

- c. Establishment and entrenching of individual employee responsibility and accountability for his or her performance level, professional development, career planning and management.
- d. Establishment of a framework for objective identification of individual staff performance level.
- e. Establishment of a framework for effective and regular performance feedback

#### 8.4 Guiding Principles of the Policy

Performance Management at Strathmore University will contribute towards the implementation of the University's vision, mission and strategic goals if the process adheres to the following principles:

- a. **Alignment:** The alignment of performance targets across the entire institution from the University's strategy, mission and vision to setting of individual staff Key Performance Indicators (KPI) by all employees.
- b. **Long term view:** The Performance Management process has been aligned to the University's long-term goals and thus lays emphasis on the ultimate achievement of the University's long-term goals and all-round development of the individual employees.
- c. **Culture driven:** The Performance Management Process supports the sustenance of the University's Culture and shall be conducted in a manner which demonstrates the University's embracement of its culture and values.
- d. **Ownership:** The Performance Management process is the responsibility of the individual members of staff, his or her direct Line Manager/ head of department and the Office of People and Culture.

#### 8.5 Performance management

Performance management is a systematic approach to managing the process by which the performance, development and performance-based recognition of all staff of the University is based on. Broadly, performance management is a set of activities that:

- a. Align the purpose of the University, with the individual employees purpose as far as possible
- b. Establishes objectives through which individual employees and teams can see their contribution to the University's mission, vision, strategy and culture.

- c. Monitors and evaluates the performance of the individual employees in the University.
- d. Aims at improving performance among all employees, teams and, ultimately, the University as a whole.
- e. Holds employees accountable for their performance and growth by linking it to recognition, career progression and corrective actions where applicable.
- f. **Exclusions**

The following issues are excluded from this policy: -

- i. Conduct, or where poor performance is attributable to deliberate, negligent or careless failure to perform to the standards required, rather than inability to do the job, reference should be made to the Staff Disciplinary Policy and Procedure.
- ii. Incapability due to ill health.
- g. Grievances/disputes, shall be handled in accordance with the University's grievance policy.

## **8.6 The Performance Management Process**

This section of the policy will cover:

- a. Overview of the Performance Management Process
- b. Levels of the Performance Management Process
- c. Steps of the Performance Management Process

## **8.7 Overview of Performance Management Process**

### **a. Definition of Performance Management Process:**

Performance management process is a continuous process of identifying, measuring and developing performance in organizations by linking each individual's performance and objectives to the organization's overall mission and goals. It is a continuous cycle of communicating expectations to employees, providing ongoing feedback and coaching, and in some cases addressing performance issues.

The diagram below summarizes the University's Performance Management Process:



**b. Basis of the University's Performance Management Process:**

The University's Performance Management Process is based on Key Performance Indicators (KPIs). KPIs are specific measures which the University, through the performance management process, shall use to measure its performance and that of its respective employees, in meeting its institutional strategic goals.

**c. Qualities of acceptable Key Performance Indicators:**

- i. Fully aligned to the institutional strategic goals and culture theme of the year.
- ii. Specific Measurable Attainable Relevant and Timely (SMART)
- iii. Aligned to the individual's employee primary position or both primary and secondary position where applicable.

**8.8 Levels of the Performance Management Process**

Performance Management must be integrated within the University to ensure that the University's vision, mission, goals and culture have been cascaded down to the individual level and that there is an alignment of purpose between the University and the individual employees. For this to be achieved, performance shall be managed at the following levels:

- a. **The Institutional Level** – The strategic framework of the University serves as the context within which the expected performance by each division, department/faculty, and individual is defined.

- b. **The Divisional Level** – this is the first level of cascading after the setting up of institutional annual strategic goals and culture theme. It is led by the respective Heads of Divisions. The output of this level is the Divisional Strategic targets, aligned to the institutional strategic goals, mission, vision and culture theme.
- c. **The Departmental Level** – this is the second level of cascading the institutional strategic goals and culture theme. The output of this level is Departmental Work plans. These will further be cascaded to Sectional level, where applicable.
- d. **The Individual level** – this level applies to all employees of the University. It is the level which requires each employee to have specific Key Performance Indicators aligned to the respective employee's departmental targets.

## **8.9 Policy Implementation/Administration: Roles and Responsibilities**

### **a. The University's Management Board (MB)**

Other than being overall responsible for the University's Performance level, in the process of Performance Management, the MB is specifically responsible for setting up of the annual Culture theme and the institutional strategic goals which will be cascaded to all staff through the respective Heads of Divisions.

### **b. The Heads of Divisions**

These are responsible for the timely development and approval of comprehensive and aligned divisional strategic priorities, aligned to the Institutional strategic goal and approved culture theme.

### **c. The Heads of Departments**

These are responsible for the timely development of comprehensive and aligned departmental annual work plans and conversion of the same to individual staff Key Performance Indicators. They are also responsible for the full implementation of the Performance Management Process at the individual employee level. This includes ensuring that all performance management related activities such as midyear reviews, monitoring, evaluation, feedback giving, amongst others, are carried out within agreed timescales and in accordance with the Performance Management policy and procedures.

### **d. The individual employees**

Each individual employee is responsible for:

- i. Meeting the agreed Key Performance Indicators as signed off with the

respective Head of Department/Line Manager.

- ii. Ensuring timely setting, review and evaluation of the Performance Targets as captured in the Performance Management tool
- iii. Full participation in the Performance Management Process, in all steps which require the employee's input.
- iv. His or her individual career planning and management, under the guidance of the respective Head of Department or Line Manager.

**e. The People and Culture Office:**

The office is responsible for the provision of oversight to the entire performance management process through:

- i. Providing appropriate advice and support to Heads of Departments/Line Managers in the application of this policy, inclusive of training and development in effective and efficient Performance Management
- ii. Support all formal meetings in line with this policy
- iii. Ensuring the policy is followed in a fair and equitable manner
- iv. Ensuring the policy is adhered to and timescales are met
- v. Ensuring any trends are identified and brought to the attention of the Management Board.
- vi. Managing all records emanating from the Performance Management Process

**8.11 Monitoring the Effectiveness of the Policy**

The University is committed to monitoring incidents to provide identification of causes and subsequent rectifying actions.

