



FKE | FEDERATION OF
KENYA EMPLOYERS
The Voice of Employers

COVID - 19 & THE WORLD OF WORK

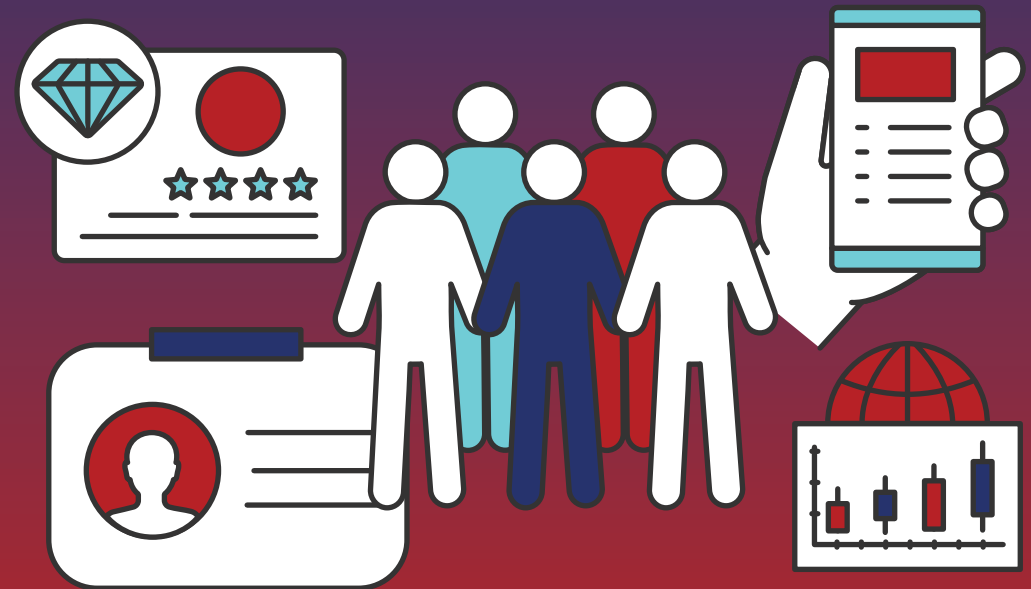


2020 ANNUAL REPORT AND
FINANCIAL STATEMENTS



ARE YOU A MEMBER OF THE FEDERATION OF KENYA EMPLOYERS (FKE)? *IF NOT, BECOME A MEMBER TODAY!*

Now is a great time to join the Federation of Kenya Employers (FKE) membership. We offer peace of mind to employers as we help members deal with issues related to employment, labour relations and social policy.



To join:

1. Complete the Application Form provided on the website
2. Attach a copy of your Organization's /Institution's Registration Certificate
3. Send the forms to FKE for processing and invoicing to email: ***fkehq@fke-kenya.org***
4. Make the payments as per the invoice sent to you
5. Wait for FKE to onboard you as a Member.

Karibu!

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ABBREVIATIONS AND ACRONYMS

BA	Business Africa- Employers Confederation	KNCCI	Kenya National Chamber of Commerce and Industry
BAF	Business Advocacy Fund		
COTU (K)	Central Organization of Trade Unions	KNUN	Kenya National Union of Nurses
CRM	Customer Relationship Management	KUCO	Kenya Union of Clinical Officers
CBA	Collective Bargaining Agreements	MOH	Ministry of Health
EAEO	East African Employers Organization	MOLSP	Ministry of Labour and Social Protection
ELRC	Employment and Labour Relations Court	NEA	National Employment Authority
GDP	Gross Domestic Product	NHIF	National Hospital Insurance Fund
FKE	Federation of Kenya Employers	NITA	National Industrial Training Authority
IFFA	International Female Future Alumnae	NLB	National Labour Board
ILO	International Labour Organization	NSSF	National Social Security Fund
IOE	International Organization of Employers	SGR	Standard Gauge Railway
KEPSA	Kenya Private Sector Alliance	SRC	Salaries and Remuneration Commission

ABOUT FKE

The Federation of Kenya Employers [FKE] is the voice of Employers and the leading employers' membership body in Kenya. It was established in 1959 under the Trade Unions Act Cap 233 Laws of Kenya (now repealed) to represent the collective interest of employers in Kenya. FKE is charged with lobbying and advocacy on behalf of employers at the tripartite level involving the Government, Employers and Workers. FKE has an excellent working relationship with leading organisations in the Labour and social sector and is represented on the board of the International Organization of Employers (IOE), International Labour Organization (ILO), Business Africa - Employers Confederation whose headquarters are in Nairobi and the East African Employers Organization (EAEO). The Federation's goal is to be the leading employers' organization globally, supporting enterprises for sustainable socioeconomic development and to promote an enabling business environment to enhance industry competitiveness.

FKE MEMBERSHIP

Membership to the Federation is open to all small, medium and large enterprises comprising nongovernmental organizations, companies, corporations and partnerships both in the private and public sector-including state corporations and County governments.

LEARNING AND DEVELOPMENT (L&D) PROGRAMS 2021

FKE Masterclasses

MC219: Discipline Management at the Workplace

Module 1: Legal background of Discipline Management

Module 2: Legal and Procedural aspects of Discipline Management

Module 3: Remedies available on Unfair/ Unprocedural separation

Date: August 17th, 18th & 19th

MC214: Occupational Safety and Health (OSH)

Module 1: Essentials of OSH programmes at the workplace

Module 2: Organizing work to promote Health, Well-being and Productivity

Module 3: Health Policy Indicators

Date: September 21st, 22nd & 23rd

MC220: Understanding Court Procedures and the implications of Court rulings

Module 1: Resonating 2016 Court procedure Rules at the Enterprise level

Module 2: HR Perspectives on Court Procedures

Module 3: Implications of Court Ruling

Date: October: 26th, 27th & 28th

In-House Training Programs

1. Managing Employment Contracts & Employee Separation **(2 days)**
2. Performance Management in the Changing Workplace **(3 days)**
3. Discipline Management at the Workplace **(2 days)**
4. Pre-retirement and Staff Outplacement Planning **(2 days)**
5. Effective Industrial Relations **(2 days)**
6. OSH Committee Training **(3 days)**
7. Prevention of Sexual Harassment at the Workplace **(2 days)**
8. CBA Negotiation Training **(2 days)**
9. Developing Employee Wellness Programmes at the Workplace **(2 days)**
10. Managing Industrial Relations in Essential Services **(2 days)**
11. Business Continuity Planning – BCP **(2 days)**
12. HR Metrics – The New ISO 30414 Standard **(2 days)**

ORGANIZATIONAL DEVELOPMENT (OD) SERVICES

The Federation undertakes various OD support interventions for its members as well as non-members. These are HR oriented and help to strengthen the capacity of organizations.

- **FKE OD-01: Formulation of New or Review of Existing HR Policies & Manuals**
- **FKE OD-02: Job Evaluation**
- **FKE OD-03: Salary Surveys**
- **FKE OD-04: Executive Search, Selection and Recruitment (ESSR)**

THE FEMALE FUTURE LEADERSHIP PROGRAM

This FKE Flagship Program - Female Future is a Leadership, Development Competence Program which aims to recruit more women into senior executive positions and on boards. The emphasis is on peer networking, personal authority, resilience, public speaking, personal growth and facilitating greater visibility. The program is well spread over a duration of nine (9) months. **Cohort No. 16** will report in **September 2021**. For details, please write to fkehq@fke-kenya.org.



Vision



Resilient and empowered employers for Kenya's prosperity.

Mission



To improve the business environment for employers in Kenya through advocacy, effective representation, social dialogue and provision of value-add services.

Core Values



In its operations and service delivery, FKE undertakes to uphold the following values;

- i. Agile
- ii. Collaborate
- iii. Excellence

Brand Promise



- Powerful Balanced and Trusted Voice of Employers
- Lasting, Sustainable and Replicable Services



Our Role

FKE is both an advocacy and service organization with two distinct roles; to influence the policy and regulatory environment in order to create a conducive climate for business growth and sustainability, to provide quality business development and representation services to members.

Our Services

The Federation of Kenya Employers offers the following services to employers and members:-

- Management of Labour Relations
- Legal Advice and Representation
- Learning and Development
- Organizational Development
- Research and Policy Advocacy
- Management Consulting
- Information and Networking
- Partnerships and projects



STATEMENT BY THE NATIONAL PRESIDENT

Dear Members,

It is my pleasure to present to you the Annual Report and Financial Statements for the year 2020 on behalf of the Management Board of the Federation of Kenya Employers (FKE).

The year under review was one of the most challenging ones for employers and businesses. Despite the positive projections of economic growth in the previous year, the outbreak of the Covid-19 pandemic led to a shift in focus by businesses from growth to survival.

The Government was also dealt a big blow. The need to prioritize cushioning Kenyans and businesses to reduce the economic burden resulted into a slowdown in economic growth. This has left the Government with a heavy fiscal burden that led to an even higher rise in borrowing. According to the National Treasury, by December 2020 Kenya's debt grew to a high of Kes 7.2 trillion, way above the national budget of Kes 2.9 trillion and was equivalent to 65.6 percent of the country's GDP.

Given that the Federation's main focus is to have a conducive business environment in which enterprises can thrive, the rise in the level of public debt is a key concern as this is bound to trickle down to the taxpayers. An increase in taxes will be a big blow to businesses and may adversely affect their recovery and survival. Businesses need all the support they can get from the Government if they are to effectively play their role in the economic recovery of the country.

On a positive note, however, the ease of doing business improved slightly as compared to the previous year. Of the 190 countries reviewed, Kenya's ranking improved by 5 positions to position 56th in the 2020 report up from the 61st position in the 2019 report. Kenya's global ranking improvement was primarily attributed to the efforts put in place by the Government to support enterprise, a position that the Federation has been constantly pushing for.

Despite this improvement, there is still a lot to be done towards making Kenya a business hub and for the country to be competitive at the global level. Challenges to businesses such as high corporate taxes, long and slow business registration processes and lack of incentives to set up businesses still keep Kenya at a disadvantaged position while countries with better policies are dominating the global trade. These are challenges that must be addressed, and appropriate measures put in place to ensure long term sustainability if Kenya is to realize her potential and reap benefits from our national resources.



In this regard, during the Financial Year, we advocated for the tax incentive measures such as the reduction of PAYE and Corporate tax and stoppage in the implementation of the Minimum Tax to ease the tax burden of enterprises. Furthermore, our advocacy on the Housing Fund Levy was a big win for members.

At the Management Board level, we continued to support the delivery on the Strategic Plan and programs run by the management team. The Federation quickly resorted to holding virtual meetings in response to the changing landscape. In 2020, we conducted four (4) Full Board Meetings and Two (2) Strategy and Finance Committee meetings. This was alongside the Virtual Annual General Meeting held on 29th July 2020 which saw a leadership change. The Management Board continued to play an oversight role in the implementation of the planned activities as per the approved budget.

On the FKE Building project, and given the impact of Covid-19, the Management Board decided that another Feasibility Study should be done to establish the supply and demand for offices within Upper Hill area and further that an analysis on the project costs be undertaken to enable the Management Board make an informed decision on the best way forward. In the meantime, the Management Board resolved to put on hold all the activities relating to the project for the next six months as we to monitor the developments in the economy over the next six months.

In the circumstances we faced, it was impossible to conduct the Regional Branch Annual General Meetings. We were however able to hold a Virtual Regional Meeting bringing together members from all the regional branch offices to share their concerns and chart a way forward. The matters that members raised included the impact of the cessation of movement on businesses across the country which informed our calls to government to gradually reopen the economy.

In the area of Industrial Relations, the Federation consistently engaged the Government, members and the media on urgent matters that were required to support members and other stakeholders. I wish to confirm that our engagement with the media in the form of press briefings and statements received coverage far and wide and had an impact on outcomes and the Government's response. The key aim was to stem loss of jobs and enhance enterprise survival. We will continue engaging with all stakeholders to advocate for matters of interest to enterprise growth and survival.

