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REPUBLIC OF KENYA


THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT – FOURTH SESSION (2025)

PUBLIC PETITIONS COMMITTEE

REPORT ON

THE CONSIDERATION OF PUBLIC PETITION NO. 76 OF 2023 BY ROBERTS NJJUNUKHA WEKESA OF BUNGOMA REGARDING DISCRIMINATION BY THE TEACHERS SERVICE COMMISSION ON CAREER PROGRESSION GUIDELINES FOR SPECIAL NEEDS EDUCATION TEACHERS IN KENYA

 <b>THE NATIONAL ASSEMBLY PAPERS LAID</b>	
DATE: 19 NOV 2025	DAY: WED
TABLED BY:	Chair, Public Petitions Hon. Eric Muchangi
CLERK-AT THE-TABLE:	Modo Miniam

The Directorate of Audit, Appropriations  
& General Purpose Committees

The National Assembly

Parliament Buildings

**NAIROBI**

November, 2025

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## ACRONYMS

TSC	Teachers Service Commission
KNUT	Kenya National Union of Teachers
SNE	Special Needs Education
SRC	Salaries and Remuneration Commission
TVET	Technical and Vocational Education and Training institutions
TTC	Teacher Training Colleges (TTC),
KISE	Kenya Institute of Special Education
CEMASTECA	Centre for Mathematics, Science and Technology Education in Africa
TPD	Teacher Professional Development
CPG	Career Progression Guidelines

**CHAIRPERSON'S FOREWORD**

On behalf of the Public Petitions Committee and pursuant to the provisions of Standing Order 227, it is my pleasant privilege and honour to present to this House the Report of the Committee on Petition No. 76 of 2023 regarding discrimination by the Teachers Service Commission on career progression guidelines for special needs education teachers in Kenya. The petition was presented to the House pursuant to the provisions of Standing Order No. 225(2)(b) by the Honourable Deputy Speaker on behalf of teachers employed by the Teachers Service Commission to teach learners with disabilities on 5<sup>th</sup> December, 2023.


The Petitioner prayed that the National Assembly, through the Public Petitions Committee, intervenes to revert to the provision of the Career Progression Guidelines of 2018 applicable to Special Needs Education Institutions.

The Committee considered the Petition and observed that the Teachers Service Commission was yet to align the grading structure for Special Needs Education (SNE) teachers with the Career Progression Guidelines (CPG) of 2018. The delay in the alignment was caused by the Government's payroll system, managed by the State Department of Public Service, which has been undergoing re-configuration to facilitate migration to a new payroll system, among other changes.

The Committee recommended that, the Teachers Service Commission and the State Department for Public Service under the Ministry of Public Service, Performance and delivery Management align grades for the job titles in the payroll to reflect those in the Career Progression Guidelines of 2018 specific to Special Needs Education (SNE) Teachers and backdates the implementation of the same to 2017 to ensure that Special Needs Education Teachers (SNE), get their rightful benefits accrued since the roll-out of the new payroll system.

The Committee appreciates the Offices of the Speaker and Clerk of the National Assembly for providing guidance and necessary technical support, without which its work would not have been possible. The Chairperson expresses gratitude to the Committee Members for their devotion and commitment to duty during the consideration of the Petition.

On behalf of the Committee and pursuant to the provisions of Standing Order 199, I now wish to lay the Report on the Table of the House.

  
**HON. MUCHANGI KAREMBA, CBS, M.P.**  
**CHAIRPERSON, PUBLIC PETITIONS COMMITTEE**

Date.....19/11/2025.....

## **PART ONE**

### **1 PREFACE**

#### **1.1 ESTABLISHMENT AND MANDATE OF THE COMMITTEE**

The Public Petitions Committee is established under the provisions of Standing Order 208A with the following terms of reference -

- a) considering all public petitions tabled in the House;
- b) making such recommendations as may be appropriate with respect to the prayers sought in the petitions;
- c) recommending whether the findings arising from consideration of a petition should be debated; and
- d) advising the House and reporting on all public petitions committed to it.

## 1.2 COMMITTEE MEMBERSHIP

The Public Petitions Committee was first constituted in October 2022 and reconstituted in 2025 and comprises the following Members:

### Chairperson

Hon. Muchangi Karemba, M.P.

Runyenjes Constituency

**United Democratic Alliance (UDA)**

### Vice Chairperson

Hon. Janet Jepkemboi Sitienei, M.P.

Turbo Constituency

**United Democratic Alliance (UDA)**

Hon. Patrick Makau King'ola, M.P.

Mavoko Constituency

**Wiper Democratic Movement-Kenya**

**(WDM-K)**

Hon. Edith Vethi Nyenze, M.P.

Kitui West Constituency

**Wiper Democratic Movement-Kenya**

**(WDM-K)**

Hon. Maisori Marwa Kitayama, M.P.

Kuria East Constituency

**United Democratic Alliance (UDA)**

Hon. Joshua Chepyegon Kandie, M.P.

Baringo Central Constituency

**United Democratic Alliance (UDA)**

Hon. John Kuhungi Irungu, M.P.

Kangema Constituency

**United Democratic Alliance (UDA)**

Hon. Bernard Muriuki Nebart, M.P.

Mbeere South Constituency

**Independent**

Hon. Bidu Mohamed Tubi, M.P.

Isiolo South

**Jubilee Party (JP)**

Hon. Beatrice Elachi KAdeveresia, M.P.

Dagoretti North Constituency

**Orange Democratic Movement (ODM)**

Hon. John Bwire Okano, M.P.

Taveta Constituency

**Wiper Democratic Movement-Kenya**

**(WDM-K)**

Hon. Peter Mbogho Shake, M.P.

Mwatate Constituency

**Jubilee Party (JP)**

Hon. Sloya Clement Logova, M.P.

Sabatia Constituency

**United Democratic Alliance (UDA)**

Hon. Suzanne Ndunge Kiamba, M.P.

Makueni Constituency

**Wiper Democratic Movement-Kenya**

## 1.1 COMMITTEE SECRETARIAT

The Public Petitions Committee was facilitated members of the secretariat:

**Mr. Leonard Machira  
Principal Clerk Assistant II**

**Mr. Bernard Kipchumba  
Clerk Assistant III**

**Mr. Clinton Sindiga  
Legal Counsel II**

**Mr. Arkan Mumin  
Research Officer III**

**Ms. Nancy Ouma  
Research Officer III**

**Ms. Roselyne Njuki  
Principal Serjeant-at-Arms**

**Mr. Paul Shana  
Serjeant-at-Arms**

**Mr. Calvin Karungo**

**Mr. Peter Mutethia  
Audio Officer**

**Media Relations Officer III**

## **PART TWO**

### **2 BACKGROUND OF THE PETITION**

#### **2.1 INTRODUCTION**

1. Public Petition No. 76 of 2023 regarding discrimination by the Teachers Service Commission on career progression guidelines for Special Needs Education (SNE) teachers in Kenya by Mr. Roberts Njunukha Wekesa was conveyed to the House on 5<sup>th</sup> December 2023 by the Hon. Deputy Speaker on behalf of teachers employed by the Teachers Service Commission (TSC) to teach learners with disabilities in both special schools and special school units all over the country.
2. The Petitioner stated that the Teachers Service Commission (TSC) and the Salaries and Remuneration Commission (SRC) jointly undertook a job evaluation exercise in the public teaching sector. The recommendations culminated in career guidelines, implemented on 8th November, 2017, which replaced the scheme of service for teachers.
3. Consequently, the TSC established a new grading structure, increasing the number of job grades from 10 to 11. In the Petitioner's opinion, this did not correctly place Special Needs Education Teachers in accordance with the 2018 Career Progression Guidelines.

#### **2.1 PETITIONERS' PRAYERS**

4. The Petitioners prayed that the National Assembly, through the Public Petitions Committee, intervenes to revert to the provision of the Career Progression Guideline of 2018 applicable to Special Needs Education Institutions and backdate the implementation date.

## PART THREE

### 3 STAKEHOLDERS SUBMISSIONS ON THE PETITION

#### 3.1 Submissions by the Petitioners

Mr Roberts Njunukha Wekesa, accompanied by other petitioners, appeared before the Committee on Tuesday, 30<sup>th</sup> April 2024, and submitted as follows -

5. The Special Needs Education (SNE) teachers were employed by the Teachers Service Commission (TSC) to teach learners with disabilities in both Special Schools and Special School Units across the country.
6. The Teachers Service Commission (TSC) and the Salaries and Remuneration Commission (SRC) undertook a joint job evaluation exercise in the public teaching sector, whose recommendations included a new grading structure, substantive appointment of institutional administrators and the introduction of Teacher Professional Development (TPD), which led to the development of career guidelines to facilitate implementation of the job evaluation recommendations.
7. The implementation of the career guidelines came into effect on 8<sup>th</sup> November, 2017 and replaced the scheme of service for teachers. Consequently, teachers in service as of 8<sup>th</sup> November, 2017, were to adopt and convert appropriately to the new designation and grading structure as per the new career progression guidelines.
8. These career guidelines applied to teachers serving in the public institutions namely: primary schools, secondary schools, Technical and Vocational Education and Training (TVET) Institutions, Teacher Training Colleges (TTC), Kenya Institute of Special Education (KISE), Centre for Mathematics, Science and Technology Education in Africa (CEMASTEA) and Special Needs Education Institutions both in Primary Secondary and TVET institutions.
9. As a result, the Commission established a new grading structure for the teaching service, increasing the number of job grades from 10 to 11. The grades for Special Needs Education Institutions (SNEs) were SNE Primary-5, SNE Secondary-8, and SNE TVET-8.
10. The grading structure system model applicable to SNE teachers was clearly laid down in the TSC Career Progression Guidelines (CPG-2018). However, SNE teachers were erroneously in the new guidelines. For instance, a headteacher SNE who was supposed to be at grade D2 and t-scale 12 was still at grade C5, t-scale 1,0, while a deputy headteacher II SNE placed at grade D1 and t-scale 11 in the CPG-2018 was at grade C4 and t-scale 9. Further, a Senior Teacher I SNE, placed at Grade C5 and T-Scale 10, was still at Grade C3 and T-Scale 8. Additionally, a Senior Teacher II SNE, who was supposed to be at Grade C4, T-Scale 9, was still placed at C2, T-Scale 7.

11. The TSC, SRC and other relevant stakeholders developed the CPG and did job evaluation countrywide to look at several factors that culminated in the creation of the new pay scale for different teachers, including job content, nature of duties assigned, academic and professional qualifications, level of accountability, impact on the site of service for the community and learners, and working conditions.
12. The TSC was using the same Career Progression Guidelines document to introduce Teacher Professional Development promotional grades and t-scales. All teachers were to adopt the new grading system, but special needs education teachers had never been converted. The SNE teachers were being graded using the primary school system, yet the SNE grading was still in place.

### **3.2 Submission by the Teachers Service Commission**

The Chief Executive Officer of the Teachers Service Commission, Dr. Nancy Macharia, CBS, appeared before the Committee on 28<sup>th</sup> November 2024, and submitted as follows—

13. In 2015/2016, the Teachers Service Commission, in consultation with the Salaries and Remuneration Commission (SRC), conducted a Job Evaluation (JE) for the teaching service. Based on the findings of the JE Report, SRC rendered a formal advisory proposing a new grading and remuneration structure for teachers in the public service.
14. The main objective of the JE exercise was to determine the relative worth of jobs/assignments within the teaching service, with the aim of linking teacher remuneration and benefits to the responsibilities assigned to them. The JE introduced, among others: -
  - a) The position of senior master in post-primary institutions.
  - b) A Responsibility-Based Grading System and remuneration structure replacing the Qualification-Based System;
  - c) Removal of Responsibility Allowance; and
  - d) Substantive appointment to administrative positions in teaching service.
15. After the JE, the Commission signed the 2017-2021 Collective Bargaining Agreement (CBA) with the teacher unions, including the Kenya National Union of Teachers (KNUT).
16. This transition necessitated the development and implementation of the teachers' Career Progression Guidelines (CPG) and the Policy on Appointment & Deployment of Institutional Administrators in 2017 to align the New Grading Structure with teachers' career progression.
17. The Policy on the Appointment and Deployment of Institutional Administrators (2017) establishes standards to ensure that institutional administrative positions are filled competitively.

18. Before the JE, teachers' job groups were not in sync with their responsibilities. For example, a Headteacher would be in Job Group G, and a classroom teacher in Job Group M.
19. The JE addressed this disparity by categorizing the teaching service into two (2) groups: Institutional administrators and non-administrators—the administrators in primary schools comprised of Headteachers, Deputy Headteachers and Senior Teachers.
20. The conversion of teachers at the primary school level was based on their roles at the time and their substantive job group, as shown in Table 1 below.

S/No	Position (Role) before 1/7/2017	Job Group Before 1/7/2017	Grade Converted to on 1/7/2017
1.	Head-Teacher	'N' & 'M'	D1
2.	Head-Teacher	'G','H','J','K' and 'L'	C5
3.	Deputy Head-Teacher	'N'	D1
4.	Deputy Head-Teacher	'M'	C5
5.	Deputy Head-Teacher	'G','H','J','K' and 'L'	C4
6.	Senior Teacher	'N'	D1
7.	Senior Teacher	'M'	C5
8.	Senior Teacher	'L'	C3
9.	Senior Teacher	'G','H', and 'J'	C2
10.	Teacher	'N'	D1
11.	Teacher	'M'	C5
12.	Teacher	'L'	C3
13.	Teacher	'K'	C2
14.	Teacher	'H','J'	C1
15.	Teacher	'G'	B5

*Table 1: Conversion in Primary Schools*

21. Noting that special schools and units are categorized as either primary or secondary, SNE teachers were converted using the same formula, and thus they acquired the grades associated with either primary or secondary teachers, whichever was applicable.
22. Pursuant to the conversion and in line with the new grading structures, SNE teachers retained similar titles to teachers in regular schools in the payroll; for example, SNE Teacher converted to C2 and retained the name Senior Teacher II instead of Primary Teacher II (SNE), as illustrated in Table 2 below.

S/NO	Job title as it is on payroll	Grade	T-Scale	Job title as the CPG 2018	Grade	T-Scale
1.	Senior Teacher II	C2	7	Primary Teacher II (SNE)	C2	7

2.	Senior Teacher I	C3	8	Primary Teacher I	C3	8
3.	Deputy Teacher II	C4	9	Senior Teacher II (SNE)	C4	9
4.	Deputy Headteacher I/Head Teacher	C5	10	Senior Teacher I (SNE)	C5	10
5.	Senior Headteacher	D1	11	Deputy Head Teacher (SNE)	D1	11

*Table 2: Job Titles In SNE*

23. Admittedly, the Job titles in the Commission's payroll and those in the Career Progression Guidelines 2018 had not yet been aligned for SNE teachers.

24. This was due to the Government's payroll system, managed by the State Department of Public Service, undergoing re-configuration to facilitate migration to a new payroll system.

25. Despite the lack of change in SNE Teachers' job titles in the payroll system, the Commission ensured that the teachers were paid salaries commensurate with their new designations. Accordingly, there was no discrimination in the salary structure of the SNE Teachers.

26. Noting the confusion caused by the unchanged job titles of SNE Teachers in the payroll, the Commission is working closely with the State Department of Public Service to align the payroll job titles with those in the CPG.

### **3.3 Submissions by the Ministry of Public Service, Human Cabinet Development and Special Programmes**

The Cabinet Secretary of the Ministry of Public Service, Human Cabinet Development and Special programmes provided written submissions in a letter dated 13<sup>th</sup> October 2025, as follows—

27. Career progression guidelines are not developed in isolation but must be aligned with the grading structure and mandate of an organization

28. Changes in the grading structure of an organization, necessitate the review of Career progression guidelines. The Career progression guidelines should contain a conversion table to guide in the placement of employees in the organization during adoption and implementation to avoid erroneous placements that disadvantage employees.

29. The Teachers Service Commission is an independent Constitutional Commission with a clear mandate as provided for in Article 237 of the Constitution of Kenya, 2010. It therefore develops, reviews, approves and implements its career progression guidelines.

30. The Ministry may work with independent offices such as the Teachers Service Commission collaboratively through mutual understanding to provide technical support in the review of career progression.

31. The Teachers Service Commission in collaboration with the Salaries and Remuneration Commission, conducted a job evaluation in the Public Teaching Sector in 2016, whereby a new grading structure was established, thus increasing the job grades from 10 to 11.

32. The job evaluation also led to the development of career progression guidelines (CPG) on 8<sup>th</sup> November 2017, replacing the scheme of service for teachers.

## **PART FOUR**

### **4 COMMITTEE OBSERVATIONS**

Upon hearing from the Petitioner and other stakeholders, the Committee observed that

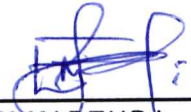
27. Job titles of SNE teachers in the payroll differ from those outlined in the Career Progression Guidelines. For instance, teachers designated as "Senior Teacher II" in the payroll should be titled "Primary Teacher II (SNE)" according to the CPG. This inconsistency has contributed to confusion and delayed the teachers' rightful recognition and progression within their roles.
28. The Teachers Service Commission had yet to align the grading structure for Special Needs Education (SNE) teachers with the 2018 Career Progression Guidelines (CPG).
29. The delay in the alignment was caused by the Government's payroll system, managed by the State Department of Public Service, which has been undergoing re-configuration to facilitate migration to a new payroll system.
30. Despite the lack of change in the job group title for SNE Teachers in the payroll, the Commission ensured that teachers received salaries commensurate with their designation.
31. Even though the mismatch between the titles on the 2018 Career Progression Guidelines and those in payroll, did not adversely affected their salaries or career advancement it impacted on others benefits including allowances related to the scale.


**PART FIVE**

**5 COMMITTEE RECOMMENDATION**

Pursuant to the provisions of Standing Order 227, the Committee responds to the Petition as follows—

On the prayer that the National Assembly intervenes to revert to the provision of the Career Progression Guideline 2018 applicable to Special Needs Education Institutions and backdate the implementation date, the Committee recommends that within six months of the adoption of this report by the House, the Teachers Service Commission in collaboration with the Cabinet Secretary, Ministry of Public Service, Human Capital Development and Special Programmes align grades for the job titles in the payroll to reflect those in the Career Progression Guidelines of 2018 specific to Special Needs Education (SNE) Teachers; and backdates the implementation of the same to 2017 to ensure that Special Needs Education Teachers (SNE), get their rightful benefits accrued since the roll-out of the new payroll system

Signed:  Date: 19/11/2025  
HON. MUCHANGI KAREMBA, M.P.  
CHAIRPERSON, PUBLIC PETITIONS COMMITTEE

 <b>THE NATIONAL ASSEMBLY PAPERS LAID</b>		
DATE: <b>19 NOV 2025</b> <table border="1" style="display: inline-table;"><tr><td style="text-align: center;">DAY.</td></tr></table>		DAY.
DAY.		
TABLED BY:		
CLERK-AT-THE-TABLE:		

## **ANNEXURES**

Annex 1: The Adoption List

Annex 2: Public Petition no. 76 of 2023 regarding discrimination by the Teachers' Service Commission on career progression guidelines for special needs education teachers in Kenya

Annex 3: Minutes of 31<sup>st</sup> Sitting held on 30<sup>th</sup> April, 2024.

Annex 4: Minutes of the 64<sup>th</sup> Sitting held on 28<sup>th</sup> November, 2024.

Annex 5: Minutes of the 46<sup>th</sup> Sitting of the Public Petitions Committee Held on Wednesday, 11<sup>th</sup> November, 2025.







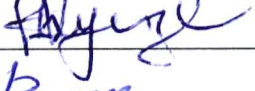
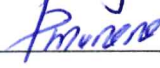

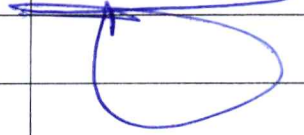

**PUBLIC PETITIONS COMMITTEE**

**ADOPTION LIST**

**(i) Consideration and adoption of the Report on Public Petitions No. 76 of 2023 by Kenya Union of Post Primary Education Teachers (KUPPET) regarding discrimination by TSC on career progression guidelines for special needs education teachers**

**We, the undersigned, hereby affix our signatures to this Report to affirm our approval:**

DATE: \_\_\_\_\_

	<b>HON. MEMBER</b>	<b>SIGNATURE</b>
1.	Hon. Muchangi Karemba, CBS, M.P. (Chairperson)	
2.	Hon. Janet Jepkemboi Sitienei, CBS, M.P. (Vice Chairperson)	
3.	Hon. Patrick Makau King'ola, M.P.	
4.	Hon. Beatrice Kadeveresia Elachi, CBS, M.P.	
5.	Hon. Joshua Chepyegon Kandie, M.P.	
6.	Hon. Maisori Marwa Kitayama, M.P.	
7.	Hon. Edith Vethi Nyenze, M.P.	
8.	Hon. Patrick Ntwiga Munene, M.P.	
9.	Hon. Bidu Mohamed Tubi, M.P.	
10.	Hon. (Eng.) Bernard Muriuki Nebart, M.P.	
11.	Hon. Peter Mbogho Shake, M.P.	
12.	Hon. Suzanne Ndunge Kiamba, M.P.	
13.	Hon. John Bwire Okano, M.P.	
14.	Hon. Sloya Clement Logova, M.P.	
15.	Hon. Peter Irungu Kihungi, M.P.	

**REPUBLIC OF KENYA**  
**THE NATIONAL ASSEMBLY**

**MINUTES OF THE 46<sup>TH</sup> SITTING OF THE PUBLIC PETITIONS COMMITTEE**  
**HELD ON TUESDAY, 12<sup>TH</sup> NOVEMBER 2025, IN COMMITTEE ROOM 25, 5<sup>TH</sup>**  
**FLOOR BUNGE TOWER, PARLIAMENT BUILDINGS AT 11:30 AM**

**PRESENT**

1. Hon. Eric Muchangi Karemba, M.P. - Chairperson
2. Hon. Edith Vethi Nyenze, M.P.
3. Hon. Maisori Marwa Kitayama, M.P.
4. Hon. Beatrice Kadeveresia Elachi, CBS, M.P.
5. Hon. (Eng.) Bernard Nebart Muriuki, M.P.
6. Hon. Patrick Ntwiga Munene, M.P.
7. Hon. Joshua Chepyegon Kandie, M.P.
8. Hon. Peter Irungu Kihungi, M.P.
9. Hon. John Bwire Okano, M.P.

**APOLOGIES**

1. Hon. Janet Jepkemboi Sitienei, CBS, M.P. - Vice-Chairperson
2. Hon. Patrick Makau King'ola, M.P.
3. Hon. Suzanne Ndunge Kiamba, M.P.
4. Hon. Peter Mbogho Shake, M.P.
5. Hon. Sloya Clement Logova, M.P.

## **SECRETARIAT**

- |                          |                               |
|--------------------------|-------------------------------|
| 1. Mr. Leonard Machira   | Principal Clerk Assistant II  |
| 2. Mr. Bernard Toroitich | Clerk Assistant III           |
| 3. Ms. Roselyn Ndengi    | Senior Serjeant at Arms I     |
| 4. Mr. Clinton Sindiga   | Legal Counsel II              |
| 5. Ms. Nancy Akinyi      | Research Officer III          |
| 6. Mr. Arkan Mumin       | Research Officer III          |
| 7. Ms. Felister Muiya    | Public Communications Officer |
| 8. Mr. Peter Mutethia    | Audio Officer                 |

## **MIN./PPETC/2025/232:**

## **PRELIMINARIES**

The Chairperson called the meeting to order at 11:45 am, followed by a word of Prayer.

## **MIN./PPC/2025/233:**

## **ADOPTION OF AGENDA**

The Committee then adopted the agenda as listed hereunder on the proposal by Hon. (Eng.) Bernard Nebart Muriuki, M.P, and seconded by Hon. Beatrice Kadeveresia Elachi, CBS, M.P.

## **AGENDA**

1. Prayer and preliminaries;
2. Adoption of the agenda;
3. **consideration and adoption of the following reports:**
  - (i) Report on Public Petitions No. 20/2024 by Hon. Bernard Kitur, MP, Member for Nandi Hills constituency, on behalf of Kenya retired teachers and residents of Nandi County regarding the mismanagement of Nandi Teachers Sacco and ownership of Mwalimu Plaza Building in Kapsabet Town.
  - (ii) Report on Public Petitions No.15/2024 by Hon. Vincent Musyoka, MP, Member for Mwala Constituency, on behalf of residents of Mwala constituency, regarding the gazettelement of Mwala and Kalama Sun Counties as hardship areas.

(iii) Report on Public Petitions No. 76 of 2023 by Kenya Union of Post-Primary Education Teachers (KUPPET) regarding discrimination by TSC on career progression guidelines for special needs education teachers

4. Any Other Business; and

5. Adjournment

**MIN./PPC/2025/234:      **CONSIDERATION AND ADOPTION OF REPORT ON PUBLIC PETITIONS NO. 20/2024 REGARDING THE MISMANAGEMENT OF NANDI TEACHERS SACCO AND OWNERSHIP OF MWALIMU PLAZA BUILDING IN KAPSABET TOWN.****

The Committee unanimously adopted the report, having been proposed by Hon. Maisori Marwa Kitayama, M.P and seconded by Hon. (Eng.) Bernard Nebart Muriuki, M.P The Committee made the following observations and recom:

**The Committee made the following observations:**

1. Both the petitioners and Trans Elite County Sacco Limited Sacco agreed that, initially, the Sacco, then known as Nandi Teachers Sacco, intended to construct a storey (Plaza) on one of the Sacco's plots within Kapsabet Town. The arrangement was that the members would own 70% of the shares, while the Sacco would own 30%.
2. After shelving the decision to build a plaza on one of the Sacco's plots and instead purchasing property from Barclays Bank with a loan from the National Bank, the Sacco's decided to refund paid-up members their shares. However, there was no confirmation that all members had been refunded.
3. There is no evidence that the Petitioners were refunded in full, as demonstrated by Trans Elite County Sacco, aside from a few cashbook entries and cheque counterfoils. This does not constitute payment in full to the petitioners.
4. A loan amounting to Ksh. 60,000,000 was secured using dividends and the building as collateral from an offshore financial institution. The loan was credited to the Nandi Teachers SACCO Current Account Number 0137000014, K-Rep Bank Limited, Head

Office on 4<sup>th</sup> May 2005, and funds were withdrawn the very next day, leaving a balance of Ksh 64,200 in the account.

5. The petitioners, through their registered group, filed a case, Cooperative Tribunal No. 347 of 2021, in Kakamega against Trans-elite County SACCO. However, the case was struck out on 9<sup>th</sup> December 2021 because the teachers were no longer members of the Society. The parties were advised to sue in their individual capacities, provided they could prove they were still members of the Sacco.
6. The Commissioner for Cooperative Development, in an inquiry conducted in 2006, found former officers of the SACCO Society (Board and staff) guilty of mismanagement and abuse of office and imposed a surcharge totalling KShs. 68.6 million. In addition, KShs 181 million in unaccounted cash was reported to have been paid by the Cooperative Bank without any record of payees. Further, KShs 177.78 million was lost due to land purchases reportedly made by the former management on behalf of the SACCO Society.
7. In Case Number: CTC/E001/2021- Nandi Teachers 2000 Self Help Group Versus Trans Elite County Sacco Ltd and Chairman Trans Elite County Sacco, the Tribunal held that it lacked jurisdiction to deal with the matter, as the Claimant is not a Cooperative Society, and the suit was dismissed in its entirety.

**The Committee made the following recommendations:**

- I. The Committee recommends that, within six months of the tabling of this report, the Ethics and Anti-Corruption (EACC) conducts further investigation into:
  - a. Whether action was taken against the persons surcharged for withdrawing the secured loan amounts on 5<sup>th</sup> May 2005, amounting to Kshs.60, 000,000 in 5 batches as detailed in the report of the inquiry into the affairs of Nandi Teacher SACCO Society Ltd. (2709) as detailed by the Commissioner of Cooperatives dated 20<sup>th</sup> June 2006.
  - b. The payees of the Kshs. 181 million in unaccounted cash by the Cooperative Bank of Kenya.
  - c. The Ksh.177.78 million lost in land purchase by the former management of the Nandi Teacher's Sacco Society.
2. The Committee recommends that, within six months of the tabling of this report, the Ethics and Anti-Corruption (EACC) conducts investigations into the ownership of

- Mwalimu Teachers Plaza (Kapsabet Municipality 1181/3705806), with a view to determining the petitioners' stake in the property and any illegality in its acquisition.
3. The Committee recommends that, within six months of the tabling of this report, the Ethics and Anti-Corruption (EACC) conducts investigations into the ownership of Mwalimu Teachers Plaza (Kapsabet Municipality 1181/3705806), with a view to determining the petitioners' stake in the property and any illegality in its acquisition.

**MIN./PPC/2025/235:      **CONSIDERATION AND ADOPTION OF THE REPORT ON PUBLIC PETITIONS NO.15/2024 REGARDING THE GAZETTMENT OF MWALA AND KALAMA SUN COUNTIES AS HARDSHIP AREAS.****

The Committee unanimously adopted the report, having been proposed by Hon. (Eng.) Bernard Nebart Muriuki, M.P, and seconded by Hon. Edith Vethi Nyenze, M.P.

**The Committee made the following observations:**

1. The right to fair labour practices, as enshrined in Article 41 of the Constitution of Kenya, 2010, includes, among others, fair remuneration and reasonable working conditions. Section C.10 of the Human Resource Policies and Procedures Manual for the Public Service (2016) provides for the payment of a hardship allowance to officers stationed in designated hardship areas as an incentive to compensate Public Servants working in such areas partially.
2. The Committee also noted that Mwala and Kalama Sub-County is geographically located adjacent to or surrounded by already gazetted hardship areas like Yatta, Kitui Rural, and Mbooni East, all of which are hardship zones, but Mwala and demonstrate similar conditions but lack hardship designation.
3. The core issue arising from the petition is the disparity and lack of harmonization in the policies employed by various Public Service jurisdictions, including the Civil Service, the Teachers Service Commission (TSC), and the Judiciary, in designating hardship areas and compensating employees. Currently, the TSC operates under its own policy, specifically outlined in Legal Notice No. 534 of 1997 and the Code of Regulations (COR).

4. The Ministry of Public Service, Human Capital Development and Special Programmes established an Inter-Agency Technical Committee in March 2019 to address these disparities and develop a uniform policy. The Committee comprised of representatives from the then Ministry of Public Service and Gender, Ministry of Interior and Co-ordination of National Government, Ministry of Education, The National Treasury and Planning, the Judiciary, Public Service Commission, Teachers Service Commission, Salaries and Remuneration Commission, Commission on Revenue Allocation, the Kenya National Bureau of Statistics (KNBS) and the Council of Governors.
5. The key findings and recommendations of the report from the Inter-Agency Technical Committee were as follows:
  - a) There are areas currently designated as hardship or petitioned by stakeholders to be categorized as 'hardship'; however, upon review they were found not to be 'hardship'.
  - b) The severity of hardship in the reviewed areas varies from moderate to extreme.
  - c) Some of the currently designated hardship areas cover an entire County/Sub-County/Division uniformly. It is, however, noted that some regions have only specific locations with moderate or extreme hardship conditions. The areas were therefore reviewed and categorized as "Moderate" and "Extreme" hardship areas.
  - d) Not all Public officers working in hardship areas are currently paid a hardship allowance. This is due to disparities in the current policy guidelines on designated hardship areas in the Public Service.
  - e) Some areas that were previously designated as hardship and have acquired different status following the implementation of the devolved system of governance and improved socio-economic development across the country have been reviewed and recommended for de-gazettement.

