



UNIVERSITY OF ELDORET

HUMAN RESOURCE POLICIES AND PROCEDURES MANUAL

(JANUARY, 2018)

APPROVAL

The University of Eldoret, having been awarded its Charter on 11th February 2013 has been on a growth path guided by its vision of "being a Premier University that is globally visible in knowledge generation and technological innovation". Towards this end, the University developed its Statutes in November 2013 followed by its first strategic plan (2014-2019).

To embrace the emerging trends in the management of Human Resource Capital and advice from the States Corporations Advisory Committee (SCAC), The University embarked on the development of Human Resource Policies and Procedures Manual in December 2017, which saw the review and incorporation of the University Human Resource Policy (2014). The Policies and procedures are intended to attract, develop and retain highly motivated human capital and ensure compliance with labour law; and the rule of law.

My special thanks go to all those who put in their time, effort and skills to develop this critical Manual.

By virtue of the authority vested in me as the Chairman of Council of the University of Eldoret and in reference to the approval granted by Council during its 27th Ordinary Meeting held on the 8th of March 2018. I hereby sign this Human Resource Policies and Procedures Manual this 25/5/2018

Signature.....



Dr. David Ojaka, PhD.
Chairman of Council

FOREWORD

University of Eldoret was established and awarded a Charter on 11th February 2013 in accordance with the Universities Act 2012. Prior to the award, University of Eldoret was Chepkoilel University College a Constituent College of Moi University established through Legal Notice No. 125 of 13th August, 2010. Until then, the College had operated as a Campus of Moi University since 1990. Before being made a Campus of Moi University, it was Moi Teachers Training College from 1984 -1989. Between 1946 and 1983 the institution served as Large Scale Farmers Training Centre. The University is a Science and Technology oriented with a focus on Applied, Natural and Pure Sciences.

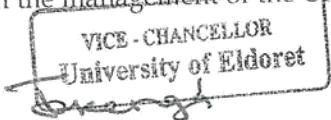
Human Resource Policies and Procedures Manual is a document that provides human resource policies and steps to actualize the human resource policies outlined therein. The Manual governs the relationship of the Organization with its workforce without discrimination. It supports the overall objectives of the institution. It provides advance information and predictable decisions for situations that are repetitive and widely occur throughout the institution.

Research reveals that employers all over the world spend colossal sums of money to develop their human resource. It is therefore imperative that a system should be developed and involved to sustain and retain the human resource for efficient production and sustainability of the University. This document reflects varied inputs to facilitate the growth of the University. This Human Resource Policies and Procedures Manual is expected to guide the staff on matters pertaining to general staff administrative procedures and requisite services.

The Manual details key procedures of the Human Resource function which include Terms and Conditions of Service for all Cadres, Salary and Advances, Allowances, Medical Benefits, Leave and Holidays, Transport, Performance management, Training and Development, Code of Conduct, Employee Discipline, Handling of Grievances, employee Separation, Health and Safety, Employees Welfare and Official

Communication. It is governed and operates in conformity with the Employment Act, 2007 and other subsequent and relevant legislations related to employment in Kenya for example the relevant sections of the Constitution of Kenya 2010. The Manual document was produced in a participatory manner.

This document shall be cited as the University of Eldoret Human Resource Policies and Procedures Manual and shall be binding on all employees of the University. They shall not be altered whatsoever without the authority of the Council. Employees are however welcome to make any suggestions that will enhance the value of the manual in the management of the University of Eldoret Human Resources.



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Vice-Chancellor

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ACRONYMS AND ABBREVIATIONS

CBA	-	Collective Bargaining Agreement
DSA	-	Daily Subsistence Allowances
HIV	-	Human Immune-Deficiency Virus
HR	-	Human Resource
KUDHEIHA	-	Kenya Union of Domestic, Hotel, Educational Institutions, Hospitals and Allied Workers
KUSU	-	Kenya Universities Staff Union
NHIF	-	National Hospital Insurance Fund
NSSF	-	National Social Security Fund
PAS	-	Performance Appraisal System
PAYE	-	Pay As Your Earn
UASU	-	Universities Academic Staff Union
UOE	-	University of Eldoret
VC	-	Vice Chancellor
TNA	-	Training Needs Analysis
OSHA	-	Occupational Safety and Health Act
PSC	-	Public Service Commission
SMA	-	Staff Movement Advice

DEFINITION OF TERMS

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

Act	Means the University Act 2012
Academic year	Means a period of time which the university uses to measure quantity of study. The period runs for one year from September through to June the following year with the time split up into three semesters.
Basic Salary	Means an employee's salary exclusive of allowances.
Cabinet Secretary	Means The Cabinet Secretary for the time being responsible for the Policy Direction, Coordination and overall supervision of a Ministry.
Calendar year	Means The period from 1 st January to 31 st December both days inclusive.
Charter	Means University of Eldoret Charter.
Capacity Building	A long term and continuous of developing and strengthening the skills, instinct, abilities, processes and resources that organizations and communities need to survive, adapt, and thrive in the fast changing world.
Council	Refers to University of Eldoret Council as established by the University's Act 2012.
Daily Subsistence Allowances	Money paid to employees working outside duty station for a period of 24 hours in a radius as stated in the Government Circulars.
Dean	Means any employees appointed to head a School/Faculty
Dependent Child	Means the biological offspring or legally adopted child under the age of twenty five (25) years who is unmarried and wholly dependent on the Officer. The term dependent child shall also include a child who has permanent disability and is wholly dependent on the officer and duly

registered with the National Disability Council. For purpose of records, the names of the children must be declared at the time of birth or adoption if it occurs during employment in the University of Eldoret. Copies of birth certificates or legal adoption papers will be required in either case.

Deputy Vice -Chancellor	Means the Deputy to the Chief Executive Officer appointed in accordance to the provisions of the Act.
Development	A processing of developing or being developed
Director	Means any employee appointed to head an Institute/Directorate/Unit
Disability	Means physical, sensory, mental or other impairment
Discrimination	Means the unjust or prejudicial treatment of different categories of people especially on the grounds of race, discrimination, age or sex
Employee	Means any personnel employed by the University of Eldoret to carryout assigned task. This includes permanent, contracted, temporary and casual workers.
Evaluation	A process of gathering data and information on the value and effectiveness of a training programme
Family	Means the employee's, spouse and children aged twenty five (25) years and below who are still attending school or are unmarried, living with and wholly dependent on the employee or have permanent disability.
Financial year	Means the period from 1 st July to 30 th June of the following year.
Flex Time	Means a flexible working schedule which does not increase or decrease the total number of hours an employee is scheduled to work in a given day
Gross salary	Means pay of an employee including all allowances.
Head of Department/Section	Means any employee for the time being in charge of any designated Department/Section

Immediate Family	Means the employees spouse and biological children including adopted children, biological parents by consanguinity (blood and affinity)
Induction	The process of receiving and orientating familiarizing a new employee to an organization's work process and environment.
Leave year	Means the period from 1 st January to 31 st December the two days inclusive.
Management Council	Means University of Eldoret Management Council as provided in the Act, Charter and Statutes
Manual	Means Human Resource Policy & Procedures Manual
Mentoring	A relationship in which a more experience and knowledgeable person (protege) to the develop professionally
Monitoring	A systematic collection, analysis and use of training information for decision making
Next of Kin	Means the person whose name is provided by the employee for the purpose of contact during emergency.
Non-Unionisable Members	Members who hold management and administrative responsibilities hence shall not participate in any form of picketing.
Nuclear family	Means the employee's spouse and children.
Pensionable Terms	That applies to members of staff on "permanent and pensionable" terms and complies with the requirements for inclusion in the University Pension Scheme/Provident fund and as amended from time to time.
Per diem	Means night out allowance paid to an employee when performing duties outside the duty station. The rate of per diem will be determined by the Government from time to time.
Performance	

Performance Management Policy	Means the level of ability to undertake the tasks of work to the agreed standard as defined by the University of Eldoret.
Policy	Shared understanding about how individuals contributes to organizations goals.
Probation Period	A framework that provides broad guidelines
Procedure	Means the duration under which newly recruited employees on permanent terms of service have to serve on trial basis to determine their competencies or otherwise leading to confirmation on permanent and pensionable terms of services.
Pro-rata	Established Official way of doing something
Sick leave	Means computation of benefits for the period served in relation to the full term entitlement.
Spouse	Means an approved absence of an employee from duty on account of illness
Statutes	Means legally married partner of an employee as specified under the relevant Laws. The spouse must be disclosed at the time of appointment or at the time of marriage if it occurs during employment in the University of Eldoret.
Succession Management	Means University of Eldoret Statutes
Training	A strategic and deliberate effort to build the capacity of an employee to acquire skills, knowledge and competences for a higher position
Training Need Assessment (TNA)	Deliberate and systematic learning experiences designed to provide skills, knowledge and appropriate attitude to an employee for performance of a particular job.
	A performance audit that generates and provides management with data and analytical information on knowledge, skills and competency gaps for decision making.

Vice Chancellor	Means the Chief Executive Officer and the Secretary to the Council of the University of Eldoret appointed in accordance with the provisions of the Act.
Note:	Unless otherwise stated or implied, words in the masculine gender include the feminine gender; words in the plural include the singular and words in the singular include the plural.

PREAMBLE

This Human Resource Policies and Procedures Manual herein after referred to as the Manual has been developed, in accordance with the Universities Act 2012, University of Eldoret Charter 2013 and Statutes 2013 and UoE Human Resource Policy 2016. Employees of the University will also be subject to relevant provisions of other regulations, rules and instructions as may be issued by other authorities who are authorized to do so.

Unless otherwise expressly provided either in this Manual, or elsewhere, or unless the context otherwise requires, all employees of the University shall be required to observe the provisions of the procedures provided herein.

This Manual acts as a guide and a tool for the best procedures and practices for University employees, and forms the basis upon which University work culture and working environment will develop.

Principles Governing the Human Resource Function at the University:

(a) General Principles

This policy is governed by the following principles:-

The reputation of the University as a responsible employer will serve to attract, recruit and retain high performing employees.

As an equal opportunity employer, the University of Eldoret does not discriminate against gender, ethnicity, race, religion, and disability during recruitment and in serving with employees.

As an Institution the University emphasizes abilities, skills, knowledge, and potential in managing employees.

The University is committed to effective staff development and capacity building to enhance employee's expertise to facilitate excellent service delivery.

Implementation of performance management practices to achieve University's Vision and Mission.

(b) Employee Rights, Responsibilities and Privileges

All employees enjoy rights, privileges and responsibilities as staff of the University. General rights and privileges are covered in this document while specific responsibilities and privileges are outlined in contracts and individual job descriptions.

(c) Rules and Regulations

This Human Resource policy, Staff notices, circulars and instructions currently in operation will be regarded as part of the staff rules and regulations. Except as otherwise expressly provided herein, these rules shall apply to all employees.

(d) Objectives of the Human Resource Policy

The objectives of the Human Resource Policy is to summarize University policies, regulations, procedures, and other administrative processes to enable those responsible for managing the University operations effect the human resource management function.

The Human Resource Policy has been developed to ensure:

Adherence to the Universities Act 2012, University of Eldoret statutes and other Government guidelines.

That University gains stakeholders support including employees, the Government and the Public.

That staff policies, organizational structure and individual roles are integrated so that University objectives are met in a timely and cost effective manner.

Adherence to various professional Ethics and Values to meet ethical expectations at work environment by enforcing zero tolerance to corruption.

That University employee has a common understanding of stipulated standards and procedures in monitoring their performance for continued improvement.

(e) Responsibility

It is the responsibility of the Employer to avail these regulations to employees.

It is the responsibility of each employee to read and understand these Regulations and any amendments that are made as and when the University deems necessary.

Ignorance of any of these Regulations is not accepted as an excuse for failure to act upon any matter or comply with the Regulations as laid down herein.

(f) Interpretation

The interpretation of the Human Resource Policy shall rest with the Vice-Chancellor. The Vice-Chancellor may also seek guidance from the Council or any relevant agency on any matter that may not be covered by this Policy.

(g) Amendments

The Policy will be amended from time to time and such changes will be communicated by separate notice. All changes to the policy will require authorization of the University Management and Council approval.

(h) Delegation

The Vice-Chancellor shall be responsible for day-to-day operations of this policy in the University and may delegate to his/her nominee from time to time.

SECTION 1: GENERAL PROVISIONS

1.1 Introduction

This section provides the general guidelines for the University of Eldoret Human Resource Policies and Procedure Manuals.

- 1.1.1.** The Human Resource Policies and Procedures Manual has been developed to support service delivery, commitments and obligations of the University of Eldoret to the targeted beneficiaries.
- 1.1.2.** Unless otherwise expressly provided, employees of the University of Eldoret shall be required to observe the provisions of the policies and procedures provided in this Manual.
- 1.1.3.** The Manual shall be read in conjunction with the Constitution of Kenya, relevant Laws guiding management of staff and Government policy guidelines released from time to time.
- 1.1.4.** This Manual will act as a reference document for the University of Eldoret. It therefore forms the basis upon which the University of Eldoret working culture and environment will develop.
- 1.1.5.** The Manual sets the guidelines on recruitment and selection of members of staff, management and development of human resource in the University of Eldoret. It is also the official means for the University of Eldoret to communicate its policies on human resource management related matters.
- 1.1.6.** This Manual will be used in conjunction with other approved policies and procedures manuals relating to specific administrative functions of the University of Eldoret. It therefore forms an integral part of the management processes of the University of Eldoret.
- 1.1.7.** All copies of this Manual are the property of the University of Eldoret and it is the responsibility of all members of staff to make sure that they have access to the Manual.
- 1.1.8.** All employees of the University of Eldoret will also be subject to relevant provisions of other regulations, government circulars, rules and instructions as may be issued by other authorities who may be authorized to do so from time to time.

1.1.9. This manual will be reviewed as and when necessitated but at least every three (3) years so as to be in harmony with legislation and organization and technological changes.

1.2 Objectives

1.2.1 The general objective of this Manual is to summarize Human Resource Management policies, procedures, regulations and other administrative processes to facilitate those responsible for managing the University of Eldoret to use one common reference document on all human resource related matters.

1.2.2 The specific objectives of this Manual are to ensure: -

- a) Adherence to the Constitution and other government guidelines.
- b) Support from employees, stakeholders, the Government, the public and the development partners.
- c) That Human Resource policies, organizational structure and individual roles operate in an integrated manner so that the University of Eldoret objectives are met in a timely and cost effective manner.
- d) Adherence to various professional ethics and public expectation of a work environment of zero tolerance to corruption.
- e) A common understanding by the University of Eldoret employees of stipulated standards and procedures in monitoring their performance for continued improvement.

1.3 Responsibility

The Officer responsible for Human Resource shall make the Manual available to all employees. Thereafter, it will be the responsibility of all employees to read and understand the Manual and any other subsequent amendments therein.

1.4 Interpretation and enforcement

1.4.1 The Manual should be interpreted in conjunction with the Kenya Labour Laws and other relevant regulations and legislations/ Acts including but not limited to:-

- a) The Constitution of Kenya, 2010;
- b) The UOE Act; UOE Act, 2012
- c) The State Corporations Act, Cap 446, Laws of Kenya
- d) Prevailing Kenya Labour Laws from time to time including but not limited to:
 - i. The Occupational Safety & Health Act, No. 15 of 2007, Laws of Kenya;

- ii. The Employment Act, No. 11 of 2007, Laws of Kenya;
 - iii. The Labour Institutions Act, No. 12 of 2007, Laws of Kenya;
 - iv. The Labour Relations Act, No. 14 of 2007, Laws of Kenya;
 - v. The Work Injury and Benefits Act, No. 13 of 2007, Laws of Kenya;
- e) Public Officer Ethics Act 2003 No. 4, Laws of Kenya;
 - f) The Anti-Corruption and Economic Crimes Act, 2003;
 - g) The Leadership and Integrity Act, 2012
 - h) HIV/AIDS GoK Policy Guidelines of 2005.
 - i) Kenya Foreign Service Regulations
 - j) Guidelines on bonding Public Service Trainees, April, 2011
 - k) Other Government Circulars
 - l) UOE, Internal Control Systems
 - m) UOE staff notices, circulars, policies and instructions currently in operation
- 1.4.2 The administration of these regulations shall be vested in the Vice-Chancellor in consultation with the Council.
- 1.4.3 The Vice-Chancellor will seek guidance from the Council or any relevant Government Institution on any matter that may not be covered by these policies and procedures.

1.5 Amendments / Review

- 1.5.1 The Manual may be amended from time to time as and when necessary. Such changes will require authorization of the Council and relevant Government agencies and will be communicated to employees in writing by a separate communication.
- 1.5.2 The Council reserves the right to consider and approve a revision, revocation or addition to the general policies contained in this Manual.

1.6 University of Eldoret and Application

- 16.1 This Manual has been developed by the Council as provided by the Act. It embodies the fundamental terms and conditions of service and represents the broad principles of human resources policy for the staffing and administration of the University of Eldoret. The Manual shall apply to all employees of the University of Eldoret, but shall not apply to persons employed on temporary or casual terms unless specifically stated.

1.7 Background of University

University of Eldoret was established and awarded a Charter on 11th February 2013 in accordance with the Universities Act 2012. Prior to the award, University of Eldoret was Chepkoilel University College a Constituent College of Moi University established through Legal Notice No.125 of 13th August, 2010. Until then, the College had operated as a Campus of Moi University since 1990. Before being made a Campus of Moi University, it was Moi Teachers Training College from 1984 -1989. Between 1946 and 1983 the institution served as Large Scale Farmers Training Centre. The University is a Science and Technology oriented with a focus on Applied, Natural and Pure Sciences. Being a new institution, the University requires Strategic Human Resource Management, hence this policy.

1.8 Mandate

According to the University of Eldoret Charter, the University has the mandate to:

- a) Provide directly, or in collaboration with other institutions, facilities, technological, professional and scientific education
- b) Advance knowledge and its practical application by research, innovation, extension and other means
- c) Disseminate the outcomes of research by various means and commercially exploit the results of such research
- d) Participate in technological innovation as well as in the discovery, transmission and enhancement of knowledge and to stimulate the intellectual life in the economic, cultural, scientific and technological development
- e) Develop an institution of excellence in teaching, training, scholarship, entrepreneurship, research, consultancy, community service, among other educational services and products with emphasis on technology and its development, impact and application to society
- f) Provide a multi-level system of education and training relevant to the needs of the community covering a wide range of fields and levels with provision for recognition of prior learning and flexibility of transition between education levels
- g) Provide for the development of technical and vocational education and training and related activities within the institution and the wider society

1.9 Vision

A premier University that is globally visible in Knowledge Generation and Technological Innovations.

1.10 Mission

Providing high quality Education in training, Science, Agriculture and Technology that promotes Networking, Partnerships and Linkages with other Institutions and Industry.

1.11 Core values

At University of Eldoret, we are committed to:

- a) Integrity
- b) Innovativeness
- c) Customer Satisfaction
- d) Competitiveness
- e) Equity
- f) Responsiveness
- g) Inclusivity

1.12 Organization Structure of University of Eldoret

The organizational structure of the University takes cognizance of principles whose main aim will be to facilitate efficiency and effectiveness in service delivery by having a clear span of control and the need for unity of command to enhance speedy decision making while retaining accountability at every stage. Towards this end, the University has designed a structure that is flexible enough to enable it realize its mandate. The approved/current organization structure for University of Eldoret is as shown in **diagram I.** below Leadership and governance of the University is vested in Chancellor, Council, University Management Council and Senate. The day to day running of the University is managed by the Vice-Chancellor assisted by Deputy Vice-Chancellors.

The current organizational structure of the University of Eldoret can be broadly categorized into two tiers which comprises of Governance and the Management.

The Council as appointed under the Universities Act 2012. The Council is the supreme decision making organ of the University of Eldoret.

The management is responsible for the day-to-day operations of the University of Eldoret. The Vice-Chancellor provides stewardship to the management team. The management of the University of Eldoret is structured from the office of the Vice-Chancellor to the various Directorates, Departments, Divisions, Sections and Units as may be determined by the Council from time to time and in accordance to the organisation structure.

1.13 Administration of the Manual.

(a) Introduction

The policy addresses the fundamental issues of Human Resource in the University which include Recruitment and Selection, Training and development, Terms and Conditions of Service for all cadres, Employee Relations, Industrial Relations, Reward and Benefits, Staff Welfare and Human Resource Support Services.

(b) Purpose of the Policy

The purpose of the Human Resource Policy is to set authoritative guidelines that promote fairness, justice and equity on Human resources function which include the processing of employment decisions, promotions, transfers, compensation, training and development, employee relations, reward benefits and welfare, compensation and work-life balance.

(c) Interpretation, Implementation and Amendments

The Human Resource Department shall guide in interpretation and implementation of this policy. In addition it coordinates reviews and possible amendment of the policy.

1.14 Other Operating Manuals

The Human resource policy operate in conjunction with all other relevant University and statutory policies, such as Employment Act 2007, Scheme of Service, Terms of service for all cadres of staff, Collective Bargaining Agreements (CBAs) for all unions (UASU, KUSU and KUDHEIHA) which guide the operations of the University .

1.15 The Human Resource Committees.

This policy recognizes human resource committees in the University. The University Management shall establish and specify the functions of various Human Resource committees that will address staff matters.

