



MAASAI MARA UNIVERSITY

HUMAN RESOURCE POLICY

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PART I

INTRODUCTION

1.1 Preamble

Maasai Mara University is a successor of the then Narok University College which was established as a University College of Moi University in 2008. The university is located within Narok County.

It attained full university status following the enactment of the University's Act, 2012 and the award of the charter on 12th February 2013 from which it draws its mandate. The University now operates five Schools namely: School of Science and Information Sciences, School of Education, School of Business and Economics, School of Tourism and Natural Resource Management and the School of Arts and Social Sciences

The University aspires to acquire a well-informed workforce, comprising both teaching and non-teaching staff from Grades 1-15. Thus, this policy is to provide a sound framework for human resource management in MMU based upon the requirements of the Universities Act 2012, the Constitution of Kenya 2010, the State corporations Act 446, Leadership and Integrity Act 2012, Labour Laws, the National Cohesion and Integration Act 2012, The Public Officers Ethics Act 2003, and the Persons with Disabilities Act 2003 and MMU Statutes, among others. This policy shall be the guiding instrument in all the University's operations relating to human resource management. The policy shall be reviewed from time to time.

1.2 VISION

To be a world Class University committed to Academic Excellence for Development.

1.3 MISSION

To provide quality University education through innovative teaching, research and consultancy services for development.

1.4 VALUES

The core values of MMU constitute the fundamental beliefs that drive the University. These beliefs are essential and must be upheld because they make the University visionary for the standards of behaviour that define her culture. MMU therefore upholds the following core values:

1.4.1 Teamwork

Adopt a participatory approach in discharging the mandate of the University.

1.4.2 Professionalism

Maintain high standards of professionalism in executing the mandate of the University.

1.4.3 Creativity and Innovativeness

Utilize up-to-date and most appropriate technology in achieving the University's objective.

1.4.4 Transparency and Accountability

Uphold clarity and simplicity in all endeavours of the University.

1.4.5 Excellence

Uphold the practice and orientation for excellent performance within the University.

1.4.6 Equity and Social Justice

Uphold equal treatment to all and practice fair judgment in all matters of the University.

These values will help MMU in the transformation of human conduct in governance and management practices.

1.5 Objectives of the Human Resource Policy

MMU shall endeavour to:

- a. Attract, develop, motivate and retain qualified and competent staff as per established structure
- b. Ensure human resource planning based on University functions and budgets
- c. Undertake the process of recruitment (advertisement to placement) as soon as possible, but not later than 3 months
- d. Ensure due consideration is given to regional balance, gender, disability, and the disadvantaged
- e. Prioritize training of staff to enhance competence and performance and to continue improvement of working conditions/staff welfare
- f. Ensure the safety of staff by ensuring that their workplace is safe from injury and health hazards and that staff are insured against work injuries
- g. Ensure every staff is given sufficient hearing and no disciplinary case takes more than 6 months uncompleted
- h. Develop and implement staff assessment/performance appraisal tools and ensure that staff are assessed each year and informed of their performance
- i. Guarantee fair reward for performing employees

PART II

2.0 RECRUITMENT OF STAFF

2.1 Principles

The University is committed to recruitment of high calibre of staff for successful attainment of its objectives. MMU is an equal opportunity employer with no discrimination on basis of race, gender, religion, ethnicity, language, political, nationality, disability, pregnancy or on HIV status.

MMU shall:

- a. Embrace an open and competitive approach to recruitment.
- b. Recruit the qualified candidates for jobs as advertised based on merit. The recruitment and selection process should ensure the identification of the person best suited to the job and the University.
- c. Encourage the recruitment of staff with disabilities and shall make reasonable adjustments to all stages of the recruitment process and as required in order for a successful candidate with a disability to undertake the post.
- d. Ensure that in the recruitment process a third gender rule is implemented according to the Kenya Constitution 2010.
- e. Ensure that employment represents the face of Kenya. That employment shall transcend religious affiliations.
- f. Ensure that the recruitment and selection of staff is conducted in a professional, timely and responsive manner and in compliance with current employment legislation.
- g. Provide appropriate training, development and support to those involved in recruitment and selection activities in order to meet this core principle. Recruitment and selection is a key public relations exercise and should enhance the reputation of University. Maasai Mara University shall treat all candidates fairly, equitably and efficiently, with respect and courtesy, aiming to ensure that the candidate experience is positive, irrespective of the outcome.
- h. Promote best practice in recruitment and selection. It shall continuously develop its recruitment and selection practices to allow new ideas and approaches to be incorporated.
- i. Ensure that its recruitment and selection process is cost effective.
- j. Ensure that if a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant they declare this as soon as they are aware of the individual's application and avoid any involvement in the recruitment and selection decision-making process.
- k. Ensure that all documentation relating to applicants are treated confidentially.
- l. Ensure the information provided by an individual seeking employment is authentic.

The recruitment and selection procedure shall be as provided in Schedule I of this policy.

PART III

3.0 STAFF TRAINING AND DEVELOPMENT

3.1 Introduction

MMU recognizes training and development as a key determinant in the quality of services rendered by the employees. It is anticipated that training contributes significantly to the realization of staff full potential and also enhancement of their professional development and work environment.

The purpose of the Staff Training and Development is to ensure that Maasai Mara University maximizes the benefits of its investment in training and development activities for its staff members and that, specific needs of the different areas are taken into account. The University recognizes that the work of its staff members is the key to the University's fulfilment of its mandate. Also, the ability of the University to meet its strategic objectives rests partially on the technical expertise of its staff members. The University is evolving fast and it faces new challenges every day. It is therefore of utmost importance that its staff members keep up with these developments and that staff members are trained properly to encounter those challenges. Therefore, the Registrar (ADMIN) through the Recruitment and Training (R&T) Section, having recognized the importance to provide staff members with opportunities to keep abreast with the University shifting needs and to improve the required skills to face the daily challenges, establishes a number of Training and Development Guidelines (Schedule 2). Further guidelines are provided in Schedule 2, and shall be applied together with the provisions of this Staff Training and Development Policy.

3.2 Principles of Training and Development

- a. Training for the purposes of these guidelines includes, inter alia, training courses, programmes, seminars, workshops, individual lessons, and on the job training/coaching under the guidance of a trainer /facilitator to improve the performance of individual staff members and that of the University as a whole.
- b. Training provided by resources within the institution should always be given preference before drawing on external resources.
- c. Unless circumstances require otherwise, training shall always take place in Kenya. This does not exclude the University from engaging training providers from outside the country.
- d. Supervisors shall support their staff members in participating in training whenever such training is relevant for the discharge of their duties.
- e. An employee shall seek approval through their respective supervisors to the Registrar (ADMIN) to confirm the budget and the appraisal gaps before recommending to Deputy Vice-Chancellor (AF&P) to consider recommending to the Vice-Chancellor for ultimate approval to train in an approved skill gap identified in the staff appraisal.
- f. Participation of a staff member in a training requires the staff member to sign a prescribed bonding form with the University setting forth the terms and conditions of such participation.

- g. These guidelines do not apply to training related to outside career interests or personal interests of a staff member. Such training shall be undertaken outside official working hours or during annual leave.
- h. A trained staff shall submit the evidence of training to the Registrar (ADMIN) who shall process as per the University policy on staff promotion.

3.3 The Need for Staff Training and Development

Training and Development is an important aspect of the University functions and development. Training provides staff with knowledge, skills and attitudes relevant to the needs of the University that translates into increased output. It also enhances the quality of the University human resources by keeping staff abreast with the state of the art development, and who are multi-skilled and multi-disciplinary.

The following requirements form a brief justification for staff training and development:

- a. Skills development and improved performance.
- b. Horizontal and vertical mobility.
- c. Career mobility (progression).
- d. Anticipated organizational and personal needs and growth.
- e. Teaching, research and innovation needs.
- f. Human resource capacity building.
- g. Competent policy formulations and support functions.
- h. Continuous professional development.

3.4 Goals and Objectives

This part of the policy aims at improving the productive capacity of the University human resource. It shall also enable staff members realize their full potential and enhance their professional development and work environment. The policy is therefore an integral component of MMU career development.

The specific objectives of the University staff training and development are to:

- a. Make staff aware of the operations of MMU by providing them with information about the vision, mission, history, policies, structure, rules and operational activities.
- b. Improve the performance of the University by facilitating the staff members to acquire professional and technical knowledge and/or skills and attitudes in their areas of responsibility.
- c. Assist each employee to gain competence and skills in preparation for more responsible positions.
- d. Ensure availability of sufficiently trained human resource to cope with the changing needs in society.
- e. Develop and enhance supervisory and managerial capacities through modern management training programmes to promote optimum utilization of the University human and material resources.
- f. Facilitate effective interaction, networking and communication.

- g. Develop positive attitude, commitment and retention of staff.

3.5 Training Needs Assessment

The identification of training needs shall generally be carried out in response to a felt need for improvement in the professions, technical and skilled competencies of staff. The responsibility for the identification of training needs shall be vested in the chairmen/heads of department/section in the University. Individuals may also identify the need for training. The process of training Needs Assessment shall be done annually and projection for training made. The Registrar (ADMIN) shall identify and facilitate training based on current and projected human resource needs.

3.7 Types of Training Activities

The types of training activities shall be as stated in Schedule 1 of this policy.

PART IV

4.0 STAFF CODE OF CONDUCT AND ETHICS

4.1 Introduction

The aim of the Staff Code of Conduct and Ethics is to build and maintain high levels of professional and ethical standards among all MMU staff, which shall be fundamental in strengthening loyalty, social responsibility and transparency in all activities of the University. Thus, it shall be a tool to encourage and promote a positive public image of the University.

The Code of Conduct and Ethics focuses on encouraging responsible freedom of research, teaching, and learning. MMU being a public institution shall strive to achieve good interpersonal relations amongst its staff both in their public and private lives so as not to bring ridicule and dishonour to the University. Hence, we as MMU community affirm our commitment to this Code of Conduct and Ethics to behave ourselves in ways that promote mutual trust as well as public confidence in the University. However, in complex situations where ethical principles, which may be legal or moral, and are in conflict with each other, the MMU community shall openly discuss these ethical matters and make rational choices without prejudice so that MMU shall achieve its academic and research vision.

MMU aspires to be a regional model of excellent ethical behaviour. Hence, it strategizes to achieve its vision alongside educating and producing graduates and staff of exemplary ethics, character and citizenship. Nevertheless, the regulation of the code (schedule 2) is not intended to create any new rights and obligations on the part of School faculty, administrators, and staff of the University. It does not replace the terms and conditions of service of individual members, officers and employees, but it is to be applied concurrently with the University Constitution, the Universities Act, 2012, and other relevant legislations.

4.2 Interpretation

In this code unless the context otherwise requires “The Act” means the Public Officer Ethics Act, 2003 “Committee” shall mean the “Corruption Prevention Committee” (CPC) or its sub-committee thereof “ member of staff” means an employee of Maasai Mara University. “Public Officer” means, Public Officer as defined in Section 2 of the Public Officer Ethics Act, 2003.

4.3 Application

This code applies to staff of Maasai Mara University. The requirements of the code and guidelines are stated in Schedule 3.

PART V

5.0 WORK ATTENDANCE AND LEAVE

5.1 Hours of Work

This section defines a regular work schedule for all employees. The official working week consists of five (5) working days from Monday to Friday. Heads of Department are responsible for ensuring that the regular hours of working are adhered to.

The official working hours for all employees at MMU 8.00 am to 5.00 pm, Monday to Friday, with a one (1) hour lunch break from 1.00 pm to 2.00 pm, Monday to Friday.

5.2 Variation

Individual working hours may vary according to the job function but not falling below eight (8) hours per working day. Where a specific task demands, an employee shall be called upon to work additional hours or over the weekends. In such cases, overtime payment or off duty shall be made as stipulated in the MMU Terms of Service/CBA.

An employee shall arrange to take some compensatory time off in lieu of extra time worked. However, this time off must be recommended to the Deputy Vice-Chancellor (AF&P) through the Registrar (ADMIN) in writing as forwarded by the section head and shall only be granted at the convenience of the University. Approved time off must be forwarded to the Registrar (ADMIN) for record by the HR Department.

5.3 Punctuality and Attendance

A record of attendance shall be maintained in every department. Excessive absenteeism where an employee constantly fails to report to work without permission and/or excessive lateness adversely affects productivity and over-burdens other employees who must cover for the absentee. These are grounds for disciplinary action, up to and including dismissal.

5.4 Punctuality

Being on time is important to the effective operation of the University. It is the responsibility of every employee to be at his/her place of work by the scheduled starting time. In the event that an employee is not able to be at his/her place of work on time, he/she should notify the respective supervisor in good time. Perpetual tendency of lateness without valid reasons shall result in disciplinary action.