6. The report of the Inter-Agency Technical Committee on the review of designated hardship areas and payment of hardship allowance in the Public Service was finalized and submitted to the Salaries and Remuneration Commission (SRC) for concurrence. However, its implementation is awaiting Cabinet consideration.

**The Committee made the following recommendations:**

The Committee recommends that the Cabinet Secretary, Ministry of Public Service, Human Capital Development and Special Programmes, fast-track the approval of the Inter-Agency Technical Committee Report by the Cabinet with a view to designating all regions meeting the set-out criteria as hardship areas, and submit the report to the National Assembly within six (6) months upon the adoption of this report by the House.

**MIN./PPC/2025/236:      **CONSIDERATION AND ADOPTION OF THE REPORT ON PUBLIC PETITIONS NO. 76 OF 2023 REGARDING DISCRIMINATION BY TSC ON CAREER PROGRESSION GUIDELINES FOR SPECIAL NEEDS EDUCATION TEACHERS****

The Committee unanimously adopted the report, having been proposed by Hon. Maisori Marwa Kitayama, M.P., and seconded by Hon. Patrick Ntwiga Munene, M.P. The Committee observed as follows—

**The Committee made the following observations:**

1. Job titles of SNE teachers in the payroll differ from those outlined in the Career Progression Guidelines. For instance, teachers designated as "Senior Teacher II" in the payroll should be titled "Primary Teacher II (SNE)" according to the CPG. This inconsistency has contributed to confusion and delayed the teachers' rightful recognition and progression within their roles.
2. The Teachers Service Commission had yet to align the grading structure for Special Needs Education (SNE) teachers with the 2018 Career Progression Guidelines (CPG).
3. The delay in the alignment was caused by the Government's payroll system, managed by the State Department of Public Service, which has been undergoing re-configuration to facilitate migration to a new payroll system.

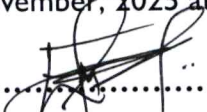
4. Despite the lack of change in the job group title for SNE Teachers in the payroll, the Commission ensured that teachers received salaries commensurate with their designation.
5. Even though the mismatch between the titles in the 2018 Career Progression Guidelines and those in payroll, did not adversely affected their salaries or career advancement it impacted of others benefits including allowances related to the scale.

**The Committee made the following recommendations:**

The Committee recommends that within six months of the adoption of this report by the House, the Teachers Service Commission in collaboration with the Cabinet Secretary, Ministry of Public Service, Human Capital Development and Special Programmes align grades for the job titles in the payroll to reflect those in the Career Progression Guidelines of 2018 specific to Special Needs Education (SNE) Teachers; and backdates the implementation of the same to 2017 to ensure that Special Needs Education Teachers (SNE), get their rightful benefits accrued since the roll-out of the new payroll system.

**MIN./PPC/2025/237:            ADJOURNMENT AND DATE OF NEXT MEETING**

The Chairperson adjourned the meeting at 01:45 p.m. The next meeting will be on Wednesday, 13<sup>th</sup> November, 2025 at 11:30 a.m.

Sign: .......... Date.....19/11/2025.....

**HON. MUCHANGI KAREMBA, CBS, M.P.**

**CHAIRPERSON, PUBLIC PETITIONS COMMITTEE**



**REPUBLIC OF KENYA**  
**THE NATIONAL ASSEMBLY**

**MINUTES OF THE 31<sup>ST</sup> SITTING OF THE PUBLIC PETITIONS COMMITTEE HELD ON TUESDAY, APRIL 30, 2024, IN COMMITTEE ROOM 12, MAIN PARLIAMENT BUILDINGS AT 1.00. P.M**

**PRESENT**

1. Hon. Edith Vethi Nyenze, M.P. (Chairing)
2. Hon. (Eng.) Bernard Muriuki Nebart, M.P.
3. Hon. Maisori Marwa Kitayama, MP
4. Hon. Joshua Chepyegon Kandie, M.P
5. Hon. John Walter Owino, M.P.
6. Hon. Suzanne Ndunge Kiamba, M.P.
7. Hon. Peter Mbogho Shake, M.P.

**APOLOGIES**

1. Hon. Nimrod Mbithuka Mbai, M.P. - Chairperson
2. Hon. Janet Jepkemboi Sitienei, M.P. - Vice Chairperson
3. Hon. Patrick Makau King'ola, M.P.
4. Hon. Ernest Ogesi Kivai, M.P.
5. Hon. Bidu Mohamed Tubi, M.P.
6. Hon. Sloya Clement Logova, M.P.
7. Hon. Caleb Mutiso Mule, M.P.
8. Hon. John Bwire Okano, M.P.

**SECRETARIAT**

1. Mr. Ahmad Kadhi - Senior Clerk Assistant
2. Ms. Anne Shibuko - Clerk Assistant I
3. MS. Roselyn Njuki - Serjeant at Arms I
4. Ms. Patricia Gichane - Legal Counsel II
5. Mr. Willis Obiero - Clerk Assistant III
6. Mr. Martin Sigei - Research Officer III
7. Mr. Peter Mutethia - Audio Officer
8. Ms. Betty Momanyi - Intern, Media Relations Officer

## IN ATTENDANCE

### SPECIAL NEEDS TEACHERS

1. Mr. Roberts Wekesa - Lead Petitioner
2. Mr. Edwin Gituma - National Chairperson, Special Needs Teachers
3. Mr. Steven Achesa
4. Ms. Awuor Marilyn
5. Ms. Magret Ngige
6. Mr. Kimani Kamande

### MIN./PPETC/2024/ 197: PRELIMINARIES

The Chairperson called the meeting to order at 1:00 p.m. and proceedings began with prayers by Hon. Joshua Kandie, M.P.

### MIN./PPETC/2024/198: ADOPTION OF AGENDA

#### AGENDA

1. Prayer
2. Adoption of the Agenda
3. Confirmation of minutes of previous sittings
4. Matters Arising
5. Consideration of P/No. 76 of 2023 regarding Discrimination by the Teachers Service Commission on Career Progression Guidelines for Special Needs Education Teachers in Kenya
  - *Meeting with the Petitioner, Mr. Roberts Njunukha Wekesa*
6. Any Other Business
7. Adjournment

The Agenda was adopted to constitute business having been proposed by Hon. Maisori Marwa, M.P. and seconded by Hon. Peter Shake, M.P.

### MIN./PPETC/2024/199: CONFIRMATION OF MINUTES OF PREVIOUS SITTINGS

The Agenda was deferred.

### MIN./PPETC/2024/200: CONSIDERATION OF P/NO. 76 OF 2023 REGARDING DISCRIMINATION BY THE TEACHERS SERVICE COMMISSION ON CAREER PROGRESSION GUIDELINES FOR SPECIAL NEEDS EDUCATION TEACHERS IN KENYA

#### Meeting with the Petitioner, Mr. Roberts Njunukha Wekesa

Upon invitation by the Committee, the Petitioners, lead by Roberts Wekesa appeared before the Committee and submitted as follows—

1. The Special Needs Education (SNE) teachers were employed by the Teachers Service Commission (TSC) to teach learners with disabilities both in Special School and Special School Units found all over the country hence citizens of Republic of Kenya, and residents of 47 counties.
2. That the TSC jointly with the Salaries and Remunerations Commission (SRC) undertook a job evaluation in the public teaching sector whose recommendations included a new grading structure, substantive appointment of institutional administrators and the introduction of Teacher Professional Development (TPD), that led to development of Career Guidelines to facilitate implementation of the job evaluation recommendations.
3. That the implementation of the career guidelines came into effect on 8<sup>th</sup> November 2017 and replaced the scheme of service for teachers. Consequently, teachers in service as at 8<sup>th</sup> November 2017, were to adopt and convert appropriately to the new designation and grading structure as per the new Career Progression Guidelines.
4. These career guidelines were applicable to teachers serving in the public institutions namely: primary schools, secondary schools, Technical and Vocational Education and Training (TVET) institutions, Teacher Training Colleges (TTC), Kenya Institute of Special Education, (KISE), Centre for Mathematics, Science and Technology Education in Africa (CEMASTEA) and Special Needs Education Institutions (Primary Secondary and TVET).
5. As a result, the Commission established a new grading structure for the teaching service increasing job scales from 10 to 11 grades. The grades for Special Needs Education Institutions (SNEs) were: SNE primary-5 grades, SNE Secondary-8 grades, and SNE TVET-8 grades.
6. That grading structure system model applicable to SNE teachers was clearly laid down in the TSC Career Progression Guidelines (CPG-2018). However, there was erroneous placement of SNE teachers despite the correct placement as described in the guidelines.
7. For instance, a headteacher SNE who was supposed to be at grade D2 and t-scale 12 was still at grade C5, t-scale 10 while a deputy headteacher II SNE placed at grade D1 and t-scale 11 in the CPG-2018 was at grade C4 and t-scale 9. Further, a senior teacher I SNE placed at grade C5 and t-scale 10 were still at grade C3 and t-scale 8 and senior teacher II SNE supposed to be at grade C4, t-scale 9 were at C2, t-scale 7.
8. The main issues were about discrimination in remuneration of SNE teachers. The TSC, SRC and other relevant stakeholders developed the CPG and did job

evaluation countrywide to look at several factors that culminated into creation of the new pay scale for different teachers. The factors included job content, nature of duties assigned, academic and professional qualifications, level of accountability, impact on the site of service for the community and learners, and working conditions.

9. The TSC was using the same CPG document to introduce TIPAD, promotional grades and t-scales. All teachers were to adopt to the new grading system but special needs education teachers have never been converted. The SNE teachers were being graded using the primary school system yet the SNE grading was there.
10. Despite writing letters to the employer on the matter, the TSC had not responded to the SNE teachers yet they were inaccurately placed and the teachers had suffered the lack of career progression.

#### Prayers

The Petitioners prayed that the Committee—

11. Engages the TSC to establish the reasons behind the change in the grading system when implementing career progression guidelines for SNE teachers contrary to the provisions of CPG-2018.
12. Intervenes with an aim of reverting to the provisions of the Career Progression Guideline 2018 applicable to SNE teachers and backdates the implementation date to November 2017.

#### Committee Concerns

13. The Committee inquired whether the job evaluation for SNE teachers determined that they had more work, thereby justifying the need for increased salaries. The Petitioners clarified that the issue was not about SNE teachers receiving higher salaries. They pointed out that the entry requirement for SNE teachers was a diploma and that they indeed had more work. For instance, a teacher in a special school with mentally handicapped children is supposed to handle six students, but in practice, they sometimes manage up to 15. According to the current CPG 2018, SNE teachers were underpaid and placed in lower grades. Consequently, many SNE teachers were seeking to transfer to regular schools, where there was less work and better career progression opportunities, leading to understaffing in special schools and increased workload for those who remained. The Petitioners had no issues with the content of the CPG 2018, except for its implementation, as the provisions concerning SNE teachers had not been enacted, leading to feelings of discrimination.
14. Regarding whether the current CPG was from 2018 and if other teachers, besides SNE teachers, were facing discrimination, the Petitioner confirmed that the TSC had not amended the CPG 2018, and it was still in use. A *Circular*

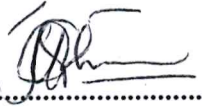
*dated 2<sup>nd</sup> May 2018*, which regularized the implementation of the CPG, was addressed to all TSC County Directors, Sub County Directors, Principals, Headteachers, Directors, and the Chairpersons of KEPSHA and KESHA.

15. Whether the SNE teachers had taken their grievances to teachers' unions, the Petitioners noted the acrimonious relationship between the TSC and the teachers' unions. The CBA that introduced the CPG to SNE teachers was signed by KNUT on behalf of the SNE teachers in 2017, as they were members of KNUT before being moved to KUSNET. The CPG, which is seven years old, was intended to remain in place until a new one was signed. Due to confusion about their classification, some unions or organizations could not address the concerns of the SNE teachers. However, engagements with the SRC and TSC did not yield any positive responses.
16. Regarding the superior document between the CBA 2018 and the CPG 2018, the Petitioners indicated that the CPG 2018 was superior as it was developed by the TSC and applied to all teachers in the country.

MIN./PPETC/2024/201:

ADJOURNMENT AND DATE OF NEXT MEETING

The Chairperson adjourned the meeting at 1:45 p.m. The next meeting will be held by notice

Sign:  .....

(CHAIRPERSON)

Date 05-06-2024 .....



**REPUBLIC OF KENYA**  
**THE NATIONAL ASSEMBLY**

**MINUTES OF THE 64<sup>TH</sup> SITTING OF THE PUBLIC PETITIONS COMMITTEE HELD ON THURSDAY, NOVEMBER 28, 2024, IN COMMITTEE ROOM 20 ON 3<sup>RD</sup> FLOOR, BUNGE TOWER AT 11.00. A.M**

**PRESENT**

1. Hon. Janet Jepkemboi Sitienei, M.P. - Vice Chairperson
2. Hon. Patrick Makau King'ola, M.P.
3. Hon. Joshua Chepyegon Kandie, M.P
4. Hon. Maisori Marwa Kitayama, MP
5. Hon. Edith Vethi Nyenze, M.P
6. Hon. (Eng.) Bernard Muriuki Nebart, M.P.
7. Hon. Suzanne Ndunge Kiamba, M.P.

**APOLOGIES**

1. Hon. Nimrod Mbithuka Mbai, M.P. - Chairperson
2. Hon. Ernest Ogesi Kivai, M.P.
3. Hon. John Walter Owino, M.P.
4. Hon. Bidu Mohamed Tubi, M.P.
5. Hon. Caleb Mutiso Mule, M.P.
6. Hon. Peter Mbogho Shake, M.P.
7. Hon. John Bwire Okano, M.P.
8. Hon. Sloya Clement Logova, M.P.

**SECRETARIAT**

- |                         |                              |
|-------------------------|------------------------------|
| 1. Mr. Ahmad Kadhi      | Principal Clerk Assistant II |
| 2. Ms. Anne Shibuko     | Clerk Assistant I            |
| 3. Ms. Patricia Gichane | Legal Counsel II             |
| 4. Mr. Willis Obiero    | Clerk Assistant III          |
| 5. Ms. Nancy Akinyi     | Research Officer III         |
| 6. Mr. Calvin Karungo   | Media Relations Officer III  |
| 7. Mr. Peter Mutethia   | Audio Officer                |
| 8. Ms. Wahu Mwirikia    | Audio Officer Intern         |

**IN ATTENDANCE**

**TEACHERS SERVICE COMMISSION (TSC)**

- |                            |                          |
|----------------------------|--------------------------|
| 1. Ms. Nancy Macharia      | Chief Executive Officer  |
| 2. Mr. Cavin Anyuor        | Director, Legal Services |
| 3. Ms. Antonina Lentoijoni | Director, Staffing       |
| 4. Mr. Gabriel Mathenge    | Director, Operations     |

5. Mr. Edwin Musindi                      Legal Officer

**INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (IEBC)**

1. Mr. Marjan Hussein Marjan	CEO
2. Mr. Chrispine Owiye	Director, Legal Services
3. Ms. Linda Mworira	Communications Officer
4. Ms. Agatha Wahome	Ag. Director, Electoral Boundaries and Risk Manager
5. Ms. Irene Kyatu	Ag. Manager Electoral Boundaries
6. Mr. Tioko Nkieny	Manager, CEO's office

**MIN./PPETC/2024/406:    PRELIMINARIES**

The Chairperson called the meeting to order at 11:00 a.m. and proceedings began with prayers by Hon. Joshua Chepyegon Kandie, M.P.

**MIN./PPETC/2024/407:    ADOPTION OF AGENDA**

**AGENDA**

1. Prayer
2. Adoption of the Agenda
3. Confirmation of minutes of previous sittings
4. Matters Arising
5. Meeting with Teachers Service Commission (TSC) regarding—

- *P/No. 46 of 2023 on Payment of retirement dues and pension for retired teacher;*
- *P/No. 47 of 2023 on Deployment of Classroom Teachers as Head Teachers in Schools across the Country;*
- *P/No. 54 of 2023 on Unlawful Deductions by TSC in Favor of Kenya Union of Special Needs Education Teachers (KUSNET);*
- *P/No. 62 of 2023 on Stagnation of Teachers' Progression; and*
- *P/No. 76 of 2023 on Discrimination by the Teachers Service Commission on Career Progression Guidelines for Special Needs Education Teachers in Kenya.*

6. Consideration of P/No. 40 of 2023 regarding Delimitation of Electoral Units
  - *Meeting with the IEBC*

7. Any Other Business
8. Adjournment

**MIN./PPETC/2024/408:                      CONFIRMATION OF MINUTES OF PREVIOUS SITTINGS**

The agenda was deferred.

**MIN./PPETC/2024/409:                      MEETING WITH TEACHERS SERVICE COMMISSION (TSC)**

The CEO TSC, Ms. Nancy Macharia appeared before the Committee and submitted as follows:

## P/No. 46 of 2023 on Payment of Retirement Dues and Pension for Retired Teachers

### Background (Pension Regime in the teaching sector)

1. Pursuant to Article 237(2)(f) of the Constitution, upon exit from service the Commission processes the pension dues of teachers in line with either Defined Benefits (DB) Pension Scheme or Defined Contributory (DC) Pension Scheme.
2. The DB Scheme is regulated by the Pensions Act and fully financed by the exchequer. The membership to the DB scheme includes:
  - a) All teachers who exited service either through retirement or death on or before 1<sup>st</sup> January 2021.
  - b) All teachers under the permanent and pensionable terms of service who were in service as of 1<sup>st</sup> January 2021 and had attained the age of 45 years and above.
3. On the other hand, the government introduced the DC Scheme vide the Public Service Superannuation Scheme Act, 2012 that established the Public Service Superannuation Scheme (PSSS). Membership to PSSS is as follows:
  - a) All teachers under the permanent and pensionable terms of service as of 1<sup>st</sup> January 2021 and had not attained the age of 45 years.
  - b) All teachers employed on or after 1st January 2021 under the permanent and pensionable terms of service.
  - c) Teachers above 45 years who opted to join PSSS as of 31<sup>st</sup> March 2021.

### Specific Responses to the Petition

*TSC to establish the that have occasioned the delay payment of retirement benefits of the retired teachers in Mwatate the circumstances Constituency and the entire country.*

4. The Commission has no mandate to pay pensions claims. Under the provisions of the Pensions Act, payment of Pension to employees in the public service including teachers is the mandate of the Cabinet Secretary, National Treasury.
5. The Commission's role in this regard is to prepare the Pension claim and forward them to the Director of Pensions, National Treasury for processing and payment.
6. Notably, the Commission has prepared and submitted to the Director of Pensions the Pension Claims of all the twenty-one (21) Petitioners on various dates.

*TSC to provide data and statistics of all unpaid retired teachers in the entire country and indicate when they will pay all the retirement dues of the said teachers:*

7. In line with the Pension Act, the Commission has no mandate to pay Pension Claims. Payment of Pension Claims is a mandate of the National Treasury, specifically, the Director of Pensions.
8. The role of the Commission is to submit Pension Claims to the Director of Pensions. To this end, as at 1<sup>st</sup> July, 2024, the Commission has prepared and submitted to the

Director of Pensions a total of 35,254 Pension between 2019 and 2023 for 10,270 retired teachers.

9. There was a balance of 5016 cases at various stages of claim preparation. Notably, majority of the unprocessed claims are death gratuity claims pending for various reasons amongst them being:
  - a) Incomplete or lack of statutory documents to support the pension claims.
  - b) Succession related disputes between beneficiaries in cases of deceased teacher.
  - c) Injunctive orders from the courts of law stopping the pension process pending hearing and final determination of the related succession cases.
10. Notwithstanding these challenges, the Commission has put in place elaborate mechanisms to reach the affected teachers or their representatives to provide all the relevant documents to support their respective claims.
11. In this regard, the Commission relies on its field officers to trace the affected teachers/beneficiaries with a view to ensure that accurate and complete claim documents are submitted to hasten the processing of the pension claims for onward transmission to the National Treasury.
12. Additionally, the Commission has automated/digitalized processes in its pension division under the Human Resource Management Information System platform where teachers or beneficiaries can easily upload the required documents.
13. To further hasten the pension process, the Commission in liaison with the National Treasury, has a desk of representatives of the Director of Pensions in its Pension Division who vets the claims before they are forwarded to the National Treasury for payment. This has reduced the back and forth between the Commission and the office of the Director of Pensions.
14. The Commission has no mandate to paying pension benefits. Its role in pension processing is restricted to submitting the Pension Claims to Treasury, Director of Pensions for payment of the benefits.
15. Accordingly, the Commission has submitted the Pension Claims of all the 21 Petitioners to the Director of Pensions. To this end, it is our humble submission that the Commission has discharged its mandate as required by law.

### Committee Concerns

Regarding the difference between the teaching service and other public service pension schemes, TSC stated that most pensions in the public service were paid by the National Treasury hence the need for amendments to the Pensions Act.

## P/No. 47 of 2023 on Deployment of Classroom Teachers as Head Teachers in Schools across the Country

### Background

1. In 2015/2016, the Commission in consultation with the Salaries and Remuneration Commission (SRC) conducted a Job Evaluation (JE) for the teaching service. Based on the findings of the JE Report, SRC rendered a formal advisory proposing a new grading and remuneration structure for teachers in the public service.
2. The main objective of the JE exercise was to determine the relative worth of the jobs/assignments within the teaching service with a view to link teacher remuneration and benefits to the respective responsibility assigned to them. The JE introduced among others:
  - a) The position of Senior Master in post primary institutions.
  - b) Responsibility-Based Grading System and remuneration structure replacing the Qualification-Based System.
  - c) Removal of Responsibility Allowance.
  - d) Substantive appointment to administrative positions in teaching service.
3. After the JE, the Commission signed the 2017-2021 Collective Bargaining Agreement (CBA) with the teacher unions including Kenya National Union of Teachers (KNUT). This transition necessitated the development and implementation of the teachers' Career Progression Guidelines (CPG) and Policy on Appointment & Deployment of Institutional Administrators in 2017 to align the New Grading Structure with the career progression of teachers.
4. The Policy of Appointment & Deployment of Institutional Administrators (2017) provides standards ensuring that institutional administrative positions are competitively filled.

### Conversion from the previous grading structure

5. Prior to the JE, teachers job groups were not in sync with their responsibilities. For example, a Head teacher would be at Job Group M" and a classroom teacher at "Job group G"
6. The JE addressed this disparity by categorising the teaching service into two (2) groups, administrators and non-administrators.
7. The administrators in primary schools comprised of **Head teachers, Deputy headteachers and Senior teachers**. Non-administrators comprised of classroom teachers in job-groups "H", "J", and "G".
8. Conversion of teachers at the primary school level were done based on the role of teacher at the time of their substantive job group.

## Specified response to the Petition

2023 for 10,270

9. Conversions to D1 and C5 were done as follows:
- Head teachers in Job Groups M and N were converted to grade D1 as Senior Head teacher.
  - Teachers in Job Group N were converted to grade D1 as Senior Head teacher.
  - Deputy Head teachers in Job Group N were converted as Senior Head teachers to grade D1.
  - Head teachers in Job Groups G, H, J, K and L converted to grade C5.
  - Deputy Headteachers in Job Group M were converted to grade C5, as Deputy Headteacher I.
  - Teachers in Job group M were converted to grade C5 as Deputy Headteacher I.
10. The list submitted by the Petitioners has 10 members. However, Petitioner number 10 cannot be verified by the records held by the Commission as the details provided do not appear on the list of teachers employed by the Commission.
11. In 2017, before JE and signing of the 2017-2021 CBA, the Commission advertised for promotions of teachers to Job Group M.
12. Consequently, all the nine (9) Petitioners, successfully applied for the promotion and accordingly were competitively promoted to Senior Graduate Teachers, at Job Group 'M' with effect from May 2017.
13. Thereafter, in July 2017 in accordance with the recommendations of the JE and the terms of 2017-2021 CBA, the Commission converted teachers into the new Job Grades.
14. To this end, all the nine (9) petitioners who were then in Job Group M and not holding administrative positions were converted into Grade C5 like all other classroom teachers who were in Job M at the time.
15. Admittedly, at the time of implementation of the JE report, teachers were converted to different grades based on various factors including their job groups at the time and the position they held at the time.
16. Pursuant to the records held by the Commission, the nine (9) Petitioners were in Job Group M and were not holding any administrative position. Accordingly, they were correctly converted to grade C5. However, teachers in job group M and were holding administrative positions were converted to D1.
17. Even though these teachers were in the same Job Group before 1<sup>st</sup> July 2017 (job group M), they were not holding the same responsibilities and thus the conversion to different grades, in that those who were classroom teachers, Senior teachers, or deputy Head teachers were converted to C5 while Head teachers were converted to D1.

18. To this end, the averment by the Petitioners that they should or ought to be in grade D1 is misconceived and without merit as they were not holding any administrative position at the time of conversions.
19. The JE implemented adopted the Peterson structure that provides for more payment for administrative duties. Consequently, remuneration of teachers is done in accordance with the substantive teachers' Job Grade and the responsibilities linked to the grade. To this end, the Petitioners are remunerated as per the salary attached to their respective job grades.
20. It then follows that teachers at Job Grade D1 rightfully earn more than those in Job Grade C5 as they are in higher Job Grade with higher responsibilities.
21. Further, promotions to administrative positions after implementation of the recommendations of the JE are done competitively in accordance with the Policy on Appointment & Deployment of Institutional Administrators.
22. The promotions are based on several factors, key among them being availability of vacancies in authorized establishments and budgetary provision. Due to lack of vacancies, the Commission did not advertise for promotions in grade D1.
23. The Petitioners having been correctly converted to job grade C5, will progress to D1 when vacancies become available, and interviews done in accordance with the Code of Regulation for Teachers and relevant promotion policies.
24. Only two (2) petitioners wrote to the Commission on diverse dates requesting for promotion to Grade D1. The Commission duly responded to their requests. The Commission has not received any letter(s) from the other petitioners or Secretary General KNUT on behalf of the petitioners as alleged.

### Committee Concerns

- (i) On the utilization of resources for non-responsive advertised positions, the CEO clarified that the Commission would re-advertise these positions with more vigorous campaigns. This approach is necessary because the National Treasury does not permit the reallocation of funds earmarked for promotions in a particular cadre to other cadres.
- (ii) Regarding concerns about teachers remaining in the same position despite participating in multiple interviews for headship roles, the CEO explained that TSC applies specific criteria during the promotion process. These parameters include prior acting capacity, length of service, age, involvement in co-curricular activities, and academic performance. Each of these factors is assigned a score and considered during the evaluation for headship promotions.

## P/No. 54 of 2023 on Unlawful Deductions by TSC in Favor of Kenya Union of Special Needs Education Teachers (KUSNET)

### Background

1. The Commission in embracing the spirit of the Constitution under Article 41 of the Constitution, has signed recognition agreements with three Teacher Unions namely including, Kenya Union of Post-Primary Education Teachers (KUPPET), Kenya National Union of Teachers (KNUT) and Kenya Union of Special Needs Education Teachers (KUSNET).
2. Pursuant to the Recognition Agreements each union in the teaching service has a distinct constituency. For example, KUPPET membership is derived from Post Primary school teachers; KNUT members are primary school teachers; and KUSNET Constituency comprises of teachers deployed to teach In Special Needs Education institutions and/or teachers duly registered as persons with disabilities under the Persons with Disabilities Act.
3. To foster the freedom of association and the right of every employee to join or leave a trade union at will as provided under Article 41(2) (c) of the Constitution and Section 4(1) of the Labour Relations Act, the Commission has developed and operationalized an online platform namely Teachers' Pay (T-Pay) to enable teachers to manage third-parties deductions in their pay slips.
4. The T-Pay system allows teachers to manage transactions in their pay slips by approving any third-party (such as unions, banks, insurances, associations, etc.) deductions that they wish to be effected on their pay slips. Similarly, a teacher who desires to exit a union is only required to log into T-Pay system and stop the deduction.

### Specific Responses to the Petition

5. The Commission has over the years recognized the right of employees to join and participate in trade unionism. Further, the need for bipartisan approach to labour relations begins with the recognition of teacher unions pursuant to Section 54 of the Labour Relations Act, this cannot be understated.
6. In line with section 4(1) of the Labour Relations Act, teachers are allowed to voluntarily join teacher unions of their choice by approving deductions to the union through the Commission's T-Pay platform. Similarly, where a teacher opts to leave membership of the union, he/she stops the deductions on the same platform.
7. Accordingly, teachers join unions voluntarily by approving deduction of membership fees in their pay slips.
8. KUSNET was registered by the Register of Trade Unions as a trade union on 30th August 2011 and issued with a Certificate of Registration Number TU/160.
9. The union's leadership is as follows James Torome, Secretary General, Amos Karanja, National Chairman and Monica Gathu. Other details with respect to the union may be obtained from the Registrar of Trade Unions who is the Regulator.

10. Pursuant to section 54 of the Labour Relations Act, the Commission signed a Recognition Agreement with KUSNET on 3<sup>rd</sup> March 2021 allowing the Commission to engage KUSNET in negotiation of teachers' terms of service.
11. To this end, KUSNET negotiated the terms of service for its members and signed a Collective Bargaining Agreement with the Commission dated 13<sup>th</sup> July 2021.
12. Following the signing of the Collective Bargaining Agreement, KUSNET pursuant to section 49 of the Labour Relations Act requested the Minister for Labour and Social Protection to issue an order requiring the Commission to deduct Agency Fee from the wages of each unionisable teacher under the constituency of KUSNET who is not a member of the trade union.
13. Accordingly, the Minister issued an order vide Legal Notice No. 10 of 2022 directing the Commission to deduct agency fee from unionisable teachers under the constituency of KUSNET who have not subscribed as members of the union.
14. To this end, the Commission deducts union dues from teachers who have duly registered as members of KUSNET and Agency Fees from members who are under the constituency of KUSNET and have not registered as members of KUSNET.
15. All teachers who are members of KUSNET or any other union recognized by the Commission joined the union(s) voluntarily by approving deduction of union dues fees in their pay slips. It is, therefore, not true that some KUSNET members joined the Union without consent, and they have been deducted union dues.
16. With regards to the Petitioners, fourteen (14) of them are deducted agency fee as they fall within the constituency of KUSNET while one (1) Petitioner, Ms. Stella Mageto is deducted membership fee as she is member of KUSNET.

### Committee Concerns

- (i) Regarding how the Commission remitted the deductions, the CEO clarified that the deductions on behalf of the unions including KUSNET or other third-party subscriptions were made by 25<sup>th</sup> of every month and the money was in IFMIS.
- (ii) Regarding the autonomy of TSC in managing payroll of teachers, the CEO indicated that the Commission had fought for the autonomy to run and manage the payroll of teachers. This has caused several administrative bottlenecks and the Commission had to conduct a retreat with several State Departments to actualize certain policies.