1.16 Relations with Stakeholders

The Vice Chancellor shall address all matters raised by the stakeholders and promote understanding and harmony amongst all stakeholders.

1.17 Industrial Relations

The University recognizes the Universities Act 2012, Labour Relations Act 2007, the University of Eldoret Statutes 2013 and the relevant collective bargaining agreements (CBAs) and agrees to hold regular consultations with Unions, Federation of Kenya Employers (FKE) and relevant Government Ministries to promote industrial harmony.

SECTION 2: TERMS AND CONDITIONS OF EMPLOYMENT

2.1 Introduction

- 2.1.1. The University is committed to attracting and retaining competent employees required for efficient and effective service delivery.
- 2.1.2. The University is an equal opportunity employer and shall not in its recruitment and selection process, discriminate on the basis of gender, race, religion, ethnicity or any other form of discrimination. The constitutional requirement on mainstreaming of gender and persons with disabilities as stipulated in Article 232 of the Constitution will be observed alongside any policies issued by the National Cohesion and Integration Commission.
- 2.1.3. The University recognizes that its efficiency and effectiveness depends on the quality and competencies of employees it engages. The University shall therefore endeavor to recruit suitably qualified and experienced employees with the right skills and experience required to achieve its goals and objectives.
- 2.1.4. When making a decision on selection on first appointment, information concerning a candidate's general background and/or previous employment shall be verified (due diligence). No appointment shall be offered to any employee prior to such verification.
- 2.1.5. All appointments shall be made with the approval of the University Council and shall be within the approved establishment. Appointments in all cases shall be aligned to clear job descriptions and specifications for various cadres of employees in their respective fields of employment.

2.2 Career Guidelines

- 2.2.1 The grading structure, qualifications and other requirements for recruitment in the University Service are laid down in the Career Guidelines. The Career Guidelines/Scheme of service must be followed in processing appointments and promotions of employees in their respective fields of employment.

2.3 Terms of Employment

An employee may be appointed to any of the following terms of service: Permanent, Contract, Temporary, Casual Workers, Acting, Professor Emeritus, Adjunct, Visiting Academic Staff, Part-Time, Voluntary and Internship and Industrial Attachment.

2.3.1 Permanent Terms

Appointment on permanent terms shall apply to employees who on successful completion of the probationary period shall be eligible for confirmation in appointment.

2.3.2 Contract Terms

- a) Appointment on contract terms applies to employees who cannot be appointed on pensionable terms.
- b) Appointments on contract will normally be awarded for a period as may be determined by the council and renewed at the discretion of the Council acting on the advice of the Vice Chancellor.
- c) An employee serving on contract terms of service shall be subject to University terms and conditions of service and shall be eligible for payment of service gratuity at the rate of 31% per year of the basic salary or at a rate as negotiated and agreed in the CBAs.
- d) Where the employee does not complete the period of contract, he shall be paid service gratuity on a pro-rata basis.

2.4 Renewal of Contract

- 2.4.1 An employee serving under contract terms and wishing to be considered for a further term is required to notify the Vice-Chancellor in writing six (6) months before the expiry of the contract.
- 2.4.2 If such a notification is not made, the employee will be deemed to have completed his term on the date specified in the contract and the contract shall not be renewed or extended.
- 2.4.3 The University, may request an employee who has not applied for extension of a contract upon review of the performance appraisal reports, to seek renewal of his/her contract in circumstances where his/her services are required.

2.5 Temporary Terms

- 2.5.1 A temporary employee is one who is employed for limited periods to cope with variations in workload as well as to alleviate personnel challenges which may arise from time to time.

- 2.5.2 The University may make temporary appointments for such periods and on such terms as it may determine from time to time.
- 2.5.3 The procedure for engaging temporary members of staff shall be as follows:
 - a) Once the need for a temporary members of staff is identified, the HoD shall make a formal request to the Vice Chancellor, through the Head of Human Resource;
 - b) After the Vice-Chancellor's approval, the Head of HR shall start the process of recruitment.
- 2.5.4 Temporary employees are not eligible for Pension. They may however be insured in line with statutory requirements.
- 2.5.5 An employee serving on temporary terms shall be entitled to ten (10) days leave at every calendar year. He/ she shall not be entitled to service gratuity.
- 2.5.7 Temporary employees shall not be entitled to other benefits except medical cover for the temporary member of staff only. The spouse and children of the temporary members of staff are not covered.
- 2.5.8 Temporary members of staff shall be entitled to annual leave, sick leave and maternity/ paternity leave where they serve.

2.6 Casual Employment

- 2.6.1 A casual employee is a person whose terms of engagement provide for his payment at the end of each day and who is not engaged for a period longer than twenty four (24) hours at a time.
- 2.6.1 The University may appoint a casual worker for such periods and on such terms as provided by the Employment Act 2007.
- 2.6.2 Casual employees shall be engaged as per the prevailing Labour Laws in Kenya.
- 2.6.3 Such employees are not eligible for any other benefits.

2.7 Acting Appointment

- 2.7.1 Where a post is likely to remain unoccupied or vacant for at least thirty (30) consecutive days, an appropriate staff in the same or next lower level may be appointed, by the authority of the Vice Chancellor, to fill the unoccupied post in an acting capacity.

2.8 Professor Emeritus Appointment

- 2.8.1 Staff members at the rank of professor, who retire from the University Service after at least five years of service, and having made a contribution such as to bring distinction to the individual, the University, and the nation may be appointed Professor Emeritus in the service of the University.

2.9 Adjunct Appointment

- 2.9.1 Staff drawn from industry, public or private sector, locally or internationally who hold earned doctorate or equivalent degree in relevant field from accredited and recognized university may be appointed on adjunct terms to cover short-term faculty vacancy.
- 2.9.2 The academic staff shall support teaching, research and collaboration, practical training and promote relevance.

2.10 Visiting Academic Staff Appointment

- 2.10.1 The appointment shall be given to staff sourced from local and foreign universities to support teaching, research and collaboration at the equivalent grade.
- 2.10.2 Shall be appointed for periods not exceeding twelve (12) months and a period of consecutive service or not exceeding two (2) years.
- 2.10.3 Shall join the university with title they hold from their parent institution.

2.11 Part Time Appointment

- 2.11.1 Part-time appointments shall be made in cases where specialized skills are required intermittently. The rate of pay for part-time employment shall be determined by Council from time to time.

2.12 Voluntary Appointment

- 2.12.1 Persons with appropriate skills who offer themselves to serve at minimum or no cost to the University may be offered voluntary appointment.

2.13 Internship and Industrial Attachments

- 2.13.1 The University of Eldoret shall engage students/graduates from time to time on internship/attachments for a continuous period of not more than six (6) months and or any other period as may be stipulated from time to time by Government guidelines.
- 2.13.2 In the course of this duration, they shall be expected to abide to the code of conduct of the University of Eldoret.
- 2.13.3 The University shall offer students on internship a stipend/allowance during the period of internship as per the prevailing government guidelines and the University of Eldoret's policy.

2.14 Outsourcing

- 2.8.1 The University of Eldoret may from time to time outsource labour services from firms that specialize in certain kind of jobs provided always that such outsourcing shall not derogate from the requirements of procurement laws and policies. Such jobs shall include, but not limited to, cleaning and security.

2.15 Powers to Make Appointments

- 2.9.1 The authority to appoint employees is vested in the University Council. However, the University Council may delegate some of these powers in writing and for a specific cadre of employees to the Vice Chancellor. The Vice Chancellor shall report such appointments not later than the next Council meeting.
- 2.15.1 Appointments of the Vice- Chancellor, Deputy Vice- Chancellors, Principals and Deputy Principals
- 2.15.2 The Vice Chancellor shall be appointed by the University Council through an open, competitive, fair and merit based process. While making the appointment, the University Council shall adhere to national values and principles of Governance and the values and principles of public service as set out in the constitution.
- 2.15.3 The Vice-Chancellor, Deputy Vice-Chancellors, Principals and Deputy Principals shall be appointed in accordance with the Universities Act 2012, University of Eldoret Charter 2013 and University of Eldoret Statutes 2013.

2.16 Recruitment and Selection

- 2.10.1 The University strives to recruit and select the best-qualified candidates to support the University's vision and mission.
- 2.16.1 Equal opportunities shall be provided for all persons throughout the University in recruitment, appointment, promotion, payment, training, and other employment practices without discrimination against people based on race, ethnic, gender, disability, national origin, color, religion, marital status, or political affiliation.
- 2.16.2 Employees shall be correctly placed on the occupations that match their skills and abilities while taking cognizance of special needs.
- 2.16.3 Recruitment of Employees shall be done as per the recruitment policy and procedures for all cadres of staff. Equity shall be exercised at all times.
- 2.16.4 The recruitment and selection process should not take more than six (6) months.

2.17 Recruitment Procedure

- 2.11.1 Appointment of other staff of the University shall be done by the Council in accordance with the approved procedures. The senior staff (Grade 14 and above) shall be appointed by the Council while the appointment of staff in Grade 5 – 13

shall be done by the Vice-Chancellor or his/her designate while staff in Grade I -IV shall be done by the Deputy Vice-Chancellor (A&F) or his/her designate on behalf of Council.

- 2.17.1 The Head of a Department will be responsible for determining the existence of a Vacancy in his/her department. Once a decision to recruit is made, the Head of Department will then complete a Staff Requisition Form (SRF) Appendix II.
- 2.17.2 The Deputy Vice-Chancellor, (A&F) will then notify the Vice-Chancellor and advice in accordance with the employment Act 2007, approved staff establishment and relevant CBAs.
- 2.17.3 A post that falls vacant shall be substantively filled within six (6) months during which the Vice-Chancellor may appoint someone to act in the post in accordance with the Public Service Commission Act 2012 and University of Eldoret Statutes.
- 2.17.4 Applications for appointment to vacant posts will be invited by open advertisement. In each case and where possible, a shortlist of not less than three (3) candidates per post shall be prepared and interviews conducted.
- 2.17.5 While applying for a post, the applicants must account for the whole period of any previous employment held which must be supported by documentary evidence.
- 2.17.6 The University of Eldoret shall advertise to fill vacant positions in an open, competitive, fair and merit based process. However, consideration will be given to promote candidates from within the University of Eldoret so as to meet the employee career growth expectations.
- 2.17.7 Before external recruitment is considered the following methods of filling up the post shall first be exhausted:
 - a) Promotion of the qualified candidates in the department or qualified candidates from another department who has the requisite qualifications and competence to do the job.
 - b) Internal advertisement to attract applications from any staff members within the University of Eldoret.
- 2.17.8 Where the internal recruitment process is exhausted and no suitable internal candidate exists, applicants will be sourced through open advertisements. The University of Eldoret shall opt to go to the open labour market to recruit. Where there will be need for specialized services, the University of Eldoret may use employment agencies or search firms to hire suitable candidates.
- 2.17.9 Once applications are received, the short-listing panel(s) shall be constituted by the Council or the Vice Chancellor

Composition of Appointments, promotions and Terms and Conditions of Service Committees

Grade 14 and Above

Chairman of Council	-Chairperson
Council Members	- Members
Vice- Chancellor	- Secretary
Deputy Vice- Chancellors	- In-attendance
Senior Legal Officer	- In attendance
One Senior External experts	- Member

Grade 5 to 13

Vice- Chancellor	- Chairperson
Deputy Vice- Chancellors	- Members
Finance Officer	- Member
Registrars	- Members
Respective Dean/Directors	- In-attendance
Respective Head of Department/Section	- In-attendance
Two (2) Senate Representatives	- In-attendance
Snr. Assistant Registrar (HR)	- Secretary

Note: In special circumstances the University can invite a consultant to participate in the interviews.

Grade 1-4

Deputy Vice- Chancellor (A&F)	- Chairperson
Registrars	-Members
Finance Officer	-Member
Respective Dean/Director	-Member
Respective Head of Department/Section	- Member
Two (2) Senate Representatives	-Members
Snr. Assistant Registrar (HR)	- Secretary

- 2.17.10 In all cases that fall within the purview of the Vice-Chancellor, members of the shortlisting and interviewing panel shall not be at a grade equal to or below the position for which the candidate is being interviewed.
- 2.17.11 The principles of affirmative action, gender and persons living with disability and national values will apply. The University of Eldoret shall observe gender mainstreaming, balance on appointment, promotion and ensure that a minimum of a third (1/3) are of either gender.
- 2.17.12 Approval for recruitment
The Council will approve all recruitment based on approved recurrent Budget estimates and staff establishments. Where approval of recruitment is denied, the heads of department will revisit the alternatives of work redesign to utilize the skills of existing staff.

2.17.13 Sources of Recruitment

The University will fill its vacancies with the best available people based on the requirements, and taking into consideration the most cost-effective sourcing method in accordance with the Public Service Commission Act 2012, Employment Act 2007 and the CBAs.

Sources of recruitment will include:-

i) Internal recruitment

The University shall begin the process by placing an internal advertisement for the job. Internal applicants will be required to apply through their Heads of Department/Supervisors for the advertised positions.

ii) External Recruitment:

- a) Where external source is required both the University and Public Service regulations on advertisements shall apply.
- b) Advertisement shall be coordinated by the Human Resource Office; placed in a standardized format, clearly stating the Job description and Job specification and should comply with employee resourcing practices and labor laws.
- c) Advertisements shall contain an equal opportunity statement reading: "University of Eldoret is an equal opportunity employer"

iii) Internal and external advertisements will contain the following:-

- a) A brief description of the University of Eldoret's mandate;
- b) Job title;
- c) Main purpose of the job;
- d) A brief description of the key responsibilities of the job;
- e) Education, experience, skills and competencies required for the job;
- f) Salary and benefits (optional);
- g) Location of the job (where necessary);
- h) Clear instructions on how to apply and information to be submitted in the application; and
- i) Closing date for receipt of applications.

1.12 Short Listing

- i) The Council shall be responsible for shortlisting of applicants from grade 14 and above.
- ii) Relevant Committees from Division/Schools/Departments/Section with a representative from Administration / Academic division shall be responsible for shortlisting of applicants from grades 5-13 & 1-4. The HR department shall prepare and maintain summary of all applications.

- iii) Short listing criteria shall include minimum constitutional and statutory requirements and shall be on merit (meeting minimum requirements as advertised). The requirement for Gender and Disability Mainstreaming may be considered.
- iv) No panelist at either the short listing or interviewing stage will participate in cases where there is an applicant who is related to him/her in any way to avoid conflict of interest.
- v) The University of Eldoret shall not bear any cost incurred by the candidates coming to attend interviews.
- vi) Where possible, during short listing, a ratio of three (3) candidates per position as a minimum will be adopted.
- vii) All application letters including those of candidates not short-listed shall be retained for six (6) months after the appointment has been made before archiving.

1.13 Interviews and Selection

Committees from relevant Divisions/Schools/Departments/Sections shall be responsible for:

- i) Short-listing of Candidates and forward the summary of applicants, shortlisted candidates and minutes of the short listing Committee to the Vice-Chancellor or the deputy Vice-Chancellor (A&F) depending on the grade.
- ii) Selection of candidates will be based on merit and as per their scores during the interview.
- iii) Candidates should be informed of their interview date, time and venue at least one week in advance.
- iv) Anyone who is involved in a selection process (short listing or interviewing) and is aware that a family member, a closely related person, or indeed any other person that they know personally, has applied, should declare this to the other members of the short listing/interview panel at the earliest opportunity. Unless otherwise approved in writing by the Council/Vice-Chancellor they should then be withdrawn from the selection process and replaced by a suitable colleague.

- v) All scores and other considerations duly signed by the Chairperson and panel members shall be properly stored by Human Resource Department up to a minimum period of six (6) years.
- vi) The University of Eldoret shall conduct background checks for candidates to be recruited.
- vii) The Human Resource Department shall normally notify the interviewed candidates of the interview results within twenty one (21) days from the date of final interview and give a date by which the selected candidates are expected to report.
- viii) The HR shall prepare a summary report of the interview and selection process.
- ix) The panel members shall sign the report and the secretary of the committee shall submit the report to the Vice-Chancellor within 21 working days from the last date of the interview.

The report shall include and not be limited to the following information:

- a) Membership of the panel;
- b) Interview scores for each candidate in order of performance;
- c) Brief summary of recommended candidates; and
- d) Candidate's salary expectations.

a) Offer of acceptance

- i) The offer letter shall be issued to successful candidate(s).
- ii) The offer letter issued to successful candidate(s) shall contain the specific period within which the candidate should indicate acceptance/decline of the offer.
- iii) The effective date of appointment of an employee shall be the date she/he reports to duty.

b) Acceptance of offer

- i) Acceptance of an offer of appointment shall be made by signing on the duplicate offer of appointment letter. The period of acceptance shall not be more than twenty one days (21) days from the date of the dispatch.
- ii) Any offer not taken up and without communication within a period of three (3) months from the date of offer shall stand withdrawn.
- iii) In case a candidate fails to take up the offer, the panel will decide whether to take the next most qualified candidate or re-advertise the position.

c) Record of Previous Employment and Qualifications

- i) The Vice-Chancellor shall seek confidential reports for employment of a candidate from previous employer, contents of which may determine whether or not the candidate may be considered for appointment.
- ii) Candidate for employment will, before engagement, provide the University with information on all previous employment, which must be supported by satisfactory documentary evidence.
- iii) It is the duty of the Vice Chancellor when recommending appointments to ensure that a candidate's record of previous employment is satisfactory in all aspects. The Vice Chancellor may call for a confidential report of a candidate from previous employers, contents of which may determine whether or not to appoint the candidate.
- iv) Where appointment is based on specific educational, professional or other qualifications, the original copies of the relevant certificates will be obtained from the candidate and authenticated before engagement. All relevant examining bodies shall be consulted in case of doubt regarding the authenticity of the certificates produced by a candidate. Certified copies of all relevant documents should be retained in the personal file of the candidate for the record.
- v) However, the appointment may be reviewed if any adverse information is received after recruitment.

d) Medical Examination

- i) All candidates on new appointment shall be advised to undergo a medical examination by a Government Medical Practitioner or Medical facility recognized by the University who will complete the prescribed form. The purpose of the medical examination shall be to guide deployment and job assignment of the employees.
- ii) A person shall not be discriminated against on the grounds of actual, perceived or suspected medical illness.

e) Letter of Appointment

- i) A letter of appointment shall be issued, in duplicate, to an employee on first appointment and shall contain the following details: -

- a) Name of the employer
 - b) The name and permanent address of the employee
 - c) The Post and Grade to which the candidate is appointed.
 - d) A Brief Job description of the employment
 - e) Date of appointment;
 - f) Salary scale and salary entry point to which the candidate is appointed;
 - g) Terms of appointment;
 - h) Details of housing and other allowances payable;
 - i) Medical benefits and other benefits payable for the position;
 - j) Station of deployment; and
 - k) Pension scheme where applicable.
 - l) Provision for authenticated Declared home (location, Division, County) of an employee
- ii) The employee will be required to acknowledge the letter of appointment and append his signature before or on the date of engagement. A copy of the letter shall be placed in his personal file.
 - iii) The letter of appointment must be acknowledged in writing by the employee on or before the date of engagement and copies filed in his/her personal files. In addition, information regarding access to University policies shall be provided.
 - iv) Details of Job description will be provided by the head of department upon reporting.

f) Date of Appointment

The date of appointment will be the date the employee assumes duty.

g) Personal Records

- i) An employee on first appointment shall provide the following documents/information which shall be maintained in each employee's personal file: -
 - a) Original academic and professional certificates duly authenticated by the issuing University of Eldoret;
 - b) National Identity Card/Passport;
 - c) Four (4)coloured passport size photographs;
 - d) Certified copy of birth certificate;
 - e) KRA Pin number, NSSF and NHIF details;
 - f) Bank Account details;
 - g) Certificate of Good Conduct from the Directorate of Criminal Investigations.
 - h) EACC clearance
 - i) HELB Clearance certificate and
 - j) Tax Compliance Certificate

- k) Marriage Certificate/Affidavit (Where applicable).
 - l) Release letter from former employer (Where applicable).
 - ii) The following documents shall also be maintained in each employee's personal file:
 - a) Personal data form
 - b) Application for employment and updated curriculum vitae;
 - c) Letter of offer of appointment;
 - d) Letter of appointment;
 - e) Letter of confirmation in appointment;
 - f) Completed performance appraisal forms;
 - g) Birth certificates of dependents children (where applicable)
 - h) Certified copy of marriage certificate or an affidavit (where applicable)
 - i) Any other document that may be required
 - iii) The employee shall also make an initial declaration of income, assets and liabilities by completing the prescribed form.
 - iv) Where an employee is or becomes a relative of another employee while both are employed by the University of Eldoret, the Employee shall make a declaration of the same and such employee shall not be administratively or managerially subordinate to the other.
- h) Probationary Period**
- i) On first recruitment an employee shall be placed on Probation period as stated in the employment Act, 2007.
 - ii) During the period, the HoD will submit detailed progress reports and recommendations indicating the employee's performance. Based on the recommendations, the Human Resource Officer responsible for human resource will advise the Vice Chancellor whether, or not, the employee should be confirmed, probationary period extended, or the appointment terminated altogether.
 - iii) An employee, who has completed the normal or extended period of probation satisfactorily, shall be confirmed in the post. If the probationary service is unsatisfactory, the appointment shall be terminated.
 - iv) Members of staff employed on contract terms will not be subject to probationary period however quarterly appraisals shall be done of their performance in the first year of the contract.

