas and management to equip the staff with specific skills in their areas of operation and also to develop the human resource capacity and capability necessary to continually fulfill the MksU mission.

8.5 Supervisory Training

These courses shall aim at training all cadres of staff in supervision, financial analysis, work planning and communication in order to prepare them for future management positions in line with succession planning.

8.6 Technical Training

MksU shall ensure that all employees are provided with relevant training for their specific jobs and technical requirements of their professional functions.

8.7 Internal Training

MksU shall endeavor to provide internal training so that employees can get to know the MksU and increase their identification and loyalty with the University. Internal training shall be problem-based, action-oriented and shall involve participation of internal and external resource persons. The aim shall be to make internal training highly participative, making maximum use of discussions, case studies and group exercises.

8.8 Overseas Training

MksU may sponsor employees for relevant training, seminars or courses tenable abroad or overseas. Officers shall be facilitated to attend and participate in workshops and conferences both at national and international level not only as a way of acquiring knowledge and skills but also to be exposed to different systems and global challenges. However, MksU shall solely determine the necessity of such training, courses and seminars.

8.9 Management and Coordination of Training and Development

Staff training and development is the responsibility of Human Resource Management Department in liaison with the respective Heads of Departments/Sections which shall do this by:

- a) Carrying out training needs analysis;

- b) Preparing MksU annual training and development budget;
- c) Identifying suitable trainers to provide training;
- d) Preparing training proposals for consideration by the University;
- e) Implementing approved training budgets;
- f) Facilitate and coordinate induction courses for new employees;
- g) Evaluating the effectiveness of training undertaken;
- h) Facilitating the payment of Annual Subscription fees, honoraria and other statutory training levies;
- i) Managing, monitoring and controlling the training budget;
- j) Maintaining the training records.
- k) After all trainings, officers shall present a training report and make a plenary presentation to staff within two (2) weeks of return.

8.10 Training Needs Identification and Analysis

Training Needs Identification and Analysis shall be continuous within MksU with the Performance Management System being core in training needs assessment as well as training projections from each School/Faculty and Department as coordinated by Human Resource Manager. The objectives shall be to determine if training is the appropriate response to a particular performance gap or a new Strategic Policy direction. Training shall therefore, be geared towards improving the efficient Service delivery to MksU.

8.11 Staff Training Committee

- a) Staffs Training Committee shall be constituted by the Vice- Chancellor to ensure the training policy guidelines are enforced. This Committee shall maintain equity and transparency in award of training opportunities and shall regularly review the rules and regulations governing training and career development.
- b) As far as possible, MksU shall encourage use of local training programmes and shall only sponsor staff outside the country for specializations that cannot be obtained locally.

8.12 Membership of the Staff Training Committee

The Committee may invite any other person to provide specialized technical advice or offer service as they may deem fit. The Committee shall ideally be composed of:-

- i. Deputy Vice-Chancellor (Administration, Planning and Finance) as Chairman
- ii. Deputy Vice-Chancellor (Academic and Student Affairs)
- iii. Deputy Vice-Chancellor (Research, Innovation and Linkages)
- iv. Four Deans or Directors nominated by the Senate

- v. One Staff Union representative from each of the academic and non-academic staff unions
- vi. Chief Finance Officer
- vii. Planning Officer
- viii. Registrar (Administration and Planning) as Secretary

8.13 Functions of the Staff Training Committee

The functions of the Committee shall be to:

- a) **to formulate and review the training policy in the University;**
- b) **to plan for staff training;**
- c) **to serve as a clearing house for all training programme;**
- d) **to award scholarship received by the University;**
- e) **to receive and process applications for training; and**
- f) **to deal with any other matters referred to it by Senate, the Vice-Chancellor or any other University Committee.**

8.14 Annual Training and Development Plan

- a) Arising from the training needs identification and assessment feedback, the Human Resource Manager shall analyze and consolidate the training plans. These shall be reviewed by the Staff Training Committee, which shall prioritize all training needs and agree on the training activities to be carried out in the coming year.
- b) Trainings offered by National Industrial Training Authority (NITA) registered institutions shall be given preference.

8.15 Training and Development Monitoring and Evaluation

MksU shall institute mechanisms for appraising, monitoring and evaluating training programmes. Progress reviews shall be done upon completion of training programmes to determine the effectiveness and efficiency of trainings undertaken.

Upon successful completion of training the trainee shall submit a training report on the course, quality of trainers and any other attribute that would assist in evaluating the training program. The immediate supervisor shall administer a staff training evaluation form to ascertain that the trainee acquired the required experience within two weeks upon completion. The report should cover: relevance, coverage, learning process etc.

8.34 Internship/Attachment

The University staff may be offered external attachments to other organizations where necessary in accordance with staff development and training policy.

9.0 STAFF WELFARE

The university shall endeavor to ensure that its staff work in a clean and protected environment while not compromising their health.

9.1 Staff Medical Scheme

MksU recognizes the importance of having a healthy workforce in its services. It undertakes to provide a medical scheme that supports its corporate vision and mission. All employees of MksU shall adhere to the University Medical Scheme Policy and Health Insurance as may be amended from time.

All eligible employees shall be entitled to outpatient and inpatient medical benefits as outlined in the medical insurance cover and scheme/ NHIF terms.

9.2 Eligibility

- a) Every employee in MksU service, excluding casuals shall be entitled to medical benefits for themselves and their eligible members of the family Who include a spouse and under the age of eighteen (18) or twenty five (25) years for those still pursuing full time education or Legally adopted children.
- b) Only one registered spouse shall be entitled to the medical benefit.
- c) Eligible employees shall include the following:
 - i. Those serving on permanent and pensionable terms of service;
 - ii. Those serving on probationary terms of service.
 - iii. Contract terms exceeding one year.

9.5 Counseling and Rehabilitation

All eligible employees shall be entitled to Counselling and rehabilitation services as per the medical cover and scheme. The University shall monitor and advise staff with performance problems as a result of alcoholism, drug abuse and other identified social problems through the Human Resource Management Department and immediate supervisor.

9.6 Handling of Emergencies

The University will facilitate provision of emergency services within the university.

9.7 Medication outside Kenya

- a) An employee and eligible members of his family shall be entitled to medical treatment overseas based on the medical and insurance policy in force;
- b) An employee or eligible member of his family shall be considered for medical treatment overseas on recommendation of an approved medical practitioner.
- c) An officer travelling outside Kenya on official duty shall be provided with travel insurance cover for the duration of his stay away from the country while on official duty.

9.8 Claims for Ex-Gratia Assistance

9.8.1 Service Policy of Ex-Gratia Assistance

Whereas MksU maintains a staff medical scheme for all its employees and their dependants, in exceptional circumstances, ex-gratia assistance may be requested. The claimant must demonstrate why it was necessary to exceed the medical cover. The ex-gratis payment shall not exceed 50% of the payable up and above the insurance cover.

9.8.2 Eligibility for Ex-Gratia Assistance

All Employees and their dependants shall be eligible for a medical ex-gratia upon exceeding of their medical cover. The excreta shall be determined by University Management.

9.8.3 Medical Policy Compliance

For purposes of implementation of this manual, employees shall be required:

- a) To declare spouse and dependants on first appointment or any change in the course of employment;
- b) Declare any family additions e.g. spouse or new born;
- c) Inform the University immediately on change of status or spouse, dependant etc. by submitting supporting documents e.g. birth notifications, birth certificates, and marriage or affidavit certificates

9.9 Non Medical Insurances

9.8.1 Work Injury Benefits

Under the terms of the Work Injury Benefits Act, 2007 and any other related legislation MksU shall take an Insurance Cover against accidents to employees arising out of and in the course of their employment. The employees should comply with the provisions set out in the policy and the insurance cover.

9.8.2 Group Life Assurance

MksU shall undertake a Group Life Assurance cover for its employees serving in the Permanent and pensionable terms.

9.8.3 Group Personal Accident Insurance Cover

MksU shall undertake insurance cover for all its employees on permanent, contract and temporary terms. The employees shall be required to comply with the provisions of the cover as set out.

9.9 Dress Code within MksU

9.9.1 Aims and Objectives

The appearance of employees reflects the image of University and has a significant impact on the way MksU is viewed by stakeholders.

9.9.2 Normal Business Attire within MksU

Every employee shall be appropriately dressed at all times when he is on duty or when entering or leaving the University premises. The Human Resource Manager may, if he considers that the dress of an employee is inappropriate, order the employee to leave the University premises and return when he is appropriately dressed.

9.9.3 Dress Down Days

There shall be business casual dress day every Friday or the last working day prior to a national holiday for all employees. This may be varied from time to time by the Deputy Vice- Chancellor (AP&F).

Business casual dress may also be worn during training outside the University premises, trade fairs and road shows. Staff shall make judgment based on the nature of events.

Employees scheduled to meet with outside stake holders shall wear normal business attire or MksU branded attires if the meeting falls on a dress down day. However, the employee should judge the integrity of the meeting and dress appropriately.

9.12.4 General Guidelines on Casual Attire

Appropriate and inappropriate business casual attire for employees includes but is not limited to the list below:

- a) Inappropriate business casual attire shall constitute:
 - i. Wrinkled, stained or dirty clothing;
 - ii. Ripped jeans;
 - iii. Tank tops;
 - iv. Undershirts or shirts meant to be worn as under garments;
 - v. Flashy clothing (including-shirts with printed messages);
 - vi. Lingerie looking or overly revealing outfits;
 - vii. Transparent or too tight;

- viii. Shorts;
 - ix. Sagging trousers
 - x. Micro Mini- skirts
- b) Appropriate casual business attire shall constitute:

Male:

- i. Sport coats or blazers;
- ii. Khaki trousers;
- iii. Polo shirts with collars (long or short sleeved);
- iv. Oxford button-down shirts (long or short sleeved);
- v. Sweaters and cardigans;
- vi. Short sleeved shirts whether plain or tripped;

Female:

- i. Polo shirts;
- ii. Sweaters.

9.12.5 Dress Code Disclaimer

It is noted that no dress code can cover all contingencies so employees must exercise a certain amount of judgment in their choice of clothing to wear to work. If you experience uncertainty about acceptable, professional casual attire for work, please ask your supervisor or the Human Resource Manager.

9.13 STAFF UNIFORM/GEAR

9.13.1 Preamble

MksU would like to safeguard its brand and image. Staff uniform shall be provided to staff in line with the tasks and duties that they perform.