The effectiveness of this policy will be monitored by the People and Culture Business Partnering Team. Cases that are received will be reviewed to ensure a decision is made based on the seriousness of the performance the correct procedures are being adhered to.

**8.12 Confidentiality and Data Protection**

The University's policy on Confidentiality and Data Protection shall apply.

All employees should familiarize themselves with and adhere to the University's People and Culture Procedure Manual on Performance Management Procedures

## **9. SECTION NINE: STAFF DEVELOPMENT**

### **9.1 Purpose**

The University provides assistance and support to employees to increase the effectiveness of their performance as well as to encourage them to obtain skills, knowledge, and abilities, which may improve their opportunities for career advancement within the University.

### **9.2 Scope**

For purposes of this policy, professional development programs and activities may include but are not limited to: opportunities for on-the-job training, cross-training, coaching, internships, secondment, and attendance at courses, seminars, conferences, institutes, lectures, meetings, workshops, and participation in professional and technical associations.

This policy covers both local and international staff training.

### **9.3 Eligibility**

An employee may be eligible for sponsorship from the University to attend professional or academic training. For an employee to qualify for such sponsorship the following conditions must be fulfilled:

- a. The applicant must be a fulltime employee of the University and must have served in the University for at least one year to be considered for sponsorship to professional short courses. Fulltime staff who have served in the University for at least two years will be considered for sponsorship to an academic course.
- b. The training must be of benefit to both the employee and the University;
- c. The training objectives should be consistent with those in the Performance Management policy.
- d. The applicant's performance appraisal must be at least satisfactory.
- e. The sponsorship does not apply in the following instances:
- f. The sponsorship does not pay for repeat units and/or failed units.
- g. The sponsorship will not pay for the continuation of the course after suspension.
- h. The sponsorship will come to an end after the completion of the course within the stipulated time.

### **9.4 Sponsorship**

- a. Decisions to sponsor an employee will be based upon the priority and relevance of the qualification to meeting the University's objectives, availability of funds, employee's performance and sponsorship opportunities.
- b. All costs to be sponsored must have been approved and provided for in the respective training budget before any sponsorship is implemented.

### **9.5 Tuition fees sponsorship**

- a. Approved academic training will be considered for a 90% sponsorship of the tuition fees of the training. Such training must be related to the University's strategy or the strategic intent of the school/ faculty or department.
- b. Approved professional training will be considered for a 100% sponsorship of the tuition fees of the training. Such training must be related to the University's strategy or the strategic intent of the school/ faculty or department.
- c. Learning materials and other items to facilitate learning
- d. Where learning materials such as text books, case study packs amongst others and other items to facilitate learning such as lap tops, are costed outside the tuition fees, the University shall sponsor up to 50% of the total cost of such items.

### **9.6 Travel and subsistence expenses**

- a. Employees sponsored for training within Nairobi shall take responsibility for the transport expenses to and from the respective training locations.
- b. Employees sponsored for local conferences and seminars outside Nairobi will be considered for travel and subsistence allowance through the University's per diem policy-local rates.
- c. Employees sponsored for international conferences and seminars will be considered for travel and subsistence allowance through the University's per diem policy – international rates.
- d. Employees sponsored for international conferences and seminars will be considered for one return ticket to the country of conference/seminar.
- e. Employees sponsored for regular international academic training whose duration is at least one academic year, will be entitled to one return ticket to the country of study for the duration of the course. Any additional trips will be funded by the employee.
- f. Employees sponsored for modular international academic training whose duration exceeds one academic year, will be entitled to one return ticket to the country of study, per year, for the duration of the course. Any additional trips will be funded by the employee.

### **9.7 Publishing**

The University may sponsor up to 100% of the cost of publishing of academic papers by employees who had been sponsored for an academic course. The academic work to be published must be the outcome of the academic course for which the employee had been sponsored.



### **9.8 Costs of graduation ceremonies**

Upon completion of respective training, every employee will be expected to cover all costs pertaining to their graduation ceremony. This applies to both local and international training.

### **9.9 Responsibilities in Staff Development**

- a. Heads of Department are responsible for working with their employees to identify needs and for creating a professional development and training plan that will benefit the unit as well as the individual. They are also responsible for the financial outlay of their staff development program.
- b. Employees are responsible for engaging in the development of plans in partnership with their Head of Department and for participating in designated learning experiences. Employees are responsible for assessing their job-related skills and knowledge, for maintaining a high level of performance throughout their employment, and for seeking appropriate professional development and training opportunities in conjunction with their supervisors.
- c. The Executive Director People and Culture is responsible for the University wide staff development planning and implementation of related strategies.
- d. The Academic Staff Development Policy in the University shall apply to all Academic Staff.

### **9.10 Bonding**

The Bonding policy is aimed at ensuring that the University gains value for the investment made by the University on development of its members of staff. It applies to all courses sponsored by the University, academic, executive education and professional courses, whether locally or internationally, either lasting 3 months and above or costing at least Ksh. 300,000 irrespective of the duration of the course.

### **9.11 Applicability**

The bonding policy applies to all employees who are supported by the University to undertake training/course whose duration is more than three months or total cost is more than Ksh. 300,000, irrespective of the duration of the course.

The employee who registers for training whose duration is more than three months or total cost is more than Ksh. 300,000 shall sign a bonding agreement in respect of that training, irrespective of the source of funding, type of study program and, whether one is on study leave or not.

### **9.12 Bonding Period**

The bonding period will be determined by the duration of the course and the total cost of the course. It is the responsibility of the Executive Director People and Culture to ensure that the bond conditions as stipulated in this policy are strictly adhered to.



### **9.13. Bonding period determined by total cost and course duration**

- a. Kshs. 300,000 to Ksh.1 M the employee will be bonded for duration of the course or one year whichever is greater.
- b. Above Ksh. 1M but below Ksh. 2M, the employee will be bonded for the duration of the course or 2 years whichever is greater.
- c. Above Ksh 2M but below Ksh. 3M, the employee will be bonded for the duration of the course or 3 years whichever is greater.
- d. Above Ksh. 3M but below Ksh. 4M, the employee will be bonded for the duration of the course or 4 years whichever is greater
- e. Above Ksh. 4M, the employee will be bonded for the duration of the course or 5 years whichever is greater up to a maximum of 5 years.