I wish to thank you members for giving me the opportunity to serve you as National President. The role that our members played in sustaining businesses is commendable since members faced hard economic times, yet they remained committed and supportive of the Federation's activities.

I urge members to continue in the same spirit by supporting the work of the Federation through payment of your subscriptions, sponsorship of various events and initiatives, advertisements and participation, among others.

In recognition of the difficult time, we all faced last year, allow me on behalf of the FKE board to also express my sincere gratitude to all our Social Partners for their collaboration despite the circumstances. I appreciate the Federation's staff and secretariat for the commitment and dedication they have shown, and the role played to ensure that the Federation remains active and focused on delivering value to members.

Let us continue to strengthen this commitment and so as to realize our goal of building back together to shape a better Future of Work and building resilient and sustainable enterprises.

Thank you!

Dr. Habil Olaka

National President

Federation of Kenya Employers, FKE



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National Social Security Fund (HQ)
P.O Box 30599 -00100, Nairobi, Kenya
Main Line: (020) 2729911, 2710552| Toll free: 0800 2212744
Cell Phone: 0709 583 000 and 0730 882 000
Email: info@nssfkenya.co.ke



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**Follow up on benefits
claims**

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FKE MANAGEMENT BOARD



Dr. Habil Olaka
National President
Chief Executive Officer
Kenya Bankers Association



Jacqueline Mugo,
EBS, MBS, OGW
*Executive Director
and CEO*



Ms. Gilda Odera
*1st National Vice
President*
Managing Director
All About Marketing

Mr. Michael Macharia
*2nd National Vice
President*
Chief Executive Officer
Kenya Association of
Hotelkeepers & Caterers



**Mr. Mark Joseph
Obuya**
*Immediate Past
National President*
Managing Partner
Roneal Ltd



Dr. Thomas Serrem
*Regional President,
Rift Valley Branch*
**Registrar, Human Capital and
Administration**
Egerton University



Dr. Sam Ikwaye
*Ag. Regional President,
Coast Branch*
Executive Officer
Kenya Association of
Hotelkeepers & Caterers



Dr. Margaret Oloo
*Regional President,
Western Kenya Branch*
Director
St. Lukes Hospital Kisumu



FKE MANAGEMENT BOARD

Mr. Stephen Gitagama
Board Member

Group Chief
Executive Officer
Nation Media Group



Eng. Erastus K. Mwangera, FIEK, KCE, CBS
Board Member

Chairman
Sameer Africa



Dr. Rachel M. Monyonyo (PHD)
Board Member

Chief Executive Officer
Management Today



Mr. Apollo N Kiarri
Board Member

Chief Executive Officer
Kenya Tea Grower's
Association



Mr. Azym B. Dossa
Board Member

Managing Director
Easy Coach Limited



Dr. Nyamemba Patrick Tumbo, EBS
Board Member

Group Chief
Executive Officer
Sanlam Kenya PLC



Eng. David Onyango, HSC
Board Member

Director
EL Paj Gardens Ltd



Mr. Cosmas Mutava
Board Member

Chairman
Protective Security Industry
Association (PSIA)



Ms. Kabale Tache Arero
Board Member

Ag. Secretary / CEO
National Land Commission





FKE TRUSTEES



Mr. Hirji Shah, OGW
*Chairman,
Board of Trustee*

Director
Comcraft

Mr. Aram M. Mbui,
AFAE, MKIM
Trustee

Managing Director
Rift Valley Machinery
Services Limited



Mr. John Kipkorir
Trustee

Chairman
Private Security Training
Academy



Making Jesus Christ Known Through Safe Water

Living Water exists to demonstrate the love of God by helping communities acquire desperately needed clean water, and to experience "living water" which alone satisfies the deepest thirst through;



Water for Life

Over 1,300 Water projects in different parts of the country impacting on over 500,000 people particularly children, women and the most vulnerable.



Sanitation and Hygiene

Reaching over 50,000 people through Sanitation and Hygiene promotions using approaches such as Participatory Hygiene and Sanitation Transformation (PHAST), Community Led Total Sanitation (CLTS), Menstrual Health and Hygiene (MHH) and Living Water International Traditional methods. Living Water has also taken a front row in the fight against Covid-19 through Infection and prevention control.



Church and Community Mobilization

Working to ensure local churches thrive (effectively proclaiming and demonstrating the gospel and making disciples) reaching over 100,000 people with the word of God as well as training over 500 church leaders.

You also can transform entire communities through water, for life, in Jesus' name

Partner with us this year during our Annual Fundraising Gala Event in providing safe water access to the needy students of St. Martins Deppores Special School in Nyakach sub-county in Kisumu.

Get Involved. By giving a little, you will help a lot!

Contact us: kenya@water.cc



Combined Solution

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Flexible solution that is designed to provide cover for loss of life and 24 hour-worldwide protection against illness and accidents for employees while still being WIBA compliant.



Listening. Understanding. Delivering.

Our Offering

One stop shop solution with streamlined underwriting and centralized policy and claims management

Affordable and flexible plans that pushes your costs down

Management of risk exposures to ensure stability of insurance costs and compliance with workplace legislation (WIBA)

Value added extra benefits as part of the solution including free Covid-19 hospitalization cover, free bereavement counselling program, cover extension benefits upon retrenchment among other benefits

Prompt and seamless claims settlement

For more information about our solution, write to us on group.sales@prudentiallife.co.ke or call us on **0719 075 000**





STATEMENT BY THE EXECUTIVE DIRECTOR

Dear Members,

I am pleased to present to you this overview of the Federation of Kenya Employers' (FKE) performance during the year 2020

The year under review was very challenging for most of our members and for us as a Federation. However, there were still some positive developments that we can be proud of and look to the future with optimism. The Federation worked closely with the Government of Kenya to identify and implement measures for cushioning enterprises from collapse and Kenyans who had lost their jobs and livelihoods. FKE was part of the Rapid Response team and multi-agency taskforce under the Ministry of Labour and Social Protection that advocated for these measures on behalf of employers.

FKE entered into a Memorandum of Understanding (MOU) with the Social Partners detailing a joint approach to managing Labour Relations during the crisis period. This MOU emphasized the need for social dialogue and supported the call for enterprise resilience and sustainability as well as safeguarding jobs. FKE also lobbied the Government to introduce tax incentives to cushion employers and employees. This saw the reduction of the Value Added Tax (VAT) from 16% to 14%, Corporate tax to 25% and total Pay As You

Earn (PAYE) tax exemption for workers earning Kshs. 24,000 and less, among others.

The Federation continuously engaged members virtually through webinars and well packaged Master Class Series on topics ranging from Occupational Safety and Health, Managing Employment Contracts, Performance Management, Collective Bargaining Agreements, Workplace Ethics and Culture, among others. FKE is proud to have risen to the challenge to provide real time services to our members to help them cope. It was a pleasure to conduct such training programmes to help our members understand how to deal with the challenges that affecting them.

On the legal and industrial relations front, members continued to enjoy free guidance and advice on a broad



range of emerging employment and Industrial Relations matters that included trade disputes, redundancy management, conflict resolution, Collective Bargaining Agreements with the Unions, guidance on managing employment contracts, lawful termination of services, discipline management and best labour practices at the workplace, among others. In Policy advocacy, the Federation continued to represent members in the Housing Levy Fund court case which sought to suspend the implementation of Section 31A of the Employment Act, the proposed changes to the Occupational Safety and Health (OSH), Act, the National Hospital Insurance Fund Act and the Work Injury Benefits Scheme.

In keeping up with the "new normal", the Federation organized virtually, the Employers' Annual Conference on 18th – 20th November 2020, themed, "Building Resilient Enterprises, Creating Wealth and Jobs" where more than 200 members, policy makers and industry captains attended. This came against the backdrop that survival of enterprises is at the core of a quick recovery of the economy. Resolutions from the conference informed proposals, on enterprise survival strategies for implementation by the Government, Enterprises and Development Partners.

Management training and development services continued to be offered to members especially in

the areas of labour laws, industrial relations, leadership development, occupational safety and health, amongst others. In a bid to build strong partnerships for the benefit of our members, FKE partnered with the Institute of Human Resource Management (IHRM) which means that any Human Resource practitioner who attends FKE training will earn the CPD points for the purpose of professional certification. Similar partnerships will continue to be sought to enhance the products offered by the Federation.

The Federation has effectively represented members in various crucial international forums such as the International Labour Organization (ILO), the International Organization of Employers (IOE), Business Africa and the East African Employers Organization where focus has been how to help businesses survive the hard economic times and safeguard jobs and livelihoods. We appreciate the continued support from international partners which has helped benchmark the services provided with international best practices and models. FKE remains vigilant to identify opportunities that add value to the members in line with our mission of having competitive and empowered employers for Kenya's prosperity.

On behalf of the FKE secretariat, I wish to sincerely thank the Management Board for the valued support and guidance at a time when we needed it the most. I wish to also appreciate the exemplary work done by the staff in the secretariat both at the headquarters and the Regional offices to deliver quality services to the members and supporting the measures we put in place to remain afloat. We received encouraging feedback on FKE speed of response to their needs during the pandemic.

Lastly and in a special way, I would like to appreciate the unwavering support of FKE members throughout the year even when the going has been tough for them. It is your support that has brought us this far and we look forward to our continued collaboration in the years ahead.

Jacqueline Mugo, EBS
Executive Director & CEO



EXECUTIVE STAFF



Jacqueline Mugo,
EBS, MBS, OGW
*Executive Director
and CEO*



Stephen Obiro
*Head of Advocacy,
Consulting &
Partnerships*



George Masese
*Ag. Head of Industrial
Relations, Legal &
Membership Services*

Samson Mugwe
*Ag. Head, Finance &
Procurement*



Arbogasti Odera
Manager, ICT



Grace Kaome
*Manager, HR &
Administration*



Ruth O. Chitwa
*Manager, PR &
Communications*



FEDERATION OF KENYA EMPLOYERS
The Voice of Employers — **Wajiri House**

*Members of Staff
of the Federation
of Kenya
Employers*





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OVERVIEW OF INDUSTRIAL RELATIONS

The year 2020 witnessed fundamental and complex developments in the area of Human Resources and Industrial Relations management due to the COVID-19 pandemic. By the end of the year the economy was still not operating at full scale. Enterprises across all sectors of the economy mostly in the hospitality, tourism, transport and health continued to be affected by various measures which were taken by the government aimed at containing the spread of COVID-19. These restrictions imposed to stem the risk of infection and spread of COVID-19 had far reaching impacts on Industrial Relations and the world of work. Some of the trends which emerged were;

Trade Disputes

Statistics on trade disputes, redundancies and strikes in 2020 from the Ministry of Labour and Social Protection showed that there were slightly over 1,000 disputes reported in the Ministry of Labour and Social protection. These were on terminations, dismissals, failure to honor Collective Bargaining Agreements, redundancies, and other issues. The biggest share of this were in the hospitality, teaching, manufacturing, building /construction, health and security sectors. On strikes, health, agriculture and manufacturing sectors experienced a loss of 129,527 manhours involving 3,582 employees. These figures were as a result of a strike by the medical professionals that lasted for over two months.

Memorandum of Understanding

The Tripartite Social Partners namely the Ministry of Labour & Social Protection, the Federation of Kenya Employers (FKE) and the Central Organization of Trade Unions (COTU) signed a Memorandum of Understanding (MOU) on 30th April 2020. This MOU was based on free will and dialogue among the social partners and aimed at providing a framework for managing Labour Relations during the pandemic period and also to save jobs, promote Business Continuity and sustain Enterprises. The MOU provided for bipartite consultations towards agreements on varying terms and conditions of employment to minimize redundancies and overall brought industrial harmony. Further, the MOU continued to offer guidance to both the Trade Unions and Employers on how to handle industrial relations at the shop floor level.

health, agriculture and manufacturing sectors experienced a loss of 129,527 manhours involving 3,582 employees.

