

COUNTY ASSEMBLY OF TAITA TAVETA

THIRD ASSEMBLY - THIRD SESSION

THE HANSARD

Sitting no. 060

Wednesday, August 7, 2024

The House met at 9:30 a.m. in the County Assembly Chamber

[The Acting Speaker (Hon. Anselm Mwadime) in the Chair]

PRAYER

QUORUM

The Acting Speaker: Honourable Members, pursuant to Standing Order no. 32(2), I so order the Serjeant-at-Arms to ring the Bell for five minutes.

(The Bell was rung for five minutes)

The Acting Speaker: Honourable Members, I confirm that there is Quorum to proceed with this Sitting. Clerks-at-the-Table, read the Orders of the day.

COMMUNICATIONS FROM THE CHAIR

The Acting Speaker: Honourable Members, the Chair has the following communications to make:

COMMITTAL OF QUARTERLY REPORT TO THE COMMITTEE ON AGRICULTURE

The County Assembly is in receipt of the fourth departmental quarterly report from the Department of Agriculture, Livestock, Irrigation, Cooperatives and Blue Economy for the period of April to June, 2024, which stands committed to the Committee on Agriculture, Livestock and Fisheries.

COMMITTAL OF QUARTERLY REPORT TO THE COMMITTEE ON ENVIRONMENT

The House is also in receipt of the fourth departmental quarterly report from the Department of Water, Environment, Climate Change and Natural Resources for the period of April to June 2024 which stands committed to the Committee on Environment, Natural Resources, Forestry and Mining. Thank you.

Next Order.

STATEMENT

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EQUIPPING OF STAFF AND PROVISION OF PROTECTIVE GEAR

Hon. Genard Mwandau (MCA, Werugha): Thank you, Mr. Acting Speaker, Sir. I beg to seek the following Statement:

In line with the parliamentary best practices, precedents and conventions, and pursuant to the provisions of the Third Taita Taveta County Assembly Standing Order no. 42(2)(c) relating to the Sitting's Order no. 7, Statements, a Member of the House can seek a Statement requiring availability of information, clarification or appearance on any substantive issue, circumstances, situations and matters appertaining to the attention of County Governments, the National Government, or any Public Entity where such mandates related to the management of service and leadership to the citizens and institutions, as per the Constitution of Kenya (CoK), 2010, and our current laws are concerned.

In view of the foregoing, I beg to seek a Statement regarding equipping of staff and provision of protective gear.

There have been complaints from the County Employees working within the Directorate of Environment as well as the Civil Servants Union of Taita Taveta that the said employees have been working without appropriate tools and protective gear thus exposing them to potential injuries and illnesses while they also work for more than eight hours a day and cumulatively more than 40 hours a week.

I would like the Chairperson of Environment, Natural Resources, Forestry and Mining Committee to furnish this House with the following information:

- i. The status of provision of protective gear and equipping of employees working in the directorate and the utilization of the relevant budget line.
- ii. The actual hours that the said employees work in a day and a week.
- iii. The measures taken to moderate such working hours and addressing such gaps in the provision of equipment and protective gear.

Thank you, Mr. Acting Speaker.

The Acting Speaker: The Chairperson, Committee on Environment, Natural Resources, Forestry and Mining. Yes, Honourable Minority Whip.

Hon. Newton Salim (MCA, Wumingu/Kishushe): Thank you, Mr. Acting Speaker, Sir. On behalf of my Chairperson, the Committee will, if the Statement seeker allows, need 21 days. Reason being, we have to go on site and verify the information. If we request for seven or 14 days, we will just request for information from the County Executive Committee Member (CECM) and bring it here, but if we have a maximum of 21 days, we will conduct field visits and come up with a comprehensive report.

If we seek information from the Department and compare it with what we will find out, we will have a very comprehensive report. This is a very crucial thing which concerns our people and we therefore need to do a thorough job. Thank you, Mr. Acting Speaker.

The Acting Speaker: Statement seeker.

Hon. Genard Mwandau (MCA, Werugha): Thank you, Mr. Acting Speaker, Sir. The response is sufficient.

