



County Hall  
 Along Mwatu wa Ngoma Rd  
 P O Box 1168 – 90100  
 MACHAKOS – KENYA  
 Third Assembly  
 (No. 108)

**REPUBLIC OF KENYA  
 COUNTY GOVERNMENT OF MACHAKOS  
 COUNTY ASSEMBLY OF MACHAKOS**

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Third Session  
 (509)

**THE COUNTY ASSEMBLY**

**ORDER OF THE DAY**

**WEDNESDAY, 20<sup>TH</sup> MARCH, 2024 AT 2.30 P.M.**

**ORDER OF BUSINESS**

**PRAYERS**

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of motion
7. Statements(As listed in Appendix)

**8\*\*\*MOTION – APPROVAL OF MOTION ON ESTABLISHMENT OF YOUTH CENTERS AND SPORTS INCUBATION CENTERS**

*(Hon. Anastacia Mutevu; Special Elect MCA)*

**Honorable Speaker,** THAT Aware that Machakos County has a wealth of untapped sports talents amongst the youth which when fully developed can be a source of income;

**Further aware** that Section 8 of the Machakos County Youth Empowerment Act, 2022 provides that the government shall, in collaboration with other stakeholders promote talent development for the youth through rehabilitation of talent development infrastructures such as incubation centers;

**Noting that** the same Act in Section 6 has provided that there be youth development initiatives which the relevant department shall ensure that the youth are equipped with the necessary knowledge, skills, values and attitudes on socio-economic and political dynamics to enhance their capacity as youths and improve their living standards;

**Recognizing that** many young people who could excel in sports have fallen victim to anti-social behaviour like indulging in alcoholism, crime, drugs and substance abuse;

**Cognizant that** Kenya Table Tennis top ranked player Brian Ndunda Mutua honed his skills at Mwala Table Tennis club and has continued to play in global tournaments as well as many talented

athletes like Cosmas Ndeti and Caleb Mwangangi among others who have emerged from Machakos and scaled high heights internationally;

**Appreciating that** the County Government has Vocational Training Institutions in all eight sub-counties and they can be used as sports hub centres for indoor and outdoor games to nurture talent of young people in all sporting disciplines so that they can make a living from sports;

Hon. Speaker, I wish to move the motion THAT this House discusses and approves the Motion that the relevant department of the County Executive establishes sports incubation centers within Vocational Training Institutions implements the youth centers established at Section 9 of the Machakos County Youth Empowerment Act, 2022 to nurture sports in the County.

**9\*\*\*MOTION - ADJOURNMENT OF THE HOUSE**

*(Hon. Nicholas Nzioka- Leader of Majority/MCA-Machakos Central Ward)*

**Honorable Speaker**, I wish to move the Motion **THAT**, pursuant to Standing Order 25(3) and in line with the resolution of the House made on 20<sup>th</sup> February, 2024 (Approval of Assembly Calendar), the Assembly adjourns its regular sittings for short recess today 20<sup>th</sup> March, 2024 and resume sittings on 9<sup>th</sup> April, 2024.

*The House adjourns to Tuesday, 9<sup>th</sup> April, 2024 at 10.00 a.m.*

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\*\*\*Denotes Order of the Day\*\*\*

## **APPENDIX (I)**

**WEDNESDAY, 20<sup>TH</sup> MARCH, 2024 AT 2.30 P.M.**

### **1. STATEMENTS**

#### **(a) Response to a statement sought on safety of workers at Golden Africa Company- (Hon. Joshua Mwonga, Chairperson, Labour, Public Service and ICT Committee)**

Honorable Speaker, on Tuesday 25<sup>th</sup> July, 2023 during the morning plenary sitting, a statement was sought on safety of workers at Golden Africa company (K) Ltd (Annexure 1). The statement was referred to the Labour, Public Service and ICT Committee to inquire on what the County Government of Machakos has done to ensure adherence of safety requirements of employees while in the said factory noting that on 23<sup>rd</sup> December, 2022, three Workers of Golden Africa (K) Ltd in Mavoko Sub-county died while cleaning the Plant's septic tank which had a surge.

Honorable Speaker, the committee engaged the Chief Officer, Department of Public Service and Performance Management on the sought statement on 25<sup>th</sup> September, 2023 vide a letter Ref: MKSCA/PCS/LPSICT/VOL.4/48 (Annexure 2). The committee intended to gather any relevant laws, regulations, and policies pertaining to Occupational Health and Safety within Machakos County, including any specific county-level regulations that private companies are required to adhere to as well as details of the government agencies responsible for overseeing and enforcing Occupational Health and Safety regulations at both the county and national levels.