9.13.2 Aims and Objectives

The primary aim is to provide an identifiable image which is strongly linked to MksU. The appearance of employees reflects the image of the University and has a significant impact on the way we are viewed by the stake holders. The aim of this section is to establish guidelines for purchasing and wearing of MksU uniforms. This is also to outline the dress standards staffs are expected to observe when representing MksU in a professional capacity.

9.13.3 Eligibility of Uniform Issuance

Uniforms shall be issued to the following cadres of employees due to the nature of their work:

- a) Drivers;
- b) Registry Clerks;
- c) Library Assistants;
- d) ICT Technicians;
- e) Kitchen Staff;
- f) Office Assistants;
- g) Security Staff;
- h) Stores Assistants.
- i) Grounds men
- j) Caretakers
- k) Medical Staff
- l) Hotel Staff
- m) Workshop and Lab technicians

The University shall provide protective wear for technical and maintenance staff to be used when on duty which includes:-

- a) Shoes
- b) Gumboots
- c) Masks
- d) Lab coats
- e) Overalls
- f) Aprons
- g) Helmets
- h) Caps
- i) Goggles
- j) Gloves

Staff Uniform shall includes suits, shirts and Trousers, blouses/ skirts, tie/scarfs, dust coat

9.13.4 Corporate Uniform Standards

- a) Employees shall always dress neatly and appropriately for the type of work they perform. Staff assigned uniforms shall ensure appropriate use and maintenance.
- b) Heads of Departments/Sections shall be responsible for ensuring compliance by ensuring that staffs under them are in uniform all the time as required by this manual and related policy.
- c) Any deliberate breaches of this manual could result in disciplinary action being taken against the employee. Any further incidents shall be considered in breach of MksU policy and further action in accordance with the disciplinary procedures of this manual.
- d) A high standard of personal presentation and grooming is expected of the employees. A uniform shall be supplied to staff as shown above.
- e) These uniforms must be worn at all times during actual work hours and in accordance with this manual.
- f) The uniforms supplied shall remain the property of MksU. However, full responsibility for maintenance and cleanliness shall remain with the employee.
- g) It is expected that staff shall safeguard the image of MksU while in uniform by avoiding getting into inappropriate social places.

9.13.5 Re-supply of Uniform

- a) Uniform items shall be replaced on a reasonable wear and tear basis at the discretion of MksU. The resupply of uniforms is generally limited to at least two (2) pairs once per year.
- b) If extenuating circumstances can be proven, a staff member may be granted an additional quantity of replacement items. Requests of this nature must be approved in writing by the relevant Heads of Department.
- c) Uniforms once issued shall not be modified unless with approval by Human Resource Manager.

9.13.6 Exemptions

MksU understands that certain circumstances and employment duties shall require some degree of flexibility. This shall be determined by the supervisors. Examples include maternity wear, religious restrictions/requirements, illnesses or accidents that prevent staff from wearing the relevant uniform or lack of uniform quantities.

10.0 CORPORATE TELEPHONY COMMUNICATION

10.1 Introduction

Ability to communicate with external and internal stake holders is essential for organizational efficiency. This manual creates a uniform and clearly defined telephone management framework to primarily meet the business needs of MksU.

10.2 Purpose

This section establishes a policy on corporate Mobile Communication Device usage and compensation for use of mobile devices for business purpose. This is in realization of the fact that the purpose of purchasing mobile communication devices for staff is based on the nature of the duties assigned to staff and the need to:

- a) Increase the accessibility of the user;
- b) Provide a means of communication in case of emergencies
- c) Facilitate work whilst staff are travelling;
- d) Enable staff members to communicate on work related issues where there is no fixed line phone and to make them accessible to other key stakeholders.

10.3 Eligibility

A criterion for eligibility is based on the diverse nature of responsibilities and communication demands for every role within the University.

10.4 Airtime and Handsets Ceiling

This shall be determined by Council from time to time.

10.4.1 Choice of Phone Network

Employee may choose Phone Network of preference.

10.4.2 Handsets

- a) MksU will pay for the purchase cost of a Mobile Communication Device and replace the same on need basis.
- b) Special considerations may be made for certain job holders to receive Mobile Communication Device on the basis of their nature of their duties. This may include: international travel, demand for response and availability. Such recommendations shall be made by the supervisor of the staff concerned to the Vice-Chancellor for approval.

10.4.3 International Calls

In cases where calls are to be made outside the country extra airtime may be provided on need basis.

10.5.3 Direct Lines

Staff in the level of Deans of Schools/Faculties and above shall be given access to direct lines in their offices to facilitate official communication due to the nature of their duties. However, the Vice Chancellor may at his discretion approve the provision of a direct line to any other office whose nature of its duties require such a facility. The monthly direct lines ceilings shall be as determined by Council from time to time.

10.5.4 Airtime Management

- a) Staff shall be expected to restrict the extensive use of mobile communication devices and explore other cost effective alternatives like Skype, landlines, emails etc as much as possible.
- b) Employees who have been issued with Mobile Communication Devices and/or airtime shall be responsible for efficient management of Costs.

10.5.5 Airtime Reimbursement

- a. This procedure applies in exceptional circumstances whereby an employee is assigned extraordinary business responsibilities such as organizing for official workshops, retreats, seminars etc. In such circumstances the respective staff member shall be entitled to airtime allowance on Deputy Vice- Chancellor (Administration, Planning and Finance) recommendation. This is only applicable to staff who are not paid a monthly air time allowance.
- b. The following procedures shall be followed:
 - i) All applications must be made formally; supported with a proper documentation; and must be directed to the relevant Head of Department/ Section;
 - ii) The Head of Department/Section shall consider the application and forward to the Deputy Vice- Chancellor (Administration, Planning and Finance) for further processing.

11.0 ADVANCES AND LOANS

11.1 General advances of Salary

- a) MksU shall maintain a policy to support its employees in times of genuine need. Employees are however encouraged to exercise prudent management of their earnings in order to avoid over-reliance on advances.
- b) Salary advance of up to one 1/3 of basic salary may be granted by the Deputy Vice-Chancellor (Administration, Planning and Finance) when an employee, owing to circumstances beyond his control is placed in a difficult financial position requiring assistance from MksU. However, the Deputy Vice- Chancellor (Administration, Planning and Finance) may exercise discretion to grant a salary advance of not more than two (2) months. When applying for the salary advance,

the employee shall be required to attach documentary evidence or adequate written explanation in support of the application.

- c) The maximum period of repayment of any advance salary shall be 12 months. The recovery shall normally be effected in equal monthly installments from the gross salary payable to the employee each month.

11.2 STAFF LOANS

MksU may guarantee staff securing loans from banks on the basis that their net income does not exceed two thirds of their basic salary.

11.2.1 Eligibility

Eligibility for the MksU Staff to get loans shall be guided by the following:

- a) Staff on permanent terms are eligible. However, staff who are under at least three year contract may qualify for Staff loans if such loans shall be repaid in full within the contract period;
- b) Staff who have served for at least Twelve months(12)months and have been confirmed in their positions;
- c) The employee shall meet the lending criteria of the lending finance institution;
- d) The credit decision of the finance institution shall be final.

12.0 STAFF LAST JOURNEY

12.1 Death of an Employee in Service

When an employee, spouse or legal dependant of the University passes on, MksU shall facilitate for the following as per the staff welfare policy;

- a) Coffin
- b) Mortuary fee
- c) Postmortem
- d) Transport of Body
- e) Passage and Baggage
- f) Transport of family
- g) Newspaper advert
- h) Transport for employees

12.7 Employee savings and credit policy

MksU encourages employees to join the Machakos University SACCO to pull their financial resources and invest through credit facilities enjoyed therewith at affordable interest rates. MksU shall provide all the necessary support required by the SACCO in remitting share contribution as advised by employees and recovery of loans through the payroll as advised by the Sacco Central Management Committee.

12.8 Benevolent Fund

Considering that the University may not exhaustively cater for all employees and dependant's welfare, University shall set up a Benevolent fund where all employees shall contribute as per the benevolent fund policy. This fund provides financial assistance to employees as need arises.

13.0 PERFORMANCE MANAGEMENT

13.1 Philosophy of Service on Performance Management

It is the policy of the University to support the growth and development of employees through effective and efficient management of their performance. Through this, the University shall translate the MksU corporate strategy into individual and departmental Performance targets to ensure employees are able to contribute accordingly. Performance Management is a continuous, regular and systematic evaluation of the employees' output (performance) in order to determine how well the employees are meeting set targets (goals) and is used for assessing the employee's training needs and potential for allocation of higher responsibilities and advancement in his career. The University shall provide an enabling environment for the employees to achieve the above. The overall objective of Staff performance Management is to enable the University to achieve its mandate in an effective and efficient manner. It shall also enable measurement of performance hence productivity.

13.2 Objectives of Performance Management

- a) The general objective of performance management is translation of the MksU strategic plan and corporate strategy into individual/team and departmental performance targets and competencies to ensure employees are able to contribute accordingly.
- b) The specific objectives are:
 - i) Link University performance with its current Strategic Plan and performance contract;
 - ii) Link individual employee performance with University College Strategic Plan and Performance Contract by ensuring each employee and supervisor agree and set appropriate and measurable targets;
 - iii) Provide a balanced approach to measuring and assessing performance results and competencies in order to develop on core competencies that reflect values and skills necessary for individual and University College success;

- iv) To ensure that employee performance that does not meet expectation is addressed through performance coaching and feedback;
- v) Promote accountability in the University College and enhance employee empowerment;
- vi) Set the basis on which an officer's performance is monitored, measured, and evaluated as stipulated in the performance instrument;
- vii) Determine training needs and evaluate training effectiveness for staff training and development purposes
- viii) To provide framework for reward and sanctions.

13.3 Performance Management Process

Systematic measures shall be undertaken to ensure that Performance Management culture is embedded in all the operations of the University. It is the responsibility of the position supervisor to ensure that each employee understands how their performance shall be measured and track how well they are performing. The following measures shall be undertaken as outlined below:-

- a) Performance planning (definition of job responsibilities, setting performance and behaviour expectations/targets, goal or objective setting at the beginning of the period);
- b) Performance coaching (monitoring, feedback coaching, development to help employee understand and achieve set targets);
- c) Performance review (formal performance appraisal at the end of the period to track and improve individual and, functional and corporate performance);
- d) Human Resource Management action as necessary (reward, training, discipline, transfer, promotion) as per the appraisal tool and procedures.