i) Next of Kin

- i) An employee shall be required to provide the particulars of the next-of-kin and notify the University of any Change in name and address of the next-of-kin for updating of the records.
- ii) Employees shall be required to declare the names of their spouse and legal children.
- iii) Any changes in the family shall be provided by the employee.

j) Official Secrets Act Declaration

- i) Each employee shall be required to sign a Declaration of Secrecy Form under the Official Secrets Act, Cap. 187, on appointment and on termination of the service. The Head of Human Resources shall bring to the attention of all employees the provisions of the Official Secrets Act on annual basis.

k) Employment Card

- i) Every employee shall be issued with an official Staff Identification card which shall indicate employee's personal number, I/D /Passport number and Passport size Photograph.
- ii) In the event of loss of the employment card, an employee shall apply for a replacement upon payment of a specified fee. The employee must provide valid proof of lost Staff Identification which includes police abstract. If a replacement is as a result of change of designation or marital status, no fee shall be charged.
- iii) On termination of employment, an employee shall be required to surrender his employment card to the University.

l) Induction

- i) All newly appointed employees shall undergo an induction programme conducted by the relevant Department/Section of the University to familiarize themselves with the structure, functions and operations of University upon reporting for duty but not later than two (2) months after reporting for duty.
- ii) University shall for this purpose, provide an induction manual that shall contain details of the matters to be covered during the induction.
- iii) The University shall for this purpose, develop an Induction Manual.

m) Duties

- i) The duties of an employee shall include the usual duties of the Department/Section in which one is employed.
- ii) All employees shall be issued with a written job description commensurate with the assigned duties.
- iii) An employee may be assigned any other duties as may be deemed necessary.

n) Re-Designation

- i) The University may, from time to time review and reorganize the staff establishment of the organization. This may necessitate the re-designation of titles and job descriptions. Re-designation of an employee may require redeployment.
- ii) Staff may be re-designated upon request on recommendation by the head and approved by Management subject to attainment of requisite qualification and availability of the position/ establishment.
- iii) In selecting employees for re-designation, the criteria for appointment shall apply. If an employee is re-designated, the employee shall not in any way suffer reduction in remuneration.

o) Position Regrading

Regrading of positions may be done to correct staffing imbalances and other critical needs arising from succession management, review of career progression policy, or restructuring.

p) Promotion

- It is desirable to achieve a healthy mix between promotions from within and external recruitment.
- i) Serving (internal) candidates who meet job requirements for the post whose work performance is satisfactory and have potential for development will be given priority when filling vacant positions.
- ii) The University will strive to expeditiously fill all vacancies by promotion of suitable serving employees.
- iii) Consideration of promotion shall be in accordance with the provisions of the career progression guidelines for each cadre.
- iv) Employees who possess higher qualifications, proven merit, experience and suitability for the vacancy will be given preference.
- v) All staff shall be accorded equal opportunities for promotion.
- vi) Promotions of employees from one grade to the other will be dependent on performance, experience, recognized and relevant qualifications and proven merit. However, any promotion shall be subject to satisfying the requirements of Scheme of Service guidelines and should be in line with the public service regulations.
- vii) As general principle employees are expected to serve in any given grade for at least three (3) years before being eligible for promotion to the next grade.
- viii) All recommendations for promotions and upgrading shall be considered by the relevant appointments Committee

q) Posting/Transfers

- i) An employee of the University may be transferred to any operational station, section, or Department/Section/Unit of the University to discharge official duties while taking precaution on areas of specialization.
- ii) Letters of appointment shall indicate that the employee is liable to transfers at the discretion of the University Management with an exemption of specialized skills that are professionally peculiar.
- iii) Transfers shall be done in a way that the services of the University are not disrupted
- iv) An employee on transfer shall be required report to the work station within stipulated time.

1.14 Employees Records Management

- a) A confidential system of recording and storing employee information will be maintained.
- b) Employee record files will be maintained in the Human Resources/Administration Department. Information in these files shall include employees' application letters, certified copies of certificates, verification of references, payroll data, performance appraisal reports, promotions, leaves, certified copies of ID, PIN Certificate, NSSF, NHIF card, termination letters, list of dependants and next of kin and any other relevant information on employee
- c) The information contained in the files shall be classified as confidential. Access to these files is therefore restricted to Head of Departments only. Any person who needs to access such information must receive written permission from Vice-Chancellor. Employees can view their file in the presence of the Human Resource employee or Vice-Chancellor nominee.
- d) The Head of Department for Human Resource may, at any time of the contract, require any member of staff to provide such information as may be deemed fit from time to time.
- e) The closed files will be removed from active files two (2) years after an employee's termination of service from the University.
- f) Open file: The open file shall contain documents pertaining to the employee's entitlements and allowances as well as other documents, not falling within the scope of the confidential file. No employee will be allowed to be in possession of his/her own file.
- g) Confidential file: The confidential file shall contain documents relating to the employee's career, in particular:
Documents of an employee's character and reports relating to his/ her competence, efficiency and conduct.
Any document containing employee medical records
Any observations which the employer may have made on the official reports on his/her work,

1.15 Handing-Over Report

On redeployment, an employee will prepare a comprehensive handing over report under the supervision of the immediate supervisor and/or the Head of Department. A copy of the report duly approved by the Supervisor will be submitted to the Vice-Chancellor.

1.16 Testimonials and Letters of Commendation

Testimonials and commendation letters may be given to employees by supervisors as a way of recognizing exemplary service from their members of staff.

*****APPOINTMENT OF ACADEMIC staff to be considered**

The appointment of academic staff shall be made in accordance with the approved Academic staff appointments and promotions criteria.

SECTION 3: SALARY

3.1 Introduction

- 3.1.1. The University will remunerate the employees in a manner that motivates them and which supports and develops a high performance workforce required to provide quality service efficiently and effectively.

The University will endeavour to:

- a) Offer salary, which attracts and retains the services of qualified personnel with the skills and flexibility to respond to its demands.
- b) Relate pay to performance as a means of promoting a meritocratic culture and motivating employees towards higher levels of achievement.
- c) Provide adequate incentives for increased productivity, efficiency, improved accountability and control.
- d) Achieve equity and transparency in the remuneration package.

- 3.1.2. The remuneration policy is based on the following guiding principles:-

- a) Provision for adequate pay differentials to recognize responsibility, levels, skills, competencies, attitudes, experience and performance in relation to the goals and objectives of the University.
- b) Achievement of equity, transparency and competitiveness in the remuneration packages based on Job Evaluation;
- c) Adoption and implementation of best human resource management practices in regard to compensation;
- d) Focus on the value of total compensation, which includes basic salary, allowances and other benefits; and
- e) Adherence to salary and remuneration guidelines issued by the Government from time to time.

3.2 Salary Grades

- 3.2.1 There shall be such salary grades as the Council may determine, from time to time, with approval of Government.
- 3.2.2 The Vice-Chancellor may conduct periodic salary surveys to determine changes in cost of living and terms of employment being offered by comparable organizations. Such surveys shall form the basis of consultation by the Council with the relevant Government University of Eldoret for salary reviews.

3.3 Advice on Salary and Benefits

- 3.3.1 The salary for each employee will be specified in the appointment letter.

- 3.3.2 Basic salary and benefits will be communicated to the employee in writing on appointment, at which time; the employee will also be informed of their grades and designation. Any subsequent change in basic salary, grade or designation shall be communicated to the employees in writing.
- 3.3.3 Any change in benefits, which affect all or any category of employees, will be communicated through a circular letter.

3.4 Staff Movement Advice (SMA)

Staff Movement Advice (SMA) is a tool used in reporting any change in the status of a member of staff, especially with regard to absence from duty, on account of: Sickness, Local/Overseas leave, Study leave, Unpaid leave and Unauthorized Absence. Members of staff are advised to note that issuance of the Staff Movement Advice (SMA) is a requirement for registration as University of Eldoret staff and upon exit from University service. It is issued by the Head of Department.

3.5 Payment of Salary

- 3.5.1 An employee on first appointment will be paid salary with effect from the date of reporting for duty.
- 3.5.2 Each employee will have a stated monthly basic salary in the letter of appointment quoted before any statutory deductions.
- 3.5.3 Salary will be paid monthly in arrears and will be denominated and paid in Kenya shilling (Kshs).
- 3.5.4 The salary of an employee will be net of statutory deductions and other deductions that may be agreed upon or imposed by the employee or the University respectively. A statement/payslip indicating the gross salary, deductions made and the resultant net salary will be made available to every employee each month.
- 3.5.5 Salary will be paid through the Bank and all employees will be required to open Bank Accounts and submit the details to the HR Office.
- 3.5.6 Voluntary deductions such as contributions to co-operatives, insurance firms, loan repayment, will be effected provided it does not exceed 1/3 of basic salary and the HR should ensure compliance.
 - a) Salary Reviews and Remuneration shall be as per Government Regulations and negotiated and agreed Collective Bargaining Agreements.

- b) Each Grade in University shall have a salary scale showing minimum and maximum salary payable and the salary progression for the grade.
- 3.5.7 On termination of employment, the final benefits will be made on confirmation that the employee has been cleared and issued with a Clearance Certificate.

3.6 Salary Increments

- 3.6.1 Annual increment shall be paid on the 1st day January or 1st day of July depending on when an employee was appointed For example if an employee was appointed between 1st July and 31st December, the annual increment shall be paid on 1st July. If an employee was appointed between 1st January and 30th June then the increment date is 1st January.
- 3.6.2 If an employee is granted unpaid leave which is not increment earning, his incremental date will be re-computed based on the month he resumes duty.

3.7 Salary

- 3.6.3 On first appointment, an officer shall enter the salary structure at the minimum point of the respective salary scale. However, an officer may be granted incremental credit for previous remuneration and relevant experience. This shall be at the rate of one increment for each complete year of approved experience provided the maximum salary of the grade assigned to the post is not exceeded. The grant of increments for relevant experience shall be subject to the following conditions:
 - a) Incremental credit shall only be granted in respect of approved experience gained after acquiring the requisite minimum qualifications for the grade.
 - b) In granting incremental credit, previously earned remuneration shall be considered;
 - c) Incremental credit shall be granted only for previous approved experience in the type of work upon which an officer will be employed on his appointment to the particular grade;
 - d) Incremental credit may not be granted on appointment to promotional posts, i.e. posts to which an officer would not normally be appointed if he had joined the University of Eldoret immediately after completing his education; and
 - e) Incremental credit may be granted for the number of years of aggregate approved experience in line with the University of Eldoret's Career Progression Guidelines, periods in excess of full years being ignored.

3.8 Determination of Salary on Promotion

- 3.8.1 Where an employee is promoted from one grade to another and his salary on the effective date of promotion is less than the minimum of the salary scale attached to the new grade and where that employee was earning an annual increment, he shall receive the minimum of the salary scale attached to his new grade on the

effective date of his promotion and his incremental date will be the first date of the month in which he is promoted.

- 3.8.2 Where the salary of an employee on the day preceding the effective date of his promotion is one point immediately below the minimum of the salary scale attached to his new Grade and where that employee was earning an annual increment, he will receive the minimum of the salary scale attached to his new Grade on the effective date of his promotion and retain the incremental date.
- 3.8.3 Where the salary of an employee on the day preceding the effective date of his promotion corresponds to or is higher than the minimum of the salary scale attached to the Grade to which he is promoted, his salary on promotion will be determined in accordance with the rules set out below:-
 - a) Where on the day preceding the effective date of his promotion he had attained the maximum point of the salary scale attached to his previous Grade and his service at that salary amount to less than one (1) year, he will enter the salary scale attached to his new Grade from the effective date of his promotion at the next point above his salary and his incremental date will be the first date of the month in which he is promoted.
 - b) Where on the day preceding the effective date of his promotion he had attained the maximum point of the salary scale attached to his previous Grade and his service at that salary amount to less than three (3) years, he will enter the salary scale attached to his new Grade from the effective date of his promotion at the next point above his salary and retain his incremental date.
 - c) Where on the day preceding the effective date of his promotion he had attained the maximum point of the salary scale attached to his previous Grade and his service at that salary amount to three (3) years or more, he will enter the salary scale attached to his new Grade from the effective date of his promotion at one point higher than his salary and thereafter be awarded three increments and his incremental date will be the first date of the month in which he is promoted.
 - d) Where on the day preceding the effective date of his promotion he had not attained the maximum point of the salary scale attached to his previous Grade but was earning an annual increment in that salary scale, he will enter the salary scale attached to his new Grade from the effective date of his promotion at the next point above his salary and his incremental date will be the first date of the month in which he is promoted.

3.8.4 The above rules will not apply to employees employed on contract.

3.9 Retroactivity of payments

3.9.1 An employee who has not been receiving an allowance, grant or other payment to which he is entitled shall not receive retroactively such allowance, grant or payment unless he has made a written claim within six months of eligibility.

3.10 Car Loans and Mortgage

3.9.1 The University of Eldoret shall establish a Car Loan and Mortgage Scheme based on prevailing government guidelines.

SECTION 4: ALLOWANCES

4.1 Introduction

This section addresses allowances applicable to employees in course of duty in accordance with terms and conditions of service for various cadres of staff.

- 4.1.1. The University of Eldoret is committed to remunerate the employees in a manner that motivates them and which supports and develops a high performance workforce required to provide quality services. The following are the allowances that are currently applicable in the University and the circumstances under which they are payable:

4.2 House Allowance

The University shall pay the House allowance as negotiated and agreed at the respective National CBAs.

4.3 Special Duty Allowance (10%)

- a) Where an employee does not possess all the necessary qualifications and cannot be appointed to act in a higher post, but is competent to perform the duties, the employee may be called upon to undertake the duties of the higher post.
- b) Special duty allowance will be paid to an employee performing the duties of the next position above his/her substantive appointment and not beyond.
- c) Recommendations for payment of special duty allowance will be submitted by the Head of Department to the Vice Chancellor as soon as an employee assumes the duties of the higher post.
- d) Special duty allowance will be granted to an employee for a period not exceeding six (6) months.
- e) Special duty allowance payable in each case will be paid in accordance with the Public Service Code of Regulations 2006 and the negotiated and agreed CBAs.
- f) To qualify for payment for special duty allowance an employee should act for at least thirty (30) Calendar days.

4.4 Acting Allowances

- a) This allowance shall be paid to the acting employees appointed on acting capacity according to the relevant Government regulation, Legislation and the respective negotiated and agreed CBAs.
- b) When an officer is appointed to act in a higher position by the appropriate authority empowered to approve such appointment an acting allowance will be paid to him/her at the rate determined in accordance with the Public Service Policy.

4.5 Accommodation Allowance in Kenya/Local Subsistence

- a) An employee who travels on official duty outside the duty station and makes his/her own arrangements for accommodation and lodging will be paid a non-accountable allowance as per the terms of service.
- b) Accommodation/relocation allowance shall be paid for a maximum continuous period of up to fifteen (15) calendar days as per the respective negotiated and agreed CBAs.
- c) Where accommodation is half board an employee shall be entitled to non-accountable of $\frac{1}{4}$ of daily subsistence allowance.

4.6 Meal Allowance/Quarter per Diem

When an employee travels on duty outside the duty station and is not required to spend a night away from his/her permanent station, he shall be eligible for Meal Allowance as stipulated in the government regulations and the negotiated and agreed CBAs.

4.7 Subsistence Allowance when Traveling on Duty Outside Kenya

- a) An employee who is required to travel on duty outside Kenya will be granted subsistence allowance at the daily rates applicable in the Public Service/negotiated and agreed CBAs.
- b) The rates of subsistence allowance which are payable for each complete twenty-four (24) hours commencing from the time of departure from Kenya are as per Public Service/negotiated and agreed CBAs
- c) In addition, travelling expenses incurred from the airport of disembarkation to a hotel or other residential place and vice versa, airport charges, fees for vaccination, and visas charges will be refunded

4.8 Entertainment Allowance

Owing to the nature of their duties, employees in certain Grades may be called upon to provide hospitality and entertainment on behalf of the University. The employees shall, therefore, be eligible for an entertainment allowance as per Public Service/negotiated and agreed CBAs.

4.9 Responsibility Allowance

- a) This is payable to a member of staff who are appointed by the Vice Chancellor to carry out additional responsibility.
- b) To qualify for this allowance the appointment must last for at least twenty one (21) continuous calendar days.
- c) An employee receiving responsibility allowance in one position will not be paid the same for any other position he/she may be holding.

4.10 Medical/ Risk Allowance

This is monthly allowance payable to Health staff for the medical risks they are exposed to in their day to day duties. The payments are as per the government guidelines and negotiated and agreed CBAs.

4.11 Academic and Professional Allowance

This is a monthly allowance payable to academic staff for enhancement of their academic growth as per the negotiated and agreed CBAs.

4.12 Telephone allowance

This is monthly allowance paid to staff in management positions and heads of department/section for their ease of communication payable as per government guidelines and as per the negotiated and agreed CBAs.

4.13 Extraneous Allowance

Payable to staff 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 day, weekends and sometimes on public holidays. The rates eligibility for payment is determined by the Government. Employees in certain designated offices of employment will be eligible for an extraneous allowance as determined by Council or negotiated and agreed CBAs.

4.14 Leave Allowance

Leave allowance shall be payable to all employees once a year as determined by Council or in accordance with the negotiated and agreed CBAs.

4.15 Non- Practice Allowance

Registered/Licensed professionals who cannot practice as a result of their jobs at the University will be eligible for a non-practice allowance as per the Government guidelines

4.16 Car/ Commuter allowance

All employees of the University will be eligible for commuter or Car allowance at the rate determined in accordance with the Council rates or respective negotiated and agreed CBAs.

4.17 Overtime/Part time Allowance

- a) Overtime allowance shall be compensated in accordance with the negotiated and agreed CBAs.
- b) It is emphasized that overtime allowance **should not be paid for routine duties** where it is possible that alternative arrangements can be made for performance of the tasks within normal working hours.

- c) An employee in management grade will not qualify for overtime hours since employee's in his/her category are normally called upon to perform duties of a supervisory nature.

4.18 Book and Journal Allowance

This is annual payments made to academic staff to enable them purchase academic books and journals that may not be available at the University as per the respective negotiated and agreed CBAs.

4.19 Honorarium Allowance

This is ex gratia payments made to those who offer voluntary services to the university for which fees may not be a requirement.

4.20 Disability Assistance Allowance

This allowance is payable to disabled employee in accordance to the disability Act 2003 and Government circulars.

SECTION 5: MEDICAL BENEFITS

5.1 Introduction

- 5.1.1 The University will make adequate provision for medical benefits to be accorded to all employees on permanent and pensionable terms and other terms as expressed in their terms of employment.
- 5.1.2 The Vice Chancellor will manage and monitor the medical expenditure to ensure that costs are reasonable.

5.2 Management of the Medical Scheme

- 5.2.1 The University shall procure an in-patient and outpatient medical scheme for the employee as per respective CBAs. The limit of the medical cover shall be determined by the Council, and as outlined in their respective negotiated and agreed CBAs.
- 5.2.2 Members of staff will continue to be members of the Medical Scheme provided by NHIF.
- 5.2.3 The University may at its discretion consider ex-gratia payments for the employees and dependents who exceed the set limits.

5.3 Medical Treatment outside Kenya

- Details of medical scheme are covered in the respective negotiated and agreed CBAs
- a) The University will always endeavour to provide medical treatment as is available in Kenya. However, where an employee is recommended for treatment abroad, this will be dealt with as stipulated in the negotiated and agreed CBAs with the approval of the Council.
 - b) Recommendations for treatment outside Kenya will be made by the University appointed Medical Practitioner who will certify that such treatment can only be done outside the country within the existing medical scheme.
 - c) The Council shall arrange for a medical insurance cover for staff who travel outside Kenya on official duty and for treatment.

5.4 Group Personal Accidents Insurance Covers

The University shall source for group personal accident insurance cover annually. Under this insurance cover:-

- a) All employees will be covered against accidents which may occur anytime, anywhere, whether in the course of duty or otherwise.

- b) Cases of fraud involving this cover shall lead to severe disciplinary action, which may include the withdrawal of the scheme benefits for the employee and further disciplinary action.
- c) The University shall expect the best and most responsible behaviour from all the beneficiaries of the Cover.

5.5 Work Injury Benefit Compensation Scheme

- a) Any University employee who is injured or incurs an occupational disease, long term disability or death, normally without regard to fault, as a result of University employment, is covered by the University's Worker's Compensation Scheme as provided for in the terms and conditions of service and other relevant legislations.
- b) All employees shall be covered by Workman's Compensation Scheme paid by the Employer under the provision of the Work Injury Benefits Act 2007.
- c) Such benefits shall include payment of medical expenses, compensation, and demise indemnities appropriate to the particular case as set in the terms and conditions of service.