### **9.14 Determining Bond Amount**

#### **a. Components of Bond Amount**

The components of the bond amount will include the following (as applicable):

- i. All costs pertaining to admission to the course;
- ii. Total Tuition fees;
- iii. Dissertation/research/thesis/project costs;
- iv. Library/computer/examination fees;
- v. Total travel/transport expenses;
- vi. Books allowance;
- vii. Living/subsistence allowance;
- viii. Graduation costs;
- ix. Net salary for the period of the course in months for all the days the member of staff was away for studies. This includes study leave, exam leave days, conference leave days, etc.
- x. Any other incurred training expenses

#### **b. Calculation of Bond Amount Based on Mode of Study**

- i. A Full-Time course fully sponsored by the University: Total cost of training plus the net salary for the duration of training.
- ii. A Full-Time course, self-sponsored/sponsored by a third party: Total net salary for the duration of training.
- iii. A Part-Time/modular course, fully sponsored by the University: Total cost of training plus net salary for the period of training during working hours
- iv. A Part-Time/modular course, self-sponsored: net salary, for the period of training during working hours
- v. Own Time Self Sponsored: No bonding
- vi. Own Time Sponsored by the University: Bonded for the full cost of training for the duration of the course

Net salary will be based on statutory deductions only.

## **9.15 Other Regulations on Bonding**

### **a. Termination of Bonding Agreement**

If a bondee fails to complete a course of training for reasons which cannot be justified, they will be liable to repay **total cost** incurred by the University during the study period.

### **b. Liquidated Damages**

This refers to redeeming of bond for Termination of Service before expiry of bond period. An employee who leaves the University before the expiry of the bond period shall be liable to pay the whole amount of the bond in lump sum.

In the event that a staff member's employment contract is terminated before completing their studies, the sponsorship will end with immediate effect.

In the event that they leave their employment with the University before the end of the bonding period they will be required to reimburse the University the fees contributed towards their course. The University shall be entitled to use the requisite means to recover the amount from them. Any arrangement to pay the debt in instalment must be in writing and agreed upon with the office of the Executive Director People and Culture.

When the amount becomes due as indicated in the preceding paragraph, staff will be charged compound interest on any unpaid amount at the market interest rate which shall be the average 91-day Treasury bill rate of interest for the previous quarter.

### **c. Percentage of Period Served after Training and the Corresponding Percentage of Training Costs to be reimbursed by the bondee:**

<b>Percentage of Bonding Period Served by Staff after Training</b>	<b>Percentage to be Refunded by Staff to the University</b>
0 – 20%	100%
21 – 40%	80%
41 – 60%	60%
61 – 80%	40%
81 – 99%	20%
100%	0%

## **10. SECTION TEN: GRIEVANCE HANDLING POLICY**

### **10.1 Policy**

The purpose of this Policy is to guide the University's approach to manage concerns or complaints which arise as workplace grievances.

### **10.2 Grievance**

It is recognized that grievances/disputes may occur between employer and employee or between employees. The University is committed to ensuring that employees co-exist harmoniously and that any differences arising in the course of their work are resolved amicably.

All employees should familiarize themselves with the grievance handling procedures contained in the People and Culture Procedure Manual.

## **11. SECTION ELEVEN: STAFF DISCIPLINARY POLICY AND PROCEDURE**

### **11.1 Introduction**

It is the responsibility of every Employee to ensure that their work and conduct is at all times maintained at the standard required by the University and in accordance with the University's Statutes, Regulations and policies. Appropriate disciplinary action will be taken for breach of discipline or failure to perform.

This Disciplinary Policy and Procedure is guided by the provisions of the Constitution, Employment Act, University Statutes, Regulations and Policies.

All employees should familiarize themselves with the provisions of the staff disciplinary procedures within the People and Culture Procedure Manual.

### **11.2 Definitions**

- i. **"Employee representative"**, "means a person, also a current Employee, chosen by an Employee to accompany them to the disciplinary proceedings;
- b. **"Minor Misconduct"** means acts of indiscipline or breach of the terms and conditions of employment relating to both performance and conduct of an Employee, which are not, unless persistently committed, serious enough to warrant instant dismissal or termination of employment. The following are examples: -
  - i. Reporting late to work and meetings or leaving early without sufficient documentary evidence for reason of lateness or permission from Head of Department/Immediate Supervisor.
  - ii. Taking extended breaks without prior approval contrary to departmental procedures;
  - iii. Using office internet/email for personal use;
  - iv. Use of social media platforms during working hours;
  - v. Idling during working hours
  - vi. Minor breaches of health and safety regulations;
  - vii. Disruptive behavior that interferes with functioning or work flow in the University such as shouting at colleagues, students, clients of the University, waving arms and fists, throwing objects, blocking other people's movements or access to an area or room, any generally aggressive behavior, belligerent and inappropriate behavior for a work environment;
  - viii. Smoking outside designated smoking areas;
  - ix. Misuse of University resources;
  - x. Using University resources for personal gain;