5.5 Attendance

Occasionally, it shall be necessary for an employee to be absent from work as a result of illness, injury or personal genuine reasons and approved as leave taken. In such cases, employees are expected to give their supervisors sufficient notice before the scheduled starting time. This

notification is necessary to facilitate proper arrangements for work in the absence of the employee.

5.6 Leave

The University provides leave with full pay for all eligible employees for the purpose of rest and relaxation. It is in the interest of the physical and mental well-being of employees that they avail themselves their annual leave on a regular basis each year and not allow the annual leave to fall in arrears. MMU provides various types of leave with their stipulated regulations/procedure (Schedule 4).

PART VI

6.0 ATTACHMENT/INTERNSHIP

6.1 Purpose

The provisions in this part shall be applied together with those in the existing policy on attachments and internships. The purpose of these provisions is to establish a clear framework that guides and gives direction, on the management of all internship/attachment programs and training within the University (Schedule 5).

An attaché is a student seconded from a learning institution to acquire practical work experience in line with their field of study while an intern is a student or new graduate seconded in an organization for a short time to get practical experience for a job.

6.2 Principles of Internship

These provisions are guided by the following principles:

- a. The internship programme shall be implemented after approval by the Staff Training Committee.
- b. Heads of department shall identify strategic areas in which the internship can be implemented.
- c. All interns should upon appointment be made aware of their rights and obligations.
- d. All supervisors shall mentor interns throughout their learning period.
- e. Internship/Attachment may attract some monetary emolument to support the intern to travel to and from the station he/she is attached to, the amount to be determined from time to time.

6.3 Objectives

The objectives of MMU internship program are:

- a. To provide an opportunity for interns to use the workplace as an active learning environment;
- b. To provide opportunities for the interns with a view to acquire skills.
- c. To assist students to obtain required practical experience and to complete their qualifications.
- d. To provide MMU with an opportunity to compile a database of prospective employees for future recruitment purposes.

PART VII

7.0 ANTI-HARASSMENT GUIDELINES

7.1 Introduction

The guidelines (Schedule 6) in this part will be applied together with existing policies on sexual harassment. The University is committed to providing a work environment that is free from any form of harassment, including sexual harassment and bullying. The University finds any form of harassment totally unacceptable and recognizes the adverse effect such behaviour has both on people who work in the University as well as the clients.

All staff and other stakeholders, have a right to be treated with equal regard, dignity, concern and decency. Any action or inaction, communication or behaviour that could reasonably be interpreted as harassment or bullying is not to be tolerated. Harassment of any kind denies the worth, integrity and dignity of human beings, fails to respect human rights, and may constitute unlawful discrimination. It affects both men and women and no-one should put up with it.

The University provides impartial processes for dealing with harassment and bullying and assists in the resolution of complaints. Harassment of any kind, if proven, constitutes unacceptable behaviour. The University considers disciplinary action if a staff member is found to have engaged in harassment of any kind either against colleagues or other stakeholders.

7.2 Purpose

To assist in the resolution of any harassment or bullying complaints made by any member of the University or the stakeholders against any other member and to provide a clear policy and fair procedure that is well known and understood by staff.

7.3 Definition of Harassment

Harassment is unlawful and consists of any physical or verbal behaviour that is unwelcome, uninvited and unwarranted. It can arise from sexually oriented jokes; innuendo; unnecessary physical contact; invitations for outings with ill motives; demanding/requesting for sex; displays of offensive material, posters or graffiti; derogatory comments; and offensive messages, emails or telephone calls.

Sexual harassment is a situation that directly or indirectly subjects a person to sexual behaviour that is unwelcome or offensive to them and that, either by its nature or through repetition, has a detrimental effect on that person's ability to engage in her/his normal work activities.

Sexual harassment is most serious when it includes any of the following:

- a. An implied or expressed promise of preferential treatment for complying with a sexually oriented request;
- b. An implied or expressed threat of detriment e.g. to employment status, or the actual causing of detriment, for refusing to comply with a sexually oriented request;
- c. Actual physical sexual assault or rape.

PART VIII

8.0 SAFETY, HEALTH AND ENVIRONMENT SECURITY, GENDER AND DISABILITY

The provisions in this part shall be applied together with those in the relevant policies on safety, health, environment, security, gender mainstreaming and disability mainstreaming.

8.1 Safety, Health, Environment and Security Statement

- (1) MMU is committed to ensuring a safe and healthy working environment for staff and visitors to the University. Specifically, MMU is committed to providing and maintaining:
 - i. Control of the health and safety risks arising from work activities.
 - ii. A safe place of work with safe means of entry and exit.
 - iii. Safe plant, equipment and systems of work.
 - iv. A safe and healthy working environment.
- v. Necessary information, instruction, training and supervision to protect safety and health at work.
- (2) MMU is also committed to regular health and safety consultation with staff and their representatives and, where necessary with contractors and suppliers of equipment and services, to ensure that occupational health and safety management is of the highest standard.
- (3) The University shall strive to avail a comprehensive range of programs to staff to support their health, safety and wellbeing and the return to work of ill or injured staff, including ensuring training and instruction is provided to staff commensurate with their roles and responsibilities to enable them to comply with this policy.

8.2 Reporting Unsafe Conditions or Practices

Employees are expected to continually be on the lookout for unsafe working conditions: - practices. If you observe an unsafe condition, you should warn others, if possible, and report that condition to your supervisor immediately. If you have a question regarding the safety of your workplace and practices, ask your supervisor for clarification.

If you observe a co-worker using an unsafe practice, you are expected to mention this to the co-worker and to your supervisor. Safety at work is a team effort.

8.3 Using Safety Equipment

Where needed, Maasai Mara University provides its employees with appropriate safety equipment and devises. You are required to use the equipment/device provided in the manner designated as proper and safe by the manufacturer. Failure to properly use safety equipment may lead to disciplinary action, up to and including termination.

If you require safety equipment that has not been provided, contact your supervisor before performing the job duty for which you need the safety equipment.

8.4 Reporting an Injury

Employees are required to report an injury, accident or safety hazard immediately to their supervisor, who will in turn report to the Human Resource office immediately. The Human Resource Department will report to the insurance within 24 hours to ensure that insurance and statutory concerns are adequately complied and dealt with. Serious injuries must be reported on the prescribed injury or accident report available in the office.

In the case of an accident that results in injury, regardless of the degree of injury, employees should notify their supervisor. Failure to report an injury could affect a subsequent Workman's Injury Benefits Claim.

8.5 Smoking at the Workplace

The Maasai Mara University policy is to provide a smoke-free environment for our employees, customers and the general public. Smoking of any kind is prohibited inside the office and within work areas. Employees are also responsible to inform all those working on the job sites of this smoke-free policy and report to their supervisors any violation of this policy.

8.6 Violence and Weapons

Maasai Mara University believes in maintaining a safe and healthy workplace, in part by promoting open, friendly and supportive working relationships among all employees. Violence or threats of violence have no place in this institution.

Violence is not an effective solution to any problem. Employees are strictly prohibited from bringing any weapons, including knives, power saws, axes, and pangas or any other offensive weapons or objects to the work areas or office. Neither threats of violence nor fighting will be tolerated. You are expected to immediately report to your supervisor any violation of this policy. Any employee found threatening another employee, fighting and or carrying weapons to the office will be subject to disciplinary action, up to and including termination.

8.7 Substance Abuse

Maasai Mara University is committed to providing a safe and productive workplace for its employees. In keeping with this commitment, the following rules regarding alcohol and drug abuse have been established for all staff members, regardless of rank or position, including both regular and temporary employees. The rules apply during working hours to all employees, while they are on the institutions premises or elsewhere on our business.

- a. The manufacture, distribution, possession, purchase or sale of controlled substances of abuse on Maasai Mara University property is prohibited.

- b. Being under the influence of illegal drugs, alcohol or substances of abuse on Maasai Mara University property is prohibited.
- c. Working while under the influence of prescription drugs that impair performance is prohibited.

So that there is no question about what these rule signifies, please note the following definitions:

8.8 Drug: Any chemical substance that produces physical, mental, emotional, or behavioural change in the user.

8.9 Illegal Drugs:

- a. Any drug or derivative thereof whose use, possession, sale, transfer, attempted sale or transfer, manufacture, or storage is illegal or regulated under any laws or regulation.
- b. Any drug, including - but not limited to - a prescription drug, used for any reason other than that prescribed by a physician.
- c. Inhalants used illegally

8.10 Under the Influence: A state of not having the normal use of mental or physical faculties resulting from the voluntary introduction into the body of an alcoholic beverage, drug or substance of abuse.

Consistent with the rules listed above, any of the following actions constitutes a violation of this institutions policy on drugs and may subject an employee to disciplinary action, up to and including immediate termination.

- a. Using, selling, purchasing, transferring, manufacturing, or storing an illegal drug or attempting to or assisting another to do so, while in the course of employment.
- b. Working or reporting to work, conducting Maasai Mara University business or being on the institutions' property while under the influence of an illegal drug or alcoholic intoxicant, or in an impaired condition.

8.11 HIV / AIDS policy

The University is committed to maintaining a safe and healthy work environment for all employees. However, employees living with or affected by HIV infection and AIDS will be treated with compassion and understanding, as would employees with other disabling conditions.

Recognizing the need for all employees to be accurately informed about HIV infection and AIDS, the University will make information and educational materials and seminars available. Employees who would wish to obtain information and materials should contact the Human Resource Unit or their respective Departmental Head.

Co-workers are expected to cultivate good working relationships with any employee who has HIV infection or AIDS. Co-workers, who refuse to work with, withhold services from, harass or

otherwise discriminate against an employee with HIV infection or AIDS will be subject to the same disciplinary procedures that apply to the other policy violations.

Information about an employee's medical condition is private and must be treated in a confidential manner. In most cases, only managers directly involved in providing reasonable accommodation or arranging benefits may need to know employee's diagnosis. Others, who may acquire such information, even if obtained personally from the individual, should respect the confidentiality of the medical information.

8.12 general emergencies

Fire is an ever-present hazard, especially where electrical equipment is concerned. Familiarize yourself with the fire extinguisher locations and the buildings exits.

This information will be pointed out to you during your orientation, but it is a good practice to review this information periodically. Every employee should know where the extinguishers are located and how to operate them effectively.

8.13 Medical Test

- a. All new employees shall undergo a medical examination at the cost of the employee. The examination will be used to confirm that the employee is medically fit for the appointment offered.
- b. A good medical examination report shall not necessarily be a prerequisite for employment at MMU.

8.14 Occupational Safety

8.14.1 Objectives of Occupational Health and Safety

MMU shall be guided by the Occupational Safety and Health Act (2007). Our goal in occupational health and safety is to proactively take preventive measures to assure employees and other stakeholders of a safe and good working environment, free of accidents, injuries or ill-health as stated in Schedule 6.

PART IX

9.0 COMPLAINT AND GRIEVANCE PROCEDURES

9.1 Complaint and Grievance Procedures

It is the policy of the University that all employees have a right to raise their complaints. The University recognises the meaningful value and importance of full discussion in resolving misunderstandings and preserving good relations between management and employees. Accordingly, the following procedure aims to ensure that complaints receive full consideration. Should a condition exist that an employee feels is unsatisfactory, it is important that they bring it to the attention of the appropriate person in the proper manner (Schedule 7).

9.2 Objectives of the Provisions

The objectives of these provisions are:

- a. To produce a conducive working environment where employees realise their full potential.
- b. To ensure that an employee's performance is not hampered due to unresolved differences.
- c. To provide aggrieved employees with machinery through which their grievances are addressed.

PART X

10.0 PERSONAL RECORDS

10.1 Introduction

This part of the policy is established to protect and safeguard the privacy of employee's personal information to the fullest extent possible, consistent with service and legal practices. Further guidelines are provided in Schedule 8, and shall be applied together with the provisions of this Policy.

10.2 Registry Records

- a. The University collects, maintains and uses employee's personal information in such a manner as to ascertain its accuracy and relevancy, preserve the confidentiality of the information, serve business needs, and conform to applicable legal requirements.
- b. To preserve privacy, only those who have a legitimate "need to know" may have access to employee's information. The disclosure of such data is governed by University policy.
- c. Personal files should be reviewed to ensure that only pertinent and necessary data is kept. Personal files for each employee are retained in accordance with the established record retention schedule. The personal file should contain only documents that pertain to and are officially used to record or effect qualification for employment, promotion, compensation, termination or disciplinary action such as:
 - i. Employment applications and personal history forms.
 - ii. Curriculum vitae/resumes.
 - iii. Copies of certificates, both academic and professional.
 - iv. Copy of identity card, drivers licence and passport.
 - v. Letters of Employment, acceptance letters and testimonials/referees.
 - vi. Salary information.
 - vii. Documentation of compensation changes, employment, job titles, seniority, birth date, authorisation for pay deductions.
 - viii. Termination/separation information.
 - ix. Leave of any kind.
 - x. Attendance records.
 - xi. Fringe benefits information.
 - xii. Retirement records.
 - xiii. Performance evaluations.
 - xiv. Education information from colleges, technical schools and the University.
 - xv. Leave applications and approvals records.
 - xvi. Promotion records.
 - xvii. Disciplinary records.
- d. As far as possible, all personnel data shall be electronically stored.