5.6 Accident on Duty

- a) An accident on duty is an accident where the employee suffers personal injury: In the actual discharge of his duty; without his own default and/or on account of circumstances specially attributed to the nature of his duty.
- b) In the event that the employee is unable to make the report of the injury or if fatally injured the Supervising Employee should make the report in writing to the HR department as soon as he learns of the same injury.
- c) Upon receiving the report of the injury in respect to the employee, the University of Eldoret shall lodge a claim with the University's appointed insurance broker or underwriter, as the case may be, with a view of seeking compensation for the said employee.
- d) Any claim for benefits should be submitted/ reported to the Insurance Company immediately or as per the terms of the policy.
- e) If an employee sustains an injury in the execution of his duty and the injury is not due to his negligence or misconduct, the University, May at its discretion, authorize that the cost of any special treatment, medical comforts and appliances be borne by the University. Application for financial assistance under this regulation should be forwarded to the Human Resources Department.
- f) If the request is approved, the University shall bear the whole cost of such treatment and will in turn claim the maximum amount allowed under the Group Personal Accident (GPA) Insurance Underwriters.

5.7.1 Insurance Policies

- 5.7.1 The University shall undertake to provide, inter alia, the following insurance covers for its permanent and pensionable employees:
 - i) Group Life Assurance, to include WIBA.
 - ii) Group Personal Accident; and
 - iii) Travel insurance.
- 5.7.2 The University will procure an insurance scheme to cover all employees against accident which may occur anytime, anywhere whether on duty or not.
- 5.7.3 These insurances shall not in any way affect any personal insurance policy that an individual employee may have taken out for himself.

SECTION 6: LEAVE AND HOLIDAYS

6.1 Introduction

This section addresses the circumstances under which annual leave and other categories of leave are granted. All staff is entitled to various types of leave as per the terms of service.

Leave shall be handled in accordance with the negotiated and agreed CBAs, Employment Act 2007, UoE Human Resource policy, PSC Human Resource Policy and Procedures manual 2006.

6.2 Types of Leave

- i) Annual leave
- ii) Compassionate Leave
- iii) Maternity Leave
- iv) Paternity Leave
- v) Unpaid leave
- vi) Leave of absence with pay
- vii) Sabbatical leave
- viii) Study leave/Examination Leave
- ix) Special leaves
- x) Terminal leave
- xi) Child Adoption leave
- xii) Sick leave

6.3 Leave Schedules/Rosters

- i) It is the responsibility of the Head of Department to prepare leave schedule for all members of staff in the department.
- ii) Every department shall have a leave roster at the beginning of each calendar year a copy of which should be availed to Human Resource Office.
- iii) In order to enable proper planning and processing it is important that employees apply for their leaves at least ten working days in advance unless it is an emergency.
- iv) Before departing for leave every employee should inform their head of Department and provide address and telephone number where they can be contacted if need arises.
- v) All employees proceeding for annual leave shall submit a comprehensive hand over report to the satisfaction of the immediate supervisor.

6.4 Procedure for Leave Application

- i) Application for leave should be submitted in the prescribed form to the respective authorized officer/Head of department

- ii) No Staff should proceed for leave unless leave form is duly filled and approval granted'

6.5 **Gazetted Public Holidays**

- a) The University shall observe all statutory public holidays and all other public holidays as the government may declare from time to time.
- b) The University recognizes all holidays as gazetted by the Government by closing of all departments and offices except those providing essential services.
- c) Whenever a public holiday falls on a Sunday, the following Monday will be a public holiday.
- d) The University recognizes gazetted public holidays as official Public holidays as provided in the Constitution of Kenya, 2010.
- e) Employees who are retained on duty on gazetted public holidays shall be provided off duty as provided for in the negotiated and Agreed CBAs.
- f) Any other day(s) proclaimed by the Government will also be observed as National Holiday.

6.6 **Public Holidays**

6.6.1 The following days will be observed as public holidays in accordance with Public Holidays Act (Cap 110):

a) New Year	-	1st of January
b) Good Friday	-	*
c) Easter Monday	-	*
d) Labour day	-	1st May
e) Madaraka day	-	1st June
f) Mashujaa Day	-	20th October
g) Jamhuri Day	-	12th December
h) Christmas Day	-	25th December
i) Boxing Day	-	26th December
j) Eid-Ul-Fitr	-	*

* In accordance with the relevant religious calendar.

6.8.2 The University of Eldoret will also recognize any other public holiday that may be gazetted from time to time under the Public Holidays Act, Cap. 110 of the Laws of Kenya.

6.7 **Categories of Leave**

The University of Eldoret has several categories of leave.

6.8 Annual Leave

- 6.8.1 Annual leave is granted in conformity with provisions of the Labour laws and the respective negotiated and agreed CBAs; and the timing of the leave is subject to the exigencies of duty.
- 6.8.2 Heads of Departments will circulate leave schedules for their employees in January, to provide anticipated leave dates in order to allow proper planning and alignment with the respective work plans. The leave schedules shall be submitted to the HR department in the first month of the year.
- 6.8.3 Annual leave will not be commuted for cash. In the case of separation from employment the Vice-Chancellor will have the discretion to approve depending on the circumstances which made it impossible for the employee to utilize the leave days.
- 6.8.4 An employee will be eligible for annual leave at the commencement of a “leave year” except in the case of a newly appointed employee who will be required to complete a minimum of three (3) months service before being entitled to annual leave. For this purpose, a “leave year” shall commence on the 1st of January and end on the 31st December of the same year
- 6.8.5 Annual leave for a newly appointed employee will be calculated on a pro-rata basis for the year of his appointment.
- 6.8.6 All employees will be entitled to leave days as stipulated in their respective negotiated and agreed CBAs. The annual leave computation will exclude Saturdays, Sundays and Public Holidays.
- 6.8.7 Annual leave is not cumulative. Hence, leave earned shall be taken within the leave year it falls due during the year or be forfeited. However, an employee may, if he so wishes, carry forward from one leave year to another not more than half of his annual leave entitlement.
- 6.8.8 An employee will not defer more than half of his leave entitlement from one leave year to another except in very exceptional circumstances with prior written approval of the Vice-Chancellor. In this regard, the employee shall make a written claim to the HR for consideration.
- 6.8.9 An employee who has not utilized the annual leave due for the year in which his employment ceases will be entitled to terminal leave in accordance with section 28(1b) of the Employment Act of 2007.

6.9 Maternity Leave

- 6.9.1 Female employees will be eligible for maternity leave with full pay for a maximum period of ninety (90) calendar days exclusive of annual leave due for the year.
- 6.9.2 No female employee shall forfeit her annual leave entitlement on account of having taken maternity leave.
- 6.9.3 On expiry of maternity leave, the employee will have the right to return to the job which she held immediately prior to her maternity leave or to a reasonably suitable job on terms and conditions not less favourable than those which would have applied had she not been on maternity leave.

6.10 Child Adoption Leave

- 6.10.1 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.
- 6.10.2 An officer/staff is entitled to adoption leave with full pay upon production of supporting legal documents. The leave shall be granted as follows:
 - a) Sixty (60) calendar days where the child is under five (5) years and below
 - b) Forty five (45) calendar days where the child five (5) years to ten (10) years
 - c) Twenty (20) calendar days where the child is over ten (10) years
- 6.10.3 An officer/staff on adoption leave shall not forfeit her annual leave.
- 6.10.4 A male officer/staff is entitled to leave of up to a maximum of ten (10) working days whenever he and/or his spouse adopt a child.

6.11 Paternity Leave

- 6.11.1 Male employees will be eligible for paternity leave for a maximum period of ten (10) working days during the period of the spouse's maternity leave or child adoption leave.
- 6.11.2 In this regard, it is clarified that in the case of a male employee with more than one wife, he will be entitled to paternity leave only in respect of the wife registered in the National Hospital Insurance Fund (NHIF) contributor's Card and such leave shall be taken not more than once per year. Further, to enjoy such

leave an employee will be required to present a Medical Certificate confirming the maternity status of his wife.

6.12 Sick Leave

6.12.1 Sick leave is granted to cover illness, which prevents an employee from attending work. An employee may be granted sick leave subject to the maximum period indicated herein provided it is certified that there is reasonable prospects of eventual recovery and fitness for duty:

- a) Any absence from duty due to ill health must be supported by a sick sheet duly signed by a qualified Medical Practitioner certifying the employee's inability to work due to ill health. In the absence of a sick sheet, the employee's absence will be treated as unauthorized.
- b) Employees will be granted up to three months (3) sick leave with full pay followed by three months on half pay in a leave year when the circumstances so demand.
- c) Employees serving on contract terms of service will be granted up to two (2) months sick leave on full pay followed by two (2) months on half pay in a leave year.
- d) Sick leave in excess of three months will require confirmation of the University Medical Officer who will decide if the employee should be examined by a Medical Council with the view to determining whether or not there is reasonable prospect or eventual recovery and fitness for duty.
- e) An employee on sick leave will submit a Sick Sheet/Medical Report to their HOD with copy to HR department immediately on resumption of duty.

6.12.2 Employees may be granted time off after a period of sickness upon recommendation of a qualified Medical Officer for recuperating purposes.

6.12.3 Sick leave will not be carried forward from one fiscal year to another.

6.13 Compassionate Leave

6.13.1 An employee who has exhausted his annual leave entitlement may be granted compassionate leave up to ten (10) working days in a leave year on compassionate grounds (such grounds include death or major sickness in the family).

6.13.2 The ten (10) days will not be recovered from the employee's annual leave.

6.14 Unpaid Leave

- 6.14.1 An employee may be granted unpaid leave on the grounds of urgent private business or proven cases of exceptional hardships for a period not exceeding sixty (60) calendar days.
- 6.14.2 For an employee to qualify for unpaid leave, he will be required to have served for at least one (1) year.
- 6.14.3 Unpaid leave will not be increment earning.
- 6.14.4 An employee on unpaid leave shall continue to discharge his liabilities to the University of Eldoret in respect of any financial advances during the period of absence through his own arrangements.

6.15 Secondment

- a) Employees serving on permanent and pensionable terms of service may be seconded from University to another organization for a period not exceeding five (5) years renewable once.
- b) Upon expiry of the period of secondment, the employee will revert to basic salary and house allowances of his/her substantive position. Requests for secondment will be approved only in cases where there are no reciprocal transfer arrangements for pension purposes.
- c) Staff on secondment from other organization shall not be eligible for promotion when on secondment.
- d) University Staff on secondment shall remain in the University establishment for the period of secondment up to a maximum of ten (10) years.

6.16 Leave of Absence

Leave of absence shall be granted to a member of staff according to the respective negotiated and agreed CBAs.

6.17 Study/ Exam Leave

- 6.17.1 Employees on study leave in other organizations and are almost completing their studies may be eligible for promotions as long as they meet University promotion requirements.
- 6.17.2 An employee may be granted a study leave in a leave year to prepare for/ write examinations for either a self-sponsored course or University of Eldoret's sponsored courses so long as the course had previously been approved by the Training Committee.

6.17.3 The University of Eldoret may also grant a study leave for up to 3 years to an employee who has been sponsored for full time course of training. Such a course must have been approved by the Training Committee in advance.

6.18 Special Leave for Sportsmen/Women

6.18.1 The Vice-Chancellor may grant an employee, who is selected to represent Kenya in national, regional or international fixtures, special leave with full pay for the necessary period of training and subsequent participation in sports. This special leave shall not be counted against the employee's annual leave entitlement.

6.19 Leave for Special Purposes

6.19.1 Leave of absence on occasions of religious festivals may be granted without loss of pay for not more than two (2) days in a leave year, subject to the exigencies of service. An application for leave on such an occasion should be addressed to the Vice-Chancellor in advance of the date on which any particular religious festival is celebrated.

6.19.1 An employee who is selected to represent Kenya in National, Regional or International fixtures will be granted special leave with full salary for the necessary period of his training and subsequent participation in sports.

6.19.2 The special leave will not be counted against annual leave entitlement and will be authorized by the Vice-Chancellor.

6.20 Sabbatical Leave

6.20.1 Academic Staff, with 5 or more years of service can request sabbatical leave on full pay and with pension contributions to engage in study or research on matters relevant to their duties.

6.20.2 Sabbatical leaves are authorized by the Vice Chancellor based upon the recommendation of the HOD and approval of the Dean.

6.21 Leave Pending Retirement

6.21.1 Leave pending retirement will be taken by an employee pending his retirement. It will be the last official leave to be taken by an employee during his period of service with the University of Eldoret.

6.21.2 An employee who is due for retirement is entitled in addition to his annual leave, thirty (30) calendar days leave pending retirement. This leave must be taken thirty (30) calendar days preceding retirement and will however, neither be commuted for cash nor will the employee qualify for additional leave allowance.

SECTION 7: TRANSPORT SERVICES

7.1 Transport

The University offers transport for official use subject to formal bookings and endorsements of requests by relevant heads of Department/Section. The University will therefore endeavor to provide transport to facilitate effective and efficient service deliveries.

7.2 University Transport

- a) The University shall provide transport for the employee, spouse and eligible children under twenty five (25) years of age who are dependent on them, when travelling on first appointment and on transfer by the University.
- b) An employee who resigns from the Service shall not be entitled to transport.

7.3 Categories of transport:-

The following modes of transport shall be available to the employees of the University of Eldoret

7.4 Travelling by Public Service Transport

When travelling by public service transport on first appointment, transfer or duty outside the duty station, an employee will be provided with fare at rates, as per the negotiated and agreed CBAs.

7.5 Travelling in Own Car on Official Duty

The University will, where possible, provide its employees with transport when traveling on official duty. In the absence of a more cost effective means, an employee may use a private vehicle for official duty with prior approval of the Vice Chancellor.

Where such permission is granted, the employee will be entitled to a mileage allowance at the prevailing Automobile Association (AA) of Kenya rates or the respective negotiated and agreed CBAs.

Teaching practice and Industrial attachment shall be paid non-accountable flat rate which shall be determined by the Council from time to time.

7.6 Travelling in the University Vehicle

Travelling using University Car will be handled in accordance to UoE Transport Policy.

7.7 Travelling by Air

Travelling by Air will be governed by the Government of Kenya Guidelines. However;

- i) When travelling on official duty to another country, an employee may travel by air.
- ii) Air travel within Kenya shall be used only when it is deemed to be economical or where saving of time shall be paramount and shall require prior approval by the Vice-Chancellor or his/her representative.
- iii) Employees shall travel in economy class.
- iv) An employee travelling on duty by air shall not be granted any luggage allowance in addition to the free allowance on the air ticket.
- v) In case of excess baggage is required for official purposes, reimbursement of the same shall be considered by the Vice -Chancellor or his/her representative.

7.8 Travelling by Taxi

When travelling on duty, an officer may be reimbursed the appropriate cost of taxi fares from residence to the railway station, appropriate bus terminal or airport and vice-versa on production of receipts, provided University transport is not available.

7.9 Travelling on Convalescent Leave

On the advice of a Medical practitioner, University transport will be granted to an employee to proceed on convalescent leave accompanied by a nominated family member to a specified destination.

- 7.9.1 The University of Eldoret shall provide free transport to an employee, spouse and up to four (4) unmarried children under twenty five (25) years of age who are dependent on him, on occasions when traveling on transfer, approved medical treatment/convalescent leave or on retirement.
- 7.9.2 However, no transport will be provided on resignation, summary dismissal or termination/expiry of contract terms before the employee attains retirement age as per the respective negotiated and agreed CBAs.

7.10 Traveling by Public Transport

- 7.10.1 Where no vehicle will be available to an employee travelling on duty outside the duty station, the employee will be eligible to claim appropriate reimbursement of the amount of fare paid on production of receipted bills.

7.11 Traveling in Own Car on Official Duty

7.11.1 The University of Eldoret will, where possible, provide its employees with transport when traveling on official duty. In the absence of a more cost effective means, an employee may use a private vehicle for official duty with prior approval of the Vice-Chancellor.

7.11.1 Where such permission is granted, the employee will claim reimbursement based on the prevailing Automobile Association of Kenya (AA) rates. The vehicle capacity will be limited to 2700cc.

7.12 Traveling in Official Vehicles

7.12.1 The Vice-Chancellor and other members of Management approved by Council will be entitled to one official car which will be used for official work only.

7.12.2 All the other employees will use pool transport for official work. An employee traveling on duty will be granted permission to use official vehicle by the Vice-Chancellor or an employee authorized by him.

7.12.3 Official vehicles are intended for official purposes only and should not be used for private purposes. An employee who makes improper use of a vehicle shall render himself liable to disciplinary action.

7.12.4 Whenever a vehicle is used, the details of the journey must be indicated in the work ticket. Any driver found operating without a work ticket authorizing the journey in question, or found carrying unauthorized passengers or goods, shall be subject to disciplinary action. The Government Vehicle Check Unit is empowered to stop and check any vehicle and prefer charges, where appropriate, against the driver.

7.13 Management of Vehicles

7.13.1 The Vice-Chancellor shall ensure that a register for all vehicles be opened and maintained up to date. The register shall contain the following particulars in respect of each vehicle: -

- a) Description of vehicle
- b) Chassis number
- c) Engine number
- d) Registration mark and number
- e) Log Book number
- f) Date vehicle purchased
- g) Vehicle Insurance particulars.

- 7.13.1 Each vehicle shall have a file in which all relevant documents and correspondence shall be filed, including, as far as possible, related expenditure records.
- 7.13.2 It shall be the responsibility of the Vice-Chancellor to ensure that vehicles are used properly. He/she shall put in place mechanisms for ensuring centralized overnight garaging and parking of the vehicles and arrange for proper custody of ignition keys.
- 7.13.3 All Drivers shall have a valid driver's license appropriate for the class of vehicle. Any employee authorizing improper use of the vehicle shall be held personally responsible, making him/her liable to disciplinary action which would include making good for pecuniary loss and may be liable to dismissal from the service.
- 7.13.4 Drivers shall at all times set the highest standards of road conduct.

7.14 Reporting of Accidents

- 7.14.1 Drivers and all employees using official vehicles shall acquaint themselves with the provisions of the Traffic Act (Cap 403), which requires a driver of a vehicle involved in an accident to stop and give his/her name and address, the particulars of the vehicle, vehicle insurance particulars and address of its owner to any authorized person or to the Police as soon as possible, and in any case within 24 hours of the occurrence of the accident. This procedure shall be followed at all times in the event of an accident.
- 7.14.1 In addition to providing a report to the Police, if the driver shall not be incapacitated by the accident, he/she shall submit a preliminary accident report to the Vice-Chancellor within 24 hours of the occurrence of the accident.

7.15 Traveling by Air

- 7.15.1 When required to travel by air, all members of staff shall be governed by the prevailing government policy in terms of class of travel.

7.16 Travelling for Interview

- 7.16.1 An employee who is invited for an interview/meeting by the University of Eldoret will be regarded as travelling on duty and will be reimbursed the cost of travelling expenses.

7.17 Transportation of Baggage

- 7.17.1 Where transport is not provided to an employee when traveling on transfer, termination of appointment or retirement, shall be permitted to carry personal baggage by rail or road at the expense of the University of Eldoret. The employee shall be reimbursed the cost of transport at the prevailing rates of baggage allowance as shall be determined by the Council in accordance with the respective negotiated and agreed CBAs.
- 7.17.2 In addition, in case of a deceased employee, the legal representative shall be eligible for the re-imbursement.

7.18 Transportation for Burial

- 7.18.1 On the death of an employee, spouse or child the University of Eldoret will provide a hearse to ferry the deceased. The University of Eldoret shall also facilitate provision of reasonable means of transportation for the family of the deceased.
- 7.18.1 Employees authorized to travel for burial of deceased employee, parent, spouse or child shall be facilitated as per the respective and negotiated and agreed CBAs.

SECTION 8: PERFORMANCE MANAGEMENT

8.1 Introduction

- 8.1.1 The University will take into account individual performance and reward employees for their contribution in a fair and equitable manner. The Performance Management System (PMS) has therefore been designed to achieve this objective, among others.
- 8.1.2 The Performance Management System will support the University to attain the following, among others:
- a) Attract qualified employees;
 - b) Retain qualified employees;
 - c) Motivate employees by rewarding good performance; and
 - d) Support management in the realization of the objectives of the University.
- 8.1.3 The performance appraisal system provides for setting of performance targets, work planning and evaluation of performance.

8.2 Objectives of Performance Appraisal

- 8.2.1 Staff Performance Appraisal is a critical component of the human resource management function. The overall objective of the appraisal system is to manage and improve performance by enabling a higher level of members of staff participation and involvement in planning, delivery and evaluation of work performance.
- 8.2.2 The specific objectives are :-
- a) Link individual performance with the University's performance;
 - b) Enable Supervisor and Appraisee to continuously assess work progress;
 - c) Assess the learning and development needs of employee on timely basis;
 - d) Promote accountability in the University;
 - e) Promote communication and encourage continuous feedback between Appraisee and supervisor;
 - f) Set the basis on which an employee's performance is monitored and evaluated as stipulated in the individual work plan;
 - g) Improve the quality of work through better planning, ongoing discussions and fair participatory appraisal; and

- h) Provide information for decision-making on administrative and human resource issues such as renewal of contracts, promotions, delegation of duties, training, deployment, reward and sanctions.

8.3 Performance Management Process

8.3.1 Performance Management is based on the following underlying principles, and the need: -

- a) To identify individual/team objectives and performance measures linked to the Vision, Mission, Core Values and Strategic Objectives of the University.
- b) To promote employee career development by creating learning environment and ensuring quality improvement through training, coaching, counseling and mentoring.
- c) To provide open and honest periodic evaluation of an employee's performance.
- d) To link the annual salary increment to the employee's performance rating.