- xi. Breach of the terms and conditions of service or the University's Statutes or the Code of Conduct or culture or any of the University's policies – depending on the severity and impact as determined by the Management board.
- c. **“Serious misconduct”** means such behavior as may justify termination of employment. The following are examples of serious misconduct: -
  - i. Neglect of duty;
  - ii. Unauthorized absence from work for any period without any reasonable excuse as determined by the Head of Department in consultation with the Executive Director People and Culture;
  - iii. Conviction by a court of law of a criminal offence;
  - iv. Theft, misappropriation, or conversion of University property and related misbehavior;
  - v. Dishonesty to or defrauding the University, co-workers, suppliers or clients including soliciting or receiving a bribe(s);
  - vi. Physical violence at or during work or to co-workers, students or other stakeholders in the University;
  - vii. Breach of confidentiality;
  - viii. Misuse of or Dissemination of the University's documents or confidential information to third parties;
  - ix. Using or being in possession of items prohibited by law;
  - x. Drunkenness or consumption or possession or distribution of alcohol, intoxicants or drugs, narcotics or other illegal substances at work;
  - xi. Harassment including Sexual harassment of other members of the University, visitors or third parties within the University premises or involved in or within the vicinity of a University organized event whether within the University premises or not;
  - xii. Insubordination or deliberate failure to obey work related instructions issued by a superior;
  - xiii. Causing unjustified material damage to University property;
  - xiv. Bringing the University into disrepute;
  - xv. Use of abusive language or inappropriate behavior;
  - xvi. Severe cases of minor misconduct;
  - xvii. Continuous use of University's resources for personal matters (including personal telephone calls);
  - xviii. Poor performance and failure to meet agreed objectives/ targets;
  - xix. Undisclosed conflict of interest;
  - xx. Breach of the terms and conditions of service or the University's Statutes, or the Code of Conduct, culture or any of the University's Regulations, Guidelines, Policies and Procedures– depending on the severity and impact;

xxi. Activities that result in the University receiving complaints regarding the Employee's conduct.

d. **"Gross misconduct"** means such behavior that justifies instant dismissal or termination of employment; it constitutes the highest form of misconduct or poor performance. Actions that amount to serious misconduct may be considered gross misconduct depending on their severity and consequences. Examples of gross misconduct include: -

- i. Without leave or other lawful cause, an employee absents themselves from the place appointed for the performance of their work;
- ii. During working hours, by becoming or being intoxicated, an employee renders their unwilling or incapable to perform their work properly;
- iii. An employee willfully neglects to perform any work which was their duty to perform, or if they carelessly and improperly perform any work which from its nature it was their duty, under their contract, to have performed carefully and properly;
- iv. An employee uses abusive or insulting language, or behaves in a manner insulting, to the members of the University or to a person placed in authority over them by the University;
- v. An employee knowingly fails, or refuses, to obey a lawful and proper command which was within the scope of their duty to obey, issued by the University or a person placed in authority over them by the University.
- vi. In the lawful exercise of any power of arrest given by or under any written law, an employee 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. A cognizable offence is one for which a person may be arrested without a warrant as more particularly defined in the Criminal Procedure Code, Chapter 75 of the Laws of Kenya;
- vii. An employee commits, or on reasonable and sufficient grounds is suspected of having committed, a criminal offence against or to the substantial detriment of the University or the University's property;
- viii. Deliberate or serious damage to University property;
- ix. Serious misuse of the University's property or name;
- x. Deliberately accessing internet sites containing pornographic, offensive or obscene material;
- xi. Breach of the terms and conditions of service or the University's Statutes or the Code of Conduct or culture or any of the University's policies – depending on the severity and impact.

### **11.3 Guiding principles and general rules**

This Disciplinary Policy and Procedure is based on the following guiding principles and general rules: -

- a. Although the University is not a religion-based or officially ecclesial institution, in matters of faith and morality it is committed to following the teachings of the Magisterium of the Catholic Church, which should inspire and guide all the activities of the University including the conduct and performance of Employees;
- b. The University's core values of excellence through the sanctification of work, Freedom and responsibility, ethical practices, personalized attention, subsidiarity, collegiality, life-long learning and service to society should guide the actions of all Employees and the application of this policy;
- c. When dealing with allegations of breach of discipline or failure to perform, the University will carry out necessary investigations to establish the facts of a case and take necessary action according to the procedure herein;
- d. The University has the right to take appropriate disciplinary action against any Employee whose work or conduct is unsatisfactory;
- e. Every Employee has the right to fair labour practices, including a fair hearing and just disciplinary sanctions;
- f. The University may take disciplinary action against an Employee even where contraventions of the Policy also constitutes criminal acts;
- g. The exoneration of an Employee by a criminal court shall not prevent the University from taking appropriate disciplinary action against the Employee, irrespective of the circumstances of the exoneration;
- h. If an employee is charged with, or convicted of a criminal offence, the University will consider factors such as:
  - i. the effect of the charge or conviction on the employee's suitability to do the job and;
  - ii. the effect on the University's reputation and image and the Employee's relationship with the University, work colleagues, clients and other stakeholders in determining whether or not disciplinary action is necessary.
- i. Disciplinary action shall be at the discretion of the University;
- j. Disciplinary action shall normally be progressive, that is, starting with informal action and followed by formal action;
- k. The University shall, however, not be bound to follow a progressive procedure in (j) above; the factors stated at (o) will guide the University in determining the appropriate action;



- l. Disciplinary action shall, as much as possible, be corrective, rather than punitive;
- m. Informal action, including formal or informal counselling, training, support, adjustments to work and other good management practices, shall, where appropriate, be used to resolve matters prior to any disciplinary action being taken;
- n. Disciplinary proceedings and action shall be kept confidential;
- o. In determining the appropriate disciplinary action, the University shall consider:
  - i. The circumstances of each case;
  - ii. The penalty prescribed in this Policy, if any;
  - iii. The penalty imposed in similar cases in the past;
  - iv. The Employee's disciplinary record (including current warnings), general work record, work experience, position and length of service;
  - v. Any mitigating factors or special circumstances which might make it appropriate to adjust the severity of the penalty;
  - vi. Whether the proposed penalty is reasonable in view of all the circumstances;
  - vii. Whether any training, additional support or adjustments to the work are necessary.

#### **11.4 Types of Disciplinary Action**

These include (list is not exhaustive): -

- a. Verbal warnings;
- b. Written warning;
- c. Surcharge for misappropriation and misused University monies or property (including damage to University property);
- d. Disciplinary suspension;
- e. Recovery of days of absence from salary;
- f. Demotion;
- g. Loss of increment, bonus, promotion or seniority;
- h. Termination;
- i. Summary dismissal.