## Background

1. Pursuant to the provisions of Article 237(2)(d) of the Constitution, the Commission has the mandate to promote teachers under its employment.
2. In discharging this mandate to promote teachers, the Commission observes the values and principles of public service under Article 232 of the Constitution. To this end the Commission has endeavoured to apply the principle of fair competition and merit, integrity, transparency and accountability, equity, fairness and impartiality, inclusiveness, non-discrimination and gender equity in the selection and appointment process.
3. Further, the promotion of teachers in public service is premised on CORT, Career Progression Guidelines (CPG) for teachers and the Policy on Selection and Appointment of Institutional Administrators.
4. Specifically, Regulation 73 of the CORT provides for general guidelines in promotion of teachers including: merit and ability as reflected in the teacher's work, performance and results; seniority and experience as set out in the scheme of service; existence of a vacancy; and academic and professional qualifications.
5. On the other hand, the Career Progression Guidelines (CPG) and the policy on Selection and Appointment of Institutional Administrators outlines the skills and competencies necessary for advancement in the profession by providing for minimum requirements for selection, appointment and promotion of teachers at different grades.
6. To this end, all promotion vacancies are filled competitively with the objective for recognize or reward effort or align teachers for succession management/career progression and to motivate employees to perform better in their duties and responsibilities with the aim of improving quality teaching and learning.

## Specific Response to the Petition

7. Promotions in the teaching sector are done under two limbs as follows:

### Common Cadre Promotions:

8. Promotions under the Common cadre is considered based on the following categories:
  - a) *Primary school teachers*: Employed with a P1 qualification and are placed in grade B5. Upon completion of three years of satisfactory service, they are automatically promoted to grade C1 in the common cadre establishment.
  - b) *Secondary school teachers*: Employed with a Diploma qualification and placed in grade C1. Upon completion of three years of satisfactory service, they are

automatically promoted to grade C2 in the common cadre establishment. Additionally, for Secondary school teachers who are employed with a degree qualification, they are placed in grade C2. Upon completion of three years of satisfactory service, they are automatically promoted to grade C3 in the common cadre establishment.

9. Accordingly, the Commission has promoted a total of **168,389** teachers on Common cadre promotions between Financial Years 2017/2018 and 2023/2024.

### **Competitive Promotions**

10. Promotions from the common cadre establishments are competitively filled with the objective to promote national values, fairness, non-discrimination, and equity. The promotions are premised on inter alia availability of funds and existence of vacancies in authorized establishments.
11. Promotion of institutional administrators is guided by the Policy on Appointment and Deployment of Institutional Administrators. The policy provides for clear career progression structures to ensure systematic progression, growth and professional development for all teachers. It outlines the experience, academic and professional requirements necessary for appointment and deployment of institutional administrators and further sets the process for career advancement and succession management in institutions.
12. A teacher must meet all the requirements set out in the Policy on Appointment and Deployment of Institutional Administrators to qualify for appointed as an administrator. Additionally, the teachers must show interest by applying when the Commission advertises for the said posts.
13. A summary of teachers promoted between Financial Years 2019/2020 and 2023/2024 on competitive basis were **73,902**.
14. Pursuant to the implementation of the 2017-2021 CBA and the Career Progression Guidelines, all teachers were promoted in 2017 and thereafter, automatically promoted after 3 years for common cadre promotions.
15. Accordingly, it is not true that teachers have stagnated for 15 years. While some teachers may have stayed in one job group more than three years, the delay in promotion is majorly caused by budget constraints to undertake competitive promotions.
16. Further, the Commission has severally engaged KUPPET on issue of promotions with the most resent engagement being from 9<sup>th</sup> to 12<sup>th</sup> April, 2024 at a workshop in Naivasha where the Commission extensively elaborated to the union the challenges causing delay in promotion of teachers.

### **Committee Concerns**

- (i) Regarding communication with teachers regarding vacancies and requirement for promotions, the CEO noted that the Job Evaluation (JE) was conducted in consultation with union representatives and associations, including the Kenya

Secondary Schools Heads Association (KESSHA) and the Kenya Primary Schools Headteachers Association (KEPSHA). This ensured that teachers were represented through their respective cohorts. Following the JE-based Collective Bargaining Agreement (CBA), the TSC issued a circular to every school and disseminated it via its website, newspapers, television, and field officers who represent the Commission at the zonal level.

- (ii) **Addressing concerns about whether the Schemes of Service constituted a "moving target" during promotions**, the CEO clarified that a standardized policy exists under the Career Progression Guidelines (CPG). Other criteria, such as performance in curriculum delivery and years of experience, are only applied in exceptional cases to determine promotion eligibility.
- (iii) **On the issue of funding required to prevent career stagnation among teachers**, the CEO emphasized the need for an annual budget dedicated to promotions. The last budget allocation for promotions was ten years ago, which has led to significant stagnation and demotivation among teachers. While TSC had proposed an annual budget of Kshs 2 billion, the current administration provided only Kshs1 billion. This is insufficient to meet the needs of the 400,000 teachers, some of whom have stagnated for over a decade. Moreover, with 46,000 additional teachers recently employed on permanent and pensionable terms, the proposed budget may need further revision to accommodate their eventual promotions.
- (iv) **Regarding the estimated number of advertised positions for the Financial Year 2024/2025**, the CEO stated that the most recent advertisement sought to fill 5,690 positions, mainly to support the new Competency-Based Curriculum (CBC). Among these were 2,911 deputy headteacher roles. However, the advert attracted only 2,566 applications, as many qualified teachers were reluctant to apply for promotions due to concerns over potential transfers.
- (v) **Addressing allegations of corruption in teacher recruitment**, the CEO reported that investigations conducted in collaboration with relevant stakeholders found no evidence of malpractice. Nonetheless, the Commission remains open to new evidence to improve the process. The recruitment portal was established to minimize human interference, ensuring only applicants who met the qualifications were considered. Out of approximately 150,000 qualified applicants, only 36,000 vacancies were available, with unqualified candidates automatically filtered out by the system.
- (vi) **On the frequency of TSC policy reviews**, the CEO mentioned that the last review of the Career Progression Guidelines (CPG) took place in 2018. The next review is scheduled for July 2025 to align with the upcoming CBA for 2025-2029.

## **Background**

1. Prior to the JE, teachers job groups were not in sync with their responsibilities. For example, a Head teacher would be **Job Group G** and a classroom teacher at **Job Group M**.
2. The JE addressed this disparity by categorising the teaching the teaching service into two (2) groups, Institutional administrators and non-administrators. The administrators in primary schools comprised of Head teachers, Deputy headteachers and Senior headteachers.
3. Conversion of teachers at the primary school level were done based on the role of the teacher at the time and their substantive job group.
4. Noting that special schools and units are categorised as either primary or secondary, SNE teachers were converted using the same formula and thus they acquired the grades associated with primary or secondary teachers whichever was applicable.
5. Pursuant to the conversion and in line with the new grading structures, SNE teachers retained similar title as teachers in regular schools in the payroll, for example, SNE teacher converted to C2 retained the name **Senior Teacher II** instead of **Primary Teacher II (SNE)**.
6. Admittedly, the Job titles in the Commission's payroll and those in the CPG 2018 are yet to be aligned with respect to SNE teachers.
7. This has been occasioned by the fact that the Government's payroll system which is managed by the State Department of Public Service has been undergoing re-configuration to facilitate migration to a new payroll system.
8. Despite the lack of change in the job title of SNE Teachers in the payroll, the Commission has ensured that the teachers are paid salaries that are commensurate to their designation. Accordingly, there has not been any discrimination on the salary structure of the SNE Teachers.
9. Noting the confusion created by the lack of change in the job title of SNE Teachers in the payroll, the Commission is working closely with the State Department of Public Service to align the grades for the Job Titles in the payroll to reflect those in the CPG.

## **General Committee Concerns**

- (i) **Regarding effective communication with teachers during recruitment and promotion processes**, the TSC clarified that every teacher is eligible for automatic promotion to the next grade after three years. However, due to limited vacancies and the need to ensure equity and fairness, not all eligible teachers can be promoted simultaneously, necessitating a competitive selection process. The

TSC emphasized that unsuccessful candidates are considered for subsequent opportunities and are issued regret letters to acknowledge their applications.

- (ii) On whether a classroom teacher could be promoted to the highest grade without holding a headship or management position, the TSC explained that while this was possible in the past, the current structure under the Job Evaluation (JE) framework assigns higher ranks to administrators. The JE framework was developed through consultations with multiple stakeholders, including teachers. Notably, institutional heads continue to fulfil their roles as classroom teachers.
- (iii) Regarding the balance between teacher demand and supply, the TSC CEO noted that while budget constraints remain a significant challenge, the Commission regularly engages the Ministry of Education through advisory proposals. For example, the Ministry paused the training of P1 teachers for two years to facilitate the transition from P1 certification to diploma-level qualifications. The CEO underscored the importance of aligning teacher training projections with periodic advisory updates.
- (iv) On the gradual implementation of the delocalization policy, the TSC clarified that the process ensures seamless replacements for transferred teachers to avoid disruptions to learning.

### Committee Resolutions

After deliberations, the Committee resolved to proceed with report writing for the petitions except P/No. 46 of 2023 on Payment of Retirement Dues and Pension for Retired Teachers which was pending engagement with the National Treasury and the Retirements Benefits Authority (RBA).

MIN./PPETC/2024/410:

CONSIDERATION OF P/NO. 40 OF 2023 REGARDING  
DELIMITATION OF ELECTORAL UNITS

### Meeting with the IEBC

The CEO IEBC, Mr. Marjan Hussein Marjan appeared before the Committee and submitted as follows—

### Introduction

1. The Independent Electoral and Boundaries Commission (IEBC) is a Constitutional Commission established under Article 88 of the Constitution.
2. Article 88 (4) outlines its mandate to conduct or supervise referenda and elections to any elective body or office established by the Constitution and any other election as prescribed by an Act of Parliament.
3. Specifically, Article 88(4)(c) of the Constitution provides that the IEBC is responsible for "the delimitation of constituencies and wards". Further, Article 82(1)(a), requires Parliament to enact legislation to provide for "the delimitation by the Independent Electoral and Boundaries Commission of electoral units for election of members of the National Assembly and County Assemblies."

4. Pursuant to the aforesaid requirement, Parliament enacted the Independent Electoral and Boundaries Commission Act, 2011 (the IEBC Act) effectively granting a lifeline to the provisions of Article 82(1)(a) as read together with the provisions of Articles 88 and 89.
5. In addition, under Sections 2, 4(c), 36 and the Fifth Schedule of the IEBC Act, CAP 7C, the IEBC was required to resolve all issues arising from the first review and therefore, complete the first review. Following the review, the Commission was required to publish its final report within a period of four (4) months of the date of appointment of its Chairperson and Members as provided under the IEBC Act.
6. By dint of Sections 2, 4(c), 36 and the Fifth Schedule of the IEBC Act, the IEBC resolved all issues, completed the first review of electoral boundaries and published the final report of the National Assembly Constituencies and County Assembly Order, 2012 dated 6<sup>th</sup> March, 2012 in the Kenya Gazette as Legal Notice No. 14 of 2012.

#### Response to the issues raised in the Petition

The IEBC noted the concerns raised in the Petition and responded as follows—

#### *Complaints were raised after the last boundary delimitation exercise regarding the way 80 extra constituencies and 1450 county assembly wards were created.*

7. The Interim Independent Boundaries Review Commission (IBRC) was established pursuant to the Constitution of Kenya (Amendment) Act, No. 10 of 2008 as part of the four (4) main reform agendas towards electoral transformation. This was as a result of the aftermath of the disbandment of the Electoral Commission of Kenya (ECK), whose functions were subsequently spread between the IBRC and the Interim Independent Electoral Commission (IIEC).
8. The IBRC Chairperson and eight Commissioners were duly appointed by the President and gazetted vide Gazette Notice No. 4796 of 12<sup>th</sup> May, 2009 and sworn into office on 18<sup>th</sup> May, 2010. The functions of the Commission were set out in section 41C of the said Constitution (Amendment) Act as being inter alia—
  - (a) To make recommendations to parliament on the delimitation of constituencies and local authority electoral units and the optimal number of constituencies on the basis of equality of votes taking into account:
    - i. Density of population, and in particular the need to ensure adequate representation of urban and sparsely populated rural areas;
    - ii. Population trends;
    - iii. Means of communication;
    - iv. Geographical features; and
    - v. Community of interest.
  - (b) To make recommendations to parliament on administrative boundaries, including the fixing, reviewing and variation of boundaries of districts and other units; and

- (c) And any other functions as may be prescribed by parliament.
9. This mandate was further modified by the new Constitution promulgated on 27<sup>th</sup> August, 2010 under paragraph 27 of the Sixth Schedule which charged the IIBRC with the mandate to determine the boundaries of constituencies and wards using the criteria mentioned in the Constitution.
  10. It was pursuant to this constitutional imperative that the IIBRC completed its work, determined eighty new constituencies in addition to the existing two hundred and ten and published the list in the print media on 17<sup>th</sup> November, 2010.
  11. Following this publication and determination of the disputes thereafter, the TEBC was required, pursuant to the provisions of paragraph 2 (1) (a) and (b) of the Fifth Schedule to the IEBC Act, to address the issues arising out of the first review by:
    - (a) Using as its primary reference material the report of the former Boundaries Commission (IIBRC) on the first review as adopted by the National Assembly; and
    - (b) Using as its secondary reference material, the report of the Parliamentary Committee on the report of the former Boundaries Commission on the first review.
  12. In carrying out the exercise, the IEBC sought to resolve issues arising from the first review as stated in paragraph 2(2) (a). (b) as follows:
    - (a) Re-distribution of such wards or administrative units in the affected constituencies as may be appropriate; and
    - (b) Subject to the Constitution, addressing issues of new constituencies falling outside the population quota as provided for by Article 89(6) of the Constitution.
  13. Pursuant to this, the IEBC conducted public participation to resolve all issues arising from the first review conducted by IBRC while sensitizing the publics on the proposed boundaries of constituencies and wards before the preparation of the final report.
  14. Any resultant disputes were handled through the appropriate dispute resolution fora, that is, the Courts. In strict adherence to the rule of law, the Commission implemented the decisions of the Courts.
  15. The next review of boundaries should have been undertaken and concluded not later than March 2024 but since the recruitment of Commissioners is pending no substantive constitutional functions can be discharged by the Commission.
  16. Articles 82(1) (a) and 89 confer upon the IEBC the mandate to review the names and boundaries of constituencies and the number, names and boundaries of wards. The criteria to consider in delimitation of electoral boundaries is espoused under Article 89.

17. The stipulated constitutional timelines for review of the names and boundaries of Constituencies is not less than eight (8) years and not more than twelve (12) years while the timelines for review of the number, names and boundaries of Wards is periodic.
18. The import of this, is that the eight-year period took effect in 2020 with the twelve-year outer limit terminating in March, 2024. The IEBC has not undertaken the delimitation of boundaries owing to vacancies in the membership of the IEBC.
19. It is imperative to point out that during the intervening period, the legislative framework on review of electoral boundaries morphed through various amendments to Acts of Parliament including but not limited to:
  - i. Section 36 of the IEBC Act, 2011;
  - ii. The Fifth Schedule to the IEBC Act (now spent) and
  - iii. Section 26 of the County Governments Act, 2012,
20. In the review of electoral boundaries, the IEBC has and continues to rely on the following legislative framework for purposes of compliance:
  - i. The Constitution of Kenya, 2010;
  - ii. The IEBC Act, 2011;
  - iii. The County Governments Act, 2012;
  - iv. The Urban Areas and Cities Act, 2011;
  - v. The Survey Act, 1961 (Rev 2020) and
  - vi. Statistics Act, 2006.
21. The term of the Commissioners lapsed on 17<sup>th</sup> January, 2023. Prior to that, IEBC had prepared a Boundaries Review Operation Plan (BROP) to provide a road map for the delimitation exercise. It used a phased approach as follows:

**Phase I: Pre-Delimitation-Preparatory:** Activities such as planning, development of documents, legal framework, capacity building, collection, and validation.

**Phase II: Delimitation:** Gazettement of intent to conduct delimitation, Conduct of stakeholder engagement and education, collection and analysis of memoranda, public hearing and gazette of descriptions of new electoral units and generation of new electoral maps.

**Phase III: Post-Delimitation:** Post-delimitation report, petitions and implementation of high court decisions.

22. The IEBC has not completed phase one while phases two and three are yet to commence. The pending work in phase one encompasses geo-data validation and capacity enhancement of all necessary staff.
23. It is worth noting that while vacancies exist within the membership of the Commission, the IEBC remains legally and constitutionally obligated to undertake the delimitation of boundaries. It is not clear whether the Constitution permits the timelines under Article 89 to be extended.

24. The IEBC invoked Section 29 of the IEBC Act and sought the guidance of the Attorney General whose office advised that the IEBC Secretariat cannot conduct functions under Article 88 (4) of the Constitution. The Attorney General also laid emphasis that the failure to conduct boundary delimitation would likely result in legal challenges as well as compromising the right to fair representation, political stability, social cohesion and electoral integrity.
25. In this regard, the IEBC in July, 2024, filed a Reference requesting an Advisory Opinion from the Supreme Court on how to proceed taking into account the lapsed constitutional timelines and absence of Commissioners necessary for the electoral process. The matter is pending before the Supreme Court.
26. As a matter of information and owing to the lacunae in the membership of Commissioners, the Commission has sought an advisory from the Supreme Court with regard to the lapsed timelines for delimitation of boundaries in order to get guidance on the next steps given the current legal crisis.
27. The IEBC craves for the Supreme Court's advisory opinion of the following issues—
  - i. Whether the applicant can undertake the process of delimitation of electoral boundaries and other electoral processes in the absence of Commissioners or the requisite quorum of Commissioners;
  - ii. Whether the applicant can conduct a review of the names and boundaries of constituencies and wards when the timelines envisage under Articles 89(2) and (3) as read together with Section 26 of the of the County Governments Act have lapsed; and
  - iii. Whether the constitutional timelines envisaged under the provisions of Articles 89(2) and 89(3) as read together with Section 26 of the of the County Governments Act can be extended, if so, by whom and under what circumstances.

***Parliament has not developed a legal framework for the creation and determination of sub-locations that takes into account the obligation of the IEBC to progressively achieve population parity***

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28. The IEBC is guided by an elaborate legal framework streaming from the Constitution and operationalized by the IEBC Act and the Procedures for Delimitation of Electoral Units enacted by Parliament on 15<sup>th</sup> July, 2024.
29. Notably, during delimitation of electoral boundaries, the IEBC utilizes data resident in other state agencies. In addition, the respective agencies would be required to submit the necessary data to the IEBC to facilitate its process of delimitation of electoral boundaries.
30. Specifically, Kenya National Bureau of Statistics (KNBS) will submit population data which is in Geodata format.
31. As a matter of information, sub-locations are administration structures of the National Government. The sub-location population data is drawn from collating

enumerated population of contagious enumeration blocks. It is neither a basic unit of population census nor elections.

*The National Assembly to engage the relevant authorities and stakeholders to ensure the review of electoral units is carried out in a constitutionally compliant manner.*

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32. In pursuit of its electoral legal reform agenda, the IEBC ensures robust engagements and public participation with relevant stakeholders. Parliament enacted the IEBC (Amendment) Act, 2024 on 15<sup>th</sup> July, 2024, that provides the mechanisms for the IEBC to engage stakeholders on the delimitation of boundaries under the Fifth Schedule.

33. As such, the process of boundary delimitation would be able to be sufficiently undertaken under the current legal framework once the Commissioners are appointed. This is of course dependent on the advisory opinion that the supreme Court will render on the constitutional timelines for delimitation of electoral units.

### Conclusion

34. The Commission notes with appreciation the intention of the Petition to ensure the delimitation of boundaries as provided under Article 89 is undertaken. However, for the reasons discussed above, the Commission submits that it cannot currently undertake delimitation and awaits further direction on the matter.

35. The Commission recommends that the process of recruitment of Commissioners be fast tracked to enable the Commission to discharge its constitutional mandate which includes delimitation of constituency and ward boundaries.

### Committee Concerns

#### (i) Possible outcomes from the Supreme Court's determination

The Commission outlined potential outcomes from the Supreme Court's decision. If the Court allows the Secretariat to proceed with delimitation, the process can continue. However, a critical question remains about who has the authority to extend the guidelines. If the Commission's constitution is expedited, they can fulfill their mandate accordingly. The Supreme Court's involvement became necessary due to lapsed timelines. A bench has since been constituted to address the issues presented by the IEBC Secretariat.

#### (ii) Supreme Court's role vs. the Commission's independence

The CEO explained that the Supreme Court's role is to interpret the Constitution. The Court will likely consider the elapsed timelines, the rationale behind these timelines, and the circumstances following the departure of the Commissioners a year prior. It may examine which institution is responsible for ensuring a quorum within the Commission and whether external factors contributed to the delays. A purposive interpretation of the timeline provisions is needed. For instance, as the 2027 General Election approaches, a second review of boundaries is essential to avoid conducting

the election without updated delimitations. The Supreme Court may extend timelines, as delimitation must not exceed one year before the 2027 elections. Parliament may also need to amend the timelines legislatively.

(iii) **Fate of wards and constituencies without representatives**

The Commission clarified that byelection matters require intervention from the Commission itself. The Secretariat handles administrative tasks and implements the Commission's policy resolutions.

(iv) **Establishment of additional polling stations**

Citing Article 88, the Secretariat emphasized that establishing additional polling stations requires voter registration, which necessitates the presence of the Commission.

(v) **Livestreaming of presidential results**

Regarding efforts to bar the livestreaming of presidential results, the Commission explained that the proposal stemmed from the Election Amendment Bill 2024, which underwent public participation in the Senate. Section 39G of the Elections Act, enacted in 2017 during the period between the nullification of the 2017 presidential election and the fresh election on October 26, 2017, allowed livestreaming for public information only, excluding such results from official declarations.

After Parliament approved the Bill, the President declined to assent, and the Bill became law. However, the Katiba Institute and other civic organizations challenged this provision in court, which declared it unconstitutional. During public participation, it was suggested that the Elections Act be amended to reflect the court's ruling. As it stands, the transmission of election results in the 2027 General Election will proceed.

**Committee Resolutions**

After deliberations, the Committee resolved to proceed to write the report on the Petition with a view of responding to the Petitioner's prayers.

**MIN./PPETC/2024/411:**

**ADJOURNMENT AND DATE OF NEXT MEETING**

The Chairperson adjourned the meeting at 01:30 p.m. The next meeting will be held on Tuesday 3<sup>rd</sup> December, 2024.

Sign:  .....

 (CHAIRPERSON)

Date: 28/11/2024 .....



THE NATIONAL ASSEMBLY  
THIRTEENTH PARLIAMENT (SECOND SESSION)

CONVEYANCE OF A PUBLIC PETITION

(No. 76 of 2023)

REGARDING DISCRIMINATION BY THE TEACHERS SERVICE  
COMMISSION ON CAREER PROGRESSION GUIDELINES FOR  
SPECIAL NEEDS EDUCATION TEACHERS IN KENYA

1. **Honourable Members**, Article 119 of the Constitution accords any person the right to petition Parliament to consider any matter within its authority. Further, Standing Order 225(2)(b) requires the Speaker to report to the House any Petition other than those presented by a Member.
2. In this regard, **Honourable Members**, I wish to report to the House that my office has received a petition from one *Roberts Njunukha Wekesa* of *P.O Box 163 Bungoma*, representing teachers employed by the Teachers Service Commission to teach learners with Disabilities both in Special School and Special School Units all over the country.
3. **The Petitioner** states that the Teachers Service Commission jointly with the Salaries and Remuneration Commission undertook a job evaluation in the public teaching sector, whose recommendations culminated into *Career Guidelines*, which were implemented on 8<sup>th</sup> November 2017 and replaced the scheme of service for teachers.
4. **Consequently**, the Teachers Service Commission established a new grading structure, increasing Job scales from 10 to 11 grades, which in the opinion of the petitioner, were not correctly placed for Special Needs Education Teachers as per the Career progression Guidelines of 2018.

5. **Honourable Members**, the petitioner claims that their efforts to have the matter addressed by the Teachers Service Commission through the Kenya Union of Special Needs Education Teachers (KUSNET) have not been fruitful.
6. **The Petitioner**, therefore, prays that the National Assembly intervenes to revert to the provision of the Career Progression Guideline 2018 applicable to Special Needs Education Institutions and back date the implementation date.
7. **Honourable Members**, having established that the matter raised in the Petition is well within the authority of this House, and further, that the matters raised in this petition are not pending before any court of law, constitutional or legal body, I hereby commit the Petition to the Public Petitions Committee for consideration pursuant to Standing Order 208A.
8. The Committee is required to consider the Petition and report its findings to the House and to the Petitioner in accordance with Standing Order 227(2).

  
**THE RT. HON. (DR.) MOSES F. M. WETANG'ULA, EGH, MP**  
**SPEAKER OF THE NATIONAL ASSEMBLY**

Date 29/11/23 .....

**TEACHERS SERVICE COMMISSION**



**RESPONSE TO PETITION NO.76 OF 2023 CONCERNING  
DISCRIMINATION BY THE TEACHERS SERVICE COMMISSION ON  
CAREER PROGRESSION GUIDELINES FOR  
SPECIAL NEEDS EDUCATION TEACHERS (SNE)**

**18<sup>TH</sup> JULY 2024**

## **1.0 BACKGROUND**

- 1.1 In 2015/2016, the Commission in consultation with the Salaries and Remuneration Commission (SRC) conducted a Job Evaluation (JE) for the Teaching Service. Based on the findings of the JE report, SRC rendered a formal advisory proposing a new grading and remuneration structure for teachers in the Public Service.
- 1.2 The main objective of the JE exercise was to determine the relative worth of the jobs/assignments within the teaching service with a view to link teacher remuneration and benefits to the respective responsibility assigned to them. The JE introduced among others: -
  - a. The position of Senior Master in post primary institutions.
  - b. Responsibility-Based Grading System and remuneration structure replacing the Qualification-Based System.
  - c. Removal of Responsibility Allowance.
  - d. Substantive appointment to administrative positions in teaching service.
- 1.3 Subsequent to the JE, the Commission signed the **2017-2021 Collective Bargaining Agreement (CBA)** with the teacher unions including Kenya National Union of Teachers (KNUT).
- 1.4 This transition necessitated the development and implementation of the teachers' **Career Progression Guidelines (CPG)** and **Policy on Appointment & Deployment of Institutional Administrators** in 2017 to align the New Grading Structure with the career progression of teachers.
- 1.5 The Policy of Appointment & Deployment of Institutional Administrators (2017) provides standards ensuring that institutional administrative positions are competitively filled.

## **2.0 CONVERSION FROM THE PREVIOUS GRADING STRUCTURE**

- 2.1 Prior to the JE, teachers job groups were not in sync with their responsibilities. For example, a Head teacher would be at **Job Group M** and a classroom teacher at **Job group G**.
- 2.2 The JE addressed this disparity by categorizing the teaching service into two (2) groups; Institutional administrators and non-administrators. The administrators in primary schools comprised of Head teachers, Deputy Head teachers and Senior teachers.
- 2.3 Conversion of teachers at the primary school level were done based on the role of the teacher at the time and their substantive job group as shown in **Table 1** below.
- 2.4 Noting that special schools and units are categorized as either primary or secondary, SNE teachers were converted using the same formula and thus they acquired the grades associated with either primary or secondary teachers whichever was applicable.

**Table 1: CONVERSION IN PRIMARY SCHOOL**

<b>S/No</b>	<b>Position (Role) before 1/7/2017</b>	<b>Job Group Before 1/7/2017</b>	<b>Grade Converted to on 1/7/2017</b>
1.	Head-Teacher	'N' & 'M'	D1
2.	Head-Teacher	'G','H','J','K' and 'L'	C5
3.	Deputy Head-Teacher	'N.	D1
4.	Deputy Head-Teacher	'M'	C5
5.	Deputy Head-Teacher	'G','H','J','K' and 'L'	C4
6.	Senior Teacher	'N'	D1
7.	Senior Teacher	'M'	C5

<b>S/No</b>	<b>Position (Role) before 1/7/2017</b>	<b>Job Group Before 1/7/2017</b>	<b>Grade Converted to on 1/7/2017</b>
8.	Senior Teacher	'L'	C3
9.	Senior Teacher	'G','H', and 'J'	C2
10.	Teacher	'N'	D1
11.	Teacher	'M'	C5
12.	Teacher	'L'	C3
13.	Teacher	'K'	C2
14.	Teacher	'H' & 'J'	C1
15.	Teacher	'G'	B5

- 2.5 Pursuant to the conversion and in line with the new grading structures, SNE teachers retained similar title as teachers in regular schools in the payroll, for example, SNE Teacher converted to C2 retained the name **Senior Teacher II** instead of **Primary Teacher II (SNE)** as illustrated in Table 2 below.

**Table 2: JOB TITLES IN SNE**

<b>S/N</b>	<b>Job Title as it is on Payroll</b>	<b>Grade</b>	<b>T-Scale</b>	<b>Job Title as the CPG 2018</b>	<b>Grade</b>	<b>T-Scale</b>
1	Senior Teacher II	C2	7	Primary Teacher II (SNE)	C2	7
2	Senior Teacher I	C3	8	Primary Teacher I	C3	8
3	Deputy Teacher II	C4	9	Senior Teacher II (SNE)	C4	9
4	Deputy Head Teacher I/Head Teacher	C5	10	Senior Teacher I (SNE)	C5	10
5	Senior Head Teacher	D1	11	Deputy Head Teacher (SNE)	D1	11

- 2.6 Admittedly, the Job titles in the Commission's payroll and those in the **Career Progression Guidelines 2018** are yet to be aligned with respect to SNE teachers.
- 2.7 This has been occasioned by the fact that the Government's payroll system which is managed by the State Department of Public Service has been undergoing re-configuration to facilitate migration to a new payroll system.
- 2.8 Despite the lack of change in the job title of SNE Teachers in the payroll, the Commission has ensured that the teachers are paid salaries that are commensurate to their designation. Accordingly, there has not been any discrimination on the salary structure of the SNE Teachers.
- 2.9 Honorable Members, noting the confusion created by the lack of change in the job title of SNE Teachers in the payroll, The Commission is working closely with the State Department of Public Service to align the grades for the Job Titles in the payroll to reflect those in the CPG.

**\*END\***



The Clerk of the National Assembly  
Parliament Buildings  
P. O. Box 41842-00100  
Nairobi  
Email: clerk.NA@parliament.go.ke

*Ms. Anne*  
*to lead*  
*7/11/2023*  
*DLSP*  
*8/26/110*  
*Head, PDS*  
*please process*  
*96-10-23*

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We are teachers employed by the TSC, Teaching learners with Disabilities both in Special School and Special School Units found all over the country hence citizens of Republic of Kenya, and residents of 47 Counties.