8.3.2 Each employee will have a job description, outlining basic responsibilities. Job descriptions will be written in a simple language that clearly defines the scope and limitations of the job ensuring that:

- a) Upon employment, an employee will be given a job description for appointed position;
- b) An employee will be required to confirm receipt and attest to having read and understood the job description by signing a copy, which will be placed in his personal file; and
- c) All job descriptions will be approved by the immediate supervisor and the respective Heads of the various Departments.

8.3.3 Job description will contain the following basic information:

- a) Job title
- b) Location of job
- c) Reporting relationships
- d) Major responsibilities
- e) Limits of an employee's University of Eldoret

8.3.4 The job descriptions are not static and are subject to change from time to time in response to the University's needs and individual employee competencies.

8.3.5 Staff Competencies and Values Assessment

- i) Achievement of performance targets will also depend on possession of certain specific competencies. Besides these competencies, it is important to ensure that results in the University are realized through the observance of certain well defined values and ethics. A set of values and competencies has therefore been included in the Performance Appraisal Form to ensure that they are appraised alongside the performance targets.
- ii) The Supervisor will discuss each competency and value with the appraisee at the beginning of the appraisal period in order to be clear on the relevance of the competencies and values to the performance of the appraisee. This way, mutual understanding can be achieved in mid-term discussions and final appraisal.

8.3.6 Core Competencies

The following are the skills, behaviour and work related attributes against which staff will be appraised:

- i) Professionalism
- ii) Drive and Motivation
- iii) Adaptability to work environment
- iv) Acceptance of responsibility
- v) Accuracy and Clarity
- vi) Technical competency
- vii) Communication skills
- viii) Teamwork
- ix) Time management and deadline on assignments
- x) Creativity
- xi) Continuous learning and performance improvement
- xii) Customer focus
- xiii) Accountability
- xiv) Responsiveness

8.3.7 Managerial and Supervisory Competencies

The following are the skills, behaviour and work related attributes against which employees who have managerial and supervisory responsibilities will be appraised.

- i) Leadership
- ii) Integrity
- iii) Team work
- iv) Communication skills
- v) Planning and organizing
- vi) Staff development and capacity building
- vii) Managing resources and accountability
- viii) Judgment and objectivity
- ix) Managing performance

x) Promotion and use of information communication technology

8.4 Work Planning and Setting of Performance Targets

- 8.4.1 Prior to the beginning of the performance period, Departments and functional units, will prepare work plans based on the strategic plan. The Departmental Work Plans should include the Departmental priority objectives from which individual performance targets are derived. Departmental Heads will meet with employees under their direct supervision to discuss and ensure that the objectives and performance targets of the department are understood.
- 8.4.2 The individual work plans will be derived from the Departmental Work plans and employee's job description. The work plan will briefly describe the performance targets or expected results on specific assignments and activities for which the employee is responsible during the performance year.
- 8.4.3 The Appraisee will hold discussions with the immediate Supervisor to agree on the work plan. The performance targets shall thereafter be set as agreed in the discussions by latest 31st July of each year. For each performance target to be assessed there will be measurable performance indicators.
- 8.4.4 As part of the Staff Training and Development Plan, every employee will indicate at least one training goal to be achieved in the reporting period as agreed with the supervisor. This may include special assignments, continuing education, on the job training, seminars, conferences or study tours.

8.5 Appraisal Period

- 8.5.1 The appraisal period will cover one (1) year with effect from 1st July to 30th June of the following year. The Performance Appraisal reflects the summation of the year's performance.

8.6 Continuous Performance Appraisal

- 8.6.1 Performance appraisal is an on-going process throughout the performance period. Milestones over the review period should be documented and maintained in the Appraisee's personal file.

8.6.2 Employees serving on contract terms will be appraised every Quarter during the first year of the contract. If the performance is unsatisfactory, the contract will be terminated in accordance with the contract document.

8.7 Mid-Year Performance Review

8.7.1 The main purpose of the mid-year Performance Review is to accord both the Supervisor and Appraisee the opportunity to jointly review the progress made by the Appraisee in accomplishing the assignments agreed on at the beginning of the Appraisal period.

8.7.2 The review which should be in the form of discussions, should be centered on what has been achieved, any constraints experienced and whether there is need to vary the initial assignments in order to accommodate any unforeseen circumstances. Any changes, additions or removal of performance targets should however only be made in the event that there have been significant changes in the nature of functions carried out by the Appraisee and which may necessitate revision of performance targets.

8.7.3 The Supervisor should, after discussions with the Appraisee at the Mid-year Performance Review comment on the Appraisee's performance. In the event that the Supervisor leaves the Department/University, he will be required to appraise the performance of the Appraisee on pro-rata basis.

8.8 End of Year Appraisal Process

8.8.1 The End of Year Appraisal will take place at the end of the reporting period.

- a) The Supervisor and Appraisee are required to meet at the end of the year to discuss the overall performance for the whole appraisal period;
- b) Prior to the meeting, the Appraisee should prepare a preliminary report on the extent to which set targets were achieved as agreed at the beginning of the Performance Year with clear performance indicators.
- c) After the meeting, an evaluation form will be signed and dated by both the appraisee and appraiser and forwarded to respective Head of Department and to the Vice-Chancellor for endorsement.

8.8.2 In cases where the employee's performance is below acceptable standards, management will put in place a programme to help the employee improve.

8.8.3 The responsibility to have the evaluations completed in time lies with both the appraiser and appraisee.

8.9 Ad-hoc Appraisal

Ad-hoc appraisal will be done at any time when a staff requests for review.

8.10 Performance Rating Levels

The Supervisor will use the following four weighted ratings when assessing employees in his/her supervision.

- i) Performance targets met and exceeded in several areas (81-100%)(Excellent)
- ii) Performance targets fully met (66-80%)(Good)
- iii) Performance targets partially met (50%-65%)(Average)
- iv) Performance targets not met (36% - 49%)(Below Average)

Performance rating results will be communicated to employee.

8.11 Appeals

8.11.1 If an employee disagrees with an evaluation and cannot resolve the disagreement with the supervisor, the employee may appeal to the Vice-Chancellor through the Officer responsible for Human Resource for another review of his performance.

8.11.2 The appeal must be made in writing and submitted to the Officer responsible for Human Resource within ten (10) days of the initial performance appraisal meeting. The Vice-Chancellor will appoint a sub-committee to review the appraisal.

8.12 Recognition and Commendation

The Performance Appraisal System is primarily meant to manage the performance of an individual for the improvement of the performance of the University. The process of PMS will therefore, assist the management to make decisions in the following areas:

- a) Reward or remedial action in relation to employee performance;
- b) Identification of job related staff development and capacity building needs (Training Needs Analysis- TNA); and
- c) Inform placement, promotion and mobility decisions of staff in the University

8.13 Incentive Scheme

8.13.1 The University shall have an incentive scheme aimed at rewarding members of staff based on the value they are adding to the University in relation to their performance, approved experience and professional skills/competence.

8.13.2 The scheme may be composed of the following;

- a) Compensation
- b) Annual Bonus
- c) Incentives
- d) Awards
- e) Recognitions

SECTION 9: TRAINING AND DEVELOPMENT

9.1 Introduction

All newly appointed employees will undergo induction training and shall be required to visit all the departments of the University during the first week of reporting.

9.2 Mentoring

- a) Mentorship is an integral part of University on-the-job training.
- b) Supervisors will assign a mentor for each new employee.
- c) The mentor should be a senior employee in the same department.
- d) The mentor shall provide guidance to the new employee for a period of six (6) months and shall ensure that the new employee is properly integrated into the Service.

9.3 Training Needs Assessment

All training in the University shall be based on comprehensive training need assessment (TNA) to be conducted annually or as need arises. The aim is to identify performance gaps, determine their causes and recommend the appropriate intervention.

To identify the training needs of individual employees that impact on their performance, the immediate supervisor shall be expected to hold regular discussion with the employee. To adequately address the performance gap, training objectives should be aligned to the organization's strategic plan, objectives, goals and the performance appraisal system (PAS). The identified training needs should be prioritized and training plans developed and implemented.

9.4 Training Levy

The following levies shall apply as per Government regulations issued from time to time.

- a) Employee undertaking training lasting more than four (4) weeks and above in local training institutions will be required to contribute to the cost of their training at the rate of 10% of their basic salary per month for the duration of their course.
- b) Employee undertaking training lasting more than four (4) weeks and above in institutions outside the Country will be required to contribute to the cost of their training at the rate of 20% of their basic salary per month for the duration of their

- course, this is regardless of whether the courses are sponsored by the University or development partners.
- c) Employees undertaking part-time or full-time self-sponsored courses will be exempted from paying training levy.
 - d) Self-sponsored employee will be granted study leave and will be eligible for full salary and benefits as long as the course is approved, relevant and is undertaken in a recognized institution.
 - e) In cases where an employee had proceeded on a self-sponsored course approved by the University Training Committee and in course of training secures a sponsorship, the remittance of 20% training levy by the employee to the University will apply only for that duration of the sponsorship.
 - f) If sponsorship is by the University, it will not cover any outstanding fees prior to the scholarship.
 - g) Time off may be allowed to enable employees to attend part-time classes held during working hours subject to the course time table up to a maximum of one full day cumulative per week subject to the exigencies of service in the Department.

9.5 General Criteria for Staff Training and Development

- a) Staff applying for any training shall be expected to meet the requirements for the training in question.
- b) Based on continuous staff and departmental appraisals, departments shall determine training needs and identify appropriate persons for training to meet the needs.
- c) For long term training (Diplomas and, Degree programmes lasting more than one year) priority for local training will be given to members of staff based on length of service and need. For overseas training, priority will be given to members of staff as per the age limit and other conditional ties specified for the respective Scholarships, Grants and Donor Agencies.
- d) iv) Except for staff appointed on Staff Development (e.g. Graduate Assistants, Tutorial Fellows, etc), eligibility for training will be after confirmation of the appointment and after offering three years of uninterrupted service to the university or in accordance with Departmental needs. However, this requirement will not be subjected to staff attending short courses, workshops or seminars.
- e) v) In case of a staff member who had earlier gone for training, he/she has to fulfill the bonding obligations and must have worked for a period equivalent to the training period before he/she can be considered for any other training or may be in accordance with Departmental needs.
- f) Staff members proceeding on study leave must be bonded for an equivalent period of the study leave.
- g) The training must be relevant to the university needs.

- h) Availability of funds (e.g. university funding, self-sponsored, project scholarships etc.).
- i) All members of staff should have equal opportunities regardless of gender, disability, race/ethnicity and religion.
- j) Preference for training will be given to Kenyan nationals.

9.6 Procedure for applying for training and Development

- a) All members of staff wishing to undertake any training shall normally apply to the relevant authority through respective Heads of Departments/Sections.
- b) Departments/Sections shall have Departmental Staff Training and Development Committees which shall forward nominations to School Councils who will consider and make recommendations to the Staff Training and Development Committee of the University.
- c) For Non-teaching staff, Departments/Sections and Divisions will consider applications
- d) The HoD shall identify the staff training needs for the department through TNA and submit them to Human resource office
 - i) The HR shall receive training requests from HODs, prepare a training report and submit to the chair of the Staff Training and Development Committee (STDC)
 - ii) The STDC shall deliberate and submit their training recommendations to the Vice-Chancellor.
 - iii) The Vice-Chancellor through UMB shall approve training recommendations received from STDC.
- e) Vice-Chancellor shall authorize Deputy Vice-Chancellor (A&F) to prepare staff letters for staff whose training requests have been approved by UMB.
- f) Deputy Vice-Chancellor (A&F) shall authorize Legal office to issue Bond Forms to staff due for training.
- g) The Registrar (Administration) shall receive duly filled Bond Forms from staff due for training.
- h) The Registrar (Administration) shall monitor and receive training progress from the students' respective learning institutions.
- i) Registrar (Administration) shall submit the list of staff who have completed training to the HR.
- j) Human Resource shall deploy newly trained staff to relevant departments.
- k) HoD shall issue newly trained staff with job description and allocate duties accordingly.

9.6.1 UoE Training Sponsorship Request Form

Staff shall request for training by filling a Training Sponsorship Request Form.

9.6.2 Progress Report

The University shall require the training institutions and/or supervisors to submit annual progress reports on employees on study leave.

9.6.3 Training Reports

- a) All employees sponsored for training are required to prepare and submit a report to the Human Resource Department through the Head of the Department on the training attended. Special attention should be given as to how the skills acquired in the training can be shared with other employees in order to maximize the impact of each training.
- b) Training reports shall be submitted to the Head of Human Resource within four (4) weeks after the completion of the training.

9.6.4 Resumption of Duty

The employees shall resume duty within two (2) weeks upon the completion of the course or the expiry of the period of training.

9.6.5 Conference and Seminars

- a) Employees attending conference, seminars, workshops and study tours, whether locally or abroad, usually of up to four (4) weeks duration, shall be regarded as travelling on duty and shall receive appropriate allowances.
- b) Sponsorship to conferences and Seminars shall be handled in accordance to the negotiated and agreed CBAs, subject to availability of funds.

9.6.6 Service Bond

Every serving employee who attends a training lasting more than six (6) months, will be required to enter into a formal agreement binding him/her to serve University as specified in Government Circulars issued from time to time and as specified in accordance to the negotiated and agreed CBAs.

9.6.7 Training Projections

- a) The Head of Human Resource Department will prepare annual training programme and training budget in consultation with the Divisions/ Sections / Departments in the University.
- b) At the end of each year, the Human Resource Department will prepare an annual report on all the training activities carried out.

- c) The report will include an assessment of the validity and cost-effectiveness of the different activities and recommendations on training activities for the following year.

SECTION 10: CODE OF CONDUCT

10.1 Introduction

- 10.1.1 This Section contains general rules of conduct to be observed by officers so as to maintain integrity and uphold the dignity of the public office to which he has been appointed. Every officer occupies a special position in the University and should ensure that his conduct both in public and in private life does not bring the University into disrepute.
- 10.1.2 Regulations governing discipline at the University and the procedure to be followed in cases of breach of discipline are contained in this manual. (Refer to section on discipline).
- 10.1.3 In addition, an officer is required to comply with the provisions of Chapter Six of the Constitution on Leadership and Integrity and Articles 10 and 232 of the Constitution; Leadership and Integrity Act, 2012; Public Officer Ethics Act, 2003; Anti-corruption and Economic Crimes Act, 2003; Labour Relations Act, 2007 and the Employment Act, 2007.
- 10.1.4 Officers are required to adhere to their respective professional codes of conduct. It is imperative that an officer adheres to these rules of conduct, and such other rules which may be introduced from time to time.
- 10.1.5 All employees shall be required to sign the code of conduct upon employment and they will be bound by any amendments to the code of conduct.

10.2 Office Hours

- 10.2.1 The official hours are as follows:

Monday to Friday:

8.00 am to 1.00pm
2.00 pm to 5.00 pm

- 10.2.2 Though the general office hours will be as stated herein, HoDs will not be restricted to utilize employees outside these hours, when there is any cause requiring their services either earlier or later, as long as the employees put up a maximum of 40 hours per week.
- 10.2.3 For the effective running of the University, the employees should observe punctuality and regular work attendance. In case an employee is not in a position to report to work in the morning or is delayed, the head of the respective department should be notified before, as close to the regular

starting time as possible. This should not be later than 12.00pm after which the employee will be considered absent.

10.3 Official Office Attire

10.3.1 The employees of the University of Eldoret are expected to dress in formal and acceptable office attire between Mondays and Thursdays.

10.3.2 *Dress-down manual:* staff members are free to dress down on Fridays. It should, however, be noted that the free manner of dressing should also be acceptable and decent.

10.4 Core Values, Guiding Values, Principles & Requirements

10.4.1 The employees of the University shall be guided by the national values and principles of governance in Article 10 of the Constitution; provisions of Chapter 6 of the Constitution on Leadership and Integrity; Part II of the Leadership and Integrity Act, 2012 as well as the Public officers Ethics Act, 2003 revised in 2009.

10.4.2 The employees of the University shall aspire to uphold the national values and principles of governance being ;

- a) Patriotism, national unity, the rule of law, democracy and participation of the people;
- b) Human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized;
- c) Good governance, integrity, transparency and accountability; and
- d) Sustainable development.

10.5 Conflict Of Interest

10.5.1 An employee shall declare to the Vice-Chancellor according to the prescribed manner his/her personal interest (including the interest of a spouse, relative or business associate); where such interests are likely to interfere with official duties or affect personal judgment on official matters. According to the provisions of the Public Officer Ethics Act, 2003, an officer shall:

- i) Use his best efforts to avoid being in a position in which his personal interests conflict with his official duties
- ii) Not hold shares; corporate, partnership or of another body or through another person that would result to conflict of interest

- iii) Declare personal interests to the Vice-Chancellor and comply with any directions to avoid the conflict and also refrain from participating in any deliberations where such interest would conflict official duties
- iv) Not award a contract or influence the award of such a contract to himself, spouse, close relative, business associate, or a corporation, partnership or other body in which the employee has an interest.
- v) Not use his office to improperly enrich himself or another person
- vi) Not use or allow use of information acquired through his public office that is not public, for his own or other peoples' benefit.

10.5.2 Any employee whose personal interests are potentially or actually in conflict with those of his duties shall declare the personal interests to his superior or the Vice-Chancellor in writing.

10.5.3 Other situations which constitute a conflict of interest;-

- (i) Soliciting for any help, funds, favours, gifts and sponsorship from persons or institutions associated with the University or using the name of the University without the knowledge and approval of the Council.

10.6 Improper Enrichment or Receiving of Gifts

10.6.1 University employees shall not accept gifts, benefits or favors from a client where these may influence or may be seen to influence his decisions. Gifts exceeding a threshold of Kshs. 20,000.00 should not be accepted. Gifts in cash should not be accepted under any circumstance.

10.6.2 A University employee (s) shall not use their office to improperly enrich themselves or others. In this regard, a University employee shall not accept or request gifts or favours from a person who;-

- a) has an interest that may be affected by the carrying out, or not carrying out, of the public officer's duties;
- b) Carries on regulated activities with respect to which the University has a role; or
- c) has a contractual or similar relationship with the University;
- d) Improperly uses their office to acquire properties for themselves or another person, whether or not the properties are paid for; or
- e) For their personal benefit or another, use or allow the use of information that is acquired in connection with the public employee's duties and that is not public.

10.6.3 Employees are prohibited from receiving valuable presents (other than gifts from personal friends and relatives) and/or other benefits and from giving

such presents. This applies for example to Christmas presents or such kind of gifts.

- 10.6.4 This section applies not only to the employee himself, but also to his family. It is not intended to apply to cases of remuneration for special services rendered and paid for with the consent of the Council.
- 10.6.5 Presents from public personages which cannot be refused without being offensive will be handed over to the University unless prior permission has been obtained from the Vice-Chancellor for the employee to retain the present.
- 10.6.6 When presents are exchanged between employees acting on behalf of the Vice-Chancellor in ceremonial occasions with other organizations or their representatives, the presents received will be handed over to the University and any present in return will be given at the University's expense.

10.7 Harambees

- 10.7.1 A University employee shall not preside over a Harambee, play a central role in its organization or play the role of "guest of honour"; nor participate in a Harambee in such a way as to reflect adversely on their integrity or impartiality or to interfere with the performance of their official duties.

10.8 `Declaration of Income, Assets & Liabilities

- 10.8.1 Every employee shall on first appointment and after every two years thereafter submit a declaration of income, assets and liabilities of himself, spouse(s) and dependent children less than eighteen (18) years to the Public Service Commission in accordance with the Public Officer Ethics Act, 2003. The appropriate form will be supplied annually as required.

10.9 Undue influence

- 10.9.1 Employees are warned that the practice of seeking the influence of Politicians or other persons in order to be considered for promotion or other favours is viewed with disapproval. Any such attempt to obtain such favours is considered irregular and will not be of advantage to the employee and on the other hand, may actually be detrimental to the employee's interests.

10.10 Professionalism and Integrity

All employees shall: -

- a) Carry out their duties in a manner that treats the public and the fellow employees with courtesy and respect;
- b) Seek to improve the standards of performance and level of professionalism in the University;
- c) Observe the ethical and professional requirements of a professional body of which they are members;
- d) Maintain an appropriate standard of dress and personal hygiene; and
- e) Avoid practices that could lead an individual vulnerable to financial embarrassment.

10.11 Confidentiality and the Official Secrets Act, Cap 187

- 10.11.1 *Disclosure of Information:* An employee must not disclose any information concerning the affairs of the University or its employees, or show or release any official document to any person not connected with the University, or even insiders, unless he is required to do so in the course of his duties, or such disclosure as is authorized by the Vice-Chancellor. Individual invitations to give technical advice or present papers should normally be channeled through the Vice-Chancellor.
- 10.11.2 Official Documents and Legal Proceedings: An employee must not without permission make use of any official document which comes into his possession by virtue of his employment the subject of legal proceedings.

10.12 Rule of Law

- 10.12.1 Employees shall carry out their duties in accordance with the law. In carrying out one's duty, an employee shall not violate the rights and freedoms of any person as provided for in the Constitution.

10.13 Respect and Courtesy

- 10.13.1 All employees will be expected to portray utmost respect for one another, irrespective of seniority or personal status.

10.14 Discrimination

- 10.14.1 The University is opposed to all forms of discrimination. Discrimination of any sort will be reported to the Vice-Chancellor so that the matter be investigated and appropriate action taken. Any reported incidences of alleged discrimination will be treated in utmost confidence.

