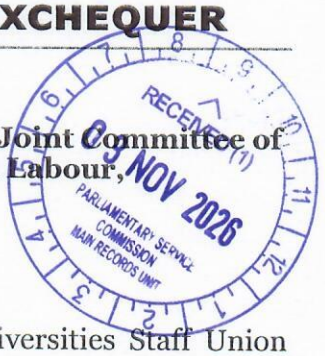
UNIVERSITIES' ACADEMIC STAFF UNION (UASU)
KENYA UNIVERSITIES STAFF UNION (KUSU)
KENYA UNION OF DOMESTIC, HOTELS, EDUCATIONAL INSTITUTIONS, HOSPITALS AND ALLIED WORKERS (KUDHEIHA)

ORAL SUBMISSIONS TO THE NATIONAL ASSEMBLY JOINT COMMITTEE OF THE DEPARTMENTAL COMMITTEES ON EDUCATION AND LABOUR ON PUBLIC PETITION NO. 29 OF 2026 CONCERNING THE NEGOTIATION, FUNDING AND IMPLEMENTATION OF THE 2025–2029 NATIONAL COLLECTIVE BARGAINING AGREEMENTS (CBAs), AND THE FUNDING OF SALARIES FOR EMPLOYEES OF PUBLIC UNIVERSITIES FROM THE NATIONAL EXCHEQUER

Wednesday, 4 November 2026



Honourable Chairperson and Honourable Members of the Joint Committee of the Departmental Committees on Education and Labour,

1. INTRODUCTION

The Universities' Academic Staff Union (UASU), the Kenya Universities Staff Union (KUSU), and the Kenya Union of Domestic, Hotels, Educational Institutions, Hospitals and Allied Workers (KUDHEIHA) are the duly recognized trade unions representing employees in public universities. The Unions represent and advocates for the protection and improvement of their members' terms and conditions of service, the protection of their labour rights, and the promotion of quality, accessible and sustainable university education in Kenya.

The Unions are grateful to the National Assembly for the opportunity to present their joint submissions on Public Petition No. 29 of 2026. These submissions address the negotiation, funding and implementation of the 2025–2029 Collective Bargaining Agreements (CBAs), and the need for a clear, lawful and sustainable framework for funding the salaries and other employment obligations of staff in public universities from the National Exchequer.

2. CONTEXT OF THE PUBLIC PETITION

1. On 5 November 2025, UASU, KUSU and KUDHEIHA, representing employees in public universities, and the Inter-Public Universities Councils Consultative Forum (IPUCCF) signed a Return-to-Work Formula (RTWF). Under that agreement, the parties undertook to conclude the 2025–2029 Collective Bargaining Agreements (CBAs) within thirty (30) days.

2. The RTWF brought an end to a period of industrial unrest and was intended to restore and maintain industrial harmony in public universities through the prompt conclusion, signing, registration and implementation of the outstanding CBAs.

3. That commitment was not honoured. IPUCCF and the Ministry of Education did not table a meaningful financial counter-offer in respect of the 2025–2029 CBAs. This frustrated negotiations on the financial provisions and made it impossible for the parties to conclude the agreements within the agreed thirty-day period.

4. In contrast, CBAs covering employees in other segments of the public education sector were implemented in 2025. Employees of public universities have, however, continued to await the conclusion and implementation of their CBAs, notwithstanding their equally important contribution to the national education system.

5. On 21 September 2026, the Salaries and Remuneration Commission (SRC) disclosed to the Unions that neither the Ministry of Education nor the National Treasury had provided a written commitment guaranteeing that the financial obligations arising from the public universities' CBAs would be funded through the National Exchequer.

6. That disclosure raised serious concerns about the credibility of the negotiations that had been taking place at Machakos University since 2025. In the absence of a clear and binding commitment on the source of funding, the parties were being asked to negotiate employment obligations without certainty that the resulting agreements would be funded and implemented.

7. The Unions were particularly concerned that IPUCCF continued with the negotiations without first securing, a clear written commitment from the Ministry of Education and the National Treasury on Exchequer funding. The source and adequacy of funding are fundamental to the negotiation, conclusion and implementation of the CBAs.

8. Of particular concern was SRC's disclosure that the National Treasury's position appeared to be that the remuneration and other employment obligations of staff in public universities should be financed through student fees and market-based funding mechanisms, rather than through predictable allocations from the National Exchequer.

9. The Unions submit that such an approach would effectively remove employees of public universities from the established framework for financing public officers employment obligations, and without a clear legal or constitutional basis. It would also make the ability of universities to honour employment obligations dependent on factors, such as student enrolment and fee collections, that are not within the control of employees and may fluctuate from year to year.

10. The Unions are further concerned that the funding framework for public universities appear to have shifted from the Differentiated Unit Cost (DUC) framework, recognised and applied under the Universities Act, 2012, to a model which is not anchored in law. In the Unions' view, under the current legal framework, universities are expected to receive funding from the National Exchequer. However, senior Government officials talk of "Money follows the Student" or Student-Centred Funding Model (SCFM), without pointing to the applicable legislation as a replacement for statutory budgetary appropriations to meet the institutional costs and employment obligations of public universities.

