

**MACHAKOS COUNTY ASSEMBLY****OFFICIAL REPORT****Wednesday, 28<sup>th</sup> October, 2015**

The House met at 2.30 p.m.

*[The Temporary Deputy Speaker (Mr. Raphael Mutuku) in the Chair]***PRAYERS****NOTICE OF MOTION****AUDIT OF MACHAKOS COUNTY GOVERNMENT EMPLOYEES**

**Hon. Kamitu:** Thank you Mr. Speaker, Sir. I wish to give notice of the following motion. That this Hon. House discusses and approves that an impartial audit agency be contracted to conduct an audit of Machakos County Government employees so as to tame the county wage bill. Thank you Mr. Speaker, Sir.

**Hon. Temporary Deputy Speaker:** Proceed, Clerk

**MOTION****AUDIT OF MACHAKOS COUNTY GOVERNMENT EMPLOYEES**

**Hon. Kamitu:** Thank you Mr. Speaker, Sir. That aware that the wage bill in the county is accelerating at an alarming rate and posing challenges to the development of the county, aware that there was an effort to arrest and reduce the ballooning wage bill by the National Government and that the National Government and the County Government undertook Capacity Assessment and Rationalizations of the Public Service (CARPS) geared at assessing the levels of staffing and to recommend optimum levels of staffing in the national and county governments; also aware that participation in the CARPS exercise by employees from the executive arm of the County Government was minimal. Informed that our County Government has been recruiting and terminating employment of staff un-procedurally, Mr. Speaker, Sir, aware that some employees have presented grievances to the assembly of not being issued with pay slips and employment numbers.

Moreover Mr. Speaker, Sir, aware that statements have also been requested by the Hon. Members on why staff were not being paid and the total number of staff working in the county and no substantial response has been given. Aware that the salaries of staff have been delaying because the payroll can not be closed in time as the number of staff keeps on accelerating each month and aware that this additions may result in uncertainty where the county cannot know the total number of employees it has at any given time. Mr. Speaker, Sir, further to that, aware that

the functions of the county public service pursuant to section 59 (1) (g) and (f) (??) involves to facilitate human resource planning, resource management and advising the county on the same.

Mr. Speaker, Sir, aware that the public service board requested fund for staff audit during the budget hearing, I wish to move the motion that this Hon. House discusses and approves that an impartial audit agency be contracted to conduct an audit of the Machakos County Government employees so as to tame the wage bill. Thank you Mr. Speaker, Sir. I now call upon Hon. Nduva to second the motion. Thank you. Mr. Speaker.

**Hon. Nduva:** Thank you Mr. Speaker. The matter of wage bill, Mr. Speaker, in our County Government of Machakos is a disaster. I stand to second the motion with the views that the wage bill of this County Government will not give or pave way for the development of this county because what is been paid to the staff is three times as per the requirement by the law. Mr. Speaker, the National Government request for the audit of all civil servant and we are aware that in our county executive arm, this function was not undertaken. Mr. Speaker, it will be the right time for this Hon. House to pass the motion that an audit firm be conducted.

More so Mr. Speaker, a firm that is recognized and that this Hon. House will be able to recommend because the matter of wage bill is a shame to our county government. I will say this because you know employees who are paid by this Government and they are not working. They are doing their businesses, they are working at other peoples' homes and yet they are paid by our Government. So Mr. Speaker, I believe the motion in front of this Hon. House is of much interest to every member of this county assembly. So Mr. Speaker, I stand to second the motion that an audit firm be contracted to undertaken an audit on all employees of Machakos County Government. Thank you. Mr. Speaker.

**Hon. Temporary Deputy Speaker:** Thank you. The motion is now properly before the house and I welcome contributions. Hon Joseph Itumo.

**Hon. Itumo:** Thank you Mr. Speaker. I stand here to support the motion that has just been tabled in this house. I do support because Mr. Speaker, it has been very much alarming to see most of the funds go to recurrent in terms of payment for the employees when actually our funds for development are minimal. Mr. Speaker, we have a lot of ghost workers within this Machakos and it is very much contradicting when we say this is county number one, Mr. Speaker. It might be the opposite, Mr. Speaker.

A county that has no development actually should not be number one, and this is just being caused because of much money going to the ghost workers, Mr. Speaker. I support that impartial audit be actually applied so that we may come up with those people who are just being paid actually as ghost workers, Mr. Speaker, it is very much unheard of when somebody is paid and he has not rendered services Mr. Speaker.

I do not know what to call it. I do not know whether it smells or stinks, Mr. Speaker. This is unheard of, Mr. Speaker, and this motion should be passed with immediate effect so that each and every card should be played, all the clean cards should be plain on the table and thus doing away with the dangerous cards that are being played under the table, Mr. Speaker. I stand to support this very important motion, Mr. Speaker.

**Hon. Temporary Deputy Speaker:** Hon. Mutua Mutuku.

**Hon. M. Mutuku:** Thank you Speaker and the entire house. Mr. Speaker, Sir, I stand here to make my contribution toward the motion which is before this Hon. House. Mr. Speaker, Sir, let me first applaud the mover of the motion and say Mr. Speaker, sir, we have so many county civil servants who were engaged in their positions without following due process of the law. As we are all aware, to secure a county civil servant it has to pass through County Public Service Board. Three quarters, almost 80 percent of county civil servants who were engaged by the County Government of Machakos never went through that process and that is why we have a ballooning wage bill. A wage bill which cannot be sustained which will never be sustained by this Government.