10.15 Confidentiality and Trust

- 10.15.1 While in the course of their duties, employees will be exposed to confidential information. In such cases, they will be expected to uphold strict standards in regard to confidentiality of information.
- 10.15.1 Disciplinary action will be taken against any employee proven to have divulged confidential information without the permission of the University.

10.16 Care of Assets

- 10.16.1 Employees are expected to ensure that assets entrusted to them are adequately protected and not misused or misappropriated.

10.16 Media Interviews& Interactions with the Media

- 10.16.1 An employee shall not, under any circumstances, communicate with the media either in writing or otherwise, or make statements on matters affecting the University's programs or policies without specific authority from the Vice-Chancellor.
- 10.16.2 An employee, whether on duty or on leave, shall not do the following without the permission of the Vice-Chancellor;-
- a) Act as the editor of any newspaper or take part directly or indirectly in the management thereof; nor
 - b) Publish in any manner anything which may be reasonably regarded as of a political or administrative nature, whether under his own name, under a pseudonym or anonymously.
 - c) Allow himself to be interviewed on questions of public policy or on matters affecting the University without the permission of the Vice-Chancellor.
- 10.16.3 While it is not desired to interfere with the liberty of free speech, any lack of discretion on the part of an employee in expressing an opinion that may embarrass the University, may result in disciplinary action being taken against him/her.
- 10.16.4 An employee may however, publish matters relating to other subjects.

10.17 Private Agencies

10.18.1 No employee may undertake any private commission in any matter connected with the exercise of his public duties. No employee shall in any manner that may be detrimental to the security interests of the University and Kenya at large, be an agent for or further the interests of a foreign Government, organization or individual.

10.18 Political Views

10.18.2 Though an employee as a Kenyan is entitled to his own political views on political matters, he shall ensure that his utterances do not implicate or compromise the University and the government at large.

10.18.3 An employee shall not, in connection with the performance of his duties, do the following:

- a) Act as an agent for a political party or so as to further the interest of the party; or
- b) Indicate support for or opposition to any political party or candidate in an election; or
- c) Use his political stand to intimidate others perceived to be of a different view.

10.19 Trading

10.19.1 Trading on official premises is strictly forbidden except where official permission has been received.

10.19.2 Away from official premises no employee may act as an agent for the sale of any articles or merchandise whilst on duty.

10.20 Borrowing and Lending Money

10.21.1 An employee is strictly forbidden:

- a) To become an agent for a moneylender.
- b) To borrow money from the University's stakeholders or members of staff of any Company doing business with the University, with whom his official duties bring him into contact.
- c) To accept premiums from other staff of the University as consideration for instructing them on how to perform their duties.

10.21 Harassment

10.22.1 Harassment is generalized as insulting and degrading behavior or statements, which could be verbal, physical, deliberate, unsolicited and unwelcome.

10.21.2 Harassment in any form is prohibited. Examples of harassment include:-

- a) Verbal harassment in the form of derogatory comments or slurs.
 - b) Unwelcome sexual advances, requests for sexual favours and other verbal or physical conduct of a sexual nature.
 - c) Physical harassment in the form of assault, impeding or blocking movement, any physical interference with normal work or movement.
 - d) Visual harassment through derogatory posters or drawings.
- 10.21.3 If an employee encounters such behaviour from anyone, including supervisors, fellow employees or other external parties, he should report the incident immediately to the supervisor, HR or to the Vice-Chancellor
- 10.21.4 If the harassment is from the Supervisor or the HR an employee will be at liberty to report the incident directly to the Vice-Chancellor
- 10.21.5 If the harassment is from the Vice-Chancellor, an employee will be at liberty to report the incident directly to a member or the Chairperson of the Council.
- 10.23 Nepotism**
- 10.23.1 An officer shall not practice undue favoritism to their relations and close relatives at the expense of the service.
- 10.24 Acting through others**
- 10.24.1 An officer contravenes the code if he causes anything to be done through another person that would constitute a contravention of the code if done by the officer, or allows or directs a person under their supervision or control to do anything that is in contravention of the code.
- 10.24.1 Contravention shall not apply where anything is done without the officer's knowledge or consent or if the officer has taken reasonable steps to prevent it.
- 10.24.2 An officer who acts under unlawful direction shall be responsible for his action.
- 10.25 Absence from Duty**
- 10.25.1 An employee shall not absent himself from duty during working hours, leave his appointed place of work or proceed to a place other than which he is usually employed, without due permission of his immediate supervisor.
- 10.25.2.1 An employee who absents himself from duty due to ill health shall be required to produce within forty-eight (48) hours a medical certificate signed

by a certified Medical Officer. If such a certificate is not forthcoming, the employee will be regarded as having been absent from duty without leave and may be liable to disciplinary action, in line with the labour laws and respective negotiated and agreed CBAs.

- 10.25.3 Where an officer is absent from duty without leave or reasonable or lawful cause for a period exceeding Forty Eight (48) hours, and is not traced within a period of seven (7) days from the commencement of such absence, the officer's salary shall be stopped and additional disciplinary process is initiated.
- 10.25.4 An employee who, without leave or reasonable cause, absents himself from duty for more than seven (7) days shall be regarded as having vacated his office and is liable to summary dismissal.

10.26 Newspapers and Publications

- 10.26.1 An employee must not, except with the express written permission of the University, act as an editor of any newspaper, or take part directly or indirectly in the management thereof, nor publish in any manner anything which may reasonably be regarded as being of a political or administrative nature, whether under his own name, under a pseudonym or anonymously.
- 10.26.2 An employee may, however, publish in his own name, matters relating to subjects of professional or general interests not involving public matters, politics, the University or Government affairs.
- 10.26.3 An employee who wishes to publish an article , the substance of which may subsequently be published, or the substance of which may reasonably be regarded as being of political or administrative nature, shall seek permission to do so from the Vice-Chancellor and a draft of the proposed article or speech submitted for approval.

10.27 Pecuniary Embarrassment

- 10.27.1 Pecuniary embarrassment from whatever cause will be regarded as impairing the efficiency of the employee and may render him liable to disciplinary action.
- 10.27.2 Employees who may be in financial difficulty will be given assistance to extricate themselves from their problems. However, there is a limit beyond which an employee may be assisted and it may be necessary to terminate the services of anyone who is persistently in financial difficulties to the extent that he either becomes a risk to the University or is unable to carry out his duties effectively.

10.28 Defense of Officers in Criminal and Civil Suits

- 1028.1 When criminal or civil proceedings are instituted against an officer as a result of an act of omission by him in the course of his official duties, he may apply to the Vice-Chancellor for assistance in his defense. If the latter is satisfied that the officer acted in good faith in the execution of his official duties and that it is in the public interest that the officer should be defended, the Vice-Chancellor shall immediately report the matter through the Council Attorney General, who will decide whether or not the officer should be defended.
- 10.28.2 Unless the proper procedure is followed, the Attorney General may decline to provide support to the officer. It is further emphasized that speed is of essence in reporting such cases to the Attorney General.

10.29 Civil Proceedings by Officers for Defamation

- 10.29.1 Where an officer has been defamed in respect of matters arising out of his official position, e.g. in the press or at a political meeting, it may be that the Government is also defamed by implication, and may, therefore, agree to give legal aid to the officer. Where such a case occurs, the officer may apply for legal aid through the Vice-Chancellor to the Attorney General. Legal aid will not be granted unless:
- a) The Government has a substantial interest in seeing that the defamatory statement is repudiated;
 - b) There is, in the opinion of the Attorney General, a good prospect of success in the action; and
 - c) The consent of the Attorney General shall be obtained before proceedings are commenced.

SECTION 11: EMPLOYEE CONDUCT AND DISCIPLINE

11.1 Introduction

- 11.1.1 Disciplinary procedures shall be used as a corrective measure to foster improvement of individual conduct. It is expected that no punishment shall be inflicted on an officer if it would be contrary to any provision of the law.
- 11.1.2 In this manual “discipline” means conforming to Service rules and regulations which prescribe expected conduct and behaviour of individual officers. It is intended to contribute to performance improvement and productivity.
- 11.1.3 The purpose of rules and regulations is to ensure compliance and discipline in the University of Eldoret and to correct any conduct that may not conform to such rules. The University of Eldoret reserves the right to impartially administer discipline and the employee has the right to be granted a fair hearing.
- 11.1.4 This policy applies to all employees and includes remedy for non-compliance of this policy and other University of Eldoret policies.
 - a) Every employee is required to maintain loyalty and also uphold the dignity of the public office to which the employee is appointed. It should be borne in mind that
 - b) Each employee occupies a special position within the University and should be proud of that position
 - c) To ensure that his/her conduct, both in public and private, does not bring the University into disrepute.
 - d) It is, therefore, imperative that every employee adheres to this policy and any other rules and regulations as may be promulgated from time to time.

11.2 Disciplinary Committee

The Council and the Vice-Chancellor shall constitute a Disciplinary Committee, which shall deliberate on disciplinary cases involving an employee in line with The Employment Act 2007, University of Eldoret Statutes 2013 and the negotiated and agreed CBAs.

11.3 Cooperation and Obedience

Every employee shall cooperate with his/her superiors in the execution of duties for which he/she is charged and shall be respectful to persons placed over him in the University in discharging such duties.

11.4 Disciplinary Offences

All disciplinary action will be conducted in accordance to the relevant CBAs, Kenya Constitution 2010, University of Eldoret Code of Conduct and Sexual Harassment policies and any other UoE policy applicable.

An employee will face appropriate disciplinary action if he/she commits the following offences;

- a) Absents himself from the office or any other proper place appointed by the Vice Chancellor for carrying out the employee's duties without leave or reasonable cause.
- b) Fails to comply and execute properly any valid order given to him/her by the Vice Chancellor or any employee duly authorized by him/her.
- c) Fails to perform and execute properly, carefully and without due diligence any work that is assigned to him/her.
- d) Uses deliberate or wilful insulting language to other employees or misbehave or conduct him/her in a manner that might be interpreted as insulting to the University or persons placed in the University over him/her, or any other person carrying out duties on behalf of the University.
- e) Renders himself unfit for the proper performance of work by becoming intoxicated while on duty or coming to work while in a state of intoxication.
- f) Fails to keep and treat the business of the University and all information coming to hand, as secret in terms of the provisions of the Official Secrets Act (Cap.187) and the University Code of Conduct.
- g) Fails to declare to the Vice-Chancellor his/her business interests, where those interests conflict with the interests of the University.
- h) Pays or authorizes payment by the University of any bill to himself or on behalf of any person, group or persons, company or partnership in which or wherein, he holds interests.
- i) Seeks to or influences any person with a view to obtaining advancement in the service of the University or intervention on his/her behalf in a matter affecting his/her service with the University.
- j) Misappropriates or embezzles the University funds.
- k) Receives or solicits gifts, rewards by himself or members of his/her family.
- l) Becomes financially embarrassed Employees will be expected to properly manage their financial affairs
- m) Makes or utters false statements in the matter which he/she is required by the Vice -Chancellor or a duly authorized employee to furnish information.
- n) Deliberately, wilfully or negligently causes improper payment out of the University's funds.
- o) Converts funds, vehicles, other assets and resources to unauthorized personal use.

- p) Associates with parties through which, or whereby the University loses funds or assets, as a result of improper documentation, either by self, third party, or through fraudulent documentation.
- q) Incites other employees or students to violence and/or disaffection against the University.
- r) Is convicted of a criminal offence.
- s) Fights, assaults or engages in riotous, disorderly or immoral behaviour on the University premises.
- t) Hawks goods, services and wares in the University premises.
- u) Utters, writes or publishes threats of any kind or obstructs, or otherwise acts or conducts himself in a manner offensive to or against any employee.
- v) Falsifies work records, for example clock cards, bonus sheets, travel claims, expense claims and stock records.
- w) Disrupts work of other employees.
- x) Gambles in premises of the University.
- y) Commits act of dishonesty at work including soliciting or accepting bribes and commissions.
- z) Commits motoring offences thereby being disqualified from driving, where driving is an essential part of the employee's contract of employment.
- aa) Misuses a pass, a travel warrant, a service forwarding note, etc.
- bb) Sexually harasses an employee at the work place. Under these Regulations, sexual advances include requests for sexual favours and other verbal or physical conduct of a sexual nature.

11.5 Summary Dismissal

The following are grounds of summary dismissal as stipulated in the Employment Act 2007.

- a) Summary dismissal shall take place when an employer terminates the employment of an employee without notice or with less notice than that to which the employee is entitled by any statutory provision or contractual term.
- b) Subject to the provisions of this section, no employer has the right to terminate a contract of service without notice or with less notice than that to which the employee is entitled by any statutory provision or contractual term.
- c) Subject to the provisions of this Act, an employer may dismiss an employee summarily when the employee has by his conduct indicated that he has fundamentally breached his obligations arising under the contract of service. Any of the following matters may amount to gross misconduct so as to justify the summary dismissal of an employee for lawful cause, but the enumeration of such matters or the decision of an employer to dismiss an employee summarily under subsection (c) shall not preclude an employer or an employee from respectively alleging or

disputing whether the facts giving rise to the same, or whether any other matters not mentioned in this section, constitute justifiable or lawful grounds for the dismissal if:-

- i) Without leave or other lawful cause, an employee absents himself from the place appointed for the performance of his work.
- ii) During working hours, by becoming or being intoxicated, an employee renders himself unwilling or incapable to perform his work properly.
- iii) An employee wilfully neglects to perform any work which it was his duty to perform, or if he carelessly and improperly performs any work which from its nature it was his duty, under his contract, to have performed carefully and properly.
- iv) An employee uses abusive or insulting language, or behaves in a manner insulting, to his employer or to a person placed in authority over him by his employer.
- v) An employee knowingly fails, or refuses, to obey a lawful and proper command which it was within the scope of his duty to obey, issued by his employer or a person placed in authority over him by his employer.
- 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; or
- 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 his employer or his employer's property.

11.6 Forms of Punishment

One or more of the following forms of punishment shall be meted out to an employee found to have committed an act of omission or Commission of any of the offences/misconducts mentioned under section 7.9 of this policy as a result of disciplinary proceedings:-

- a) Reprimand/Caution
- b) Severe reprimand
- c) Stoppage of Salary increment
- d) Withholding of Salary increment
- e) Deferment of Salary increment
- f) Recovery of the cost or part of the cost of any loss or breakage caused by default or negligence provided no such cost has been recovered by surcharge action.
- g) Demotion
- h) Transfer
- i) Suspension

- j) interdiction
- k) Termination from service
- l) Summary Dismissal

11.7 Disciplinary Procedure

When an employee is deemed to have breached the University regulation the following procedure will be followed.

- a) The employee is verbally warned.
- b) The employee is verbally warned and a record of the warning documented.
- c) If the employee does not reform or if the offence committed is deemed to be serious, the employee is given a "show cause" letter to which he/she must respond to within fourteen (14) days
- d) If the response is satisfying, the University will accept the explanation.
- e) If the response is not satisfactory, the employee is issued with a serious warning; and
- f) If the case is deemed to be of gross misconduct, the Human Resource will summarize the accusation and the response, and forward the same to the disciplinary committee for a hearing.

The procedures to be followed when dealing with discipline matters are based on Employment Act, 2007 and as per the negotiated and agreed CBAs as;

- a) Disciplinary action taken must be processed through the Disciplinary Committee.
- b) All acts of misconduct by employees shall be dealt with as soon as possible after the time of their occurrence.
- c) Where Vice-Chancellor considers it necessary to institute disciplinary proceedings against a member of staff on the grounds of misconduct which, if proved would, in his/her opinion, justify any of the punishments, he/she shall, after preliminary investigation and consultation as to the terms of charge as he/she considered necessary, forward to the staff a statement of charge(s) against him/her together with a brief statement of the allegations, on which each charge is based, and shall invite the employee to state in writing, should he/she so desire, before a date to be specified, any grounds on which he/she relies to clear himself/herself.
- d) If an employee does not furnish a reply to a charge(s) forwarded under (iv) above within the period specified, or if in the opinion of Vice -Chancellor, he/she fails to exonerate himself/herself, the Vice -Chancellor shall forward to the disciplinary Committee.
- e) If the Committee is of the opinion that no further investigation is necessary, it shall forthwith decide to invite the employee to appear before it for hearing and determination.

11.8 Disciplinary Process

The number of verbal and written warnings given will depend on the seriousness of the misconduct or the situation. The application of discipline will normally take the following steps:-

Step 1: Verbal Warning

This will involve talking to the employee and explaining the offence and repercussion that may occur up two (2) times. The employee will sign this record as acknowledgment that the warning has been received and understood.

Refusal by the employee to sign the acknowledgment will not invalidate the warning.

Step 2: Written Warning

When an employee has been verbally warned and recorded two times but continues to breach regulations but such breach, in the opinion of the University the breach is not gross misconduct, the University will:

- a) Serve the employee with a written notice of the complaint made against him/her;
- b) Require the employee to offer a written explanation within fourteen (14) days from the date of the notice;
- c) Consider the explanation given by the employee with any other information or evidence relevant to the matter and determine whether the employee is guilty or not;
- d) If the employee is found guilty he/she will be served with a first written warning;
- e) The written warning will be given as soon as possible after the misconduct and a copy sent to the Human Resource department for record in the employee's file.
- f) The employee will sign the record as an acknowledgment that the warning has been received and understood.

The warning will state:

- a) Details of the complaint;
- b) Changes in behaviour that are required;
- c) A period of six (6) months during which the employee's performance will again be reviewed;
- d) That failure to change may result in further disciplinary action;

A copy of this warning will be retained in the employee's file and a copy sent to the relevant Union Secretary. Refusal by the employee to sign the record shall not invalidate the issuance of the written warning.

Step 3: Second Written Warning

If the unsatisfactory situation continues within six (6) months, a memorandum summarising the details of corrective actions, referring to the prior verbal and written warnings is made. This will serve as the second written warning. A copy of this warning will be placed in the employee's personal file. The employee will sign the record as an acknowledgment that the warning has been received and understood. Refusal by the employee to sign the record shall not invalidate the issuance of the written warning. A copy is sent to the relevant Union Official(s) as specified in the CBAs.

Step 4: Final Written Warning

If the unsatisfactory situation continues within six (6) months, a memorandum summarising the details of corrective actions, referring to the prior verbal and written warnings is made. This will serve as the third written warning. A copy of this warning will be placed in the employee's personal file. The employee will sign the record as an acknowledgment that the warning has been received and understood. Refusal by the employee to sign the record shall not invalidate the issuance of the written warning. A copy is sent to the relevant Union Official(s) as specified in the CBAs.

Step 5: Final Decision and Action

Where Steps 1 to 4 have been followed but performance remains unacceptable or where the employee continues to breach the University Regulations, a final recommendation shall be made for disciplinary action as follows:-

Suspension

An employee may be suspended only if proceedings which may lead to his dismissal are being taken or are about to be taken or when criminal proceedings are being instituted against him.

An employee may be suspended from duty under the following circumstances:

- i) When he/she has been convicted of a serious criminal offence; or
- ii) When as a result of the proceedings for dismissal taken against him the University considers that the employee ought to be dismissed; or
- iii) When an employee is reported to have absconded duty
- iv) In special circumstances that may require further investigations and the continual presence of the employee may be deemed to interfere with the investigations.

An employee who is suspended shall receive such salary, not being less than half of his basic salary as per the Public Service Commission Act 2012 and house allowance. For the purposes of this regulation, salary refers to basic salary and does not include any allowances and benefits, other than the house allowance. However, he/she will be entitled to full medical cover and insurance, and house allowance.

Where disciplinary or criminal proceedings have been instituted against an employee under interdiction/suspension and such an employee is neither dismissed nor otherwise punished, the whole or any salary withheld or stopped shall be restored to the employee upon termination of such proceedings.

Dismissal

- (i) Depending on the nature of the misconduct, the Disciplinary Committee may recommend dismissal of an employee that is; dismiss the employee without notice or pay in lieu of notice.
- (ii) In case of misconduct, which may warrant dismissal, Disciplinary Committee will convene a meeting at the earliest possible opportunity as per the relevant CBAs.
- (iii) A Disciplinary Committee will be constituted in accordance with the University of Eldoret statutes 2013 Clause IV,7d; VI,7b, and XVIII, 2b.

Summary Dismissal

An employee who engages in gross misconduct shall be summarily dismissed in accordance with section 44 Clause 4 of the Employment Act of 2007.

Disciplinary cases shall be dealt with and finalized within a maximum period of ninety (90) days. Where a matter under investigation necessitates, the Vice Chancellor shall give an additional period with a report to the Council.

Upon receiving serious disciplinary complaints as spelt out in the employment act of 2007 on any employee in Senior Management, the Vice Chancellor/Council Chairperson shall process the matter for consideration by the relevant Council Committee. The Committee shall determine the case and in doing so shall grant the employee an opportunity to defend himself/herself.

11.9 Appeals

Where an employee is dissatisfied with the decision regarding his/her case, he/she shall appeal to the chairperson of a higher disciplinary committee or as provided by the existing Public Service Commission guidelines. The Appeals Committee shall be convened within Twenty One (21) days from the date of receipt of memorandum of appeal.