11. On 18 September 2026, SRC wrote to IPUCCF indicating that the CBAs would be funded through the Student-Centred Funding Model (SCFM), under which funding is linked to the number of students admitted to individual universities. **[ANNEXURE 1]**

12. On 23 September 2026, IPUCCF responded to SRC, indicating that, under the SCFM, the Government had not remitted more than KSh 100 billion reportedly owed to public universities. This response highlighted the substantial funding shortfalls facing public universities and the unresolved financial obligations associated with the funding model. **[ANNEXURE 2]**

13. On 12 October 2026, during a meeting of the inter-ministerial committee established to address the dispute, the Principal Secretary, State Department for Higher Education, stated that the Ministry of Education did not acknowledge the reported outstanding debt of KSh 100 billion owed to public universities, on the ground that the amounts in question did not arise from a vote line directly appropriated by Parliament.

14. These developments raise concerns that the Ministry of Education and the National Treasury have adopted, a funding mechanism for public universities whose legal basis and relationship with parliamentary appropriations remain unclear, while at the same time relying on that model to deny reported outstanding Government funding obligations.

15. The resulting position is untenable. Public universities are expected to discharge their statutory mandates and meet recurrent expenditure, including salaries and other employment obligations, without a clear, predictable and legally accountable funding framework. At the same time, reported funding gaps are attributed to the absence of specific parliamentary appropriations, leaving institutions exposed to financial distress and employees exposed to uncertainty over the payment of their remuneration and benefits.

16. Having exhausted avenues for meaningful negotiations, and following the failure to conclude, sign, register and implement the 2025–2029 CBAs within the agreed period, the Unions issued a seven-day strike notice on 24 September 2026. A nationwide strike by employees represented by the Unions commenced on 2 October 2026 after the dispute remained unresolved.

17. Following the commencement of the strike, an inter-ministerial committee chaired by the Principal Secretary, State Department for Labour and Skills Development, Ministry of Labour and Social Protection, was constituted to address and resolve the issues giving rise to the industrial dispute.

THE COST OF THE UNIONS' PROPOSALS

18. Unlike previous CBAs, under which the Unions negotiated at the national level on only two items: Basic Salary and House Allowance, the Unions' proposals for the 2025–2029 CBAs covered a comprehensive range of matters in accordance with the current Recognition Agreement. The non-financial proposals include the work environment, staff training and development, disciplinary matters, various forms of leave, workload, class size, and provisions relating to sexual harassment, gender and disability, among other matters. The financial proposals include medical cover, a research fund, basic salary, house allowance, and access to the Government Car Loan and Mortgage Scheme, among other items.

19. The total cost of the Unions' proposals, on the basis that all the financial items would be provided for across 42 public universities and constituent colleges over the four-year CBA period, was determined to be KSh 98.8 billion.

20. On 30 October 2026, following the Government's counter-offer of KSh 20 billion towards funding the CBAs, that is approximately one-fifth of the estimated cost, and taking into account the plight of students, the Unions called off the strike after the parties concluded a Return-to-Work Formula and schedules [**ANNEXURE 3**]. The relevant funding and implementation provisions include the following:

The Ministry of Education and the National Treasury commits to fund the 2025-2029 CBAs as follows:

(i) The parties acknowledge that the Government has provided KES 20 Billion for funding of the 2025-2029 CBAs;

(ii) The KES 20 Billion to fund the 2025-2029 CBAs will be released as follows:

a. First tranche of KES 6.7 Billion in the Financial Year 2026/2027;

b. Second tranche of KES 6.7 Billion in the Financial Year 2027/2028;

c. Third and final tranche of KES 6.6 Billion in the Financial Year 2028/2029.

(iii) The first tranche of KES 6.7 Billion will be funded through Supplementary Estimates Number 1of Financial Year 2026/2027 Budget.

(iv) The Government shall on or before 31st December 2026, cause the Rules governing the onboarding and participation of staff members of Public Universities and Public University Constituent Colleges in the Government Car Loan and Mortgage Scheme to be finalised and published in the Kenya Gazette.

(v) The pending items for negotiations will be completed by 28th February 2027; and,

(vi) The negotiations will be chaired by the Labour Commissioner assisted by the Chief Industrial Relations Officer.

3. FUNDING OF PUBLIC UNIVERSITIES FROM THE NATIONAL EXCHEQUER

21. Notwithstanding the commitments contained in the RTWF, the position on the funding of public universities from the National Exchequer remains uncertain. The Unions draw the Committee's attention to the following matters:

(i) While the Ministry of Education maintains that Parliament is responsible for appropriating the funds required by public universities, budgetary allocations are for recurrent expenditure for public universities have disappeared from the Sector Budget prepared by the Ministry of Education.

(ii) Unlike in the past, representatives of public universities are no longer being invited to participate in Education Sector Budget meetings, thereby limiting their participation in decisions concerning the resources required to pay for university staff.

(iii) The recurrent budget estimates for public universities, including Personnel Emoluments budget lines, have reportedly been blocked by the Ministry of Education and the National Treasury from being presented to Parliament for consideration, approval and appropriation.

(iv) The outstanding funding claims reported by Vice-Chancellors of public universities, amounting to approximately KSh 100 billion, are not acknowledged by the Ministry of Education on the stated ground that the amounts were not directly appropriated by Parliament under specific vote heads.

(v) At the same time, parliamentary committees, including the National Assembly Public Investments Committee on Governance and Education, have required public universities, including the University of Nairobi, to present plans for addressing technical insolvency arising from the blockage or non-provision of appropriations for recurrent expenditure. This places universities in the untenable position of being held accountable for financial distress while the budgetary resources required to meet their obligations are not being made available.

(vi) These positions raise questions concerning the financial and public status of public universities, the discharge of the Government's obligations towards them, and the accountability of public institutions responsible for higher education. The following matters therefore require urgent parliamentary scrutiny:

(a) Why are public universities not receiving adequate, timely and predictable budgetary appropriations to meet their recurrent expenditure, including salaries and other employment obligations?