Mr. Speaker, Sir, if you relate a developing county like Machakos County and developed countries like in America, if the County Government or if a state it has to engage a civil servant that civil servant must be having job description and job specification. As we speak today, we have so many civil servants who do not know where they are supposed to report, who do not know their duties and responsibilities but they are always all over in the county offices. On the same many of the county civil servants they have been paid without following the governments' salary scale. You find somebody just with a form four certificate getting Kshs. 80,000, 70,000 and others with diplomas are getting Kshs. 150,000 even far beyond some of the directors we have at the National Government.

Mr. Speaker, Sir, as for the last two years and a half much of the money we collect as local revenue and much of the money we get from the National Government is always eaten by the wage bill. Therefore as a member of Athi River township, I hereby stand to second the motion and what need to be done and also the wage bill, the salary scale which those people are being paid need to be checked so that it is in line with the National or the county salary scale. I wish to rest my case there. Thank you and God bless you.

**Hon. Temporary Deputy Speaker:** Thank you Hon Member. Hon. Alex Kathinzi.

**Hon. Kathinzi:** Thank you Mr. Speaker. I stand to support this motion that an experienced body be employed to assist this county in terms of knowing and establishing the number of employees we have in this county. To start with, Mr. Speaker, for the sake of information, previously I was a member of labor committee public service and ICT and among other members we tried to come up with a solution on how we can establish this particular scenario.

Sometimes back in mid-May last year, total number of employees of Machakos County was 2,975. It went up by August it was 3700 and something. Now, when we were interrogating the budget with our CEC member, the already suspended CEC member Larry Wambua at 67 Airport Hotel, we were trying to enquire at least the average or the estimated value or estimated number of employees we have in Machakos County.

He came out very clear, very clean he told us absolutely no one. Himself as the CEC member has no information. The acting chairperson in the County Public Service Board is not

informed, COs are not informed even the Governor himself is not aware of the number of employees we are having.

However, he disclosed further that he is aware of many ghost workers. Some students in universities whereby they are related to some of the employees in this County Government, they are earning salaries. They are in the class room pursuing their career studies but they are getting salaries from the County Government. So who has done this? The simple question is that, it is those who have been delegated the authority to employ. We cautioned the person in charge, we called somebody called Metho who told us he is not also aware. He does not know where these people come from.

So this gives a credibility that we need assistance as the County Government because the systems we have in this County Government is not able to establish the number of employees we have in the county. Mr. Speaker, a further contradicting statement came in when the list we had from the Clerk of this county assembly, indicated that we have almost around 109 employees in this county assembly but the information which was in the hands of the CEC member, it showed that they are about 78 from the county assembly.

The biggest worry is that if the county assembly with the minimal number of clerks and the few employees just around here, the CEC member is not able to establish, even the clerk himself is not able to establish the exact number of employees including the sweepers, then that means what about the sub-counties from Mavoko, Athi River, going all the way to Masinga, Yatta and all the way to Mwala.

This is a demon. This is a disaster, Mr. Speaker. My support is that this issue should be taken with a lot of keenness to hasten the process so that we can rescue the county from sinking in terms of financial crisis. Mr. Speaker, I thank God the implementation chairperson, he is my good chairperson, he is my able chairperson, is here and with a lot of trust that this motion is going to sail through, let us make sure that this issue is handled with a lot of haste to make sure that our people are secured. Our County Government resources, we should be able to know how many people were there, the job descriptions, for how long have you been working, how many casual do we have and so forth.

In addition, Mr. Speaker, yesterday as we were interrogating the CO, the chief officer and the department of education, he gave us further information that they are intending to employ 1169 ECD child guides but the budget to pay them is below the expected standards. You remember in this particular assembly we said, if we are not going to employ a teacher or an ECD child guide or a manager for that matter, for every school then it is better we stop it. But he told us the number of schools ECD classes they need to employ the teachers is around 1169. Now plus the initial wage bill that we have been paying in this particular scenario, I think we might be forced to sell our own households to pay the debts the county is paying in terms of salaries and recurrent expenditure. Mr. Speaker, it is a pathetic situation.

For us, as Hon Members when we are delegated the authority to legislate, oversight and represent our people, we are the ones to talk on behalf of our people but in this case you find the Hon. Members' salaries is delayed up to 10th of the next month. So how are we going to be able to talk on behalf of our members or other fellow employees in the county because the problem is with us here? If you cannot defend your own problem in your own house, how are we going to manage it? So that is why I am proposing that this should not be taken just in the normal cases

and scenarios whereby we just pass regulations and motions for the sake of passing. It should be implemented within the next few days so that we can be able to establish who is the ghost worker who is working where how when how much are you earning or on half-pay salary.

Others have been suspended by the ethics and the anti-corruption, Mr. Speaker. These people are still in office. We impeached or we discussed a fellow here who is working in the department of water and he came in the next week to my ward still saying that he is in office. There is nothing we can do. So this is a big problem. Mr. Speaker, as I rest my case, I would like to applaud the mover of this motion. He is a retired guy but very brilliant. He has seen these issues so that we can be able to secure this county from sinking. Thank you. Mr. Speaker.

**Hon. Temporary Deputy Speaker:** Thank you Hon. Member. Hon. Member from Ekalakala.

**Hon. Muinde:** Thank you Mr. Speaker. This is a matter that has been brought to this house by an experienced member. Mr. Speaker, I want to applaud the Hon. Member for bringing this motion to this house but Mr. Speaker, I want to go back to my budget speech for the year 2014/2015. The budget committee had asked the assembly to order that the County Public Service Board be given two months to have a staff audit. That was not done. By then our wage bill was Kshs. 220 million a month. Mr. Speaker, as I stand here today the wage bill in Machakos is above Kshs. 3 billion per month. Mr. Speaker, per year, sorry. Ksh. 300 million, sorry, per month. So you multiply that by 12 you get to know how much we are spending not on recurrent, but on the wage bill alone.

