

MEMORANDUM OF AGREEMENT

BETWEEN

**INTER-PUBLIC UNIVERSITIES' COUNCILS CONSULTATIVE
FORUM (IPUCCF)**

OF

FEDERATION OF KENYA EMPLOYERS (FKE)

(Hereinafter referred to as the Forum)

OF THE FIRST PART

AND

UNIVERSITIES' ACADEMIC STAFF UNION (UASU)

(Hereinafter referred to as the Union)

OF THE SECOND PART

**IN THE MATTERS OF TERMS AND CONDITIONS OF
EMPLOYMENT OF ACADEMIC STAFF OF ALL PUBLIC
UNIVERSITIES**

PREAMBLE

WHEREAS by the terms of the Recognition Agreement signed 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 in all the Public Universities. The purpose of this Agreement is to set forth the understanding between the parties as to the terms and conditions of employment of Members' of the Union as specified herein; and, on 28th October 2019, it was agreed inter-alia, that:-

The Rates of Pay; Job Evaluation; Retirement Age; Car Loans and Mortgage Schemes; Medical Benefits; Annual Leave; Promotions; Book Allowance; Housing Allowance; Professorial Allowance; Overall Salary Structure and any other terms that may be mutually agreed by the parties shall be negotiated and agreed upon between the Forum and the Union at the national level;

AND WHEREAS the Forum and the Union having met together in a free, fair and voluntary association have successfully concluded negotiations through the Joint Negotiating Committee (JNC).

NOW THEREFORE IT IS HEREBY AGREED AS FOLLOWS

1.0 INTERPRETATION

- 1.1 The interpretation of this Agreement or any part thereof shall be vested in the Joint Negotiating Committee of the Employer and the Union, subject to the right of adjudication by the Employment and Labour Relations Court.
- 1.2 This Agreement shall apply to academic members of staff in the following Grades: Graduate Assistant/Research Assistant; Assistant Lecturer/Tutorial Fellow/Junior Research Fellow; Lecturer/Research Fellow; Senior Lecturer/Senior Research Fellow; Associate Professor and Professor.

2.0 BASIC SALARY AND SALARY STRUCTURE

The basic monthly salaries, in Kenya Shillings, shall be paid to the staff members of the Union as provided in the **SCHEDULE 1**.

Schedule 1: Basic Salary Structure for Academic Staff in Kenya CBA (2021-2025)

Grade 10A	Band	Notch	Base	Year			
			2020-2021	2021-2022 Basic Salary Phase I Kshs. p.m.)w.e.f. 1st July 2021	2022-2023 Basic Salary Phase II(Kshs. p.m.)w.e.f. 1st July 2022	2023-2024 Basic salary Phase III (Kshs.p.m.) w.e.f. 1st July 2023	2024-2025 Basic salary Phase IV (Kshs p.m.) w.e.f. 1st July 2024
Graduate Assistant/ Research Assistant	C3	1	57,729	99,650	113,103	128,372	145,702
		2	59,985	102,066	115,845	131,484	149,235
		3	62,242	104,541	118,654	134,672	152,853
		4	64,499	107,076	121,531	137,938	156,559
		5	66,755	109,672	124,478	141,282	160,355
		6	69,012	112,331	127,496	144,708	164,243
		7	71,269	115,055	130,587	148,216	168,225
		8	73,525	117,844	133,753	151,810	172,304
		9	75,782	120,702	136,996	155,491	176,482
		10	78,039	123,628	140,318	159,261	180,761
		11	80,295	126,626	143,720	163,122	185,144
		12	82,552	129,696	147,205	167,078	189,633
Grade 11A	Band	Notch	Base	Year			
Assistant Lecturer/ Tutorial Fellow/ Junior Research Fellow	C5		2020-2021	2021-2022 Basic Salary Phase I Kshs. p.m.)w.e.f. 1st July 2021	2022-2023 Basic Salary Phase II(Kshs. p.m.)w.e.f. 1st July 2022	2023-2024 Basic salary Phase III (Kshs.p.m.) w.e.f. 1st July 2023	2024-2025 Basic salary Phase IV (Kshs p.m.) w.e.f. 1st July 2024
		1	97,842	120,702	136,996	155,491	176,482
		2	101,667	123,628	140,318	159,261	180,761
		3	105,492	126,626	143,720	163,122	185,144
		4	109,317	129,696	147,205	167,078	189,633
		5	113,141	132,841	150,774	171,129	194,231
		6	116,966	136,061	154,430	175,278	198,940
		7	120,791	139,360	158,174	179,528	203,764
		8	124,616	142,739	162,009	183,881	208,704
		9	128,440	146,200	165,937	188,339	213,765
		10	132,265	149,745	169,961	192,906	218,948
		11	136,090	153,376	174,082	197,583	224,256
12	139,915	157,095	178,303	202,373	229,694		