(b) If public universities are public institutions established under the law, what is the constitutional basis for making their ability to meet public-sector employment obligations dependent on student enrolment, student fees, loans and market-based financing?

(c) What measures are being taken to establish, verify and reconcile the outstanding funding claims reported by public university managements, and to ensure that any confirmed obligations are addressed transparently and within a defined timeframe?

(d) Will the Tertiary Education, Placement and Funding Bill, 2026, if enacted without adequate safeguards, further entrench uncertainty by disconnecting public universities from predictable budgetary appropriations and making their institutional revenues increasingly dependent on student numbers and funding arrangements that may not guarantee full and timely payment?

4. THE TERTIARY EDUCATION, PLACEMENT AND FUNDING BILL, 2026

22. The Bill proposes to establish a new Tertiary Education Funding Authority (TEFA), consolidate the functions currently undertaken by the Higher Education Loans Board (HELB), the Universities Fund and the TVET Funding Board, and re-establish the Kenya Universities and Colleges Central Placement Service (KUCCPS) under one statute.

Student funding is not the same as institutional university funding

23. The principal concern of the Unions is that the Bill conflates student financing with the financing of public universities as institutions, while failing to make adequate provision for institutional financing. The two forms of financing serve distinct but complementary purposes and should not be treated as interchangeable.

The Unions do not oppose student-centred support for university students. The position of the Unions is that student financing must never displace or be treated as a substitute for, the Government's responsibility to provide adequate institutional financing for public universities, including funding for personnel emoluments and other recurrent obligations.

24. The Bill is principally concerned with student placement, loans, scholarships and related student financing functions. It should not be construed as a complete statutory framework for financing the institutional costs of public universities. Parliament should make this distinction express. Otherwise, TEFA may become the de facto financier of the entire university system without a clearly defined statutory mandate or a guaranteed funding stream for the institutional cost base of public universities.

Repeal of the existing Exchequer funding framework without an adequate replacement

25. As presently drafted, the Bill would repeal the provisions in Part VII of the Universities Act, 2012, relating to the Universities Fund and the financing of universities, without establishing a clear and equivalent mechanism for providing public universities with funding from the National Exchequer. The relevant provisions of the existing Act include the following:

Part VII – THE UNIVERSITIES FUND

53. Establishment of Fund

(1) There shall be established a Fund to be known as the Universities Fund.

(2) The object and purpose of the Fund shall be to ***provide funds for financing universities****.*

(3) ***There shall be paid into the Fund—(a)monies provided by Parliament****;*

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54. Board of Trustees

(4)The function of the Trustees shall be to generally manage the University Fund established under section 53, and more particularly to—

(b)in consultation with the Cabinet Secretary, develop a transparent and fair criteria for allocation of funds to public universities and issue conditional grants to private universities;

(c)apportion funds to public universities and issuance of conditional grants to private universities in accordance with criteria established;

(d)in consultation with the Chairpersons of Councils of public universities, propose and establish for approval by the Cabinet Secretary and the Auditor-General ***the maximum differentiated unit cost*** *for the programmes offered;*

26. The Unions therefore propose that the Bill should retain, or replace with an equally clear and effective statutory framework, the principle of predictable parliamentary funding for public universities. The repeal of the existing framework should not create a funding vacuum or weaken the accountability of the Government for financing public institutions.

Public university staff remuneration and Article 260 of the Constitution

27. Article 260 of the Constitution defines "public office" to include an office in the national government, county government or public service where the remuneration and benefits of the office are payable directly from the Consolidated Fund or directly out of money provided by Parliament. This constitutional definition underscores the importance of clarity on the source of public-sector remuneration and the legal framework governing the funding of public institutions.

28. The Unions therefore recommend an express legislative safeguard maintaining parliamentary and National Exchequer funding for the remuneration and employment obligations of staff in public universities. The proposed financing framework should not leave this fundamental question to be resolved through constitutional interpretation after a dispute has arisen. The statute should clearly identify the Government's responsibility, provide for adequate and timely budgetary provision, and distinguish student support from institutional financing.

5. STATUS OF THE STRIKE AND ENGAGEMENT WITH THE INTER-MINISTERIAL COMMITTEE

29. The nationwide strike that commenced on 2 October 2026 was called off on 30 October 2026 following the conclusion of the RTWF under the auspices of the inter-ministerial committee. The Unions acted in good faith and took into account the interests of students and the need to restore normal operations in public universities. The RTWF is an important step towards resolving the dispute; however, it does not, by itself, conclude the outstanding CBAs or settle the question of funding employees of public universities from the National Exchequer.

6. PROPOSALS FOR RESOLVING THE DISPUTE AND SAFEGUARDING PUBLIC UNIVERSITY FINANCING

30. Despite the RTWF signed on 30 October 2026, the two central issues raised in this Petition remain to be fully resolved:
    (a) The conclusion, signing, registration and full implementation of the 2025–2029 CBAs, in accordance with the RTWF and within the agreed timelines.

    (b) A clear, binding and sustainable legislative and budgetary commitment that the salaries and other employment obligations of staff in public universities will be funded through the National Exchequer and supported by parliamentary appropriations.

31. The Unions therefore respectfully urge the National Assembly to take the following measures:
    (i) Parliament should exercise its budgetary and oversight mandates to facilitate the provision of adequate financial resources and the necessary budgetary appropriations to fund all the tranches and implementation phases agreed upon in the RTWF of 30 October 2026. In particular, the first tranche of KSh 6.7 billion should be provided for through Supplementary Estimates No. 1 for the Financial Year 2026/2027.