PART XI

11.0 PERFORMANCE MANAGEMENT

11.1 Performance Management

A performance review is an appraisal or assessment of how an individual has performed against set objectives, goals and behaviour/skills. This part of the policy defines the University performance management system (PAS) for employees. MMU is committed to achieving its objectives in performance by ensuring a performance management system is in place to yield better results from teams and individual staff members. This shall entail setting mutually agreed targets between the supervisor and the staff, based on jointly agreed goals, standards and competencies /skills requirements. Further guidelines are provided in Schedule 9, and shall be applied together with the provisions of this Policy.

Supervisors and Managers are responsible for managing the performance of the employees. The procedure of managing performance is as follows:

At the beginning of the financial year, the Council shall give the direction to the Management. The direction will provide for the institutions corporate tasks that should be achieved at the end of the year. These will be cascaded down to the Heads of Departments, Section Heads and finally to the individual employee.

The purpose of the Performance Management is to ensure that:

- a. The work performed by employees accomplishes the objectives of the University,
- b. Employees have a clear understanding of the quality and quantity of work output expected from them,
- c. Employees receive on-going information about how effectively they are performing relative to expectation,
- d. Awards and salary increases based on employee performance distributed accordingly,
- e. Opportunities for employees development are identified and,
- f. Employee performance that does not meet expectations is addressed.

11.2 Objectives of Performance Review

The University believes that the process of employee performance management is an important way to improve the effectiveness of the organization through the best possible personnel. The Policy applies to all categories of employees.

The purpose of the appraisals and the evaluation are:

- a. To assess and evaluate employee performance and measure actual performance against the requirements of the job.
- b. To provide a two-way discussion about job performance and understanding of job requirements.
- c. To create awareness of potential and to motivate the employee to improve performance.

- d. To establish goals, timetables and mechanisms for improvement and provide feedback on progress towards achievement of goals.
- e. To candidly discuss and fairly deal with marginal and unsatisfactory performance and to establish time frames for evaluation of performance to a satisfactory level.
- f. To reward good performance.

11.3 Annual Performance Appraisal:

Employee Performance Evaluation is carried out the whole year round with emphasis on feedback as the backbone of performance improvement. However, a formal employee performance evaluation is carried out annually. The evaluation shall be documented on a standard form defined by the University.

The annual performance appraisal shall use a reporting overall performance. Prior to discussing a completed performance appraisal i.e. an appraisal containing ratings and descriptions of actual performance, with an employee, a supervisor shall review the appraisal with the next-level manager to ensure that ratings are appropriate and consistent.

11.4 Probation period:

The performance of new employees will be reviewed either after six (6) months or twelve (12) months depending on the job category. The purpose of this review will be to determine whether the employee has been able to perform his/her duties satisfactorily and whether he/she should be confirmed to employment.

11.5 Poor Performance

In case the employee's performance falls below expectations at anytime during the performance cycle, the supervisor shall document the performance deficiency and take actions, including (if appropriate) disciplinary action, to assure that performance expectations will be met within a reasonable period of time.

The supervisor shall document the performance that falls short of expectations by preparing a corrective action plan or other documentation. The document will specify:

- a) The performance problem
- b) The steps to be taken to improve performance, including timeframe for improvement
- c) The consequences of failure to improve and
- d) A follow-up date.

A corrective action plan shall be considered successfully completed only when the employee's actual performance has improved to the point where expectations are being met.

PART XII

12.0 EMPLOYEE BENEFITS

12.1 Employee Benefits

It is the policy of the University to communicate all employment matters to its employees. This includes benefits pertaining to different levels/cadres of employees. A benefit is any financial instrument that accrues to an employee by virtue of his/her employment and/or rank. This part of the policy details the benefits that exist at MMU. These benefits are:

- a. Medical benefit scheme.
- b. Allowances such as house allowance, commuter allowance, leave allowance and telephone allowance (where it applies).

Specific benefits are stipulated in individual employee's letters of appointments/contracts and in Schedule 10.

PART XIII

13.0 SEPARATION/EXIT

13.1 Separation/Exit

An employee leaving his/her employments at the University is eligible for all the benefits that should be paid to him/her. Nevertheless, there may be instances where the attitude taken by the employee in terminating shall cause the University to take action to protect its own interests. Such a case could include the employee's failure to give proper notice of leaving or taking University documents or other property when they leave. In such cases, the University may refuse to accept or pay for any notice given. However, where these conditions do not apply, the separating employee shall be eligible for all due benefits.

13.2 Provision

This provision is intended to be a guideline for management in addressing voluntary or involuntary termination of employment for all MMU employees.

13.2.1 Involuntary termination

Involuntary terminations are those initiated by the University, and include:

- a. Layoffs resulting from staff reduction (redundancy).
- b. Discharge for conduct not in the best interest of the University.
- c. Release for inability to perform duties or meet prescribed standards on the job.
- d. Absence from work for a period of more than one hundred and eighty (180) days due to an illness or inability to work as determined by a Constituted Medical Board.

Employees whose employment is terminated by the University shall be eligible for all applicable benefits.

13.2.2 Voluntary and Other Terminations

Voluntary and other terminations are those normally initiated by the employee (schedule 11) and include:

- a. Resignation.
- b. Retirement.
- c. Death.
- d. Unexcused absences those are unreported for a continuous period of 14(fourteen) Working days (desertion).

PART XIV

14.0 STAFF MEDICAL SCHEME

14.1 Medical Scheme Policy

The University shall provide all eligible employees with a medical cover as per the MMU Terms of Service and as per Schedule 13 provisions.

14.2 Eligibility

The provisions of the University medical cover policy shall apply to all employees and shall also cover:

- a. One (1) legal spouse.
- b. Children of members of staff (including legally adopted children) for whose support, in the opinion of the University Council, the member of staff is responsible, and who are wholly so supported and are (18) years old and below shall be included in the University Medical Scheme.
- c. Children in the above category over the age of eighteen (18) years but not older than twenty five (25) years who are undergoing an approved full time course of higher learning or other approved education shall be included in the medical scheme.
- d. Any other children of staff may be accepted in the scheme on payment of capitation fee on a monthly basis at the discretion of the University Management.

14.3 Ineligible Persons

The Medical Benefits Scheme shall not cover and no benefits shall be paid to:

- a. The divorced spouse of an employee.
- b. An employee who is on casual or temporary terms, his spouse or dependants.
- c. An employee or his dependants where the illness to an otherwise eligible person is caused by his own neglect, misconduct, intoxication, impropriety or where the illness is as a result of dangerous sports.

14.4 Services Provided under the Scheme

The Scheme shall provide medical attention in respect of various services which are indicated in the terms and conditions of the medical scheme and as per Schedule 12.

PART XV

15.0 MEMBERSHIP OF WORKERS UNIONS

The University Management recognizes the following workers unions:

- a. KUDHIEHA
- b. KUSU
- c. UASU

Staff are free to join their respective unions in order to articulate their grievances and negotiate with the employer on matters of mutual concern and regarding their terms and conditions of service.

Meetings of staff unions may not take place during office hours without permission from the Vice Chancellor of the University.

PART XVI

16.0 HOUSING

Where possible the University will house its employees in the various categories of University official quarters and shall be charged applicable lease rates as determined by the University and depending on the house category.

16.1 MAINTENANCE OF QUARTERS

An employee, who is allocated quarters, whether leased or owned by the University, is responsible for their maintenance in a thoroughly clean and satisfactory condition, together with all fittings, fixtures, premises and grounds generally. He/she will be held liable to make good all damage and dilapidations not due to fair wear and tear.

An employee must abide by any local by-laws which apply to the area in which he occupies official accommodation.

In all cases in which any local authority serves notice upon the occupier of University owned or leased quarters, the occupier will be required to purchase, or rent from that authority, the required number of approved refuse receptacles at his/her own expense.

Guttering and drains should be kept free from obstructions and fencing and gages maintained in good order. In the event of repairs becoming necessary, the employees should draw the attention of the University Architect to the damage at the earliest opportunity, preferably in writing. Only if immediate action is essential should notification be given by telephone, in which case it should be confirmed in writing.

Immediately an occupier observes the presence of termites or wood borer or any other dangerous or destructive vermin in his/her house or garden, he/she must inform the University Architect in writing, in order that steps for their eradication can be taken at once. It is up to the occupier to ascertain that his letter has been received in case action does not follow his complaint within a reasonable time.

Foliage such as creepers must be kept off the roof. In the case of buildings of timber construction, no wall creepers of any kind will be allowed; occupiers are not permitted to plant trees within 30 feet of any building.

16.2 ALTERATION TO PREMISES

No alterations, whether structural or ornamental, in University owned or leased quarters, premises or grounds, should be effected nor should trees or shrubs be cut down, without the prior permission in writing of the University Architect, before any such alterations are undertaken. In no case will the University refund any expenditure so incurred. Any fixtures added to the official quarters, premises or grounds, become the property of the University and occupants are not

permitted to remove such or any fixtures before or on vacating their quarters. In the case of privately owned quarters leased by the University, the Landlord's permission must first be obtained.

16.3 QUARTERS LEFT UNOCCUPIED

If quarters are for any reason unattended by the occupier, he remains personally responsible for the house, premises and grounds in the widest sense.

If his absence is to be of some length, he should inform the Estate's office but by so informing the Estate's office, the occupier does not relinquish his responsibilities in this regard.

16.4 DATE OF OCCUPATION OR VACATION OF QUARTERS

An employee who is allocated University owned or leased quarters must notify the Estates office in writing of the date of occupation as soon as possible after he/she occupies the quarters. The proposed date of vacation should be notified to the same office giving sufficient reasons to reach him/her one month before the date on which the quarters are to be vacated, for consideration.

16.5 INSPECTION OF QUARTERS

It is the responsibility of University Architect or a responsible officer appointed by him/her to undertake regular inspections of all quarters at least twice a year, and before they are about to be vacated in order to ascertain whether the property has been properly cared for by the occupier. Such inspection will take into account the condition of the quarters, bearing in mind fair wear and tear, and the condition of the grounds. If it is established that any property has been deliberately neglected or maltreated, and the occupier has neglected to take reasonable care of the quarters or grounds, he will be liable to be surcharged with the cost of putting the quarters and grounds into proper condition.

An employee who considers the condition of the quarters into which he moves unsatisfactory should arrange for the matter to be reported to the University Architect.

16.6 UTILITY CHARGES (e.g. WATER & ELECTRICITY)

An employee living in University quarters of any type is required to pay the utility charges on the quarters directly to the relevant authority or body by which it is supplied.

PART XVII

17.0 TRANSPORT

17.1 INTRODUCTION

This section deals with transport facilities available to an officer when travelling on duty. It also includes travelling privileges granted to members of the officer's family in certain circumstances and the transportation of personal effects.

When an officer is travelling on duty outside his duty station, official transport shall be availed. However, should that be deemed as inconvenient and or uneconomical, use of public transport shall be allowed, unless it is considered convenient for the officer to use his personal car with the express written approval of the VC/DVC(AF&P)/Principal/Registrar(Administration).

17.2 TRAVELLING BY PERSONAL CAR

When the transport is not available and the use of public transport is considered unsuitable when travelling on duty, an officer may seek permission from the Vice Chancellor through the Head of Department, to utilize his own car. Permission will normally be granted where the use of one's car is economical and in the interest of the service.

Where possible, officers should travel together in one motor vehicle.

17.3 TRAVELING BY AIR

When travelling on duty to another country an officer should normally travel by air. Any trips whether official or not should be referred for clearance from the office of the President through the parent ministry. Air travel on duty within Kenya shall require the prior approval by the VC/DVC(AF&P). Such approval may be given only if other modes of transport are unavailable or air travel is economical or where the saving of time is paramount.

Air booking for officers should be arranged preferably with Kenya Airways as follows;

- a) Grade 12 and above - First class.
- b) All other grades - Economy class, unless advised otherwise by the Vice Chancellor.

When it is necessary to travel by Air within Kenya to places not served by Kenya Airways, the services of private firms will be utilized.

17.4 REIMBURSEMENT OF TAXI FARE

When travelling on duty, an officer may be reimbursed the cost of taxi fares at prevailing rates from his residence to the official destination, provided that public or official university transport is not available.

An officer who makes use of his own car in the aforesaid circumstances may claim normal duty motor vehicle allowance as per approved AA mileage rates.