The Acting Speaker: Honourable Members, I would like welcome to the Floor any Member who has a remark to make on the Statement sought. Let us keep in mind that we are limited to three minutes per person. Remember it is not a debate; therefore, we are just giving our remarks on that particular Statement or enhancing it. Again, cumulatively on that particular Statement, we have a limitation of 20 minutes. Hon. Anisa Mwakio.

Hon. Anisa Mwakio (MCA, Nominated): Thank you, Mr. Acting Speaker, Sir. I want to thank Hon. Genard Mwandau for seeking this Statement. It has always been my concern, how an environmental worker will start working at 4:00 in the morning and stay at work for the whole day. Who pays for the extra hours? We know how many hours every worker is supposed to work. On protective gear, we are exposing our workers to many risks. This has to be investigated and stringent measures have to be taken on the same. I support the Statement. Thank you, Mr. Acting Speaker.

The Acting Speaker: Hon. Rose Shingira.

Hon. Rose Shingira (MCA, Nominated): Thank you, Mr. Acting Speaker, Sir. I would like to congratulate the Leader of Minority for this noble idea. What he said is true. You will find that there are workers, especially those who clean our towns and markets, who do not have the protective gear like masks, gloves, gumboots and dustcoats. Whatever they are exposed to is very dangerous. You will find that people do not care; some just spit on the ground and these people will sweep or touch things without putting on any protective gear hence exposing themselves to diseases. These workers are human beings and there is a proper way to dress as they discharge these duties without fear or coercion.

You will find that they need to collect waste but since they do not have proper gear or tools to do their work, they go to the bushes to cut leaves so that they can use them for sweeping and yet this Honourable House passed a budget for that. It is high time we protect our citizens for us to get good services. Thank you, Mr. Acting Speaker.

The Acting Speaker: Yes, Hon. Stephen Nzai.

Hon. Stephen Nzai (MCA, Marungu): Thank you, Mr. Acting Speaker, Sir. First of all, I would like to congratulate Hon. Genard Mwandau for this noble idea. The staff who do these jobs are our sons and daughters who ought to be respected because they are doing a good job. As I can see, they are working without protective gears and it is a health risk. I support this idea and the Environment Department should do something because we passed the Budget and all the people working under our County Government should be taken care of and considered as Taita Taveta residents. Thank you, Mr. Acting Speaker.

The Acting Speaker: Next Statement.

Hon. Stephen Nzai (MCA, Marungu): Thank you, Mr. Acting Speaker, Sir. I was to respond on the Statement sought by Hon. Brayson Mwambi but when I look left, right and centre, I cannot see him. With your guidance can I proceed with the response?

The Acting Speaker: Just resume your seat.

Hon. Stephen Nzai (MCA, Marungu): Thank you, Mr. Acting Speaker.

(Prolonged silence)

The Acting Speaker: Honourable Members, by the virtue of the fact that the Statement seeker is not in, the response which was meant to be given to him shall not proceed under Standing Order no. 1, which provides that; in matters not expressly provided for by the Standing Orders of the County Assembly, any procedural question shall be decided by the Speaker. So, the response stands lost and the Member should not in any way seek a Statement on the same matter on the Floor of this House. We shall give further directions, because you cannot labour a Committee to provide a Statement, then when the response has been provided by the Committee, you are nowhere to be seen. That is why we have a Notice Paper. If you have realized in the Order Paper of today and yesterday, after today's Sitting business, we have a Notice Paper which alerts you of the business that is to come in the following sitting. By virtue of that, a Member is supposed to prepare accordingly to ensure that they are here on time to receive their response or move the business that is attached to their name. By so doing, we shall not be losing questions and moving things that are in the Order Paper and yet you have been given 24 hours notification through the Notice Paper for you to be present in the House. Therefore, that shall call again for the matter to be discussed in the Committee on Powers, Privileges, Immunities and Obligations for further consideration. The Chair so directs. Next Order.

ADJOURNMENT

The Acting Speaker: Honourable Members, there being no other business on the Order Paper, the Assembly stands adjourned until Wednesday, 7th August 2024 at 2:30 p.m.

(The House rose at 9:53 a.m.)