Mr. Speaker, this county is not a big county in terms of resources and if we are not careful every month, we will only be here work and only pay our salaries. We will have nothing to take home to the citizens. Mr. Speaker, when counties began in 2013, they found the defunct council workers here but it looked like there was a belief by the new government that the former civic workers were lazy, incompetent and corrupt and with humble education. You bear me witness that the council workers that we inherited most of them are very experienced and actually with good papers. Look at the staff we inherited as a county assembly from the defunct councils. They were able to blend well with the new staff because they had the experience. No wonder this motion is brought by a man with experience and that is why we are here, Mr. Speaker.

Now when the County Public Service Board was recruited, they came in with the mentality that their job is to employ and employment they have done. Look at where we are now. Some of the staff that now the county government has, are young university students and it means by the time they retire, this county will pay through the nose for their salaries. Even a decision now to retire them, we will have to pay. It is now going to cost this county unless we allow just the normal retirement, the normal exit, the attrition, to ensure that we the old and the sick, Mr. Speaker, we are in a big problem. It will come to pass that the first assembly, the first county government, will have caused problems that will take another 20 years or 30 years to solve.

Therefore, Mr. Speaker, and even when you look at the new employees in the county executive, you will find that there are people with driving licenses that is the only certificate they

can present as a formal certificate. People with ordinary certificates, others with diplomas from third-floor colleges and not from recognized institutions, earning as much as Kshs. 100,000 per month.

You will also find people who got their jobs very well in a clean manner with Masters degrees earning as little as Kshs. 59,000 gross. Mr. Speaker, given time, that can be tabled in this house. It is a shame even the kind of employment that has been taking place in this county is skewed. If you come from an area where there is a commissioner of the Public Service Board, you are more likely to get a job. There are sub-counties that have pumped their people here, courtesy of the commissioners that represent in the service board.

Mr. Speaker, it is no wonder the CEO of the service board has been send home. It would have been better if this house had taken a decisive step to wind up the entire service board. We do away with the entire service board because they stand to be blamed for this. They can not run away and pretend they are getting orders from whichever arm of the government. They should take their responsibility. They should actually be charged for not standing to their job. Mr. Speaker, we are not yet done.

As a county, we must employ forty ward administrators. As a county we should employ enough nurses, clinical officers, nutritionists, pharmacists because our health facilities are understaffed. We should employ, Mr. Speaker, ECD teachers, I am told now they are being baptized or confirmed or they are being called Child Guides but whatever the names, these are the teachers who will be taking care of our babies.

Our primary schools in Machakos County are way above 800 but the nursery schools are much more around 1,000 and assuming one teacher per nursery school that is over a thousand and these we must employ. This is over and above our current situation. Mr. Speaker, if you go to the decentralized units, you will be shocked to find very many experienced and highly paid workers, idling.

Go to the sub county head quarters there are so many staff, who have nothing to do yet we pay a lot of money. Go to the department of public service, ask for the pay roll and there are so many people that we pay who are not giving services to our people. It is time for this House to stand up and make a decision and not only leave the decision here but to follow it up at the expense of the county executive that we hire an independent audit firm to do the audit for us, make recommendations and their findings be brought to this house for adoption, Mr. Speaker, so that we can save our county.

Our county is sinking. Our county is going to the dogs. As assembly members, we stand to be blamed. One time, our people will stand and they will say the people we entrusted with our votes to decide for us, are the people who mortgaged our county. Mr. Speaker, by supporting this motion, I want to stand as one of those who stood firmly to save the county from sinking by taking the right steps. I therefore support this motion, Mr. Speaker.

**Hon. Temporary Deputy Speaker:** Thank you for involved decision and the contribution. This time, I maybe invite Hon. Alice Nzioka.

**Hon. (Ms.) Nzioka:** Asante Bw. Spika kwa kunipa hii nafasi. Na simama kuunga mkono huo msawaada umeletwa na Mheshimiwa Kamitu. Waswahili husema ‘jungu kuu lina ukoko.’

*(Applause)*

Bw. Spika, huu mswaada ambao umeletwa hapa ni mswaada ambao kamati tekelezi, kama kuna mzaha huwa kamati tekelezi inafanya, sasa huo ni mswada wa kuchukuliwa na mikono yote miwili. Bw. Spika, juzi Mlolongo nilisimama mahali kwenye kituo cha mafuta, lori ambayo ni lori ya Machakos kukaja na dereva akiwa ndani. Sababu hawakujua mimi ni mheshimiwa, alisimama kando na rafiki yake. Wakaanza kuonga mambo ya kaunti. Singeweza kusema ata singetamka kwamba mimi ni mheshimiwa wa kaunti ya Machakos.

Mtu ukimwangalia, hali yake ni ya ufukara anasema, 'mimi nimehajiriwa na kanti. Mwenye aliniajiri hajui ata namba zangu za kipande ama kitambulisho ambayo nimebeba. Nimepewa kuendesha lori ya dhamana kama milioni 11. Leo nikitoroka ama nikienda na hii lori, hakuna mutu anaweza kuniuliza. Maana nimemaliza miezi kumi na moja sijalipwa. Hakuna mtu ananifuatilia ile kazi mimi nimefanya.' Akauliza mwenzake 'mimi, ebu ukiona mtu ambaye anaezawa nunua hii lori, nitamuuzia na niende. Sababu hakuna mtu anajua ile kazi mimi nafanya.'