Claims for motor vehicle allowance or for the reimbursement of taxi fares should be certified by the claimant to the effect that no official transport was available.

17.5 BAGGAGE ALLOWANCE BY AIR ON DUTY

An officer travelling on duty by air will not normally be granted any baggage allowance in addition to the free allowance on his air ticket, unless an excess is required for official purposes in which case reimbursement for the excess baggage will be considered.

17.6 UNIVERSITY VEHICLE REGISTER

A register of all University vehicles will be maintained. The register will include the following particulars:

- a. Description of vehicle
- b. Chassis number
- c. Engine number
- d. Registration number
- e. The date the vehicle is put into service
- f. Department to which allotted
- g. The date of disposal of the vehicle
- h. Vehicle Inspection Dates
- i. Vehicle Insurance Dates

The vehicle log books will be maintained by the Transport department to provide an operating record up to the time of its disposal. Any damage or defect noticed during inspections should be recorded and reported to the Transport officer for action.

17.7 IMMOBILIZATION OF UNIVERSITY VEHICLES

Wherever official vehicles are garaged and parked the vehicles must be immobilized by removal of the switch key, where driving cabins are provided with doors with locks, the doors of the vehicles must be locked and the keys moved. University vehicles should be parked or garaged only at designated places.

17.8 DRIVERS

All personnel required to drive official vehicles must have a valid driving license. A driver may not drive a type of vehicle for which he/She is not licensed. An officer authorizing the use of a University vehicle by a driver who does not possess a valid license will be held responsible for any pecuniary loss to the University that may result.

The cost of annual driving licenses of established official drivers will be met from University funds.

In exceptional circumstances, and with the written authority of the VC, an official vehicle shall not be driven by an officer other than an established official driver. An officer who fails to produce such written authority, in addition to the driving license, will be subject to severe disciplinary action. This requirement will not, however, apply to a senior officer who is allocated a vehicle for personal use.

Drivers of the University must at all times set high standards of road safety, desist from smoking, unnecessary talking, well groomed and wear safety belts at all times. In addition, the driver must ensure the University Vehicle assigned to him/her is in good working condition and clean at all times.

17.9 THE TRANSPORT WORK TICKET

The use of a work ticket for a University vehicle is mandatory. Any driver of the University found operating without a work ticket properly authorizing the journey in question, or found deviating from the route authorized, or found carrying unauthorized passengers or goods, will be subject to disciplinary action. The instructions set out in the front cover of the book of work tickets must be made known to all drivers and other officers responsible for the management of University transport. A summary of fuel, oil, and distance travelled, will be entered, with the relative work ticket number, in the vehicle log book on completion of each such ticket, or at the end of each month should a ticket remain incomplete at the end of that month. A new work ticket must be issued at the beginning of every month.

17.10 MAXIMUM SPEEDS

Drivers of vehicles must at all times observe the statutory speed limits while not exceeding the maximum speed allotted to the class of vehicle being driven. The maximum speed allowed will be displayed on the dash board of the vehicle.

17.11 USE OF UNIVERSITY VEHICLES

University vehicles are intended for official purposes and must never be used for private purposes such as business or pleasure. It is the responsibility of the relevant Head of Department to ensure that official vehicles are properly and carefully used. An officer who makes improper use of an official vehicle will render himself/herself liable to disciplinary action. In order to prevent unauthorized use of official vehicles, all officers are duty bound to report to the appropriate authority and in detail any University vehicle which can reasonably be suspected of being in unauthorized private use.

Appropriate authority for this purpose can only be given by the VC and only on few exceptional cases.

Adequate insurance cover of the vehicle, the driver, passengers and third party liability must be taken at all times.

17.12 IGNITION KEYS

The keys of all University vehicles, with the exception of ambulances, must be handed to the Transport officer or the officer-in-charge of the vehicle, outside office hours (including the lunch period).

17.13 GOVERNMENT VEHICLE CHECK UNIT

A special unit of the Kenya Police known as the Government vehicle check unit is empowered to stop and check any University vehicle and to prefer charges (where appropriate) against the drivers. Where the charges are preferred on such checks, a report should be submitted by the driver to the Transport officer.

17.14 ACCIDENT PROCEDURE

All officers and drivers in charge of motor vehicles should acquaint themselves with provisions of the Traffic Act (cap 403) which makes it obligatory for a driver of a vehicle involved in an accident to stop and give his name and address, the name and address of the owner and the identification marks of the vehicle to any person having reasonable grounds to require these particulars.

If for any reason the driver of the other motor vehicle does not give his name and address to any such person, or if any injury has been caused, he must report the accident at the nearest police station or to a police officer on traffic duty.

In addition to any report to the police, a detailed accident report must be rendered on the day of the accident to the Transport officer, giving the following particulars;

- a. Number of the official vehicle and name of the driver.
- b. Place, time and brief circumstances of the accident.
- c. Name of any other person or persons, who have, or whose property has suffered damage, or who have caused damage to University property and the number of their vehicles.
- d. Estimate of damage suffered by (c) above or by personnel of this University or property or both.
- e. The date on which the accident was reported and the name of the police officer who took the report and the police station where it was made.

Where the University incurs expenditure, whether by reason of any third party claim or otherwise, as a result of any accident to any University Vehicle and such accident is wholly

attributable or in part to the negligence or misconduct of any employee, the latter may be required to reimburse to the University the whole or part of any such expenditure.

HUMAN RESOURCE POLICY SCHEDULES

SCHEDULE 1

RECRUITMENT OF STAFF

Sch. 1.1 Recruitment and Selection Procedure

There shall be three (3) main stages in the recruitment and selection procedure:

Sch. 1.1.1 Preparation Stage

- a) There shall be a full evaluation of the need for the role against the area's strategic plan, and Council approved staff establishment and budget.
- b) The recruitment of staff shall take into account Maasai Mara University need for new ideas, approaches and commitment to ensuring the face of Kenya is reflected and represented in her workforce.
- c) Heads of Department who wishes to request for a new position shall be expected to provide the following:-
 - i. A justification for the new position
 - ii. Detailed job description and specification
 - iii. Proposed entry level

(1) New positions must get the approval of the Planning, Establishment and Development Committee of the University. Where such posts are for senior management positions, approval shall be sought from the University Council

Sch. 1.1.1.1 FULL-TIME TEACHING STAFF

- a) The process of filling a vacancy shall be initiated by the CODs/HODs; who shall write a requisition to the HR Manager through the Dean of Faculty/ School and Deputy Vice-Chancellor (AR&SA).
- b) The HR Manager shall consult the Deputy Vice-Chancellor (AF&P) who in consultation with the Vice-Chancellor initiate recruitment process.
- c) Short listing of candidates shall be done by the Departmental Board and HR Manager.
- d) The HR Manager shall invite the shortlisted candidates for an interview.
- e) In special cases, the HOD and Dean of Faculty may head-hunt an employee to join the faculty. This shall however apply to senior teaching staff i.e. Lecturers, Senior Lecturers, Associate Professor and Professors only. Other staff may be head-hunted in highly

specialized and competitive fields. Permission must be granted by the Vice-Chancellor and such a candidate must be interviewed by a panel.

Sch. 1.1.1.2 RECRUITMENT OF NON-TEACHING STAFF

- a) All other vacancies amongst the non-teaching staff shall be reported to the HR Manager by the relevant COD/HOD or supervisor.
- b) The HR Manager shall consult the Deputy Vice-Chancellor (AF&P) who in consultation with the Vice-Chancellor shall advertise the positions.
- c) Application letters for the position shall be received by the Deputy Vice-Chancellor (AF&P).
- d) The HOD/supervisor together with the HR Manager shall conduct the short listing.
- e) The HR Manager shall invite the shortlisted candidates for an interview.
- f) The interview panel or committee shall be constituted as outlined in the University Statutes.
- g) The panel shall make a recommendation on the most qualified candidate(s) before it disbands. In case of an appointment involving an already serving MMU staff, the effective date of the promotion shall be the next day after interview while any other new appointment shall be effective the date the officer reports on duty and his/her Head of Department fills in a Staff Movement Advice form.

Sch. 1.1.2 Job Description and Person Specification Stage

- a) A job description and person specification shall be produced or updated for any vacant position(s) and approved by the Council.
 - a. Academic positions; job description and person specification shall be generated by the concerned Schools in liaison with the Deputy Vice-Chancellor Academic, Research and Student Affairs (AR&SA).
 - b. Administrative posts; job description and person specification shall be by section heads (where applicable) in liaison with the Deputy Vice-Chancellor Administration, Finance and Planning (AF&P).
- b) The person specification shall state mandatory criteria in terms of skills, aptitudes, knowledge and experience for the job, all of which shall be directly related to the job and applied equally to all applicants. Care shall be taken when writing the person specification to ensure that criteria used do not indirectly discriminate against certain groups of applicants.

Sch. 1.1.3 Advertising Stage

a) Internal Advertising:

As a minimum requirement, all positions shall be advertised within the University for Permanent Employment. The staff shall qualify to apply for the advertised position after two (2) years of service as temporary employees. The staff to be considered shall possess the requisite qualifications and experience as stipulated in the advertisement.

b) External Advertising:

In the event that the internal advertisement has not attracted the suitable candidate, the University shall advertise vacant positions (Grade 14 and above) in two (2) national daily newspapers and one (1) daily newspaper for other positions (Grade 13 and below). The advert shall remain open for a period of fourteen (21) days.

Sch. 1.2 Selection of Candidates

a) Short listing

- i. A short listing committee appointed by the Vice-Chancellor in accordance with the requirements of the University statutes shall shortlist applicants for all grades.
- ii. Minutes of the short listing committee for applicants shall be submitted to the Vice-Chancellor within seven (7) days after the exercise for approval.
- iii. All candidates (internal and external) shall be assessed objectively against the selection criteria set out in the job requirements as advertised and according to other relevant provisions of the law.

b) Selection and Interview

- (a) All shortlisted candidates shall be invited for an interview through provided e-mails, post office address or telephone/SMS at least seven (7) days before the interview date.
- (b) Interview shall comprise a minimum of seven (7) panellists.
 - (i) Recruitment in the Academic Division to consist of the Deputy Vice-Chancellors, Registrars, Finance Officer, respective Dean and COD with the Vice-Chancellor as the Chairman for grades seven (7) to thirteen (13) and Deputy Vice-Chancellor(AF&P) as Chairman for grades one (1) to six (6). A consultant may be included where the University has no expertise.
 - (ii) Recruitment in the Administrative Division to comprise the Deputy Vice-Chancellors, Registrars, Finance Officer, respective Directors and CODs with the Vice-Chancellor as the Chairman for grades thirteen seven (7) to thirteen (13) and Deputy Vice-Chancellor(AF&P) as Chairman for grades one (1) to six (6). A consultant may be included where the University has no expertise.
 - (iii) An expert in respective field shall be invited especially for academic staff.
- (c) Interview questions and the structure of the interview shall be consistently applied to all candidates and shall be based on the job requirements as advertised.
- (d) All invited candidates shall present relevant original certificates and any other testimonials for verification as per the job description.
- (e) The candidates shall also present evidence of compliance with statutory requirements as advertised.
- (f) Score sheets and notes of the interview duly signed by the panellists shall be in the custody of the Registrar (Administration and Planning) for a minimum of one year.
- (g) All interviewed candidates shall be notified of the outcome within two (2) weeks.

c) References

- i. For academic and administrative positions four (4) references shall form part of the documentation, three prior to the interview and one (1) upon being offered employment. The fourth reference is an employment reference from the current employer, if not first employment. This is a reflection of established practice and relates to the nature of the references.
- ii. For support staff posts, two (2) references shall be taken up, normally for the selected candidate and after the interview, one of which should be from the current or most recent employer, if not first employment.
- iii. Information sought from referees shall be structured around the requirements of the job and the job description.
- iv. If the appointment is urgent, the Registrar (ADMIN) may seek to obtain a verbal/telephone reference for the successful candidate provided that standard procedures for doing so are followed and approved by the Vice-Chancellor or the Council.
- v. Referees shall be contacted with or without the candidate's consent and the information provided shall be treated as confidential by the panel members.

d) Making Appointments

The power to appoint senior staff (MMU14 and above) shall be vested on the University Council while University management shall have the power to appoint staff at academic, middle and support levels (MMU13 and below).