11.10 Staff on Probation

Staffs on probation are subject to the same discipline standards as Permanent employees. However, only one Formal Written warning will be given during probation. The repetition of unacceptable behaviour following the formal written warning will lead to dismissal, as the appointment will not in any case be confirmed.

11.11 Recoveries of Losses of the University Funds

- a) Where an employee negligently commits any of the following offences without satisfactory explanation, he/she shall be disciplined including surcharge for all or part of the amount involved:
 - (i) Failure to collect any monies owing to the University of which the employee is personally responsible.
 - (ii) Making or approving improper payments of University funds.
 - (iii) Loss of University property over which an employee has personal charge.
 - (iv) Misuse of University stores, vehicles or other property or services provided for official purposes; and
 - (v) Wilfully committing the University into unnecessary expenditure or liability.
- b) The amount of surcharge shall be recovered from an employee's salary in suitable instalments. An employee who is dissatisfied with surcharge may appeal against the decision taken in accordance with the laid down procedures. In addition to the surcharge, disciplinary action may be taken against an employee on account of loss of University funds.
- c) Where an employee has received any erroneous payment, he/she shall be liable to refund to the University the amount of such payments. Deductions will be made from his/her salary in monthly instalments in amounts not exceeding 25% of his/her monthly salary. However if his/her appointment is shortly to be terminated, deductions from any sums due to him/her from the university will be made in such amounts as may be necessary to effect full recovery before termination of his/her service.

11.12 Employees Appearing in Court

An employee, who is summoned to court as a state witness, in a criminal case, or as an assessor or is summoned to court by a private individual on a case involving the University, will be regarded, as traveling on duty and the University will meet the relevant expenses. In such cases, any expenses reimbursed by the court shall be credited to the revenue of the University.

11.13 Private Civil Cases

An employee who is summoned to court at the request of a private individual, or in connection with a civil case in which the University has no interest, will make his/her own travel and leave arrangements. The employee will, however, be expected to inform the Vice Chancellor of the civil case.

11.14 Legal Proceedings by and Against Employees

This section deals with the legal Proceedings by and Against Employees Arising out of the Discharge of their Official Duties

- a) Where a criminal prosecution or civil suit is instituted against an employee as a result of an act of omission by the employee in the course of official duties, the employee may apply to the Vice Chancellor to seek for legal representation immediately he/she is arrested or served with court summons.
 - b) Where the Vice-Chancellor is satisfied that the employee acted in good faith in the execution of his/her official duties and that it is in the interest of the University that the employee should be defended, the Vice Chancellor shall consider meeting expenses incidental to the case from the University funds.
 - c) The University shall hire an advocate to defend the employee in the case.
 - d) Where any fine or award of cost or compensation is ruled by the Court, the University shall meet the expenses.

11.15 Composition of Staff Disciplinary Committees

The following disciplinary committees shall handle disciplinary cases of staff in the grades indicated:-

11.15.1 Staff Scale 14 and Above University - Council

11.15.2 Academic Staff - Grades 11 - 13

- | | |
|---|---------------|
| 1. Vice-Chancellor | - Chairperson |
| 2. Deputy Vice-Chancellor (A&F) | |
| 3. Deputy Vice-Chancellor (ASA) | |
| 4. Registrar – Administration | |
| 5. Registrar Academic - secretary | |
| 6. Registrar – Planning | |
| 7. Finance Officer | |
| 8. Senior Legal Officer | |
| 9. Two Senate Representatives | |
| 10. Respective Dean of School | |
| 11. Respective Head of Department | |
| 12. Two Union Representatives from the respective union | |
| 13. Snr. Assistant Registrar (HR) | Secretary |

11.15.3 Senior/Middle Level - Grades 5 – 13

1. Vice-Chancellor - Chairperson
2. Deputy Vice-Chancellor (A&F)
3. Deputy Vice-Chancellor (ASA)
4. Registrar Administration
5. Registrar – Academic
6. Registrar Planning
7. Finance Officer
8. Senior Legal Officer
9. Two Senate Representatives
10. Principal Security Officer
11. Legal Officer
12. Two Union Representatives from the respective union
13. Snr. Assistant Registrar (HR) -Secretary

11.15.4 Staff in Grades 1 – 4

1. Deputy Vice-Chancellor (A&F) - Chairman
2. Registrar Administration
3. Registrar – Academic
4. Finance Officer
5. Two Senate Representatives
6. Respective Head of Department
7. Senior Legal Officer
8. Principal Security Officer
9. Two Union Representatives from respective union
10. Senior Assistant Registrar (HR) - Secretary

SECTION 12: HANDLING OF GRIEVANCES

12.1 Introduction

- 12.1.1 The University of Eldoret is committed to ensuring fair treatment of all employees when dealing with grievances with a view to addressing concerns in the best manner possible. The grievances may include but not limited to; management deficiency, recruitment, promotion, conditions of service, unfair treatment of staff, sexual harassment and concerns about possible improprieties in financial reporting in internal control.
- 12.1.2 In handling grievances, the University of Eldoret shall be guided by the following principles:
- i) Fairness in regard to treatment and hearing
 - ii) Right of appeal
 - iii) Right to channel grievances
 - iv) Confidentiality
 - v) Prompt action
 - vi) Involvement of all parties

12.2 Grievance procedure

- 12.1.3 Where an employee has an individual problem or grievance not being a matter of discipline, he should in the first instance approach his immediate supervisor with a view to solving it.
- 12.1.4 The immediate supervisor shall carefully consider any submission made to him and Endeavour to settle the matter or refer the case to the Head of Department for appropriate action.
- 12.1.5 If the employee is not satisfied with the proposed decision, he may appeal through the Head of Department to the Vice-Chancellor.
- 12.1.6 It is stressed that employees should desist from presenting their individual problems or grievances to colleagues, other members of staff or members of the public not in a position to solve them.
- 12.1.7 In handling Appeals arising from grievances or the grievances dropped in a suggestion box, the officer responsible for the suggestion box shall record the details of the grievances in a grievance recording form and forward to the Vice-Chancellor.
- a) The Vice Chancellor, after considering the nature of the grievance, shall at his/her discretion:
 - b) Directly deal with the matter; or
 - c) Channel to the HR to conduct further investigations on the complaint and submit a report within a specified period.

- 12.1.8 Upon receipt of the investigation report, the Vice Chancellor shall prepare a written response to the aggrieved employee giving the reason for the decision.
- 12.1.9 Where an offence has been found to have occurred, the necessary disciplinary procedure shall be instituted against the concerned party.
- 12.1.10 Where the aggrieved party is dissatisfied with the decision made, he/she shall be accorded the right to appeal to the Council

12.3 Negotiation, Conciliation and Mediation

- 12.1.11 The Council may on its own initiative or on request made by any person undertake or facilitate negotiation, conciliation, mediation and arbitration of any issue relating to its statutory functions and encourage the parties to arrive at an amicable decision that may be just in the circumstances of the case.
- 12.1.12 The Council in carrying out negotiation, conciliation, mediation and arbitration under this paragraph shall accord every party involved an opportunity to make a representation of their case.

SECTION 13: EMPLOYEE SEPARATION

13.1 Introduction

- 13.1.1 The University recognizes that from time to time, and for various reasons, employees will leave employment and that it is important to provide for a smooth and fair separation process.
- 13.1.2 This policy is to provide a process for discharging employees who leave the University by:
- i) Ensuring equitable and consistent application of the policy to all employees.
 - ii) Ensuring balance between support for individual in transition and interests of the University.
 - iii) Ensuring compliance with applicable laws.
 - iv) Ensure benefits due are discharged within the required timelines.
- 13.1.3 Except in the case of death, only formal written communication from either employee or the University of Eldoret will constitute intention to separate.
- 13.1.4 All employees leaving the services of the University will be required to complete a clearance form, an exit interview form and the prescribed declaration of wealth form, the official Secret Acts form, KRA and HELB clearance and submit the same to the Head of Human Resource Management.
- 13.1.5 Prior to the last day of service the employee will be expected to clear and handover to the immediate supervisor.
- 13.1.6 The Head of HR in liaison with Director ICT will ensure that all applicable information communication and technology system authorizations, access control are deactivated, internal and external financial authorizations, demobilized access to University of Eldoret safes is withdrawn (where applicable) with effect from the last working day.
- 13.1.7 Upon termination of an employee's services from the University of Eldoret, the immediate supervisor will ensure that the employee has surrendered the following among others:-
- a) Medical card, employee identity card and any other official card(s) in their possession.
 - b) Office and desk keys and other keys in their possession.
 - c) Tools, equipment, user manual, including CD's & DVDs if any.

- d) Laptops, mobile phones, modems, and any other portable communication devices.
 - e) Safe codes and transaction codes if any.
 - f) Settle any outstanding University debts
- 13.1.8 The University will issue a certificate of service to all employees leaving the services of the University of Eldoret upon complete clearance.
- 13.1.9 Benefits including pension contributions under the Retirement Benefits Scheme will be paid in accordance with this manual, the Trust Deed and Rules and provisions of Retirement Benefits Act.
- 13.1.10 In all cases of separation (except death), the Vice-Chancellor shall always ensure that exit interviews are conducted.

13.2 Forms of Exit

- 13.2.1 There are various forms of exiting from the employment. These could be occasioned by any of the following:-
- a) Retirement
 - b) Resignation
 - c) Termination of employment
 - d) Expiry of contract
 - e) Dismissal
 - f) Demise on service
 - g) Redundancy
 - h) abolition of office
 - i) Retirement

13.3 An employee can retire on the following grounds

On attainment of 70 years for Academic Staff, 65 years for Middle and Senior Administrative staff and 60 years for support staff respectively as per Government guidelines and respective CBAs for the different cadres. Certified people with Disability shall retire five (5) years over and above the mandatory retirement age respectively.

13.4 Resignation

- a) An employee may resign voluntarily from his/her appointment by giving a notice or pay equivalent basic salary for the notice period in lieu of notice in line with the negotiated and agreed CBAs and the Vice-Chancellor may waive the period of notice in special circumstances.

- b) Any employee wishing to resign should submit his intention to resign in writing indicating the effective date of resignation to the Vice-Chancellor. Resignation is subject to acceptance. Employees, whose resignation has been accepted as explained above, will be entitled to benefits accrued, leave and pension/gratuity as may be applicable.
- c) On resignation, an employee is required to refund any outstanding liabilities to the University. Any amount due to the employee may be withheld and applied towards any sums due by him/her.

- 13.4.1 Any employee who resigns will cease to belong to the University of Eldoret's medical insurance scheme with effect from the date of resignation;
- 13.4.2 On resignation, an employee will be required to refund all outstanding monies/liabilities owed to the University of Eldoret. Any amount due to the employee may be withheld and applied towards any sums due to him/her
- 13.4.3 The Universality shall not accept a resignation if the resignation is aimed at avoiding anticipated or ongoing disciplinary case;
- 13.4.4 Where an officer resigns from the University of Eldoret, the officer shall be entitled to benefits in accordance with the :
- i) Terms and conditions applicable or contained in the contract of service;
 - ii) Provisions of the relevant law or regulations governing payment of terminal benefits;
 - iii) The Vice-Chancellor will accept or decline resignation in writing for all other employees while the Council will accept/decline resignation in respect of the Vice-Chancellor.

13.5 Termination of Contract

- 13.5.1 The Council reserves the right to terminate the contract of an employee for various causes including, but not limited to neglect of duty, misappropriation of assets or poor performance, at any time before the expiry of the contract period.
- 13.5.2 An employee whose contract shall be terminated shall be paid service gratuity in accordance with the terms of the employment contract.

13.6 Death

- 13.6.1 The termination of a deceased employee's employment will be effective from the date of death. Accrued benefits will be paid to the deceased legal representative.

13.7 Retirement

13.7.1 Attainment of the Mandatory Age

An employee will be required to retire on 30th June of the year following the attainment of the mandatory age of retirement

- a) To avoid succession gaps, the Council will review the case of every employee who is about to retire at least one (1) year in advance of his/her birthday in the year of retirement with a view to facilitate identification of a suitable successor.
- b) The notice of retirement shall be given to the Vice-Chancellor or he/his designate in accordance with retirement Regulations,
- c) Should it be necessary to require an employee to retire in accordance with the Regulations, reasonable notice of not less than one (1) year will be given.

13.7.2 Retirement on Medical Grounds

- i) Where it has been brought to the Vice-Chancellor attention that an officer is unfit for continued service due to ill-health, the officer may be considered for retirement on medical grounds in terms of clause (b) below.
- ii) Where it is necessary to convene a Medical Council to determine an officer's fitness for further service or otherwise, the Vice-Chancellor shall refer the case to the Doctor in-charge of Health Services.
- iii) The Doctor in-charge of Health Services shall forward the report to the Vice-Chancellor within a period of one (1) month after appearance of the Officer before the medical Council.
- iv) Retirement on medical grounds will be ratified by the Council.

13.7.3 Retirement on Abolition/Re-organization of Office

An employee may be retired either on the abolition of the office he holds or upon the re-organization of the office for efficiency in service delivery. Such action shall be approved by the Council.

13.7.4 Retirement in Public Interest

- a) Where the Vice-Chancellor, after having considered every report in his/her possession made with regard to an employee, is of the opinion that it is desirable, in the public interest, that the employee be terminated on grounds which cannot suitably be dealt with under any other provision of this Manual, he/she shall notify the employee, in writing, specifying the complaints by reason of which his/her retirement is contemplated, together

with the substance of any report or part thereof that is detrimental to the employee.

- b) If, after giving the employee an opportunity of showing cause why he/she should not be retired in the public interest, the Vice-Chancellor is satisfied that the employee should be required to retire in the public interest, he/she shall forward to the Council the report of the case, the employee's reply and his/her own comments and the Council shall decide whether the employee should be required to retire in the public interest.

13.7.5 Pre- Retirement Training

The University will liaise with the Pension Scheme to adequately prepare their employees for retirement by developing and implementing customized pre-retirement training programmes.

13.7.6 Voluntary Retirement

- a) An employee may take voluntary retirement from the service as per negotiated and agreed CBAs.
- b) Contracted employees (those not unionisable), who wish to voluntarily retire will give a three (3) month notice or 1 month notice in lieu of one month salary.
- c) The notice of retirement shall be given to the Vice-Chancellor or he/his designate in accordance with retirement Regulations

13.7.7 Involuntary Termination

Involuntary terminations are those initiated by the University and include;

- i) Layoffs resulting from staff reduction (redundancy);
- ii) Discharge for conduct not in the best interest of the University
- iii) Release for inability to perform duties or meet prescribed standards on the job; and
- iv) Absence from work for a period specified in the terms of service due to an illness or inability to work as determined by a registered medical practitioner.

The Vice-Chancellor must approve involuntary termination of employees. Employees whose employment is terminated by the University will be eligible for applicable benefits as prescribed by the University and the guidelines on Terms and Conditions of Service for public Universities

13.8 Demise in Service

Demise of an employee in service will be handled in accordance with the negotiated and agreed CBAs and as approved by Council. Upon the death of an employee, the Next of Kin of the deceased will be paid death benefits.

13.9 Clearance Certificate

Prior to the payment of final dues all employees will be required to obtain a clearance certificate confirming that they have returned all assets to the University and cleared all outstanding liabilities.

13.10 Certificate of Service

At the request of an employee exiting service, a Certificate of Service will be issued.

13.11 Indemnity Certificate

On processing of terminal benefits, the employee leaving the employment will be required to sign an Indemnity Certificate confirming that he has received his final dues and that there are no outstanding obligations on the part of the University.

13.12 Exit Interviews

13.12.1 Where an employee resigns from the University of Eldoret voluntarily, a panel of at least three (3) senior employees shall conduct an exit interview.

The employee may request a senior staff member to attend or replace a member of the appointed to undertake the interview. An exit questionnaire will be issued to all staff leaving the employment of the University of Eldoret

13.12.2 The purpose of the exit interview is to seek information from the employee as to their experience of employment with the University and to identify areas for improvement.

13.12.3 The results of the interview shall be documented and kept in the Staff Exit Interviews file for reference by the University of Eldoret.

13.12.4 Exit Procedure

The following will be the exit procedure following an employee's separation from the University:

- a) Handing over of the University property
- b) Clearance form signed by the relevant department heads;

- c) Finance department to compute final dues which include; pay for days worked payment of leave days earned and not taken and payment in lieu of notice, less any dues owed to the University.
- d) The Head of Human Resource will sign off the final dues;
- e) Gratuity payment; this will be per the set University rules; and
- f) Declaration signed by the ex-employee that he/she has no further claim against the University
- g) Issuance of the certificate of service from the Human Resource Office.
- h) Exit interview

SECTION 14: HEALTH AND SAFETY

14.1 Introduction

14.1.1 The Council recognizes and commits itself to the achievement of the highest standards of health and safety in the workplace, and the elimination or minimization of health and safety hazards and risks that may affect its employees. In this regard, it develop and implement policies and programmes that assure their protection from such hazards and disasters. The policies and programmes will be implemented in compliance with the provisions of Occupational Safety and Health Act, 2007 and other Labour Laws and relevant UoE policies.

14.2 Guidelines to General Safety

14.1.2 The University will maintain healthy and safe working conditions to ensure there is no personal injury caused by accidents.

14.1.3 Employees will always consider safety to themselves and others when performing their duties. They will not compromise on quality, cause injury, ill health, loss or environmental damage at all times.

14.3 Emergency Preparedness

14.3.1 The University will put in place adequate plans for foreseeable incidents such as accidents, explosions, fires, floods and bomb threats, prepare and outline procedures to be followed in such events.

14.3.2 Heads of Departments will have a responsibility of ensuring that all employees and visitors are informed of and are fully conversant with the emergency procedures.

14.3.4 Employees Responsibility to Health and Safety

Every employee, while at the University shall:

- a) Ensure his/her own safety and health and that of other persons who may be affected by his/her acts or omissions at the workplace;
- b) Co-operate with the Employer or any other person in the discharge of any duty or requirement imposed on the employer or that other person by his/her act or any regulation made hereunder;
- c) At all times wear or use any protective equipment or clothing provided by the employer for the purpose of preventing risks to his/her safety and health;

- d) Comply with the safety and health procedures, requirements and instructions given by a person having control over him for his/her own or any other person's safety;
- e) Report to the supervisor, any situation which he/she has reason to believe would present a hazard and which he/she cannot correct;
- f) report to his/her supervisor any accident or injury that arises in the course of or in connection with his/her work; and
- g) With regard to any duty or requirement imposed on his/her Employer or any other person by or under any other relevant statutory provision, co-operate with the employer or other person to enable that duty or requirement to be performed or complied with.
- h) An employee who contravenes the provisions of this section commits an offence and shall be liable for disciplinary action and/or prosecution.

14.4 Fire Precautions

- 14.3.1 The University will ensure that fire protection facilities provided in the various stations are adequate and maintained as advised by Fire Officers and Occupational Safety and Health employees.
- 14.4.2 The University will enforce all necessary fire precaution measures.

14.5 Fire Prevention

- 14.5.1 No hazardous or highly inflammable materials should be stored in stations without the approval of the Vice-Chancellor.
- 14.5.2 Positions of firefighting equipment must not be interfered with nor should firefighting equipment such as hose reels and extinguishers be used for purposes other than firefighting.
- 14.5.3 The University will ensure that:-
 - (i) Health and Safety Committees are formed in all premises used by employees;
 - (ii) The Committee members and all employees are appropriately trained; and
 - (iii) Firefighting drills are conducted in all premises used by employees in accordance with the requirement of the Occupational Safety and Health Act, 2007.

14.6 Notification of Fires

- 14.6.1 All fires, however small, must be reported to the Officer in charge of fires or other Government agencies such as Police or any Administrative employee within a period of twenty four (24) hours. The premises so affected by fire must

be guarded and no evidence should be interfered with until investigations are over.

- 14.6.2 It is the responsibility of whoever detects a fire to initiate alarm, inform the University security, Police and fire brigade and try to control the fire during its initial stages.
- 14.6.3 All Stations must be fitted with fire detectors, alarms, water storage tanks and pumps dedicated to firefighting only and separate from the normal water supply.

14.7 Compensation to Employees in case of Injury or Death

- 14.7.1 The University will procure a Group Personal Accident Insurance for all the employees.
- 14.7.1 Only accidents arising out of and in the course of an employee's employment resulting to injury or diseases arising from occupational hazards or death are compensable.

14.8 Reporting of Accident and Occupational Diseases

- 14.8.1 Immediately the supervisor is informed of an accident or an occupational disease resulting in death or injury to an employee under whom he is directly deployed, he should make a claim for compensation in accordance with the procedure set out below:-
 - a) In case of an accident resulting in the injury or death of an employee, Part I of the Occupational Safety and Health Services, Accident Notification form (Form DOSH 1) should be completed in triplicate.
 - b) The forms should then be dispatched to the Occupational Safety and Health employee of the region in which the accident occurred and for non-fatal accident to the Medical Practitioner who is attending to the injured employee.
 - c) The detailed procedures are contained in the relevant forms which are obtainable from the Director of Occupational Safety and Health Services in the State Department responsible for Labour.
- 14.8.1 Where the Director of Occupational Safety and Health Services finds anomalies or that the percentage given in the medical report is not in conformity with the provisions of the Work Injury Benefits Act, 2007 (WIBA), he will decline to process the compensation. The Director will inform the Vice-Chancellor of that decision giving reasons as to why he has taken the

decision and if the employee qualifies for compensation, he will advise on the action that should be taken to enable the employee's compensation to be processed.

