

THE CLERK OF THE SENATE
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REF: PETITION TO THE SENATE BY CITIZENS OF THE REPUBLIC OF KENYA, MEMBERS OF KENYA NATIONAL UNION OF NURSES AND RESIDENTS OF UASIN GISHU COUNTY CONCERNING COLLAPSE OF HEALTH SERVICES IN UASIN GISHU COUNTY, VIOLATION OF THE FUNDAMENTAL RIGHTS OF HEALTH STAFF AND BREACH OF THE CONSTITUTION BY THE GOVERNOR.

We, the undersigned citizens of the Republic of Kenya, members of KNUN and residents of Uasin Gishu County draw the attention of the senate to the following:

PREAMBLE.

THAT, since the constitution of the county Government of Uasin Gishu in 2013, the Health sector in the county has been grossly mismanaged leading to serious problems including irregular payment of salaries and allowances, freezing of promotions and re-designation, staff demoralization, violation of fundamental rights including those of workers, tribalism, discrimination, corruption and erratic supply of drugs and non pharmaceuticals.

THAT, the county government has failed to recognize the Kenya National Union of Nurses branch Officials despite the fact that all evidence of the legality of the union and its recruitment of nurses in the employment of the county government have been available to the county leadership.

Specifically, we draw the attention of the Senate to the following issues:-

1. COLLAPSE OF HEALTH SERVICES IN THE COUNTY

1.1. **THAT**, the Uasin Gishu County Governor has failed to streamline the management of the Health sector in the county leading to near collapse of health services.

1.2. **THAT**, there is an acute shortage of Nurses in the county leading to insufficient care or lack of attention to patients by the nurses available who are often overwhelmed by patient numbers.

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2.4 **THAT**, the Governor is presiding over a human resource system that does not respect the rights of workers by meeting unfair disciplinary actions without following proper proceedings.

3. BREACH OF CONSTITUTION

- 3.1 **THAT**, the Governor violated the rights of patients to privacy and confidentiality by ordering the chief officer of health to review patients in his presence and in the presence of the County Health Administrator contrary to Article 31 (c& d) on 13th June 2015 at 11.30 pm.
- 3.2 **THAT**, the Governor has been abetting corruption in the procurement of drugs at inflated prices.
- 3.3 **THAT**, The Governor has been abetting corruption through allocation of funds to fictitious purchase of anti-malarial and family planning commodities which are also provided for by global fund for free.
- 3.4 **THAT**, the Governor influenced the County Assembly Committee on health to shelve the petition on the impeachment of the CEC- Health for breaching Article 73 of the constitution of Kenya 2010 contrary to Article 75 1(a &b)
- 3.5 **THAT**, the Governor has retained the County Chief Nurse in service contrary to the findings and recommendations of the County Assembly in November 2014 that she be subjected to further investigations surrounding her resignation and reinstatement when she joined politics in 2013 contrary to the constitution.
- 3.6 **THAT**, The County Governor has been visiting health facilities at night in company of senior officials while drunk and disorderly, contrary to the constitution on integrity.

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- 3.6 **THAT**, the Governor is protecting officers within his government who are in breach of Articles 2(1 & 2) , 3(a) , 10 and 73 of the constitution of Kenya Contrary to section 30(a & c) and 31(a) of the County Government Act.
- 3.7 **THAT**, the Governor has refused to engage the union in dialogue despite the union's request for such engagement through letters written to him on 7TH October 2014, 23rd October 2014 and 13th January 2015.
4. **THAT**, all the issues to which this petition is made are not subject of any Court proceedings nor are they pending before any other tribunal or legal body.
5. **THAT**, we have made an attempt to have the issues addressed both internally at our levels and in respect of labour issues at the ministry of labour level but have not been successful.

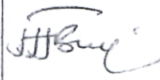
WHEREFORE, your humble petitioners pray the Senate:-

1. Instates urgent investigations into the issues raised in this petition through the relevant committees of the senate and upon conclusion of the investigations, take appropriate action in accordance with the law.
2. Summons the County Governor to answer to specific issues related to corruption and abuse of office and violation of the constitution and takes appropriate action in accordance with the law.
3. Consider inviting the petitioners to meet with relevant senate committees to shed more light and give evidence on issues raised.

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4. If the Senate finds merit in the petitioner issues as raised, advise petitioners and residents accordingly.

Dated this 19th.....Day of OCTOBER,.....2015

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