DRAW the attention of the National Assembly to the following

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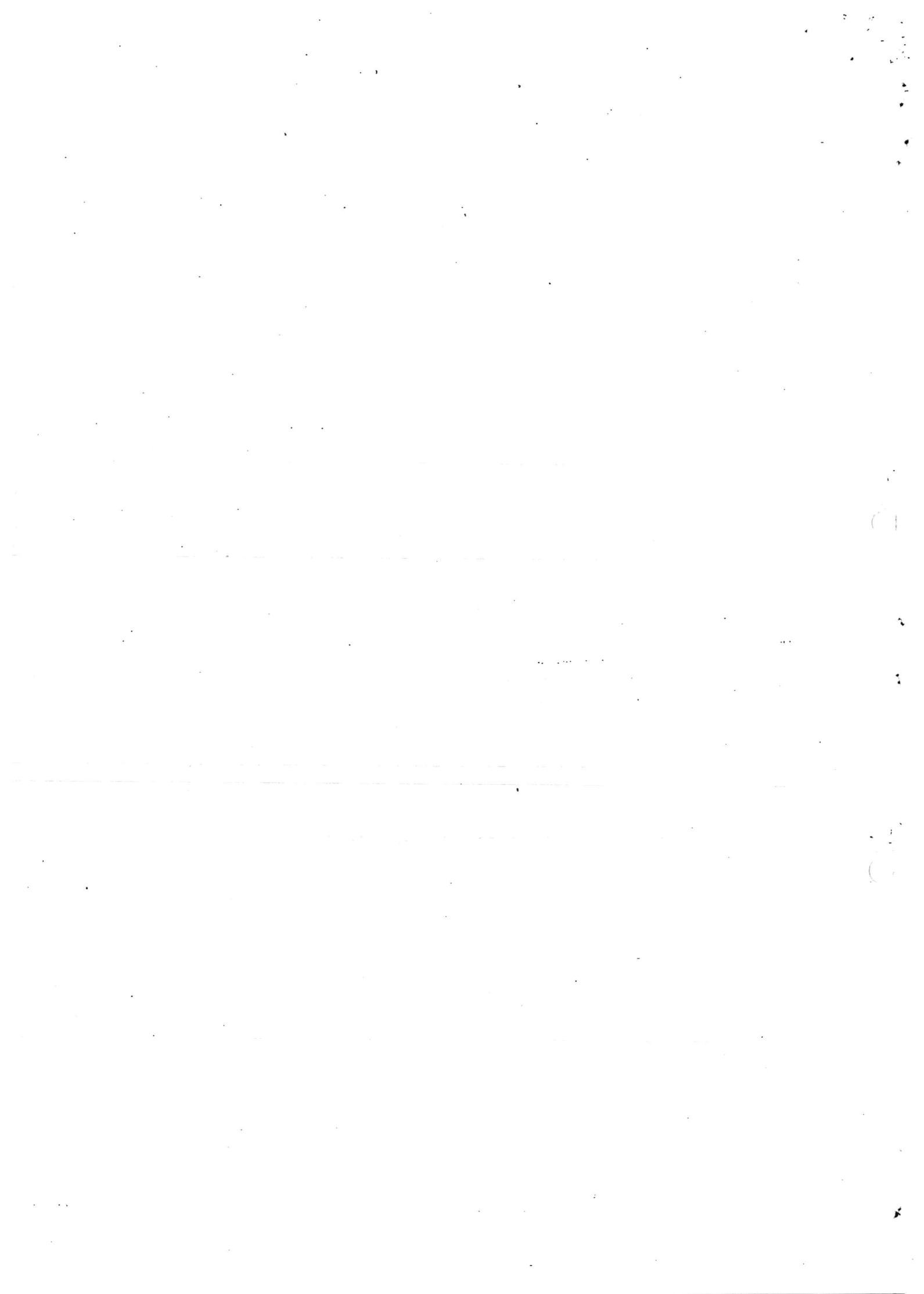
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- ii. That the implementation of the career guidelines came into effect on 8/11/2017 and replaced the scheme of service for teachers. Consequently, teachers in service as at 8<sup>th</sup> November 2017, were to adopt and convert appropriately to the new designation and grading structure as per the New Career Progression Guidelines.
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As a result the Commission established a new grading structure for the teaching service increasing Job scales from 10 to 11 grades. The grades for Special Needs Education Institutions (SNEs) were;

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iv. The grading structure system model applicable to SNE teachers is clearly laid down in the Teachers Service Commission Career Progression Guidelines (CPG 2018) as from pages 112-123.

The table below shows the current erroneous placement of Special Needs Education Teachers against the correct placement as per the Career Progression Guidelines-CPG 2018.

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*How and why grading system changed when implementing Carrier guidelines contrary to provisions of Career progression guidelines on SNE teachers. We request that the TSC refrains from using the grading system model it is applying on SNE teachers which is contrary and in violation of the Career progression guidelines for teachers 2018 and revert back to provisions of their own Policy document (Career Progression Guidelines 2018) applicable to Special Needs Education institutions (SNE) teachers as captured on pages 112-123 of the same towards giving us our correct Designation, T-Scale and Remunerations back dated to the implementation date.*

Filed this..... Day of..... 2023



CC

---

CHAIRMAN EDUCATION PARLIAMENTARY COMMITTEE

CEO TSC

SECRETARY GENERAL KNUT

SECRETARY GENERAL KUPPET

CLERK SENATE

SRC

LABOUR OFFICE

CS LABOUR



KUSNET does not have grassroots representation or known regional offices, does not conduct AGMs, ADCs and its elections conducted in secrets if at all there, hence maybe known by few individuals who purport to be officials of the union and our employer TSC

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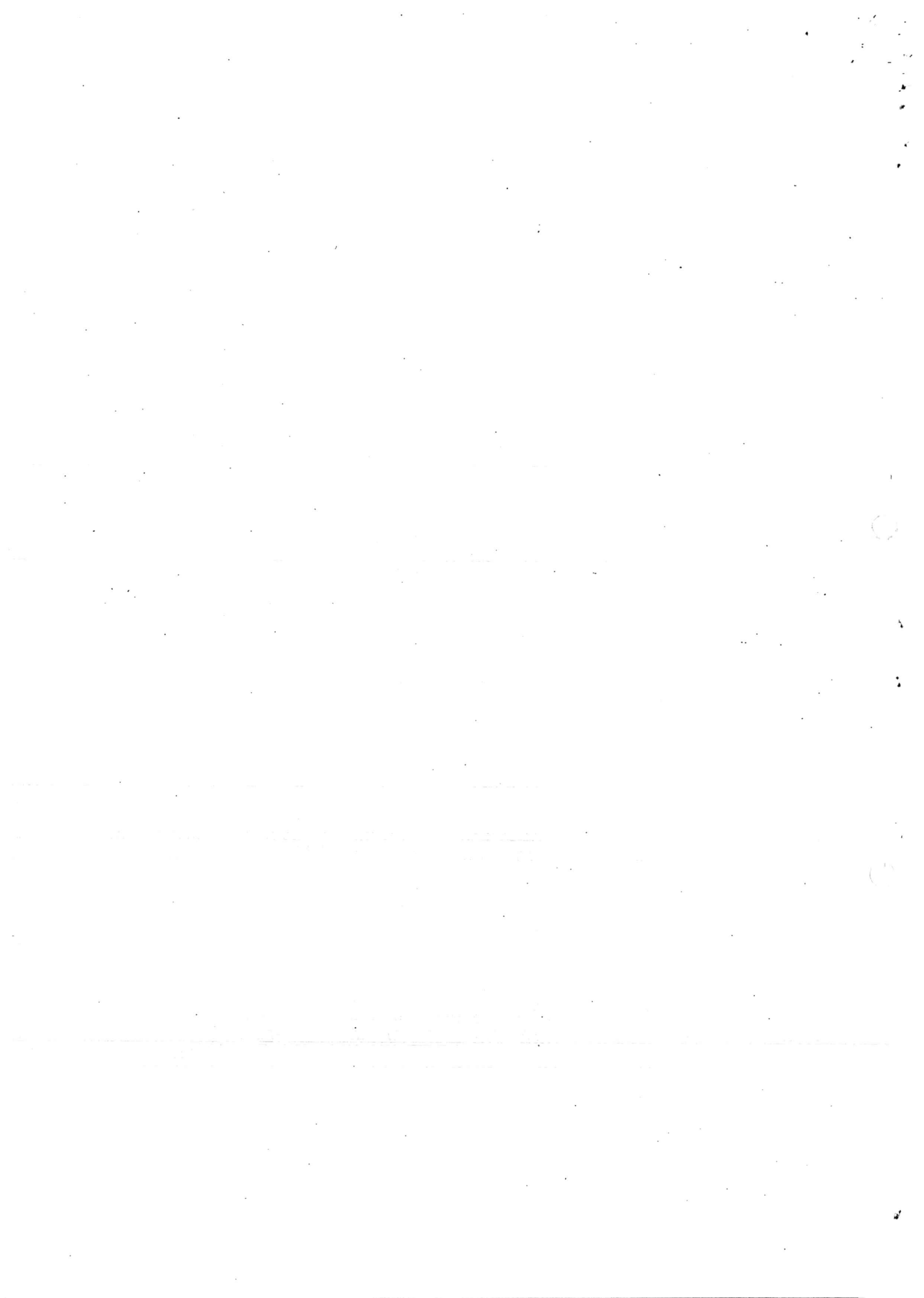
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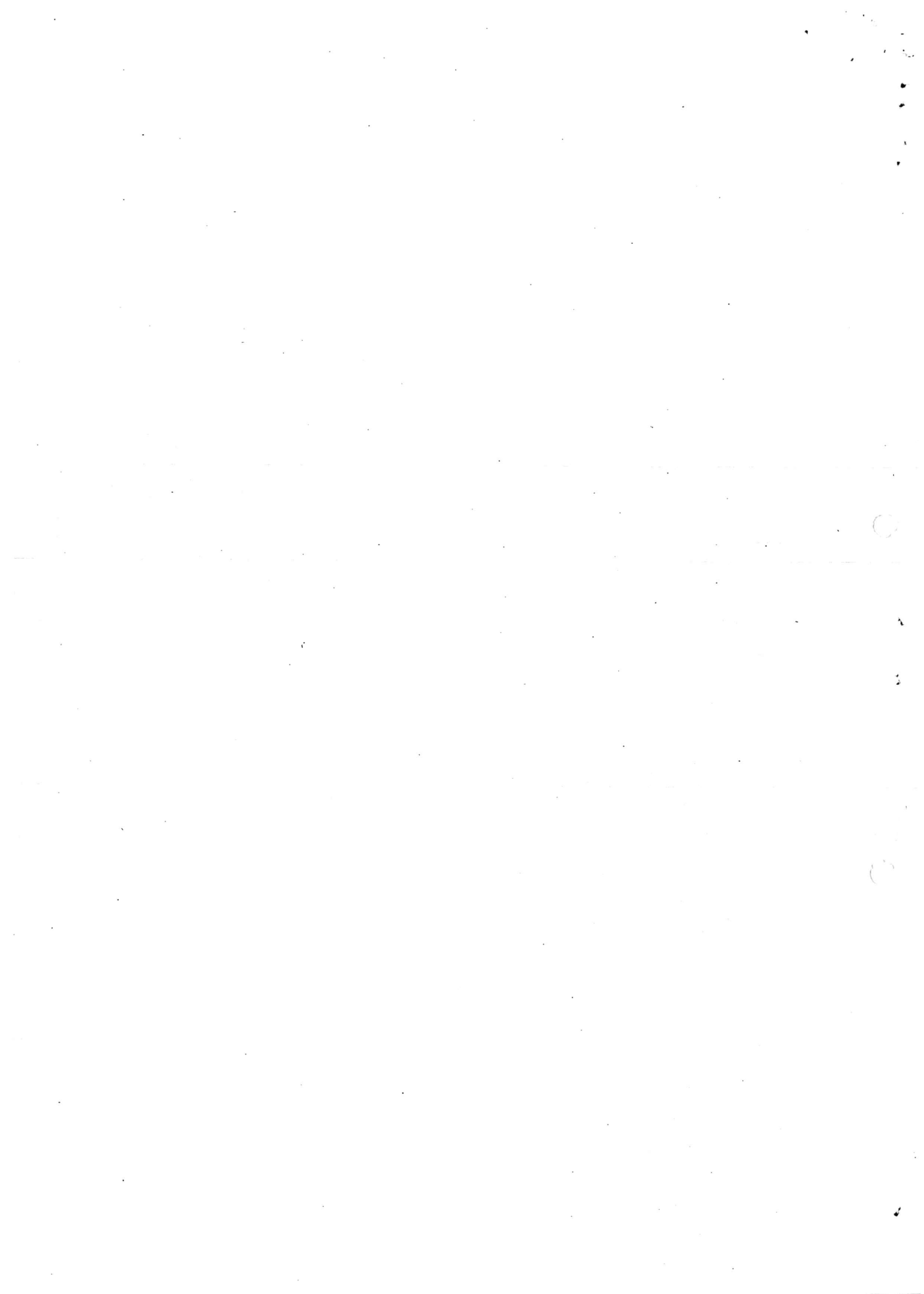
Dated this 05.09.2023 day of ..... 2023

NO.	NAME	ADDRESS	I.D NO	COUNTY	SIGNATURE
1	Roberts Njunukha Wekesa	163 Bungoma	13718036	Bungoma	
2	MARGARET KATHUNA NGIGE	13644-COSWATER	8494701	NAIROBI	
3	Benjamin MURUGU	145-00902	8779751	NAIROBI	
4	KENNETH N. AKROGA	145-00902	5948418	NAIROBI	
5	ALICE NYANDEGA	145-00902	7009297	NAIROBI	
6	LYDIA NJOKA	145-00902	8311457	NAIROBI	
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8	THURU NJUGUNA	22877-00902	7467566	NAIROBI	
9	EUSTACE G. MURANCA	1965-00902	2230678	NAIROBI	
10	MURRAY N. MURUNGI	47642-00100	3300000	NAIROBI	
11	SARAH W. MAINA	26301-00100	8100007	NAIROBI	
12	MURRAY MURUNGI	1965-00902	MURUNGI 3	NAIROBI	
13	SAMUEL G. MWANCI	40981-00100	1177000	NAIROBI	
14	CLARA J. RONOH	40981-00100	6031694	NAIROBI	



	Box No.	ID	County		
5	BENJAMIN N. KAMAU	446912-000001	1246419	NAIROBI	<del>NAIROBI</del>
6	ELIZABA J. CHUMU	22636-00100	11768329	NAIROBI	MB
7	GERALD MUELIKI	21658-00005	2260912	NAIROBI	<del>NAIROBI</del>
8	GEORGE K. KAMANI	31173-00100	21155403	NAIROBI	<del>NAIROBI</del>
9	HELEN MATHIA	20159-00202	18554852	NAIROBI	<del>NAIROBI</del>
10	TOROKA WAMBUI	75690-00200	7178632	NAIROBI	<del>NAIROBI</del>
21	GEORGE M. MURUGA	48648-00100	10929456	NAIROBI	<del>NAIROBI</del>
22	MARtha Mwangi	30202-00952	1052051	NAIROBI	<del>NAIROBI</del>
23	Janet Githa	08605-00100	10952317	NAIROBI	<del>NAIROBI</del>
24	Millicent Mawia	11608-00100	726204	NAIROBI	<del>NAIROBI</del>
25	Margaret Mwangi	48648-00100	10955596	NAIROBI	<del>NAIROBI</del>
26	Stella Mary Mkenjo	10607-00100	10320200	NRB	Mwangi
27	Judith Jane Dweh	272643687	8991121	NRB	<del>NAIROBI</del>
28	Winifred K. Mutisya	072157873	11678047	NRB	<del>NAIROBI</del>
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31	HELLEN N. NJERU	871-90200	11852092	KITHI	<del>NAIROBI</del>
32	STOKALI PHILIP	942-LUANDA	7016273	VIIKUA	<del>NAIROBI</del>
33	ARTEMIS NDECHE	871-90200	9276467	KITHI	Mwangi
34	ESTELLA M. MBALATHA				

PRESENTED BY  
MARGARET NAIROBI - 0722763488



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10	Monica Muraya	National Women Rep	Central	Nyandarua	0723922763
11	Peter itenei	Trustees	Eastern	Meru	0724280395
12	Elizabeth Ngare	Trustees	Coast	Mombasa	0723760651
13	Aggrey Waliaro	Trustees	Western	Kakamega	0710826740
14	Margret Makmaja	Trustees	Nairobi	KISE	0722570986
15	Emmanuel Nandwa	Trustees	Central	Nyeri	0715071572
16	Joseph Katamo	PWD REP	Western	Kakamega	0725251135
17	Jane Kiplagat	Member	Rift Valley	Elgeyo Marakwet	0725620229
18	Jackline M.Kyengo	Member	Eastern	Machakos	0704289633
19	Josphat Onyancha	Member	Nyanza	Nyamira	0722496385
20	Charles Nyagaya	Member	Nyanza	Siaya	0723204609
21	Njoka Kathara	Member	Eastern	Embu	0728156358
22	Lydia Kivanga	Member	Coast	Kilifi	0115430143
23	Barukaci Muthando	Member	Coast	Taita Taveta	0724440372
24	Joseph Katamo	Member	Western	Kakamega	0725251135
25	Ruth Marris Orubia	Member	Western	Busia	0720510900
26	Maria E Mburu	Member	Coast	Tana River	0713396889
27	Dorothy Muthoni Silas	Member	Coast	Tana River	0723733569
28	Rachel C.Talsam	Member	Rift Valley	Nakuru	0728821449
29	Eunice Nduku Geoffrey	Member	Eastern	Makueni	0721821753
30	John Edambo	Member	Western	Trans Nzoia	0723520698
31	Achwa Elizabeth	Member	Rift valley	Turkana	0710990748
32	Salaton Samwel Kamundia	Member	Eastern	Murang'u	0720336813

33	Edith Museywa	Member	Western	Vihiga	0722281066
34	Millicent Bayo	Member	Nyanza	Migori	0728 815355
35	Amos Kimani	Member	Central	Nyandarua	0723511516
36	Irene Kimanathi	Member	Coast	Kwale	0722991292
37	Farida Mohammed	Member	Coast	Lamu	0724939570
38	Samwel Otieno	Member	Nyanza	Kisii	0720623626
39	Richard Gitau	Member	Rift valley	Narok	0723812663
40	Stephen Kiiru	Member	Central	Nyeri	0722617755
41	Abraham Nteera	Member	Eastern	Meru	0722417860



The Clerk of the National Assembly  
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*file lead*  
*7/11/2023*

*DLSP*

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*Head, PBS*  
*please process*

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*CEO TSC*

*SECRETARY GENERAL KNUT*

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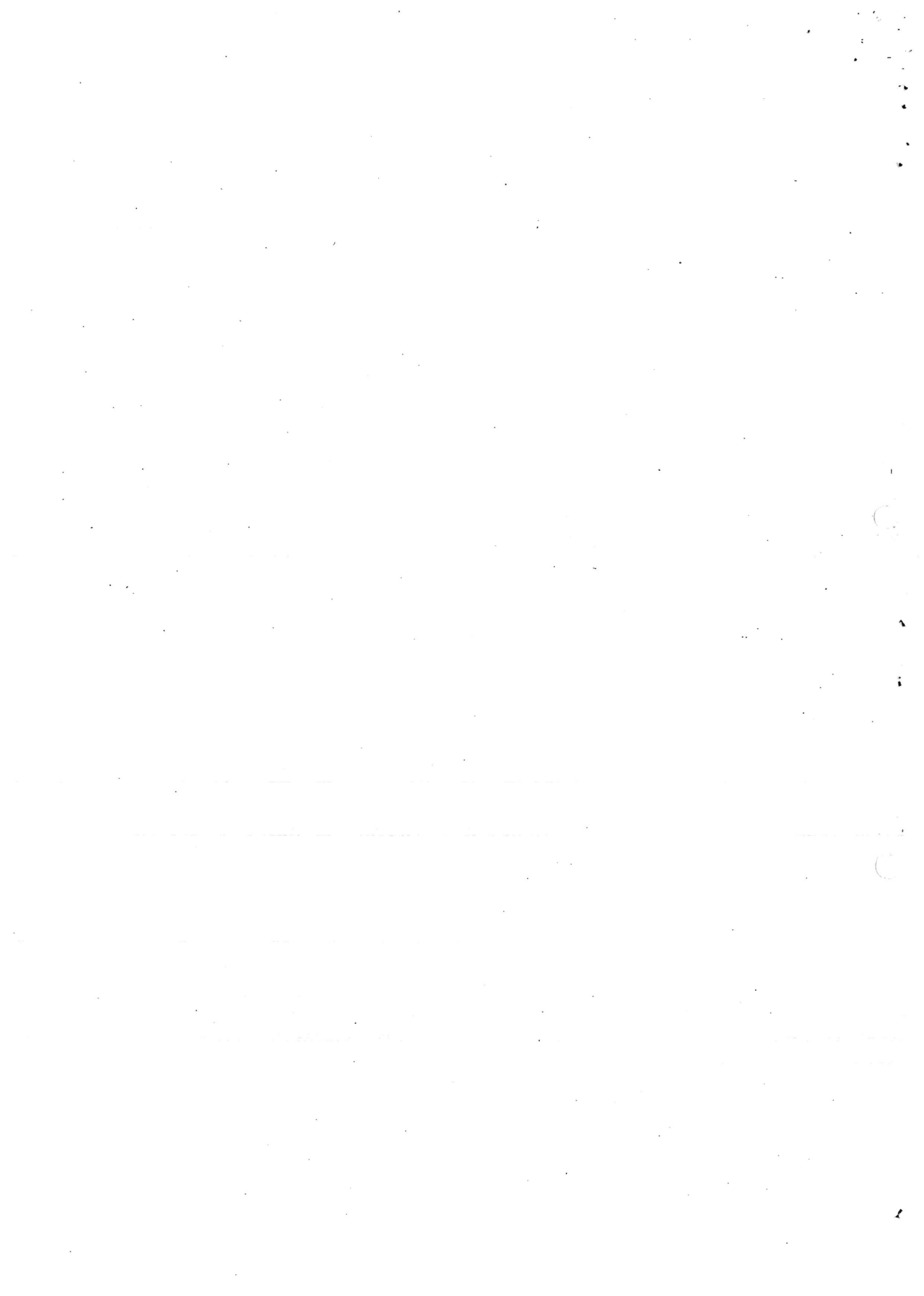
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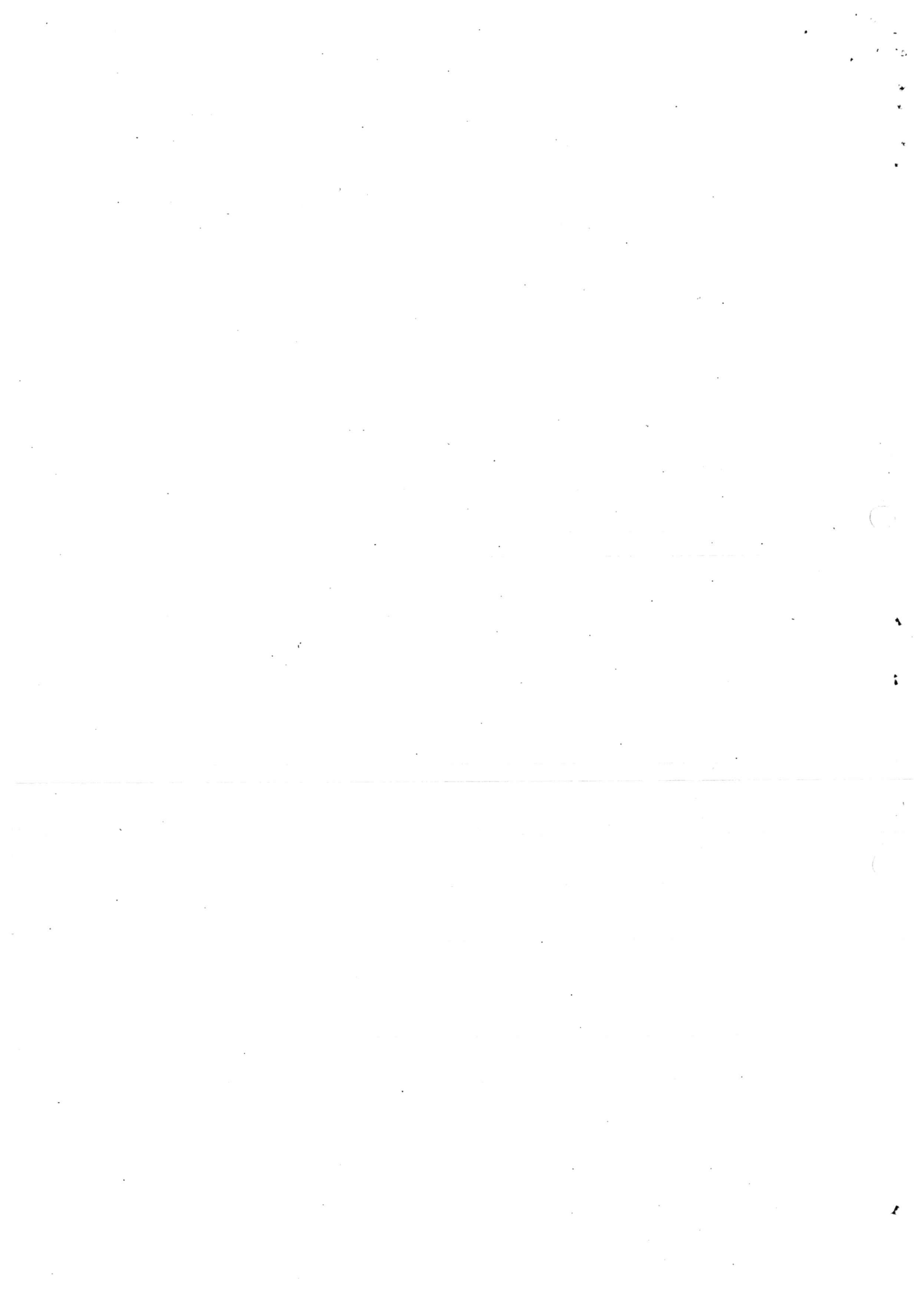
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13	Jinet Gindia	48648-00100	10952317 NAIROBI	
14	Millicent Mwangi	48648-00100	726204 NAIROBI	
15	Margaret Mwangi	48648-00100	10956596 NAIROBI	
16	Stella Mary Mwangi	48648-00100	10321900 NRB	
17	Judith Tab Dwechi	48648-00100	10321900 NRB	
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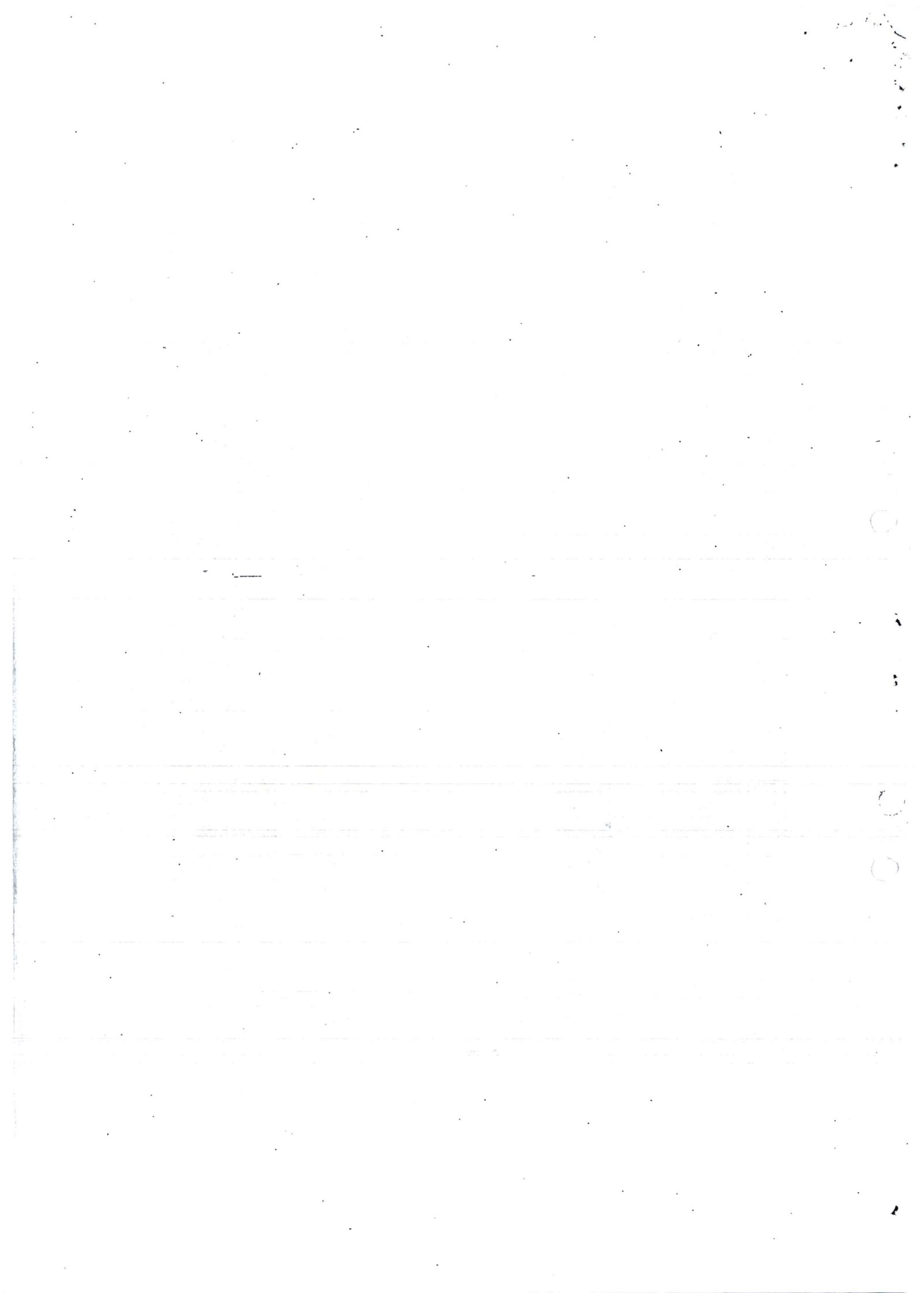
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9	Marilyn Awuor Ong'aro	National Women Rep	Nairobi	KISE	0722858638
10	Monica Muraya	National Women Rep	Central	Nyandarua	0723922763
11	Peter sitenci	Trustees	Eastern	Meru	0724280395
12	Elizabeth Ngare	Trustees	Coast	Mombasa	0723760651
13	Aggrey Waliaro	Trustees	Western	Kakamega	0710826740
14	Margret Maknja	Trustees	Nairobi	KISE	0722570986
15	Emmanuel Nandwa	Trustees	Central	Nyeri	0715071572
16	Joseph Katamo	PWD REP	Western	Kakamega	0725251135
17	Jane Kiplager	Member	Rift Valley	Elgeyo Marakwet	0725620229
18	Jackline M.Kyengo	Member	Eastern	Machakos	0704289633
19	Josphat Onyancha	Member	Nyanza	Nyamira	0722496385
20	Charles Nyagaya	Member	Nyanza	Siaya	0723204609
21	Njoka Kathara	Member	Eastern	Embu	0728156358
22	Lydia Kivangu	Member	Coast	Kilifi	0115430143
23	Barack Mhando	Member	Coast	Taita Taveta	0724440372
24	Joseph Katamo	Member	Western	Kakamega	0725251135
25	Ruth Marris Orubia	Member	Western	Busia	0720510900
26	Maria E Mdiru	Member	Coast	Tana River	0713396889
27	Dorothy Muthoni Silas	Member	Coast	Tana River	0723733569
28	Rachel C.Talaam	Member	Rift Valley	Nakuru	0728821449
29	Eunice Nduku Geoffrey	Member	Eastern	Makueni	0721821753
30	John Edambo	Member	Western	Trans Nzoia	0723520698
31	Achwa Elizabeth	Member	Rift valley	Tunkana	0710990748
32	Salaton Samwel Kamundia	Member	Eastern	Murang'a	0720336813

33	Edith Museywa	Member	Western	Vihiga	0722281066
34	Millicent Hayo	Member	Nyanza	Migori	0728 815355
35	Amos Kimani	Member	Central	Nyandarua	0723511516
36	Irene Kimanthi	Member	Coast	Kwale	0722991292
37	Farida Mohammed	Member	Coast	Lamu	0724939570
38	Samwel Otiemo	Member	Nyanza	Kisii	0720623626
39	Richard Gitau	Member	Rift valley	Narok	0723812663
40	Stephen Kiiru	Member	Central	Nyeri	0722617755
41	Abraham Nteera	Member	Eastern	Meru	0722417860



The Clerk of the National Assembly  
Parliament Buildings  
P. O. Box 41842-00100  
Nairobi  
Email: clerk.NA@parliament.go.ke

*Ms. Anne*  
*filed*  
*7/11/2023*  
*DLSP*  
*26/10*  
*Head, PERS*  
*please process*  
*96-10-23*

RE: PETITION TO THE NATIONAL ASSEMBLY CONCERNING DISCRIMINATION BY THE TEACHERS SERVICE COMMISSION ON CAREER PROGRESSION GUIDELINES FOR SPECIAL NEEDS EDUCATION TEACHERS(SNE) IN KENYA.