The instrument was gazetted by the Cabinet Secretary Ministry of Labour and Social Protection and was also relied on and used by the Labour and Employment Relations Court as a guide to resolve disputes.

By the end of the year there were over 25 shop floor agreements signed between the tripartite partners pursuant to the guidelines contained in the MOU spearheaded by FKE. Sectors that were not seriously affected however commenced and continued with CBA negotiations.



FKE Symposium on Effective Industrial Relations and Future of Work on 5th March 2020

COSMOPOLITAN DEPOSIT TAKING SACCO



PRODUCTS

- Wezesha Loan
- Premium Loan
- Development Loan
- Fosa Loan
- Jijenge Loan
- Salary Advance
- Pensioners Loan
- Arthi Loan
- Cosmo Home Loan
- Cosmo Investment Loan
- Rent Solution
- Biashara Loan
- LPO / LSO
- Boda / Tuktuk / Soko Loan
- Chama Loan

SECURITY FOR LOANS

- Guarantors
- 80% deposits
- Collateral

MEMBERSHIP CRITERIA

1. Individuals of 18 years and above.
2. Registration fee of Kshs. 1,000/=
3. Maturity period of loaning 3 months.
4. Share capital Kshs. 15,000/=
5. Registered Self Help Group.



FOSA SERVICES

- Ordinary account
- Cosmo Junior account
- Welfare account
- Institution account
- Holiday account
- Retirement account
- Safe custody

OUR BRANCHES

NAKURU — Kijabe Lane, Natec Plaza 0722 388 616

NAIVASHA — Biashara Street — Jonka Building

0700 470 339

NAROK — Mau — Narok road — CBD Plaza

0717 546 502

MOLO — Molo — Olenguruone road, Neema Kuu Plaza

0716 861 224

BAHATI — Opposite Bahati Stadium, Next to district HQ

0700 470 342

SUBUKIA — along Nyahururu road — Komothai Building 0790 261 086

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MCOSMO
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883050**

HIGHLIGHTS FOR THE YEAR UNDER REVIEW

LEGAL, INDUSTRIAL RELATIONS AND MEMBERSHIP SERVICES

The department coordinates all matters pertaining to membership recruitment and retention, Legal advice and representation, employment & industrial relations. It also coordinates the work done by the three regional branch offices in Mombasa, Kisumu and Nakuru.

Some of the significant achievements during the year are highlighted below:

Industrial Relations

The Federation assisted members in the resolution of trade disputes, strikes and grievances; and handled other industrial relations matters. The members also benefited from professional guidance and input of the Federation's team of experts during the CBA negotiations, conciliations within FKE offices as well as at the Ministry of Labour & Social Protection and litigation at the Employment & Labour Relations Court. FKE was also involved in facilitating training of members and development of training materials.



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Health in every Grain



Multi-Agency Committee on Health

The Federation represented employers in various committees under the Ministry of Labour and Social Protection to provide support in dispute resolution and also participated in Labour relations policy review spearheaded by the parent Ministry.

FKE was part of the conciliators in the Multi-Agency Committee on Health that sought to unlock the stalemate in the sector. With support from the FKE team, the Kenya Medical Practitioners and Dentists Union (KMPDU) called off its strike and doctors went back to work. Similarly, the FKE assisted in getting the Clinicians under the Kenya National Union of Nurses (KNUN) to resume work

Multi-Agency Task force on Covid-19

FKE was part of the Government's Rapid Response Team to deliberate on matters affecting Enterprises and workers during the pandemic and make various recommendations for intervention.

FKE made recommendations to the Government for consideration to cushion employers through various memoranda's, forums and media briefings. Some of FKE's recommendations were considered by H.E. the President and were implemented

e.g.reduction of PAYE, VAT and Corporate Tax. Other recommendations are still a matter of national discussions e.g. the provision of a Wage Relief Fund for the country to cushion people who lose employment in circumstances like the pandemic.

“ FKE made recommendations to the Government for consideration to cushion employers through various memoranda's, forums and media briefings

Collective Bargaining Agreements

Out of two hundred and eight (208) CBAs negotiated at FKE, one hundred and twenty nine (129) had expired as at March 2020. FKE managed to assist members negotiate and conclude one hundred and seventeen (117) CBAs. As at December 2020 FKE was assisting members in the negotiation of fifty three (53) CBAs. Most negotiations had been suspended following the Ministry of Health directive on COVID-19 containment. However, by the end of the year FKE had assisted members in negotiation and registration of one hundred and seventeen (117) Collective Bargaining Agreements whilst an additional fifty three (53) were still being negotiated by the end of the year mostly virtually. There was a gradual shift from physical to online negotiations. This being an unusual year, there was a general spirit of understanding with both employers and employees agreeing to settle only the non- monetary clauses of their CBA's with the aim of protecting jobs and enterprises.



Trade Disputes / Conciliations

In the turbulent times we all faced, the Federation continuously received trade disputes from both members and non- members through the parent Ministry. Over four hundred (400) trade disputes had been received as at December 2020 and FKE was involved in most of them.

The emerging issues were mostly terminations, alleged refusal to sign Recognition Agreements, alleged refusal to negotiate and/or implement Collective Bargaining Agreements and issues to deal with salary cuts and other austerity measures that were being put in place by employers to support businesses against the effects of COVID – 19.

The Federation however raised concerns over the frequent occurrence of strikes in the essential services sector in contravention of the clear provisions under the Labour Relations Act prohibiting such strikes. FKE appealed to the Government to embrace social dialogue in resolving such disputes.

Legal Services

Through the Legal Department, the Federation prioritized member representation through virtual court attendance, court annexed mediation, consultations and advisories to members. FKE also participated in forums such as the Employment & Labour Relations Court Rules and Court User's Committee (CUC) and those organized by the Law Society of Kenya, among others.

In summary, the Federation's notable achievements in this area included;

Pandemic Response Bill 2020

FKE made key contributions to the Pandemic Response and Management Bill 2020 by submitting and presenting a Memorandum to the Parliamentary Select Committee on areas in the Bill which would have further burdened to the Employers and Enterprises in general. FKE succeeded in having the discussion of the Bill in Parliament halted following our intervention and submissions..

Public Interest Litigation

One of the new strategies adopted by the Federation was to engage more on matters of public interest. One such matter is the case filed by the Private Security Workers Union seeking for Orders and direction on training of security guards about COVID- 19. In the same light, FKE was enjoined as an Interested Party and played a leading role in



the matter of the Housing Fund Levy which sought to suspend implementation of Section 31A of the Employment Act. The Act has so far been amended by revoking Section 31A of the Employment Act.

Proposed to Social Security and Protection

The Federation was part of the Technical Committee on the proposed changes to the Occupational Safety and Health (OSH) and Work Injury Benefits proposed scheme by the MoLSP. The Changes have far reaching consequences on the cost of doing business which issue FKE had raised at the initial stages.

However, if properly implemented and financed by the Government, the proposals will create a safe and healthy work environment that would lead to healthier and motivated workers who are able to increase their output and hence improve productivity. Further, it would enhance relations between workers and employers thus enhancing industrial peace and harmony which creates a conducive environment for growth of business and creates employment opportunities.

New Court Cases

During the reporting period, the Federation received and handled fifty nine (59) new cases. This was in line with FKE's commitment to support members when they face litigation in court. The number of Judgements and Rulings delivered in the year were twenty nine (29) and six (6) respectively in total and the success rate was above 80%.

Some notable court decisions;

NRB ELRC 965 of 2016-Samuel Musyoka Kiilu VS Allpack Industries Ltd

The Judgment was delivered on 26th June 2020 by Justice Onesmus Makau where the claimant had alleged unfair termination over charges of defrauding the company. The Court established that the Claimant had signed a Discharge Voucher indicating that, after receiving his terminal dues, he would have no further/other claim against the Respondent (Employer). Having signed such an undertaking, the Court held that he was stopped from filing any suit and as such the Court proceeded to dismiss the suit with no orders as to costs.

“ During the reporting period, the Federation received and handled fifty nine (59) new cases

NRB ELRC 803 of 2017-Mr. George Bouro VS Kenindia Insurance Company Ltd

The Judgment was delivered on 26th May 2020 by Justice Onesmus Makau over Unfair redundancy. The claimant asserted there was no valid selection criteria deployed by the respondent in coming up with a list of employees to be declared redundant. The Court determined that the reason for redundancy was based on operational needs of the Respondent and therefore justified under Section 45 (2) (a) (ii) of the Employment Act. As such the court declined to investigate the validity of redundancy in depth as that would be interfering with an employer's prerogative in running its affairs. The case was dismissed since the statutory notices and redundancy were procedural. Furthermore, the selection criteria were above board because it took into consideration the capacity and skill of the Claimant.

“ Twenty nine (29) Judgements and six (6) Rulings delivered in the year with more than 80% success rate.

FKE Member Associations

The Federation of Kenya Employers houses 4 members associations under its wing and acts as their secretariat. These associations include;

- i. Timber Industries Employers Association
- ii. Engineering Industries Employers Association
- iii. Sisal Growers Employers Association
- iv. Motor Trade Industries Employers Association

During the year, FKE supported the associations to conduct their Annual General meetings and elections which ushered in new office bearers. The Federation continues to oversee the smooth operations of these associations through monthly meeting's, members fee collection, and preparation of financial statements, among others.



FKE Symposium held on 5th March 2020 at Eka Hotel

PUBLIC NOTICE

CLARIFICATION OF THE NHIF BIOMETRIC REGISTRATION AND ELECTRONIC CLAIMS MANAGEMENT SYSTEM FOR UHC SCALE-UP

NHIF has embarked on a mass biometric registration exercise for its members and also deployed Electronic Claims Management System (E-Claim) to all NHIF contracted hospitals. As NHIF undergoes digital transformation within the UHC framework, adequate measures have been put in place to ensure that members receive efficient services.

Previously, members used their **National ID card** and **NHIF card** as a mode of identification; which is **smoothly transitioning to a biometric mode** of identification and verification. The procedure for biometric registration is as follows:

- NHIF members and dependants can visit the nearest NHIF branch offices across the country and produce identification documents i.e. a copy of National ID/NHIF card for verification in the database.
- Members can also be registered biometrically whenever they visit NHIF accredited hospitals seeking services.
- Once verified, members' fingerprint details will be captured.
- New members will also be registered biometrically to the NHIF database and issued with a registration number.
- When a member visits an accredited facility of choice, they will be identified using their fingerprint or One-time password (OTP).

N/B: The biometric registration process is **continuous**. If a member is unwell and is not biometrically registered, the hospital will biometrically register them first before seeking any service from the hospital. NHIF guarantees its members who are not yet registered biometrically that they will continue accessing seamless services. **There is no deadline for biometric registration.**

NHIF management further wishes to clarify the following issues on E-claim connectivity for Facilities:

- E-claim connectivity is currently ongoing for the accredited healthcare facilities in KEPH levels IV to VI Government Facilities and all faith-based and private facilities.
- GoK facilities in KEPH levels II are not yet part of the E-claim registration process. However, some facilities in KEPH levels III are registered on E-claim.
- Upon full registration, the facilities will switch from manual to electronic submission of claims.
- **The deadline for E-claim connectivity is 10th July which only applies to healthcare providers.** Therefore, the E-Claim deployment deadline will not affect members' access to services.

The ongoing digital transformation will improve efficiency and reduce fraud, wastage and abuse. This is part of the transition and transformation of NHIF as the vehicle through which the government will attain Universal Health Coverage. For more details contact NHIF on toll free number 0800 720 801



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FKE REGIONAL OFFICES

Rift Valley Branch

Since its inception in 1986, the Rift Valley branch office has continued to serve members within the geographical boundaries of the former Rift Valley Province, except Kajiado County. The branch was led by the Regional President, Dr. Thomas Serrem assisted by the Vice Chairman, Mr. John Warutumo and other committee members.