    (ii) Parliament should secure a clear and binding commitment from the Ministry of Education and the National Treasury that salaries and all other employment obligations of employees of public universities will be funded through the National Exchequer, in accordance with the Constitution. Such obligations should not be made contingent upon student fees, enrolment levels, student loans, scholarship flows or other market-based financing arrangements.

    (iii) Parliament should ensure that the funding framework governing public universities is founded on a clear and lawful statutory basis, consistent with the Constitution, applicable legislation, parliamentary appropriation processes and the principles of public financial accountability. Any regulations, statutory instruments or administrative arrangements governing such funding should be consistent with the law and should not undermine the Government's funding obligations.

(iv) Parliament should ensure the Tertiary Education, Placement and Funding Bill, 2026, expressly safeguard the remuneration and other employment obligations of staff in public universities through adequate, predictable and timely funding from the National Exchequer. The proposed legislative amendments to the Bill are set out in the annexure to the Unions' submissions to the National Assembly Departmental Committee on Education dated Wednesday, 28 October 2026 [**ANNEXURE 4**].

In **particular, the following clauses should be inserted in the Bill:**

(a) New clause – Protection of remuneration of staff of public universities

INSERT the following new clause immediately after the clause dealing with the objects and principles of the Act (section 3):

"Protection of remuneration of staff of public universities
(1) Nothing in this Act shall transfer to the Authority responsibility for financing the salaries, allowances, pensions, gratuities or other employment emoluments of staff employed by public universities.
(2) The remuneration and employment emoluments of staff of public universities, including obligations arising from duly negotiated and applicable collective bargaining agreements, shall be financed from monies appropriated by Parliament through the National Exchequer and shall not be made contingent upon student fees, student loan repayments, scholarship disbursements, investment income, commercial borrowing, private capital or other market-based sources."

(3) The Cabinet Secretary responsible for education and the Cabinet Secretary responsible for the National Treasury shall ensure that adequate and timely budgetary provision is made for the remuneration and employment benefits referred to in subsection (2).
(4) Nothing in this section shall prevent a public university from receiving funding from other lawful sources."

(b) New clause – Institutional financing of public universities

INSERT a separate institutional financing provision after section 3:

"Institutional financing of public universities
(1) The Government shall provide predictable, adequate and timely financing for the recurrent and development functions of public universities.
(2) Such financing shall include personnel emoluments, teaching and learning, research, clinical services, clinical and practical training, libraries, laboratories, information and communications technology, maintenance and such other functions as may be prescribed by law.
(3) The financing of students under this Act shall not constitute a substitute for the institutional financing of public universities."

(v) Parliament should exercise its oversight mandate and require the relevant Government institutions to establish, verify and reconcile the reported outstanding funding obligations of approximately KSh 100 Billion. The responsible institutions should then publish a transparent, time-bound plan for settling all confirmed funding shortfalls and outstanding obligations owed to public universities.

(vi) The Bill should contain clear transitional and savings provisions to protect public universities, students and employees from the loss or interruption of accrued rights, valid obligations and funding commitments, and to ensure that financially strained public universities do not bear the costs of the institutional transition. The Unions propose the following clauses:

(a) "Upon commencement of this Act, the TEFA and the Ministry responsible for education, as the case may be, shall assume and ensure the continuity of all applicable rights, obligations, contracts, records and liabilities of the predecessor entities, including pending student loan and scholarship remittances to public universities from HELB and the Universities Fund, respectively. No transfer, restructuring or succession shall extinguish, reduce or otherwise prejudice any accrued right, valid contract, student-loan or scholarship commitment, or institutional funding obligation."

(b) "Before commencement of this Act, the Cabinet Secretary shall table before Parliament a five-year fiscal and institutional impact statement, together with a comprehensive transition plan on the debts owed to public universities, identifying the assets, liabilities, contractual obligations and setting out how those obligations will be funded and discharged."

(vii) Parliament should exercise its oversight mandate to facilitate the prompt conclusion of negotiations on the 2025–2029 CBAs.

32. CONCLUSION

The issues before this Committee go beyond the conclusion of a single round of collective bargaining.

They concern the constitutional and statutory responsibility of the Government to provide adequate and predictable financing for public universities, the protection of the labour rights and legitimate employment entitlements of university staff, and the future sustainability of public higher education in Kenya.

Public universities cannot be expected to deliver quality teaching, research, innovation, community service and other national functions while operating under an inadequate funding framework. Nor should the payment of employees' salaries and the implementation of duly negotiated CBAs depend on student numbers, fee collections, student-loans or other market-based sources.

The Unions acknowledge the progress represented by the RTWF of 30 October 2026 and remain committed to constructive engagement and the conclusion of the outstanding negotiations. That agreement should, however, be honoured in full. The agreed KSh 20 billion must be released in accordance with the stipulated tranches, the outstanding CBA items must be concluded within the agreed timelines, be signed, registered and implemented.

Parliament's legislative, budgetary and oversight roles are decisive on the proposals the Unions have set forth.

The Unions urge the Committee to recommend that Parliament:

(a) appropriate and release the funds committed under the RTWF on time;
(b) secure a binding commitment from the Ministry of Education and the National Treasury to fund university staff remuneration and employment obligations from the National Exchequer;

(c) amend the Tertiary Education, Placement and Funding Bill, 2026, to distinguish student from institutional financing and preserve funding of the salaries from the National Exchequer; and

(d) verify and settle all confirmed outstanding Government obligations owed to public universities.