- i. Both oral and written contracts may constitute the employment of a staff. The University shall encourage written contracts.
- ii. Employment shall be on contractual or permanent and pensionable terms.
- iii. Employments on temporary terms not exceeding twelve (12) months may be made by the Vice-Chancellor.
- iv. Employees may be appointed on casual basis upon identification and vetting by Registrar (ADMIN) through a committee and recommend to the Deputy Vice-Chancellor(AF&P) to consider and recommend to the Vice-Chancellor for approval before a letter to communicate the approval is drawn by Registrar (ADMIN) to the departmental or section head requesting for the casual(s). No letter may be issued to individual casuals.
- v. All successful candidates shall be appointed and report within three (3) months from the date of appointment unless a written extension period has been approved by the Vice-Chancellor.
- vi. The appointed candidate(s) shall notify the acceptance of offer by returning one of the set of appointment letters duly signed within two (2) weeks from the date of appointment.
- vii. Appointments shall usually be made at the grade minimum salary scale unless directly relevant experience would justify additional increments. No appointment can be made above the advertised scale.
- viii. Once a selection decision has been made the Deputy Vice-Chancellor shall produce a written offer of employment following receipt of the appointment committee minutes approved by the Vice-Chancellor.
- ix. The salaries for all appointed candidates shall be determined by the interviewing panel as guided by the prevailing salary scales.

Sch. 1.3 Types of contracts of service

- a) Permanent
- b) Contract
- c) Temporary
- d) Acting
- e) Part-time
- f) Casual
- g) Any other as may be approved by University Council such as secondment /visiting/sabbatical; volunteers; outsourcing etc.)

Sch. 1.4 Medical examination

All new employees shall undergo a medical examination at the cost of the employee. The examination will be used to confirm that the employee is medically fit for the appointment offered.

Sch. 1.5 Handing over report

On re-deployment, transfer or termination of appointment, an employee shall prepare a comprehensive handing over report under the supervision of the immediate supervisor. A copy of the handing over report duly approved by the supervisor shall be submitted to the Human Resource section.

a) Reporting Procedures

New employees shall report to the HR Department at the beginning of their first day of employment. On the reporting date, they should complete the necessary paperwork to result in an 'employment package' which shall be used to initiate their payroll formalities, appropriate employee benefits and to set up their personal file. Information on pay and mode of payment and the necessary facilities available is also given to the employee. The new employee is required to complete or provide the following information and documents:

- i. Letter of Employment and Terms and Conditions of Service duly signed.
- ii. Copies of the current curriculum vitae and relevant certificates.
- iii. Two colour passport-size photographs of the employee and the dependants.
- iv. Originals and copies of relevant statutory documents such as identity card, driving license, passport, PIN certificate, NSSF card and original NHIF/pension card or completed application form.
- v. Bank details.

c) Induction

- i. All new MMU staff shall undergo an induction program so as to facilitate easy settlement in the new appointment and for quick familiarization with the University. The Human resource section of the AF&P division in liaison with the respective departments shall ensure all new staff are inducted.

- ii. The appointed employees upon reporting shall be inducted through the University operation systems by or as coordinated by the Registrar (ADMIN) as per the induction programme for all new employees, based on the Induction Guidelines.
- iii. The Recruitment Section in the HR Department shall maintain an Induction Guidelines Booklet and shall develop a comprehensive induction program for the new employee. The HR Department and the receiving department shall provide the new employee with the necessary information to enable them blend in.

a) Induction and Orientation

It is the policy of MMU to conduct orientation programs for new employees as a process of disseminating information and providing direction. Orientation introduces employees to their new environment by providing them with the tools and knowledge they shall need to understand and adapt to their new work place in order to work productively. A proper orientation process facilitates productivity in the long run. Proper orientation of new employees is an important responsibility typically handled jointly by the HR Department, the employee's immediate supervisor and departmental staff.

b) New Employee Orientation

- i. An introduction to the University and particular directorates, locations, colleagues, rules and regulations, reporting times, break, lunch and leaving time shall be conducted by the HR Department in conjunction with the concerned Heads of Department (HoDs).
- ii. The employee shall be given an opportunity to seek clarification on what may not be clear to him/her about their new job. The HR Department shall provide the employee with the orientation guidelines booklet.
- iii. At orientation, his/her HoD shall give the new employee a complete schedule of duties with a copy to the HR Department. Orientation periods may vary from a minimum of three (3) days to a maximum of ten (10) days.

Sch.1.6 Salaries and Wages

- a) There shall be a file for every employee maintained at the HR Department. The HR Department shall provide the personal numbers after identification of the employees.
- b) Salaries shall be paid as per letter of appointment indicating acceptance of offer with effect from the date indicated in the Staff Movement Advice as raised by the HR Department.
- c) Removal of employees from the payroll will be on account of resignation, death, retirement, dismissal, and termination of contract or expiry of contract.
- d) All salaries shall be paid through the bank except for casual employees who shall be paid on a daily basis and will need to identify themselves using their national identification cards when receiving their cash payments. A casual who may be engaged for more than a day may elect to be paid the accumulated wages through a bank account.
- e) The HR Department shall be responsible for:
 - i. Ensuring timely preparation and payment of salaries and wages to employees

- ii. Ensuring all timely prepared payroll is remitted to DVC (AF&P) by 20th of every month for verification and confirmation before the Vice-Chancellor's approval for the Finance Department to execute the payment.
- iii. Ensuring statutory and other deductions are effected and remitted to the relevant authorities.
- iv. Ensuring that only genuine (no ghost) employees are paid.

Sch.1.7 Allowances

The University shall pay allowances as approved by the Council and within the budgeted provisions. These allowances may include:

- a) House
- b) Commuter
- c) Car
- d) Responsibility
- e) Entertainment
- f) Acting
- g) Special Duty
- h) Passage and Baggage
- i) Leave
- j) Domestic Worker
- k) Professional
- l) Electricity and Water
- m) Security Guard
- n) Hardship
- o) Telephone
- p) Book
- q) Furniture

(18) Any other that the Council may approve (or disapprove) from time to time

SCHEDULE 2

STAFF TRAINING AND DEVELOPMENT

Sch. 2.1 Types of Training Activities

Sch. 2.1.1 In-house Training

The Recruitment and Training and Section shall conduct an annual Training Needs Assessment in order to determine the University's staff training needs and develop the University's Training Programme. The Training Needs Assessment shall primarily be based on the development needs which are part of the performance appraisal form.

a) General skills training

General skills training is aimed at providing staff members (regardless of their specific job) with an opportunity to develop their competencies. General skills training shall be offered regularly and subject to demand and budget availability.

b) Technical training

Technical training is aimed at the development of the technical skills specific for the job. It may be organized either by the Registrar (ADMIN) or by a specific Section in consultation with DVC (AF&P). Technical training organized by the Sections shall be part of the training plan previously approved. At the end of the year, Sections shall send a report to the DVC (AF&P) on training undertaken by their staff during the year.

c) Mandatory training

Some training shall be mandatory to all staff members of the University, for example, induction, integrity awareness, respect for cultural diversity, anti-corruption and ICT training, among others.

Sch. 2.1.2 External Training

- a) External training entails training over a period of ten (10) days or less offered by an external provider and taking place outside the University premises.
- b) The cost for external training shall be as per the approved budgetary allocation.
- c) External training shall only be organized if a similar training is not available to the staff member at the University.
- d) External training shall complement in-house training.

The following training categories may, therefore, overlap along one or more of the above dimensions.

- i. Orientation/Induction
- ii. On-the-job training

- iii. Workshops, seminars, conferences, symposia and others
- iv. Industrial attachments/exchange programmes
- v. Certificate courses
- vi. Ordinary and higher national diplomas
- vii. Bachelor's degrees
- viii. Post-graduate diploma
- ix. Master's degrees
- x. Doctoral degrees
- xi. Post-doctoral training
- xii. Fellowships, attachment, sabbatical and staff exchange

Sch. 2.2 Eligibility for Training

Sch. 2.2.1 General

- a) Participation in training is subject to the exigencies of the staff member's duties and to the prior approval of his/her supervisor. Participation in training shall normally not exceed twenty (20) working days per calendar year for short courses.
- b) Interns, visiting/sabbatical professionals and consultants are not eligible for training activities.

Sch. 2.2.2 In-house Training

All staff members are eligible for in-house training. Priority shall be given to staff members holding a permanent and pensionable term of appointment against a regular annually budgeted allocation.

Sch. 2.2.3 External Training

- a) External training shall only be provided to staff members who have been working with the University for at least one year (or completed probation period) by the commencement day of the training. Priority shall be given to staff members holding a permanent and pensionable term appointment against a regular annually budgeted allocation.
- b) Staff members holding a contract term appointment may be eligible for external training if their appointment does not expire within six months after the day of completion of the training.

Sch. 2.3 Selection Criteria for training

- a) Training and development needs (both job-specific and competency related) shall be part of the Performance Appraisal of each staff member.

- b) Information about training shall be available to all staff members and the selection process shall be transparent. All interested staff members shall have the opportunity to apply for training.
- c) The final selection of participants for both in-house and external training shall be made by the Vice-Chancellor on recommendation by the Deputy Vice-Chancellor(AF&P) through the Registrar (ADMIN), Section/Departmental Heads or Division Heads (as applicable), based on the following criteria:
 - i. Relevance of training to the official duties of the staff member (specific course needs to be a part of the development plan of the staff member).
 - ii. The length of employment with the University.
 - iii. Previous participation in training organized by the University.

Sch. 2.4 Selection Procedure

Any member of staff who qualifies to undertake any training shall normally apply to the Vice-Chancellor on recommendation by the Deputy Vice-Chancellor (AF&P) through the Registrar (ADMIN), through his/her Chairman/Director/Dean/Head of Department/Section.

- a) Department/Section shall have a department/sectional committee that shall consider all applications for training and select them for nomination to go for training.
- b) All types of training programmes shall be approved by the University 's Management based on the needs of the University.

Sch. 2.5 Study Leave Regulations

The following regulations shall apply regarding study leave:

- a) Study leave shall be granted to members of staff by University Management on the basis of the needs of the University and in the interest of the staff development upon successful completion of probation and confirmation.
- b) Study leave shall be of appropriate duration for respective training programmes and such conditions as the University Management may determine subject to progress reports.
- c) Bonding for a period equivalent to the period of study shall be a prerequisite for granting study leave.
- d) A member of staff whose request for study leave has not been approved may opt to apply for unpaid leave of absence to pursue his/her course.
- e) The study leave shall be limited to the duration of the course.
- f) The Council reserves the right to review the terms of the study leave.

Sch. 2.6 Bonding

- a) Any member of staff who is granted study leave by the University for a period longer than six (6) months shall be required to serve the University for a period equal to the study leave.

- b) Any member of staff who is paid stipend by the University for a period longer than six (6) months shall be required to serve the University for a period equal to the period paid for stipend.
- c) Where a member of staff is paid stipend for a period of three (3) years or more, he/she shall be bonded for three (3) years after completion of the course.
- d) The members of staff who are granted study leave with pay for a period longer than six (6) months shall sign the bond at the beginning of the leave.
- e) In cases where bonds overlap, they shall run concurrently. However, if one leaves the University employment before he/she completes the bond period, he/she or the recipient employer shall normally be required to pay for both bonds.
- f) Members of staff who train privately on programmes with prior approval of the University Management may be reimbursed and shall be bonded at the time of reimbursement but the bonding period shall be calculated on the basis of the duration of the normal training programmes.

Sch. 2.7 Funding for Staff Training and Development

- a) The University may provide the lead in funding staff training and development by setting aside a certain percentage of the annual budget. Therefore, unless under special arrangement, the University shall facilitate training through the following ways:
 - i. Sponsorship by the University.
 - ii. Scholarship from external sponsors.
 - iii. Scholarships from special projects.
 - iv. Split sponsorship (University and external donors).
 - v. Self-sponsorship.
 - vi. Reimbursable scholarship.
- b) Each scholarship shall be awarded according to selection criteria as stipulated in the Staff Training and Development (Schedule 2 of this policy). Staff, who qualifies for any of the sponsorship above shall only proceed on study leave after approval has been granted.

Sch. 2.7.1 University Sponsorship

Levels of support shall vary and may fall under the following categories:

- a) Fee waiver/partial scholarship given by the University for staff registered in MMU
- b) First class graduates pursuing higher degrees in MMU
- c) Dependents of MMU staff pursuing studies at MMU.
- d) Schools, Institutes or departments may sponsor staff with funds from their income generating units.
- e) Leave with pay
- f) Leave with pay and all attendant expenses paid for by the University
- g) Leave with pay and partial expenses paid by University
- h) Leave without pay and staff to pay all their expenses

- i) Time-off during regular work-time
- j) Staff who through their own initiative and in their own time embarks on a course relevant to their duty with written approval of the University and passes may be reimbursed their expenses (schedule 2 on study leave).

Sch. 2.7.2 Engagement of Graduate Assistants/ Teaching/Research Assistants

The University intends to retain top performing students as Graduate/Teaching/Research Assistants. The graduate development programme will provide the students with an opportunity to pursue higher education while providing teaching/research services. This programme is aimed at building capacity for academic staff at the University.

i)Engagement

Graduate/Teaching/Research Assistants will be drawn from outstanding Bachelor's degree graduates to be trained for academic positions. Each school shall identify the best graduand each year for staff development in accordance with its projected staffing needs. The department shall provide an establishment for the current and future staffing requirements.