- 14.8.2 The Vice-Chancellor may either request the Medical Officer for reassessment of the Council's liability to pay compensation or may request an officer in charge of Occupational Safety and Health Services for reassessment on the employee's diagnosis or injury.

14.9 Approval and Distribution of Compensation

14.19.1 If it is considered by the Director of Occupational Safety and Health Services that the University is liable to pay compensation, the Director will send a demand note to the Vice-Chancellor indicating the amount of money to be paid to the injured or sick employee, or the dependent(s) of a deceased employee.

- 14.9.1 The payment of the money due for compensation to the injured or deceased employee shall be made within ninety (90) days of lodging of the claim.
- 14.9.2 The injured employee or the dependent(s) of deceased employee will sign a certificate of acknowledgement of payment and complete agreement form in triplicate.
- 14.9.3 Copies of such certificate and of the appropriate agreement form should then be distributed as follows:-
- a) One copy to be handed to the employee or, in case of fatal accident, to the defendant(s);
 - b) One copy to be returned to the Vice-Chancellor; and
 - c) The other copy to be retained by the Director of Occupational Safety and Health Services.

14.10 Recourse to Court

- 14.10.1 Where the employee or the Vice-Chancellor is not satisfied with the amount of compensation computed by the Director of Occupational Safety and Health Services they may raise an objection to the said Director.
- 14.10.1 In case the employee or the Vice-Chancellor is not satisfied with the decision of the Director of Occupational Safety and Health Services in response to the objection raised, the aggrieved party may appeal to the Industrial court.

14.11 Compensation Payable during Sick Leave under WIBA

- 14.11.1 An employee on sick leave as a result of an accident or occupational disease will be entitled to full pay.

14.12 Source of Funds

- 14.12.1 The Vice-Chancellor will also budget for funds to pay Work Injury Benefits to the injured employees in compliance with Section 26(4) of the Work Injury Benefits Act, 2007.

14.13 Risk Assessment

- 14.13.1 There shall be formed a Safety Committee with representatives from all Departments, Divisions, Sections and Units under the Chairmanship of a person appointed by the Vice-Chancellor. This Committee will periodically carry out risk assessment of all Stations with the purpose of identifying hazards, analyzing the risk attached to them and initiate preventive action.

14.14 Security

- 14.14.1 The University will always put in place measures to ensure adequate security for all employees and equipment.
- 14.14.2 Employees leaving the office should ensure that all the windows are locked; the office equipment and lights are off before leaving.
- 14.14.3 Keys to filing cabinets, safes and offices containing classified materials shall be kept safely. Any loss or misplacement of keys must be reported to the officer responsible for security.
- 14.14.4 Employees will be issued with identification cards to facilitate their entry into their work station.
- 14.14.5 The University will not be responsible for loss of money or valuables left unattended while in its premises.
- 14.14.6 Employees have a responsibility to ensure a safe and secure environment at all times.

SECTION 15: EMPLOYEES WELFARE

15.1 Introduction

- 15.1.1 The University of Eldoret recognizes that, in addition to offering pay benefits, and a healthy working environment to employees, their emotional and social needs should also be catered for as they discharge their duties.
- 15.1.2 The University of Eldoret will undertake social responsibility to promote welfare amongst its employees.
- 15.1.3 The University of Eldoret will pursue a policy that addresses the various social and health challenges confronting employees in the workplace.

15.2 HIV/AIDS Policy

- 15.2.1 The University of Eldoret recognizes the impact of HIV/ AIDS in the workplace and its far reaching effects on productivity. The University of Eldoret is therefore committed to developing a programme to mitigate the effects of the pandemic. To this end the University has developed a HIV/AIDS Policy. The main objective of the policy will be to provide a framework to address HIV/ AIDS issues in the University of Eldoret.

15.3 Recognition of HIV/AIDS as a Workplace Issue

- 15.3.1 HIV/ AIDS is a workplace issue and shall be treated like any other serious illness or condition in the workplace. This is necessary not only because it affects the workforce but also the workplace.

15.4 Non-discrimination

- 15.4.1 No employee will be discriminated and/or stigmatized on the basis of real or perceived HIV status.

15.5 HIV Prevention and Management

- 15.5.1 The University of Eldoret will provide a safe working environment to all employees. All Heads of Departments have a responsibility to minimize the risk of HIV transmission by taking appropriate measures and universal infection control precautions at the workplace. These include:-

- a) Where fitness to work is impaired by illness, alternative deployment for such employees shall be arranged where possible.
 - i) Heads of Departments will be required to demonstrate leadership in addressing HIV/AIDS pandemic in the workplace through participation in awareness programmes and counseling for all employees. They will also be expected to be sufficiently informed about the pandemic in order to guide other employees in matters concerning the scourge.
 - ii) The Department responsible for Human Resource will include HIV/AIDS workplace issues in the annual strategic and budget plans.
 - iii) It is the responsibility of the employees to confirm their HIV/AIDS status through voluntary counseling and testing (Vice-Chancellor), take appropriate precautions to protect themselves against infection and infecting others and to seek information and education on the HIV/AIDS pandemic and ways to combat it.
 - iv) HIV/AIDS will not be a cause for termination of employment and infected employees will be allowed to work as long as they are fit and available for work.

15.6 Privacy and Confidentiality

- 15.6.1 No employee shall be compelled to disclose his HIV status. In cases where employees with HIV inform Management of their situation, all reasonable precaution will be taken to ensure confidentiality and the employees' right to disclosure will be observed. Access to personal data relating to an employee's HIV status will be bound by the rules of confidentiality.

15.7 Information, Education and Communication

- 15.7.1 The University of Eldoret will initiate a peer education programme to inform and educate its employees on HIV and AIDS prevention, care and support.

15.8 Care and Support

- 15.8.1 Employees who are HIV positive will be provided with counseling services to encourage them to cope with the status.

- 15.8.1 Management will allow employees with HIV/AIDS or any of its related conditions to work as long as they are medically able to perform and do not pose a danger to their own health and safety and the health and safety of others. Co-

workers will have no reason to refuse to work with or to withhold their services for fear of contracting HIV/AIDS by working with an HIV/AIDS infected person.

- 15.8.2 Employees who have reservations working with an infected person are encouraged to contact their supervisors or the Manager, Human Resource and Administration who will refer them to suitably equipped people to discuss their concerns and receive counseling sessions on the HIV and AIDS.

15.9 Counseling Services

- 15.9.1 Management will ensure that arrangements are made to provide counseling services to the employees for their well-being and in order to develop a psychologically healthy workforce as per the Public Service Policy on Guidance and Counseling.

15.10 Drug and Substance Abuse

- 15.10.1 Addiction to drugs or substance abuse will be treated like any other disease. An employee who is determined to deal with drug and substance abuse problem by engaging in rehabilitation services will be referred to a Medical employee for evaluation.

- 15.10.1 The University of Eldoret will provide both in-patient and out-patient rehabilitation services within the limits that will be provided in the Medical Insurance Scheme.

- 15.10.2 To address issues of drugs and substance abuse, the University has developed Drugs and Substance Abuse Policy.

15.11 Working Environment

- 15.11.1 Management will ensure maintenance of a smoke-free working environment. Accordingly, no person shall be permitted to smoke any tobacco or tobacco products while on the University of Eldoret's premises except in the designated smoking area.

- 15.11.2 Each employee is duty-bound to maintain a clean and healthy working environment.

15.12 Funeral Expenses

15.12.1 The University of Eldoret shall procure a comprehensive medical cover for members of staff. Funeral expenses shall be handled in accordance with negotiated CBAs.

15.13 Medical Attention

On first appointment, an employee will be required to undergo a thorough medical examination for purpose of health records.

All employees will be entitled to the following medical benefits:-

- i) In-patient medical treatment
- ii) Out-patient medical treatment.

15.13.1 In-Patient Treatment

The University shall provide an in-patient medical cover for the employee, spouse and legal children as provided for in the Employment Act, 2007 and NHIF act.

15.12.2 Out-Patient Treatment

The University shall provide medical cover for the employee, spouse and eligible children for outpatient in selected hospitals as provided for in the Employment Act, 2007 and NHIF act

15.12.3 Medical Treatment outside Kenya

- i) The University will always endeavour to provide medical treatment as is available in Kenya. However, where an employee is recommended for treatment abroad, this will be dealt with as stipulated in the negotiated and agreed CBAs with the approval of the Council.
- ii) Recommendations for treatment outside Kenya will be made by the University appointed Medical Practitioner who will certify that such treatment can only be done outside the country within the existing medical scheme.
- iii) The Council shall arrange for a medical insurance cover for those who may travel outside Kenya on official duty and for treatment.

15.14 Group Personal Accidents Insurance Covers

The University shall source for group personal accident insurance cover annually. Under this insurance cover:-

- i) All employees will be covered against accidents which may occur anytime, anywhere, in the course of duty or not.
- ii) Cases of fraud involving this cover shall lead to severe disciplinary action, which may include the withdrawal of the scheme benefits for the employee and further disciplinary action.
- iii) The University shall expect the best and most responsible behaviour from all the beneficiaries of the Cover.

15.15 Work Injury Benefit Compensation Scheme

- i) Any University employee who is injured or incurs an occupational disease, long term disability or death, normally without regard to fault, as a result of University employment, is covered by the University's Worker's Compensation Scheme as provided for in the terms and conditions of service and other relevant legislations.
- ii) All employees shall be covered by Workman's Compensation Scheme paid by the Employer under the provision of the Work Injury Benefits Act 2007.
- iii) Such benefits shall include payment of medical expenses, compensation, and demise indemnities appropriate to the particular case as in the terms and conditions of service.

15.16 Provident fund scheme

The Employer shall operate a provident fund under the custodian of trustees where the Employer and Employee make contributions as per the Pensions Act.

15.17 Pension Scheme

The Employer shall operate a pension scheme under the custodian of trustees where the Employer and Employee make contributions as per the Retirement Benefits Act, 1997.

15.18 Tuition waiver

The University may provide tuition waiver in accordance with the University Tuition Waiver Policy.

SECTION 16: OFFICIAL COMMUNICATION

16.1 Introduction

16.1.1 The University of Eldoret is committed to open and timely communication, establishment and maintenance of clear and appropriate channels of communication across the whole range of its activities as per the UOE communication policy. The Policy has established sound principles of communication within the University of Eldoret to ensure that members of staff and stakeholders understand the importance of the communication modes, format and channels.

16.2 General Guidance on Correspondences

16.2.1 Both sides of the paper should be used and a reasonable margin should be left blank on the left hand side.

16.2.2 Enclosures, unless of exceptional importance, should be avoided whenever practicable, and copies, not originals, be sent.

16.2.3 Enclosures in foreign languages should be accompanied by a translation.

16.2.4 Documents received in foreign languages should be referred to the Ministry of Foreign Affairs and International Trade for official translation, if necessary.

16.2.5 Great importance is attached to the expeditious treatment of all communication received by the University of Eldoret. Every communication requiring a response but which cannot be answered at once should be acknowledged promptly on receipt. The necessary consultations should then be finalized and appropriate reply dispatched in not more than 7 days unless it can genuinely be established that such consultations require a longer period.

16.2.6 When decisions of the University of Eldoret have to be conveyed to other organizations or to members of the public, they should be communicated as the decisions of the University of Eldoret, and not as those of an individual employee.

16.2.7 All communication touching on matters of the University of Eldoret shall be through the Vice-Chancellor.

16.2.8 An employee is not allowed to take extracts or make copies of minutes and correspondence for his own purpose, unless such correspondence is expressly addressed to the employee personally.

16.2.9 The use of courier services is encouraged, where available.

16.2.10 All external communication to the University of Eldoret should be addressed to:-

The Vice Chancellor
University of Eldoret
P.O. Box 1125,
Eldoret 30100

16.2.11 All communication should have reference numbers for identification and control purposes.

16.2.12 Communication should be consistent, through the right channels and by the authorized persons.

16.2.13 The accepted modes of communication at the University of Eldoret include:- email, telephone, letters, circulars, memoranda (memos), publications, short message service (sms), social media (on general public awareness issues) and deliberations at meetings.

16.2.14 Indulgence by members of staff in communication sites and modes that are of no benefit to the University of Eldoret during working hours should be avoided.

16.2.15 Heads of Departments/Sections shall ensure the University Communications policy is implemented within their Departments, and Sections. They shall also ensure dissemination of relevant information to their members of staff and relevant stakeholders.

16.3 Classified correspondence

16.3.1 The Government of Kenya Security Manual contains instructions regarding classified correspondence.

16.3.2 The appropriate classification should be clearly marked at the top and bottom of every page of all classified documents.

16.3.3 The Vice-Chancellor will be held responsible for ensuring that the most careful attention is paid to security matters in all offices in the University

16.4 Internal Communication

16.4.1 The University of Eldoret shall use the following channels when communicating with members of staff:-

- i) Internal memos/circulars/letters;
- ii) Emails and Short Messaging Service (SMS);
- iii) Telephone calls;
- iv) Notice Councils;
- v) E-bulletins;
- vi) Regular staff meetings;
- vii) Internal newsletters/publications;
- viii) Internet; and
- ix) Website.

16.5 Memos and Circulars

16.5.1 With regards to memos and circulars, the following shall apply:-

- a) All memos/letters should be done using relevant subject
- b) file and folioed accordingly;
- c) Internal memos shall be used for communication within the University of Eldoret;
- d) Letters shall be used for communication with external stakeholders to inform on polices and new developments;
- e) Members of staff should be briefed on the contents of such memos/letters through regular Senate, Staff meetings, visible notice Councils, internet, bulletins and internal publications;
- f) Any memo/letter/circular should be initialed by the person drafting it to allow ownership and traceability;
- g) External Letters will be issued only by the Vice-Chancellor;
- h) The action and receiving employees should sign off the relevant files in use to allow for traceability; and
- i) All correspondences should be channeled through the immediate supervisors.

16.6 External Communication

16.6.1 Communication with the general public shall include the use of:-

- i) Print media-newspapers, periodicals, journals, magazines, circulars, letters, pamphlets, emails, brochures, fliers and posters;
- ii) Electronic Media-Radio, TV, Internet and Website;
- iii) Social Media- including social networks and group Short Message Service (SMS);
- iv) Spoken word comprising of formal presentations in Senate meetings, seminars, conventions, workshops and speeches;
- v) Bill Councils and publicity posts; and
- vi) Other communication channels including exhibitions, displays and sponsorships.

16.7 Economy in use of Stationery

16.7.1 Utmost economy shall be exercised in the ordering and use of official stationery. Official stationery must not be used for private correspondence/works.

16.7.2 Printing should be reduced to a minimum. Comparative cost of using duplicating/photocopying machines and printing should be considered before any orders are given to print.

16.7.3 All stocks of official stationery should be kept under lock and key and issued by a responsible employee only when required.

16.8 Official Seal

16.8.1 The use of the official seal must be confined strictly to official requirements. Applications by private persons for impressions of official seals shall not be allowed.

16.9 Corporate Identity/Image

16.9.1 With regards to corporate identity/image, the following shall apply:-

- i) The University of Eldoret shall maintain a recognizable and consistence corporate identity throughout the offices, assets, publications and presentations;
- ii) Corporate identity is enhanced by the logo, letter head and the corporate colors;
- iii) The University of Eldoret shall use its seal on Contracts and all other documents as required by the law; and
- iv) The use of the corporate logo for private purposes is strictly prohibited.

16.10 Media Relations

16.10.1 With regards to media relations, the following shall apply:-

- i) The University of Eldoret shall cultivate a positive relationship with the media to promote public awareness and understanding of its mandate, initiatives, service and activities; and
- ii) All communication with the media shall be approved by the Vice-Chancellor, to ensure uniformity, accuracy and accountability.

16.11 Spokesperson

- 16.11.1 The Vice-Chancellor shall be the principal spokesperson of the University of Eldoret on operational matters.

16.12 Complaints Management

- 16.12.1 The University of Eldoret shall handle public complaints through the Vice-Chancellor's office. Clients/Customers are advised to address complaints or suggestions to the Vice-Chancellor through the University of Eldoret's physical address, post, fax, telephone or e-mail address.
- 16.12.2 The University of Eldoret shall establish suggestion boxes within the University of Eldoret's offices and prescribe regulations for the handling of complaints.

16.13 Inventions and Innovations

- 16.13.1 Where an invention or innovation is in all respect alien to the employment of an employee, he shall normally be granted the full rights in such invention in accordance with Intellectual Properties Act.
- 16.13.2.1 Where an invention or innovation is connected with facilities arising out of the employment of an employee, the question of his rights and those of the Government shall be referred to the relevant Government body/bodies.

16.14 Telephone Facilities/Benefit

- 16.14.1 It is the University of Eldoret's policy to maintain an appropriate telephone strategy/technology that will facilitate operational excellence. Members of staff shall use telephone facilities in a prudent and wise manner and limit such usage to official purposes only.
- 16.14.2 University of Eldoret advocates for wise use of the telephone and therefore vests responsibility/accountability in members of staff but with mechanisms to check on excesses.

SECTION 17: MISCELLANEOUS

17.1 Communication of Council's Decision

- 17.1.1 Any decision of the Council shall be communicated by the Vice-Chancellor.
- 17.1.2 Any decision of the Council affecting an individual employee shall be communicated to the employee through the relevant head of Department, Division, Section or Unit provided that the affected employee or the employee's representative shall be entitled to receive information about the decision or the reasons for the decision from the Council, if a request is made by the employee or such representative.
- 17.1.3 Notwithstanding the provisions of this paragraph, any decision of the Council may be communicated by the Chairperson if circumstances warrant it.

17.2 Complaints and Grievances

- 17.2.1 The Council may on its own initiative or on complaint made by any person investigate any issue relating to its statutory functions and powers and, make such decision as it considers just in the circumstances of the case.
- 17.2.2 The Council in carrying out investigation under this paragraph shall accord every party involved an opportunity to make a representation of their case.

17.3 University prescribed Forms

- 17.3.1 The University may prescribe forms for the better carrying out of the provisions of these Regulations.

17.4 Gender and Disability Issues

- 17.4.1 The University shall be non discriminatory or non biased on the basis of gender and/disability. This will be handled by the Directorate of Gender,Equity and Diversity and Disability Mainstreaming Committee.
- 17.4.2 All Gender and Disability mainstreaming guidelines shall be as per the Gender and Disability mainstreaming Policy. Refer to Gender Mainstreaming and Disability Policy.

**APPENDIX I: LIST OF DESIGNATED HARDSHIP AREAS
(AS MAY BE AMENDED BY GOVERNMENT FROM TIME TO TIME)**

	County	Divisions/Locations	Classification
1.	Baringo	All Divisions in Central, East and North Baringo	Extreme
2.	Garissa	All Divisions including Ijara	Extreme
3.	Isiolo	All Divisions	Extreme
4.	Mandera	All Divisions	Extreme
5.	Marsabit	All Divisions in Laisamis, North Horr&Saku including all Divisions in Moyale	Extreme
6.	Tana - River	All Divisions in Bura, Galole and Garsen	Extreme
7.	Turkana	All Divisions	Extreme
8.	Samburu	All Divisions	Extreme
9.	Wajir	All Divisions	Extreme
10.	West Pokot	All Divisions in Kacheliba, Sigor and Kapenguria	Extreme
11.	Baringo	Mogotio , Kimng'orom, KisananaSirwa and Emening Divisions	Moderate
12.	Busia	Budalangi Division Including Osieko	Moderate
13.	ElgeyoMarakwet	Tunyo, Tot and all Divisions in Keiyo South	Moderate
14.	Embu	All Divisions in Gachoka and Siakago	Moderate
15.	Homay Bay	Mbita (Rusinga Island),Lambwe,Central,Gwasi and Mfangano Divisions	Moderate
16.	TaitaTaveta	All Taveta Divisions and Manyani Prison Camp	Moderate
17.	Tharaka -Nithi	All Divisions	Moderate

18.	Kajiado Central	Central, Isinya ,Namanga , Mashuru, Magadi and Loitokitok Divisions	Moderate
19.	Kiambu	Ndeiya Division and Karai Location- Kabete	Moderate
20.	Kilifi	Ganze ,Bamba,VitengeniMarafa and Magharini Divisions and Kakoneni Location	Moderate
21.	Kitui	All Divisions	Moderate
22.	Kwale	Kinango and Samburu Divisions	Moderate
23.	Laikipia	All Divisions	Moderate
24.	Lamu	All Divisions	Moderate
25.	Machakos	All Divisions in Yatta	Moderate
26.	Makueni	Kituki ,Makindu, Mtito Andei,Kibwezi,Kathonzweni,Nguu,Mavindini Wote ,Matiliku,Mbitini,Kalawa, Kisau,KeeKasikeu Divisions	Moderate
27.	Meru	Kina Divisions (Nyambene)	Moderate
29.	Migori	Mabera ,Kehancha,Masaba Kegonga ,Ntimaru , Nyatike and Nyamutiro Divisions	Moderate
29.	Nakuru	Lower Solai Division (Rongai)	Moderate
30.	Nandi	Tinderet Division	Moderate
31.	Narok	Olokurto, Loita, Mara, Osopuko, Ololulunga, Lolgoriani Divisions and Mau Division (including Mosiro Location)	Moderate