13.4 Performance Targets

Each Department and Division shall develop its performance targets by the beginning of the financial year. The targets negotiated should be result based thus achievable, specific, measurable, realistic and timely and shall be derived from the objectives in the Strategic Plan, matched to budget and cascaded to all staff in the respective Department and Division.

13.5 Agreement on Targets

It is mandatory that all employees of the University negotiate and agree with the Supervisor on measurable performance targets to be achieved during the year. All targets must be results based. Position supervisors are expected to set weekly, monthly quarterly and annual targets with staff under them and monitor progress to ensure achievement of the set targets.

13.6 Annual Work Plans

Each employee shall develop an annual work plan indicating the details on timing in the implementation of activities, resource requirements and persons responsible.

13.7 Signing of Performance Agreements

Each employee shall upon agreement on the targets and the work plan, sign a performance contract with the supervisor and enter the targets into the performance management tool binding the employee to achieve the targets set therein and the supervisor to facilitate.

13.8 Assessment Procedure

Employees shall be required to assess their own performance first, and then jointly review the assessment with the irrespective Supervising Officers. The employee shall then be allowed to comment on the ratings before the review forms are submitted to the Human Resource Manager who shall collate and submit to the assessment panel to consider, moderate or approve the assessment. The assessment panel shall comprise of the Staff Training Committee Members.

13.9 Progress Reports

- a) Each supervisor shall carry out a continuous progress review on performance with staff to discuss performance and provide feedback to keep the employee on track (Continuous Review). A quarterly progress report shall be submitted to the Staff Training Development Committee;
- b) After the second quarter (6 Months) the Staff Training Development Committee shall be required to submit to the Vice- Chancellor a summary of the continuous assessment for the six (6) months showing progress made in meeting targets and where targets are not being met possible interventions at departmental level/units. Quarterly reports shall be retained in the respective departments and units for monitoring purposes;
- c) In the final quarter, each individual and department/section shall be expected to submit an annual report indicating the extent of achievement of the agreed annual targets to the Deputy Vice- Chancellor(Administration, Planning and Finance) who shall forward the same to the Vice- Chancellor.

13.10 Staff Performance Review

- a) A formal performance review shall be used for assessing the implementation of the targets agreed including the conduct of such officer during the period of the contract; assess training needs and potential for allocation of higher responsibilities and advancement in his/her career.
- b) The University shall adopt supervisor-employee review appraisal tools for performance measurements:
- c) Staff shall be accordingly advised on the tool in use.

- d) Based on the analysis of the gaps in skills and competencies, supervisors shall agree on learning, training and development action plans. The Service shall provide such opportunities which individual employees should take advantage of in developing their career. Rewards for exemplary performance and sanctions for under performance may be implemented. Employees with exemplary revenue generation performance may be rewarded.

13.11 Implementation Process

The overall accountability for the implementation of MksU Performance Management System lies with the Vice- Chancellor and the Deputy Vice- Chancellor(Administration, Planning and Finance) who shall be expected to embed performance management best practices in all operations and cascade the same to all members of staff in their respective departments.

13.12 Performance Management System

- a) At the beginning of the performance period departmental work plans shall be prepared based on the University Strategic Plan and the University Performance Contract with the government through the Ministry of Education;
- b) Heads of Departments/Heads of Sections shall meet with staff under them and hold discussions on the objectives and ensure that performance targets of the Schools/Faculties are understood and annual individual work plans are drawn;
- c) The Departmental work plans shall include the departmental priority objectives from which individual performance target shall be derived;
- d) The individual work plan shall describe the performance targets or expected results on specific assignments and activities for which the staff member is responsible for during the year;
- e) The expected key results shall include completion of project/assignments during the period of assessment. For each assignment to be assessed there should be an indication of how success shall be determined;
- f) The appraiser and the appraisee shall agree on at least one professional developmental goal to be achieved during the reporting period which may include special assignment, continuing education, on the job training, seminars, conference, exchange programmes and study tours.

13.13 Performance Monitoring and Evaluation

The respective heads of departments shall monitor and evaluate performance and forward recommendations to the Staff Training Committee for deliberations.

Their terms of reference on performance management shall include but not limited to the following:-

- a) Moderate performance ratings which are graded below average and outstanding;

- b) Determine payment of annual performance rewards in line with overall performance of the University
- c) Submit any proposals on improvement of performance management instruments and process in general;
- d) Approve any revised performance management instruments;
- e) Deliberate over appeals cases submitted by employees;
- f) Deliberate on performance management issues as and when they arise.

13.14 Handling of Appeals

Any likely appeal after the deliberations of the Staff Training Committee shall be addressed in writing to the Vice- Chancellor. The Vice- Chancellor upon receipt of the appeal shall make an assessment of whether appeal merits consideration or not. If it does, the appeal shall be referred back to the Staff Training Committee for any review and subsequent recommendation to the Vice- Chancellor.

14.0 SEPARATION

The University recognizes that from time to time, and for various reasons, employee leaves the services of the University. Staff may be separated from the University under the following terms:

- a) Resignation;
- b) Retirement as follows:
 - i. Normal Retirement- upon attaining 60 years for non -academic, 65 for PWD and 75 for academic staff;
 - ii. Medical grounds;
 - iii. Early retirement;
- c) Termination of contract;
- d) Expiry of contract;
- e) Redundancy;
- f) Dismissal;
- g) Death;
- h) Public interest.

14.1 Separation Requirements

14.1.1 Employees on Probation

- a) An employee serving on probationary terms is required to give two (2) months' notice in writing of one's intention to resign, or pay one (1) month's basic pay in lieu thereof.
- b) Where an employee opts to pay one (1) months' salary in lieu of notice, this shall be based on one's basic pay.

14.1.2 Employees on Permanent Terms

An employee serving on permanent terms of service shall be required to give three (3) months for all staff except for professors who shall give six (6) months notice in writing of one's intention to resign, or pay three (3) month's or six (6) months basic pay in lieu of respectively.

14.1.3 Contract Staff

An employee serving on contract terms of service shall be bound by the terms of the resignation clause or clauses stated in the contract.

14.14 Waiving of Notice Pay by an Employee

Where it can be shown to the satisfaction of the University that there are compelling circumstances (e.g. health or domestic problems) preventing the employee from giving the required period of notice, or where the University is satisfied that the University's interest would be served, the required notice maybe waived, either in part or in full and the employee may be excused from paying in lieu of notice as provided for in clause 38 of Employment Act of 2007.

14.15 Retirements

An employee may retire under any of the following grounds: -

14.15 Normal (Mandatory) Retirement

Non-academic staff shall leave service on attainment of retirement age of sixty (60) years, PWD on attainment of 65 years. Academic staff shall exit from the service of the University on attainment of retirement age of seventy-five (75) years

14.16 Voluntary Retirement

An employee on attaining the age of fifty (50) years (for non-academic staff) and sixty-five (65) years for academic staff. Staff may opt to retire at any time or may be required to retire from University service at any time without assigning a cause after attaining the stipulated age. The officer/University shall be required to give the stipulated notice period as per the relevant terms of service/CBA.

14.16 Retirement on Medical Grounds

An employee may be allowed to retire on the basis of ill health if on account of medical evidence the University is satisfied that one is incapable of discharging the duties of one's office. Such an employee shall be paid benefits in accordance with the University Staff Retirement Benefits Scheme Trust Deed and Rules.

14.18 Retirement in Public Interest

An employee on permanent and pensionable terms may retire in the public interest if one commits an offense which renders one unsuitable for retention or when one performance and/or general conduct has deteriorated to an extent which renders one unsuitable for retention. Such an officer shall be paid benefits in accordance with the University Staff Retirement Benefits Scheme, Trust Deed and Rules. This will apply on an employee who has attained voluntary retirement age.

14.20 Redundancy

- a) Redundancy occurs as a result of restructuring which includes corporate restructuring, policy change and new legislation.
- b) Redundancy shall be dealt with as stipulated in the Employment Act of 2007.

14.22 Next of Kin

It is essential that change in the next of kin should be notified to the Human Resource Manager by the employee without delay. Instances could occur where failure to make an alteration to the Pension Scheme declaration in respect of the next of kin would result in payments being delayed considerably due to legal complications.

14.23 Earned Un-utilized Leave

On separation (except on dismissal), the University shall pay the employee cash equivalent for any leave days earned but un-utilised up to and including the expiry date of the applicable termination notice or cash payment in lieu of notice.

14.24 Remunerative Benefits

Where the terminated employee was already in receipt of other remunerative benefits through the pay roll system, the University shall pay cash equivalent for the period including and up to the expiry of the termination notice or cash payment in lieu of notice.

14.25 Dismissal

An employee's appointment may be terminated by dismissal - an action that involves the application of disciplinary procedures as set out in this policy and the relevant Statutes and Terms of Service.

15.0 RETIREMENT SCHEMES

15.1 General

Permanent and Pensionable employees of the University shall join and contribute towards the Staff Retirement Benefits Scheme as provided for in their terms of University. The contribution shall eventually assist employees when they retire. The contributions paid to the fund shall be invested with the Trustees and can only be paid to an employee leaving employment for any reason or upon attainment of retirement age subject to the Rules of the scheme.

15.2 Pension Scheme

All employees engaged on permanent terms of service shall upon confirmation automatically, join the University's Contributory Pension Scheme. Application for membership shall be in the prescribed form and the details are described in the Pension Scheme Regulations.

15.3 Certificate of Service

The University shall issue to an employee with a Certificate of Service upon termination of his employment, unless the employment has continued for a period of less than four consecutive weeks. A Certificate of Service shall contain the following:

- a) Contact details of MUC;
- b) The name of the employee;
- c) The date when employment of the employee commenced;
- d) The nature and usual place of employment of the employee;
- e) The date when the employment of the employee ceased and;
- f) Such other particulars as may be prescribed.

16.0 EMPLOYEE REWARD AND RECOGNITION

16.1. Policy Statement

The University College recognizes that certain employees in the course of their duties have acted or behaved in an exceptional manner leading to safe guarding of the corporate image furthering the Vision and Mission of the University College. Such employees may have displayed exemplary performance either in their work performance or their general conduct. Others have offered dedicated service to the organization for many years. The Service therefore will strive to recognize these employees in order to not only boost their morale but also set a good example of employee reward.

16.2 Policy Objectives

The objectives of this policy are:

- a. Reward work beyond the call of duty;
- b. Improve employee morale;
- c. To reward long Service;
- d. To encourage and motivate employees to strive for higher level of productivity;
- e. Promote integrity within the University College;
- f. Encourage problem solving behaviour;
- g. Reward agreed targets.