The Branch General Committee continued to hold its meetings to consider reports on; the state of industrial relations in the region, state of the economy and political developments, and other issues affecting employers in the region.

The Tripartite Social Partners in the region also continued to work well in the spirit of social dialogue. The region's Labour Officers, the Trade Unions, and FKE have collaborated to ensure that there is industrial peace in the region.

Despite the difficulties experienced during the period under review, the region managed to negotiate, conclude, and sign off twelve (12) Collective Bargaining Agreements. However, the region registered at the Labour office thirty one trade disputes mainly due to redundancies, unfair termination, recognition of Trade Unions, and failure to remit Union dues. It is worth noting that the region did not record any strike in the year 2020, which was commendable compared to 3 strikes in the textile industry recorded in 2019.



*Rift Valley
Branch Team*

On legal matters, members in the region were well represented in the Employment and Labour Relations Courts.

Despite the pandemic, the region's membership went up from two hundred and seventy six (276) in 2018 to two hundred and eighty one (281) in 2020. Five (5) new members were recruited into the Federation namely, Turkana University, Kenya Artisans Ltd, and 3 members from the water sector namely Nakuru Rural Water and Sanitation Co. Ltd, Nanyuki Water and Sewerage Services Co. Ltd and Naivasha Water and Sewerage Services Co. Ltd. At the branch level, the Federation continues to reach out to employers who are not FKE members to join the membership and share their experience.

Western Kenya Branch

In 2020 FKE Western Kenya branch continued to serve members drawn from the former Nyanza and Western Provinces under the leadership of the Regional Branch President Dr. Margret Oloo.

In the year 2020, no strikes were reported except that in the public service by frontline health workers. The number of legal cases handled were eighty four compared to forty two in 2019. A total of (11) eleven Collective Bargaining Agreements (CBAs) were registered by the Employment and Labour Relations Court.

It is important to point out that workers unions continued to demand for wage increases and implementation of Collective Bargaining Agreements' making it difficult for companies experiencing financial constraints to yield to their demands. Despite all these challenges, most of FKE members continued to embrace social dialogue as a valuable mechanism for resolving their issues with employees and in reducing tensions at their places of work.

Due to the disruptions caused by the pandemic in 2020, the region managed to conduct two regional



Dr. Margaret Oloo (center) flanked by her committee members and FKE staff from the Western Kenya Region

committee meetings, one physical and one virtually, out of a possible eleven compared to 8 meetings held in 2019.

On membership, the region did not realize significant growth in membership due to the pandemic. However, we are happy to have welcomed Bukura Agricultural College and Mama Watoto Supermarket into the FKE membership in 2020. In the coming year, the region shall rigorously engage with enterprises to help grow membership.

Coast Branch

Despite the challenges brought about by COVID - 19, the branch remained resilient in serving members under the leadership of the Ag. Regional Branch President, Dr. Sam Ikwaye who took over after the demise of the then Regional Branch President, Mr. Issa Muslim.

In the period under review, the Regional Branch concluded seventeen (17) Collective Bargaining Agreements out of the twenty five that had been referred to the offices. The branch saw a decline in Collective Bargaining activities handled and this was attributed to the worsening economic situation in 2020 since many members were unable to make reasonable offers acceptable to various trade union.

The Tripartite Agreement signed between the Government, FKE and COTU played a big role in industrial harmony. Most of the disputes that were reported by the unions, revolved around unfair termination, dismissal and redundancy. Redundancy at enterprise level was as a result of the effect of Covid-19 pandemic.

“ 27 trade disputes recorded at the labour office, Mombasa



Dr. Sam Ikwaye together with members of his committee and Coast Branch staff

The Branch handled 27 Trade Disputes at the Labour Office either during conciliation or investigation process and five (5) member visits.

The Branch attended to five (5) external meetings and three (3) Coast General Committee Meetings. Among this was the FKE/ COTU / MOL Tripartite meeting in Kilifi organized by ILO BUSY PROGRAM on skills at the Workplace.

The Branch also attended a two-day International Cooperation (IFC) workshop. The objective of the workshop was to deliberate on improving compliance and enforcement of Labour and Occupational Safety and Health legislation through concerted efforts of Social Partners and relevant stakeholders.



FKE's GIRLS IN TECHNOLOGY PROGRAM

The Federation of Kenya Employers with support of Confederation of Norwegian Employers, NHO has made great strides in strengthening women's managerial capacities and in this way furthering their careers within companies and onto company and corporate boards. Through the same collaboration, FKE has developed a programme on Girls In Technology (GIT) that is aimed at encouraging girls to take Science Technology Engineering & Mathematics (STEM) related subjects.

Many young girls tend to shy away from taking on STEM courses as they believe the stereotypes that these are only for boys; they do not have support from their parents and sometimes lack of adequate role models to look up to. It is then obligatory that we change this narrative and offer and encourage these young girls to involve themselves in STEM courses and tap into their perhaps dormant greatness. Studies have showed that the percentage of female instructors who teach STEM subjects are also on the low end of the margin for the females, therefore there is need to also build capacity for the teachers/trainers.

To employers, diversity in STEM will lead to;

- Better choice of skilled workers
- Better platform for innovation and creativity in the workplace.
- Better workforce productivity
- Better customer experience
- Better financial performance for companies
- Better opportunities of employment for women

Target

- Girls age group 13-18 years,
- Science Clubs in Secondary Schools
- Technical & Vocational Education Trainings (TVETs)

The programme will:

- Engage industry through mentors (Female Future Alumni, Female Managers and Industry Leaders in Technology).
- Engage with TVET's and polytechnic institutions.
- Target national festivals such as national drama festivals or science congress, or workshops, etc

MARKETING & MEMBERSHIP SERVICES

Recruitment of new members

The period under review was a very low period for businesses. This hampered membership recruitment owing to the circumstances affiliated to the pandemic which affected companies globally. Nevertheless, the Federation was honored to welcome forty five new members into its fold as follows;

Table 1: List of new members

	Name
1.	WANDI PACKAGING LTD
2.	NUMERICAL MACHINERY COMPLEX
3.	COPIA KENYA LTD
4.	SOFTWARE TECHNOLOGIES LTD
5.	VOLTS MANAGEMENT SYSTEM
6.	KENYATTA MATIBABU SACCO
7.	SHORTLIST PROFESSIONALS
8.	CIGNA INTERNATIONAL HEALTH SERVICES
9.	SMART JOBS
10.	RAISSON DISTRIBUTORS
11.	BRYSON EXPRESS LTD
12.	PARAMOUNT APARTMENT LTD
13.	ANJARWALLA & KHANNA LTD
14.	HUMAN NEEDS PROJECTS
15.	BETTER GLOBE FORESTRY
16.	ENTERPRISE INFORMATION MANAGEMENT

	Name
17.	TURKANA UNIVERSITY COLLEGE
18.	SOLAR PANDA KENYA
19.	MM - MVSHAH ACADEMY
20.	FIYITA CORPORATION KENYA
21.	BUKURA AGRICULTURAL COLLEGE
22.	LMRG PROPERTIES LTD
23.	DRYLANDS LEARNING
24.	PENDA HEALTH LTD
25.	ROYAL FLORA HOLLAND KENYA
26.	LIONS SIGHT FIRST EYE HOSPITAL
27.	CAMUSAT KENYA LTD
28.	AIRPORT SACCO LTD
29.	SUNNY PROCESSORS LTD
30.	ENDROOF BUILDING CONTRACTORS
31.	THE COMBINED WAREHOUSE
32.	STITCHING BRAC INTERNATIONAL



	Name
33.	FDS AFRICA
34.	HEBATULLAH BROTHERS LTD
35.	HP INSURANCE BROKERS LTD
36.	COALITION ON VIOLENCE AGAINST WOMEN
37.	SOLAR RAYS ENERGY SAVINGS
38.	AL - JAMEA N TUS - SAIFIYD
39.	VICTORIA COMMERCIAL
40.	EXON INVESTMENT LTD
41.	MAMA WATOTO SUPERMARKET
42.	POPULATION SERVICES INTERNATIONAL
43.	JIWE & CO. LTD
44.	KEDA (KENYA) CERAMICS CO.

To promote member engagement, FKE conducted an induction webinar to welcome the new members on board and clarify on what their membership package entailed.

Each new and existing member was assigned to a Key Account Manager to address their concerns. We encourage members to constantly engage their contact persons for seamless provision of services.



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POLICY ADVOCACY, CONSULTING AND PARTNERSHIPS

This department is responsible for the development and implementation of the Federation's strategy, advocacy through development and implementation of the employer's business agenda, policy research to inform the Federation's position on various policy issues, provision of consultancy services and running of projects. On a regular basis it also provides updates on the social, economic, political and legal / regulatory developments and representing the Federation in forums that initiate policy discussions. Additionally, the department conducts Salary, Employee Satisfaction, Work Environment, Customer satisfaction, and corruption perceptions surveys as well as monitoring and evaluation programmes for members.

Research

During the critical period of COVID - 19, the Federation conducted research on the impact of COVID - 19 on enterprises. The findings informed part of the government's response on measures to cushion enterprises and save the labour sector. Key among them was provision of subsidies to

businesses, scraping off the implementation of the Minimum Tax and the reduction of fuel levy among others.

Close to this was the research examining the impact of the Tripartite MoU on Labour Relations during COVID-19. Out of this historic agreement, it was rewarding to note that both employers and workers had embraced the MOU and were operating on mutual respect and understanding to ensure business continuity and safeguarding jobs to achieve a win-win situation.

Another research was conducted to critique the Principal Labour Laws and the Industrial Relations Charter. Interesting findings highlighted the gaps in the laws.

Other researches conducted were in the areas laid out below;

- i. The Economic Impact of the Principal Labour Laws
- ii. Impact of the Tripartite MoU on Labour Relations during COVID-19
- iii. Mapping of the Informal Enterprises in Kenya.
- iv. Mapping of Business Activities in Daadab and Kakuma Refugee camps and the host communities.
- v. Rapid skills assessment survey for Master Crafts Persons in Kilifi, Kitui & Busia counties.

FKE Consulting and Training

The FKE Consulting Unit provides long term solutions to the problems that employers face in terms of handling and managing workplace issues such as policies, systems and structures.



Through it, FKE supports employers by providing management solutions to enhance their business competitiveness.

In 2020, FKE continued with the tradition of being in the forefront as a premier provider of expert advice and consultancy to members in order to help them to pro-actively diagnose and correctly address the variables that occur therein as a result of the ever-changing workplace dynamics. Through organizational and structural reviews, institutional development, executive search and selection, policy development and review, the unit ensured that organizations place great emphasis on human resource being the most priced business capital and one that cannot be replicated.

In these areas, FKE operated through two (2) sections, Learning & Development (L&D) and Organizational Development (OD).

The Learning & Development (L&D)

The Federation of Kenya Employers is committed to creating sound relations between employers, employees, and unions. This is done through training that empowers and enhances the capacity of member companies to be compliant with the

relevant labour legislations and other statutory requirements. In this area, FKE offers Open and In-house training programs as follows;

(a) Open Programs

In 2020, the COVID-19 pandemic broke out in March completely distorting the planned training activities. The health guidelines seriously curtailed or restricted social gatherings. Developed and implemented Virtual Masterclass series programs as a way of delivering Training programs to help employers in bridging the learning gaps and gain practical skills in dealing with various challenges affecting their businesses. The Masterclass series are structured in module format for each course and the cost is subsidised for members.



FKE IR and Legal policy working group

To respond to the restrictions on physical meetings, FKE quickly adjusted and rolled out on-line training programs as listed below.