We are teachers employed by the TSC, Teaching learners with Disabilities both in Special School and Special School Units found all over the country hence citizens of Republic of Kenya, and residents of 47 Counties.

DRAW the attention of the National Assembly to the following

THAT, None of these issues raised in this petition is pending in any court of Law, Constitutional or any other legal Body.

- i. The Teachers Service Commission (TSC) jointly with the Salaries and Remunerations Commission undertook a job evaluation in the public teaching sector whose recommendations included a new grading structure, substantive appointment of institutional administrators and the introduction of Teacher Professional Development (TPD), that led to development of Career Guidelines to facilitate implementation of the job evaluation recommendations. All other facts are within your knowledge.
- ii. That the implementation of the career guidelines came into effect on 8/11/2017 and replaced the scheme of service for teachers. Consequently, teachers in service as at 8<sup>th</sup> November 2017, were to adopt and convert appropriately to the new designation and grading structure as per the New Career Progression Guidelines.
- iii. These career guidelines are applicable to teachers serving in the public institutions namely: Primary Schools, Secondary Schools, Technical and Vocational Education and Training (TVET) institutions, Teacher Training Colleges (TTC), Kenya Institute of Special Education, (KISE), Centre for Mathematics, Science and Technology Education in Africa (CEMASTE) and Special Needs Education Institutions ( Primary Secondary and TVET)

As a result the Commission established a new grading structure for the teaching service increasing Job scales from 10 to 11 grades. The grades for Special Needs Education Institutions (SNEs) were;

- SNE primary-5 grades
- SNE Secondary-8 grades
- SNE TVET-8 grades.

NATIONAL ASSEMBLY  
PETITIONS DESK  
27 OCT 2023  
SERIAL No.....  
RECEIVED

NATIONAL ASSEMBLY  
RECEIVED  
26 OCT 2023  
CLERK'S OFFICE  
P. O. Box 41842, NAIROBI

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iv. The grading structure system model applicable to SNE teachers is clearly laid down in the Teachers Service Commission Career Progression Guidelines (CPG 2018) as from pages 112-123.

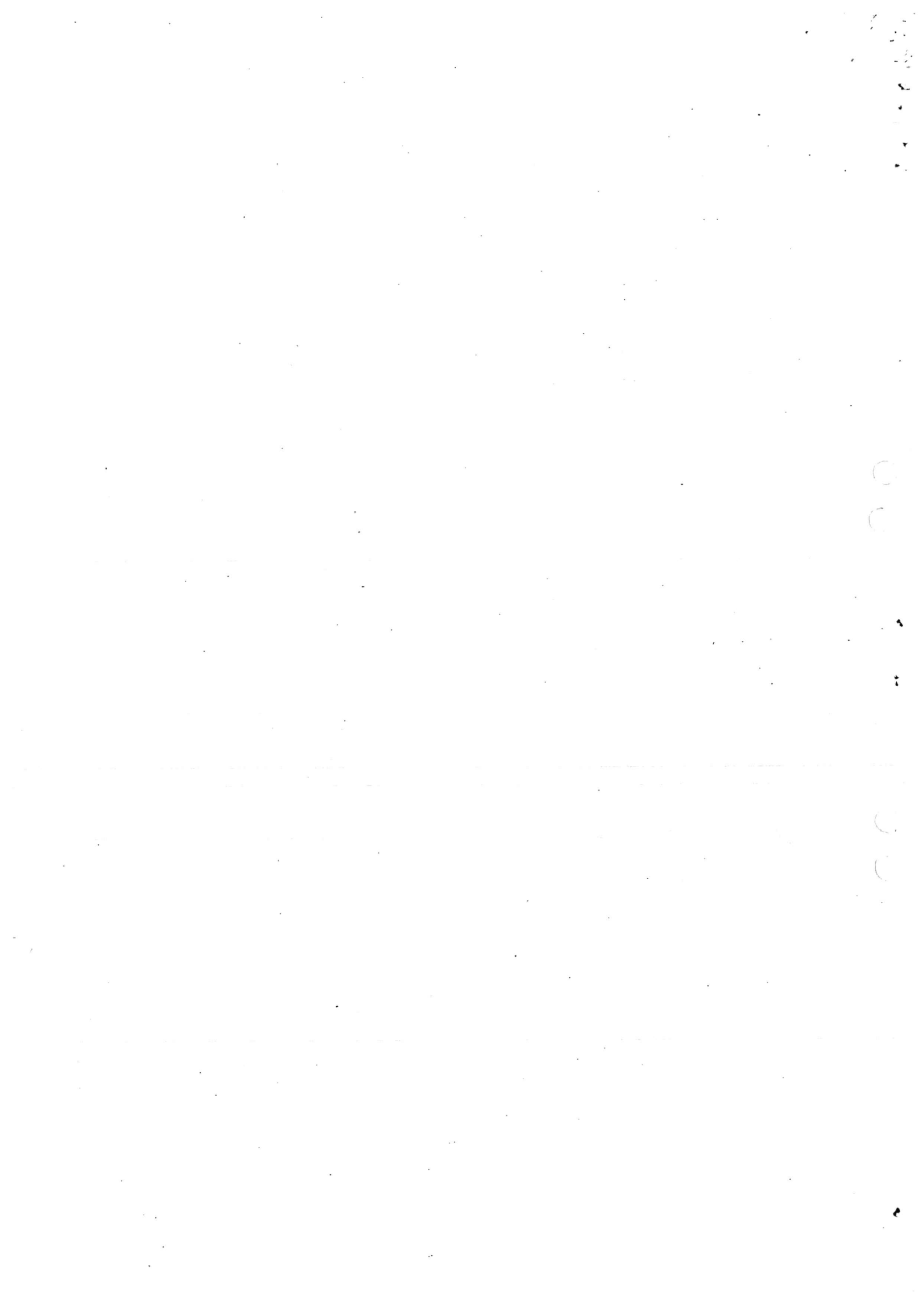
The table below shows the current erroneous placement of Special Needs Education Teachers against the correct placement as per the Career Progression Guidelines-CPG 2018.

CURRENT STATUS			THE CORRECT PLACEMENT AS PER THE CPG FOR SNE TEACHERS			
JOB DESIGNATION	GRADE	T-SCALE	JOB DESIGNATION	GRADE	T-SCALE	CPG REF PG
Headteacher	C5	10	Headteacher SNE	D2	12	121
Deputy Headteacher II	C4	9	Deputy Headteacher II SNE	D1	11	118
Senior Teacher I	C3	8	Senior Teacher I SNE	C5	10	116
Senior Teacher II	C2	7	Senior Teacher II SNE	C4	9	115

HEREFORE, Your humble petitioners pray that parliament seek audience with our employer TSC to find out the following:

*How and why grading system changed when implementing Career guidelines contrary to provisions of Career progression guidelines on SNE teachers. We request that the TSC refrains from using the grading system model it is applying on SNE teachers which is contrary and in violation of the Career progression guidelines for teachers 2018 and revert back to provisions of their own Policy document (Career Progression Guidelines 2018) applicable to Special Needs Education institutions (SNE) teachers as captured on pages 112-123 of the same towards giving us our correct Designation, T-Scale and Remunerations back dated to the implementation date.*

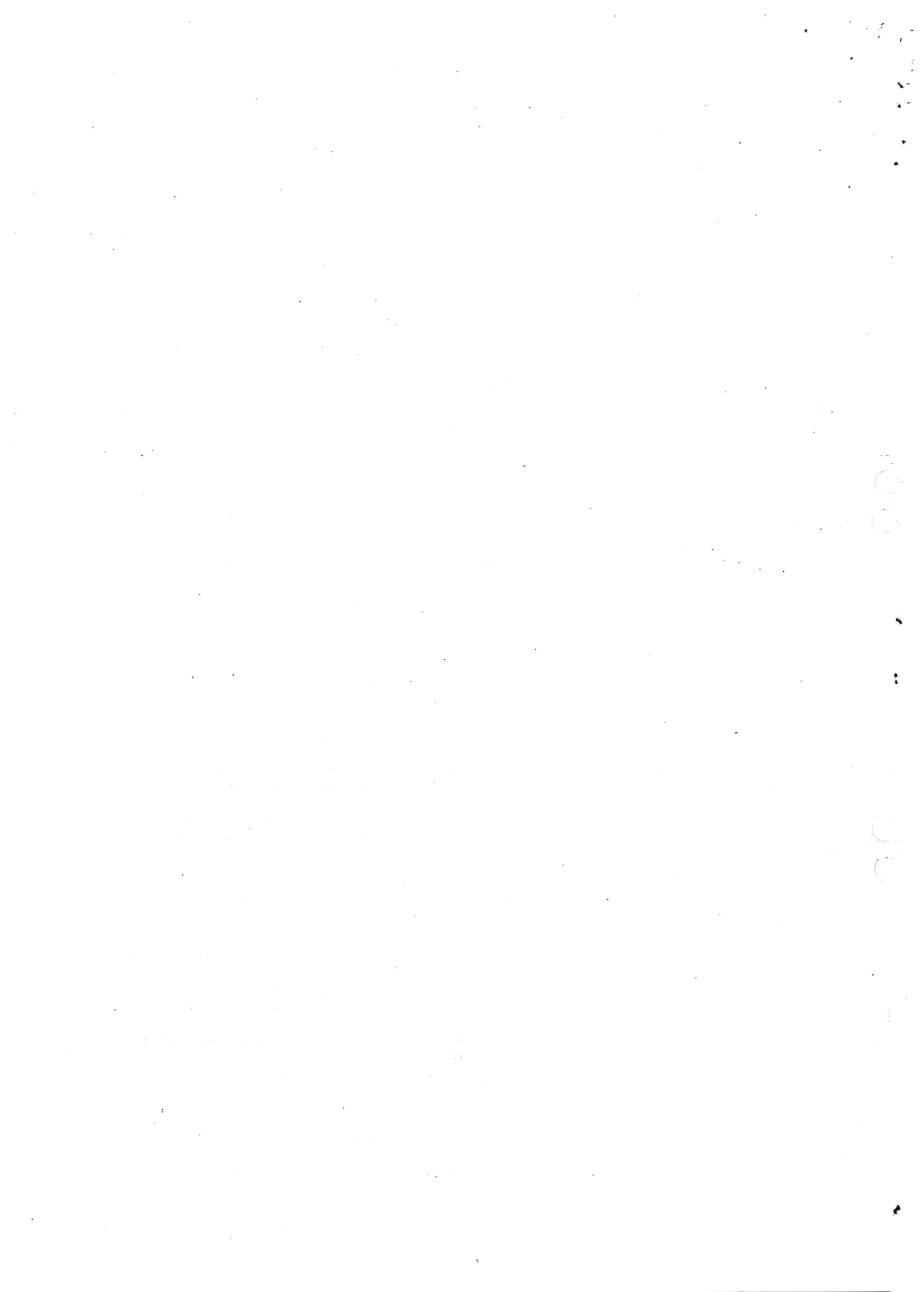
Dated this..... Day of..... 2023



CC

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CHAIRMAN EDUCATION PARLIAMENTARY COMMITTEE  
CEO TSC  
SECRETARY GENERAL KNUT  
SECRETARY GENERAL KUPPET  
CLERK SENATE  
SRC  
LABOUR OFFICE  
CS LABOUR



KUSNET does not have grassroots representation or known regional offices, does not conduct AGMs, ADCs and its elections conducted in secrets if at all there, hence maybe known by few individuals who purport to be officials of the union and our employer TSC

THAT,

We have previously tried to have the matter resolved so that we be given an opportunity to join a union of choice but our efforts have not born fruits. The chairperson of KUSNET cannot receive calls from concerned teachers to explain what the union is all about and can't be reached.

THAT, none of these issues raised in this Petition is pending in any court of Law, Constitutional or any other legal body.

HEREFORE your humble petitioners pray that Parliament

Seeks audience with our employer TSC to find out the following:

1. When was KUSNET registered?
2. Who are its officials and where are its National and County offices located?
3. Was the demarcation issue brought to public participation (involved all teachers)?
4. Direct TSC to allow teachers to join union of choice immediately and stop deductions of agency fee from teachers.
5. Order TSC and KUSNET to refund all money deducted from the teachers who did not sign up any membership agreement with it( both groups).
6. Determine if an employer has the jurisdiction to decide for her employees the union to join.

Dated this 05.09.2023 day of ..... 2023

NO.	NAME	ADDRESS	ID NO	COUNTY	SIGNATURE
1	Roberts Njunukha Wekesa	163 Bungoma	13718036	Bungoma	
2	MARGARET KATHUNA NGIGE	73644-00902	5497701	NAIROBI	
3	BENJAMIN NYORGE	145-00902	8179751	NAIROBI	
4	KENNETH N. ARIGA	145-00902	5945418	NAIROBI	
5	ALICE NYANDEGA	145-00902	7089297	NAIROBI	
6	LYDIA NJOKA	145-00902	8311157	NAIROBI	
7	GRACE G. MWANGI	1965-00902	8515402	NAIROBI	
8	THUKU NJUGUNA	22877-00902	7461566	NATROBI	
9	EUSTACE G. MURANCA	1965-00902	2230678	NATROBI	
10	MURIEL N. MURANCA	47642-00902	3300000	NAIROBI	
11	SARAH W. MAINA	26301-00902	3100007	NATROBI	
12	MICHAEL MURIONGI	1965-00902	4446193	NATROBI	
13	SAMUEL G. MWANGI	40981-00902	1177889	NAIROBI	
14	CLARA J. RONOH	40981-00902	6031694	NAIROBI	

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	BOX NO.	ID	County	
5	44912-001000	1246419	NAROB	<del>NAIROBI</del>
6	22636-001000	11768329	NAROB	NAIROBI
7	21058-00005	22000912	NAROB	<del>NAIROBI</del>
8	21073-00200	21155903	MANDBI	<del>NAIROBI</del>
9	20159-00200	13504852	NAROB	<del>NAIROBI</del>
10	75690-00200	7198632	NAROB	<del>NAIROBI</del>
21	48648-00100	10929456	NAROB	NAIROBI
22	35202-409620	10520311	NAROB	<del>NAIROBI</del>
23	48648-00100	10952317	NAROB	<del>NAIROBI</del>
24	48648-00100	7262024	NAROB	<del>NAIROBI</del>
25	48648-00100	10956596	NAROB	<del>NAIROBI</del>
26	48648-00100	10321000	NAROB	<del>NAIROBI</del>
27	272643687	8991121	NAROB	<del>NAIROBI</del>
28	0721598733	11698047	NAROB	<del>NAIROBI</del>
29	59270-00200	13618403	NAROB	<del>NAIROBI</del>
30	43615-00100	9918902	NAROB	<del>NAIROBI</del>
31	871-90200	11858092	KITHI	<del>NAIROBI</del>
32	942-LUANDA	7016273	VILHVA	<del>NAIROBI</del>
33	871-90200	9226467	KITHI	<del>NAIROBI</del>
34				

PRESENTED BY  
MARGARET NAIROBI - 0722763488



SNE TEACHERS NATIONAL OFFICIALS

NO	NAME	POSITION	REGION	COUNTY	PHONE NO
1	Edwin Juma Gituma	National Chairman	Eastern	Meru County	0721375787
2	Kenneth Otieno	Vice Chairman	Nyanza	Kisumu County	0723603305
3	Margaret Ngige	Organizing Secretary	Nairobi	Nairobi	0722763488
4	Carol Kiptum Koech	Vice Org Secretary	Rift valley	Baringo	0723224462
5	Robert Njulukha Wekesa	Secretary	Western	Bungoma	0712112753
6	Lorna Irene Ayako	Vice Secretary	North Eastern	Wajir	0722991071
7	Amina Ndungu	Treasure	Coast	Mombasa	0724265378
8	Kimani Kamande	Vice Treasure	Central	Kiambu	0710932156
9	Marilyn Awuor Ong'aro	National Women Rep	Nairobi	KISE	0722858638
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18	Jackline M.Kyengo	Member	Eastern	Machakos	0704289633
19	Josphat Onyancha	Member	Nyanza	Nyamira	0722496385
20	Charles Nyagaya	Member	Nyanza	Siaya	0723204609
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33	Edith Museywa	Member	Western	Vihiga	0722281066
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35	Amos Kimani	Member	Central	Nyandarua	0723511516
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40	Stephen Kiiru	Member	Central	Nyeri	0722617755
41	Abraham Nteera	Member	Eastern	Meru	0722417860

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# TEACHERS SERVICE COMMISSION

Telephone: 2892000  
Email: [info@tsc.go.ke](mailto:info@tsc.go.ke)  
Web: [www.tsc.go.ke](http://www.tsc.go.ke)  
When replying please quote



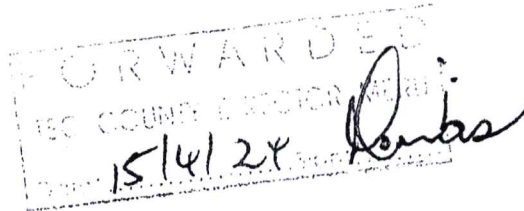
TSC HOUSE  
KILIMANJARO ROAD  
UPPER HILL  
PRIVATE BAG-00100  
NAIROBI, KENYA

Ref. No: TSC/ 509087/56  
Advert No. 62/2023  
S/No. 35698

DATE: 26<sup>th</sup> March, 2024

Edwin Juma Gituma  
Thaathi Primary School  
Thro'

The County Director  
MERU



## **APPOINTMENT AS SENIOR TEACHER II - T-SCALE 7 (GRADE C2)**

Further to your application for appointment to the grade of Senior Teacher II - T-Scale 7 (Grade C2), and subsequent interview in December 2023, I am pleased to inform you that you were successful. Accordingly, the Commission has appointed you as Senior Teacher II - T-Scale 7 (Grade C2), with effect from 22<sup>nd</sup> February, 2024. You are retained at Thaathi Primary School.

This offer for promotion shall lapse if not taken within thirty days from the date of this letter in accordance with regulation 81 of Code of Regulations for Teachers (2015).

The salary attached to this grade is Ksh. 419460 - Ksh. 524328 per annum.

Your performance will be evaluated based on the annual performance targets in the performance appraisal instruments. Accordingly, your attention is drawn to the provisions of Regulation 54 of the Code of Regulations for Teachers (2015).

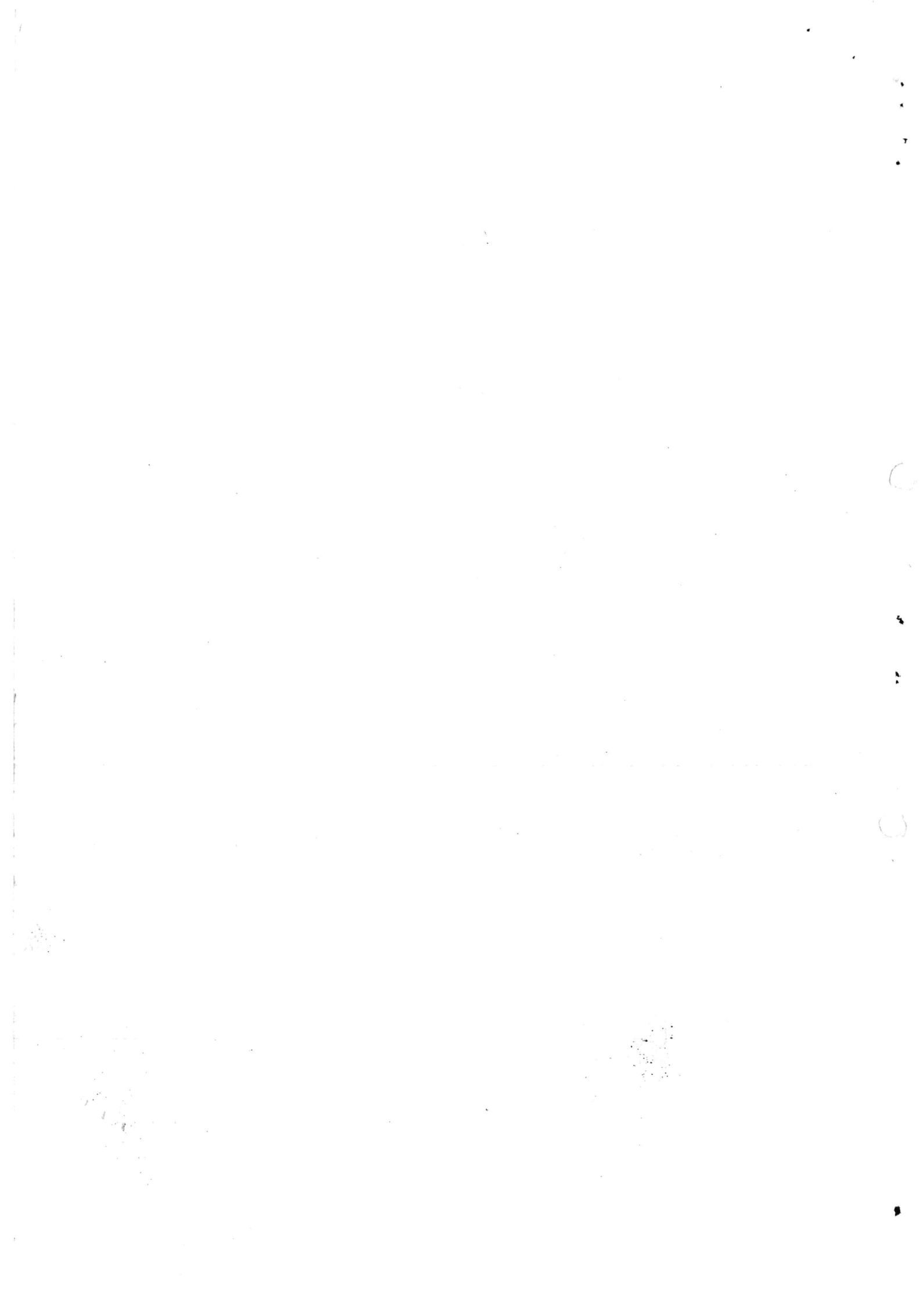
Your duties and responsibilities at this level shall be guided by the provisions of the Teachers Service Commission Act (2012), Code of Regulations for Teachers (2015), Code of Conduct and Ethics for Teachers (2015), Career Progression Guidelines for Teachers (2018) and any other Legislative instruments, Policies and Administrative Circulars issued by the Commission from time to time.

On behalf of the Teachers Service Commission, I congratulate and wish you success in the performance of your duties.

*NB: Your entry salary point will be communicated to you in due course through an Authorised Data Sheet.*

**NJAU GICHIA**  
**FOR: SECRETARY/CHIEF EXECUTIVE**  
**TEACHERS SERVICE COMMISSION**  
**TSC/HQ/PN/GN/62202335698/24032620**

Copy to: Regional Director  
Eastern



# PETITION BY SNE TEACHERS ON ERRORS IN CAREER PROGRESSION GUIDELINES (CPG 2018) FOR TEACHERS

## WRITE UP SUMMARY

### D) BACKGROUND

From SOS to CPG -The scheme of service that existed from 2005 and used by TSC to hire and promote public schools teachers was *officially replaced* by the CPG 2018 in a policy shift under a new CBA entered into by TSC and the KNUT (Ref. CBA/ CA No. 297 of 2016) in a collective agreement dated 25<sup>th</sup> October 2016 under provisions of the Labour Relations Act No. 14 of 2007

THE LABOUR COURT: The collective agreement was deposited at the Register of Collective Agreements as **BCA No. 232 of 2016** on date 30/11/2016, Received, Accepted and Signed by Hon. Justice ABUODHA J.N, Judge of the Labour Court. Copies of the same were also circulated to CS – Labour, Social Security and Services, CEO-TSC Nairobi, General Secretary-Knut, Executive Director Federation of Kenya Employers and the Chief Economist – Labour Social Security and Services. (Ref: *Industrial Court of Kenya – Certificate of Registration of CBA dated 30/11/2016*).

**NOTE:** The CBA was to run from 1<sup>st</sup> July 2017 to 30<sup>th</sup> June 2021 and remain in force, binding all parties until a new CBA is negotiated!

(Ref. *CBA Certiacte. Chapter 3 pg 3 on effective date and duration, items 3.1, 3.2 & 3.3*),

**RATIONALE FOR CPG:** Was birthed in 2016 out of **Job Evaluation** (J.E) in the public teaching sector undertaken by the TSC together with the SRC. This Evaluation considered and took cognizance of the following prime factors;

- a) Job content
- b) Nature of duties assigned to individual teachers
- c) The academic and professional qualification necessary
- d) The decision making level expected from each Job Assigned.

Other factors included

- i) Level of accountability
- ii) Impact of the services rendered
- iii) Problem solving ability
- iv) Job knowledge/ expertise
- v) Managerial skills
- vi) Interpersonal skills
- vii) Working conditions
- viii) Level of responsibility
- ix) Ability to give independent judgment
- x) Prudent management of financial resources and recommendations

(Ref: *chapter 1.1 pgs 1&2 of CPG 2018*)

The report and recommendations of this JE led to an *Inevitable Paradigm Shift* in career progression of teachers which included:

- i) Grading structure
- ii) Substantive appointment of institutional administrators
- iii) Introduction of Teacher Professional Development (TPD)... all these aimed at professionalizing the teaching service in public institutions that include:
  - a) Primary Schools
  - b) Secondary Schools
  - c) Technical and Vocational Education and Training (TVET) and T.T.Cs
  - d) Kenya Institute of Special Education (KISE)
  - e) CEMASTE A
  - f) **Special Needs Institutions – Primary, Secondary and TVET** where SNE Teachers are covered. ( *Ref: CPG 2018 Chapter 1.3 on pg. 3*)

**APPLICATION OF CPG TO SERVING TEACHERS :** All serving teachers as at 8<sup>th</sup> Nov. 2017 were to ADOPT and CONVERT as appropriate to the new *Designations* and *Grading Structure* Provided in the guidelines.

(*Ref: CPG manual chapt. 1.6 pg 6 & also chapter 1.11 pg 7*)

**NOTE:** THIS HAS NEVER BEEN IMPLEMENTED FOR SNE TEACHERS IN PRIMARY SCHOOLS TO DATE, THE REASON FOR OUR **PETITION** DATED 26/10/2023 TO THIS HONORABLE PARLIAMENT FOR *INTERPRETATION* AND *DIRECTION*.

Ref.

- a) Our CPG petitions by SNE teachers dated 26/10/2023
- b) Our summarized table of erroneous placement against the correct placement as per the CPG 2018

**GRADING STRUCTURE:** The TSC established a new grading structure for the Teaching Service with **11 grades** based on the **relative worth** of each job

Special Needs Education Institutions (SNE) were put into 3 categories i.e

- a) SNE Primary – 5 grades
- b) SNE Secondary – 8 grades
- c) SNE TVET – 8 grades

( *Ref. CPG 2018 chapter 2.1 on pg. 8 item vii*)

Our interest in this petition is about SNE PRIMARY SCHOOL TEACHERS.