16.3. Types of Awards

16.3.1 The Principal's Award

The Principal's Award shall be a token of appreciation and commendation for a distinguished and exceptional service rendered by employee of the University College. The distinguished University College shall be that which is performed over and above the call of duty to the extent of saving costs, safeguarding the image of the University College or an exceptional performance through an employee's action. The Principal shall refer that commendation to the Staff Advisory Committee.

16.3.2 Exemplary Awards

These are awards given to staff members who have achieved excellent rating consistently for three (3) years.

16.3.3 Exceptional Awards

These are awards given to employees for exceptional achievements in a specific field.

16.3.4 Integrity Awards

This type of awards is given to employees who have demonstrated high level honesty.

16.3.5 Long Service Awards

- a) The awards shall be given to staff to recognize the years of service to the organization for having worked for different periods. They are grouped in categories of over 10, 15, 20, 25, and 30 years and above. This shall be awarded annually. Employees serving on contracts and their contracts have been renewed consecutively shall qualify for these awards. For eligibility, employees on contract and permanent terms shall qualify.
- b) These awards shall be monetary as well as a certificate based.

16.3.5.1. Administration of the Award Scheme

The scheme shall be administered by the Staff Advisory Committee (SAC). The committee shall invite nominations for the awards from all staff through the respective departments/sections for deliberations and recommendations to the principal. The mandate of the Staff Advisory Committee in relation to the award scheme shall be:

- i. Prepare detailed criteria for each award;
- ii. Share the criteria with staff;
- iii. Implement the award criteria;
- iv. Make recommendations to the Principal for implementation. The award shall be issued once a year in an annual ceremony in order to recognize the awardees.

17. 0. OCCUPATIONAL HEALTH, SAFETY AND ENVIRONMENT

17.1. Philosophy of the University College on Safety Issues

- a. It is the policy of the University College to ensure that its activities are conducted in a healthy and safe environment taking into consideration the Occupational Health and Safety of employees, stakeholders and employees, clients. The University College recognizes its corporate responsibility under the Constitution of Kenya, Occupational Safety and Health Act of 2007 (OSHA 2007), Employment Act of 2007 and the Work Injury Benefits Act of 2007 (WIBA) and related legal notices.
- b. In fulfilling this responsibility, the University College undertakes to observe Occupational Safety, Health and Environment standards well beyond the minimum statutory requirement. The management shall adopt all reasonable and proactive measures to:
 - i. Create a safe working environment;
 - ii. Uphold environmentally friendly practices;
 - iii. Provide appropriate training and awareness to its employees;
 - iv. Take responsibility for Occupational Safety, Health and Environment of the work place;
 - v. Continuously monitor Occupational Safety, Health and Environment through regular inspection and Audits.
- c) The University College shall, whenever possible and appropriate, participate in National and International Occupational Health and Safety Programmes.

17.2 Objectives of the Policy

The implementation of Occupational Safety, Health and Environmental policy enables the University College to save its revenue through reduction of accidents, loss of property and medical bills. This is achieved through: -

- i. Committed involvement of all employees in full implementation of this policy;
- ii. Full application of Occupational Health, Safety and Environment Standards;
- iii. Development and maintenance of procedures in co-operation with Organizations and Departments rendering
- iv. Working with the Government and other bodies in the development of improved regulations and industry standards that relate to Occupational Health, Safety and Environment matters.

17.3 Responsibility for Occupational Health, Safety and Environment

17.3.1 Organization Responsibilities:

The University College shall:

- a. Provide a suitable venue and other facilities for holding safety committee meetings;
- b. Allow safety committee members to attend the meetings and other functions of the committee without loss of earnings, opportunities for promotion and or advancement;
- c. Ensure continuous enhancement of capacity of the safety representatives;
- d. Provide the safety committee with:
 - i. Any information or report on any accidents, dangerous occurrences or incidents of occupational diseases immediately it comes to its knowledge;
 - ii. Safety statistics- accidents, dangerous occurrences and incidents;
 - iii. Necessary or relevant information on hazardous substances;
 - iv. Safety and health reference materials and facilities.
- e. Cause the monitoring and evaluation of hazards and risks identified by the committee to be carried out by a competent person;
- f. Develop a clearly defined safety and health policy and bring it to the notice of all employees at the work place, and send a copy of the policy to the Director of Occupational Safety and Health;

- g. Facilitate the implementation and continuous review of the Healthy and Safety Management framework;
- h. Make available to the committee legislation on occupational safety and health;
- i. Cause further specialized evaluation as necessitated by the audit report in regard to medical examination of the workers, testing and examination of plant and equipment or other scope whenever required;
- j. Cause to be maintained a record of the proceedings of committee meetings and reports of the audit referred to in these rules;
- k. Ensure that all matters set out in these rules are complied with.

17.3.2. Employees Responsibilities

All employees shall:

Work in accordance to the general safety procedures in the University College. They shall in particular adhere to the laid down Occupational Safety, Health and Environment regulations and procedures. This includes:

- a. Take reasonable care for their own work place, occupational health and safety;
- b. Consider the safety of other persons who may be affected by their own acts or omissions;
- c. Not interfere with, or misuse what is provided in the interest of the environment, occupational health and safety;
- d. Work in accordance with information, instructions, procedures and training provided;
- e. Always use provided personal protective equipment correctly and maintain them in a satisfactory condition at all times;
- f. Report to their supervisors immediately all incidences of unsafe conditions, accidents and work related injuries and have these documented and improvements provided;
- g. Participate as needed in hazards measurement programs, and;
- h. Participate as needed in safety training programs.

17.4 Thematic Areas in Occupational Health Safety and Environment

17.4.1 Housekeeping

The University College recognizes that poor housekeeping may precipitate accidents and fire in the work place. The safety committee shall come up with work place specific housekeeping guidelines, copies of which shall be placed in the Occupational Safety, Health and Environment File. These basic precautions shall be adhered to:

- a) Ensure that articles, substances, equipment and tools are returned to designated location after use;
- b) Overcrowding shall be avoided to minimize the breeding grounds for disease agents such as virus, bacteria, fungi, rodents, insects and harmful substances
- c) Ensure that floors are kept clean and free from dirt, ensure dirt is removed daily;
- d) Ensure that painting of building is done as per the statutory requirements;
- e) Ensure that all passages and gangways are clean and in no way hindered;
- f) At least one (1) meter gangway shall be maintained for movement of persons;
- g) In enclosed work areas, there shall be at-least 10 meter cubed space per employee.
- h) Ensure that proper signage on the office floor plan/layout are prominently displayed at strategically areas at the premises to guide employees/visitors in case of an emergency.

17.4.2 Sanitary Facilities

Clean and suitable sanitary facilities (toilets and washrooms) shall be provided for all workplaces. Such facilities shall offer separate accommodation for employees of each sex.

17.4.3 Work Place Ventilation

The management of University College realizes that inadequate ventilation accelerates fatigue and lethargy among employees. The safety committee shall come up with guidelines on ventilation infrastructure and utilization. Copy of this shall be placed in the Occupational Safety, Health and Environment File. Accordingly, the following four (4) principles shall be followed to ensure the ventilation is adequate at all times:

- a. Effective and suitable provision shall be made to secure and maintain the circulation of fresh air in the work place;
- b. Employees shall be obligated to make full and proper use of any ventilation systems that may have been provided for their safety, Health and Environment;
- c. Employees shall not block air vents, adjust controls or interfere with the airflow in any way, unless authorized and competent to do so;
- d. Report defects on any of the above to supervisor as soon as possible.

17.4.4 Lighting System

The Management of Machakos University College has taken steps to ensure that:

- a. Impact of lighting on safety of occupants for Workplace, equipments used, tasks carried out is undertaken and regularly reviewed;

- b. A review of plan for new building(s) and structural changes to building(s), is undertaken and that the design has taken into account the needs of Occupational Health and Safety Plan;
- c. Position of lighting equipment does not present danger to employees during normal operation, maintenance or re-lamping.

17.4.5 Hot and Cold

Employees shall be provided with appropriate protective appliances and instructions whenever their duties involve exposure to hot or cold conditions which exceed recommended threshold levels.

17.4.6 First Aid Management within the University College

The University College has trained and appointed first aid officers to assist with accidents and emergencies, which may occur at the Workplace. Further following has been done to achieve efficiency and adequacy in first aid:

- a. Awareness of procedures to be followed in the event of illness of work Injury shall be done at least once in every year;
- b. Appropriate number of employees have been recruited and trained so that any given time sufficient number are present at any given work place;
- c. First aid equipment's: appropriate Occupational first aid kit shall be maintained and availed in an accessible area. All first aid equipment shall be clearly marked FIRST AID;
- d. For every five (5) employees in a work place at least one (1) shall receive basic training in first aid. This shall be renewed annually;
- e. If need arises, ambulatory services may be secured at the employer's cost.
- f. Alternatively, Police assistance may be sought.

17.4.7 Clean Water

Clean water shall be provided for both drinking and sanitary services throughout the workplace.

17.4.8 Occupational Health Check-ups

Complaints on occupational illness shall be investigated and appropriate health check-ups shall be carried out from time to time. The health of employees working in areas where exposures to hazards are more likely shall be monitored from time to time.

17.5 SAFETY

It is the responsibility of the University College Management to ensure that hazards are avoided and overcome. Measures to guard against include the safeguarding of hazardous machine/equipment, installation of electrical wires, provision of fireproof and firefighting

equipment, drills on how to use such equipment, provision of first aid kits and appropriate induction on safety measures in the workplace.

The Service operates on the principles that accidents and injuries are preventable and therefore actively promotes high standards of safety consciousness among the employees and those associated with its activities.

17.5.1 Working Environment

The University College shall ensure that employees and contractors are aware of safety hazards in their working environment and participate in the prevention of accidents when engaged in their day to day duties.

The University College shall also strive to promote environmentally friendly operations in all its activities.

17.5.2 Protective Equipment and Clothing

The University College shall provide protective equipment and clothing for use by those employees whose working environment so requires and must be used at all times.

17.5.3 Smoking

Smoking constitutes a serious health hazard and shall be discouraged. Moreover, it has a fire risk attached to it. The habit is not only harmful to the smoker, but it is also harmful to those who inhale the air around the smoke. In order to minimize the effects on employees, clients and visitors, smoking is strictly prohibited in all official premises and vehicles of Machakos University College.