Table 2: Online Masterclass Series conducted in the Year 2020

Course No.	Course Title and Modules	Date
1.	Managing Employment Contracts During and Post COVID - 19	
	Module 1: Managing Employment contracts	25th June 2020
	Module 2: Approaches & Practices in managing Employment contracts	2nd July 2020
	Module 3: Separation of Parties in Employment contracts	9th July 2020
2.	Navigating Health and Safety in the wake of COVID-19 pandemic	
	Module 1: Workplace Preparedness in Safety and Health	30th July 2020
	Module 2: Application of Legal Provisions, Guidelines and Protocols in Managing Safety and Health	6th August 2020
	Module 3: Employee Wellness for Optimum Productivity	13th August 2020
3.	Workplace Environment, Ethics & Culture Post COVID-19	
	Module 1: The impact of COVID-19 on Workplace Ethics and Culture	3rd September 2020
	Module 2: Key Instruments on Elimination of Harassment and Violence at the Workplace	10th September 2020
	Module 3: Dealing with Emerging Sexual Reproductive and Health Rights (SRHR) Issues at the Workplace	17th September 2020
4.	Performance Management and Evolving Work Models	
	Module 1: Virtual Work Arrangements and Emerging Performance Challenges	21st October 2020
	Module 2: Performance Management Tools	22nd October 2020
	Module 3: Setting up Performance Management Tracking System for Virtual Work	23rd October 2020

*Register anytime to join
the next Female Future
Training Program*



FKE Female Future Leadership Program Cohort 15 Intake

- Target: Women In or aspiring top Leadership & Board Positions
- Duration: June 2021- March 2022 (9 Months)
- Female Future Program wishes to invite Women Leaders to its Leadership Development program. We go by the Leadership Theme of US VP Kamala Harris, "You never have to ask anyone's permission to lead. Just lead." - Kamala Harris
- Program Intake : June 25th 2021.

For More information email
femalefuture@fke-Kenya.org or mnyoga@fke-Kenya.org

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- Bachelor of Business & Information Technology
- Bachelor of Science Environment & Natural Resource Management

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- Master of Arts in Religion

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Diploma in Business Administration

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- Certificate in Business Management

Other Courses

- Environmental Impact Assessment and Environmental Audit
- Professional Short Courses

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In-house Programs

Just before the pandemic, FKE conducted an in-house Pre-CBA training for the National Social Security Fund (NSSF) on 19th – 21st February 2020.

After the first case was reported in Kenya, nearly all companies shut down these programs. However, with the gradual reopening of the economy later in the year another training on Effective Collective Bargaining Agreement Negotiations was conducted for Kenya Power Limited on 26th – 27th November 2020.

Occupational Safety and Health (OSH) Programs

The COVID-19 pandemic heightened the need for OSH training among the employers. FKE trained a number of OSH Committees in various companies. The trainings aimed to sensitize OSH Committee Members on the requirements of the Occupational Safety and Health Act, 2007, impart and provide practical skills on effective OSH Management. It targeted OSH committee members of enterprises to help them to understand and carry out their functions. This proved a good space to share and disseminate information on COVID-19 and the Workplace COVID-19 Protocols and guidelines.

Some of the companies trained include Majid Al Futaim, Kenafric Industries Ltd, Chloride Exide Kenya Ltd, Isuzu East Africa Limited and Associated Battery Manufacturers.

The Organizational Development (OD)

The Covid-19 pandemic dealt a blow to these services since institutions minimized recruitment in the duration. Nevertheless, the Federation successfully undertook the assignment on the Executive Selection and Recruitment of a Chief Executive Officer for Nairobi Hospice and conducted the exercise between November and December 2020.

The Federation prioritizes professionalism and utmost confidentiality in handling recruitment services for best results. Do get in touch with FKE and see how we can support you to manage human resources function in your enterprises.

FKE Female Future Leadership Program

The Federation of Kenya Employers believes that women empowerment is vital for promotion and sustainability of enterprises in Kenya. It is commonly acknowledged that women are vastly underrepresented at the highest levels of leadership. In a bid to bridge the gender gap at a corporate leadership and board level at workplaces, FKE and NHO have partnered in this flagship program for women since 2013. The Female Future is a Leadership Training Development program that is hosted within the FKE



projects department. This program focuses on the empowerment, coaching and mentoring women for senior positions in Leadership and Board Management. The emphasis is on peer networking, personal authority, resilience, public speaking, personal growth and facilitating greater visibility.

On 25th June 2020, the Female Future program was able to launch the international Female Future Alumni consisting of 186 delegates from Kenya, Uganda, Tanzania, Tunisia, Ghana, and Norway. In line with the riding theme "Build Back Better in the Spirit of Female Future," the Alumane program seeks to establish international relations and networks for personal growth, increase more women in board and management positions by making the IFFA network available for national and international businesses. In the end, the network aims to influence gender policies globally.

This would go a long way in fostering sharing of experience by strengthening the networks across borders. FKE further conducted an Online graduation ceremony for Female Future Cohort 13 due to the COVID-19 containment measures.

Additionally, the Federation is happy to have admitted 25 participants to the Female Future

Cohort 14. Female Future continues to be a premier experiential, leadership development program and it is our hope that we shall see more participants from member organizations joining in the upcoming cohorts.

Partnerships and Projects

The Federation leveraged on strategic partnerships and mutual cooperation with development partners such as: The Confederation of Norwegian Enterprises (NHO), the International Labour Organization (ILO), DECP, Danish Family Planning Association (DFPA) and Chinese Enterprises Confederation (CEC) among others to deliver projects which focus on areas of Employee wellness, Sexual Reproductive Health, Female Future Leadership Programme, Human Resource Networking, and China-Africa Relations. The implementation of these components had a profound positive impact not only on FKE as an organization, but also on the workers and businesses in Kenya.

Some of these projects are still ongoing as listed below:-

Skills for Prosperity (KS4P) programme Kenya

FKE is committed to redirects its efforts in reducing poverty by providing support to tackle skills deficits which are holding back sustainable and inclusive growth. In this regard the Federation was part of the consortium that was implementing KS4P aimed to strengthen education to industry links at the institutional level prioritized to sectors key to county or national economic development. This program was designed to run for 2 year and would provide technical assistance which draws on UK expertise to improve the quality, relevance, equity and cost-effectiveness of Higher Education

(HE) and Technical and Vocational Education and Training (TVET). The programme delivered three core outputs as listed below:

- **Output 1:** Strengthened Education to industry links at the institutional level, tailored to priority sectors key to county or national development.
- **Output 2:** Developed an enabling environment for a strong skills eco-system through technical assistance and capacity building – including enhanced institutional capacity and capability.
- **Output 3:** Improved access to HE and TVET education for marginalised and unemployed youth.

Kenya Business and Disability Network (KBDN)

The Federation of Kenya Employers (FKE) in partnership with the International Labour Organization (ILO) and Innovation to Inclusion (i2i), launched the Kenya Business and Disability Network (KBDN), a new initiative to showcase business leadership on the inclusion of people with disabilities, be a single voice for businesses on disability issues and provide a platform for engagement with employees and government.

The network fostered partnerships between organisations that address disability and private sector companies as well as created space for learning and sharing of good practices. In turn, this



will have a ripple effect on businesses embracing an inclusive and diverse workforce and becoming more disability confident.

Sexual Reproductive Health Rights & Gender Equality

FKE through its strategic partnership with the Danish Family Planning Association (DFPA) implemented the sexual reproductive health and gender equity program whose primary role was to ensure a more empowered, productive and competitive private sector where employers promote, respect and enable workers to access and exercise their rights to decent work, gender equality, safety and health at workplaces including sexual and reproductive health rights.

FKE Digitization

In view of the future of work, FKE embarked on an exciting digitization programme that ensured that FKE processes were realigned and digitized. This played a major role in creating efficiency in service

delivery. In the period FKE commenced the acquisition of Human Resource Management system, Document Management System, the development of Members Service Portal and revamping of FKE website to enhance the use of technology in the organization. We look forward to the year 2021, when we will launch all these projects dubbed, "FKE on the Go".

China – Africa Program

In the virtual space we were all thrust into, FKE conducted a webinar for Chinese owned enterprises / employers in East Africa. This first Chinese Africa engagement gave the employers

Confederation an opportunity to give a status update on emerging labour relations challenges and solutions towards this as provided for by each country. A total of 48 Chinese employers, and representatives of NHO, Chinese Enterprises Confederation (CEC), FKE, Association of Tanzania Employers (ATE) and Federation of Uganda Employers (FUE) participated.

From the discussions, Employers agreed that the pandemic had impacted Industrial Relations in the highlighted ways;

- Compliance with government protocol and guidelines
- Ongoing CBA negotiations were put on hold in order to observe social distance protocols.
- Meetings for resolution of trade disputes at the labour offices were all suspended.
- Implementation of salary increase clauses in CBAs were suspended due to unbearable wage bill on employers.
- Employers could no longer operate shift work - workers had to leave their stations by 1600 hours.

To understand the options Chinese employers' have in resolving industrial relations issues under the circumstances and ensure business continuity and save jobs, FKE led social partners in formulating a framework providing for consultations through good will, trust and mutual understanding.



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PUBLIC RELATIONS AND COMMUNICATION

Clear, open, effective communication informs and creates a sense of transparency, enhances brand visibility and builds trust both internally and externally in an organization. FKE recognizes the role of communications and thus continues to strengthen its media engagement and presence through an integrated communications approach that ensures that relevant information reaches its members and the public in a timely manner.

Media publicity and member communication

FKE continued to increase awareness and audience interactions on its activities by use of both digital, print and electronic media to voice employment and labour relations issues amongst its members and the public.

The Federation used its official website to share information that included but not limited to services, policy documents, membership information, reports, announcements, news and events, among others. Social media platforms such as Facebook and Twitter were utilized to engage members on real-time basis. Further, topical issues were discussed through scheduled interviews on TV and Print media with the Members, Management Board, Executive Director and core management staff. For instance, by the 3rd Quarter of 2020, a total of 27 media appearances and coverage were done on various channels on matters Labour Laws and the Workplace in times of the crisis.

Additionally, FKE issued the following Press Statements and Advisories:

- Employers Concerns on the harsh impact of COVID - 19 on enterprises and livelihoods, as well as unveiling the new Management Board led by Dr. Habil Olaka as the National President,





- Calls to government to set up a Wage Relief Fund to support enterprises that are struggling to pay wages during the pandemic,
- Resolutions arrived at from the Employers Annual Conference to coordinate Government, Employers and Social Partners support towards enterprise recovery & sustainability and the
- Launch of the Kenya Business and Disability Network, among others.

FKE also explored traditional and online media to increase coverage of important matters. This included partnering with online news streams like Metropol TV to air 'Youth Unemployment Crisis'.

Further, through a partnership with NTV, the Federation raised pertinent issues on Youth Unemployment and Skilling the Youth to meet the needs of industry in a Documentary titled #DegreesofDoubt aired in September 2020.

Member Communication

To keep members informed and aware on important activities, services and industry issues, the Federation issued Weekly E-shots highlighting key activities and outcomes from events, consultations, meetings, advisories and

partnerships. Since June 2020, the Federation issued a total of 22 E-shots to explain industry trends, inform on various representations and expound more on FKE services.

Additionally, FKE issued advisories to members regularly to support them during the COVID - 19 crisis. For instance, an Advisory on Health and Protocols was issued as guided by the Ministry of Health and Guidelines and Protocols on a Safe Return to Work following the partial reopening of the economy, among others.

Social Media Management

FKE intensified the use of digital platforms to increase brand awareness, transmit messages to key audiences and interact with them at all times at a very low cost. Further, the Federation commissioned the development of a digital media strategy that would provide a clear road map on how to utilize FKE digital platforms to expand its value proposition as a "Powerful, Balanced voice for Employers" in Kenya and beyond, while addressing the gaps that existed in social media handling at the Federation.

