

COUNTY GOVERNMENT OF BUSIA

CASUAL WORKERS ENGAGEMENT MANUAL

2019

1. SCOPE

This policy and procedure Manual applies to the engagement and use of all casual employees, and employees on temporary terms in the County Government of Busia

2. AIM

The policy aims to regulate the engagement of casuals and temporary staff.

3. DEFINITION OF TERMS

Casual employee means *a person the terms of whose engagements provide for his payment at the end of each day and who is not engaged for a longer period than twenty four (24) hours at a time.*”

A casual employee is an employee who:

- Is engaged to work only on an “as and when” required basis;
- Is under no obligation to accept work offered;
- Is employed for a discrete casual work engagement(s);
- has no expectation of ongoing or further casual work engagements being offered; and
- Is paid in full at the end of each completed casual work engagement.

4. ENGAGEMENT OF CASUALS

Employment and engagement of casuals shall be regulated by the County Public Service Board in accordance with Section 74 of the County Governments Act, 2012.

Hiring of casual workers will be undertaken by the Authorized Officers of the respective departments in consultation and written Authorization from the CPSB.

Casual workers shall be engaged only on short-term tasks of not more than three (3) months, as stipulated in the Employment Act, 2007.

Casual Workers shall be paid in accordance with section 17 of the Employment Act, 2007, and the minimum wage guidelines issued by the National Government through Regulation of Wages order from time to time. Due care should be taken to avoid hiring the same casual workers repeatedly to avoid breaching existing Labour Laws on the same.

Casual appointments will be done within the budgetary limits as approved for the financial year.

4.1 Procedure for Hiring Casuals

Hiring of casuals will be undertaken using the following laid down procedure:

a) Local Job Advertisements

The advertisement shall be placed on the local administrative office notice boards and shall outline the following key attributes:

- Employer
- Approximate number of hours/week to be worked
- Location
- Type of shift (day, evening, Night)
- Pay rate
- The duties of the job
- Job specifications

Note: Engagement of casuals for jobs not lasting more than a day need not be advertised however, other regulations shall apply

b) Interview and Selection

Depending on the nature of the casual engagement, applicants may be interviewed as part of the hiring procedure. Interviews and selection will be carried out in collaboration with the Department of Public Service Management. Interview questions shall be standardized for all applicants of the same job. Questions shall be based on the nature of work applied for, and previous experience shall be noted in the posting.

c) Hire of Casuals

Successful candidates will be notified in writing and will be required to sign an acceptance thereupon. (Appendix 1)

The Board will limit the employment of casuals to jobs that are temporary in nature.

d) Record Keeping

The hiring Department shall maintain an official file for casuals. A copy of engagement letter shall be submitted to the Board and Department Public Service Management for record. The files will contain;

- Job application and resume
- Interview notes
- New Hire request form
- Offer of engagement
- Notes on any performance issues
- Statutory Requirements e.g NHIF, NSSF, KRA PIN and any other
- Police clearance certificate (for casuals engaged for more than one month)
- Master roll
- Notice of Termination of Employment

e) Borrowing Privileges

All casual workers shall not be entitled to any credit facilities from the County Government.

f) Appropriate Dress Code

Appropriate Dress Code is:

- Sufficiently modest for a work set-up
- Appropriate for the task/work assigned

g) Induction

The Hiring Department in consultation with the Board shall induct the casual upon engagement

h) Placement

Casual workers will not be deployed to work in sensitive areas such as in financial management, IT, Laboratory, Procurement, e.t.c where skilled manpower is required.

5. TERMINATION OF CASUAL EMPLOYMENT

Termination of casual employment may arise in the following circumstances:

- a) Casual terminates the engagement in writing.
- b) Employer terminates the engagement in writing on grounds of misconduct.
- c) Where work is no longer available.
- d) Notice period for (a) and (b) above shall be guided by section 35 of the Employment Act, 2007

APPENDIX I: SAMPLE CASUAL ENGAGEMENT LETTER

(Letter Head)

RE: CONTRACT OF SERVICE

This casual engagement contract is entered into between (*specify*) AND;

Name: ID Number:

Address: Tel No:

Station: Date:

Age/DOB: Gender:

1. This is an offer of (*specify period*) casual engagement/contract which begins on (*specify*) and ends on or before (*Specify*).
2. You will be engaged under this contract as a (*specify*). Your duties and responsibilities will be:
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3. You will work under the supervision of (**specify supervising officer**)
4. You will be expected to work (Specify hours) a day or as instructed by your supervisor.
5. In return of satisfactory performance of the duties assigned, you shall be paid Kshs.per hour/day/month as applicable within the contractual period.
6. This contract may be terminated by either party at any time as guided by section 35 of the Employment Act, 2007
7. You shall not be entitled to any leave within the contractual period.
8. You shall not be entitled to any pension and/or gratuity under this contract.
9. Unless otherwise expressly provided for under this contract, you shall not be entitled to any other entitlements under this contract.
10. I acknowledge that this offer represents the entire agreement between me and (*state employer*) and that no verbal or written agreements, promises

or representations that are not specifically stated in this contract letter, are or will be binding upon (state employer)

Yours faithfully,

(Signed)
AUTHORISED OFFICER

ACCEPTANCE

I am in agreement with the above contract terms and conditions,

Name.....Sign.....Date.....

Witness Name.....Sign.....Date.....