Finally, the Unions would like to again to appreciate the opportunity granted by the National Assembly to provide the perspective of employees of the public universities on the Petition.

Thank you,

DATED AT NAIROBI THIS 2ND DAY OF NOVEMBER 2026.

SIGNED BY:

FOR AND ON BEHALF OF THE UNIVERSITIES' ACADEMIC STAFF UNION (UASU)

Dr. Constantine Wasonga Opiyo, PhD
National Secretary General, UASU

FOR AND ON BEHALF OF THE KENYA UNIVERSITIES STAFF UNION (KUSU)

Dr. Charles Mukhwaya,
National Secretary General, KUSU

FOR AND ON BEHALF OF THE KENYA UNION OF DOMESTIC, HOTELS, EDUCATIONAL INSTITUTIONS, HOSPITALS AND ALLIED WORKERS (KUDHEIHA)

Bro. Odoyo Genga,
National Trustee, KUDHEIHA Workers

Salaries & Remuneration Commission

Rewarding productivity

Ref. No. SRC/TS/10 Vol. VIII (16)

18th September, 2026

Prof. Fred Simiyu Barasa, PhD.
Chairman, IPUCCF Joint Negotiations Committee and
Vice-Chancellor, Taita Taveta University
P O Box 635 - 80300
VOI, KENYA

Dear Prof. Barasa,

APPEAL FOR THE REVIEW OF THE ADVICE TO THE INTER-PUBLIC UNIVERSITIES COUNCILS' CONSULTATIVE FORUM (IPUCCF) OF THE FEDERATION OF KENYA EMPLOYERS (FKE) REGARDING THE 2025- 2029 COLLECTIVE BARGAINING AGREEMENTS (CBAs) PROPOSALS FOR PUBLIC UNIVERSITIES

Reference is made to your letter Ref. No. TTU/Adm/JNC/9B (003) dated 18th November, 2025 on the above subject matter. Further reference is made to a letter from the Principal Secretary, State Department of Higher Education Ref. No. MOE/SDHER/CON/2/1 dated 5th August, 2026.

The Salaries and Remuneration Commission (SRC) deliberated on your request during its 729th meeting held on 17th September, 2026 taking into account the principles set out under Article 230 (5) of the Constitution, SRC Regulations, 2026 and existing government policies and guidelines. The Commission noted that funds for implementation of the proposed CBAs for Public Universities for 2025-2029 cycle will be provided by the National Treasury through the student-centred University funding model (SCFM) for Public Universities during the CBA period. Consequently, individual public universities are expected to receive funding based on the students admitted and the programmes offered under the SCFM.

To enable the Commission to determine affordability and fiscal sustainability of the proposals by the Inter Public Universities Council Consultative Forum, the Commission requests all Vice Chancelors of Public Universities to confirm funds available for implementation of the CBAs for 2025-2029.

The purpose of this letter therefore, is to request for the above information to enable the Commission to provide advice on the matter.

The Commission appreciates your continued cooperation and support as we discharge our respective mandates.

Yours

CHRP Ali Abdullahi Surraw
COMMISSION SECRETARY / CEO

Copy to: **Dr. Beatrice M. Inyagala, PhD, CBS**
Principal Secretary
State Department for Higher Education
NAIROBI.

All Vice Chancellors

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OFFICE OF THE VICE-CHANCELLOR

DATE: 23rd September, 2026

OUR REF: VCs-SEC/VCs/ VOL. VI

YOUR REF: SRC/TS/10 Vol. VIII (16)

"ADVANCE COPY *VIA* EMAIL"

CHRP Ali Abdullahi Surraw,
The Commission Secretary/Chief Executive Officer,
Salaries and Remuneration Commission,
Williamson House, 6th Floor,
4th Ngong Avenue,
P.O. Box 43126-00100,
NAIROBI.

RE: APPEAL FOR THE REVIEW OF THE ADVICE TO THE INTER-PUBLIC UNIVERSITIES COUNCILS' CONSULTATIVE FORUM (IPUCCF) OF THE FEDERATION OF KENYA EMPLOYERS (FKE) REGARDING THE 2025-2029 COLLECTIVE BARGAINING AGREEMENTS (CBAs) PROPOSALS FOR PUBLIC UNIVERSITIES

We make reference to the above-captioned matter and to your letter dated 18th September, 2026 requesting Vice-Chancellors and Principals of Public Universities to confirm the funds available for implementation of the proposed 2025-2029 Collective Bargaining Agreements (CBAs).

Consequently, the matter was considered collectively by the Vice-Chancellors' Committee at a Special Meeting held on 22nd September, 2026. The Vice-Chancellors' Committee noted that since the introduction of the Student-Centred University Funding Model (SCFM) the Government has not fully remitted the funding due to Public Universities with the outstanding amount presently standing at over KES 100 billion. As a result, Public Universities continue to experience severe financial constraints in meeting their existing academic, personnel and operational obligations.

In light of the existing funding shortfall, requiring Public Universities to absorb the additional financial burden arising from the 2025-2029 CBAs from their current SCFM allocations would further strain institutions already grappling with serious financial challenges. Thus, the Vice-Chancellors and Principals request that the additional financial requirement arising from the 2025-2029 CBAs be fully funded by the National Treasury & Economic Planning with the requisite resources specifically provided for implementation.

We trust that the foregoing position will inform SRC's consideration of the affordability and fiscal sustainability of the proposed 2025-2029 CBAs for Public Universities and Constituent University Colleges.

Thank you.