FKE mainly utilized the following Social media platforms; Facebook, Twitter and LinkedIn. By the end of the year 2020, the online Weekly engagement on social media increased as follows: Facebook: - 3,276 (96.5%) Twitter:- 3,811 (96% increase) LinkedIn:- 741 (88.3% increase). Additionally, the engagements in the same quota tripled to 300% with reach as follows: - Facebook 15,059 (77% increase) Twitter 90,000 (26% Increase) LinkedIn: - 872 (349% increase).



This improvement was attributed to a more proactive approach in management of the social media platforms.

FKE EVENTS

As part of Members engagement strategy, FKE organized various impactful events to share ideas and come up with resolutions on the changing workplace trends.

1. FKE Webinars

A total of 14 Webinars were held between April to December 2020. This included Engagement Forums & Capacity Building sessions with members on various topical issues which provided opportunities for members to learn how to navigate through the emerging Labour Relations issues during COVID-19 pandemic, manage enterprises for safe return for work and business recovery.

Fostered collaborations with various members in varied sectors and Industry Experts/professionals for learning purposes by inviting them to virtual sharing and discussion forums during the webinars.

FKE FEDERATION OF KENYA EMPLOYERS
The Voice of Employers

12th Webinar

**TOPIC | “Considerations on Business Re-opening” -
The China and Norway Experience**

HOST

 **Jacqueline Mugo, E.B.S**
C.E.O/Executive Director,
Federation of Kenya Employers

GUEST SPEAKERS

 **Dr. Michael Niu**
Division Director & Associate Researcher,
International Department, China
Enterprise Confederation (CEC)

 **Magnus Ruderaas**
Assistant Director,
NHO International Cooperation
Programme, Norway

MODERATOR

 **Mary Nyaga**
Coordinator,
Female Future Kenya

 **01ST JULY**
WEDNESDAY

 **09:30 - 11:00**
AM AM

 **ZOOM**
<https://bit.ly/2CGCIWx>

Please send your questions and comments in advance to mnyaga@fke-kenya.org



Table 3: List of Webinars conducted on behalf of members

Webinar No.	Webinar Topic	Date
1.	Dealing with employment related challenges arising out of the Corona pandemic	1st April 2020
2.	Strategies and approaches employers can adopt in managing Employment Contracts	8th April 2020
3.	Navigating Labour Relations during COVID-19 pandemic	15th April 2020
4.	The Pandemic Response & Management Bill 2020	22nd April 2020
5.	Enhancing Workplace Safety and Health during COVID-19	27th April 2020
6.	Business & COVID-19: The Emerging New Normal?	13th May 2020
7.	COVID-19: Safe Return to Work?	20th May 2020
8.	Unpacking the MOU between the tripartite social partners and update on dispute resolution during the pandemic period	27th May 2020
9.	What matters? Rethinking Employee wellness programs in view of COVID-19	3rd June 2020
10.	Predictable leadership in an unpredictable world: The Impact of a Leader In a time of crisis	8th June 2020
11.	COVID-19 and Workplace Preparedness: FKE Guidelines & Protocols on Safe Return to Work	17th June 2020

2. Annual General Meeting

The 61st Annual General Meeting (AGM) was held virtually on 29th July 2020 under the theme "Path to Recovery: Building Sustainable Enterprises for the Future". The AGM was graced by Prof. Mthunzi Mdwaba, the IOE Vice President to the ILO. Over 120 Member organizations joined the event and passed key resolutions among them Election of the National President, 1st and 2nd National Vice President, Election of three new Board Members and amendments to the FKE Constitution to allow - holding of virtual meetings. and thereafter a Press Conference was held to unveil the change of leadership and address employers' concerns. The key concerns included the impact of COVID - 19 pandemic on enterprises, late remittances of NHIF and NSSF contributions and the support needed for Enterprise Survival.



First Virtual AGM 2019

3. Employers Annual Conference

To crown the year, FKE and BUSINESSAfrica held a successful Employers' Annual Conference on 18th - 20th November 2020 virtually. This conference focused exclusively on matters affecting employers workplace



Employers Annual Conference 2020

and enterprises. The conference created the much-needed platform for all stakeholders to deliberate on the emerging Volatile, Unpredictable, Complex and Ambiguous (VUCA) World of Work.

Under the theme, “Building Resilient Enterprises, Creating Wealth and Jobs”. The conference focused on three thematic areas affecting enterprises in Kenya and Africa in the wake of COVID-19 pandemic. The topics included: Impact of Technology on Business Models and the Workplace; Human Capital Trends and Skills of the Future; and Regulatory Frameworks for the changing Business Environment. At the same event, FKE launched the Kenya Business and Disability Network that helps employers to become disability compliant.

4. FKE symposium on Effective Industrial Relations and the Future of Work

On 5th – 6th March 2020, the Federation of Kenya Employers Conducted a Symposium to provide a forum for FKE members and members of the public to analyze the various tools and practices that govern industrial and employee relations in Kenya and further develop appropriate guidelines.

The meeting was officiated by the Principal Judge Mrs. Maureen Onyango and the Ag. Labour Commissioner Ms. Hellen Apiyo.



Mrs. Jacqueline Mugo confers with Judge Maureen Onyango

The close to 100 delegates who attended had the opportunity to explore the Industrial Relations Charter, its gaps and challenges in implementation, Foundations of Industrial Relations among others.

It was also an eye-opening session for Human Resource Managers, Labour Relations Officers among others to understand what motivates the different employee age sets and how to engage with them at the workplace.



The National Industrial Training Authority (NITA) is a State Corporation established under the Industrial Training Act Cap 237(Amendment 2011). The Act gives the Authority the mandate of regulation of the training of persons engaged in the industry.

NITA is charged with the management and coordination of industrial training in the country. The expectations from Interested Parties involved in Industry and employment is very high, and their goodwill towards implementation of the transformation agenda of skills in Industry is paramount; therefore, it is important for NITA to continue to develop and nurture this goodwill.

The Authority's vision is to produce a globally competitive and adequate workforce for industrial development. To make this a reality, one of the key functions that the Authority undertakes is to carry out Assessment and Certification. The assessment involves testing which is a systematic way of evaluating the skills of an artisan/apprentice to ascertain competencies possessed in a given trade area. The testing exercise is carried out in over 700 approved NITA testing centres in the country for duration of two weeks. The activity is carried out thrice a year in the month of April, August and December. Grades III, II & I are undertaken in April, Grade II and I in August and Grade III in December. Successful candidates are awarded NITA certificates.

The Authority is also in the process of implementing the Kenya National Qualification framework (KNQF) Master crafts person's progression pathways for people who obtained Government Trade Test (III- I). The Master Crafts Persons levels MCP-III, MCP-II, MCP-I and Professional Master Craft Persons are equivalent to crafts certificate, Diploma, Degree and Post Graduate Diploma respectively.

In 2020, the Government through the KNQA developed the Recognition of Prior Learning Policy Framework in Kenya. In addition, the Authority, (KNQA), developed guidelines for implementation of RPL in Kenya. The RPL players in the country including Qualification Awarding Institutions (QAI's) such as NITA are required to roll-out RPL for their sub-sectors guided by the National Policy and the implementation guidelines. To fast track the process of the rollout of RPL in Kenya, the KNQA constituted an inter-agency National Technical Steering Committee (NSC) to guide the RPL implementation in Kenya. In addition, a National Advisory Committee (NAC) was constituted to oversee the implementation of RPL in the country. NITA, as a QAI has representation in both committees.

Further, in its internal transformation, NITA has recognized the need to collaborate with social partners through Sector Training Committees (STCs), who are the key link between NITA and Various sectors of the economy including industrial and manufacturing sector, to benefit from relevant Public – Private partnerships (PPP). Global partnerships have also been harnessed with organizations such as Sightsavers through the Inclusive Futures Initiative and the German Federal Ministry for Economic Cooperation and Development (BMZ) where the IT Bridge Academy was launched so that more young people with disabilities can find formal employment. The Academy will use a CISCO-validated curriculum and accreditation, which was adapted to the needs of persons with disabilities. NITA continues to engage employers through different platforms on the need to pay Industrial training levy and benefit from the levy fund. Full compliance in levy payment entitle employers get reimbursement for staff training costs in full or in part and also get grants for provisions of student attachment services.

The Authority has established an adequate funding model for re-skilling of personnel engaged in the sector through the industrial levy fund, which is payable monthly by every employer to cater for employees re-skilling expenses. KYEOP

The role of NITA in KYEOP is to provide quality assurance for formal and informal training to youth that are enrolled in KYEOP. This is achieved through identified formal service providers in various Counties for provision of formal training services and also informal service providers for provision of informal training. After completion of training, participants sit for a Government Trade test or NITA Basic Proficiency Assessment for the purpose of certification.

NITA ENHANCING SKILLS SINCE 1925



FKE BUSINESS CONTINUITY PLAN

A Business Continuity Plan (BCP) plays a key role in creating policies that respond to various situations within an enterprise to ensure it recovers within a short time in case of a crisis. Following the disruptions caused by the outbreak of COVID-19 pandemic, the Federation, through a consultative process, developed a Business Continuity Plan for the period 2020 -2022 and reviewed its 2019-2022 strategic plan to incorporate the BCP.

FKE's decision to review the strategic plan was based on four factors namely: First, the political environment was changing and there was a push for the Building Bridges Initiative (BBI), an initiative by the political leaders to unite the country against the tensed election cycle that slows economic activity as more risks for businesses grow.

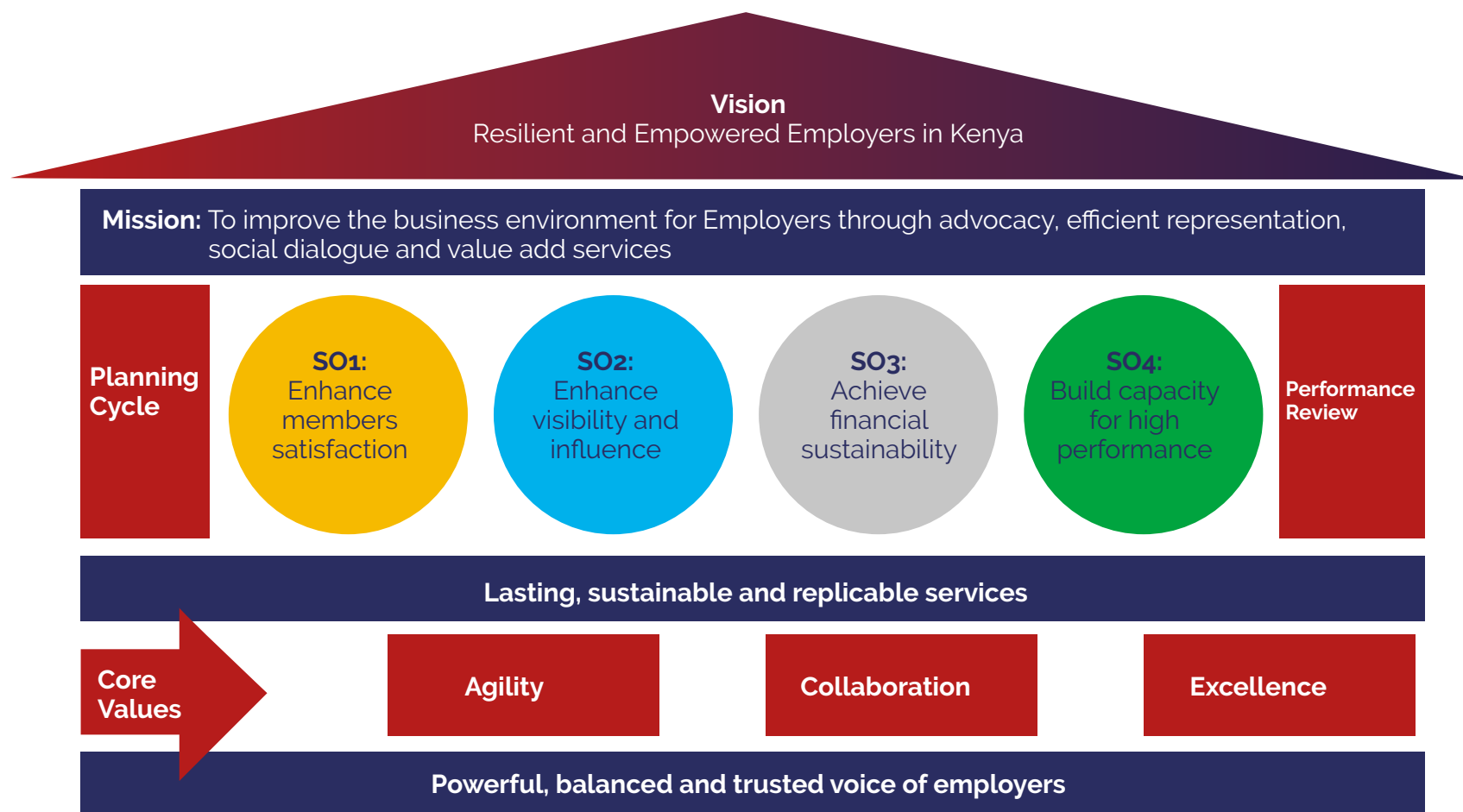
Secondly, there was need to establish and respond to the impact of COVID-19 pandemic disruptions on the implementation of the Federation's activities and operations. Secondly, since COVID-19 pandemic disruption, the members encountered challenges that affected FKE's revenue generation, there was need for the Federation to find mitigating measures hence the Strategic plan review also involved the development of a BCP which is incorporated into the implementation matrix.

