COLLECTIVE BARGAINING AGREEMENT

BETWEEN

THE INTER-PUBLIC UNIVERSITIES COUNCILS CONSULTATIVE FORUM (IPUCCF)

OF

THE FEDERATION OF KENYA EMPLOYERS (FKE)

AND

THE UNIVERSITIES' ACADEMIC STAFF UNION (UASU)

23rd November, 2024

REPUBLIC OF KENYA

COLLECTIVE BARGAINING AGREEMENT

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THIS COLLECTIVE BARGAINING AGREEMENT (CBA) is made between the **INTER-PUBLIC UNIVERSITIES' COUNCILS CONSULTATIVE FORUM (IPUCCF) OF THE FEDERATION OF KENYA EMPLOYERS (FKE)** hereinafter referred to as "the Employer" of the one part and the **UNIVERSITIES' ACADEMIC STAFF UNION (UASU)** duly registered as a Trade Union under the Labour Relations Act, 2007, Laws of Kenya, hereinafter referred to as "the Union" of the other part.

PREAMBLE

WHEREAS by the terms of the Recognition Agreement (RA) dated 28th October, 2019 between the Employer and the Union, the Employer having recognized the Union as properly constituted as the sole labour organization capable of representing the interest of Unionisable Academic Staff *viz.* Graduate Assistant/Research Assistant; Assistant Lecturer/Tutorial Fellow/Junior Research Fellow; Lecturer/Research Fellow; Senior Lecturer/Senior Research Fellow; Associate Professor and Professor in all Public Universities and their Constituent Colleges on matters of **Salaries, House Allowance and other terms and conditions of service**;

WHEREAS the representatives of IPUCCF and UASU were appointed to the Inter-Ministerial Committee *vide* a letter dated 30th September, 2024 under Reference Number MOE/SDHER/6/39, *inter alia*, to coordinate negotiations between UASU, KUSU and KUDHEIHA Workers, and the Government with the goal of ensuring the timely conclusion, signing and implementation of the 2021-2025 CBAs;

Thus, the purpose of this Agreement is to set forth the understanding between the parties as to the terms and conditions of salaries and house allowance and other negotiable terms for members of UASU as specified herein.

NOW, THEREFORE, it is hereby agreed as follows:

INTERPRETATION

The interpretation of this Agreement or any part thereof shall be vested in the Joint Negotiating Committee of the Forum/Employer and the Union, subject to the right of adjudication by the Employment and Labour Relations Court (ELRC).

BASIC SALARY AND SALARY SCALES

The cost of implementation of the Basic Salaries for the 2021-2025 Collective Bargaining Agreement with the Employer pension component is KES 9.76 Billion using the attached schedules in "**Annexure I**", read with the implementation notes hereof, that were

simulated in Machakos University by the Joint Technical Committee of IPUCCF, UASU, KUSU and KUDHEIHA Workers and dated 3rd October, 2024 and thereafter adopted on 4th October, 2024 by the Joint Negotiating Committee of IPUCCF, UASU, KUSU and KUDHEIHA Workers for submission to the Inter-Ministerial Committee. The implementation of the basic salaries for the said CBA of KES 9.76 Billion shall be done in three (3) tranches. The first tranche of KES 4.3 Billion for implementation of the first phase of the 2021-2025 CBAs covering nine (9) months being October, 2024 to June, 2025 which shall be released in the Financial Year 2024/2025. Arrears shall be paid in two (2) tranches for the Financial Year 2025/2026 - KES 2.73 Billion and Financial Year 2026/2027 - KES 2.73 Billion each.

HOUSE ALLOWANCE

The house allowance, in Kenya shillings, shall be paid to the members of UASU as provided in the **Annexure II.**

THE OTHER TERMS AND CONDITIONS OF THIS AGREEMENT

1. Harmonization of other allowances shall be negotiated in the next CBA cycle of 2025-2029 which shall commence on or before 31st January, 2025 and the effective date for the CBA being from 1st July, 2025.