#### **11.5 Authority to Constitute Disciplinary Committees and Disciplinary Action**

- a. Heads of Departments are authorized to deal with minor misconduct where the maximum penalty is a reprimand/verbal and written warning.
- b. In disciplinary actions that do not fall under (l) above the following shall apply:
  - i. Where the disciplinary proceeding relates to an employee who is a Principal Officer as specified in the University Statutes or Policies of the University, the Disciplinary procedure and removal from office where necessary, shall be as determined by the University Council;

- ii. Where the disciplinary proceedings involve other members of staff and as detailed in this policy the matter at hand requires a disciplinary hearing, the Executive Director People and Culture with the approval of the Management Board shall constitute a Disciplinary Committee to hear and determine the matter in question unless an alternative procedure is provided for under the Regulations, Policies and Procedures of the University.

#### **11.6 Investigations and suspension**

- a. Where necessary, prior to commencing disciplinary proceedings, investigations will be carried out to establish the facts of the case;
- b. The investigations will include obtaining statements from witnesses and where necessary, the employee in question. Employees will be given advance warning and time to prepare for an investigatory meeting;
- c. The investigatory stage will be concluded within a reasonable time.
- d. The Employee may be placed on suspension with full pay pending completion of the investigations and disciplinary process. This may be necessary where, for example, relationships have broken down, in gross misconduct cases or where the presence of the employee may hinder the investigations;
- e. The Executive Director People and Culture, in consultation with the Head of Department may direct an Employee to proceed on suspension.
- f. The period of suspension shall not exceed one (1) month subject to the right of the University to extend the period for a reasonable period for valid reasons as determined by the Executive Director People and Culture.
- g. During suspension the Employee may be asked to report to the University's office at such times as may be communicated to him/her.
- h. Suspension pending investigations and disciplinary proceedings is not an assumption of guilt or a disciplinary penalty.

#### **11.7 Summary Dismissal**

Summary dismissal shall be considered in the event of gross misconduct as defined in this procedure and the Employment Act or as may be amended.

The University may dismiss a member of staff summarily when his/her conduct indicates fundamental breach of obligations arising under Contract. The procedure for serious and gross misconduct will apply.

#### **11.8 Appeals**

- a. Where an Employee is aggrieved by the disciplinary action taken against them, they may appeal against the decision;
- b. Appeals shall be lodged within Seven (7) working days of the decision and shall be concluded within a reasonable time of being lodged depending on

the circumstances of each case as determined by the Executive Director People and Culture

- c. The Employee shall set out their grounds of appeal in writing, based on item (d) below.
- d. The mandate of the Appeals Committee is not to re-hear the disciplinary case but rather to consider whether: -
  - i. The procedure that was followed in the disciplinary proceedings was wrong or unfair;
  - ii. The penalty is too severe;
  - iii. The appeal raises any new issues or new information that could not have been raised or that was not available during the initial proceedings;
  - iv. There are any representations or submissions which were made before the Disciplinary Committee (as captured in the minutes) which were not taken into consideration by the Disciplinary Committee.

***\*The grounds of appeal shall be limited to the above four (4) grounds.***

- e. The appeal and the decision thereafter shall be addressed to the relevant appeals body through the Executive Director People and Culture.
- f. The appeals body will determine whether to conduct an oral hearing of the appeal or whether to determine the appeal through review of documents and issuance of a determination in writing. The appeal body may uphold the decision, vary the decision, set aside the decision or make any other decision.
- g. The decision of the appeal body shall be final

## **12. SECTION TWELVE: SUCCESSION PLANNING**

### **12.1 Purpose**

Recognizing that changes in management are inevitable, the University has established a succession plan to provide continuity in ensuring replacements for key job incumbents in executive, management, technical, and professional positions in the organization. Common scenarios are when a key leader retires, contract is terminated, resigns or exits on medical grounds.

Succession planning will help the University to develop 'bench strength' for ready talent to take over when key staff leave the organization. Lack of succession planning will negatively impact the University's business continuity, performance and competitiveness, and achievement of its strategic plans.

All employees should familiarize themselves with the succession planning procedures within the People and Culture Procedure Manual.

### **12.2 Identifying key positions**

Key positions are those that where a delay in filling a vacancy would have significant adverse effect on the operation of the University.

### **12.3 Application of the policy**

Succession plans do not entitle positions, promotions, or transfers to employees. Employees will need to compete for vacant positions participating in the recruitment process as outlined in the Recruitment policy.

### **12.4 Objectives**

The following are among the key objectives the University aims to achieve through succession planning;

- a. Ensure business continuity through provision of the right and ready talent whenever there is planned and unplanned staff exits.
- b. Provide framework for continuous development of staff with necessary skills and potential to deliver the University's strategic targets.
- c. Develop operational and sustainable staff retention strategies.
- d. Provide growth opportunities by giving existing staff priority while filling leadership roles when they fall vacant.
- e. Assist staff to prepare themselves to assume higher roles through capacity building, mentorship, coaching and; other personal and professional development initiatives.
- f. Ensure all vacant positions are filled competitively and in a transparent manner.

## 12.5 Succession Planning Strategies

The University will use the following strategies to implement succession planning,

- a. Ensure timely and continuous human resource planning;
- b. Skills and Competency development;
- c. Develop clear career paths;
- d. Continuous staff performance reviews;
- e. Implement continuous learning in the organization;
- f. Establish leadership and mentorship program.

## 12.6 Defined Responsibilities in succession planning

<b>People and Culture Office</b>	<ol style="list-style-type: none"><li>i. Ensure that critical succession position within the University organogram are filled with the right people with defined critical roles that facilitate succession planning.</li><li>ii. Constant proactive communication on the departmental/ faculty succession plan with the Head of Department.</li><li>iii. Ensure that there is the required knowledge and skill to meet the University objectives and fill unexpected or expected vacancies promptly.</li><li>iv. Matching individual talents and the required job design and skills during recruitment process</li></ol>
<b>Respective Departments/Schools (Head of Departments)</b>	<ol style="list-style-type: none"><li>i. Ensuring that the job design and skill complement succession planning within the departmental organogram</li><li>ii. Formulate plans for successful transitions</li><li>iii. Ensure delegation of tasks that can encourage cross- functional learning.</li><li>iv. Conduct effective performance management practices that encourages continuous learning and feedback</li><li>v. Facilitate trainings and development initiatives</li><li>vi. equip incumbents with a wide range of skills to prepare them for a number of potential roles through job enlargement or enrichment</li></ol>
<b>Management</b>	<ol style="list-style-type: none"><li>i. Simulate organisation culture from the onset through implementation of succession processes that are strategic and best suited for succession</li><li>ii. Assist in coordinating mentoring programs</li><li>iii. Foster practices that encourage talent retention</li></ol>

## **13. SECTION THIRTEEN: SEPARATION OF EMPLOYMENT POLICY**

### **13.1 Purpose**

- a. This policy is intended to provide guidance in relation to the separation of an employee.
- b. Employees will normally leave the University as a result of voluntary or involuntary termination of employment.
- c. Voluntary Termination is the termination of the employment relationship resulting from the voluntary decision of the employee and includes but is not limited to resignation, inability or failure to return from an authorized leave of absence, job abandonment and retirement.
- d. Involuntary Termination is the termination of the employment relationship by the University. This includes but is not limited to contract expiry, redundancy, termination for valid cause, long-term disability, medical reasons or death.