Thirdly, the Federation recognized that COVID-19 was a threat as well as an opportunity. This therefore called upon the Federation to not only mitigate the impact of COVID-19 but also take advantage of the pandemic by building its relevance, reputation and exploring new opportunities that presents itself especially in the digital space.

Lastly, since the pandemic was going to be felt in the foreseeable future, FKE endeavored to redefine the value proposition to members, segment the members appropriately and reach out more to enable them to be more resilient.



Figure 1: FKE Strategy Model





EXTRACTS OF THE FINANCIAL STATEMENT FOR THE YEAR ENDED 31 DECEMBER 2020

Independent auditor's report to the members of Federation of Kenya Employers

Report on the Audit of the Financial Statements for the year ended 31 December 2020

Opinion

We have audited the financial statements of Federation of Kenya Employers set out on pages 9 to 30, which comprise the Statement of Financial Position as at 31 December 2020, and the Statement of Revenue and Expenditure and Other Comprehensive Income, Statement of Changes in Reserves and Statement of Cash Flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the financial statements present fairly, in all material respects, the financial position of Federation of Kenya Employers as at 31 December 2020, and its financial performance and cash flows for the year then ended in accordance with International Financial Reporting Standards.

Basis for opinion

We conducted our audit in accordance with International Standards on Auditing. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the financial statements section of our report. We are independent of the Federation in accordance with the International Ethics Standards Board for Accountants Code of Ethics for Professional Accountants (Parts A and B) (IESBA Code) and other independence requirements applicable to performing audits of financial statements in Kenya. We have fulfilled our other ethical responsibilities in accordance with the IESBA Code and in accordance with other ethical requirements applicable to performing audits in Kenya. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.



Other information

The Management Board is responsible for the other information. The other information comprises the Executive Director's report which we obtained prior to the date of this report. The other information does not include the financial statements and our auditor's report thereon.

Our opinion on the financial statements does not cover the other information and we do not express an audit opinion or any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit, or otherwise appears to be materially misstated. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Responsibilities of the Management Board for the financial statements

The Management Board is responsible for the preparation and fair presentation of the financial statements in accordance with International Financial Reporting Standards and for such internal control as the Management Board and the Executive Director determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Management Board and the Executive Director are responsible for assessing the Federation's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Management Board and the Executive Director either intend to liquidate the Federation or to cease operations, or have no realistic alternative but to do so.

Auditor's responsibilities for the audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with International Standards on Auditing will always detect a material misstatement when it exists. Misstatements



can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with International Standards on Auditing, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of

expressing an opinion on the effectiveness of the Federation's internal control.

- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Management Board.
- Conclude on the appropriateness of the Management's use of the going concern basis of accounting and based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Federation's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Federation to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the Management regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.



Report on other legal and regulatory requirements

We report to you, based on our audit that:

- We have obtained all the information and explanations which to the best of our knowledge and belief were necessary for the purpose of the audit;
- In our opinion proper books of accounts have been kept by the Federation, so far as it appears from our examinations of those books; and
- The Federation of Kenya Employers Statement of Financial Position and Statement of Revenue and Expenditure and Other Comprehensive Income are in agreement with the books of account.

BDO East Africa Kenya

Regulated by ICPAK, License number: PF/0015

The Westwood, 9th floor

Vale Close, Off Ring Road, Westlands Nairobi, Kenya

Signed on behalf of BDO East Africa Kenya by Clifford Ah Chip

Engagement partner responsible for the independent audit Practicing certificate number: P/1964

Membership number: 9578 Date: 22/06/2021

STATEMENT OF REVENUE AND EXPENDITURE AND OTHER COMPREHENSIVE INCOME FOR THE YEAR ENDED 31 DECEMBER 2020

		2020	2019
	Notes	KES	KES
Revenue	4	166,469,908	189,520,150
Other income	5	13,407,823	13,291,496
Direct expenses	7	(159,088,271)	(186,857,702)
Operating surplus	7	20,789,460	15,953,944
Depreciation and amortisation	7	(21,790,647)	(22,852,150)
Deficit before Taxation		(1,001,187)	(6,898,206)
Taxation	6	(3,989,155)	(93,517,251)
Net deficit for the year		(4,990,342)	100,415,457
Other comprehensive income:			
Items that will not be reclassified subsequently to profit or loss:			
Gains on property revaluation		-	298,929,060
Total comprehensive income for the year		(4,990,342)	198,513,603



STATEMENT OF FINANCIAL POSITION AS AT 31 DECEMBER 2020

		2020	2019
	Notes	KES	KES
Assets			
Non-Current Assets			
Property and equipment	8	29,163,000	32,238,379
Leasehold land	9	265,998,536	282,626,688
Fixed deposits		-	3,867,547
		295,161,536	318,732,614
Current Assets			
Accounts receivable	11	38,781,341	37,813,739
Current tax receivable	12	8,200,481	9,663,300
Cash and cash equivalents	13	494,799,966	424,075,868
		541,781,788	471,552,907
Total Assets		836,943,324	790,285,521

STATEMENT OF FINANCIAL POSITION AS AT 31 DECEMBER 2020

- CONT

Accumulated Reserve and Liabilities

Accumulated Reserves

Other reserves		1,544,250	1,544,250
Revaluation Reserve		199,241,634	215,848,803
Revenue reserve		128,613,331	116,996,504
		329,399,215	334,389,557

Liabilities

Non-Current Liabilities

Deferred tax	10	81,527,117	84,705,352
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Current Liabilities

Accounts payable	14	426,016,992	371,190,612
Total Liabilities		507,544,109	455,895,964
Total Accumulated Reserve and Liabilities		836,943,324	790,285,521

The financial statements and the notes on pages 9 to 30, were approved by the Management Board on the 22/06/2021 and were signed on its behalf by:

National President
Dr. Habil Olaka

Executive Director / Secretary
Jacqueline Mugo EBS.

JOIN THE FKE KENYA BUSINESS AND DISABILITY NETWORK (KBDN)



The Kenya Business and Disability Network is a platform for peer to peer support amongst companies on the best business practices and learnings, while getting guidance from associates on the 'how to' of inclusion because it is a network **of mutual respect and understanding**. The labour inclusion of persons with disabilities has both a human rights and economic perspective. It is the right for every individual, with or without disability to have decent employment and it makes a lot of economic sense too, to employ persons with disabilities. People with disabilities represent a large, educated, skilled untapped labour pool and as employers it is important we start tapping into this critical pool.

The Federation of Kenya Employers launched Kenya Business and Disability Network on 19th November 2019 during the Employers' Annual Conference. This programme aims to improve access to employment for persons with disabilities.

KBDN is anchored on the following principles:

1. Promote and respect the rights of persons with disabilities, including by raising awareness and combatting stigma and stereotypes faced by persons with disabilities.
2. Develop policies and practices that protect persons with disabilities from all types of discrimination.
3. Promote equal treatment and equal opportunities for persons with disabilities, including by providing reasonable accommodation in the recruitment process, on-the-job, apprenticeships, training, job retention, career development and other relevant terms and conditions of employment.
4. Progressively make the company's physical and digital environment, including communications and information, accessible for all employees with disabilities.
5. Develop appropriate procedures to enable current employees who acquire a disability to retain or return to their employment.
6. Respect confidentiality of personal information of all employees regarding disability issues.
7. Consider the needs of those persons with disabilities who face particular challenges accessing the labour market, including persons with intellectual and psychosocial disabilities.
8. Promote employment of persons with disabilities among business partners and other companies and collaborate with business networks on disability as well as with organizations working to advance the rights of persons with disabilities.
9. Review regularly the company disability inclusion policies and practices for their effectiveness and take appropriate measures to address identified gaps.
10. Report on company efforts to promote the employment of persons with disabilities to all relevant stakeholders and share information and experiences with the members of the Kenya Business and Disability Network.

To join the Kenya Business & Disability Network, kindly access the KBDN Website:
<https://businessanddisability.or.ke/>

SUBMISSION OF APPLICATION FORM

The duly filled application form should be sent to the undersigned:

The Executive Director, Federation of Kenya Employers • P. O. Box 48311 – 00100 GPO, Nairobi, Kenya.
Tel. 020-2721929/48/49/52, 0709 827 101/02 • fkehq@fke-kenya.org or sobiro@fke-kenya.org or
wwandera@fke-kenya.org



KENYA BUSINESS
AND DISABILITY NETWORK



PICTORIALS



COTU Secretary General Francis Atwoli, pays a courtesy call to FKE Executive Director



Social partners meet before signing MoU



Signing MoU



FKE Executive Director in a Courtesy call to CS Hon. Simon Chelugui and PS. Eng Tum



Employers Annual Conference 2020



FKE facilitator takes members through an online masterclass session.

PICTORIALS



Mr. Mark Obuya and Mrs. Jacqueline Mugo conducting the 61st AGM on 29th July 2020



Immediate Past President, Mr. Mark Obuya handing over to the current National President, Dr. Habil Olaka



Management Board addressing the press on matters affecting Employers during Covid



Members Support during COVID



Feed the Children



Appreciating our Facilitator



Member Visit

FKE COVID-19 RESPONSE

The first case of COVID-19 was confirmed in Kenya in mid March 2020. Immediately after, FKE did the following in recognition of its key role in protecting employees and helping employers to cope:

For Staff:

- i. Formed a COVID-19 Crisis Management Team that was responsible for developing and implementing various COVID-19 strategies and initiatives.
- ii. Put in place Health & Safety measures within FKE offices to prevent the spread of COVID-19 by:
 - Developing and disseminating staff advisory on COVID-19
 - Prioritising staff safety by immediately allowing staff who had outstanding leave days to take them.



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- Implementing a shift system of working to manage the number of staff working at a particular time
 - Installing additional hand washing areas and placing sanitisers at strategic points
 - Placing key message reminder posters e.g. on handwashing at strategic points within FKE offices and facilities
 - Put in place safety control measures like temperature checks at the entrance of all FKE offices
 - Providing PPEs such as face masks for staff on a regular basis
 - Suspended all meetings at FKE premises and cancelling external meetings requiring physical attendance of FKE staff without prior authorisation
- iii. Carried out virtual staff sensitization forums on mental health wellness and invitation for their participation in members webinars
- iv. With support of FKE partners, upgraded the ICT infrastructure including acquisition of zoom

- licences, expanded internet capabilities, acquisition of equipment such as laptops for use by staff and installation of video conferencing facilities to support virtual delivery of services.
- v. With support from ILO, reviewed FKE Plans and developed a Business Continuity Plan in view of the changes brought about by COVID-19.