Schedule 1: Basic Salary Structure for Academic Staff in Kenya CBA (2021/2022-2024/2025)

Grade 12A	Band	Notch	Base	Year				
Lecturer/ Research Fellow	D2		2020-2021	2021-2022 Basic Salary Phase I (Kshs.p.m.) w.e.f. 1st July 2021	2022-2023 Basic Salary PhaseII(Kshs . p.m.)w.e.f. 1st July 2022	2023-2024 Basic salary Phase III (Kshs.p.m.) w.e.f. 1st July 2023	2024-2025 Basic salary Phase IV (Kshs p.m.) w.e.f. 1st July 2024	
		1	110,591	146,200	165,937	188,339	213,765	
		2	115,115	149,745	169,961	192,906	218,948	
		3	119,639	153,376	174,082	197,583	224,256	
		4	124,163	157,095	178,303	202,373	229,694	
		5	128,688	160,904	182,626	207,280	235,263	
		6	133,212	164,805	187,054	212,306	240,967	
		7	137,736	168,801	191,589	217,454	246,810	
		8	142,260	172,894	196,235	222,726	252,794	
		9	146,784	177,086	200,993	228,126	258,924	
		10	151,308	181,380	205,866	233,658	265,202	
		11	155,833	185,777	210,857	239,323	271,632	
		12	160,357	190,282	215,970	245,126	278,218	
Grade 13A	Band	Notch	Base	Year				
Senior Lecturer/ Senior Research Fellow	D4		2020-2021	2021-2022 Basic Salary Phase I Kshs.p.m.) w.e.f. 1st July 2021	2022-2023 Basic Salary PhaseII(Kshs . p.m.)w.e.f. 1st July 2022	2023-2024 Basic salary Phase III (Kshs.p.m.) w.e.f. 1st July 2023	2024-2025 Basic salary Phase IV (Kshs p.m.) w.e.f. 1st July 2024	
		1	144,450	177,086	200,993	228,126	258,924	
		2	150,097	181,380	205,866	233,658	265,202	
		3	155,743	185,777	210,857	239,323	271,632	
		4	161,390	190,282	215,970	245,126	278,218	
		5	167,037	194,895	221,206	251,069	284,964	
		6	172,683	199,621	226,570	257,157	291,873	
		7	178,330	204,461	232,063	263,392	298,950	
		8	183,977	209,419	237,690	269,778	306,198	
		9	189,623	214,496	243,453	276,319	313,622	
		10	195,270	219,697	249,356	283,019	321,227	
		11	200,917	225,024	255,402	289,881	329,015	
		12	206,563	230,480	261,595	296,910	336,993	

Schedule 1: Basic Salary Structure for Academic Staff in Kenya CBA (2021- 2025)

Grade 14A	Band	Notch	Base	Year			
				2020-2021	2021-2022 Basic Salary Phase I (Kshs.p.m.) w.e.f. 1st July 2021	2022-2023 Basic Salary Phase II(Kshs . p.m.)w.e.f. 1st July 2022	2023-2024 Basic salary Phase III (Kshs.p.m.) w.e.f. 1st July 2023
Associate Professor	E1	1	180,337	214,496	243,453	276,319	313,622
		2	186,731	219,697	249,356	283,019	321,227
		3	193,124	225,024	255,402	289,881	329,015
		4	199,518	230,480	261,595	296,910	336,993
		5	205,912	236,068	267,937	304,109	345,164
		6	212,306	241,792	274,434	311,482	353,532
		7	218,699	247,654	281,088	319,035	362,104
		8	225,093	253,659	287,903	326,770	370,884
		9	231,487	259,810	294,884	334,693	379,877
		10	237,881	266,109	302,034	342,808	389,087
		11	244,275	272,561	309,357	351,120	398,521
		12	250,668	279,170	316,858	359,633	408,184
Grade 15A	Band	Notch	Base	Year			
Professor	E3		2020-2021	2021-2022 Basic Salary Phase I(Kshs. p.m.)w.e.f. 1st July 2021	2022-2023 Basic Salary Phase I(Kshs. p.m.)w.e.f. 1st July 2022	2023-2024 Basic salary Phase III (Kshs.p.m.) w.e.f. 1st July 2023	2024-2025 Basic salary Phase IV (Kshs p.m.) w.e.f. 1st July 2024
		1	209,694	259,810	294,884	334,693	379,877
		2	216,366	266,109	302,034	342,808	389,087
		3	223,038	272,561	309,357	351,120	398,521
		4	229,710	279,170	316,858	359,633	408,184
		5	236,382	285,939	324,540	368,353	418,081
		6	243,055	292,872	332,409	377,285	428,218
		7	249,727	299,973	340,469	386,432	438,601
		8	256,399	307,246	348,724	395,802	449,235
		9	263,071	314,696	357,179	405,399	460,127
		10	269,743	322,326	365,840	415,228	471,284
		11	276,415	330,141	374,710	425,296	482,711
12	283,087	338,146	383,795	435,608	494,415		

2.1.1 ANNUAL INCREMENT

Annual increments shall be awarded across the board for the period from 1st July 2021 upto 30th June 2025 at an average rate of 7% of Basic Salary subject to respective salary grade ceiling.