The School Board shall pick the best student in terms of academic performance in an area that requires staff. The Deans Committee shall discuss such graduands nominated from each school before it is presented to Senate for approval.

The nominated students should demonstrate interest in pursuing a teaching career in the University and be ready to take Masters and PhD studies. The School Boards shall take into account equal opportunities in terms of policy based on gender, disability and ethnicity.

Graduate/Teaching/Research Assistants shall be appointed to grade Nine (9) and shall enjoy all the benefits of the grade. They shall be assigned to specific department and shall be allocated limited duties by the Chairpersons of Departments as long as such duties do not interfere with their studies.

It is mandatory for a graduate/teaching/research Assistant to register for a masters degree within six (6) months of appointment. They shall be offered full tuition fee waiver, but shall meet other statutory payments.

Graduate/Teaching/Research Assistants shall be bonded for the period of the contract as per the University Policy.

ii)Duration/Termination of Contract

Graduate/Teaching/Research Assistant Contracts shall be renewable annually. The duration of the programme registered for shall form the upper limit.

Upon successful completion of the programme registered for and subject to availability of teaching/research position, the graduate/teaching/research Assistant shall be offered an appropriate position.

The Assistant shall be required to maintain a mean grade B and above in his/her studies. The University reserves the right of cancelling the contract if the academic performance is not satisfactory or/and if the conduct of the person is deemed inappropriate.

Sch. 2.7.3 External Scholarships

The University shall solicit for scholarships from the government and various donor organizations for sponsorship of staff on training. Possible sources of funds are:

- a) University industry links.
- b) External donors.
- c) Partnerships.
- d) Linkages.

Sch. 2.7.4 Project Scholarships

Departments/Schools/Directorates/Institutes/Centers of the University sometimes do receive grants from external sources for special projects, which contain training scholarships. Such Departments/Schools/Directorates/Institutes/Centers should make recommendations and channel them through the Vice-Chancellor and an appointed Training Committee which shall take into consideration special circumstances under which such scholarship were negotiated.

Sch. 2.7.5 Split Scholarships

The split scholarships for training shall be subject to the dual agreements or contracts under which the scholarships were obtained.

Sch. 2.7.6 Self-Sponsorship

There are always possibilities that staff see the need for sponsoring themselves for training in other areas of choice which they qualify to undertake. That kind of sponsorship shall be encouraged.

Sch. 2.7.7 Reimbursable Scholarship

An employee who successfully completes an approved course of training under his/herself- sponsorship may be reimbursed tuition expenses, examination fees and cost of books purchased.

Sch. 2.8 Academic Staff, Librarian and Registrars' Training

MMU academic Staff, Librarian and Registrars are ultimately expected to have PhD degrees in order to effectively conduct lectures, research and provide improved services.

Sch. 2.9 Non-Teaching Staff Training

Senior library/administrative staff are ultimately expected to have at least Masters Degrees in their relevant professions. All cadres of non-teaching staff shall be given an opportunity for further education and training.

Sch. 2.10 Payment of Salary and Emoluments to Staff on Training

If a member of staff goes to a full-time programme for a period longer than six (6) months on an external sponsorship or University sponsorship, such a member of staff may be granted leave on salary for the specific period of the programme as per the government policy.

Sch. 2.11 Training Evaluation

Staff in training shall submit periodic reports through their supervisors. A job performance appraisal shall be undertaken annually to determine the worth of the training.

Sch. 2.12 Career, Professional Development

In an effort to maintain quality and stable workforce the University shall endeavour to provide career and professional development opportunities through the following:

- (1) Develop, implement and periodically review a scheme of service.
- (2) Implement a negotiated Collective Bargaining Agreement (CBA) on the terms of service.
- (3) Offer incremental credits to members of staff who complete various relevant programmes as given below:
 - i. PhD attainment – two incremental credits. However, Teaching assistants, Tutorial Fellows and Assistant Lecturers shall be promoted to a PhD grade level.
 - ii. Masters – two incremental credits.
 - iii. Bachelors – two incremental credits.
 - iv. Diploma/Higher Diploma – two incremental credits.
 - v. Certificate from recognized examination bodies – two incremental credits.
- (4) Maintain an equitable system of promotion.
- (5) Apply a competitive system of recruitment.
- (6) Provide equal opportunities for training.
- (7) Provide career guidance and counselling to staff and students.
- (8) Offer rewards based on merit.
- (9) Provide opportunities for continuous professional development.
- (10) Support expenses related to legislative practices and licenses.

Sch. 2.13 Sabbatical and Post-Doctoral Studies

- a) All staff shall be encouraged to take sabbatical leave as provided for in their Terms of Service and /or CBAs to enhance their areas of specialization.
- b) All PhD holders shall be encouraged to undertake postdoctoral studies to enhance their research and competence in their respective disciplines.

SCHEDULE 3

STAFF CODE OF CONDUCT AND ETHICS

3.1 Requirements

3.2 Compliance with the Code

Staff of Maasai Mara University shall comply with all the requirements in the General Code of Ethics Act, 2003 as well as the Ethics set up in part III of the Public Officers Ethics Act as well as the Code of Conduct and Ethics Policy of Maasai Mara University which shall form part of this code.

3.2.1 Official Working Hours

- a) A member of staff shall observe official hours and shall not be absent without proper authorization or reasonable cause.
- b) A member of staff shall observe punctuality at all times.
- c) Official working hours shall be 8.00a.m - 5p.m. However, staff who run busy offices and are paid extraneous allowances (as stipulated in the Terms and Conditions of Service) shall be required from time to time to work longer hours as need arises.

3.2.2 Orderly Behaviour

A member of staff shall not:

- a) Smoke in the University premises.
- b) Report to work on duty while under the influence of alcohol or drugs.
- c) Conduct himself/herself in a disorderly manner.

3.2.3 Dress Code and Hygiene

A member of staff shall maintain an appropriate and decent mode of clothing and personal hygiene at all times. However, on Fridays members of staff may wear University branded Shirts or T-shirts.

3.2.4 Professionalism

- a) A member of staff shall:
 - i. Carry out his/her duties in a way that maintains public confidence in the integrity of his/her office.
 - ii. Treat other members of staff, students and members of the Public with courtesy and respect.
 - iii. To the extent appropriate to his/her office, seek to improve the standards of performance and level of professionalism.
 - iv. If a member of a professional body, observe the ethical and professional requirements of that body.

- v. Discharge his/her responsibilities in a professional manner and not allow his/her emotions to interfere with his/her work.
- vi. Strive to carry out his/her work in a manner befitting his/her/profession.
- vii. Be efficient in the discharge of his/her duties and strive to improve one's productivity at all times.
- viii. Be calm, dependable, reliable, consistent and committed to her work.

A member of staff shall be expected to show initiative, and those in leadership positions should lead by example and assist their subordinates to realize their potential. A member of staff has a general obligation to other members of staff and students not to cause them physical, emotional and psychological harm at all times.

3.3 Integrity

- a) A member of staff shall, to the best of his/her ability, carry out his/her duties efficiently, honestly and with integrity, and to ensure that the services are delivered honestly.
- b) A member of staff in carrying out his/her duties shall not violate the rights and freedoms of other members of staff, students and members of the public.
- c) A member of staff who has a duty to give advice shall do so with impartiality and without fear or favour.
- d) A member of staff shall not knowingly give false or misleading information to members of the public or to any University employee or students.
- e) A member of staff shall conduct his/her private affairs in a way that maintains public confidence in the integrity of his office.
- f) A member of staff shall not neglect his or her financial obligations or neglect to settle them so as to avoid causing himself/herself pecuniary embarrassment and ridicule to the University.

3.4 Conflict of Interest

- a) A member of staff shall declare personal interest which conflicts with his/her official interest.
- b) A member of staff whose personal interest conflicts with his/her official duties shall declare such interest to the appropriate office or committee.
- c) A member of staff who has a personal interest in a subject matter shall refrain from participating in any deliberations/activities related to the matter.

3.5 Receiving of Gifts, Grants and Donations

- a) A member of Staff shall not misuse his/her office to enrich himself/herself.
- b) A member of staff shall not accept gifts, benefits or favours where these may influence or may be seen to influence his or her decisions.
- c) A member of staff may however receive a gift given to him in his/her official capacity, and such a gift shall be deemed to be a gift to the University and be surrendered to the University if such a gift exceeds the value of Ksh.20,000 (twenty thousand shillings).

- d) All gifts given to members in their official capacity shall be declared to the Office of the Vice-Chancellor, regardless of their value.
- e) A member of staff may receive grants and donations for education, literary research or other related purposes which shall be surrendered to the University as stipulated in the agreement. Gifts referred to herein shall include the amount and nature of gift. A provision on acceptable gifts can be accompanied by a form or a register which the employee is required to sign.

3.6 Soliciting, Accepting Bribes and Inducements

A member of staff shall not use his/her office or place of work for soliciting, collecting or inducing bribes and favours.

3.7 Employee's Obligations

- a) The following are employee obligations:
 - i. An employee shall at all times maintain absolute integrity and honesty in the discharge of his duties or in the exercise of his powers.
 - ii. An employee holding a supervisory post or any other employee who is placed in a position of authority over other employees shall take all responsible steps or precautions to ensure integrity and devotion to duty of all employees, for the time being, under his control.
 - iii. No employee shall, in the performance of his official duties or in the exercise of the powers conferred upon him, act otherwise in his best judgment except when he is acting under the direction of his superior.
 - iv. An employee shall at all times discharge and perform his assignments, duties or obligations in a manner and to a standard satisfactory and acceptable to the University .
 - v. An employee shall be liable to transfer from one division/campus to another or to such other place or places or from one department to another and every employee who is subject of an order of transfer shall comply accordingly.
- b) The services of an employee shall not be restricted to the duties which may be specified in his contract of service, agreement, or letter of appointment and the University may call upon an employee to perform or discharge any other reasonable duty of assignment.

3.8 Misuse of University Property

- a) A member of staff shall take all reasonable steps to ensure that University property entrusted to his/her care is adequately protected from misuse or misappropriation.
- b) A member of staff shall ensure that University property is used for the intended purpose.

3.9 Intellectual Theft

- a) A member of staff shall refrain from acts of cheating, plagiarism and impersonation in the production of academic materials and publications.

- b) A member of staff shall not reproduce any University forms, documents and materials and sell the same for personal gain.

3.10 Falsification of Documents and Records

A member of staff shall not falsify documents or records.

3.11 Confidentiality

- a) A member of staff having access to confidential information shall not disclose such confidential information without authority.
- b) A member of staff shall ensure that records/data are regularly updated and shall maintain accurate records as much as possible.
- c) A member of staff shall protect University records/data and ensure that unauthorized access to such records/data does not occur.
- d) A member of staff dealing with confidential records/data shall be required to take the oath of secrecy.

3.12 Sexual Harassment and Abuse

a) A member of staff shall not “sexually harass” a fellow member of staff, a student or a member of the public. Sexual harassment in this context shall include any of the following, if the person doing it knows it is unwelcomed:

- (a) Making advances or exerting pressure for sexual activity or favour.
- (b) Making intentional or careless physical contact/touching that is sexual in nature.
- (c) Making gestures, noises, jokes or comments, including innuendos, regarding another person’s sexuality.

b) A member of staff shall not maintain an improper sexual/emotional relationship with a fellow member of staff or a student where one of the parties is taking advantage of the other or where boundaries are being violated.

c) A member of staff shall not victimize another member of staff or student as a result of any form of sexual harassment.

3.13 Misuse/Misallocation of Human Resources

A member of staff shall:

- a) Take all reasonable steps to ensure that staff entrusted under his/her direction and supervision are properly deployed and adequately utilized.
- b) Not deploy or utilize University staff for personal/private work.

3.14 Discrimination

A member of staff is expected to refrain from any form of discriminatory practices and stereotypes based on gender, religion, race, tribe, region, or origin, historical background, nepotism or position held.

3.15 Nepotism/Favouritism

A member of staff of the University shall not favour relatives, friends or associates in decision-making or provision of services. There shall be declaration of personal interest.

3.16 Outside Employment/Business

A member of staff shall not engage in any other business or part-time employment which is in conflict with his/her employment.

3.17 Selection and Election of University Employees

A member of staff shall practice and promote the principle that the University employees should be:

- a) Selected on the basis of integrity, competence, professionalism and suitability.
- b) Elected in free and fair elections.

3.18 Misleading the Public/Impersonation

A member of staff shall not impersonate or misrepresent himself/herself to other members of staff, students or to the public.

3.19 Reporting Malpractices

A member of staff has an obligation to report any wrongdoing he/she has become aware of in the University to the Corruption Prevention Committee (CPC).