Prof. Daniel Mugendi, EBS,
Secretary, IPUCCF of FKE,
Chairperson, Vice-Chancellors' Committee of Public Universities, and
Vice-Chancellor, University of Embu,
EMBU.

Copy to: **Mr. Julius Migos Ogamba, EBS,**
Cabinet Secretary,
Ministry of Education,
NAIROBI.

Dr. Beatrice Muganda Inyangala, PhD., CBS,
The Principal Secretary,
State Department for Higher Education,
Ministry of Education,
NAIROBI.

Prof. Bosire Mwebi, Chairperson, IPUCCF of FKE

Vice-Chancellors of Public Universities

Principals of Constituent University Colleges

ISO / IEC 27001 : 2013 Certified *Knowledge Transforms* ISO 9001 : 2015 Certified

RETURN TO WORK FORMULA

BETWEEN

INTER-PUBLIC UNIVERSITIES COUNCILS' CONSULTATIVE FORUM (IPUCCF)

OF

THE FEDERATION OF KENYA EMPLOYERS (FKE)

AND

UNIVERSITIES' ACADEMIC STAFF UNION (UASU)

30TH OCTOBER 2026

This agreement between the **Inter-Public Universities Councils' Consultative Forum (IPUCCF)** of the **Federation of Kenya Employers (FKE),** the "Employer" of the one part and the **Universities' Academic Staff Union (UASU)** and its chapters, duly registered as a Trade Union under the *Labour Relations Act, 2007*, Laws of Kenya, of the other part, witnesses as follows:

WHEREAS:

1. The Members of UASU withheld their labour in an industrial action across Public Universities and Constituent University Colleges that commenced on 2nd October, 2026 citing the following **three (3) main** issues in their Strike Notice dated 24th September, 2026:
   i. Failure to Negotiate, Conclude, Register and Implement the 2025-2029 National Collective Bargaining Agreement as per the law and the Recognition Agreement Executed on 28th October 2019 between UASU and the Inter-Public Universities' Councils Consultative Forum (IPUCCF);
   ii. Failure by the Ministry of Education and the National Treasury to commit to fund the 2025-2029 CBA;
   iii. Failure to incorporate the agreed and negotiated clauses/items between IPUCCF and UASU in the Generic Human Resource Instruments for Public Universities and Public University Constituent Colleges before submission of the final documents to Public Service Commission for approval.

2. Both parties recognize the importance of resolving the current dispute amicably to restore normal operations in Public Universities and Constituent University Colleges, protect the academic calendar, and uphold the welfare of academic staff in Public Universities and Constituent University Colleges:

3. Whereas, a conciliation meeting convened by the Ministry of Labour and Social Protection on 30th October, 2026 with the participation of the Ministry of Education, IPUCCF and the three (3) Trade Unions *viz.* UASU, KUSU and KUDHEIHA Workers resolved the issues in dispute;

4. Now therefore, through mutual understanding and goodwill the parties agree to enter into this Return to Work Formula to restore normalcy in all Public Universities and Constituent University Colleges while addressing the issues raised by UASU in good faith.

TERMS OF THE AGREEMENT

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. The Union shall immediately call off the industrial action upon the execution of this Agreement.

2. This Agreement shall be deposited and adopted in the Employment and Labour Relations Court as part of the consent agreement, in full and final settlement of all pending applications in *Cause No. ELRCC E1149 of 2026: IPUCCF vs UASU, Ministry of Education and 6 Others.* The Parties further agree that all such applications shall be deemed settled upon adoption of the consent, with each party bearing its own costs.

3. UASU unionisable employees in Public Universities and the Constituent University Colleges shall not be victimized for withdrawing their labour by participating in the industrial action neither shall there be losses of jobs nor loss of benefits. For avoidance of doubt staff whose contracts were terminated on account of withdrawing labour shall be unconditionally reinstated.

4. For employees on contract or whose contracts were not renewed during the pendency of the strike, the renewal of their contracts shall not be prejudiced by their participation in the industrial action.

5. Further, UASU unionisable employees in Public Universities and the Constituent Colleges shall not suffer any loss of earnings or benefits over the stoppage of work during the period of industrial action. No employee shall lose any benefit, earning or otherwise any entitlement as a result of participation in the industrial action:

i. Any withheld salaries, earnings, accrued benefits, entitlements and Union dues for the months of September, 2026 and October, 2026 shall be made; and,
ii. For the avoidance of doubt, all staff including those on contract, shall receive their full pay and benefits, and any engagement of external staff during the industrial action shall not in any way affect the earnings or entitlements of existing staff.

6. The University Management of Public Universities and their Constituent Colleges shall unconditionally withdraw all disciplinary actions initiated against UASU unionisable employees and its officials during the pendency of the industrial action.

i. Any disciplinary action commenced during the pendency of the industrial action shall be deemed withdrawn;
ii. For the avoidance of doubt, all disciplinary or intended disciplinary actions, including but not limited to show cause letters, warning letters, lockouts, interdictions, suspensions or dismissals issued during the pendency of the strike are hereby withdrawn unconditionally and revoked with immediate effect; and expunged from the records of the affected employees;
iii. In the spirit of reconciliation and restoration of industrial harmony, the resolutions arising from the IPUCCF meeting held on 6th October, 2026 at the Confucius Institute, University of Nairobi under the heading "Resolutions and Way Forward on Agenda Item No. 8: The 2025-2029 Collective Bargaining Agreements (CBAs)" and communicated to Public Universities by the Chairperson, IPUCCF in a letter dated 7th October, 2026 shall not be implemented, applied, enforced or otherwise given effect, either in whole or in part;
iv. All letters of commitment to resume work signed by employees during the strike shall be expunged from the records.

v. Employees shall resume their previous roles with full retention of seniority, benefits, salary scales and accrued rights without penalties; and

vi. All complaints reported during the pendency of the strike related to the industrial action herein are deemed resolved.