### **13.2 Resignation notice period**

The length of the notice period is dependent on the nature of job and the sensitivity of the position to the University. Each employment contract bears the relevant notice period and the equivalent salary in lieu of notice. The guideline is as below:

### **13.3 Levels: Notice Period**

- |                                       |                   |
|---------------------------------------|-------------------|
| a. Senior Management - Academic       | At least 6 months |
| b. Senior Management – Administrative | At least 6 months |
| c. Middle Management - Academic       | At least 3 months |
| d. Middle Management – Administrative | At least 1 month  |
| e. Supervisory                        | At least 1 month  |
| f. Support                            | At least 1 month  |

Other than with the approval of the Head of Department in consultation with the Executive Director People and Culture, at no time shall annual leave be taken during the notice period.

If the University must terminate an employee's employment for reasons other than for cause, the employee will be given the same amount of notice that is expected of that employee for resignation or payment in lieu of notice.

### **13.4 Retirement**

#### **a. Age**

- i. The normal retirement age shall be 70 years for academic staff and 65 for administrative staff.
- ii. Staff who have retired may be appointed on a fixed term contract or part time contract subject to needs assessment by the University, financial sustainability of such appointment for the University and evaluation of the

staff eligibility, to a different or to the same post on terms to be agreed upon for a duration not exceeding 5 years after their retirement age.

- iii. The Management Board has the discretion to engage an employee on a fixed term contract beyond the retirement age indicated in (b) above.
- iv. Academic and Administrative members of staff may apply for voluntary retirement at any time after their 60th birthday, by giving a period of notice that would be required to terminate the contract by ordinary resignation.
- v. Eligibility for retirement benefits will be in accordance with the provisions of the University's Provident Fund.
- vi. The power to retire or to approve employee's retirement shall be vested in the Management Board and the University Council for the positions whose appointments require the approval of the University Council.

**b. Medical grounds**

- i. The University may, on the basis of a medical opinion from a qualified medical practitioner, retire an employee on medical grounds, subject to giving the employee a right to be heard and giving consideration to whether the University can afford the employee any reasonable accommodation. The employee shall submit to examination by the University's appointed doctor for determination of their fitness to work.
- ii. Where the infirmity arises from an occupational disease or injury at the place of work, the University shall act in accordance with WIBA Act 2007.

**13.5 Termination for cause by the University**

**13.5.1 Expiry of Contract of Service**

- a. The University may without assigning any reasons opt not to issue a new employment contract upon the expiry of a previous contract. This will be communicated at least one month before the expiry of their contract by the Head of Department to the employee in the presence of the Executive Director People and Culture or their representative. The failure to give notice of one month shall not affect the validity of the notice of non-renewal.
- b. Employees who do not intend to continue with their employment at the University at the expiry of their contract, shall inform their Head of Department and the Executive Director People and Culture at least one month before the expiry of their contract.

**13.6 Termination for cause**

The University's Disciplinary & Procedures Policy shall apply.

**13.7 Death**

The contract of an employee automatically ends on the death of an employee.



### **13.8 Redundancy**

- a. An employee may be terminated from employment due to operational requirements or circumstances that result in the employee's job becoming superfluous and/or the practices commonly known as abolition of office, job or occupation.
- b. In the event that it becomes necessary to do so, the University will comply with the provisions of the Employment Act and any other applicable laws. The steps to be taken may be summarized as follows: -
- c. The Executive Director People and Culture shall prepare a written rationale for the redundancy for its internal records;
- d. The employees in the affected job categories will be informed verbally and thereafter in writing of the intention to declare their positions redundant. The employee's will be given a thirty-day notice of the intent. The County Labor Officer will also be given a notice of intention to declare redundancies. The notices will contain details of the reasons and extent of the redundancy;
- e. The University will develop an objective selection criterion for each job category and thereafter, the staff in the affected categories shall be measured against the selection criteria;
- f. Prior to expiry of the notice period, the impacted staff will be informed in writing of the decision to terminate their employment on account of redundancy;
- g. The University will, where possible, take steps to mitigate the effects of the redundancy by, for example, offering counselling to the affected staff;
- h. Affected staff will be paid severance of 15 day's pay for every completed year of service, in addition to the other terminal dues.

### **13.9 Clearance from the University**

Out-going employees are required to comply with clearance processes before payment of their final dues. The clearance process involves being cleared by the respective departments, doing an exit interview, payment of monies owed to the University and return of all University property. Terminal dues will only be paid upon satisfactory clearance. An Employee may only pay in lieu serving the notice after satisfactory handover and clearance.

### **13.10 Discharge and Indemnity Voucher**

Before an employee is paid their final dues on discharge from employment, they shall be required to sign a discharge and indemnity voucher.

### **13.11 Exit Survey**

#### **13.11.1 Purpose**

- a. This is a channel for out-going employees to voluntarily provide constructive feedback on their experiences while employees of the University and their

reasons for leaving. The process has been established for employees who are voluntarily terminating their employment with University.

b. Exit Survey information is collected, analyzed, and reported to the University's

Management for the following purposes:

- i. To recommend improvements to policies, procedures, and practices
- ii. To keep networking lines open between ex-staff and the University
- iii. To retain valuable knowledge and intellectual capital in the University
- iv. To better understand the different experiences of working at University in order to identify any areas for improvement and future change
- v. To improve the recruitment and retention of high caliber employees.