Bw. Spika, hii imekuwa ni shida kubwa sana kwa kaunti yetu. Juzi sisi bunge hapa tulisema wakusanyaji wa kodi wapawe barua kwamba wameajiriwa na kaunti yetu. Mimi nilichunguza. Nikachunguza kabisa. Kuna bodi ya uajiri katika kaunti yetu. Walitoa barua kama dhamanini wafanyi kazi, wakusanyaji wa kodi walipawa hizo barua.

Siku moja baadaye, simu zikaanza kupigwa kwamba wale ambao walipatiwa hizo barua, warudishe. Kiini na maana ni sababu wamechunguzwa wakakuta ile idadi ambayo waliletwa, wengine wao ama wengine ambao waliletwa na wafanyikazi katika kaunti yetu, hawajapewa barua. Hiyo ikasimamishwa. Bw. Spika, sisi kama kaunti ya Machakos, tunakusanya kodi nyingi sana kusaidia kaunti. Tungekuwa tumefikia kilele iwe ni kaunti amabayo inatajwa.

Ukiangalia viwanda, sehemu ya Athi River sisi ndio karibu na namba moja Kenya nzima kwa viwanda lakini hiyo kazi yote Machakos haionekani. Kiini na maana sisi, pesa zetu zote tunalipa mishahara. Tunalipa wafanyikazi, Bw. Spika, hata wale ambao wanafanya kazi kwa huduma ya reli, hii reli ya serikali ambayo inawekwa ya Kenya. Mfanyikazi anafanya kazi huko alafu analipwa kaunti ya Machakos. Kwasababu gani?

Hakuna ambaye anaweza kukwambia idadi ya wafanyikazi katika kaunti ya Machakos. Bw. Spika, kamati tekelezi iangalie na ichukue hatua ya dharura kuona kwamba imeokoa kaunti yetu. Juzi katika kamati ya fedha tulimualika afisa mkuu na waziri, alafu akasema, na akaongea polepole, kwa upole, akasema nikubalieni niende katika benki nione kama naweza kopa pesa ili nilipe mishahara kwa sababu sina pesa.

Eti unataka kulipa pesa ngapi? Bw. Spika, kila mwezi tunalipa mishahara kaunti ya Machakos milioni mia tatu hamsini na inalipwa, sio wafanyi kazi ambao wanafaida kwa kaunti yetu. Utakuta nusu ya wafanyi kazi ambao wanalipwa, hawana faida yoyote kwa kaunti yetu na sisi ndio wale ambao tunapaswa kuangalia mambo yakienda mrama kwa kauni yetu, tuchunguze kabisa kwa uangalifu. Bw. Spika, sisi kama bunge, tuchukue hatua dharuru kuona tumeokoa kaunti ya Machakos. Kwa hivyo Bw. Spika, mimi nasema wabunge wenzangu tushikane mikono ili tuone kwamba tumeokoa kaunti yetu. Asante sana.

**Hon. Temporary Deputy Speaker:** Asante sana. Hon. Benedeta Mueni.

**Hon. (Ms.) Mueni:** Thank you Mr. Speaker, Sir. I think I support the motion. Supporting my motion is good that *amekuja mheshimiwa huko Kibauni. Hio kitu walikaa hapa---*

**Hon. Temporary Deputy Speaker:** Hon. Member....

**Hon. (Ms.) Mueni:** For long calling that woman who was sent home. So I think this one, they also have to know the number of the people who are working in the county. In Machakos County, people are employed so many. So many that you can not count and I am talking like a mother. In Machakos County, the beautiful women are the ones who are employed and they do not know the work they are coming to do to the county. I am talking this from my own experience. I go every where in the office and I find 10 women doing nothing. Another office 10 women doing nothing. So long as you are beautiful, you are employed.

*(Applause)*

So Mr. Speaker, Sir, I think these people they have to be counted. Because many people who are in the offices, they have no letters and they have not even gone to school. It is only that they have come to Machakos and washed themselves and applied the *Ambi* (bleach) that is what I can call it. So they have to be counted and be known what do you do, where do you, even if you are not known, where you come from. Be beautiful, you are employed. Thank you.

**Hon. Temporary Deputy Speaker:** Hon. Dominic Maitha.

**Hon. Maitha:** Thank you Mr. Speaker, I think Mr. Speaker, the matter at hand is quite pertinent it is an issue we can not afford to joke with or try to delay because its consequences, right now, are visible everywhere. We are feeling the heat ourselves. Initially, when I joined this assembly, a day like today my account was loaded as early as 24th, 25<sup>th</sup> of every month, our accounts used to be loaded because by then there was enough money in the county, the recurrent expenditure was manageable but all of a sudden, things worsened.

Mr. Speaker, Sir, I wish to throw a challenge to this Hon. House. This Hon. House has been given the power extreme power to tame all those irregularities. The constitution is very clear, I am not creating from the blues, the constitution is very clear. The County Governments Act is very clear about how appointments are supposed to be undertaken in the County Government. I was an active member of the committee on labor, we could summon chief officers, we could summon the CEC member, we could summon the county public service board but at any single day they have never given us tangible figures up to date, almost three years down the line on status of employment of this county.

Mr. Speaker, Sir, I want to quote certain sections of the County Government act. If you go to section 67 of the County Government act it stipulates clearly about how appointments should be done. Whenever you are doing an appointment in the County Government, through the



county public service board there is no person who is supposed to be engaged to undertake public service, duties without an appointment in writing.

