

SPECIAL ISSUE

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REPUBLIC OF KENYA



KENYA GAZETTE SUPPLEMENT

SENATE BILLS, 2026

NAIROBI, 16th, January 2026

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**THE LABOUR RELATIONS (AMENDMENT) BILL,
2026**

A Bill for

AN ACT of Parliament to amend the Labour Relations Act to provide for the elections of trade union officials and for connected purposes

ENACTED by the Parliament of Kenya as follows—

1. This Act may be cited as the Labour Relations (Amendment) Act, 2026.

Short title.

2. Section 34 of the Labour Relations Act is amended in subsection (1) by deleting the words “in accordance with their registered constitutions” and substituting therefore with the words “by the Independent Electoral and Boundaries Commission in accordance with the registered constitutions of the respective union, organization or federation”.

Amendment of section 34 of Cap 233.

MEMORANDUM OF OBJECTS AND REASONS

Statement of the Objects and Reasons for the Bill

The principal object of the Bill is to provide for the election of officials of the trade union, employers' organization and federation to be conducted by Independent Electoral and Boundaries Commission, being the body mandated by Article 88 of the Constitution to supervise referenda and conduct elections to any elective body or office established by the Constitution and any other elections as prescribed by an Act of Parliament.

Currently, under the Act, the elections of the trade union officials and the employers' organization has been left entirely to the trade unions, which powers have not been exercised fairly as is evident by how long some of the leaders of the trade unions have been in the office. This has therefore called for the need to engage the Independent Electoral and Boundaries Commission conduct free, fair and credible elections.

Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms

The Bill does not delegate legislative powers nor does it limit the fundamental rights and freedoms.

Statement on how the Bill concerns county governments

Under the Fourth Schedule to the Constitution, counties are mandated to implement national labour standards and employment policy in the counties. Since the members of a trade union, federation or employers' organizations are from the counties, the Bill will have a huge impact on management of trade unions, employers' organisation or federation through elections.

This is therefore a Bill that concerns counties in terms of Article 110(1) (a) of the Constitution.

Statement that the Bill is not a money Bill, within the meaning of Article 114 of the Constitution

This Bill is not a money Bill within the meaning of Article 114 of the Constitution.

MOGENI ERICK OKONGO.

Senator.

Section 34 of Cap 233 which it is proposed to amend—

34. Election of officials

(1) The election of officials of a trade union, employers' organisation or federation shall be conducted in accordance with their registered constitutions.