   Transition clauses:

   i. Councils of Public Universities and their Constituent Colleges that have not completed the CBA negotiations for the cycles of 2013-2017, 2017-2021 and 2021-2025, shall initiate negotiations with their respective Union Chapters, where circumstances permit.

   ii. IPUCCF and UASU shall negotiate, at National Level, all terms and conditions of service for UASU unionizable employees in one single CBA in the 2025-2029 cycle beginning in the Financial Year 2025/2026 in accordance with the Recognition Agreement signed on 28th October, 2019.

2. Retirement age for all academic members of staff shall be harmonized and set as follows:

   i. 70 years for Graduate Assistant, Tutorial Fellow and Assistant Lecturer; and

   ii. 74 years for Lecturer, Senior Lecturer, Associate Professor and Professor.

   Transitional clauses:

   i. All new academic staff hires shall be subject to the new retirement age from the date of their appointment.

   ii. For academic staff with existing contracts and in-post academic staff with a retirement age that is higher than 74 years for Assistant Lecturers Lecturers, Senior Lecturers, Associate Professors and Professors, the current terms shall be maintained until the end of their contractual period.

3. A Member of UASU who has completed a minimum of three (3) consecutive years of service at the University, either from their initial date of appointment or from their most recent promotion date, shall be eligible for review and promotion in accordance to the promotion criteria and the Human Resource

policies and procedures. Universities shall budget for promotions to appear in the Education Sector Budget, annually.

4. IPUCCF agrees to work with UASU on the cost and modalities of implementing the car loans and mortgage scheme financing for staff in Public Universities and their Constituent Colleges. The cost agreed upon shall be factored in the Education Sector Budget in the Financial Year 2026/2027.

5. A member of UASU shall be entitled to 36 working days of leave annually.

6. IPUCCF, in consultation with SRC shall involve UASU in all stages of job evaluations.

7. There shall be a National Implementation Committee comprising:
   i. Co-Chairpersons of the Joint Negotiating Committee;
   ii. Four (4) members nominated by IPUCCF;
   iii. The National Secretary General; and
   iv. Three (3) members nominated by UASU.

   The National Implementation Committee shall *inter alia* monitor and evaluate the implementation and review of this Agreement.

8. There shall be a Joint Implementation Committee in every University/University College to oversee the implementation process of the National Implementation Committee. Consequently, every University/University College shall designate four (4) officials and the respective UASU Chapter shall appoint four (4) officials to oversee the implementation process. The Vice-Chancellor/Principal shall designate an officer at the level of Deputy Vice-Chancellor/Deputy Principal to be the team leader and/or manager of the implementation process in the respective University/University College.

9. Upon written request the Universities shall grant leave of absence to Union officials elected to serve in the National Office of UASU for the duration of their term of office.

10. The subscription and agency fee shall be applied in accordance with the prevailing legal provisions, specifically, for union dues, respective Public Universities shall deduct 2% of the basic salary from each Union member and deposit it into the designated Union account, in accordance to the *Labour Relations Act, 2007*, and related amendments, if any.

EFFECTIVE DATE AND DURATION OF THIS AGREEMENT

a. This Agreement shall cover the period from 1st July, 2021 (now past) up-to 30th June, 2025 and shall be effective from the date of signing this Agreement. Thereafter, this Agreement shall continue to be in force until mutually amended or when the Parties herein shall negotiate and bring into force another agreement.

b. Any party seeking to amend this Agreement shall provide the other party with a written notice at least one (1) month in advance, detailing the proposed

amendment(s). The receiving party shall respond within thirty (30) days of receiving the notice.

c. In the event of it proving impossible to obtain mutual agreement on the amendment(s), either party may seek dispute resolution in accordance with the *Labour Relations Act, 2007*.

SIGNED IN NAIROBI THIS 23rd **DAY OF** November **2024**

SIGNED FOR AND ON BEHALF OF IPUCCF:

1. SIGNATURE.....
   Dr. Christopher Gatama Gakahu
   Chairperson, Inter-Public Universities' Councils Consultative Forum (IPUCCF) of the Federation of Kenya Employers (FKE) and Chairperson, Machakos University

2. SIGNATURE.....
   Prof. Daniel Mugendi Njiru, EBS,
   Vice-Chancellor, University of Embu and Chairperson of the Vice-Chancellors' Committee

3. SIGNATURE.....
   Prof. Fred Barasa,
   Vice-Chancellor, Taita Taveta University and Chairperson of IPUCCF-JNC

WITNESSED BY:

1. NAME BEATRICE MUGANDA INYANGALA

   DESIGNATION PRINCIPAL SECRETARY - SDHER

   SIGNATURE.....