Close to almost 80 percent of all the people working in Machakos County, have no written document to show that these are workers of the County public service. These are workers of the County Government of Machakos. Mr. Speaker, Sir, I sought a statement some two, three weeks ago as the reason as to why the county public service board of this county has not employed, has not confirmed the employment of the casuals that we have in Machakos for the last almost two and a half years.

When you go to Section 71 of the County Government Act, it is very clear. It says immediately 'after the lapse of the probationary period, which is between three to six months, those staff stand confirmed automatically.' That is the law. It is not me who created it. We have people and casuals who have been on probation for the last two years. If the law so says so, those staff stand confirmed. But what is the actual situation in Machakos County Government today? When we do not agree or in terms of, you know, you want to twist me, and then I lay off your duties immediately with no service, with nothing. But we are going against the law. Because if the law says 'within three to six months, you stand confirmed automatically.' It is not me, it is the law.

When you go to section 75 of the same, it talks of remedial measures that the county public service board should take in case an officer who has been given powers to recruit, like the chief officers under the look of the county public service goes against the requirements by law. But whenever we summon these officers from the county public service board, all what they can afford to tell us is that they realized there has been over employment without their consent.

Then what remedial measures have they taken as per the law? Have they summoned that chief officer? No, do they have any evidence as to any chief officer who went against that or any other senior officer who did that. They have done something? No. That is why the wage bill in Machakos County is going to be almost 80 percent of the total County Government collection and releases from the National Government.

To echo what Hon. Mueni has said sometimes you go to most County Government offices in Machakos you wonder whether there is competition to employ. You find an office which can only fit two people, two workers having more than 10 staff. There is someone to prepare tea, there is someone to deliver the tea, there is someone to wash the utensils, someone to go buy the ingredients.

There is someone to deliver a document to propose the purchase of the ingredients and that is work that can be done by one person. With the digital era today, you do not need a secretary, a messenger, you know all those people in one office, 10 of them, what for? You only need to text message, you send messages you know through email so that you can ease congestion even in the office and try, inasmuch as we are offering jobs and try to ease and pull down the wage bill.

Mr. Speaker, Sir, if statistics were done today, I can confirm to this house among the lowest paid cadres of staff or members of County Government are members of this Hon. House. If you go to most departments, there are people who are doing a lot of nothing in those departments and they are earning more than the Hon. Members are earning. Reason being, all County Hon. Members have their salaries determined by SRC but the situation in our county

Government is the other way round. It depends on who do you know, who brought you in employment service of Machakos County Government. That is when you can be given the amount of salary that you deserve. So we need to tame this and the constitution is very clear, salaries are supposed to be determined by SRC but it is the other way in Machakos County Government.

So we need to tame this issue because if we do not take action, Hon. Members, we will be held responsible by the electorate and the people of Machakos County outside there. They will ask us 'what then did you do to tame that exercise?' Mr. Speaker, Sir, last year the National Government ordered a count of all public servants and state officers. All County Government public officers are equivalent to the same County public government officers working in the National Government.

When it was ordered, I can confirm it was only in Machakos County where our staff were not registered. It is only those members, those staff who had been employed by the defunct municipal council and county council who went ahead and ensured that they were registered. It was alleged that they was an executive order not to have the employed servants of Machakos County Government to go and have the registration done.

We need to know if a National Executive order, National Government order had been issued, who are we as a County Government to defy? Why are we defying? It means there is something we are trying to hide. Mr. Speaker, Sir, today the Hon. Chairperson for budget committee has said it clearly. Our dispensaries are running short of staff. Key services in the County are getting not to be achieved because we do not have the right number of staff.

But when you go to the inspectorate department, there are so many people who were employed paid a lot of money, engaging in corrupt activities but they are bringing a lot of nothing to the County Government. They are competing for the few resources because those people are idle. When you go to the dogs section of the decentralized units, you will find more than almost close to almost 50 inspectorate guys. When was the last time you came across Machakos town around inspectorate officers going around handling dogs?

So those people are being paid for nothing. We are even spending extra monies to feed the dogs. So those are some of the things, Mr. Speaker, Sir, that we need to tame and unless a whip is emanates from this assembly, Mr. Speaker, we will continue to ask this question, we will continue to posses blame but the whip, the carrot and the stick, lies none other than the floor of this house.

We employed the county public service board and the law is very clear. The county government act is very clear. It says clearly if we feel these people are not giving us the services we only need 75 percent of the total numbers of members of this assembly to do away with the county public service board. Because if someone is being employed by the county public service board and that person is staying in Nairobi, working in Nairobi and that person is earning a salary then that is an incompetent service board that does not give us the results.

So Mr. Speaker, it is the high time these Hon. Members take this matter seriously and we need to work within the law inasmuch as we want to create jobs, we have a duty to deliver basic services that mwananchi require and it is out of being able to deliver these basic services that we will be able to expand the economy of our county and be able to create more jobs and more opportunities.

So for now, we need to task the county public service board because we have already given them time and they have not given us what we need. Now, it is through this assembly, and the constitution is very clear, it says clearly that the assembly can pass a resolution that we can hire or get services from a professional body. This house, this assembly is not a poor assembly. It is a rich assembly. We can get a professional person, contracted by this assembly to do that research to get the statistics and tell us how many people we have.

In case Mr. Speaker, Sir, any officer of the County Government of Machakos tries to obstruct the process, I think this Hon. House has been given powers to sanction that person even if it means to lose the services of that person we will be ready more than ready to support that motion because we are not going to let our county go to the rot while we are watching and while the constitution allows us to do so. So I support this motion and its immediate implementation is of essence. We need the support of each and every member. We do not have to come and talk in the assembly and the moment we go out there we start to say that I was not part and parcel of that discussion.