3.20 Examinations

- a) A member of staff who has access to examination materials shall not avail any or part of the information on these examinations to the candidates and/or any other person.
- b) A member of staff shall not tamper with examination documents.
- c) A member of staff who is involved in grading continuous assessment tests and/or examination scripts and these should observe integrity, objectivity and high degree of professionalism in awarding marks.
- d) A member of staff who is also a student shall not access examinations as part of the performance of his/her duties in respect of processing examinations papers, grading or processing examination results until he/she ceases being a student.

3.21 Chain of Command

- a) A member of staff at a supervisory or higher level should follow the laid down chain of command in delegation of duties and monitoring of performance.
- b) A member of staff is expected to strictly adhere to the established chain of command (University organogram) at all times and to desist from acts of insubordination or exercising powers that have not been properly granted.

3.22 Collective Responsibility

A member of staff has an obligation to protect the name and image of the University and shall act in the best interest of the University at all times.

3.23 Observance of Statutory Provisions

All staff shall adhere to the statutory provisions of the law and the MMU Statutes. The University Council shall have powers to amend this code of conduct as per the MMU Statutes. Such amendments shall be effected from the date of approval. In exercising such powers, the University shall take into considerations:

- a) Any statutory obligation and in particular the provisions of the Maasai Mara University Statutes.
- b) Any directive or instruction from the President, National Assembly or the Cabinet Secretary responsible for University Education.
- c) Any agreement entered into between the University and Staff Representative Committee/Union.

3.24 Institutional History and Traditions

A member of staff shall ensure that positive traditions, values and norms that have been generated in the past are upheld, enriched and passed on.

3.25 Acquisition of Goods and Services

A member of staff charged with the duties of acquiring goods and services for the University shall exercise due care and apply existing policies, regulations and controls that shall ensure value for money to the University.

3.26 Concern for the Environment

A member of staff shall promote and uphold University policies and measures for the protection of health and safety for all employees, students and members of the public. Staff shall give proper regard to the protection and conservation of the environment.

3.27 Claims

A member of staff shall present only legitimate and accurate claims.

3.28 Acting through Others

A member of staff shall be deemed to have contravened the Code of Conduct and Ethics if:

- a) He/she causes anything to be done through another person that would, if the member of staff did it, be in contravention of the Code of Conduct and Ethics, or
- b) He/she allows or directs a person under his supervision or control to do anything that is in contravention of the Code of Conduct and Ethics.

3.29 Reporting Improper Orders

If a member of staff considers that anything required of him/her is in contravention of the Code of Conduct and Ethics or is otherwise improper or unethical, he/she shall report the matter to the Corruption Prevention Committee (CPC).

3.30 Participation in Politics

A member of staff shall not in the performance of his/her duties:

- a) Act as an agent of a political party.
- b) Actively indicate political support for or opposition to any political party or candidate in an election.

3.31 Enforcement of the Code of Conduct

- a) There shall be a disciplinary committee (for both junior and senior staff) to receive complaints and determine whether or not the University employee has contravened the Code of Conduct and Ethics.
- b) Investigations shall be carried out on the committee's initiative or pursuant to a complaint by any person.
- c) Investigations may be conducted by the disciplinary committee even if the subject of investigation has ceased to be an employee of the University and appropriate legal action taken.
- d) The committee's decision shall be binding.
- e) A member of staff who is not satisfied with the committee's verdict may appeal to the Appeals Committee of the University Council within a period of fourteen days (14) working days.
- f) The member of staff who contravenes this code shall be summoned to appear before a staff disciplinary committee.

3.32 Operation and Observance of Code of Conduct

The code of conduct is formulated in accordance with the Public Officer Ethics Act, 2003 of the Laws of Kenya. Every member of staff of the University shall be issued with a copy of the Code of Conduct and Ethics Policy and is expected to comply with the provisions contained therein. Contravention of any of the provisions of the code shall be a tantamount to a breach of the University's rules and regulations which may lead to disciplinary action.

SCHEDULE 4

WORK ATTENDANCE AND LEAVE

Sch. 4.1 Leave Regulations

Earning leave is a right to the employee but proceeding on leave is a privilege and is granted for recuperative purposes so as to enable him/her to renew his/her energies and improve efficiency. Leave is therefore, not normally commuted for cash but may in exceptional circumstances approved by the Deputy Vice-Chancellor (Administration and Finance) be payable to the employee, or to the estate in the event of an employee's death or separation from service.

All leave is subject to the exigencies of the service and is sanctioned by the University at its discretion.

Sch. 4.2 Application for Leave

Application for leave should be submitted on the appropriate form and submitted within a minimum of fourteen (14) days' notice to the Human Resource office through the Departmental Head.

The University shall support employees going through difficult situations by allowing time off during bereavement of the immediate family members after official communication and approval has been granted. Such an employee shall be entitled to paid compassionate leave of up to ten (10) working days in a calendar year.

MMU provides the following types of leave:

- a) Annual leave.
- b) Sick leave.
- c) Unpaid leave.
- d) Maternity leave.
- e) Paternity leave.
- f) Study leave.
- g) Compassionate leave.
- h) Leave on termination of contract.
- i) Sabbatical leave.

Sch. 4.3 Annual Leave

- a) Eligible employees are entitled to time off with pay for vacation or other personal reasons.
- b) An employee shall be eligible for annual leave at the commencement of a 'leave year' except in the case of a newly appointed employee who shall be required to complete a minimum of six months before being granted annual leave. For this purpose, 'leave year' shall commence on 1st January and end on 31st December the following year.
- c) Annual leave entitlement applies to all employees other than casual and temporary employees whose leave entitlement is as stipulated in their contract agreement.

- d) Employees become eligible for leave after completion of probation period (six months) with the University.
- e) Gazetted public holidays falling during annual leave shall not be added to the leave days.
- f) Leave periods shall be scheduled in advance and shall be approved by the employee's Head of Department at the beginning of every year.
- g) Request for leave shall be made on the standard Leave Application Form a week prior to the date requested and signed by the employee's supervisor/HoD. The form shall be sent to the Registrar (ADMIN) for verification of actual entitlement against the number of days requested. A copy of the duly filled and signed leave form is filed in the employee's personal records.
- h) Employees are encouraged to take all their annual leave within the stipulated leave year. Leave not taken within the leave year shall be carried forward once only to be taken at a convenient time as approved by the HoD.
- i) Annual leave not taken within the stipulated leave year and not approved to be carried forward shall be forfeited.
- j) Employees must submit requests to carry forward annual leave within the stipulated leave year.
- k) The Head of Department shall organise distribution of work or appoint a person to perform the employee's duties for the period he/she shall be away. There shall be adequate arrangements for an effective hand-over of duties to ensure smooth continuance of business during the employee's absence by the HoD/CoD.
- l) Annual leave for a newly appointed employee working less than six months after employment shall be calculated on pro-rata basis.
- m) It is the policy of the University not to en-cash any leave unless a request has been approved by the Council or Vice-Chancellor. Every employee is encouraged to take annual leave and rest.
- n) An employee proceeding on annual leave may, when he avails at least one-half of his annual leave, be paid his salary in advance for the month in which he proceeds on leave three days before departure from his station of work. This arrangement does not constitute an advance of salary.

Sch. 4.4 Sick Leave

a) The University on realizing that an employee may be unable to work due to illness or injury, the University shall grant sick leave on the recommendation and/or advice of an approved medical practitioner.

b) An employee is entitled to a maximum of up to one hundred and eighty (180) sick-off days in any calendar year. Sick leave is not cumulative and shall not be carried over to the next year. Unsupported sick leave shall be recovered from the employee's leave entitlement and/or salary. The Management may refuse to grant sick leave if the sickness is self-inflicted or due to gross negligence on the employee's part. In the event of illness, absence from work/sick leave shall be permitted for a period of:

- i. The first ninety (90) days on full monthly pay (in one calendar year).

ii. The next ninety (90) days on half monthly pay (in one calendar year).

c)Where illness is continuous beyond one hundred and eighty (180) days, a written application for extended sick leave supported by the necessary medical certificates must be submitted to the Vice-Chancellor for approval through the Deputy Vice-Chancellor(AF&P). Payment of salary shall cease after one hundred and eighty days (180) days unless specifically approved by the University Council.

In the case of sick leave and or convalescent leave rendered necessary by an employee's own neglect or misconduct, his full salary may be forfeited for the whole period of absence from duty. Sick leave is not cumulative and shall not be carried over to the next year.

Illness while on Leave

In the event of illness occurring while an employee is on annual leave or any other form of leave, the period of absence shall continue to be regarded as the original leave for the full period of the illness, but if the illness extends beyond the expiry of leave being taken, sick leave shall be granted if necessary from the end of the leave period.

Sch. 4.5 Leave of Absence

Unpaid leave shall be granted to an employee for exceptional reasons such as sabbatical or academic pursuits or compelling personal reasons.

All applications for such leave shall be sent to the Deputy Vice-Chancellor(AF&P) with a recommendation from the departmental head. All such applications shall confirm that all leave due to the employee has been utilised. Leave of absence shall be subject to approval by the Vice-Chancellor.

Sch. 4.6 Maternity Leave

The University shall grant maternity leave to female employees who require to be absent from duty on account of confinement. The leave entitlement shall be three (3) calendar months with full pay in any one year. Where an employee requires more time before or after childbirth over and above the stipulated entitlement, she may apply for annual or unpaid leave up to a maximum of one (1) month. A female employee shall not forfeit her annual leave on account of taking maternity leave.

Maternity leave may be taken approximately one (1) month before the expected date of confinement and an application for maternity leave should be submitted to the Head of Department at least one (1) month before the date of commencement of leave. This application should be supported by a medical certificate indicating the date on which maternity leave should commence.

Sch. 4.7 Paternity Leave

A male employee shall be granted paternity leave with full salary for a maximum of two (2) weeks. For avoidance of doubt, an officer with more than one spouse shall only be entitled to a maximum of two weeks paternity leave annually.

In this regard, it is clarified that in case of a male employee with more than one (1) spouse he will be entitled to paternity leave only in respect of the wife registered with NHIF contributor's card and such leave shall be taken not more than once in a year.

Sch. 4.8 Study Leave

The University shall grant study leave to employees pursuing additional academic or professional qualifications. The study leave requests shall be submitted to the Deputy Vice-Chancellor through the departmental heads and shall be approved by the University Management on the recommendation of the Staff Training Committee. The approval and duration of the study leave shall be dependent on the relevance of the course to be undertaken, resource availability and duration of the course.

The employer shall follow the laid down procedure for processing study leave requests by employees bearing in mind the needs of the University and shall pay the employees studying outside the country 80% basic salary and house allowance for those who are married. For those who are not married, they will not be eligible for house allowance.

For those studying within Kenya, they will be paid 100% basic salary and house allowance. An employee on study leave will not be entitled to annual leave.

Sch. 4.9 Compassionate Leave

On compassionate grounds such as serious illness or death of an immediate member of the family (father, mother, sibling, spouse and children), such leave may be granted for up to ten (10) days. The affected employee should notify the Registrar (ADMIN) immediately a death of a family member occurs.

Sch. 4.10 Special Leave

The Deputy Vice Chancellor (AF&P) may at his discretion grant special leave for any purpose not covered by the categories of leave set out above. In granting such leave, the Deputy Vice Chancellor (AF&P) shall take into account the frequency of such absences' on a member's university work.

Sch. 4.11 Gazetted Public Holidays

The University observes all official public holidays as gazetted by the Government. Whenever a public holiday falls on a Sunday, the Monday following shall be a public holiday. The following are the current gazetted public holidays:

Sch. 4.11.1 General Holidays

- a) New Year's Day, January 1
- b) Good Friday, as provided annually
- c) Easter Monday, as provided annually
- d) Labour Day, May 1
- e) Christmas Day, December 25
- f) Boxing Day, December 26
- g) Idd Ul Fitr, as determined annually

Sch. 4.11.2 National Holidays

- a) Madaraka Day, June 1
- b) Mashujaa Day, October 20
- c) Jamhuri Day, December 12

If paid holiday falls within an employee's leave period, the holiday will not be counted as a leave day. On the other hand, if an employee works within a holiday, he/she will be compensated as per the current regulations in force.

Sch. 4.11.3 Religious Holidays

Employees whose religious holidays do not fall within the public days specified above, may, subject to exigencies of service, be allowed to take such religious holidays up to a maximum of five (5) half-days off duty each leave year to enable them to take part in the observance of religious or community festivals recognised by their religious denominations.

Any leave granted under this regulation shall be applied for and authorised in advance. It shall be on full pay and shall be additional to earned leave.