17.5.4 Alcohol and Substance Abuse

The use of drugs and alcohol can impair performance at work and can be a serious threat to safety and environment, health and productivity. Consequently, being at work while impaired by drugs or alcohol is strictly prohibited. The illicit use of legal drugs or the possession, use, distribution or sale of illegal drugs within the Machakos University College's premises is strictly prohibited. However, employees who shall be found to be suffering from alcoholism and substance abuse may be considered for rehabilitation to aide in recovery.

17.5.5 Environment

Disposal of Wastes

The University College shall strive to promote and maintain a healthy environment by ensuring that all waste materials known to have negative impact on the environment are properly segregated and disposed.

18.0 SUCCESSION PLANNING AND STAFF RETENTION

18.1 Succession Planning

- a. Succession planning is an on-going process that identifies necessary competencies and then works to assess, develop, and retain a talent pool of employees, in order to ensure a continuity of leadership for all critical positions.
- b. It is a specific strategy, which spells out the particular steps to be followed to achieve the vision, mission, goals, and initiatives identified through strategic planning.
- c. Confidentiality shall be of essence in this policy. Human Resource Manager shall be responsible for its implementation.
- d. The University College shall pursue succession planning as:
 - i. A proactive and future focused process, which enables the University College
 - ii. To assess, evaluate and develop a talent pool of individuals who are willing and able to learn and occupy higher positions when needed;
 - iii. A method, which helps the University College in preserving its information and knowledge that may be lost due to retirement, promotion and attrition;
 - iv. A tool to meet the necessary manpower requirements of the University College in terms of quality and quantity, by addressing competency and skill gaps;
 - v. A developmental tool whereby high performing officers, at various levels, act as an understudy for the next position and take up the responsibility whenever necessary.

18.2 Purpose of Planning within the University College

- a. To ensure the University College has the cadre of employees available to fill new appointments in future the Administration, Finance & Planning shall develop succession plans. The purpose of the Succession plan shall be:
 - i. To ensure suitable employees are available to fill vacancies by promotion, transfers, resignations and natural attrition;
 - ii. To ensure employees development is aligned to University College's overall Strategic Plan;
 - iii. To ensure enhanced motivation and job performance;
 - iv. To exploit full potential of the workforce.
- b. The template below shall be used for manpower planning:

18.3 Key Components of Succession Planning

18.3.1 Position Description and Responsibilities/Competencies/Skills

Required skills shall be ranked in importance and specific Problem-solving attributes and behavioural traits addressed. This first step shall be completed independent of any considerations of candidates.

18.3.2 Individual Assessment and Skills/Competencies, Development Needs

Machakos University College shall aim to fill majority of positions created by Senior management vacancies or changes in organization responsibilities from within the University College by making the appropriate competency match between the position and the individual. The University College shall accordingly address the need to nurture existing personnel so that the identified officers can be prepared in a short period of time to competently assume new responsibilities. Senior management staff shall provide additional development activities to address skill and competency gaps. The management team shall play an active role in developing the identified officers to reach the next level and assume more responsibilities.

18.3.3 Roll-out Process

Machakos University College Succession Planning shall be carried out across Different Divisions of the University College.

The following guidelines shall be followed:-

- a. Utmost confidentiality shall be maintained (Only chosen candidate to know of status);
- b. In case of a critical position not getting vacant, the chosen candidate may be offered alternative career plan;
- c. In case of a critical position getting vacant and no internal successor is identified, recourse should be taken to hire external talent to ensure smooth functioning.

18.4 Employee Retention Strategy

The University College shall endeavor to improve its ability to attract, retain a highly qualified, motivated and productive workforce by applying the following five principles:-

- a. P- Provide a positive working environment;
- b. R - Recognize, reward and reinforce the right behaviour;
- c. I - Involve and engage;
- d. D - Develop skills and potential;
- e. E - Evaluate and measure.

18.4.1 Provision of a Positive Working Environment

- a. Management shall act as role models in creating a positive and conducive work environment by embracing an open door policy in managing staff.
- b. Employees shall be provided with appropriate working tools and measures shall be put in place to address welfare
- c. Management shall embrace practices designed to increase employee engagement in the University College through understanding of employees' retention needs such as skills, tools, and knowledge.

18.4.2 Recognize, Reward and Reinforce the Right Behavior

The University College shall develop recognition schemes that shall encourage a dynamic approach towards managing talent and rewarding performance so as to ensure staff members feel appreciated and proud of their work. High performance shall be identified and rewarded in accordance with the laid down performance management guidelines. This shall apply across all cadres of staff within the University College.

18.4.3 Involvement and Engagement

Machakos University College shall work to improve employee engagement at all levels by ensuring staff participation in decision making through soliciting for their ideas and suggestions and acknowledging their participation so as to create a sense of ownership in the University College.

18.4.4 Develop Skills and Potential

Machakos University College shall continuously work on improving available career development opportunities by giving employees opportunities to grow within the University College.

Appropriate programmes for staff development shall be put in place and staff given equal opportunity. The University College shall ensure that people management skills are continuously enhanced.

18.4.5 Evaluate and Measure

Continuous employee satisfaction surveys shall be conducted to measure progress and determine what satisfies and de-satisfies the workforce. MUC shall strive to ensure that areas of dissatisfaction are addressed accordingly.

18.5 Talent Management within the University College

The key talent management processes are:

- a. Developing the University College as an employer of choice.
- b. Using recruitment and selection procedures that ensure that competent and qualified employee stay for a reasonable length of time;

- c. Designing jobs and developing roles which give employees opportunities to apply and grow their skills and provide them with autonomy, interest and challenge;
- d. Provide talented staff with opportunities for career development and growth;
- e. Creating a working environment in which work processes and facilities enable individually rewarding jobs and roles to be designed and developed;
- f. Developing a positive psychological contract;
- g. Continuous development of leadership skills of supervisors;
- h. Recognizing those with talent by rewarding excellence, enterprise and achievement;
- i. Succession planning and ensuring that the organization has suitable people to fill vacancies arising from promotion, retirement or death;
- j. Conducting annual talent audits which identify those with potential for growth and those who might separate from the organization.

18.5.1 Talent Management Strategies

The University College shall undertake the following strategies towards talent management:

- a. Targeted talent recruitment;
- b. Succession planning;
- c. Graduate recruitment;
- d. Career planning;
- e. Development planning;
- f. Talent retention;
- g. Talent engagement;
- h. Exiting poor performers.

19.0 PROMOTION

19.1 Philosophy on Promotions

The University College appreciates the effort and dedication which its employee puts in to ensure its continued success. It thus shall endeavour to offer opportunities of growth to its current employees possessing the right knowledge, attitude and skills.

19.2 Qualifications for Promotion

Promotion to higher grade shall be done competitively. Promotion to a higher salary scale shall be guided by experience, ability, academic and professional qualifications, performance, conduct, the existence of a vacancy in a higher grade and Heads of Departments/Sections recommendations to the Principal.

Employees shall be considered for promotion after serving in one grade for at least three (3) years. Candidates who are eligible shall be interviewed to determine those to be promoted.

19.3. Mandate of the Staff Advisory committee (SAC) in relation to Promotions

The terms of reference for the Committee in regard to promotions shall be to shortlist, interview and select the most suitable officers for promotion to fill vacancies occurring in the establishment and to recommend such officers for promotion to the appropriate approving authority. Promotions shall be as per relevant promotion criteria Council.

19.4. Seniority

Seniority in a grade shall be determined by the date of entry in employment, grade and position.

- a. Under normal circumstances and unless specifically stated otherwise, the seniority among the incumbents of a post in a grade is determined by the date of joining the grade. In categories of posts partially filled by direct recruitment and partially by promotion, the criterion for determination of seniority shall be date of joining the post to maintain inter seniority of the person being promoted and direct recruits among themselves in the same post, when the date of entry of a grade of promoted employees and direct recruits are the same, the officer being promoted shall be senior to the direct recruits. When two or more candidates are declared to be equal at one and the same examination/selection, their relative seniority is determined by the seniority of their previous grades and experience, date of birth, the older candidate being the senior.

Appointment to a more senior post shall however also be governed by performance and capacity of the appointment.

19.5 Notification of Promotion

All promotions shall be notified for the Principal to the employee concerned through their supervising officers by the Human Resource Manager.

19.5.1 Seniority on Promotion

Seniority is fixed in accordance with entry into the particular grade. In case this is the same in respect of more than one employee, the date of entry to the previous grade, thereafter date of appointment and lastly date of birth is taken into consideration for fixing the seniority.

19.6 Effective Date of Promotions

Effective date of promotions shall be the date approval is granted by the approving Authority.

20.0 CODE OF CONDUCT

20.1 Philosophy of Code Conduct

The University College has laid down obligations and rules of conduct in order to guide the activities and conduct of its employees. The conduct of employees shall be governed by the written rules and regulations, which every employee shall be expected to observe during his tenure of service.

Each University employee occupies a special position within the University College and should be proud of that position and ensure that his/her conduct both in public and in private life does not bring disrepute to the image of the University College. An employee should adhere to the rules of conduct and such other rules which

20.2 General Rules

The following rule shall apply:

- a. All MUC employees shall perform their duties with honesty, integrity and to the best of their abilities. They must not allow themselves to be unduly influenced by anything or anybody;
- b. Employees shall communicate openly and honestly, and demonstrate sense of purpose and a commitment to achieving the optimum outcome, to the interest of the University College even under adverse or tempting conditions;
- b. All employees shall conduct themselves in accordance with the laid down ethical principles and professional codes of conduct for their respective professions.
- c. The staff shall accept accountability for their actions and decisions, and also appreciate positive criticism;
- d. Employees shall comply with all the rules, procedures and regulations that apply to the University College, its systems and the way it conducts its business. They are expected to uphold the positive image of the University College at all times.
- e. An employee should observe and adhere to the general rules of conduct and maintain integrity and loyalty to the University College and also uphold the dignity of the public office to which the officer is appointed.

20.3 Other Rules and Instructions

All employees of the MUC are also subject to the relevant provisions of other rules and instructions, which may be issued by the Principal or other Supervising Officers to

amplify the regulations or to interpret them to the staff. Where the staff rules and regulations are silent on any matter which is provided for elsewhere, then those provisions not included in the staff rules and regulations shall, with equal force apply.