2. NAME SHADRACK M. MWADIME

   DESIGNATION P.S. Labour & Skills Dev't

   SIGNATURE.....

3. NAME..Prof. Romanus Odhiambo.....

DESIGNATION..IPUCCF-Negotiator/VC- MUST.....

SIGNATURE.....

4. NAME..PROF. GEORGE N. CHEMININGWA.....

DESIGNATION..IPUCCF-NEGOTIATOR/PRINCIPAL TURKANA UNIVERSITY COLLEGE.....

SIGNATURE.....

5. NAME..Ruth Kirwa.....

DESIGNATION..Advocate, IPUCCF.....

SIGNATURE.....

SIGNED ON BEHALF OF UASU:

1. SIGNATURE..... 23/11/24

Dr. Constantine Wasonga Opiyo
Secretary General, Universities' Academic Staff Union

2. SIGNATURE.....

Ms. Grace Nyongesa
Chairman, Universities' Academic Staff Union

WITNESSED BY:

1. NAME..Dr. Tanepha Kumba.....

SIGNATURE.....

DESIGNATION..National Treasurer.....

2. NAME..... JOHN MALII .....

SIGNATURE.....

DESIGNATION..... NATIONAL TRUSTEE .....

"Annexure I"
Basic Salary and Salary Scales

GRADUATE ASSISTANT/RESEARCH ASSISTANT					
GRADE 10A	Step	Basic Pay 2021-2022	Basic Pay 2022-2023	Basic Pay 2023-2024	Basic Pay 2024-2025
		Kshs	Kshs	Kshs	Kshs
	1	57,729	57,729	60,616	63,647
	2	59,985	59,985	63,041	66,194
	3	62,242	62,242	65,564	68,843
	4	64,499	64,499	68,186	71,596
	5	66,755	66,755	70,914	74,460
	6	69,012	69,012	73,751	77,439
	7	71,269	71,269	76,702	80,538
	8	73,525	73,525	79,770	83,759
	9	75,782	75,782	82,961	87,110
	10	78,039	78,039	86,280	90,594
	11	80,295	80,295	89,731	94,218
	12	82,552	82,552	93,321	97,988

TUTORIAL FELLOW/ASSISTANT LECTURER/JUNIOR RESEARCH FELLOW					
GRADE 11A	Step	Basic Pay 2021-2022	Basic Pay 2022-2023	Basic Pay 2023-2024	Basic Pay 2024-2025
		Kshs	Kshs	Kshs	Kshs
	1	97,842	97,842	102,735	107,872
	2	101,667	101,667	106,844	112,187
	3	105,492	105,492	111,119	116,675
	4	109,317	109,317	115,565	121,344
	5	113,141	113,141	120,188	126,198
	6	116,966	116,966	124,996	131,246
	7	120,791	120,791	129,996	136,496
	8	124,616	124,616	135,196	141,956
	9	128,440	128,440	140,605	147,636
	10	132,265	132,265	146,230	153,542
	11	136,090	136,090	152,079	159,683
	12	139,915	139,915	158,163	166,072

LECTURER/RESEARCH FELLOW					
GRADE 12A	Step	Basic Pay 2021-2022	Basic Pay 2022-2023	Basic Pay 2023-2024	Basic Pay 2024-2025
		Kshs	Kshs	Kshs	Kshs
	1	110,591	110,591	116,121	121,928
	2	115,115	115,115	120,766	126,805
	3	119,639	119,639	125,597	131,877
	4	124,163	124,163	130,622	137,154
	5	128,688	128,688	135,847	142,640