2.1.2 Incremental dates

Although incremental date for employee may fall on 1st January, 1st April, 1st July or 1st

October, that is in any of the four quarters in a year as the case may be with each quarter running on a three months's cycle starting 1st January. In this regard, incremental dates for newly appointed or promoted officers will continue being determined on quarterly basis, as follows:-

- (i) Where the anniversary of the date, which an employee is appointed or promoted falls on any date within the first half of the quarter (i.e. up to and including 15th day of the mid month) the incremental date will be the first day of the quarter.
- (ii) Where the anniversary of the date on which an employee is appointed or promoted falls on any date within the second half of the quarter, the incremental date will be the first day of the succeeding quarter.”

3.0 HOUSING ALLOWANCE

The house allowances, in Kenya Shillings, shall be paid to the staff members of the Union as provided in the **SCHEDULE 2**.

Schedule 2: Housing Allowance (KShs./Month)

Designation	Current Rate	New Rate
Professor	73,715	116,028
Associate Professor	66,344	104,426
Senior Lecturer/Senior Research Fellow	58,972	92,822
Lecturer/Research Fellow	55,286	87,020
Assistant Lecturer/Tutorial Fellow/ Junior Research Fellow	51,601	81,220
Graduate Assistant/Research Assistant	35,383	55,692

4.0 THE OTHER TERMS AND CONDITIONS OF THIS AGREEMENT

4.1.1 JOB EVALUATION

The Forum and the Union shall conduct a fully participatory and inclusive Job Evaluation exercises on a regular basis to establish the value of the jobs of all teaching members of staff and overall grading and salary structure.

In this regard we propose the following:

- (i) Move Professor from E3 to E5
- (ii) Associate Professor from E1 to E3
- (iii) Senior Lecturer from D4 to E1
- (iv) Lecturer from D2 to D4
- (v) Assistant Lecturer from C5 to D2

4.1.2 RETIREMENT AGE

- (a) The retirement age for academic members of staff in Public Universities shall be seventy-five (75) years.
- (b) An academic member of staff may retire voluntarily at the age of 50 years or above.

4.1.3 CAR LOANS AND MORTGAGE SCHEMES

Car loans shall be availed to all teaching members of staff in the Public Universities in Kenya and their Constituent Colleges at one per cent (1%) rate of interest per annum.

A mortgage facility shall be established for all teaching members of staff in the Public Universities in Kenya and their Constituent Colleges to grant housing mortgages at one per cent (1%) rate of interest per annum.

4.1.4 MEDICAL BENEFITS

- a) The employer shall establish and operate a comprehensive non-contributory in-patient and out-patient medical schemes to cover the employee, spouse(s) and up to five (5) dependent children under the age of 25 years.
- b) The employer shall bear the costs of transport and accommodation incurred by the employee and his/her dependents who have been referred for specialist treatment within the country but outside the place of work and/or normal residence
- c) Where an employee and/or his/her dependents are required to seek medical treatment abroad, such costs of travel, accommodation and treatment shall be borne by the employer
- d) The employer shall meet the full cost of medical examinations, vaccinations (routine and required), testing of eyes and supply of spectacles, dental examinations and treatment, hearing aids, and equipment (wheel chair, crutches, etc.) prescribed to the employee and his/her dependants in the course of medical treatment
- e) The employer and the union shall undertake a periodic review of the medical scheme in line with the changing socio-economic circumstances
- f) Where a medical scheme is established as envisaged in Clause 4.1.4, there shall be established a Medical Scheme Management Committee with equal representation from the union and the employer.