We need on all the undertakings that we pass in this house so that we can deliver the results and be accountable for what injustices that our people are going through in Machakos County. I support this motion and its immediate action, as I have said, implementation is of essence. I am in total support of this motion. Thank you Mr. Speaker, Sir.

**Hon. Temporary Deputy Speaker:** Thank you Hon. Member. Let me give this chance now to Hon. Joseph Kalunde.

**Hon. Kalunde:** Mr. Speaker, Sir, I stand to support this motion. First of all, I applaud the mover of this motion but Mr. Speaker, if we have the authority and this house has got the authority to say, enough is enough, we should not labor so much on something which we can order and our order is taken. So Mr. Speaker, Sir, I believe that together, we should not labor more than we have done now. We should pass this motion and make sure that it is implemented as soon as possible. We all know that when we entered in this house, we were requested to only give one person per elected member of county assembly for employment but even the people we had given were sacked later on but today the workers of county assembly and also for the entire county are countless.

In every corner you meet workers. In all these offices you go especially in the executive, in every department, you find more than 10 people in one office. So how can the assembly stay up to the 10th of the following month without salaries?

*(Applause)*

We should not suffer if we can remove ourselves from that mess. So Mr. Speaker, without wasting a lot of time I support this motion fully and I would like the other members of the house to support this motion and let it go through. Thank you.

**Hon. Temporary Deputy Speaker:** Thank you Hon. Joseph Kalunde. Maybe we can hear the chairperson for environment and natural resources.

**Hon. Ngunzi:** Thank you Mr. Speaker. Mine is just simple to applaud the member who came up with this motion, Hon. Kamitu, and say I still have not come to terms with myself over whether a County Government is a Government. County Governments to me are not Governments. They have been run like private firms, not even private, I have never seen this. We never witnessed those who have experience with the Government, you cannot have workers working for a Government for three years without any document to show that they are workers of the Government.

We now intend to conduct an exercise by a private audit firm to ascertain the number of workers that we have in the Government. But another day we wanted a list of all drivers engaged by the department of decentralized units and handling security cars. The list never came and, by the way, I went to the CO, decentralized units to enquire about the list, from now the sitting CO after the former one was transferred to agriculture.

She says she does not have a list and she does not know who is driving what car where. It is now three years. How do you go counting people who are not known in the offices? We have revenue collectors and it is now three years. Nobody knows who is working where, no letters of appointment, no nothing of engagement. They are there. Is this surely a Government or a personal firm where I also have a list of my workers? I know who is working where. I pay them from a record. How they were paid. I was questioning the payroll master, a Mr. Muteti on how they pay them. They are saying I do not know they are paid by.....how they know them, and there are balances, they are reminded later that you did not pay so and so who works. There are also people who are running their shops in this county who are paid.

I wonder what kind of a Government. What is this? The assembly is here. I thought we could order that this exercise be done before any other thing. We are paying Ksh. 3 billion to people sitting in their homes. Ksh. 3 billion is..... if we, sincerely, took the numbers that we needed, there are cars that stalled many years ago. There are tractor drivers, my brothers and sisters, whom we engaged. The county itself engaged 18 who were paid at Ksh. 40,000 per month then another group was recruited later a group of 40 who earn Ksh. 20,000.

All are tractor drivers some earning Ksh. 40,000 and others earning Ksh. 20,000 and all of them are at home. Only a few tractors are working. Those tractors that work, work for two months in a year and the drivers are paid for 12 months. We could be engaging casuals during the hours of need. I request this house also, as we look at the audit, that we get those tractor drivers sacked. We are spending lots of money for no reason. It is like we want to please everybody in this county so that we get votes in 2017 at the expense of development. Hon. Members this county is messed up, so messed up in terms of staff and employees that we should act now. It is either done or we are not here. We cannot sit idle and watch our people perish. I support this motion.

**Hon. Temporary Deputy Speaker:** Thank you. Hon. Peter Kyalo Kyuli.

**Hon. Kyuli:** Thank you Mr. Speaker, I stand to support this wonderful motion by one experienced Hon. Kamitu. Mr. Speaker, I am happy the goose is back home to roost and this is the time the fire that roast the goose must be very hot on the heels of the goose so that even if the

goose decides to fly, the feathers will have been burnt, Mr. Speaker. If you listen to every Hon. Member speaking here, Mr. Speaker, you will realize that there is a lot of bitterness in us and this is where the fire will be very hot this time, Mr. Speaker. For those who take things for granted, I am sure things will not be the same again. Mr. Speaker, while supporting the motion I wanted to put an input that Mr. Speaker, this audit start as fast as possible and we announce, Mr. Speaker, as a county that he or she that will not be counted, salary will be stopped forthwith, Mr. Speaker.

Why am I saying so? It is the experience, Mr. Speaker. When the National Government decided that every employee of the Government be counted, some powers that be in this county, ordered our staff not to go for registration. So those are the powers that we want to clip and those are the powers that this very hot fire must burn so that the goose is burnt seriously or roasted, Mr. Speaker, for that matter. So Mr. Speaker, from this house let us recommend that when the exercise begins, even if it begins mid month, no salaries should be paid to anybody that is not counted, Mr. Speaker.

By so doing, Mr. Speaker, those that are working in the homes of managers and directors and by the way Mr. Speaker, we have directors that direct what the directors must direct so that things that are supposed to be done by the other directors, are moved from them. Mr. Speaker, why am I saying so? I am saying so because for you to qualify to become a director, there must be another connotation put before you become a director.