7. The UASU unionisable employees shall commit to work with University Management of Public Universities and the Constituent Colleges on a practical programme to ensure the Public Universities recover the teaching time lost during the industrial action. In computing time lost, the full duration of the industrial action (4 weeks) where applicable shall be factored in to safeguard and maintain the quality of university education.

SETTLEMENT OF OUTSTANDING ISSUES

8. The Ministry of Education and the National Treasury commits to Fund the 2025-2029 CBA as follows:

i. The parties acknowledge that the Government has provided KES 20 Billion for funding of the 2025-2029 CBAs;

ii. The KES 20 Billion to fund the 2025-2029 CBA will be released as follows:
   a. First tranche of KES 6.7 Billion in the Financial Year 2026/2027:
   b. Second tranche of KES 6.7 Billion in the Financial Year 2027/2028: and
   c. Third and final tranche of KES 6.6 Billion in the Financial Year 2028/2029.

iii. The first Tranche of KES 6.7 Billion will be funded through Supplementary Estimates Number 1 of Financial Year 2026/2027 Budget.

9. Parties to negotiate the incorporation of clauses in the Generic Human Resource Instruments for Public Universities and Public University Constituent Colleges.

10. THE 2025-2029 COLLECTIVE BARGAINING AGREEMENT

A. Financial Items:

a. The parties agree that Basic Salary marked as **Schedule I** of this Return to Work Formula shall be paid in accordance with the Schedule I hereof. The monthly basic salary shall be payable with effect from 1st July, 2025;

b. Further, to the foregoing, the monthly Basic Salary is increased by three-point five percent (3.5%) every year for four (4) years with effect from 1st July, 2025;

c. The accrued arrears of Basic Salary and Allowances for the period between 1st July, 2025 to 30th June, 2026 shall be paid in three (3) equal instalments;

d. The accrued arrears of 1st July, 2026 to 31st December, 2026 shall be paid together with the January, 2027 salaries;

e. The Automatic Annual Increment shall be five percent (5%);

f. The Commuter Allowance will be KES 18000.00 per month for all cadres; and

g. Commuter Allowance, Book & ICT Allowance, Professorial Allowance, Passage and Baggage and Leave Allowance, all marked as **Schedule II** of this Return to Work Formula, shall be paid in accordance with Schedule II hereof.

Transition:

i. Universities which are paying higher rates than the ones contained in this Agreement shall retain those rates until the next review;
ii. The Universities that are paying Commuter Allowance less than the rates in this Agreement shall pay progressively within three (3) years;
iii. The implementation date for this Agreement is on or before 31st January, 2027;

B. **Government Car Loan and Mortgage Scheme**

The Government shall on or before 31st December, 2026 cause the Rules governing the onboarding and participation of staff members of Public Universities and Public University Constituent Colleges into the Government Car Loan and Mortgage Scheme to be finalised and published in the Kenya Gazette.

C. **Pending Items for the 2025-2029 CBA**

i. The pending items for negotiations will be completed by 28th February, 2027; and
ii. The negotiations will be chaired by the Labour Commissioner assisted by the Chief Industrial Relations Officer.

11. **National Implementation Committee and the Local Implementation Committees**

i. The National Implementation Committee shall oversee the distribution of the funds and implementation of this Agreement.
ii. The Local Implementation Committees shall monitor the implementation of this Agreement in their respective Universities.

12. Pending Union Dues and/or Agency fees shall be recovered directly at the rate of 2% from the arrears under this Return to Work Formula.

13. This Agreement shall be binding on all Public Universities and the Constituent Colleges under IPUCCF as well as on UASU and its Chapters and shall take effect immediately upon signing.

SIGNED IN NAIROBI THIS 30TH DAY OF OCTOBER 2026

SIGNED FOR AND ON BEHALF OF THE MINISTRY OF EDUCATION:

Dr. Beatrice Muganda Inyangala, PhD., CBS, The Principal Secretary, State Department for Higher Education

SIGNED FOR AND ON BEHALF OF IPUCCF:

Prof. Bosire Mwebi, PhD, Chairperson of University of Kabianga and Chairperson of IPUCCF

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

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

FOR AND ON BEHALF OF THE UASU:

Nyongesa 30/10/2026

Ms. Grace Nyongesa, Chairperson

Dr. Constantine Wasonga, PhD, Secretary General

WITNESSED BY:

1. NAME Dr. JANE MICHAEL

DESIGNATION UASU NATIONAL TRUSTEE

SIGNATURE Michael 30/10/2026

Return To Work Formula 30th October, 2026

J.M

Rep Joseph O. Oddiwo National Trustee.