20.4 General Obligations

20.4.1 Public Officers Ethics Act, 2003

All employees shall be required to abide by the provisions of the Public Officers' Ethics Act, 2003 and the provisions of Anti-Corruption and Economic Crimes Act No. 3 of 2003 together with the provisions of Chapter Six of the Constitution of the Republic of Kenya on matters of integrity.

20.4.2 Wealth Declaration

All employees shall make declaration of their income, assets and liabilities every after two years in accordance with Part IV of the Public Officer Ethics Act, 2003. It is the responsibility of each employee to ensure that he has complied with this legal requirement before 31st December of every year.

20.4.3 Obedience

Every employee must render prompt obedience to all persons placed in authority over them.

Every employee of the University College shall cooperate with his/her supervisor in the execution of duty for which he/she is charged, and shall render prompt obedience to persons placed in authority over him/her in discharge of such duty.

20.4.4 Best Judgment

No employee shall, in the performance of his official duties or in the exercise of the powers conferred upon him, act otherwise than in his best judgment.

20.4.5 Duty Attendance

No employee may absent himself from duty during working hours, leave his appointed place of work, or proceed to a place other than that at which he is usually employed, exchange duties with another employee, or alter his hours of attendance without the prior permission of his Supervising Officer.

Though the general office hours are as enumerated above, heads of department will not be restricted to utilizing their staff during these hours when there is any cause requiring their service either earlier or later. In addition, these days and hours may change according to the shift requirements of some departments/sections.

20.4.6 Hours of Duty

The hours of duty for employees shall be such as may be prescribed from time to time by the University College, office or other place of employment at which they are working, whether temporarily or permanently employed at such places. Employees are expected to report to their duty stations.

20.4.7 Absence from Duty without Permission

Where an employee is absent from duty without leave or reasonable or lawful cause and without informing the supervisor shall be dealt with as outlined in the disciplinary procedure. Employees are therefore required to adhere to the rules and regulations governing employment at the University College. Employee who absents himself for a continuous period of seven (7) days he/she may be regarded as having forfeited his/her appointment with effect from the date of such absence;

- a. If such employee subsequently presents himself/herself for duty, he/she may, if the circumstances warrant such a cause, be reinstated, subject to such disciplinary measures as may be taken against him/her;
- b. An employee who is regarded as having forfeited his/her appointment shall be deemed to have been dismissed

20.4.8 Absence on Grounds of Ill-Health

Absence on account of ill health shall be supported by a medical certificate(s) from a recognized medical practitioner. The employee shall be required to submit their medical certificate to the head of department within 24 hours. Failure to comply with this shall be dealt with as outlined in the disciplinary procedure.

20.4.9 Rule of Law

Staff must observe all relevant laws, regulations and related policies of the University College in the course of their duties in addition to respecting the lawful rights and freedoms of other persons at all times.

20.4.10 Responsibility

Every employee shall be responsible through the immediate supervising officer to the Human Resource Manager for the proper and efficient discharge of the duties entrusted to him. It is the duty of every employee responsible for the work of other employees to give special attention to efficiency and economy in the work, disposition of the employees under him, the use of all property of the University College, the methods of working and the number of employees employed under him.

20.4.11 Conduct towards Clients

The conduct of any employee must be civil and obliging and he must couch his communication in courteous language. Any communication from customer or a corporate body must be dealt with expeditiously and courteously in line with provisions of the MUC Service Charter.

20.4.12 Part-time Employment

The salary of an employee is fixed on the assumption that his whole time is at the disposal of the University College unless it is otherwise specifically stated in his terms of MUC. An employee is prohibited from engaging in trade or in any commercial undertakings, which may be in conflict with the interest of the University College.

20.4.13 Pre- employment Medical Examination and Fitness Tests

Employees must undergo such medical examinations and go through such fitness tests as may be required by the University College. However the tests would be undertaken in line with provisions of the Employment Act and other applicable legislation. However the results of the test shall not be used as the basis of denying the candidate employment. Every candidate who is offered employment by the University College shall be required to undergo a medical examination conducted by a doctor recommended by the University College or any other Government Medical Practitioner and a Medical Certificate issued.

20.5 Rules of Conduct for Employees

20.5.1 Conflict of Interest

- a) An employee must not subordinate his duty to his private interests or put himself in a position where his duty and private interest conflicts; neither must he make use of his official position to further those interests.
- b) However, should a member of staff find that he is officially called upon to deal with any matter or issue in which he has a personal interest, such an employee is duty-bound to disclose his interest to the Management at the earliest opportunity.

Where an employee is a member of a committee and finds that there is likely conflict of interest in his decisions in the committee such an employee shall be required to disclose so that he does not participate while a decision is being reached. Breach to this clause shall lead to dismissal.

20.5.2 Integrity and Honesty

An employee shall at all times maintain absolute integrity and honesty in the discharge of duties or in the exercise of powers. All employees shall be expected to meet integrity standards set out in the in Constitution and any other legislation.

20.5.3 Conduct in Public

Staff shall conduct themselves in a way that maintains public confidence and integrity and also act in line with the provisions of the core values of Kenya Accreditation Service.

20.5.4 Reticence in Public Matters

Employees of MUC are bound to retain a proper reticence in matters of public and political controversy so that their impartiality is beyond suspicion.

20.5.5 Award of Contracts

The University College shall not enter into a contract, arrangement or agreement with an employee or with any partnership or organization in which he is a shareholder unless he has made full disclosure of the measure of his interest in the contract and the Principal has given approval for the contract to proceed. Such disclosure must be put on record.

No employee may accept a directorship in any enterprise holding a contract with the University College except as a nominee of Government or with the requisite disclosure.

Any employee who finds one is about to deal officially with any matter concerning a business organization, in which one has an interest, must disclose his interest to the Principal.

20.5.6 Disposal of Boarded Assets

Disposal of items shall be dealt with as provided for the Public Procurement and Disposal Act 2005. Employees who may wish to purchase such items shall be dealt with as per the provisions of this Act.

20.5.7 Publication and Divulgence of Official Matters

An employee must not divulge any official communication which he may receive or information which may be in his possession, or communicate the contents of any document or give such information to any person or group of persons, unless properly authorized. This prohibition is directed against the unauthorized disclosure not only

in matters still under discussion, but also of matters finally decided and any breach of official confidence shall be regarded as an offence. These provisions are in line with Official Secrets Act and the Statutory Declaration made by all employees.

20.5.8 Correspondence with the Media

An employee is prohibited from corresponding with media on official matters unless officially authorized to do so by the Principal.

20.5.9 Interviews with Public

An employee must not write to or be interviewed by members of the public regarding official matters unless authorized to do so by the Principal.

20.5.10 Official Documents - Legal Proceedings

Employees may not make copies of any official or classified information/material which they come across and are subject to legal proceedings without the employer's permission or Court order.

20.5.11 Incivility towards Customers

Supervising Officer Departments/Sections of the University College which transact business directly with the customers are expected to satisfy themselves by personal visits to the customers and service points in order to ensure that customers are treated with courtesy and prompt attention. The employee concerned should not too readily dismiss complaints of incivility or inattention as unfounded merely on the strength of a denial. If incivility is proved, this shall be subject to disciplinary action.

20.5.12 Notice Boards

- a. There is generally no objection to the display of notices on official notice boards by staff associations and sports and welfare groups provided that such notices are of general interest to the staff and not of a contentious nature. Prior permission must be obtained from the Deputy Principal Administration, Finance & Planning who must initial and date the notices he has authorized for exhibition. Only notices or publications officially issued may be exhibited in those parts of the premises where official duties are carried out.
- b. External notices shall not be allowed within the University College Council unless with official permission.

20.5.13 Smoking, alcohol and drug abuse

Smoking and drug abuse within the University College premises and facilities is strictly prohibited. All employees shall refrain from alcohol use when on duty and in this regard drunkenness on the course of work shall attract disciplinary action.

20.5.14 Dress Code

Every employee shall be appropriately dressed at all times when he is on duty or when entering or leaving the University College's premises. The supervising officer/Assistant Director, Human Resource and Training may, if he considers that the dress of an employee is inappropriate, he in liaison with the Human Resource Manager, may order an employee he considers inappropriately dressed to leave the University College's premises and return when he/she is appropriately dressed. The University College at its own discretion may allow employees to dress down on particular days as may be prescribed by the Principal from time to time.

20.5.15 Uniforms and Protective Clothing

Eligible employees shall be provided with official uniform/protective clothing as per work requirement once a year. Such clothing must be worn at all times while on duty.

20.5.16 Staff Identification Badges

All members of staff shall be provided with identification badges which shall be displayed at all times while on duty within the University's premises. Immediate Supervisors shall ensure that staff in their respective areas of responsibility comply with this requirement.

20.5.17 Communication Facilities - Misuse

No employee is allowed to misuse any communications facilities belonging to the University College. Such communication facilities include but are not limited to telephone, fax, e - mail, Internet, franking machine, photocopier, computers and other office equipment. Irregular use of the facilities shall render the employee to disciplinary action.

20.5.18 Betting and Gambling

MUC employees are strictly forbidden to take part in gambling in their official capacity as employees of the University College.

20.5.19 Membership to Political Party

All employees of the University College shall not take part in a political party other than in their personal capacity.

20.5.20 Pecuniary Embarrassment

Pecuniary embarrassment shall be regarded as an offence affecting both the respectability of the University College and trustworthiness of the individual and may be reason for appropriate disciplinary action.

20.5.21 Misuse of Official Stamps and Falsification of Records

Any improper use of official logos, stamps, seal and/or falsification of documents with intent to defraud is a criminal offence and an employee found guilty of this shall be liable to disciplinary and /or legal action.

20.6 SEXUAL HARASSMENT

20.6.1 Policy Statement

Sexual harassment shall be dealt with as provided in the Employment Act 2007 Sec.6 and the Public Officer Ethics Act 2003.

20.6.2 Definition

- a. Sexual harassment can take many forms either verbal or physical and may include unwelcome sexual advances, the forcing of sexual attention, verbal harassment or abuse, subtle pressure for sexual favours, unnecessary touching, patting, or pinching, leering at a person's body, demanding sexual favours accompanied by implied or overt threats concerning employment or advancement, physical assault including rape or sexual overtures on a person.
- b. Sexual harassment is deemed to exist when a person:
 1. Directly or indirectly requests that employee for sexual intercourse, sexual contact or any other form of sexual activity that contains or implied or express:-
 - i. Promise of preferential treatment in employment;
 - ii. Threat of detrimental treatment in employment, or;
 - iii. Threat about the present or future employment status of the employee;
 2. Uses language whether written or spoken of a sexual nature, or;

3. Uses visual material of a sexual nature, or;
4. Shows physical behavior of a sexual nature which directly or indirectly subjects the employee to behavior that is unwelcome or offensive to that employee and that by its nature has detrimental effect on that employee's employment, job performance, or job satisfaction.