So Mr. Speaker, when we say nobody will be paid, they will run from the universities, for those that are working in the universities, they will run, that are house helps of some directors that direct other directors, Mr. Speaker. So people from the homestead of some of the senior directors that direct senior directors, Mr. Speaker will run to come and be counted. And when they will be counted we will know who works where when they work and how they work and how much they are paid, Mr. Speaker.

Mr. Speaker, as we speak today, you remember there were I think 140 security cars. Mr. Speaker, each security car, at some point had two drivers, Mr. Speaker. Some other vehicles had three drivers, Mr. Speaker. As we speak today, we hardly have 40 vehicles. 100 of them have broken down, Mr. Speaker. Those 100 vehicles broke down, had three drivers. A simple arithmetic that gets you to 300 drivers that are been paid while we do not know where they work, when they go to their working places and what they used to work. What they are supposed to do in their working places. Mr. Speaker, therefore this is a very serious motion and Mr. Speaker, if as members of this assembly will ever stand to be counted it is time. It is time now that we pass a motion and follow it up the following day, Mr. Speaker.

For once Mr. Speaker, let us give timeframes, that we are passing this motion today and before the end of this month, maybe let me say not this month because we are around end month. By the end of November, we will have contracted a firm that will do this staff audit. Let us give the firm two months so that they complete that and report back to this assembly through the relevant committee so that we clear this mess once and for all and employ the staff that matter most.

One of the members said that we really need our hospitals and dispensaries equipped with staff that can handle issues pertaining to health, Mr. Speaker. While we employ a nurse, Mr. Speaker, we will be helping our people in our wards rather than employing three drivers for one vehicle that is spoilt or un-roadworthy as we speak, Mr. Speaker. Therefore I stand to support the

motion and Mr. Speaker, if possible, let us give time frames so that we do not go round and round. Thank you. Mr. Speaker.

**Hon. Temporary Deputy Speaker:** Thank you Hon Member and I would request if we can have members who are against the motion. Hon. Christine Mutune.

**Hon. (Ms.) Mutune:** Thank you Mr. Speaker, and the house at large. I am not against the motion but I am wondering because I want to remind this house that I was in a committee which was investigating the one Rosemary Mulee. We noticed a lot of nonsense going on in that department but what happened, our hands were tied, we could not produce what we got from the investigations. So I was wondering and I was asking this Hon. House this time to stand and do what they should do. To be effective enough we need to contract the audit agency from our side. When we say, the executive to do it, it will not be implemented

*(Applause)*

**Hon. Temporary Deputy Speaker:** Let us have a point of information from Hon. Peter Kyalo Kyuli.

#### POINT OF INFORMATION

**Hon. Kyuli:** Thank you Mr. Speaker. This is where Mr. Speaker, as I inform the member that this is the supreme office, let me say body in this county where we make laws and they must be followed. So from whatever side of the divide, if we say the department of finance contract, Mr. Speaker, we will avail money for them because we appropriate monies in this assembly. So the implementation part, Mr. Speaker, is the one that looks like it is neither here nor there but as the member that was contributing said, it is time that we stand and be counted.

**Hon. (Ms.) Mutune:** Thank you for the input. I was saying to be effective enough, we should not delegate the duty to anyone because this is the over sighting department and we should be on our toes now to oversight. So we are the ones to do the exercise. As you know, we have nurses, we have lab technicians who have worked for up to nine months up to date and they are not paid. Other people are being paid and they are at home. I have told you I was in the *ad-hoc* committee which was investigating the secretary, public service board and we got a lot of information. We learnt so many things that have been going round and it is the high time we check on that. So I support we do an audit, a thorough audit. Thank you Mr. Speaker, Sir.

**Hon. Temporary Deputy Speaker:** Thank you. Maybe I can give Hon.....yes point of order. Before we go to the point of order, we can have Hon. Sammy Nduva.

**Hon. Nduva:** Thank you Mr. Speaker, Sir. I think the matter in the process in the county assembly, is a matter of urgency. Mr. Speaker, protect me.

**Hon. Temporary Deputy Speaker:** You are protected.

**Hon. Nduva:** Mr. Speaker, Sir, I want to concur with Hon. Christine Mwendu because sometimes when we were handling the matter of the secretary of the public service board, it came a time that we felt and it is within the law, the county assembly can contract the agency for doing the audit not because, as Hon. Kyalo Kyuli said, how many a times this Hon. House has passed a motion that should be implemented by the executive and is not done.

The chairperson for implementation, I think is here, many a times and since the matter in this house, today, is a matter of life and death because we have employees who are working for this Government, sons of Machakos County, who have worked for over 10 months they are not paid at the same time somebody doing his business somewhere earns salary. There is no regularity of salaries. You find a tractor driver paid Kshs. 40,000, another one Kshs. 19,000, and another one Kshs. 60,000.

Mr. Speaker, we have evidence of this and if it is need to be produced in this house we have the payroll and we know how these people are being paid. So we request the Hon. House to recommend, let the agency be paid by the county assembly so that we will see things working. Thank you. Mr. Speaker.

**Hon. Temporary Deputy Speaker:** Thank you. We can have the point of information from Hon. Maitha.

#### POINT OF INFORMATION

**Hon. Maitha:** Hon Speaker, it is grave disorder as per our Standing Orders for an Hon. Member with the equivalent of the Leader of Minority and Hon. Nzoka came to this house without being properly dressed knowingly and the Standing Orders direct you, on how you are supposed to do to such members who undertake such a grave disorder, Mr. Speaker, Sir. Thank you.