(*Ref: CPG Chapt. 2.1 item vii a as elaborately covered in CPG chapter 2.9.1 upto 2.9.6 on pages 112 – 123*)






CPG 2018 NOTABLE ERRORS FOR CORRECTION – SAMPLED

- Primary Teachers II (SNE) should be placed at T-Scale 7
- Primary Teachers I ( SNE ) should be at T-Scale 8 not the current T-Scale 7
- Senior Teacher II (SNE) should be at T-Scale 9
- Senior Teacher I (SNE) should be at T-Scale 10
- Deputy Head teacher (SNE) should be at T-Scale 11
- Headteacher ( SNE) should be at T-Scale 12

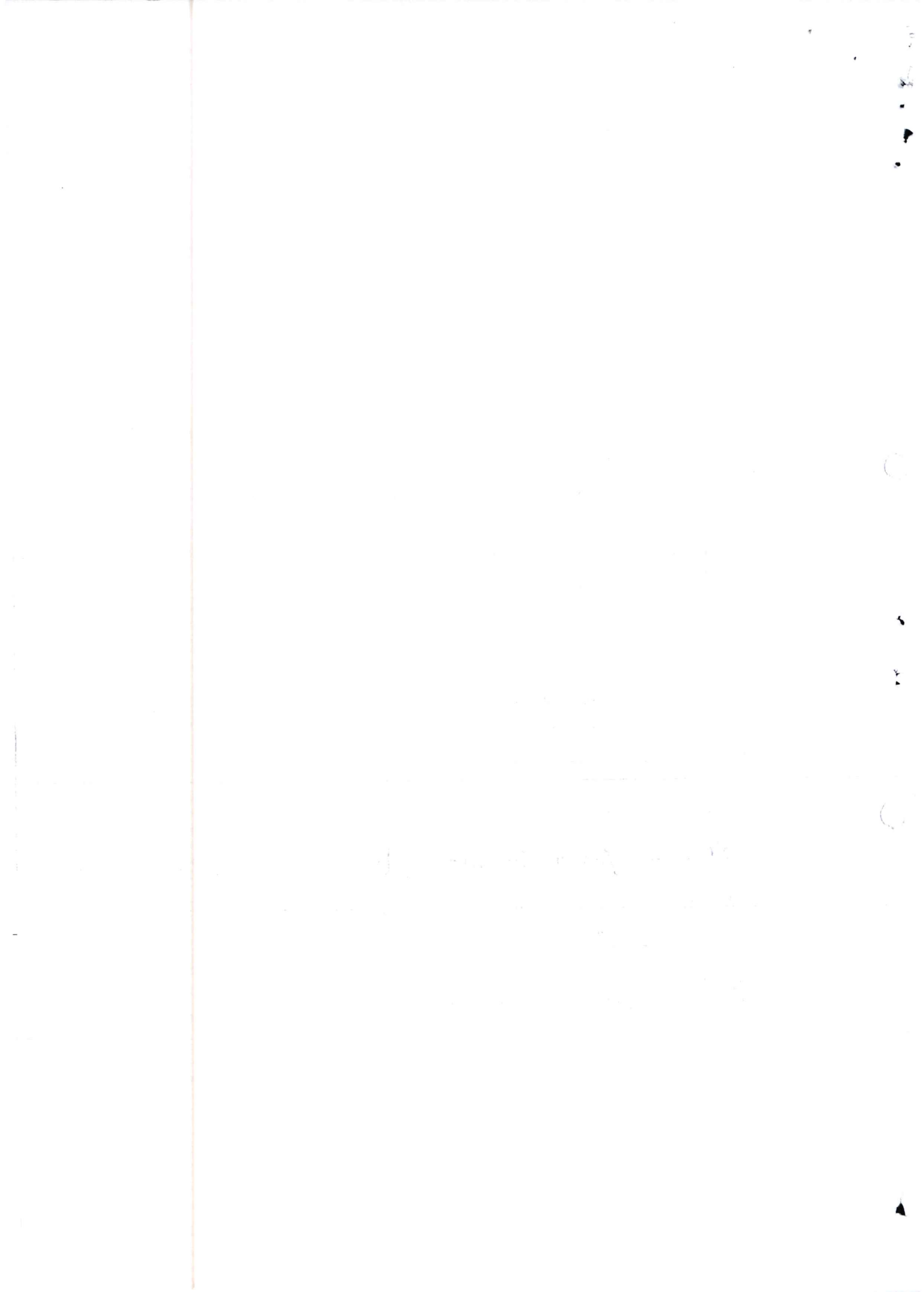
**IN CONCLUSION**

- The TSC ( Employer) erorred
- The TSC should immediately **retract** and **refrain** from their current *erroneous grading* of SNE Primary Teachers
- The TSC to REVERT BACK to provisions of their own CPG 2018 document applicable to SNE Teachers (*Ref. CPG 2018 Chapt.2.9 pgs 112 – 123*).
- The TSC should immediately give SNE Teachers their CORRECT DESIGNATION, APPROPRIATE T-Scale and REMUNERATION **backdated from 8<sup>th</sup> Nov. 2017** when the CPG came into effect
- The TSC should **issue new** and relevant letters of appointment to all SNE Teachers as per their appropriate Grading

Signed by:

1. <u>ROBIN Juma Girma</u>		<u>0721375787</u>
2. <u>ROBERTS N. WAKESA</u>		<u>0712112753</u>
3. <u>STEVEN ACHESA</u>		<u>0722593264</u>

This 30<sup>th</sup> Day of ..... April 2024



The table below shows the current **Erroneous Placement** of Special Needs Teachers against the correct placement as per the Career Progression Guidelines (CPG) of 2018

CURRENT STATUS			THE CORRECT PLACEMENT AS PER THE CPG			
Job Designation	Grade	T - Scale	Job Designation	Grade	T - scale	CPG Reference Page
Head Teacher	C - 5	10	Head teacher (SNE)	D2	12	121
Deputy Head Teacher 2	C-4	9	Deputy Head Teacher(SNE)	D1	11	118
Senior Teacher 1	C-3	8	Senior Teacher 1 (SNE)	C-5	10	116
Senior Teacher 2	C-2	7	Senior Teacher 2 (SNE)	C-4	9	115

**NB**

- ✓ Serving Teachers as at 8<sup>th</sup> November 2017 were to adopt and convert as appropriate to the new designations and grading structure provided in this career progression guidelines ( Refer to page 7 of the CPG) which has not been done to date.
- ✓ We, Special Needs Teachers therefore **Petition Parliament** to urge TSC to revisit *Career Progression Guidelines of 2018 Article 2.9 pages 112- 123* and give us our correct designations, Teacher Scales/Grades and Remunerations with effect from 2017 when this policy came into effect

# PETITION BY SNE TEACHERS ON ERRORS IN CAREER PROGRESSION GUIDELINES (CPG 2018) FOR TEACHERS

## WRITE UP SUMMARY

②

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(*Ref: CPG manual chapt. 1.6 pg 6 & also chapter 1.11 pg 7*)

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Special Needs Education Institutions (SNE) were put into 3 categories i.e

- a) SNE Primary – 5 grades
- b) SNE Secondary – 8 grades
- c) SNE TVET – 8 grades

( *Ref. CPG 2018 chapter 2.1 on pg. 8 item vii*)

Our interest in this petition is about SNE PRIMARY SCHOOL TEACHERS.

(*Ref: CPG Chapt. 2.1 item vii a as elaborately covered in CPG chapter 2.9.1 upto 2.9.6 on pages 112 – 123*)


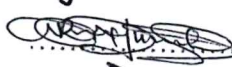

CPG 2018 NOTABLE ERRORS FOR CORRECTION – SAMPLED

- Primary Teachers II (SNE) should be placed at T-Scale 7
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- Senior Teacher I (SNE) should be at T-Scale 10
- Deputy Head teacher (SNE) should be at T-Scale 11
- Headteacher ( SNE) should be at T-Scale 12

**IN CONCLUSION**

- The TSC ( Employer) erred
- The TSC should immediately **retract** and **refrain** from their current *erroneous grading* of SNE Primary Teachers
- The TSC to REVERT BACK to provisions of their own CPG 2018 document applicable to SNE Teachers (*Ref. CPG 2018 Chapt.2.9 pgs 112 – 123*).
- The TSC should immediately give SNE Teachers their CORRECT DESIGNATION, APPROPRIATE T-Scale and REMUNERATION **backdated from** 8<sup>th</sup> Nov. 2017 when the CPG came into effect
- The TSC should **issue new** and relevant letters of appointment to all SNE Teachers as per their appropriate Grading

Signed by:

1. EDWIN JUMA GILUMAK		0721375787
2. ROBERTS N WELISA		0712112753
3. STEVEN ACHESA A.		0722593204

This 30<sup>th</sup> Day of ..... April 2024

The table below shows the current **Erroneous Placement** of Special Needs Teachers against the correct placement as per the Career Progression Guidelines (CPG) of 2018

CURRENT STATUS			THE CORRECT PLACEMENT AS PER THE CPG			
Job Designation	Grade	T - Scale	Job Designation	Grade	T - scale	CPG Reference Page
Head Teacher	C – 5	10	Head teacher (SNE)	D2	12	121
Deputy Head Teacher 2	C-4	9	Deputy Head Teacher(SNE)	D1	11	118
Senior Teacher 1	C-3	8	Senior Teacher 1 (SNE)	C-5	10	116
Senior Teacher 2	C-2	7	Senior Teacher 2 (SNE)	C-4	9	115

**NB**

- ✓ Serving Teachers as at 8<sup>th</sup> November 2017 were to adopt and convert as appropriate to the new designations and grading structure provided in this career progression guidelines ( Refer to page 7 of the CPG) which has not been done to date.
- ✓ We, Special Needs Teachers therefore **Petition Parliament** to urge TSC to revisit *Career Progression Guidelines of 2018 Article 2.9 pages 112- 123* and give us our correct designations, Teacher Scales/Grades and Remunerations with effect from 2017 when this policy came into effect

# PETITION BY SNE TEACHERS ON ERRORS IN CAREER PROGRESSION GUIDELINES (CPG 2018) FOR TEACHERS

## WRITE UP SUMMARY

### D) BACKGROUND

From SOS to CPG -The scheme of service that existed from 2005 and used by TSC to hire and promote public schools teachers was *officially replaced* by the CPG 2018 in a policy shift under a new CBA entered into by TSC and the KNUT (Ref. CBA/ CA No. 297 of 2016) in a collective agreement dated 25<sup>th</sup> October 2016 under provisions of the Labour Relations Act No. 14 of 2007

THE LABOUR COURT: The collective agreement was deposited at the Register of Collective Agreements as **BCA No. 232 of 2016** on date 30/11/2016, Received, Accepted and Signed by Hon. Justice ABUODHA J.N, Judge of the Labour Court. Copies of the same were also circulated to CS – Labour, Social Security and Services, CEO-TSC Nairobi, General Secretary-Knut, Executive Director Federation of Kenya Employers and the Chief Economist – Labour Social Security and Services. (Ref: *Industrial Court of Kenya – Certificate of Registration of CBA dated 30/11/2016*).

**NOTE:** The CBA was to run from 1<sup>st</sup> July 2017 to 30<sup>th</sup> June 2021 and remain in force, binding all parties until a new CBA is negotiated!

(Ref. *CBA Certiacte. Chapter 3 pg 3 on effective date and duration, items 3.1, 3.2 & 3.3*),

**RATIONALE FOR CPG:** Was birthed in 2016 out of **Job Evaluation (J.E)** in the public teaching sector undertaken by the TSC together with the SRC. This Evaluation considered and took cognizance of the following prime factors;

- a) Job content
- b) Nature of duties assigned to individual teachers
- c) The academic and professional qualification necessary
- d) The decision making level expected from each Job Assigned.

Other factors included

- i) Level of accountability
- ii) Impact of the services rendered
- iii) Problem solving ability
- iv) Job knowledge/ expertise
- v) Managerial skills
- vi) Interpersonal skills
- vii) Working conditions
- viii) Level of responsibility
- ix) Ability to give independent judgment
- x) Prudent management of financial resources and recommendations

(Ref: *chapter 1.1 pgs 1&2 of CPG 2018*)

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The report and recommendations of this JE led to an *Inevitable Paradigm Shift* in career progression of teachers which included:

- i) Grading structure
- ii) Substantive appointment of institutional administrators
- iii) Introduction of Teacher Professional Development (TPD).... all these aimed at professionalizing the teaching service in public institutions that include:
  - a) Primary Schools
  - b) Secondary Schools
  - c) Technical and Vocational Education and Training (TVET) and T.T.Cs
  - d) Kenya Institute of Special Education ( KISE)
  - e) CEMASTE A
  - f) **Special Needs Institutions – Primary, Secondary and TVET** where SNE Teachers are covered. ( *Ref: CPG 2018 Chapter 1.3 on pg. 3*)

**APPLICATION OF CPG TO SERVING TEACHERS** : All serving teachers as at 8<sup>th</sup> Nov. 2017 were to ADOPT and CONVERT as appropriate to the new *Designations* and *Grading Structure* Provided in the guidelines.

(*Ref: CPG manual chapt. 1.6 pg 6 & also chapter 1.11 pg 7*)

**NOTE:** THIS HAS NEVER BEEN IMPLEMENTED FOR SNE TEACHERS IN PRIMARY SCHOOLS TO DATE, THE REASON FOR OUR **PETITION** DATED 26/10/2023 TO THIS HONORABLE PARLIAMENT FOR *INTERPRETATION* AND *DIRECTION*.

Ref.

- a) Our CPG petitions by SNE teachers dated 26/10/2023
- b) Our summarized table of erroneous placement against the correct placement as per the CPG 2018

**GRADING STRUCTURE:** The TSC established a new grading structure for the Teaching Service with **11 grades** based on the **relative worth** of each job

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(*Ref. CPG 2018 chapter 2.1 on pg. 8 item vii*)

Our interest in this petition is about SNE PRIMARY SCHOOL TEACHERS.

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**IN CONCLUSION**

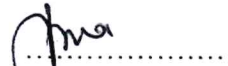
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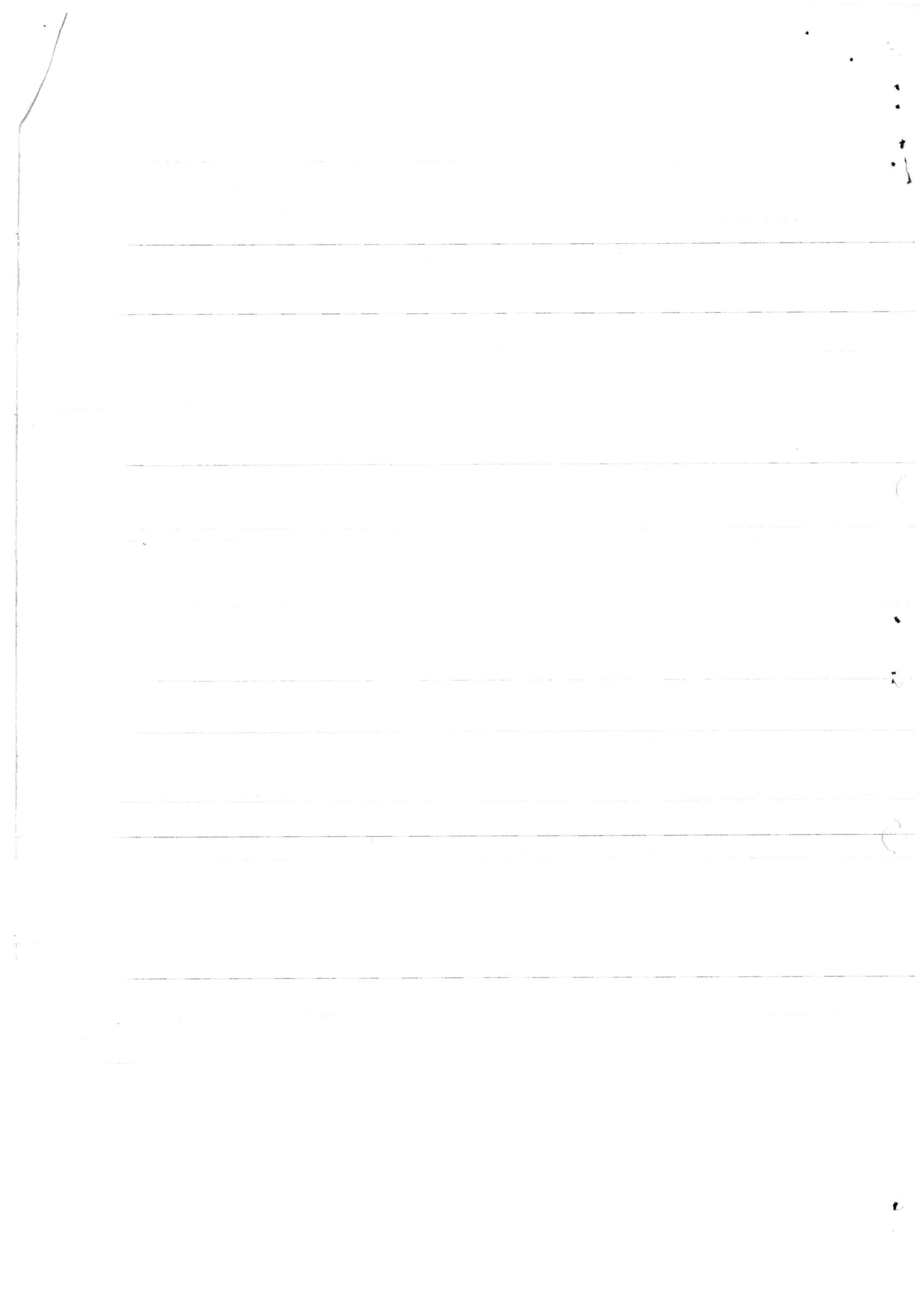
This ..... 30<sup>th</sup> Day of ..... April 2024



## SNE TEACHERS NATIONAL OFFICIALS

NO	NAME	POSITION	REGION	COUNTY	PHONE NO
1	Edwin Juma Gituma	National Chairman	Eastern	Meru County	0721375787
2	Kenneth Otieno	Vice Chairman	Nyanza	Kisumu County	0723600305
3	Margaret Ngige	Organizing Secretary	Nairobi	Nairobi	0722763488
4	Carol Kiptum Koech	Vice Org.Secretary	Rift valley	Baringo	0723224462
5	Robert Njunukha Wekesa	Secretary	Western	Bungoma	0712112753
6	Lorna Irene Ayako	Vice Secretary	North Eastern	Wajir	0722991071
7	Amina Ndungu	Treasure	Coast	Mombasa	0724265378
8	Kimani Kamande	Vice Treasure	Central	Kiambu	0710932156
9	Marilyn Awuor Ong'aro	National Women Rep	Nairobi	KISE	0722858638
10	Monica Muraya	National Women Rep	Central	Nyandarua	0723922763
11	Peter sitenci	Trustees	Eastern	Meru	0724280395
12	Elizabeth Ngare	Trustees	Coast	Mombasa	0723760651
13	Aggrey Waliaro	Trustees	Western	Kakamega	0710826740
14	Margret Makunja	Trustees	Nairobi	KISE	0722570986
15	Emmanuel Nandwa	Trustees	Central	Nyeri	0715071572
16	Joseph Katamo	PWD REP	Western	Kakamega	0725251135
17	Jane Kiplagat	Member	Rift Valley	Elgeyo Marakwet	0725620229
18	Jackline M.Kyengo	Member	Eastern	Machakos	0704289633
19	Josphat Onyancha	Member	Nyanza	Nyamira	0722496385
20	Charles Nyagaya	Member	Nyanza	Siaya	0723204609
21	Njoka Kathara	Member	Eastern	Embu	0728156358
22	Lydia Kivangu	Member	Coast	Kilifi	0115430143
23	Barakael Muhando	Member	Coast	Taita Taveta	0724440372
24	Joseph Katamo	Member	Western	Kakamega	0725251135
25	Ruth Marris Orubia	Member	Western	Busia	0720510900
26	Matia E Mduru	Member	Coast	Tana River	0713396889
27	Dorothy Muthoni Silas	Member	Coast	Tana River	0723733569
28	Rachel C.Talaam	Member	Rift Valley	Nakuru	0728821449
29	Eunice Nduku Geoffrey	Member	Eastern	Makueni	0721821753
30	John Edambo	Member	Western	Trans Nzoia	0723520698
31	Achwa Elizabeth	Member	Rift valley	Turkana	0710990748
32	Salaton Samwel Kamundia	Member	Eastern	Murang'a	0720336813

33	Edith Museywa	Member	Western	Vihiga	0722281066
34	Millicent Hayo	Member	Nyanza	Migori	0728 815355
35	Amos Kimani	Member	Central	Nyandarua	0723511516
36	Irene Kimanthi	Member	Coast	Kwale	0722991292
37	Farida Mohammed	Member	Coast	Lamu	0724939570
38	Samwel Otieno	Member	Nyanza	Kisii	0720623626
39	Richard Gitau	Member	Rift valley	Narok	0723812663
40	Stephen Kiiru	Member	Central	Nyeri	0722617755
41	Abraham Nteere	Member	Eastern	Meru	0722417860



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**NB**

- ✓ Serving Teachers as at 8<sup>th</sup> November 2017 were to adopt and convert as appropriate to the new designations and grading structure provided in this career progression guidelines ( Refer to page 7 of the CPG) which has not been done to date.
- ✓ We, Special Needs Teachers therefore **Petition Parliament** to urge TSC to revisit *Career Progression Guidelines of 2018 Article 2.9 pages 112- 123* and give us our correct designations, Teacher Scales/Grades and Remunerations with effect from 2017 when this policy came into effect



# TEACHERS SERVICE COMMISSION



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## CAREER PROGRESSION GUIDELINES FOR TEACHERS

2018



## FOREWORD

These Career Progression Guidelines have been developed to guide the career growth of teachers in the employment of the Commission. They are to guide the recruitment, retention, development, training and promotion of teachers to ensure they meet the set standards.

Potential employees and teachers in service will know well in advance what they require to join the service and progress in their careers. The guidelines further outline the skills and competences necessary for advancement in the profession.

The Guidelines replace the Schemes of Service for the Teaching Service (2005). It was necessary to review the provisions of the Schemes of Service to incorporate the results of the Job Evaluation undertaken in 2016 and capture various changes brought by the policies that the Commission has put in place.

Implementation of the Guidelines is expected to improve staff motivation and retention. It will also enable the design of targeted training programmes that address competency gaps identified from the performance of teachers.

It is my sincere hope and expectation that teachers will read the Guidelines to clearly understand their career paths and take personal initiative to effectively manage them.

**DR. LYDIA N. NZOMO, OGW, CBS**  
**COMMISSION CHAIRPERSON**



## **PREFACE**

The Career Progression Guidelines provide for the policies and procedures that standardize teachers' professional development. For effective management of teachers' professional growth and development, it was necessary for the Commission to develop these Guidelines. In developing the Guidelines, the Commission has also been guided by the provisions of the Code of Regulations for Teachers (2015) and the Kenya National Qualifications Framework.

The Guidelines outline basic job descriptions, personal qualities and core competencies required for each job and also set out the minimum entry requirements into the teaching profession.

Under the Guidelines, the career path for school administrators has been clearly outlined. This separates the career paths of school administrators and that of classroom teachers. This is designed to provide clear reporting structures in institutions and eliminate overlap in the grading structure.

The deliverables expected of each cadre of teachers has also been clearly set out. This is expected to facilitate setting of performance targets and accurate measurement of performance.

Ultimately, the implementation of the Career Progression Guidelines is expected to improve the management of teachers in the employment of the Commission.

**DR. NANCY NJERI MACHARIA**  
**COMMISSION SECRETARY/CEO**

## CHAPTER ONE

### 1. INTRODUCTION AND BACKGROUND

These Career Progression Guidelines outline the academic and professional criteria for teacher career advancement. The guidelines link a teacher's career progression, to his/her performance and professional conduct. To this end, they establish an important strategy which incorporates best practices in teacher management.

Accordingly, the shift in policy from the "schemes of service" approach to a "career based strategy" is aimed at embracing the principles of performance management that integrate performance contracting and appraisal system with a teacher's career path.

In a nutshell, the guidelines set out a teacher's career progression from the point of entry, up to exit from the teaching service. Henceforth, a teacher employed by the Teachers Service Commission will take personal responsibility for his/her professional/career development.

#### 1.1 RATIONALE FOR THE CAREER GUIDELINES

In 2016, the Teachers Service Commission together with the Salaries Remuneration Commission (SRC) undertook a Job Evaluation (JE) in the public teaching sector.

The evaluation took cognizance of the following primary factors: job content, nature of duties assigned to individual teachers, the academic and professional qualifications necessary and the decision making level expected from each job/assignment.

Other factors considered relevant, from a distinct teacher perspective were: -level of accountability, impact of the services rendered, problem solving ability, job



knowledge/ expertise, managerial skills, inter-personal skills, working conditions, level of responsibility, ability to give independent judgment and the prudent management of financial resources.

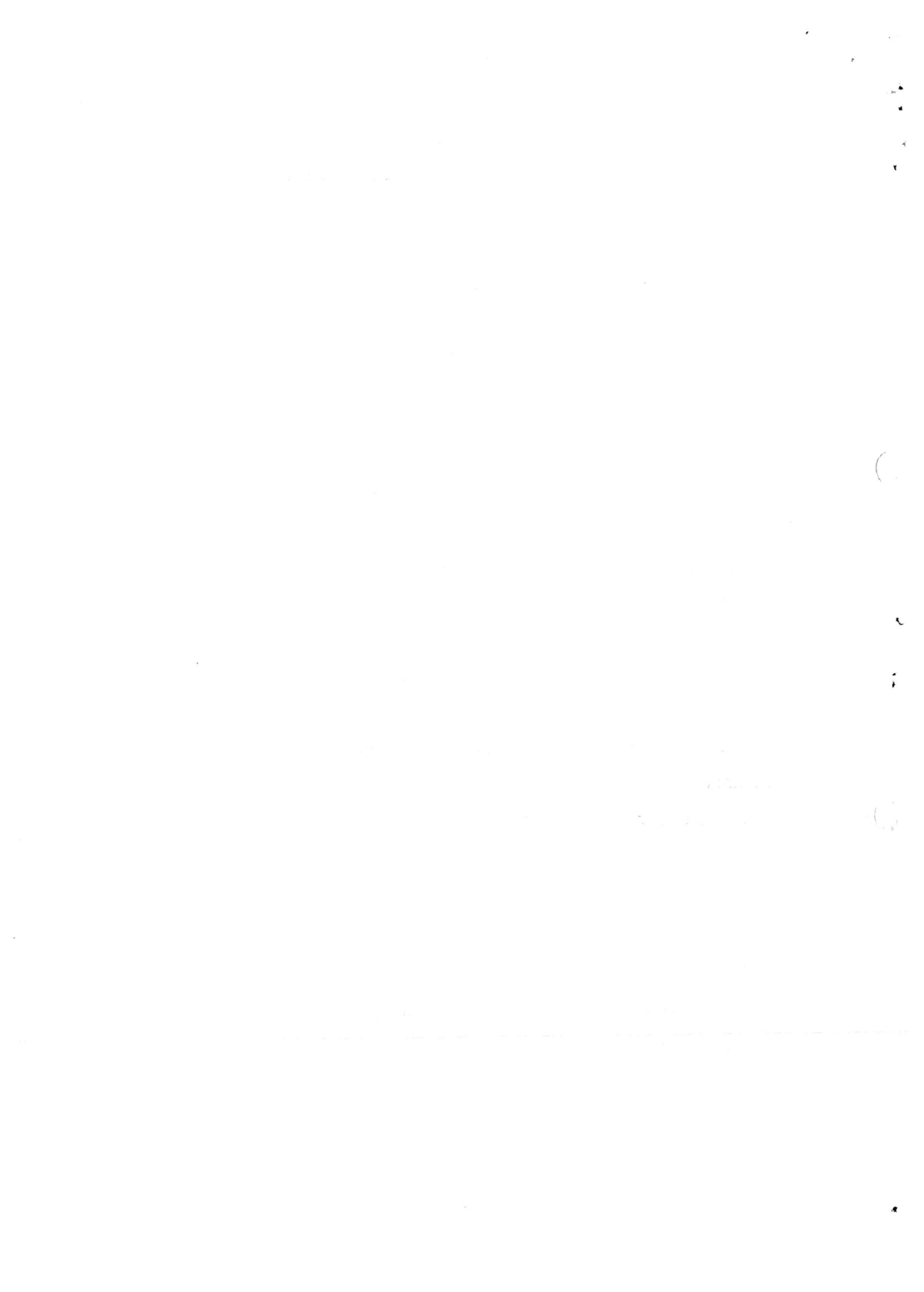
The recommendations of the Job Evaluation Report, led to an inevitable paradigm shift in career progression of teachers. These include a new grading structure; substantive appointment of institutional administrators and the introduction of Teacher Professional Development (TPD). All these initiatives aim at fully professionalizing the teaching service.

In this regard therefore, the Career Guidelines seek to facilitate the implementation of the Job Evaluation recommendations. The guidelines outline the descriptions, specifications, and competencies for each job in the sector. They also explain the professional requirements each employee is required to possess.

## **1.2 AIMS OF CAREER GUIDELINES**

The Career Guidelines provide for:-

- i. Minimum requirements for selection, appointment, recruitment, and promotion;
- ii. A defined career structure that will attract, motivate, and facilitate retention of competent teachers;
- iii. Clearly defined job description and specification with clear duties and responsibilities at all levels;
- iv. Teacher deployment and assignment of duties;
- v. Incorporation of human resource planning principles to address career progression and succession management;



- vi. Alignment of work performance to career progression;
- vii. Provision of minimum qualifications for career advancement and progression;
- viii. A mechanism for monitoring and evaluating career progression; and
- ix. Professional development of teachers through teacher professional development (TPD).

### **1.3 SCOPE OF THE CAREER PROGRESSION GUIDELINES**

The Career Guidelines provide for entry requirements into the teaching service, promotion and capacity building of teachers.

These Guidelines are applicable to teachers serving in the following public institutions:

- i. Primary schools;
- ii. Secondary schools;
- iii. Technical and Vocational Education and Training (TVET) institutions;  
Teacher Training Colleges (TTCs);
- iv. Kenya Institute of Special Education, (KISE);
- v. Centre for Mathematics, Science and Technology Education in Africa (CEMASTEAM); and
- vi. Special Needs Institutions:- Primary, Secondary & TVET

### **1.4 RECOGNIZED QUALIFICATIONS**

- i. Recognized qualifications will be those attained from accredited institutions/colleges and from Government approved examination bodies.

ii. The Commission expects the Commission for University Education (CUE) or other relevant examining bodies to equate certificates from foreign universities and colleges in accordance with the law.

iii. The Teachers Service Commission recognizes the following minimum entry qualifications for the teaching service: -

#### **PRIMARY**

- a) KCSE C (Plain) and Primary Teacher Education (PTE) Certificate.
- b) Entry grades for the visually and hearing impaired for PTE is a C- (Minus).

#### **SECONDARY**

- a) KCSE C+ (Plus) and a Diploma in Education
- b) KCSE C+ (Plus) and a Bachelor's Degree in Education.
- c) KCSE C+ (Plus) and a Bachelor's Degree in any other relevant area plus a Postgraduate Diploma in Education.
- d) KCSE C (Plain), Diploma, and Bachelor's Degree in Education.
- e) For visually and hearing impaired teachers, the minimum entry qualifications is a mean grade of C (Plain) and C (Plain) in the teaching subjects in the case of post primary institutions.

#### **TECHNICAL**

- a) KCSE C+ (Plus) and a Diploma in a relevant technical subject plus a Diploma in Technical Education.
- b) KCSE C- (Minus), Certificate, Diploma and Bachelor's Degree in a relevant subject area plus a Diploma in Technical Education.

- c) KCSE C- (Minus), Certificate, Diploma and Higher Diploma in a relevant subject area plus a Diploma in Technical Education.
- d) KCSE C+ (Plus) and Bachelor's Degree in Education Technology.
- e) KCSE C+ (Plus) and Bachelor's Degree/ Higher Diploma in a relevant technical subject plus a Postgraduate Diploma in Education.

### **SPECIAL NEEDS EDUCATION**

- a) KCSE C+ (Plus) and Diploma in Special Needs Education.
- b) KCSE C+ (Plus) and Bachelor's Degree in Special Needs Education.

#### **Note:**

1. *For post primary institutions, teachers (except visually and hearing impaired) must have attained a minimum of C+ (Plus) in the teaching subjects.  
Candidates with one principal and two subsidiary 'A' – level passes in Arts or one (1) principal and one (1) subsidiary pass in science require C (plain) in KCSE as entry qualification.*
2. *For post primary institutions, a Special Needs Education (SNE) teacher must have two teaching subjects and have attained a minimum grade of C+ in the subjects.*

### **1.5 ENTRY GRADES**

Direct appointment to any level will be determined by the entry qualifications and competencies prescribed for each level. Direct appointment is provided for at various levels within the respective progression guidelines.

## **1.6 APPLICATION OF CAREER GUIDELINES TO SERVING TEACHERS**

Serving teachers as at ~~8<sup>th</sup> November, 2017~~ will adopt and convert as appropriate to the new designations and grading structure provided in these Guidelines. However, to advance to higher posts, the teachers/lecturers must possess the minimum prescribed qualifications and/ or experience required in each grade.