20.6.3 Perceived Harassment

- a. It is advisable for an individual who believes that he or she is subject to sexual harassment to deal with this situation at the earliest opportunity, by immediately notifying the alleged offender that this behaviour is unwelcome.
- b. When the alleged offender has been notified of the unwelcome behaviour, the victim may wish to discuss the matter with a colleague or a friend, or with a member of Human Resource Manager, as appropriate.

20.6.4 Procedures for Dealing with Sexual Harassment

The procedures set forth below provide staff members with a range of options when faced with situations that might constitute sexual harassment. The following approaches may be used:

- a. Confidential guidance and counseling;
- b. Informal resolution of a complaint of sexual harassment through confidential mediation between the parties concerned;
- c. Formal resolution of a complaint of sexual harassment through investigation and fact-finding handling of such complaints by the Staff Advisory Committee
- d. In cases where the situation revealed by both informal and formal approach appears to indicate that misconduct has occurred that may warrant administrative action or disciplinary measures as prescribed, the employee and/or the Staff Advisory Committee shall recommend in writing to the Deputy Principal (Administration, Finance & Planning for further guidance and action. In making this recommendation, the officer concerned shall prepare a report indicating the details of the incident, the findings as well as actions taken. In such cases, the complainant and the alleged offender shall receive a copy of the report. The alleged offender shall be provided with opportunity to respond and defend themselves as laid out in the disciplinary procedure.

20.6.5 Legal Proceedings

- a. Where an officer is arrested under any written Law for a cognizable offence punishable by imprisonment and he is found guilty or otherwise, the University College may take any disciplinary action deemed appropriate as per the relevant laws.

- b. An employee who is summoned to court to give evidence on behalf of the University College shall be regarded as travelling on MUC duty, and any expenses reimbursed to that employee shall be credited to the University College.
- c. Where an employee is called upon to appear in court or give witness in a case not necessarily related to the University College, the employee on production of evidence shall be granted time off.
- d. Where an officer is facing civil proceedings as a result of a lawful act or omission arising from official duties the expenses shall be borne by the University College in respect of providing for legal assistance and where applicable the University College shall satisfy any judgment awarded against the officer including any fine or award of costs or compensation.
- e. Any officer of the University College involved in any legal matters arising out of his official duties shall immediately notify the Principal.

20.6.6 Misuse of MUC Property

- a) All officers of the University College shall be required to exercise maximum care and/or to make optimum use of the College's property entrusted to them.
- b) Any officer who misuses any of the University College's property shall be liable to disciplinary action which may include recovery of the equivalent value of the misuse of the property from the officer.
- c) Unauthorized use of official vehicles on private errands shall be deemed to be a misuse.
- d) Recurrent misuse of the College's property shall amount to gross misconduct for which an officer may be liable to dismissal.

20.6.7. Penalties

Violation of this Code of Conduct and Ethics shall be handled in line with the disciplinary provisions stipulated in this Manual, and the relevant legislation.

20.6.8 Conflict Resolution

This Code of Conduct is subordinate to the Constitution of Kenya and other recognized Laws.

20.6.9 Review

This Code of Conduct and Ethics shall be reviewed from time to time as may be dictated by changing circumstances.

21.0 MANAGEMENT OF EMPLOYEE RELATIONS

21.1 General Policy Statement

The University College is charged with an important public duty, and its performance must remain satisfactory and efficient to the public. Such service is not possible without staff that are self-disciplined, of exemplary conduct and integrity. In this respect, every employee shall abide by the provisions of this manual, and particularly as amplified in this section. Disciplinary control of the staff is vested in the Council and the Principal.

21.2 Discipline and Conduct

It is the responsibility of every employee to ensure at all times that his work and conduct is maintained at the standard required by the University College. It is also the employer's responsibility to keep every employee regularly informed of his effectiveness or shortcomings in work performance and conduct. This responsibility must be vigilantly exercised by the Human Resource Manager at every level. The observance of the employer's rules and regulations cannot, therefore, be over-emphasized. Appropriate disciplinary action shall be taken for breach of discipline.

21.3 Staff Counseling

- a. Staff counseling services shall be provided at the place of work in an endeavor to alleviate problems which may have adverse impact on the employee's performance.
- b. The Deputy Principal (Administration, Finance and Planning) shall be expected to provide counseling services for staff. Peer counseling which is considered effective and shall be encouraged because employees feel free to go for and seek assistance from their colleagues.
- c. The Deputy Principal (Administration, Finance and Planning) shall co-ordinate all counseling matters through in-house facilities and refer more complicated cases to outsourced professionals.

21.4 Administration of Discipline

All employees shall be entitled to fair process in all disciplinary matters. Depending on the seriousness of the offences committed, it shall be incumbent upon all those persons in the Service charged with responsibility of supervising the work of others, to familiarize themselves with the due process of disciplining employees who fail to meet the required standards of work or conduct.

21.4.1 Due Process of Discipline

- a. The supervisor shall employ the following approach when dealing with cases of discipline:
 - i. Conduct a preliminary investigation to establish the cause of unsatisfactory conduct.

- ii. When an employee is deemed to have committed an offence in terms of the provision of the Code of Conduct, his/her immediate supervisor shall institute an investigation, taking into account whether the employee is a habitual offender or a first offender, or whether there are extenuating circumstances that occasioned the commission of such an offence. This investigation shall culminate in a report.
- iii. The employee shall be informed of allegations in writing and presented adequate opportunity to respond.
- iv. Where the allegation is confirmed following an admission by the employee a discussion/counselling session will provide opportunity for the employee to improve on the noted undesirable conduct, or meeting the established job standards.
- v. In the event that the discussion/counseling is inadequate the supervisor shall resort to the next step of discipline.
- vi. A disciplinary process could also be commenced where there is admission by the employee.
- vii. When the allegation is not admitted, an investigative process by the Staff Advisory Committee commences. The employee shall be provided with opportunity to appear before them and defend himself. Results of the Committee's findings and recommendations will then be communicated to the employee and the Principal. This matter shall then be referred to the Council.
- viii. In all cases, the supervisors shall desist from taking hasty actions not based on the true facts of the case.
- ix. The supervisor shall, in such cases, refrain completely from use of abusive, scolding, or intemperate language
- x. In all the above stages, the supervisor and the Staff Advisory committee shall note in the employee's personal file of the proceedings of the session(s) and consider previous discipline entries.

b. Issuing a Verbal Caution or Reprimand:

- i. When an employee has failed to respond positively to the discussion/counseling/discipline, a verbal caution or reprimand shall be issued by the immediate supervisor.
- ii. This shall be conveyed to the employee in a manner and tone that is firm but positive and recorded in the employee's personal file.
- iii. This verbal caution is a valid disciplinary action.

c. Issuing a Written or Official Warning or Caution:

- i. In the case where an employee has been verbally cautioned previously over a breach of discipline, and where no improvement has been noted thereby, or the offence is such that

it constitutes misconduct, the immediate supervisor shall issue a written warning to the employee.

- ii. In the case where such written warning does not suffice in respect to rectifying the matter in question, or the offence constitutes misconduct, a “show cause letter” shall be given to the employee and s, a copy of furnished to the next level supervisor.
- iii. A “show cause” letter to the employee shall require a response within a stipulated period and form part of his/her disciplinary process and record.
- iv. Where in the opinion of the immediate supervisor, the employee’s disciplinary case is such that it constitutes a gross misconduct, major or serious offence, he/she shall write to the Deputy Principal (Administration, Finance and Planning) detailing the nature of the offence committed and the history of the case.

21.5 Description of Offences

a. Minor offence/misconduct:

This is an offence whereby an employee is not liable to dismissal as per the provisions of the Employment Act Cap 2007. In this regard, the Human Resource and Training Division shall take appropriate action in consultation with the Functional Supervisor/Head of Department.

b. Gross misconduct:

These are offences whereby an employee is liable to dismissal as per the provisions of the Employment Act Cap 2007. In this regard, the Head of Division shall refer the case to the Staff Advisory Committee (SAC) for deliberation, or appropriate committee. It constitutes to but not limited to the following:

- i. Neglects, to perform any work which was his duty to perform or carelessly or improperly performing any work which from its nature was his duty to perform;
- ii. Disregards or without sufficient reason fails to comply with a lawful order, regulation, standing order or departmental/unit instruction; or
- iii. Incapacitates himself for the performance of any of his duties by indulgence in any stimulant, alcoholic drink or intoxication drugs such as heroin, cocaine, marijuana, cannabis sativa, etc;
- iv. Engages in business conflicting with the employer’s business or engages in any personal business within or outside the University College during working hours;
- v. Improperly discloses any information regarding the affairs of the University College to any unauthorized person; or
- vi. Is convicted by a court of law for any criminal offence or any offence that is likely to bring the institution into disrepute; or

- vii. Commits acts of corruption/dishonesty at work including soliciting or accepting bribes;
 - viii. Uses abusive or insulting language or behaves in a manner insulting, to his employer or person placed in authority over him;
 - ix. Is arrested for a cognizable offence punishable by imprisonment and is not within fourteen days either released on bail or on bond or otherwise lawfully set at liberty;
 - x. Any other offence as may be determined.
- c. The following are cognizable degrees of offences and misconduct:
- i. Breach of all or any of this Regulation shall constitute an offence against the University College and a duly authorized officer(s) shall act in a manner depending on the degree of breach thereto;
 - ii. In determining the degree of the offence committed, the immediate supervisor shall assess its seriousness and the extent to which it infringes upon the regulations and rules of the University College,
- d. Minor breaches of the rules whilst they appear harmless when taken at face value, shall not be allowed to accumulate.
- e. Major or serious offences on the other hand, are those which substantially interfere with the smooth running of the University College which are likely to generate severe disciplinary action being taken against the employee;

21.6. Disciplinary Measures

At completion of the set due process, the University College may undertake in response to an employee's breach of rules and regulations, measures as may be deemed appropriate. An employee may thus be subjected to the following disciplinary actions: warning, surcharge, demotion, suspension, retirement and/or dismissal. -

21.6.1 Appeal

All employees shall be entitled to appeal from and against any disciplinary action within 14 days of the decision appealed from. The appeal shall be to the Council.