4.1.5 ANNUAL LEAVE

- a) All teaching members of staff shall be entitled to sixty (60) working days' annual leave with full pay
- b) Newly recruited teaching members of staff shall be granted paid annual leave on a pro-rata basis, taking into account the date of appointment
- c) Where employment of a teaching member of staff has been terminated after completion of two (2) or more months' aggregate service during any leave earning period, the teaching member of staff shall be entitled to pro-rata leave days with full pay.
- d) A teaching member of staff who is required by the employer to postpone his/her leave beyond the leave year in which it falls will be allowed to defer such leave to the following year provided that the total leave due will be taken before the end of the next leave year

4.1.6 PROMOTION

- a) Promotions shall be based on academic and professional qualifications, publications, supervision of postgraduate students, relevant experience and length of service.
- b) UASU shall be involved in the development and/or changes in the promotion criteria.
- c) An employee who meets the minimum academic and professional qualifications, and has the relevant experience shall be eligible for appointment to such grade as his/her qualifications may permit, subject to his/her not skipping a grade in between and subject to staff establishment at the department.
- d) The employer shall accord equal opportunities to all its employees regardless of race, tribe, color, creed, religion, gender or any other form all discrimination.
- e) The Promotions and Appraisals Committee's criteria shall be known to all employees and applied objectively without any favoritism.
- f) The Promotions and Appraisals Committee's timetable shall be made known to all employees and applied objectively without any favoritism. Promotion shall not be made outside the timetable.
- g) The Promotions and Appraisals Committee's timetable shall be made predictable and fixed to at least every quarter in a calendar year such that members who feel they have met the qualifications do not have to wait.
- h) A member of staff who feels dissatisfied about the decision of the promotion panel may appeal to the Chairman of Council.
- i) All internal promotions should be made public through circulars.
- J) Feedback shall be provided in writing to all Applicants within 14 days after the sitting of the Promotion Appraisal Committee.

4.1.7 BOOK AND PROFESSORIAL ALLOWANCES

Book and Professorial allowances shall be paid annually to teaching members of staff at the rates indicated in Table 3.

Table 3: Book and Professorial Allowances

Designation	Book Allowance (KSh./Month)	Professorial Allowance (KSh./Month)
Professor	85,000	50,000
Associate Professor	80,000	40,000
Senior Lecturer/Senior Research Fellow	75,000	-
Lecturer/Research Fellow	70,000	-
Assistant Lecturer/Tutorial Fellow/ Junior Research Fellow	65,000	-
Graduate Assistant/Research Assistant	60,000	-

4.1.8 LEAVE OF ABSENCE

Upon a written request, the universities shall grant leave of absence to Union officials elected to national office for the duration of their term of office. It shall also be granted to union members who are appointed to official Government of Kenya duties.

5.0 CHAPTER COLLECTIVE BARGAINING AGREEMENTS

Other terms and conditions of service currently in force as approved by the respective Councils or supplementary collective bargaining agreements shall remain unchanged until when the individual Universities' Councils and the Union conclude supplementary Collective Bargaining Agreement.

The individual Universities' Councils and the Union shall initiate and conclude structured negotiations on other Terms and Conditions of Service under the 2021-2025 Collective Bargaining Agreement on or before 30th June 2021.

6.0 IMPLEMENTATION OF THE COLLECTIVE BARGAINING AGREEMENT

a) There shall be a National Implementation Committee comprised of:-

- i) Co-Chairmen of the Joint Negotiation Committee;
- ii) Secretary General of the Universities' Academic Staff Union;
- iii) IPUCCF shall nominate three (3) people; and
- iv) Universities Academic Staff Union nominate three (3) people.

The National Implementation Committee shall monitor and evaluate the implementation and review of this Agreement in accordance with the Implementation Noted in SCHEDULE 3.

b) There shall be a Joint Implementation Committee in every University to oversee the implementation process. Every University shall designate three (3) officials to oversee the implementation process and the respective Universities Academic staff Union Chapter shall appoint three (3) officials to oversee the implementation process. The Vice Chancellor shall designate an officer at the level of Deputy Vice Chancellor to be the team leader and/or manager of the implementation process in the respective Universities.

7.0 UNION DUES/AGENCY FEE

A subscription fee of 2% of basic salary shall be charged as Union dues or Agency fee and be payable to the Official UASU designated Account in accordance to the Labour Relations Act, 2007.


8.0 EFFECTIVE DATE AND DURATION OF AGREEMENT

a) This agreement shall cover the period from 1st July 2021 upto 30th June 2025. Thereafter this Agreement shall continue to be in force until mutually amended or when the parties herein shall negotiate and bring to force another agreement.

Any party intending to amend this Agreement shall give the other party one (1) written notice and the details of the amendment required. The responding Party shall do so within thirty (30) days from the date of receipt of the notice.

In the event of it providing impossible to obtain mutual agreement on the amendments, either party may seek dispute resolution in according with the Labour Relations Act, 2007.

SIGNED FOR AND ON BEHALF OF THE UNION

Dr. Constantine Wasonga Opiyo Signature..  .Date 4th September 2020
Secretary General, Universities' Academic Staff Union (UASU)