	6	133,212	133,212	141,282	148,347
	7	137,736	137,736	146,934	154,281
	8	142,260	142,260	152,812	160,453
	9	146,784	146,784	158,925	166,872
	10	151,308	151,308	165,283	173,548
	11	155,833	155,833	171,895	180,490
	12	160,357	160,357	178,771	187,710
SENIOR LECTURER/SENIOR RESEARCH FELLOW					
GRADE 13A	**Step**	**Basic Pay 2021-2022**	**Basic Pay 2022-2023**	**Basic Pay 2023-2024**	**Basic Pay 2024-2025**
		Kshs	**Kshs**	**Kshs**	**Kshs**
	1	144,450	144,450	149,506	154,739
	2	150,097	150,097	155,486	160,929
	3	155,743	155,743	161,707	167,367
	4	161,390	161,390	168,176	174,063
	5	167,037	167,037	174,903	181,025
	6	172,683	172,683	181,900	188,267
	7	178,330	178,330	189,176	195,798
	8	183,977	183,977	196,744	203,631
	9	189,623	189,623	204,614	211,776
	10	195,270	195,270	212,799	220,247
	11	200,917	200,917	221,311	229,057
	12	206,563	206,563	230,165	238,221

ASSOCIATE PROFESSOR/ASSOCIATE RESEARCH PROFESSOR					
GRADE 14A	Step	Basic Pay 2021-2022	Basic Pay 2022-2023	Basic Pay 2023-2024	Basic Pay 2024-2025
		Kshs	Kshs	Kshs	Kshs
	1	180,337	180,337	186,649	193,182
	2	186,731	186,731	194,116	200,911
	3	193,124	193,124	201,881	208,947
	4	199,518	199,518	209,957	217,306
	5	205,912	205,912	218,357	226,000
	6	212,306	212,306	227,091	235,040
	7	218,699	218,699	236,175	244,442
	8	225,093	225,093	245,623	254,220
	9	231,487	231,487	255,448	264,389
	10	237,881	237,881	265,666	274,965
	11	244,275	244,275	276,294	285,965
	12	250,668	250,668	287,345	297,403
PROFESSOR/RESEARCH PROFESSOR					
GRADE 15A	Step	Basic Pay 2021-2022	Basic Pay 2022-2023	Basic Pay 2023-2024	Basic Pay 2024-2025
		Kshs	Kshs	Kshs	Kshs
	1	209,694	209,694	217,034	224,631
	2	216,366	216,366	225,715	233,616
	3	223,038	223,038	234,745	242,962
	4	229,710	229,710	244,135	252,680
	5	236,382	236,382	253,902	262,789
	6	243,055	243,055	264,058	273,301
	7	249,727	249,727	274,621	284,233
	8	256,399	256,399	285,607	295,604
	9	263,071	263,071	297,031	307,428
	10	269,743	269,743	308,913	319,725
	11	276,415	276,415	321,270	332,515
	12	283,087	283,087	334,121	345,816

Implementation Notes:

i. The CBA applies to the 2021-2025 cycle;

ii. The salary adjustments under the said CBA shall take effect starting 1st July, 2023 (now past);

iii. The basic salary payment to eligible members of staff in Grades 10A-15A shall be effected in the month of December, 2024 together with the arrears of October, 2024 and November, 2024;

iv. The Employers' pension contribution payment for all the three (3) Unions *viz*. UASU, KUSU and KUDHEIHA Workers shall be computed from the KES 9.76 Billion disbursed for the implementation 2021-2025 CBA;

v. Payments due for the period of 1st July, 2023 up-to and until 30th September, 2024 prior to the implementation date of 1st October, 2024 shall be treated as arrears;

vi. The said arrears of July, 2023 to September, 2024 shall be factored into the Financial Year 2025/2026 and Financial Year 2026/2027 National Budget in two (2) equal installments of KES 2.73 Billion each; and

vii. For avoidance of doubt, the said arrears are a total sum of KES 5.46 Billion for all the three (3) Unions *viz*. UASU, KUSU and KUDHEIHA Workers.

"Annexure II"

HOUSE ALLOWANCE	
Grade	**Amount (KES)**
Grade15A	73,715
Grade14A	66,344
Grade13A	58,972
Grade12A	55,286
Grade11A	51,601
Grade10A	35,383