The Department of Public Service and Performance Management responded on 26<sup>th</sup> October, 2023 through a letter Ref. MCG/PSPM/MKSCA/VOL.1/11 by informing the committee that the department was not aware of the incidence and would enquire and provide feedback from Directorate of Occupational Safety and Health Services (Annexure 3).

Honorable Speaker, on 27<sup>th</sup> September, 2023 through letter Ref MCG/PSPM/DOSHS/Vol.1/01 the Department of Public Service and Performance Management sought for guidance on the matter from the Directorate Occupational Safety and Health Services (Annexure 4)

Honorable Speaker, the guidance from Directorate Occupational Safety and Health Services was forwarded by the Chief Officer, Public Service and Performance Management to the Assembly on 4<sup>th</sup> December, 2023 through a letter Ref. MCG/PSPM/MKSCA/VOL.1/13 which stated as follows;

1. That the Directorate of Occupational Safety and Health Services is a department in the Ministry of labour and Social Protection. The mandate of the departments is drawn from two acts of parliament namely:
  1. The Occupational Safety and Health Act 2007;
  2. The work injury Benefit Act 2007

2. The Objectives of the Department are:

- (i) Promotion of Occupational safety and health in the workplace through trainings
- (ii) Ensure safety and Health at workplace by carrying out systematic inspections
- (iii) To ensure compliance with Occupational Safety and Health Act(OSHA) 2007
- (iv) To ensure compliance with work injury benefit Act (WIBA) 2007
- (v) Ensure workers health through occupational medical examinations
- (vi) Ensure just compensation for occupational injuries and diseases
- (vii) Ensure workplace machines and plants safety through examinations and testing
- (viii) To ensure coordinate of Occupational Safety and Health(OSH) system, activity and services
- (ix) To investigate occupational accidents and incidences
- (x) To provide research and training in Occupational Safety and Health
- (xi) Monitoring workplace conditions and ensuring control through hygiene measurements

The hierarchy of safety and health at Golden Africa Kenya Limited is as highlighted below:

### **1. Engineering controls**

After the accident that happened on 23<sup>rd</sup> December 2022, the top cover of manhole was redesigned in a manner that manhole cover is no longer made of flat iron sheet but instead it's a spaced iron plates which allows air circulation.

The manhole is at a raised platform above the ground hence the wall that is exposed to the environment has a vertical dimension on which the vents have been created on its higher part just before the flat surface of the manhole to allow in air circulation.

The company has also showed continually improvement by purchasing the air quality measurements meter. This offers the readings of the levels of the following gases; Oxygen, Carbon Monoxide, Carbon Dioxide, Sulfer Dioxide, and Ammonia present in the specific workplaces. This is to avoid workers to suffer from asphyxiant.

### **2. Administration;**

The safety and health committee is in existence and has been trained on their functions and safety precautions within that company.

The safety and health audit has been carried out

The work procedure has changed to an extent that no employed persons/worker is to enter that confined space. For any operation to take place at the confined space there must be permit to work system deployed.

### **3. Personal Protective Equipment-PPE**

The PPEs have been provided however the Engineering control and administration procedures must be put in place first, this is in their company safety and health policy

#### **Conclusion by the Directorate of Occupational Safety and Health Services:**

1. According to the hierarchy of safety and health measures and the current prevailing safety precautions that are in place at Golden Africa Kenya Limited, the workplace meets requirements of the Occupational Safety and Health Act (OSHA 2007).
2. Acknowledged that there is a valid claim for work injury benefits payment for employees of Golden Africa Kenya Limited namely James Nyongesa Wanjala, Stephen Okoth Otieno and Matthew Kiprotich who lost their lives in a fatal accident that happened on 23<sup>rd</sup> December 2022.

**NOTICE PAPER**

**Tentative Business for**

**Tuesday, 9<sup>th</sup> April, 2024 Morning**

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*(Published pursuant to Standing Order 35(1))*

It is notified that the following business is ***tentatively*** scheduled to appear in the Order Paper for Tuesday, 9<sup>th</sup> April, 2024 (Morning)

**A. MOTION – APPROVAL OF REPORT OF AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF MACHAKOS COUNTY BURSARY FUND FOR THE YEAR ENDED 30<sup>TH</sup> JUNE, 2022**

*(Hon. Philip Ndolo; Chairperson, Public Accounts and Investment Committee (continuation of debate interrupted on 12<sup>th</sup> March, 2024 at 12.30 p.m.)*