21.6.2 Disciplinary Actions

One or more of the following actions may be meted out to an employee as a result of disciplinary proceedings:-

- i. Verbal caution or warning;
- ii. Written caution, reprimand, or warning;
- iii. Surcharge;
- iv. Interdiction;

- v. Suspension;
- vi. Demotion
- vii. Termination of Service;
- viii. Dismissal;

21.6.3 Demotion

An employee who commits an offence that may not warrant retirement in the University College's interest or dismissal, shall be demoted by having his salary reduced by not more than four increments depending on the seriousness of the offence.

Reduction in salary must always be to a lower point in the offender's incremental scale and not by an adhoc amount. Reduction in salary must be for at least twelve (12) months and the anniversary of the reduction becomes the new incremental date. However where the anniversary falls earlier than the University College's designated uniform incremental month of July, for all confirmed staff in the University College, the increment shall be delayed until the forthcoming month of July and no arrears shall be payable.

21.6.3.1 Offences that Attract demotion

Offences that may attract a reduction in salary include, inter alia:-

- a. Gross insubordination or disobedience aggravated by other misconduct
- b. Fighting in the office
- c. Gross misuse of official vehicle
- d. Extraction or removal of documents from official files without authority
- e. Subordination of ones duty to further private interests
- f. Betting and gambling
- g. Using objectionable and threatening language towards a member of staff
- h. Disclosure of information of personal nature of other employees in a scandalizing manner or rumour mongering
- i. Coming on duty while drunk
- j. Sleeping while on duty
- k. Sexual harassment
- l. Malingering while on duty resulting in delay of work
- m. General negligence of duty

- n. Persistent/repeated commission of offences within the validity period of twelve (12) months.

21.6.4 Surcharging of Staff

There are circumstances where disciplinary action shall be by surcharge. The employee who commits offences attracting such disciplinary action shall be surcharged for the whole or part of the amount involved subject to the laid down provisions.

These offences may include action by an employee who: -

- a. Has culpability for failure to collect and/or remit any monies owing to the University College of which he is personally responsible; or
- b. Is personally responsible for any improper payment of University College's funds which are not duly vouched for; or
- c. Is personally and culpably responsible for any deficiency in, or damage to or destruction of any funds, stamps, securities, stores or other property of the University College of which he has personal charge; or
- d. Knowingly uses without authority and/or misuses stores, vehicles, buildings, equipment or any other University College property or services provided for official purposes; or
- e. Is personally and directly responsible for any additional expenditure or liability being incurred by the University College which, but for his culpable negligence, need not have occurred.

21.6.4.1 Amount of Surcharge

The amount of surcharge imposed under paragraph 21.6.3 above will be recovered from the employee's salary in monthly installments, subject to maximum not exceeding 25% of his/her basic salary for each installment, and may be effected in addition to other disciplinary measures. An employee who is dissatisfied with a surcharge imposed on him may submit an appeal in accordance with the procedure laid down in the Regulations. a)

21.6.5 Interdiction from duty

Interdiction from duty means that an employee is prevented from exercising the powers and functions of his office i.e. he is forbidden to attend for duty. While under interdiction, he shall be paid half salary. An employee under interdiction may not leave his duty station except with the prior permission of the authority who ordered the interdiction. He must sign the attendance register daily as indicated in the letter of interdiction. If the employee fails to report for more than forty-eight (48) consecutive hours, he shall be deemed to have terminated his services voluntarily.

21.6.5.1 When Interdiction is Appropriate

An employee should be interdicted from duty: -

- a. When he is charged by the police with an offence which, if proved, would lead to his dismissal
- b. Where an employee commits a serious offence warranting investigation or affecting the operations of the University College and likely to lead to retirement in Company's interest or dismissal, the University College shall interdict the employee from duty immediately.

21.6.5.2 Lifting of Interdiction

Where interdiction was ordered, the University College shall institute independent investigations into the matter and where it has reasonable and sufficient grounds on the case, it shall take an administrative action in accordance with the Staff Rules and Labour Laws.

21.6.5.3 Restoration or Withholding of Salary Following Lifting of Interdiction

In cases where staff are reinstated after interdiction, the University College shall have the right to determine whether or not any part of salary withheld shall be paid.

21.6.5.4. Annual Leave During Interdiction

Periods of interdiction (or suspension) do not earn any annual leave at all, if interdiction (or suspension) is followed by dismissal. Where an interdiction (or suspension) is lifted, an abatement of salary is imposed in respect of such periods, the annual leave earned in respect of such period will be abated pro-rata.

21.6.6 Suspension from Duty

Suspension is when an employee is forbidden to attend activities related to duty. No salary is payable to an employee during the period of suspension.

21.6.6.1 When Suspension is Appropriate

An employee should be suspended from duty: -

- a. When he is convicted by a Court of Law of an offence which is likely to lead to his dismissal
- b. On vacation of office without permission for more than seven (7) days.
- c. When involved in a serious offence of gross negligence of duty or dishonesty occasioning loss of official funds or property and dismissal action is considered appropriate.
- d. Where an employee serving interdiction for a criminal offence for a period of six months pending the determination of such criminal charges by a Court of Law, he shall be placed on suspension until case is finalized.

21.6.6.2 End of suspension/restoration to Duty/

For any employee whose case is being handled or has been handled by a third party, the University College shall institute independent investigation into the matter and where it has reasonable and sufficient grounds on the case, it shall take an administrative action in accordance with the Staff Rules and the Labour Laws independent of the third party's action. This shall be either;

- a. Reinstatement if the University College has failed to establish a case against the employee. or
- b. Termination if an employee, who has been held in custody, is charged for an offence that in law would not make him be entitled to be released on bond and thus is on vacation of office for seven (7) days.

21.6.6.3. If the decision has been reached to terminate or dismiss, then, the effective date will be from the date of suspension.

21.6.6.4 Restoration Of Salary Withheld During The Period Of Suspension

Where the order for suspension from duty is rescinded or a punishment short of dismissal is ordered, the college shall have the right to determine whether or not any part of salary withheld shall be paid.

21.6.7 Retirement in the University College's Interest

- i. If an employee who has had his salary reduced repeats or commits a similar offence that attracts reduction in salary within a period of twelve (12) months of the first reduction in salary, he shall be retired in the University College's interest from the date of receipt of retirement letter.
- ii. An Officer who commits an offence that is not serious to warrant dismissal, shall be retired in the University College's interest from the date of receipt of retirement letter.
- iii. Offences that attract Retirement in the University College's Interest include inter alia: -
 - a. Driving official motor vehicle without a valid licence (not yet licensed to drive)
 - b. Gross negligence of duty involving loss of University College's funds or property
 - c. General inefficiency (unproductively)
 - d. Intoxication aggravated by other misconduct e.g. violence
 - e. Bankruptcy
 - f. Gross dishonesty

- g. Employment elsewhere
- h. Gross insubordination aggravated by other misconduct
- i. Coming on duty while drunk
- j. Sexual harassment
- k. Repetition of an offence attracting reduction in salary for the third time within a period of twelve (12) months

21.7 Staff Advisory Committee (SAC)

The Principal shall appoint the Staff Advisory Committee (SAC). The Committee shall be composed of:-

- i. Deputy Principal (Administration, Finance and Planning) - Chairman
- ii. The Human Resource Manager - Secretary
- iii. The Registrar (Administration, Finance and Planning)
- iv. The relevant Head of Department
- v. Legal Officer – Member
- vi. Any other person the Principal deems necessary.

21.7.1 Mandate of Staff Advisory Committee (SAC) on Staff Discipline

- a. Investigate and hear disciplinary cases.
- b. Listen to the employee involved and corroborate with evidence presented against the staff;
- c. Determine under what clause in Staff Policies and Procedures the offence falls;
- d. Determine if there are other factors that may have played a role in the misconduct i.e. mental health issues or substance abuse;
- e. Present findings and recommendations to the Principal.

21.8 Grievance Handling

The Grievance Handling Procedure shall be followed in cases where an employee has an individual problem or grievance not being a matter of discipline

22.0 MANAGEMENT OF GENDER AND DISABILITY

22.1 Gender Policy

22.1.1 General Policy Guideline

The University College shall be committed to affirmative action. The University College shall mainstream gender requirements in its operations to ensure equitable participation of both genders. The aim of this policy shall be to ensure empowerment and mainstreaming the needs of both genders in the University College so that they can participate and benefit equally from opportunities.

In addition, the policy recognizes that gender is central and cross-cutting, and therefore, programme strategies shall incorporate gender equality as a goal. To achieve this, mechanisms aimed at achieving gender balanced development through the removal of disparities between men and women shall be put in place. It also underscores social, cultural, legal, and political factors that perpetuate inequalities. The University College shall implement various programmes geared towards sensitizing staff on issues surrounding gender and sexual harassment and the impact it can have on morale and work performance at work place.

Without compromising on merit, the following key thematic areas among others shall be of key focus in mainstreaming gender issues:

- a. Recruitment and selection;
- b. Promotions;
- c. Training and development; and
- d. Leadership and membership to cross functional work committees and teams.

22.2 Disability Policy

22.2.1 General Policy Guideline

The University College shall be committed to addressing the barriers that exclude disabled people from full and equal participation in its operation as per the provisions of the Persons with Disabilities Act of 2003. The University College shall facilitate the work environment to suit the needs of persons with disabilities.

The University College shall endeavour to work with institutions that champion needs of persons with disabilities. This shall be geared towards facilitating persons with disabilities at the University College for purposes of enhancing their productivity and accommodating their requirements as far as the work environment is concerned. The University College shall be committed in implementing initiatives in relation to persons with disabilities at the work place. This may include:

- a. Re-organizing work stations;

- b. Adapting existing facilities to make them accessible;
- c. Providing requisite facilities and equipments where required;
- d. Providing specialized supervision, training and support;
- e. Affirmative Action during recruitment and selection processes.

22.2.2. Guidelines for the Employment of People with Disabilities

The University College recognizes its social obligation in providing equal opportunities in employment and facilities for people with disabilities. Candidates seeking employment and who have disabilities shall be considered solely on their ability to do the job. However, affirmative action shall be adhered to in the employment of persons with disabilities. Any special needs concerning work or the working environment would where possible be adjusted to meet the needs of the disabled. The University College shall Endeavour to develop skills and potential of disabled employees to the full and offer them training and promotion opportunities in accordance with their abilities and policy in force.

Review

This Manual shall be reviewed from time to time by the authority of the University Council.