**Hon. Temporary Deputy Speaker:** Thank you. Hon. Member, withdraw from the chamber. We can proceed. Hon. Muthuka.

*(Hon. Nzoka withdrew from the House)*

**Hon. Muthuka:** Thank you Mr. Speaker, Sir, and the rest of the house. Mr. Speaker, I raise here to support the motion and also to concur with Hon. Members who have contributed that is the high time we need to check or we need to take control especially on the wage bill and also on how most of the county employees are been treated. Mr. Speaker, there are so many people who have had their contracts terminated without pay.

Mr. Speaker, as I speak here now, I have three employees who used to clean our markets they have been unpaid for the last four months yet their supervisor has been promising them the money, has been requesting them to go and check for the money in their bank accounts which has not been happening. So Mr. Speaker, I would also wish, since this house has the power and

we have the budget, we have the committees and where we are not able to do these things, we have that leeway.

We can contract a professional body so that it can help us. Maybe not censure but it can help us get to know maybe how we can control this ballooning wage bill and also we can control because most of our employees have been employed and summarily dismissed un-procedurally. So we need an audit so that at least we can put things in check. So I wish to support. I would request that this should go very fast. We have one year to go. We may have that good intention but maybe we maybe caught up by time. But one year does not mean this will be the end of the county. We need employees who are permanently employed and who can work for the county without being intimidated and those who can contribute to the wellbeing of the county.

So Mr. Speaker, as we support this, we want to see things move. We cannot just let things, maybe most of the time we pass resolutions in this house but it becomes this is the end of the resolutions, so we are asking if we pass this resolution or motion, let us see something be done. Let us have that body contracted within the shortest time possible so that within maybe a month we will have the details that we want and from there we will be able may be to steer our ship back to the destination. Thank you.

**Hon. Temporary Deputy Speaker:** Thank you Hon. Member. Unless there is an opposing voice, maybe, I can proceed and give room to the mover of the motion we hear from him then I put the question. As you respond there are issues that have been raised by the Hon. Members, maybe you can respond what was the intention of the motion.

**Hon. Kamitu:** Thank you very much Mr. Speaker, once again. Mr. Speaker, Sir, you have really heard from the Hon Members. There are very strong sentiments that a wage bill or our Machakos county government, the employees, we should urgently, conduct and contract an agency that should start the exercise of auditing the number of employees we have in the county. Mr. Speaker, Sir, you have also heard the sentiments of the members because we need urgently the activities to be taken because if we are not going to do that, then when we talk about human resource management when we talk about budgeting and emoluments management, we are going to fail as a county.

So Mr. Speaker, Sir, we need also your guidance in regard to how this exercise is going to be conducted because you have heard the members. We cannot talk much. There is that urgency and now the importance of that impartial wage bill that will be able to tame the wage bill of Machakos County. It is a matter of urgency it is important now this is the time we are supposed to sharpen our swords and talk the walk so that we may save the Machakos county government. Thank you, Mr. Speaker. That is the much I can.

**Hon. Temporary Deputy Speaker:** Hon Members the essence of passing a motion is to task the relevant agency of the government to act on that resolution. As per the motion, it is very clear that we are tasking the county government to engage an independent audit agency to conduct an audit of all employees. The motion is very clear and once we resolve there is a committee on implementation that is supposed to do a follow up that this is done within the shortest time possible. Without much a do I will proceed and put the question.



*(Question put and agreed to)*

As per the Standing Orders, the committee on implementation should furnish this House with an implementation status within the stipulated time. That is within 60 days from now. Clerk, you can proceed.

### **MOTION**

#### **EXTENSION OF TIME TO COMPILE AUDIT REPORT**

**Hon. Kalunde:** Mr. Speaker, Sir, I stand on Standing Order No. 227 to request this house an extension on Public Accounts and Investments Committee period. Mr. Speaker, reference is made on the report of Auditor General on the financial statements and financial operations of Machakos county executive and Machakos county assembly and also Machakos, Mavoko, Yatta water companies and for the 16 months period ended 30th June, 2014. Pursuant to Article 229, within three months after receiving the Auditor-General report, the county assembly shall debate and consider the report and the appropriate action to be taken.

The report was committed to Public Accounts and Investments Committee on 28th July, 2015 and today is the end of the three months. The committee assignment is weighty and involves examining Chief Officers of the mentioned departments and more so, evidence collected. This is therefore is to ask this Hon. House to give house 21 more days so that we can compile the report and present it to this house without any further delay. Thank you. Mr. Speaker.

**Hon. Temporary Deputy Speaker:** Hon. Members, we have heard is a request from the Public Accounts and Investments Committee that they are requesting for an extension of 21 days. I grant that permission that within 21 days, without any further delay, we may expect the report on the floor of the house. Yes Hon. Christine Mutune.

**Hon. (Ms.) Mutune:** Thank you Mr. Speaker, Sir. I am rising to inform the Chair we have no quorum and I think we can not go on with the debate. Thank you Mr. Speaker, Sir.

**Hon. Temporary Deputy Speaker:** As the Clerk confirms, the next agenda is the report on liaison committee and you remember in the morning we were here and it was the feeling of members that we should not debate that report when most of the chairpersons were not in the chamber. I can see, from the house, that most of the chairpersons are not here and without any objection, I defer that debate of the report be debated next week on Tuesday.

### **ADJOURNMENT**

**Hon. Temporary Deputy Speaker:** There is no quorum and at the same time, that is the end of business. The house stands adjourned.

The House rose at 3.54 p.m.