### **13.12 Certificate of Service**

Out-going employees will be issued with a certificate of service. The certificate of service shall contain the following information:

- i. The name of the University and its postal address;
- ii. The name of the employee;
- iii. The date when the employment commenced;
- iv. The nature and usual place of employment;
- v. The date when employment ceased.

## **14. SECTION FOURTEEN: PERSONAL RECORDS POLICY**

### **14.1 Purpose**

This policy is established to maintain, protect and safeguard the privacy of employees' personal information to the fullest extent possible, consistent with service and legal practices. All employees must in addition to this policy familiarize themselves with and abide by the University's Data Protection Policy.

### **14.2 Maintenance of records**

- a. The University collects, maintains and uses employee's personal information in such a manner as to ascertain its accuracy and relevancy, preserve the confidentiality of the information, serve business needs, and conform to applicable legal requirements.
- b. This information informs decision making in regards to:
  - i. Employment
  - ii. Promotion
  - iii. Disciplinary
  - iv. Compensation and amongst others.

### **14.3 Access of records**

- a. To preserve privacy, only those who have a legitimate "need to know" may have access to employee's information. The disclosure of such data is governed by University's Data Protection Policy and Guidelines for handling personal data.
- b. Personal files for each employee are retained in accordance with the established record retention schedule. The personal file should contain only documents that pertain to and are officially used to record or effect qualification for employment, promotion, compensation, termination or disciplinary action such as:
  - i. Interview documents and personal data information;
  - ii. Curriculum vitae/resumes;
  - iii. Copies of certificates, both academic and professional;
  - iv. Copy of ID, PIN, NSSF & NHIF cards;
  - v. Letters of employment, promotion; acceptance letters and testimonials/referees and other employment history.
  - vi. Documentation of compensation changes,
  - vii. Authorization for pay deductions;
  - viii. Separation information;
  - ix. Training records
  - x. Fringe benefits information;
  - xi. Performance evaluations;

xii. Disciplinary records.

#### **14.4 Personal file access**

- a. Employees do not have a right to access their personal files unless authorized by the Executive Director People and Culture.
- b. Upon the written request of an employee, personal and medical files containing records relating solely to the employee will be made available to the individual. In the case of files dealing with potential or actual litigation claims, access will be given to the employee in the presence of a representative of the People and Culture Department. The employee will be permitted to make notes concerning any such information. However, at no time is an employee allowed to leave the People and Culture Office with the records.

#### **14.5 Reporting changes in personal records**

Each employee is required to report any changes in name, address, telephone number, marital status and number of dependents as well as any award newly earned such as degrees or certificates to the People and Culture Department. Copies of supporting documentation should be provided. The University is not responsible for non-receipt of any official communication sent to an employee if the employee has failed to file a change of address notice with the People and Culture Department.

#### **14.6 Storage of records**

The data may be stored in hard copies or electronically. Electronic records can be stored within the University or outside.

#### **14.7 Maintenance of records after leaving employment**

The People and Culture Department will archive relevant employee information a year after they leave employment and the records shall be stored for a total of five (5) years from the date of termination of employment or for such other period as may be prescribed by the labour laws.

## **CONCLUSION**

- a. This People and Culture Policy Manual and the People and Culture Procedure Manual supersedes all previous practices, policies and procedures on matters dealt with in this manual.
- b. If any provision of any policy is at variance with any applicable statutory provision, the statutory provision will apply to the extent that it is more beneficial to staff. It will also be deemed to have substituted the policy to such extent.
- c. The University Management will resolve any clarifications with regards to this policy.

## **AUTHORITY FOR ESTABLISHING AND AMENDING THE PEOPLE AND CULTURE POLICY MANUAL**

- a. The University Council maintains the authority for establishing and amending the People and Culture Policy Manual and Procedure Manual.
- b. In the event of emergency situations or situations requiring urgent policy action, this Manual may be amended through an addendum with the approval of Management Board.
- c. This document, like all other Strathmore University documents, is considered proprietary and should not be copied or shared with any other company, agency, or individual.

## **ADDENDUM TO THE STRATHMORE UNIVERSITY PEOPLE AND CULTURE POLICY MANUAL (REVISED IN MAY 2019)**

### **A. Introduction**

This Addendum has been created to inform the University community of the measures and policies which have been adapted to ensure a safe, sustainable and productive work environment during the currency of the COVID-19 pandemic. The University is committed to doing all that it can reasonably do to support the health, safety and wellbeing of the employees.

This Addendum applies to all employees of the University and will remain in force until further advised. Any exception to this Addendum will require a written approval from the Management Board.

Please consult the People and Culture Department for any clarification regarding the content of this Addendum.

### **B. COVID-19 INFECTION CONTROL & MANAGEMENT PLAN**

The University is committed to taking all reasonable measures to ensure a safe and healthy working environment. The following practices and policies have been put in place in order to control the infection and spread of COVID-19.

- a. Promotion of remote working arrangements as much as possible.
- b. Clean and well-maintained hand washing facilities and alcohol-based hand sanitizers placed in prominent places around the workplace.
- c. Objects which are touched frequently, such as doorknobs, telephones, keyboards, handles, railings, kettles, etc. will be cleaned regularly with disinfectants or soap and water.
- d. Provision of boxes of tissues and masks.
- e. Magazines and newspapers shall be removed from waiting areas or common rooms.
- f. Ventilation systems where necessary.
- g. Regular cleaning of workstations.
- h. Limiting all forms of employee gatherings.
- i. Conducting temperature checks (37.3C or more will not be allowed inside).
- j. Taking steps to comply with requisite government directives.
- k. For purpose of promoting safe food handling:-
  - i. Food sharing is banned.

- ii. Sharing of cups, glasses, dishes and cutlery is banned.
- iii. Appropriate mechanisms shall be adopted for:-
  - Health screening of cafeteria staff and their close contacts
  - Ensuring cafeteria staff and their close contacts practice strict hygiene.