2. NAME Dr Florence Konjiri Quantai

DESIGNATION National Trustee

SIGNATURE

3. _____

Ms. Millicent Muli, Chief Industrial Relations Officer, Ministry of Labour & Social Protection

PUBLIC UNIVERSITIES
UASU

2025-2029 CBA BASIC SALARY TABLES

	NOTCH	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029
		Basic Salary (Kshs)	Basic Salary (Kshs)	Basic Salary (Kshs)	Basic Salary (Kshs)	Basic Salary (Kshs)
Grade 15A	1	224,631	232,494	240,632	249,055	257,772
	2	233,616	244,119	252,664	261,508	270,661
	3	242,962	256,325	265,297	274,583	284,194
	4	252,680	269,142	278,562	288,312	298,403
	5	262,789	282,599	292,490	302,728	313,324
	6	273,301	296,730	307,116	317,866	328,992
	7	284,233	311,567	322,472	333,759	345,441
	8	295,604	327,145	338,596	350,447	362,713
	9	307,428	343,504	355,527	367,971	380,850
	10	319,725	360,679	373,303	386,369	399,892
	11	332,515	378,714	391,969	405,688	419,888
	12	345,816	397,651	411,569	425,974	440,884
Grade 14A	1	193,182	199,944	206,943	214,187	221,684
	2	200,911	209,942	217,290	224,896	232,768
	3	208,947	220,440	228,156	236,142	244,407
	4	217,306	231,463	239,565	247,950	256,629
	5	226,000	243,036	251,543	260,348	269,461
	6	235,040	255,188	264,120	273,365	282,933
	7	244,442	267,948	277,327	287,034	297,081
	8	254,220	281,346	291,194	301,386	311,935
	9	264,389	295,413	305,753	316,455	327,531
	10	274,965	310,185	321,042	332,279	343,909
	11	285,965	325,694	337,094	348,893	361,105
	12	297,403	341,979	353,949	366,338	379,160

PUBLIC UNIVERSITIES
UASU

2025-2029 CBA BASIC SALARY TABLES

	NOTCH	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029
		Basic Salary (Kshs)	Basic Salary (Kshs)	Basic Salary (Kshs)	Basic Salary (Kshs)	Basic Salary (Kshs)
Grade 13A	1	154,739	160,155	165,761	171,563	177,568
	2	160,929	168,163	174,049	180,141	186,446
	3	167,367	176,571	182,751	189,148	195,769
	4	174,063	185,400	191,889	198,606	205,558
	5	181,025	194,671	201,485	208,537	215,836
	6	188,267	204,405	211,560	218,965	226,629
	7	195,798	214,625	222,137	229,912	237,959
	8	203,631	225,357	233,245	241,409	249,859
	9	211,776	236,625	244,907	253,479	262,351
	10	220,247	248,457	257,153	266,154	275,470
	11	229,057	260,881	270,012	279,463	289,245
	12	238,221	273,925	283,513	293,436	303,707
Grade 12A	1	121,928	126,196	130,613	135,185	139,917
	2	126,805	132,506	137,144	141,945	146,914
	3	131,877	139,132	144,002	149,043	154,260
	4	137,154	146,090	151,204	156,497	161,975
	5	142,640	153,395	158,764	164,321	170,073
	6	148,347	161,065	166,703	172,538	178,577
	7	154,281	169,118	175,038	181,165	187,506
	8	160,453	177,574	183,790	190,223	196,881
	9	166,872	186,454	192,980	199,735	206,726
	10	173,548	195,777	202,630	209,723	217,064
	11	180,490	205,566	212,761	220,208	227,916
	12	187,710	215,845	223,400	231,219	239,312

PUBLIC UNIVERSITIES
UASU
2025-2029 CBA BASIC SALARY TABLES

	NOTCH	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029
		Basic Salary (Kshs)	Basic Salary (Kshs)	Basic Salary (Kshs)	Basic Salary (Kshs)	Basic Salary (Kshs)
Grade 11A	1	107,872	111,648	115,556	119,601	123,788
	2	112,187	117,231	121,335	125,582	129,978
	3	116,675	123,093	127,402	131,862	136,478
	4	121,344	129,248	133,772	138,455	143,301
	5	126,198	135,711	140,461	145,378	150,467
	6	131,246	142,497	147,485	152,647	157,990
	7	136,496	149,622	154,859	160,280	165,890
	8	141,956	157,104	162,603	168,295	174,186
	9	147,636	164,960	170,734	176,710	182,895
	10	153,542	173,209	179,272	185,547	192,042
	11	159,683	181,870	188,236	194,825	201,644
	12	166,072	190,963	197,647	204,565	211,725
Grade 10A	1	63,647	65,875	68,181	70,568	73,038
	2	66,194	69,170	71,591	74,097	76,691
	3	68,843	72,629	75,172	77,804	80,528
	4	71,596	76,260	78,930	81,693	84,553
	5	74,460	80,074	82,877	85,778	88,781
	6	77,439	84,079	87,022	90,068	93,221
	7	80,538	88,283	91,373	94,572	97,883
	8	83,759	92,697	95,942	99,300	102,776
	9	87,110	97,333	100,740	104,266	107,916
	10	90,594	102,201	105,779	109,482	113,314
	11	94,218	107,311	111,067	114,955	118,979
	12	97,988	112,678	116,622	120,704	124,929

Schedule II

PUBLIC UNIVERSITIES
UASU
Revised allowances rates

1) Basic Salary

Basic Salary		%
All Grades	CBA Adjustment per year	3.50%
All Grades	Annual automatic adjustment	5.00%

2) HOUSE TO OFFICE (COMMUTER)

Grade		Kshs
Grade 10A – Grade 15A	With Car	18,000
	Without Car	18,000

3) ANNUAL LEAVE AND BOOK ALLOWANCES

Grade	ANNUAL LEAVE	BOOK & ICT
	Ksh	Ksh
Grade 15A	21,980	18,500
Grade 14A	21,197	17,500
Grade 13A	19,021	15,000
Grade 12A	17,570	14,000
Grade 11A	14,087	12,000
Grade 10A	8,754	10,000

PROFESSORIAL ALLOWANCE

Grade	Kshs
Grade 15A	7,500
Grade 14A	6,000