For Members

- i. Developed and issued Advisories encouraging members to comply with the government Health and Safety guidelines and updating them on FKE initiative
- ii. Provided a dedicated Members hotline to facilitate access to officers and un-interrupted service through consultations
- iii. Successfully organised and delivered 14 interactive & free webinars for members on various topics:

The Federation also undertook the following :-

- iv. It was adopted by various employers in the hospitality, horticulture, aviation sectors among others in promoting social dialogue and collaboration between Employers and Trade

Unions with the aim of protecting jobs and enterprises.

- v. Coordinated the collection and distribution of donations such as sanitisers and food stuffs that were donated by FKE members to other members.
- vi. Developed practical Safe return to work protocols and guidelines, published them and discussed them with employers to assist improve their state of readiness when the economy started to open up.



HR Networking Forum



AN INVITATION TO POTENTIAL STUDENTS TO PURSUE WORLD CLASS QUALIFICATIONS WITH kasneb

kasneb is a professional examinations body with the mandate to offer professional, diploma and certificate qualifications in accountancy, finance, credit, governance and management, information technology and related disciplines. kasneb administers its examinations throughout the East and Central African region, the rest of Africa as well as in other continents.

Currently, kasneb administers four professional examinations, two diploma examinations and one certificate examination leading to the following qualifications:

Professional Qualifications

1. Certified Public Accountants (CPA)
2. Certified Secretaries (CS)
3. Certified Investment and Financial Analysts (CIFA)
4. Certified Credit Professionals (CCP)

Minimum Entry Requirement: KCSE mean grade C+ (C Plus)

Diploma Qualifications

1. Accounting Technicians Diploma (ATD)
2. Diploma in Credit Management (DCM)

Minimum Entry Requirement: KCSE mean grade C- (C Minus)

Certificate Qualification

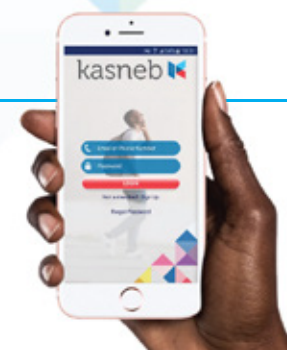
Certificate in Accounting and Management Skills (CAMS)

CAMS-Minimum Entry requirements: KCSE mean grade D

Students are encouraged to enroll for Professional, Diploma or Certificate qualifications in a kasneb accredited training institution. For the full list of accredited training institutions, log onto kasneb www.kasneb.or.ke

Students can now apply for kasneb certificates and diploma courses in TVET institutions through Kenya Universities and Colleges Central Placement Service (KUCCPS). In addition, students access online learning materials available in various database free of charge through a link on the kasneb website or through our e-library portal: library.kasneb.or.ke

Current and potential students are advised to download the **e-kasneb app** from Google Playstore for access to kasneb services.



b=mpowered

#maintainsocialdistance #wearamask #staysafe #stopcovid19spread

020 4923000

www.kasneb.or.ke

info@kasneb.or.ke

[kasnebOfficial](https://www.facebook.com/kasnebOfficial)

[@kasnebOfficial](https://www.instagram.com/kasnebOfficial)



FKE REPRESENTATION ON BOARDS AND COMMITTEES

	Committee/ Board	FKE Representative(S) Current
1.	National Labour Board	Mrs. Jacqueline Mugo
		Mr. Michael Macharia
		Mr. George Masese
2.	Agricultural Wages Council	Mr. Apollo Kiarri
		Mr. Robert Muthanga
		Ms. Jacinta Kipkering
3.	General Wages Council	Mr. Linus Kariuki
4.	National Social Security Fund Board of Trustees	Mr. Mark Obuya
		Mrs. Jacqueline Mugo
5.	National Hospital Insurance Fund Board of Management	Dr. Rachel Monyoncho
6.	National Industrial Training Authority	Mrs. Gilda Odera
		Mr. Apollo Kiarri
		Mr. Michael Macharia
7.	The National Advisory Committee on Occupational Safety and Health	Mr. Charles Owelle
8.	National Aids Control Council	Mr. Mark Obuya
9.	Higher Education Loans Board (HELB)	Mrs. Jacqueline Mugo
10.	Kenya Private Sector Alliance (KEPSA) i) Board	Mr. Michael Macharia

	Committee/ Board	FKE Representative(S) Current
	i) Governing Council	Mr. Mack Obuya
11.	KASNEB	Nyambura Koigi
12.	Commission for University Education (CUE)	Eng. David Onyango
13.	National Qualification Framework	Mr. Hirji Shah
14.	National Employment Authority	Mrs. Jacqueline Mugo
15.	Institute of Curriculum Development	Mr. Eric Munyobi
16.	Court Users Committee	Mrs. George Masese
17.	Court Rules Committee	Mr. Dickens Ouma
18.	International Chamber of Commerce Kenyan Chapter	Mrs. Jacqueline Mugo
19.	National Industrial Training Authority (Sector Training Committees)	FKE IR and Legal Team Various Members
20.	Competition & Anti-Trafficking Committee	Mr. George Masese
21.	Universities Fund Board	Mrs. Gilda Odera
22.	Railway Training Institute	Mr. Eric Munyobi
23.	Kenya Institute of Supplies Management Registration Committee	Mr. Samson Mugwe



HELB EMPLOYERS' PORTAL

How easy has it been for you to disclose your employees, deduct and discharge their deductions toward repayment of HELB loan?

**HELB has made the process simpler by making it online!
Register on the employer's portal today.**

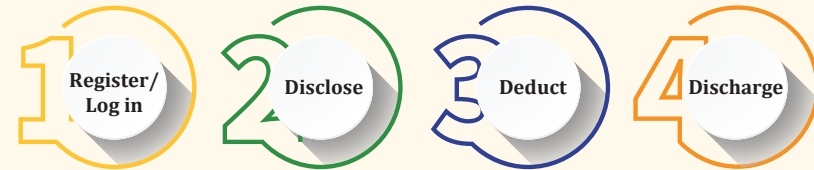
EMPOWERING DREAMS

🌐 www.helb.co.ke 📍 Anniversary Towers University Way **USSD *642#**
☎ +254711052000 ✉ contactcentre@helb.co.ke 📱 @HELBPAGE

HELB Employers Portal allows employers to disclose their employees who benefited from HELB loan, deduct (as per HELB billing) towards repayment of the loan and discharge the deducted amount to HELB. Employers can also access their statements and generate Compliance Certificate from the portal.

THIS IS HOW TO GO ABOUT IT:

- 1** Visit www.helb.co.ke and click on Employers Portal



2 Registration Process

- I** Once you are on the portal, type the name of your employer
- II** Select the correct employer from the drop-down list
- III** Key in the rest of the details/information required
- IV** Click register to submit the details
- V** An activation link will be sent to your email address.
- VI** Click '**Verify Account**' in the email received

3 Disclosure of Staff

- I** Click '**Disclosure of Staff**' or '**My Employees**' tab
'[Click here to upload staff list](#)'
'Click here to upload staff list'
- II** Click on 'Download CSV Template File'
Fill the downloaded template file with your staff details
- III** Click 'choose file' and browse for the updated template and select the file.
Click 'upload' to load your staff list on the portal in the format shown in

4 Deduction of Staff Loans

- I** Click on the remittance tab
Download the CSV template file
- II** Correctly fill in the required details: Year, Month, Receiving Bank & save the file
Upload the correctly filled CSV file.
- III** Submit
- IV** After e-slip generation, make payments by stating the employer code and the respective pay month on the payment details narration.

Statements

The Employer can always view the status of remittances uploaded.

- Click on statements tab. You will see the slip number, repayment period, amount and the payment status.
- If the status is 'paid', you can proceed and print the receipt.

Compliance Certificate

To get Employer Compliance Certificate, please click on the "Compliance Certificate" tab. Compliance will be evaluated on whether all loanees are in repayment and all deductions have been submitted to HELB on time. Compliance Certificate is issued annually.

- Download CSV Template
- Fill the required data then upload
- The uploaded list will be evaluated & once done, your Compliance Certificate will be ready for download

Get in touch! Email: employerportal@helb.co.ke



KEY INTERNATIONAL MEETINGS ATTENDED IN THE YEAR 2020

Meeting	Date
ILO Governing Body Meetings	March 2020 Oct-Nov 2020
ILO's summit and Africa's Response to Covid-19 Crisis	10th July 2020
Strengthening Capacity of Governments to Address Child Labour and /or Forced Labour Violations of Acceptable Conditions of Work (CAPSA)	3rd July 2020
A new social contract for Recovery and Resilience	8th Aug 2020
Opportunities and threats in the Labour migration	20th Aug 2020
Rethinking Business Contribution to the UN and the Multilateral System	2nd Sep 2020
Challenges Facing Migrant Workers during the Pandemic	4th Sep 2020
The State of Small Businesses in the Least Developed Countries	9th Sep 2020
Developing Policy Frameworks for Recovery and Prosperity from the Covid- 19	4th Sep 2020
Building Alliances to End Child Labour	24th Sep 2020
Concordia Summit 2020: The Road ahead, New Challenges, New Realities, New Opportunities"	28th Oct 2020
Boosting Digital Economy	23rd Oct 2020
IOE General Council Meeting	24th Nov 2020

KEY TRAININGS ATTENDED IN THE YEAR 2020

Meeting	Date	
ITC- ILO E- Academy Module on Labour Migration	26th Oct - 11th Dec 2020	Ms. Grace Kaome
South – South and Triangular skills Forum: Partnerships for knowledge Skills and Technology Transfer- A webinar Series and Skills Fair	19th Nov 2020 - 30th April 2021	
ITC ILO Skills Anticipation and Matching	2nd Nov - 18th Dec	Mr. William Wandera
ARLAC Tripartite Workshop on “Strategies to Combat Forced Labour, Modern Slavery and Human Trafficking”	28th Sep- 2nd Oct 2020	
Essential of Occupational Safety and Health (E- OSH)	8th – 19th June 2020	Mr. William Wandera Mr. Eric Munyobi Mr. Eric Ochieng
Sectoral Approaches to Skills Development	21st Sep – 30th Oct 2020	Ms. Mary Nyaga
Women in Business and Management (IOE EU and UN)	1st – 3rd Dec 2020	
Youth @ Heart National Conference	2nd Nov 2020	Mr. Clifford Muyera
E- Learning Courses for fair recruitment Processes and Practitioners	7th Sep – 16th Oct 2020	Mr. Moses Ombokh
ARLAC e - Course C 294: Strengthening Social Dialogue and Labour Dispute Resolution	7th – 11th Sep 2020	Mr. Thomas Achok

1.

Guidance on a broad range of Industrial Relations and Human Resources Policies and practices.

2.

The Counsel of highly qualified Legal and Industrial Relations experts who provide employment specific legal advice and representation at the Ministry of Labour and Social Protection and other forums.

3.

Advocacy on behalf of members on Policies, Laws and Regulations that affect employers.

4.

Access to qualified management and training consultants, who enable member organizations to benefit and embrace the culture of best practices at the workplace.

5.

Representation on various national committees, boards and government policy formulation forums that affect our members.

6.

Representation at the global level on International Labour Organization (ILO), Business Africa - Employers Federation Confederation, International Organization of Employers (IOE).

7.

Member forums that allow business networking and partnership within the Federations' membership base

BENEFITS OF BEING A MEMBER OF FKE

NAIROBI OFFICE

FKE Headquarters
Federation of Kenya Employers
Waajiri House, Argwings Kodhek Road – Milimani,
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Office Cellular Lines: 0709 827 101 / 102
Email: fkehq@fke-kenya.org

Visit our website: <http://www.fke-kenya.org>

Follow us on  :@fkekenya Write on our  :fkekenya

FEDERATION OF KENYA EMPLOYERS REGIONAL OFFICES

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