Employees are required to:-

- a. Adhere to:-
  - a. Work schedules and locations as agreed with their Supervisors;
  - b. Rules, regulations and arrangements put in place by the University and the Government of Kenya to control the infection and spread of Covid-19;
  - c. Clean their hands at the entrances and other designated areas around the workplace at regular intervals.
  - d. Uphold social distancing and curfew/lockdown directives.
  - e. Comply with government directives on proper respiratory hygiene - cover their face with the bend of their elbow or a tissue if they cough or sneeze and immediately dispose of the tissue.
  - f. Open windows or adjust air-conditioning.
  - g. Avoid crowding the workplace.
  - h. Where necessary, undergo medical examination by a registered medical practitioner and obtain a certificate of fitness for work.

### **C. SICKNESS**

Employees have the responsibility to protect themselves and others, to manage illnesses and not to endanger others. In this regard, employees are required to: -

- a. Go to hospital if they are feeling sick and notify their immediate supervisor as soon as possible. Absence on this account will be considered as sick leave, subject to production of a doctor's note in the usual manner.
- b. Stay at home (or work from home) if a member of their household is sick or shows symptoms.
- c. Stay at home (or work from home) if they, or a member of their household, has had to take simple medications, such as paracetamol/acetaminophen, ibuprofen or aspirin, which may mask symptoms of infection.
- d. Report all suspected cases immediately to their immediate supervisor and the People and Culture Department who shall in turn report the matter to the Directorate of Occupational Safety & Health (DOSHS).

The University may require employees who are considered 'vulnerable' or 'at risk' to adhere to additional rules. These include, but are not limited to, those who: -



- a. Have a long-term health condition (e.g. diabetes, heart and lung disease);
- b. Have a weakened immune system for whatever reason;
- c. Are pregnant;
- d. Are aged 60 or over;

At the very least, such employees are required to: -

- a. Work remotely;
- b. To take particularly strict social distancing measures.

If an employee is requested to go out to work and they believe they're at risk because they're in one of the vulnerable groups, it's important they talk to their Head of Department.

Any employee who receives specific advice from a medical doctor which in any way affects their work, should immediately communicate with the Head of Department.

## **D.TERMS & CONDITIONS OF EMPLOYMENT**

### **i. Remote Working Arrangements**

Employees may be requested to work from home at such times and for such periods as they may be advised from time to time. In this event, the Remote Working Policy will apply.

Employees are responsible for taking reasonable care of their own health and safety and complying with the University's guidelines for remote working. Employees should immediately communicate any health and safety risks arising occurring at their remote working location.

### **ii. Working Hours**

In order to facilitate compliance with the curfew/lockdown directives, employees who are required to work from the University premises or such other location, other than their home, will be subject to the normal 40 hours per week implemented in accordance with their respective departmental work schedule.

### **iii. Use of technology**

The operations of the University shall as far as possible and as may be advised from time to time, be undertaken virtually/online. The University shall regularly assess how its IT systems are working and make any adjustments.

**iv. Communication**

During the pandemic, communication shall be via appropriate means and technology including telephone, email, virtual meetings etc.

**v. Sick leave**

An employee who is absent from work on account of COVID-19 will be entitled to sick leave in the usual manner.

**vi. Paid absence for mandatory quarantine/isolation**

An employee who is absent from work on account of mandatory quarantine/isolation which is related to their employment, will be entitled to paid leave of absence for any employee who is not able to work from home.

**vii. Non-discrimination & confidentiality**

Fellow employees who contract COVID-19 should not be subjected to any form of stigma or discrimination or breach of their right to privacy in relation to their private medical affairs. Information regarding an employee's health status is confidential.

Employees who may be at risk will be identified and provided with due support on how to deal with the risk, without inviting stigma and discrimination.

**viii. Meetings and travel**

Employees will be required to use social distancing techniques, such as using telephone, video conferencing, or the internet to conduct as much business as possible (including within the same building). Face to face meetings should only be carried out with the written consent of the Head of Department and (i) only where the meeting cannot be carried out through other means or (ii) for any other valid reason.

All work-related commute or travel which is carried out during the pandemic shall be handled in compliance with the government directives. Any employee who is required to travel for work during the pandemic shall obtain the written consent of the Head of Department.

**ix. Data protection**

Any personal data which is processed by the University will be done in accordance with the provisions of the Data Protection Act, 2019 and the right to privacy which is protected under Article 31 of the Constitution, 2010, for purposes relating to the performance of the contract of employment and adherence to government directives. By signing this

addendum, the employee gives consent to such lawful processing. **‘Personal data’** means any information relating to an employee.

**x. Annual Leave and Unpaid Leave**

During the currency of the pandemic, the University may put forward proposals to the employees or certain categories of employees, with the view of effective management of the University’s resources and taking into consideration the University’s operational requirements. These measures may include requesting employees to proceed on annual leave or unpaid leave or for a reduction or deferral in their remuneration. The extent and terms and conditions of any measures proposed by the University will be contained in the proposal. Any proposal which adversely affects an employee’s terms and conditions of employment will be subject to the affected employee’s consent.

**xi. Grievances**

Any grievances relating to the application of the above policies should be raised in accordance with the grievance procedures in the People and Culture Manual.

The University is aware that this is a difficult time for both the University and the employees. Both parties should therefore be ready to listen to each other’s concerns and to hear and consider any suggestions or ideas for other.

**xii. Denial of access & disciplinary action**

Any employee who fails or refuses to use a face mask in any workplace or fails or refuses to adhere to procedures or protocols established by the University shall be denied access to the workplace and shall be liable to disciplinary action.

**xiii. Conclusion**

The above measures are taken in good faith for the benefit of the University and all employees. Employees are requested to cooperate with the proposals put forward by the University from time to time for continued sustainability of the organization. This Addendum shall be read together with all relevant government guidelines and directives and the employee’s contract of employment and applicable policies.

Should the provisions of this Addendum conflict with those stated in an individual employee’s contract, this Addendum and any amendments from time to time will prevail over the employment contract unless otherwise approved by the Executive Director, People and Culture.

**xiv. Amendment**

The provisions of this Addendum are subject to modification, amendment or revocation from time to time. The University shall regularly assess the situation and make appropriate adjustments.