## **1.7 REMUNERATION FRAMEWORK.**

The guidelines will be linked to the remuneration framework that will be determined by the Commission in accordance with the law.

## **1.8 PROMOTION OF TEACHERS**

Under these Career Guidelines, promotion of teachers/ Lecturers will be subject to the following conditions: -

- i. existence of funded vacancies in the approved establishment;
- ii. minimum qualifications per grade;
- iii. relevant Teacher Professional Development(TPD) modules;
- iv. relevant Experience; and
- v. satisfactory performance.

## **1.9 TEACHER PROFESSIONAL DEVELOPMENT**

Teachers will be required to undertake prescribed professional development programmes to facilitate their career progression as per provisions of Regulation 48 of the Code of Regulations for Teachers.

### **1.10 ADMINISTRATION OF THE CAREER GUIDELINES**

The Commission Secretary will be responsible for the administration of these career guidelines.

### **1.11 IMPLEMENTATION OF THE CAREER GUIDELINES**

The career guidelines will be implemented with effect from 8<sup>th</sup> November, 2017 and will replace the existing schemes of service.

## CHAPTER TWO

### 2. THE JOB CLASSIFICATION AND GRADING STRUCTURE

This chapter deals with the grading structure, job titles, qualifications and the requisite experience for teachers to move from one job grade to another. It also captures the job specifications and descriptions.

#### 2.1 GRADING STRUCTURE

The Commission established a new grading structure for the teaching service, which elongated the job scales from ten (10) to eleven (11) grades based on the relative worth of each job. The grades established for each category of institutions are as indicated below:-

- i. Eight (8) grades for primary school teachers;
- ii. Ten (10) grades for secondary school teachers;
- iii. Six (6) grades for teachers at CEMASTEVA;
- iv. Eight (8) grades for teachers in TVET institution;
- v. Seven (7) grades for teachers in Teacher Training Colleges (TTC)
- vi. Eight (8) grades for teachers in Kenya Institute of Special Education (KISE);
- vii. Special Needs Education Institutions (SNE) :-
  - a) SNE Primary – five (5) grades;
  - b) SNE Secondary – eight (8) grades; and
  - c) SNE TVET – eight (8) grades.

## **2.9 SPECIAL NEEDS EDUCATION (SNE) PRIMARY**

### **2.9.1 PRIMARY TEACHER II (SNE)- T-SCALE 7**

This is a promotional grade for Special Needs Education (SNE) Teachers in primary schools. Teachers at this grade are expected to gain mastery of class management, training, evaluation and recording progress of special needs learners.

Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.

### **REQUIREMENTS FOR APPOINTMENT**

For appointment to this grade a teacher must:-

- i. have served as Primary Teacher I T- Scale 6 for a minimum period of three (3) years;
- ii. have a Kenya Certificate of Secondary Education (KCSE) minimum mean Grade C plain or other recognized equivalent qualifications;
- iii. have Primary Teacher Certificate (PTE) or its approved equivalent;
- iv. have obtained diploma in Special Needs Education or its equivalent;
- v. have satisfactory rating in the performance appraisal process;
- vi. have successfully undertaken the relevant TPD modules
- vii. be in possession of a valid Teaching certificate;
- viii. meet the requirements of Chapter Six (6) of the Constitution; and
- ix. meet any other qualifications deemed necessary by the Commission.

## DUTIES AND RESPONSIBILITIES

The Duties and responsibilities shall be to:-

- i. prepare lesson plans, lesson notes, timetables, schemes of work and maintain academic standards in the school to ensure that the syllabus is covered in time for evaluation;
- ii. teach the subjects of specialization to prepare and impart knowledge, skills and attitudes to the learner to meet the objective of the curriculum;
- iii. evaluate the learners in subjects of specialisation to ensure achievement of learning objectives and prepare them for national and/or other examinations;
- iv. provide new ideas and programmes for improvement in the teaching and learning in the area of specialisation;
- v. embrace teamwork through collaborative planning and teaching to ensure consistency and improvement of curriculum delivery;
- vi. serve as a role model and promote learner discipline
- vii. provide guidance and counselling services to the learners, to create conducive environment for learning and harmonious co-existence;
- viii. organise workshops/ seminars/ symposiums to further knowledge in subject areas;
- ix. organize remedial actions for learners to support underperforming learners;
- x. ensure safety, health and security for learners;
- xi. conduct functional and educational assessment for children with special needs for placement and other interventions;
- xii. habilitate and rehabilitate persons with special needs; and
- xiii. any other duty as may be assigned.



### **2.9.2 PRIMARY TEACHER I (SNE) –T-SCALE 8**

This is a promotional grade for SNE teachers in primary schools. A teacher at this grade is responsible for the provision of mentorship, supervision, professional support, counselling and guidance for special education learners to promote their empowerment.

Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.

### **REQUIREMENTS FOR APPOINTMENT**

For appointment to this grade a teacher must:-

- i. have served as Primary Teacher II SNE/Senior Teacher II T-Scale 7 for a minimum period of three (3) years;
- ii. have a Kenya Certificate of Secondary Education (KCSE) minimum mean Grade C plain or other recognized equivalent qualifications;
- iii. have Primary Teacher Certificate (PTE) or its approved equivalent;
- iv. have obtained diploma in Special Needs Education or its equivalent;
- v. have successfully undertaken the relevant TPD modules;
- vi. have satisfactory rating in the performance appraisal process;
- vii. meet the requirements of Chapter Six (6) of the Constitution; and
- viii. meet any other requirement deemed necessary by the Commission.

### **DUTIES AND RESPONSIBILITIES**

The duties and responsibilities shall be to:-



- i. prepare lesson plans, lesson notes, timetables, schemes of work and maintain academic standards in the school to ensure that the syllabus is covered in time for evaluation;
- ii. teach the subjects of specialization to prepare and impart knowledge, skills and attitudes to the learner to meet the objectives of the curriculum;
- iii. evaluate the learners in subjects of specialisation to ensure achievement of learning objectives and prepare them for national and/or other examinations;
- iv. provide new ideas and programmes to ensure improvement in the teaching and learning in the area of specialisation;
- v. embrace teamwork through collaborative planning and teaching;
- vi. serve as a role model and promote learner discipline;
- vii. provide guidance and counselling services to the learners, to create conducive environment for learning and harmonious co-existence;
- viii. Conduct functional and educational assessment for children with special needs for placement and other interventions;
- ix. Habilitate and rehabilitate persons with special needs;
- x. collect, collate and maintain learners' records;
- xi. organize remedial actions for learners to support underperforming learners;
- xii. ensure safety, health and security for learners; and
- xiii. any other duty as may be assigned.

### **2.9.3 SENIOR TEACHER II (SNE) – T-SCALE 9**

This is a promotional and entry grade to administrative cadre for SNE teachers in primary schools. A teacher at this grade is expected to provide leadership in the development and implementation of education plans, policies, programs and

curriculum activities in the school. He /She will also be responsible for the professional development of the teaching staff.

Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.

### **REQUIREMENTS FOR APPOINTMENT**

For appointment to this grade a teacher must:-

- i. have served as Primary Teacher I (SNE) T- Scale 8 for a minimum period of three (3) years;
- ii. have a Kenya Certificate of Secondary Education (KCSE) minimum mean Grade C plain or other recognized equivalent qualifications;
- iii. have Primary Teacher Certificate (PTE) or its approved equivalent;
- iv. have obtained diploma in Special Needs Education or its equivalent;
- v. have successfully undertaken the relevant TPD modules;
- vi. have satisfactory rating in the performance appraisal process;
- vii. meet the requirements of Chapter Six (6) of the Constitution; and
- viii. any other requirement necessary by the Commission.

#### **2.9.4 SENIOR TEACHER I (SNE) T-SCALE 10**

This is a promotional grade for institutional administrators in SNE primary schools. A teacher at this grade is expected to provide leadership in the development and implementation of education plans, policies, programs and curriculum activities in the school. He /She will also be responsible for the professional development of the teaching staff.



Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.

### **REQUIREMENTS FOR APPOINTMENT**

For appointment to this grade a teacher must:-

- i. have served as Senior SNE Teacher II T-Scale 9 for a minimum period of three (3) years;
- ii. have a Kenya Certificate of Secondary Education (KCSE) minimum mean Grade C plain or other recognized equivalent qualifications;
- iii. have Primary Teacher Certificate (PTE) or its approved equivalent;
- iv. have obtained diploma in Special Needs Education or its equivalent;
- v. have successfully undertaken the relevant TPD modules;
- vi. have satisfactory rating in the performance appraisal process;
- vii. meet the requirements chapter Six (6) of the Constitution; and
- viii. any other qualification as may be deemed necessary by the Commission.

### **DUTIES AND RESPONSIBILITIES FOR SENIOR TEACHER II (SNE) T SCALE- 9 & SENIOR TEACHER I (SNE) T SCALE- 10**

The duties and responsibilities shall be to:-

- i. prepare lesson plans, lesson notes, timetables, schemes of work and maintain academic standards in the school to ensure that the syllabus is covered in time for evaluation;
- ii. teach subjects of specialization to prepare and impart knowledge, skills and attitudes to the learner to meet the objectives of the curriculum;

- iii. evaluate the learners in subjects of specialisation to ensure achievement of learning objectives and prepare them for national and/or other examinations;
- iv. provide new ideas and programmes to ensure improvement in the teaching and learning in the area of specialisation;
- v. embrace teamwork through collaborative planning and teaching;
- vi. serve as a role model and promote learner discipline;
- vii. provide guidance and counselling services to the learners, to create conducive environment for learning and harmonious co-existence;
- viii. conduct functional and educational assessment for children with special needs for placement and other interventions;
- ix. habilitate and rehabilitate persons with special needs;
- x. collect, collate and maintain learners' records;
- xi. organise and coordinate school based in-service professional development programmes;
- xii. organize school based and zonal subject panels to enable teachers share knowledge, innovations and trends;
- xiii. coordinate gender mainstreaming issues for learners in curricular and co-curricular activities;
- xiv. ensure learner discipline in school and arbitrate any disputes;
- xv. supervise cleanliness of the school compound and tidiness of pupils;
- xvi. ensure safety, health and discipline of learners; and
- xvii. any other duties as may be assigned.

### **2.9.5 DEPUTY HEAD TEACHER (SNE) T-SCALE 11**

This is an administrative grade for SNE teachers in primary schools. A teacher at this grade is responsible for the provision of leadership in the development and

implementation of education plans, policies, programs and curriculum activities. He /She will also be responsible the professional development of teaching staff.

Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.

## **REQUIREMENTS FOR APPOINTMENT**

For appointment to this grade a teacher must:-

- i. have served as Senior Teacher I SNE T-Scale 10 for a minimum period of three (3) years;
- ii. have a Kenya Certificate of Secondary Education (KCSE) minimum mean Grade C plain or other recognized equivalent qualifications;
- iii. have Primary Teacher Certificate (PTE) or its approved equivalent;
- iv. have a diploma in Special Needs Education or its equivalent;
- v. be a holder of Bachelor's degree in education SNE option or its equivalent;
- vi. have successfully undertaken the relevant TPD modules;
- vii. have satisfactory rating in the performance appraisal process;
- viii. meet the requirements of Chapter Six (6) of the Constitution; and
- ix. meet any other requirement deemed necessary by the Commission.

## **DUTIES AND RESPONSIBILITIES**

The duties and responsibilities shall be to:-

- i. prepare lesson plans, lesson notes, timetables, schemes of work and maintain academic standards in the school to ensure that the syllabus is covered in time for evaluation;

- ii. teach subjects of specialization to prepare and impart knowledge, skills and attitudes to the learner to meet the objectives of the curriculum;
- iii. evaluate the learners in subjects of specialisation to ensure achievement of learning objectives and prepare them for national and/or other examinations;
- iv. provide new ideas and programmes to ensure improvement in the teaching and learning in the area of specialisation;
- v. embrace teamwork through collaborative planning and teaching;
- vi. serve as a role model and promote learner discipline;
- vii. provide guidance and counselling services to the learners, to create conducive environment for learning and harmonious co-existence;
- viii. Conduct functional and educational assessment for children with special needs for placement and other interventions;
- ix. habilitate and rehabilitate persons with special needs;
- x. collect, collate and maintain learners' and staff records;
- xi. organise and coordinate school based in-service professional development programmes;
- xii. organize school based and zonal subject panels to enable teachers share knowledge, innovations and trends;
- xiii. coordinate gender mainstreaming issues for learners in curricular and co-curricular activities;
- xiv. ensure safety, health and discipline of learners;
- xv. supervise the interpretation and adaptation of the curriculum;
- xvi. ensure that Activities of Daily Living (ADL) programs, prevocational and vocational training programs are prepared and implemented;
- xvii. oversee sourcing and utilisation of instructional materials;



- xviii. co-ordinate and provide guidance and counselling services to the teachers, non-teaching staff and learners;
- xix. promote discipline of teaching and non-teaching staff;
- xx. supervise stores requisition and maintenance of proper inventory
- xxi. supervise teaching and non-teaching staff;
- xxii. supervise general repairs of buildings and equipment;
- xxiii. serve as secretary during staff meetings;
- xxiv. appraise staff;
- xxv. promote positive linkages between the school and stakeholders;
- xxvi. ensure safety and security of the institution's human and physical resources;
- xxvii. mentor and coach staff in the area of specialisation to improve knowledge, skills and performance;
- xxviii. initiate and supervise income generating projects to empower the learners for self-reliance and economic development; and
- xxix. any other duty as may be assigned.

### **2.9.6 HEAD TEACHER (SNE) T-SCALE 12**

This is a promotional grade for institutional administrators in SNE primary schools. The Head Teacher is the lead educator and the accounting officer in the school. He/she is responsible for the provision of leadership in implementation of the curriculum, educational policies and programs. He/she also leads in the development and implementation of the school's strategy, work plans, budgets, and supervises the operations of the school.

Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.

## **REQUIREMENTS FOR APPOINTMENT**

For appointment to this grade a teacher must:-

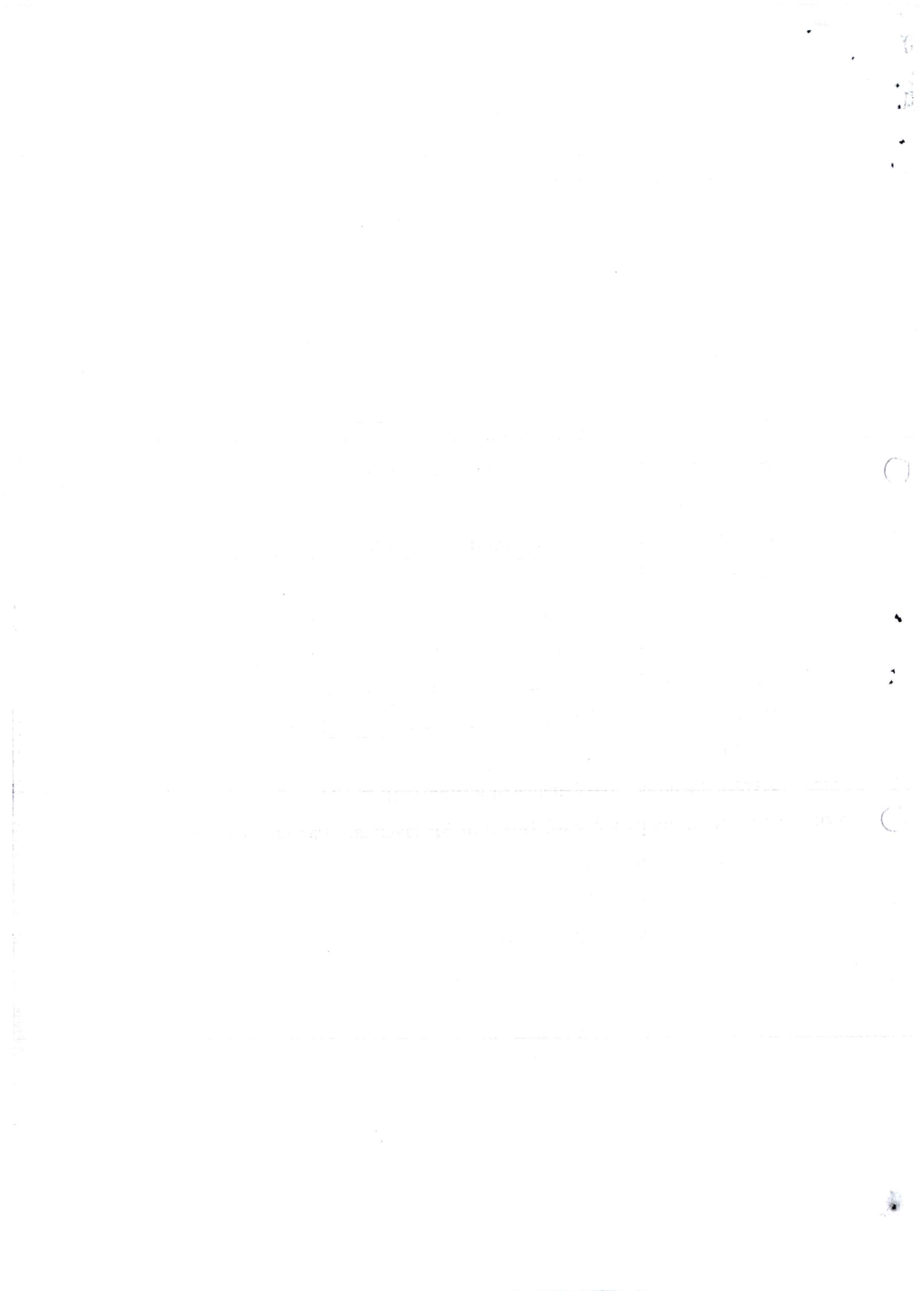
- i. have served as Deputy Head Teacher SNE T- Scale 11 for a minimum period of three (3) years;
- ii. have a Kenya Certificate of Secondary Education (KCSE) minimum mean Grade C plain or other recognized equivalent qualifications;
- iii. have Primary Teacher Certificate (PTE) or its approved equivalent;
- iv. have a diploma in Special Needs Education or its equivalent;
- v. be a holder of Bachelor's degree in education SNE option or its equivalent;
- vi. have successfully undertaken the relevant TPD modules;
- vii. have satisfactory rating in the performance appraisal process;
- viii. meet the requirements of Chapter Six (6) of the Constitution; and
- ix. meet any other requirement deemed necessary by the Commission.

## **DUTIES AND RESPONSIBILITIES**

The duties and responsibilities shall be to:-

- i. prepare lesson plans, lesson notes, timetables, schemes of work and maintain academic standards in the school to ensure that the syllabus is covered in time for evaluation;
- ii. teach subjects of specialization to prepare and impart knowledge, skills and attitudes to the learner to meet the objectives of the curriculum;
- iii. evaluate the learners in subjects of specialisation to ensure achievement of learning objectives and prepare them for national and/or other examinations;

- iv. provide new ideas and programmes to ensure improvement in the teaching and learning in the area of specialisation;
- v. embrace teamwork through collaborative planning and teaching;
- vi. ensure that special needs learners are adequately prepared, registered and presented for national or any other examinations;
- vii. identify the appropriate curriculum for the institution to provide more opportunities to the special needs learners in the optional subjects offered in the curriculum;
- viii. ensure safety and security of the institution's human and physical resources;
- ix. interpret and implement policy decisions that relate to the training, recruitment and deployment of staff for compliance with relevant rules and regulations;
- x. promote linkages between the institution and other stakeholders;
- xi. ensure appraisal of staff in the institution;
- xii. promote the welfare of staff and learners within the institution;
- xiii. ensure proper succession management and staff career development;
- xiv. manage, maintain and upgrade the institution's physical facilities;
- xv. ensure compliance with public procurement law and prudent utilisation of resources;
- xvi. oversee the proper maintenance of institutional records;
- xvii. convene meetings for staff, Board of Management, Parents' and any other meeting as may be necessary;
- xviii. follow up cases of absenteeism of learners; and
- xix. any other duty as may be assigned.



# Guidelines create new job grades and and make promotions competitive

By Karanga Kariuki

The Career Progression Guidelines (CPG) have created new grading structures for the teaching service. The job scales have been increased from 10 to eleven 11 grades based on the relative worth of each job. The grades established for each category of institutions are as indicated below:

- a) Eight grades for primary school teachers.
- b) Ten grades for secondary school teachers.
- c) Six grades for teachers at CEMASTE A.
- d) Eight grades for teachers in TVET institution.
- e) Seven grades for teachers in Teacher Training Colleges (TTC).
- f) Eight grades for teachers at the Kenya Institute of Special Education (KISE)
- g) Special needs education (SNE) institutions
- h) SNE primary – five grades
- i) SNE secondary – eight grades

j) SNE TVET – eight grades.

Further, the following grades shall form the common establishment in the teaching service:

- a) Primary Teacher II T-Scale 5 and Primary Teacher I T-Scale 6 for Primary Teachers Education Certificate holders.
- b) Secondary Teacher III / Lecturer III T-Scale 6 and Secondary Teacher II /Lecturer II T-Scale 7 for Diploma holders.
- c) Secondary Teacher II/Lecturer II T-Scale 7 and Secondary Teacher I/Lecturer I T scale 8 for holders of Bachelor of Education or its equivalent.

The job descriptions and specifications for appointment to various cadres are as particularised below:

## Primary school teachers

S/NO	JOB GRADE	DESCRIPTION
1.	Primary Teacher II T-Scale 5	This is the entry grade for primary school teachers.
2.	Primary Teacher I- T-Scale 6	This is a promotional grade for primary school teachers.
3.	Senior Teacher II – T-Scale 7	This is a promotional grade and the entry to the administrative cadre. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
4.	Senior Teacher I – T-Scale 8	This is a promotional grade for institutional administrators in primary schools. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
5.	Deputy Head Teacher II- T-Scale 9	This is a promotional grade for institutional administrators in primary schools. The Deputy Head Teacher II will report to the head teacher. He/she will be required to have knowledge on the development and implementation of the curriculum, education policies and programmes. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
6.	Deputy Head Teacher I T-Scale 10	This is a promotional grade for institutional administrators in primary schools. The Deputy Head Teacher I will report to the head teacher. He/she will be required to have knowledge on the development and implementation of the curriculum, education policies and programmes. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
7.	Head Teacher T-Scale 10	This is a promotional grade for institutional administrators in primary schools. The head teacher is the lead educator and the accounting officer in the school. He/she is responsible for the provision of leadership in the implementation of the curriculum, educational policies and programmes. He/she also leads in the development and implementation of the school's strategy, work plans, budgets and supervises the operations of the school. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
8.	Senior Head Teacher T- Scale 11	This is a promotional grade for institutional administrators in primary schools. The senior head teacher is the lead educator and the accounting officer in the school. He/she is responsible for the provision of leadership in the implementation of the curriculum, educational policies and programmes. He/she also leads in the development and implementation of the school's strategy, work plans, budgets and supervises the operations of the school. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.





# Secondary school teachers

The entry point for secondary school teachers is either at Diploma or Graduate Teacher level. One can move all the way to the highest job grade of Chief Principal.

S/NO	JOB GRADE	DESCRIPTION
1.	Secondary School Teacher III T-Scale 6	Entry grade for secondary school teachers who are holders of Diploma in Education.
2	Secondary Teacher II -T- Scale 7	Entry grade for secondary school teachers who are holders of a bachelor's degree in Education or its equivalent. It is also a promotional grade for holders of Diploma in Education.
3.	Secondary Teacher I T-Scale 8	Promotional grade for teachers in secondary school.
4.	Senior Master IV T-Scale 9	Promotional and an entry grade for institutional administrators in secondary schools. A teacher appointed to this grade is expected to provide professional support, mentorship, guidance and counselling to the teachers in the school. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
5.	Senior Master III T-Scale 10	Promotional grade for institutional administrators. A secondary school teacher appointed to this grade is expected to provide professional support, mentorship, guidance and counselling to the teachers in the school. He/she will perform administrative duties as assigned by the Commission. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
6.	Senior Master II T-Scale-11	Promotional grade for institutional administrators in secondary schools. A teacher appointed to this grade is expected to provide professional support, mentorship, guidance and counselling to the teachers in the school. He/ she will perform administrative duties as assigned by the Commission. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
7.	Senior Master I T- Scale 12	Promotional grade for institutional administrators in secondary schools. A teacher appointed to this grade is expected to provide professional support, mentorship, guidance and counselling to the teachers in the school. He/ she will perform administrative duties as assigned by the Commission. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
8.	Deputy Principal III T-Scale 11	Promotional and an entry grade in secondary schools. The Deputy Principal III will report to the Principal. He/she will provide support to the Principal of the institution in the development and implementation of education plans, policies, programmes and curriculum activities. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment
9.	Deputy Principal II T-Scale 12	Promotional position in secondary schools. The Deputy Principal II will report to the Principal. He/she will support the Principal of the institution in the development and implementation of education plans, policies, programmes and curriculum activities. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
10.	Deputy Principal I T-Scale 13	Promotional grade for deputy principals in secondary schools. The Deputy Principal II will report to the Principal. He/she will support the Principal of the institution in the development and implementation of education plans, policies, programmes and curriculum activities. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
11.	Principal T-Scale 13	Promotional grade for administrators in secondary schools. The Principal is the lead educator and accounting officer and is responsible for the operational management of the institution. He/she is also responsible for the development and implementation of education plans, policies, programmes and curriculum activities of the institution. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
12.	Senior Principal T-Scale 14	Promotional grade for administrators in secondary schools. The Senior Principal is the lead educator and accounting officer and is responsible for the operational management of the institution. He/she is also responsible for the development and implementation of education plans, policies, programmes and curriculum activities of the institution. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
13.	Chief Principal T-Scale 15	This is a promotional grade for administrators in secondary schools. The Chief Principal is the lead educator and accounting officer and is responsible for the operational management of the institution. He/she is also responsible for the development and implementation of education plans, policies, programmes and curriculum activities of the institution. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.



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# Lecturers in public teacher training colleges

Under CPG, lecturers in public teacher training colleges can rise from Lecturer Scale 9 to Senior Principal Scale 15.

S/NO	JOB GRADE	DESCRIPTION
1.	Senior Lecturer IV (TTC) T-Scale 9	Entry grade to the teachers' training colleges. It is also a promotional grade for lecturers serving in post-primary institutions. A senior lecturer is expected to provide mentorship, professional support, and guidance and counselling to the learners in the institution.
2.	Senior Master III - Teaching Practice Coordinator (TTC) T-Scale 10	Promotional grade for institutional administrators in teachers' training colleges. The teaching practice coordinator is responsible for the organisation of teaching practice in teachers' training colleges. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
3.	Senior Master III, II & I (TTC) T-Scale 10, 11 & 12	The positions of Senior Master III, II, I (TTC) are promotional grades. The senior masters are responsible for setting and maintenance of academic standards in the department in line with the curriculum.
4.	Dean of Students (TTC) III, II & I - T-Scale 11, 12 & 13	The positions of Dean of Students (TTC) III, II, and I are promotional grades. The deans shall be responsible for learners' welfare to promote learners' success and development. Promotion to these grades will be competitive and subject to availability of vacancies in the establishment.
5.	Dean of Curriculum (TTC) III, II & I - T-Scale 11, 12 & 13	The positions of Dean of Curriculum (TTC) III, II, and I are promotional grades. The dean of curriculum is responsible for the provision of administrative services and technical assistance to teaching staff in curriculum development, implementation and evaluation. Promotion to these grades will be competitive and subject to availability of vacancies in the establishment.
6.	Registrar (TTC) III, II & I - T-Scale 11, 12 & 13	The positions of Registrar (TTC) III, II, and I are promotional grades. The registrar is responsible for enrollment and registration of learners. He/she is also responsible for the integrity, accuracy, and security of all academic records of current and former learners. Promotion to these grades will be competitive and subject to availability of vacancies in the establishment.
7.	Deputy Principal (TTC) - III, II & I - T-Scale 11, 12 & 13	The positions of Deputy Principal (TTC) III, II, and I are promotional grades. The Deputy Principals will report to the Principal. He/she will support the principal of the institution in the development and implementation of education plans, policies, programmes and curriculum activities. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
8.	Principal, Senior Principal & Chief Principal (TTC) - T-Scale 13, 14 & 15	The position for Principal, Senior Principal and Chief Principal are promotional grades. The principal is the lead educator and accounting officer and is responsible for the operational management of the institution. A holder of this position is responsible for the provision of leadership in the development and implementation of education plans, policies, programmes and curriculum activities. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.

# THE HISTORY OF THE UNITED STATES

The history of the United States is a complex and multifaceted story that spans centuries. It begins with the early Native American civilizations, such as the Mayans, Aztecs, and Incas, who built sophisticated societies in the Americas. The arrival of European explorers in the late 15th and early 16th centuries marked the beginning of a new era of discovery and expansion. The United States was founded in 1776, and its early years were characterized by a struggle for independence from British rule. The American Revolution (1775-1783) was a pivotal moment in the nation's history, leading to the signing of the Declaration of Independence and the establishment of the United States as a sovereign nation.

The early years of the United States were marked by a period of westward expansion. The Louisiana Purchase of 1803, which doubled the size of the United States, was a major event in this process. The discovery of gold in California in 1848 led to the California Gold Rush, which attracted thousands of people to the West. The Mexican-American War (1846-1848) resulted in the United States acquiring a large portion of Mexico's territory, including California, New Mexico, and Arizona.

The mid-19th century was a period of significant social and political change. The abolitionist movement gained momentum, and the issue of slavery became a central focus of national debate. The Civil War (1861-1865) was a defining moment in the nation's history, as it resolved the issue of slavery and preserved the Union. The war led to the passage of the 13th and 14th Amendments to the Constitution, which granted citizenship and equal rights to African Americans.

The late 19th and early 20th centuries were characterized by industrialization and the rise of a new social order. The Gilded Age was a period of rapid economic growth and technological innovation, but it was also marked by social inequality and corruption. The Progressive Era (1890s-1920s) was a period of reform and social change, as reformers sought to address the problems of the Gilded Age. The Progressive Era led to the passage of numerous laws and regulations that improved the lives of ordinary citizens.

The 20th century was a period of global conflict and social change. The United States played a leading role in World War I (1914-1918) and World War II (1939-1945). The Cold War (1945-1991) was a period of tension and competition between the United States and the Soviet Union. The Civil Rights Movement (1950s-1960s) was a period of struggle for equality and justice for African Americans. The Vietnam War (1955-1975) was a controversial conflict that led to significant social and political changes in the United States.

The late 20th and early 21st centuries have been marked by rapid technological advancement and globalization. The United States has played a leading role in the development of the Internet and other technologies. The 9/11 attacks (2001) were a defining moment in the nation's history, leading to the War on Terror and the passage of the Patriot Act. The 2008 financial crisis and the subsequent recession were major challenges for the United States. The 2016 presidential election and the resulting political and social divisions are ongoing issues that continue to shape the nation's future.



# Kenya Institute of Special Education lecturers

All lecturers at this premier institution of training teachers for special needs education are TSC employees.

S/NO	NAME	DESCRIPTION
1.	Senior Lecturer IV (KISE) T-Scale 9	This is an entry and promotional grade for lecturers at KISE. The lecturer is responsible for the development and implementation of education plans, policies, programmes and curriculum activities. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
2.	Senior Master III – Teaching Practice Coordinator (KISE) T-Scale 10	This is a promotional grade for institutional administrators at KISE. The teaching practice coordinator is responsible for the organisation of teaching practice. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
3.	Senior Master III, II & I (KISE) T-Scale 10, 11 & 12	This is a promotional grade for institutional administrators at KISE. A teacher at this level is responsible for the coordination and supervision of all departmental activities in the institute. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
4.	Dean of Students (KISE) T-Scale 13	This is a promotional grade for institutional administrators at KISE. A teacher in this position is responsible for all learners' welfare matters and the provision of support services to learners. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
5.	Academic Registrar (KISE) T-Scale 13	This is a promotional grade for institutional administrators at KISE. A teacher at this level will be responsible for the coordination of the implementation of training programmes, research activities, assessment of children with special needs and production of educational resources and assistive devices. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
6.	Deputy Director, Finance and Administration, (KISE) T-Scale 14	This is a promotional grade at KISE. A teacher in this grade is responsible for the coordination of all financial, administrative and support services and ensuring compliance with government policies and regulations. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
7.	Deputy Director, Academic and Students Welfare (KISE) T-Scale 14	This is a promotional grade at KISE. A teacher in this grade is responsible for academic programmes and the welfare of students. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
8.	Director (KISE) T-Scale 15	This is a promotional grade at KISE. The director is the lead educator and accounting officer of the institution. He/she is responsible for the implementation of education programmes and policies. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.



# THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO  
OFFICE OF THE DEAN  
540 EAST 58TH STREET  
CHICAGO, ILLINOIS 60637  
TEL: 773-936-3300  
WWW.CHICAGO.EDU

Dear Mr. [Name]:

I am pleased to inform you that your application for admission to the University of Chicago has been reviewed and your name has been placed on the list of admitted students for the fall semester of 2024.

You will receive a letter from the Office of the Dean within the next few days, which will contain important information regarding the next steps in the admission process, including the deadline for accepting your offer of admission and the procedures for enrolling in classes.

We are excited to have you join the University of Chicago community and look forward to your arrival in the fall. If you have any questions, please do not hesitate to contact the Office of the Dean at 773-936-3300.

Sincerely,  
[Name]  
Dean



# Centre for Mathematics Science and Technology Education in Africa

A teacher working at CEMASTEА can now rise from ICT programmes coordinator to director of the institution.

S/NO	JOB GRADE	DESCRIPTION
1.	ICT Programmes Coordinator II T-Scale 9	Entry and promotional grade for trainers at CEMASTEА. A trainer in this position is responsible for capacity building on ICT integration in the teaching of science and mathematics. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
2.	National Trainer II T- Scale 9	Entry and promotional grade for trainers at CEMASTEА. A teacher in this position is responsible for capacity development of teachers teaching mathematics and sciences in secondary and primary schools. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
3.	National Trainer I T-Scale 10	Promotional position for trainers at CEMASTEА. A trainer in this position is responsible for planning, harmonising and implementing all training programmes and activities of the institution's different departments. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
4.	Senior National Trainer T-Scale 11	Promotional grade for trainers in CEMASTEА. A trainer in this position is responsible for harmonisation, planning and implementation of all training programmes and activities of different departments within CEMASTEА. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
5.	Programme Coordinator T-Scale 12	Promotional position for trainers at CEMASTEА. A trainer in this position shall be responsible for supporting the general administration of the institution. The coordinator will supervise implementation of all training programmes and activities in different departments within CEMASTEА. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
6.	Dean of Studies T-Scale 13	Promotional grade for trainers at CEMASTEА. The Dean of Studies is responsible for the general administration of the institution. This entails planning, designing, coordinating, controlling resources and overseeing implementation of the centre's core mandate. The dean also plays a role policy formulation on inset in CEMASTEА, TSC and the Ministry of Education. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
7.	Deputy Director T-Scale 14	Promotional grade for trainers at CEMASTEА. The deputy director assists the director in the day-to-day management of the centre, including planning, coordinating and overseeing implementation of training programmes and support services. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
8.	Director T-Scale 15	Promotional grade at CEMASTEА. The director is the lead educator and accounting officer at the Centre and is responsible for the provision of strategic direction and administration. He/she is also responsible for the realisation of the centre's mandate. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.



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# Special needs education teachers in primary and secondary institutions

In recognition of the challenging work that SNE teachers do, the CPG has outlined pathways by which they can rise. These teachers are deployed to both SNE primary and secondary institutions.

A. PRIMARY TEACHERS		
S/NO	JOB GRADE	DESCRIPTION
1.	Primary Teacher II (SNE)- T-Scale 7	Promotional grade for SNE teachers in primary schools. Teachers at this grade are expected to gain mastery of class management, training, evaluation and recording progress of special needs learners. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
2.	Primary Teacher I (SNE) -T-Scale 8	Promotional grade for SNE teachers in primary schools. A teacher at this grade is responsible for the provision of mentorship, supervision, professional support, counselling and guidance for special education learners to promote their empowerment. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
3.	Senior Teacher II (SNE) – T-Scale 9	Promotional and entry grade to administrative cadre for SNE teachers in primary schools. A teacher at this grade is expected to provide leadership in the development and implementation of education plans, policies, programmes and curriculum activities in the school. He/she will also be responsible for the professional development of the teaching staff. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
4.	Senior Teacher I (SNE) T-Scale 10	Promotional grade for institutional administrators in SNE primary schools. A teacher at this grade is expected to provide leadership in the development and implementation of education plans, policies, programmes and curriculum activities in the school. He/she will also be responsible for the professional development of teachers. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
5.	Deputy Head Teacher (SNE) T-Scale 11	Administrative grade for SNE teachers in primary schools. A teacher at this grade is responsible for the provision of leadership in the development and implementation of education plans, policies, programmes and curriculum activities. He/he will also be responsible for the professional development of the teaching staff. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
6.	Head Teacher (SNE) T-Scale 12	Promotional grade for institutional administrators in SNE primary schools. The head teacher is the lead educator and the accounting officer in the school. He/she is responsible for the provision of leadership in the implementation of the curriculum, educational policies and programmes. He/she also leads in the development and implementation of the school's strategy, work plans, budgets and supervises the school operations. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
B. SECONDARY TEACHERS		
S/NO	JOB GRADE	DESCRIPTION
1.	Secondary Teacher II (SNE) T-Scale 8	Entry and promotional grade for secondary schools SNE teachers. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.
2.	Secondary Teacher I (SNE) T-Scale 9	Promotional grade for secondary school SNE teachers. A teacher appointed to this grade is expected to provide professional support, mentorship, guidance and counselling to the teachers in the school. Promotion to this grade will be competitive and subject to availability of vacancies in the establishment.

NOTE: Promotion of SNE secondary school teachers from T-Scale 9 onwards shall be in accordance with the grading structure for other secondary school teachers.



# INTERNATIONAL CONFERENCE ON THE HISTORY OF THE MIDDLE EAST

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# APPEAL FOR CORRECT GRADING

Inbox



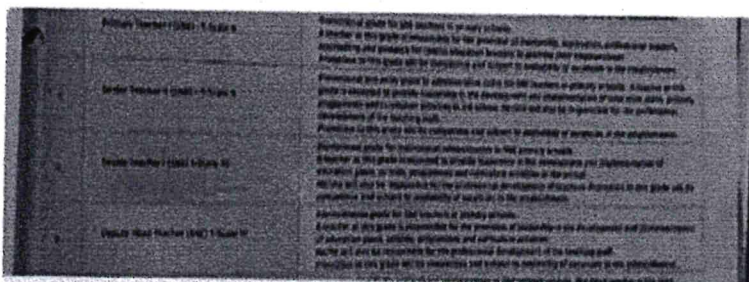
ben kuja 9/18/2023

to hrmunit9, info



This is an extract from teachers image on SNE teachers grading .  
 Kindly revisit my plight and grade as correctly tabulated for senior teacher 1 sne cluster.  
 Looking forward to hearing from you.

Thank you.  
 Bernard Kuja  
 Tsc no 382049



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HRM Unit 9 9/18/2023

to me, info@tsc...







From HRM Unit 9 • hrmunit9@tsc.go.ke

To ben kuja • benkuja@googlemail.com  
info@tsc.go.ke

Date Sep 18, 2023, 4:46 PM

Standard encryption (TLS).  
View security details

Thank you for contacting us. We have received your request and are actively working on it.

**From:** ben kuja <benkuja@googlemail.com>  
**Sent:** Monday, September 18, 2023 1:15 PM  
**To:** HRM Unit 9 <hrmunit9@tsc.go.ke>  
**Cc:** info@tsc.go.ke <info@tsc.go.ke>  
**Subject:** APPEAL FOR CORRECT GRADING

Hide quoted text

This is an extract from teachers image on SNE teachers grading .  
Kindly revisit my plight and grade as correctly tabulated for senior teacher 1sne cluster.  
Looking forward to hearing from you.

Thank you.  
Bernard Kuja  
Tsc no 382049

This email is confidential and intended for the sole use of the individual named.



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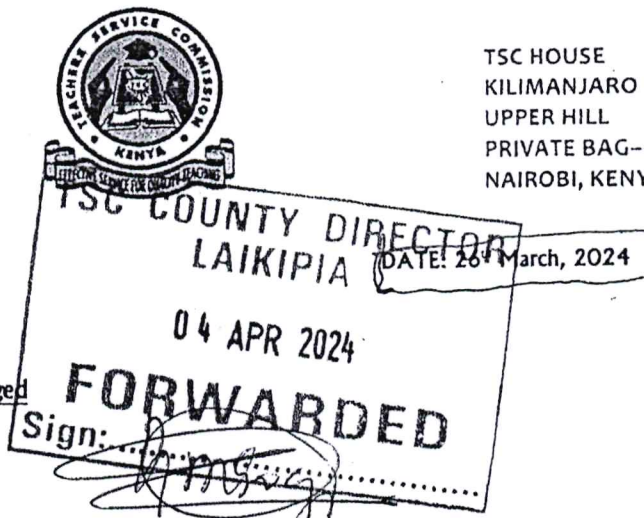
## TEACHERS SERVICE COMMISSION

Telephone: 2892000  
 Email: info@tsc.go.ke  
 Web: www.tsc.go.ke  
 When replying please quote:

TSC HOUSE  
 KILIMANJARO ROAD  
 UPPER HILL  
 PRIVATE BAG-00100  
 NAIROBI, KENYA

Ref. No: TSC/ 382696/127  
 Advert No. 60/2023  
 S/No. 24260

Jeromy Mwenda Baithumbi ✓  
 Likil Special School For M. Challenged  
 Thro'  
 The TSC County Director  
 Laikipia County



### **APPOINTMENT AS SENIOR TEACHER I (SNE) - T-SCALE 8 (GRADE C3)**

Further to your application for appointment to the grade of Senior Teacher I (SNE) - T-Scale 8 (Grade C3), and subsequent interview in December 2023, I am pleased to inform you that you were successful. Accordingly, the Commission has appointed you as Senior Teacher I (SNE) - T-Scale 8 (Grade C3), with effect from 22<sup>nd</sup> February, 2024. You are Retained at Likil Special School For M. Challenged.

This offer for promotion shall lapse if not taken within thirty days from the date of this letter in accordance with regulation 81 of Code of Regulations for Teachers (2015).

The salary attached to this grade is Ksh.517848 - Ksh.647316 per annum.

Your performance will be evaluated based on the annual performance targets in the performance appraisal instruments. Accordingly, your attention is drawn to the provisions of Regulation 54 of the Code of Regulations for Teachers (2015).

Your duties and responsibilities at this level shall be guided by the provisions of the Teachers Service Commission Act (2012), Code of Regulations for Teachers (2015), Code of Conduct and Ethics for Teachers (2015), Career Progression Guidelines for Teachers (2018) and any other Legislative instruments, Policies and Administrative Circulars issued by the Commission from time to time.

On behalf of the Teachers Service Commission, I congratulate and wish you success in the performance of your duties.

**NB:** Your entry salary point will be communicated to you in due course through an Authorised Data Sheet.

  
**PETER K. MUTUGU**  
**FOR: SECRETARY/CHIEF EXECUTIVE**  
**TEACHERS SERVICE COMMISSION**  
**TSC/HQ/PKM/BM/60202324260 /24260320**

Copy to: Regional Director - Rift Valley Region



CPG

TEACHERS SERVICE COMMISSION

Telephone: 2892000/  
0722-208-553  
Email: [info@tsc.go.ke](mailto:info@tsc.go.ke)  
Web: [www.tsc.go.ke](http://www.tsc.go.ke)



TSC HOUSE  
KILIMANJARO ROAD  
UPPER HILL  
PRIVATE BAG- 00100  
NAIROBI, KENYA

When replying please quote

Ref. No: TSC/108457/154

DATE: 1/10/21

NAME Nicholas Nambita

PRINCIPAL  
KALIMONJI SPECIAL SCHOOL  
P.O. BOX 40300, NAIROBI

Thro  
The Head teacher

Received on 18<sup>th</sup> 10-21

Kalimonji Special School  
P.O. Box 40300  
Nairobi

Dear Sir/Madam,

COMMON CADRE PROMOTION

Reference is made to your application/performance Appraisal report dated 4/9/21

You are hereby notified that the new Career Guidelines designed to implement Job Evaluation Reports and CBA signed between TSC and the Teachers Unions provides for common establishment for only the first two grades. The affected grades are C1/C2 and C2/C3 for Diploma and Degree holders respectively.

It has been noted that you are a Diploma holder and currently serving at C2 Grade. Your progression will therefore be based on the provisions set by the Career Guidelines, 2017.

Yours faithfully

Mary S.  
FOR: SECRETARY/CHIEF EXECUTIVE  
TEACHERS SERVICE COMMISSION

Copy to:

TSC County Director  
..... COUNTY

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Third section of faint, illegible text, continuing the document's content.

Fourth section of faint, illegible text, possibly a concluding paragraph.

Faint, illegible text at the bottom of the page, possibly a footer or signature area.

CPG

TEACHERS SERVICE COMMISSION

Telephone: Nairobi 2892000/0722-208-552  
Email: info@tsc.go.ke  
Website:  
http://www.tsc.go.ke



TSC House  
Kisumu Road  
Upper Hill  
Private Bag  
NAIROBI, KENYA  
2<sup>nd</sup> December, 2016

Ref: TSC/066004187  
[Redacted]

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[Redacted] ol [Redacted]  
[Redacted]

**APPOINTMENT  
SENIOR GRADUATE/APPROVED TEACHERS - JOB GROUP 'M'**

I am pleased to convey the decision of the Teachers Service Commission that further to your application and subsequent interview, you be promoted to **Senior Graduate/Approved Teacher, Job Group 'M'** in the salary scale of **Kshs.499,080 - 670,080 p.a.** with effect from **3<sup>rd</sup> May, 2017**.

It has also been decided that you be retained at your current station.

Please accept my sincere congratulations upon this appointment and my best wishes in the performance of your duties.

Yours Sincerely,

[Redacted signature]

*Lucy M. Mugambi*  
**LUCY M. MUGAMBI (MRS)**  
**FOR: SECRETARY/CHIEF EXECUTIVE**  
**TEACHERS SERVICE COMMISSION**

[Redacted]  
[Redacted] school




SAISI PATRICK LIYAYI,  
Box 54-50309,  
TIRIKI.  
31<sup>st</sup> AUGUST, 2021.

CPG

THE SECRETARY,  
TEACHERS SERVICE COMMISSION,  
PRIVATE BAG,  
NAIROBI.

T.S.C SUB COUNTY DIRECTOR,  
HAMISI SUBCOUNTY,  
Box 89,  
HAMISI.

*[Handwritten signature]*  


THE HEADTEACHER,  
KAIMOSI SPECIAL SCHOOL,  
Box 54-50309,  
TIRIKI.

PRINCIPAL  
KAIMOSI SPECIAL SCHOOL  
P. O. Box 54 - 50309, KAIMOSI  
Date: 31/8/21 *[Signature]*

Forwarded for  
necessary action.

Dear Sir/Madam,

REF: SAISI PATRICK 2. T.S.C. NO. 294611. GRADE/SALARY  
ADJUSTMENT.

I do hereby submit in my request for grade/salary adjustment. According to Career Progression Guidelines of 2017 article 2.9 pages 122-133, Senior Teacher I in administration in a primary special school should be placed at teacher scale 10, grade C5 and designated as Senior Teacher I (SNE). Currently am placed at T8, grade C3 which is a designation/grade for senior teachers in regular Primary Schools. Attached is a copy of my promotion and substantive appointment letter as a senior teacher.

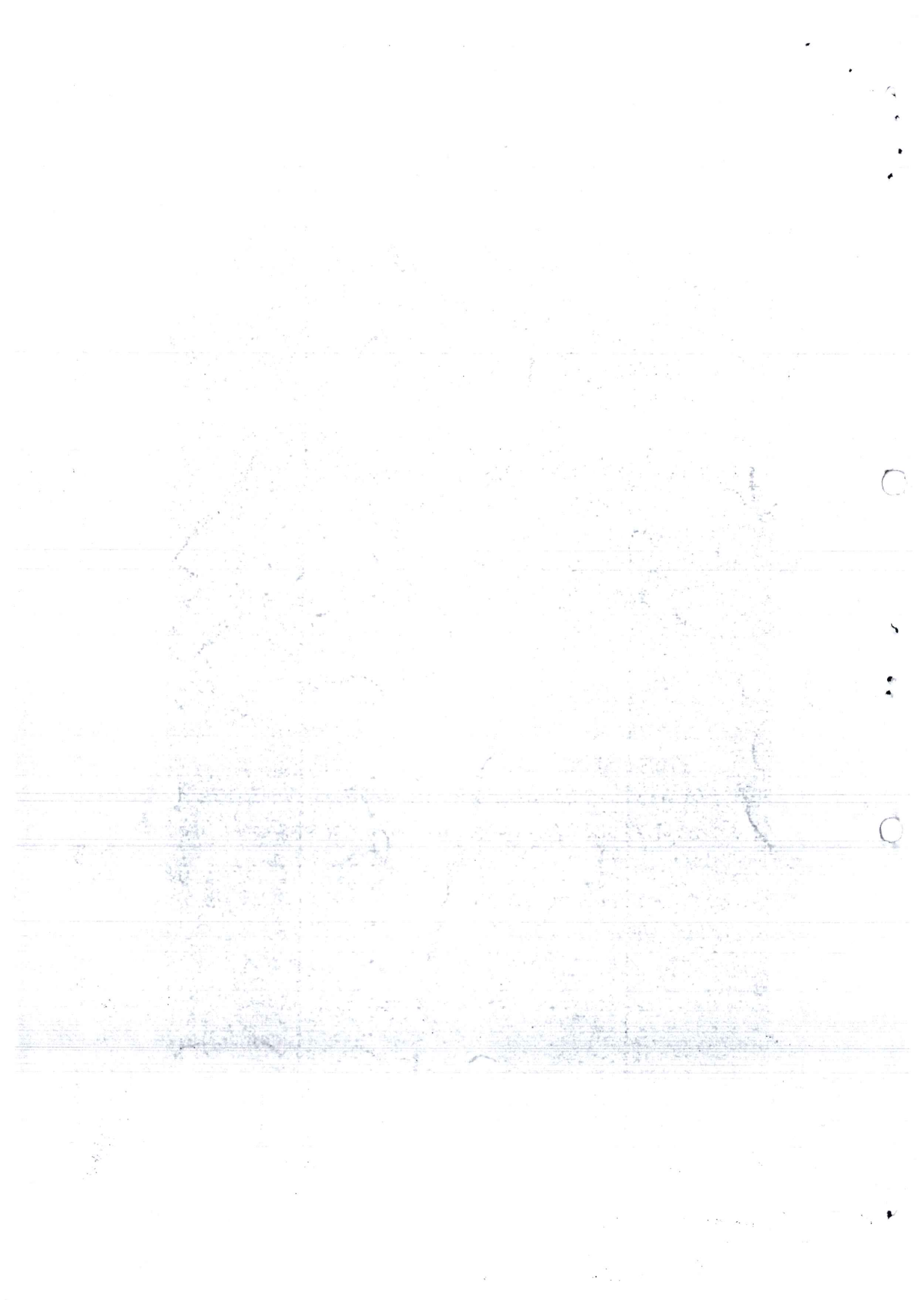
Kindly adjust my grade, salary and designation as stipulated in the Career Progression Guidelines.

Your consideration is highly appreciated.

Yours faithfully,

*[Signature]*

Saisi Patrick L.TSC No. 294611



CPG

**TEACHERS SERVICE COMMISSION**

[REDACTED]



TSC HOUSE  
UPPER HILL  
KILIMANJARO ROAD  
NAIROBI, KENYA

Date: 5<sup>th</sup> July 2023

[REDACTED]

[REDACTED]

[REDACTED]

**RE: DESIGNATION**

Reference is made your letter dated 25/1/2023 on the above subject.

This is to inform you that you are correctly designated as Senior Lecturer III and therefore advised to apply for promotion to the next job group when vacancies are advertised.

**Z. IRUNGU**  
**FOR: SECRETARY/CHIEF EXECUTIVE**  
**TEACHERS SERVICE COMMISSION**

Copy to: The TSC County Director  
**KISUMU**



## TEACHERS SERVICE COMMISSION

Telephone: Nairobi 2892000/  
0722-208-552  
Email: [info@tsc.go.ke](mailto:info@tsc.go.ke)  
Web: [www.tsc.go.ke](http://www.tsc.go.ke)  
When replying please quote  
Ref.No: TSC/382696/



TSC HOUSE  
KILIMANJARO ROAD  
UPPER HILL  
PRIVATE BAG- 00100  
NAIROBI, KENYA

29<sup>TH</sup> October 2019

**Jeromy Mwenda Baithumbi**

TSC/382696

Through:

**The Headteacher,  
Garrison Pri Sch  
LAIKIPIA EAST SUB COUNTY**

NANYUKI GARRISON PRY.  
 P.O. BOX 83, NANYUKI  
 Date: 06-11-2020  
 K/W

*CPG*

### RE- DESIGNATION ASSENIOR TEACHER - IIA T-SCALE - 7 GRADE C2

Following the implementation of the Policy on Appointment and Deployment of Institutional Administrators 2017, the position of Senior teacher is now a substantive appointment.

It has been decided that you be Re-designated **Senior Teacher IIA T- Scale 7** with effect from **1/7/2017** and retained in your current station under the following terms:

#### **Duties and Responsibilities:**

The duties of a teacher at this level shall be to: -

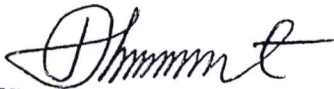
1. Prepare lesson plans, lesson notes, timetables, schemes of work and maintain academic standards in the school to ensure that the syllabus is covered in time for evaluation;
2. Teach subjects of specialization to impart knowledge, skills and attitudes to learners;
3. Evaluate learners in subjects of specialization and prepare them for national and other examinations;
4. Introduce new ideas and programmes for improvement in teaching and learning in subjects of specialisation;
5. Collect, collate and maintain all school records such as enrolment, teaching and learning resources, evaluation records and attendance registers;
6. Ensure discipline in school is maintained and arbitrate any disputes;
7. Supervise cleanliness of the school compound and ensure the learners are tidy;
8. Embrace teamwork through collaborative planning and teaching to ensure consistency and improvement in curriculum delivery;
9. Serve as a role model and maintain learner discipline to create conducive environment for learning;



10. Provide guidance and counselling services to the learners and instil norms and values for harmonious co-existence;
11. Interpret the curriculum in all subjects to ensure effective teaching and learning; organise workshops/seminars/symposiums to share ideas and further knowledge in subjects areas;
12. Engage learners in curricular and co-curricular activities so as to identify, nurture and develop talents;
13. Organize remedial actions to support learners with performance gaps; and
14. Any other duty as assigned.

Your performance as a Senior Teacher will be evaluated based on the annual performance targets in the performance contracting and/or appraisal instruments. Accordingly, your attention is drawn to the provisions of regulation 54 of the code of regulations for teachers (2015).

On behalf of the Teachers Service Commission, I congratulate and wish you success in the performance of your duties.



**ALOISE THIRINGI**  
**FOR: SECRETARY/CHIEF EXECUTIVE**  
**TEACHERS SERVICE COMMISSION**

For SECRETARY  
TEACHERS SERVICE COMMISSION

Copy to: TSC County Director  
**LAIKIPIA COUNTY**



# TEACHERS SERVICE COMMISSION

Telephone: Nairobi 2892000

Email: [info@tsc.go.ke](mailto:info@tsc.go.ke)

Web: [www.tsc.go.ke](http://www.tsc.go.ke)

When replying please quote

Ref No:

**TSC/ADM/192A/VOL.IX/37**



TSC HOUSE  
KILIMANJARO ROAD  
UPPER HILL  
PRIVATE BAG- 00100  
NAIROBI, KENYA

Date: 2<sup>nd</sup> MAY 2018

## **CIRCULAR NO:7/2018**

**TO:** All TSC County Directors  
All TSC Sub-County Directors  
All Principals, National Polytechnics  
All Principals, Technical Training Institutes  
All Principals, Institutes of Science & Technology  
All Principals, Diploma Teacher Colleges  
All Principals, Primary Teacher Training Colleges  
The Director, CEMASTE  
The Director, Kenya Institute of Special Education  
The Chairperson, KEPSHA  
The Chairperson, KESSHA

## **CAREER PROGRESSION GUIDELINES FOR THE TEACHING SERVICE**

---

The Commission has developed Career Progression Guidelines for the teaching service which became operational with effect from 8<sup>th</sup> November, 2017.

These Guidelines provide for the policies and procedures that have standardized teachers' professional development. The grading structure has taken into account the Job Evaluation report.

The Guidelines provide all basic requirements for career progression, training and promotion of teachers.



The following information is provided for your information. All information is subject to change without notice. The information is provided for your information only. It is not intended to be used for any other purpose. The information is provided for your information only. It is not intended to be used for any other purpose.

The information provided is for your information only. It is not intended to be used for any other purpose. The information is provided for your information only. It is not intended to be used for any other purpose. The information is provided for your information only. It is not intended to be used for any other purpose.

Pathways for teachers have been defined and clear job descriptions/specifications have been provided at every level.

The Guidelines have provided the broad framework in school management, administration and ensure that curriculum implementation is structured and every teacher is clear on what is expected upon joining the teaching career.

The Guidelines effectively replaces the following:

- (i) Schemes of Service for non-Graduate teachers
- (ii) Schemes of Service for Graduate teachers
- (iii) Schemes of Service for Technical teachers and Lecturers

The comprehensive Career Guidelines have been uploaded for access on the TSC Website [www.tsc.go.ke](http://www.tsc.go.ke). All teachers and Education stakeholders are advised to read the provisions in the Guidelines.

The following are the major highlights:-

- (i) Minimum entry requirement for entry into the teaching profession;
- (ii) Basic requirement for promotion from one grade to another;
- (iii) Entry to Administrative Grade;
- (iv) Additional responsibilities for School Administrators; and
- (v) Requirements for deployment to teach in:-
  - (a) Primary School
  - (b) Secondary School
  - (c) Teacher Training College
  - (d) Special Institution
  - (e) Centre for Mathematics, Science and Technology Education in Africa (CEMASTEA)
  - (f) Kenya Institute of Special Education (KISE)
  - (g) Technical Colleges and Polytechnics



All employees of the Commission and any prospective professional teacher is advised to note the strict entry requirements that form the standards for the teaching profession.

  
**DR NANCY NJERI MACHARIA, CBS**  
**SECRETARY/CHIEF EXECUTIVE**

**Copy to:**

Mr. Henry Rotich, EGH  
Cabinet Secretary  
The National Treasury  
P.O. Box 30007-00100  
**NAIROBI**

Amb.(Dr.) Amina C. Mohamed, EGH, CAV  
Cabinet Secretary  
Ministry of Education  
P.O. Box 30040-00100  
**NAIROBI**

Hon. Wilson Sossion  
Secretary General,  
Kenya National Union of Teachers (KNUT),  
P. O. Box 30407-00100,  
**NAIROBI**

Mr. Akelo M.T. Misori  
Secretary General  
Kenya Union for Post Primary Education Teachers (KUPPET)  
P.O. Box 30412 - 00100  
**NAIROBI**

Kenya National Union of Primary Education Teachers (KUPRET)  
P.O. Box 30412 - 00100

Kenya National Union of Primary Education Teachers (KUPRET)  
P.O. Box 30412 - 00100

Kenya National Union of Primary Education Teachers (KUPRET)  
P.O. Box 30412 - 00100

Kenya National Union of Primary Education Teachers (KUPRET)  
P.O. Box 30412 - 00100

Kenya National Union of Primary Education Teachers (KUPRET)  
P.O. Box 30412 - 00100

Vice Chancellor  
Laikipia University College  
P.O. Box 1100 – 20300  
**NYAHURURU**

Vice Chancellor  
Kisii University College  
P.O. Box 408 - 40200  
**KISII**

Vice Chancellor  
Karatina University College  
P.O. Box 1957 - 10101  
**KARATINA**

Vice Chancellor  
Presbyterian University of East Africa  
P.O. Box 387 - 00902  
**KIKUYU**

Vice Chancellor  
Embu University College  
P.O. Box 956 - 60100  
**EMBU**

Vice Chancellor  
Catholic University of Eastern Africa  
P.O. Box 62157 - 00200  
**NAIROBI**

Vice Chancellor  
Mt. Kenya University  
P.O. Box 13495 - 00100  
**NAIROBI**

Vice Chancellor  
Kenyatta University  
P.O. Box 43844 - 00100  
**NAIROBI**

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Vice Chancellor  
Moi University, Main Campus  
P.O. Box 3900 - 30100  
**ELDORET**

Vice Chancellor  
University of Nairobi  
P.O. Box 30197 - 00100  
**NAIROBI**

Vice Chancellor  
Maasai Mara University  
P.O. Box 861 - 20500  
**NAROK**

Vice Chancellor  
Maseno University Main Campus  
P.O. Box 333 - 40105  
**MASENO**

Vice Chancellor  
University of Eldoret (UOE)  
P.O. Box 1125 - 30100  
**ELDORET**

Vice Chancellor  
Chuka University  
P.O. Box 109 - 60400  
**CHUKA**

Vice Chancellor  
Kenya Methodist University  
P.O. Box 267 - 60200  
**MERU**

Vice Chancellor  
Daystar University  
P.O. Box 17 - 90145  
**ATHI RIVER**

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Vice Chancellor  
Machakos University  
P.O. Box 136 - 90100  
**MACHAKOS**

Vice Chancellor  
South Eastern Kenya University (SEKU)  
P.O. Box 170 - 90200  
**KITUI**

Vice Chancellor  
University of Eastern Africa Baraton  
P.O. Box 2500 - 30100  
**ELDORET**

Vice Chancellor  
Masinde Muliro University  
P.O. Box 190 - 50100  
**KAKAMEGA**

Vice Chancellor  
Pwani University  
P.O. Box 195-80108  
**KILIFI**

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