Sch. 4.12 Leave on Termination of Contract

An employee who has not availed himself/herself for the annual leave due for the year in which his/her employment ceases shall be entitled to terminal leave in accordance with section 28(1)(b) of the Employment Act (2007) which reads as follows: "Where employment is terminated after the completion of two or more consecutive months of service during any twelve months' leave-earning period, an employee shall be entitled to not less than one and three quarter days of leave with full pay, in respect of each completed month of service for that period, to be taken consecutively".

Sch. 4.13 Leave at the End of Contract

An officer on contract may need to take leave immediately preceding the end of his/her contract. This clause only deals with a situation where a contract is terminated prematurely.

SCHEDULE 5

ATTACHMENT/INTERNSHIP PROCEDURES

5.1 Recruitment of Interns

Once the University receives applications/requests for attachments, the departments shall be required to declare the number of interns they can take up at any given time.

5.2 Terms of Service

- a) An internship shall not exceed a maximum period of 3 months in any one year from the time of entry.
- b) All persons performing internship shall be expected to have accident insurance cover at their own cost.
- c) Interns shall be expected to adhere to the rules and regulations as set out in this policy.

5.3 Attendance of Training Programs

During their period of engagement, interns may attend any MMU in-house trainings provided for all staff members.

5.4 Monitoring and Evaluation

- a) On completion of 3 months internship period, a performance evaluation by the officer in charge is carried out to provide constructive feedback from both parties.
- b) At the end of internship period, the intern prepares an end of internship report which should be discussed with the relevant HOD in an exit interview.

5.5 Termination

- a) Placement comes to an end after three months from the day of inception.
- b) Within the three months, either party hereto may terminate this agreement by giving one-week written notice to this effect.

SCHEDULE 6

ANTI-HARASSMENT GUIDELINES

6.1 Conditions that Qualify as Harassment

Harassment shall be based on racial, tribal, gender, marital status, religious or ethical belief, disability, age, political opinion, employment status, family status, sexual orientation, or involvement in the activities of an employee's organisation.

The improper use of power based on administrative or Managerial status (i.e. the use of a position to insult, bully, dominate, manipulate, disadvantage or discriminate) may also constitute harassment.

Bullying – which means repeated, deliberate and targeted conduct by a person towards a member (or members) of the MMU community which is offensive, intimidating or humiliating and which detrimentally affects that member's well-being.

Romantic and/or sexual relationships between individuals in a supervisory, evaluation, advising, coaching, or counselling relationship constitute a conflict of interest.

The person in the position of higher institutional authority has the responsibility to eliminate the conflict of interest. The conflict of interest must be eliminated in a way which minimizes potential for harming the person with lower institutional authority.

6.2 Reporting Harassment Cases

- a) Individuals who have experienced some form of genuine and validated harassment shall act promptly.
- b) Such individuals shall seek initial guidance and advice from the Legal Officer and any other relevant administrative office.
- c) Following such discussions, the person may choose: to take no further action; to attempt to resolve the issue; or to request formal intervention.
- d) If the person undertakes to resolve the situation independently, the Legal Officer should follow up within reasonable time to ensure that the problem is resolved to the person's satisfaction. The matter should however be recorded and documented.

6.3 Making a Formal Complaint

- a) After discussing the problem, the person may wish to make a formal complaint. Any formal complaint of harassment shall be made in writing to the Vice-Chancellor within seven days. The person complaining ('the complainant') shall write, sign and date a brief written summary of the incident or incidents of alleged harassment. This statement shall be given to the person being complained about ('the respondent').
- b) Formal complaints are dealt with as quickly as possible, and in normal circumstances within one month. A decision is made by the Legal Officer and a constituted committee,

in consultation with the parties, as to the most appropriate managed intervention process in the circumstances.

- c) It is recognized that some alleged behaviour may constitute serious misconduct and possibly a criminal offence to be referred to appropriate external authorities.
- d) The Legal Officer and the constituted committee may set up processes to resolve complaints impartially, sometimes involving a mediator. Such processes are confidential and agreed to by both parties.
- e) Complainants have the right to withdraw from the process at any stage. However, this does not necessarily halt further investigation and/or action, e.g. disciplinary procedures, by the University where there is a perceived risk, or such action is appropriate, or where there would be legal implications if some action is not taken.
- f) Regardless of the outcome of the proceedings complainants do not suffer any consequences unless the accusations were deemed malicious.

6.4 Confidentiality

- a) MMU is committed to maintaining confidentiality unless there are exceptional circumstances involving probable risk to the safety of any individual, or where maintaining confidentiality would be unlawful.
- b) Due to the possibility of defamation proceedings, all information must be kept as confidential as possible. Complainants and respondents are advised not to discuss any matters pertaining to a complaint with anyone other than those directly involved.
- c) The University observes the principles of natural justice and procedural fairness by ensuring that anyone whose interests may be adversely affected by a complaint is aware of the allegations against them, including the identity of the person making the allegations, and given the opportunity to respond.
- d) The University does not act on anonymous complaints.
- e) The parties involved with or affected by complaints dealt with under these procedures are entitled to a fair hearing and are kept fully informed throughout the process.

6.5 Sanctions that May be Applied

- a) Allegations that are proved true shall be dealt with as per the employee rules on discipline as set out in this policy and the Government of Kenya's Employment Act.
- b) Alleged serious misconduct proved correct may, with the consent of the complainant, be referred to external law enforcement agencies. This would include alleged cases of physical assault, sexual assault and rape.
- c) Should any person make a complaint that is found to be false or vexatious, sanctions may be applied, through disciplinary procedures.
- d) Failure to prove a claim of harassment is not equivalent to a false allegation.

6.6 Representation

At any time during the management of allegations on harassment, a complainant or respondent may seek internal representation by any other employee for fairness and objectivity.

SCHEDULE 7

COMPLAINT AND GRIEVANCE PROCEDURES

7.1 Procedure

7.2 Phase 1: Verbal Discussion

Employees are required to bring complaints to the attention of their immediate supervisor in the first instance. The supervisor is required to respond to the complaint within two (2) working days. A resolution is encouraged at this stage through discussion and counselling.

7.3 Phase 2: Pre-grievance Hearing

If the employee and supervisor's discussion does not settle the matter, the employee's next step of action is to present the latter with a written grievance. The supervisor is required to respond in writing within three (3) working days. Copies of this communication should be sent to the Deputy Vice-Chancellor(AF&P). A resolution is encouraged at this stage through discussion and the counselling of all parties concerned.

7.4 Phase 3: Grievance Hearing

If the grievance is not resolved or in a case where the supervisor is the offender, the matter may be referred to the next management level. At this stage, the officer appealed to shall convene a meeting to review the grievance and the complainant's supervisor's response. The hearing should be conducted in privacy with no interruptions. The complainant may choose to be accompanied by a colleague or any other person who must be an employee. Minutes of the grievance meeting must be taken. Both the accused and the aggrieved party must provide evidence and the allegations must be clearly stated. There should be adequate allowance for enquiry and cross-examinations to and by both parties.

7.5 Phase 4: Judgment

Having received the evidence, the Disciplinary Committee shall hear the case and confirm its decision in writing within seven (7) working days to the Vice-Chancellor for further action.

7.6 Phase 5: Conclusion

If this issue is not resolved the employee should write a request for the matter to be discussed by the University Management Board. If the employee is still not satisfied with the recommendations of the above board, he/she can further appeal to the University Council (through the Vice-Chancellor) in writing, clearly stating reasons for his/her dissatisfaction. The Council, shall at its discretion determine the case and bring the matter to a conclusion.

SCHEDULE 8

8.1 Personal File Access

The purpose of this guideline is to define procedures to allow employees access their personal records for medical and legal purposes.

8.2 Exceptions

Upon the written request to the Registrar (ADMIN) for approval on personal files and medical files containing records relating solely to the employee shall be made available to the individual, with the following exceptions:

(1) Investigation Files

In the case of files dealing with potential or actual litigation claims, access shall be given to the employee in the presence of the Legal Officer. The employee shall be permitted to make notes concerning any such information.

(2) Medical and Industrial Records

Medical records should be kept separate from employee's personal files. The records should be retained for the duration of employment plus ten (10) years. This includes records of occupational injury and all types of treatment and testing by the University. Medical records to which an employee may be given access include reports of physical examinations and laboratory tests made by physicians acting for the University. The employee may also review physician's statements concerning leaves of absence or work restrictions.

(3) Reporting Changes in Personal Records

Each employee is required to report any change in name, address, telephone number, marital status and number of dependants as well as any award newly earned such as degrees or certificates to their supervisor and the Registrar (ADMIN). The University is not responsible for non-receipt of any official communication sent to an employee if the employee has failed to file a change of address notice with the Registrar (ADMIN).

(4) Procedure

Should an employee need to change the number of dependants, it is necessary for the employee to notify the Registrar (ADMIN) in writing as soon as possible and to receive acknowledgment from the same office. In every case of separation from employment, it shall be the University's objective to make it as amicable as possible for both the employee and the University. It is best that the terminating employee take with them into the community a feeling of goodwill towards the University regardless of how satisfactory or unsatisfactory they may have been during employment.

SCHEDULE 9

9.1 Procedure

The methods by which an employee shall be appraised and the job elements to be used as indicative of performance shall be determined from time to time and approved by the University Management. There shall be an employees' performance appraisal report, which shall be completed annually (1st of July -30th June) in writing in respect of every employee by his/her supervisor based on continuous appraisal and discussion during the year. When assessing an employee, the supervisor shall take into account the employee's:

- a) Professional/academic qualifications and experience.
- b) Knowledge of work.
- c) Output and speed of work.
- d) Tact, courtesy and grooming.
- e) Ability to co-operate with colleagues and persons placed in authority over him.
- f) Personal conduct.
- g) Other special merit/outstanding achievements during the year under review.

Every appraiser shall ensure that the report is completed accurately, without any bias or prejudice and to the best of his knowledge. Every appraisee shall be given the opportunity to see and discuss their appraisal form with the appraiser before signing it. The performance appraisal report shall be countersigned by the supervisor who shall be at liberty to discuss the appraisal report with both the appraiser and appraisee. The forms are available through the HR department.

9.2 Performance review

The Vice-Chancellor and deputy Vice-Chancellors shall ensure that MMU strategic objectives and hence the strategic plan are reviewed annually or as need arises in consultation with the respective schools, department and sections. The results of the review shall be communicated to all HODs/CODs and consequently to all staff.

(a) Appraisal period

The appraisal period shall be one year (1st of July -30th June). The Annual Performance Appraisal report shall be a summation of the year's performance.

(b) Frequency of Appraisal

The appraisal shall be on-going process done on quarterly basis as well as end of the year(1st of July -30th June).

(c) Evaluation by clients

Staff members shall be evaluated by their respective clients and feedback given to the supervisor and the staff member concerned.

(d) Performance Appraisal appeal

Any employee not satisfied with the supervisor's appraisal may refer the matter to the respective Deputy Vice-Chancellor who shall arbitrate and find a middle ground. If the matter is not resolved, it may be brought to the attention of staff Evaluation Committee. The matter shall be dispensed within one month.

9.3 On-going Performance Appraisal

Performance appraisal shall be an on-going and continuous exercise throughout the performance period. Milestones over the review period should be documented and maintained in the appraiser's personal file.

9.4 Mid-Year Performance Review

The main purpose of the mid-year Performance Review is to accord both the supervisor and appraisee the opportunity to jointly review the progress made by the appraisee in accomplishing the tasks and assignments agreed on at the beginning of the Appraisal period. The review shall be carried out in the form of a discussion and be centred on what has been achieved, and any constraints experienced and where there is need to vary the initial assignments in order to accommodate any unforeseen circumstances. Any changes, additions or removal of performance targets should however only be made in the event that there have been significant changes in the nature of functions carried out by the appraisee and which may necessitate revision of performance targets. The supervisor shall discuss with the appraisee his/her mid-year performance and comment on the appraisee's performance. In the event that the supervisor leaves the department, he/she shall appraise the performance of the appraisee(s) up to that point in time.

9.5 End of Year Appraisal Process

The End Year Appraisal shall take place at the end of the reporting period. The appraiser and appraisee must meet at the end of the year to discuss the overall performance over the appraisal period. Prior to the meeting, the appraisee shall prepare a preliminary assessment of the extent to which the set performance targets have been achieved as agreed at the beginning of the performance period. The appraiser and appraisee shall discuss the agreed performance targets together with any changes/comments from the mid-year performance appraisal. The appraiser shall assess the extent to which the appraisee has achieved the performance targets set, taking into account any unforeseen developments that may have affected performance during the period. The appraiser shall also assess the appraisee's core competencies and values and indicate his views in the appraisal form.

9.6 Recognition and Commendation

The performance appraisal system is primarily meant to assess the performance of an individual for the improvement of the performance of the University. The process of PAS shall therefore assist the management to make decisions in the following areas:

- a) Reward and sanction in relation to performance.
- b) Identification of job related staff development needs/training needs.
- c) Confirmation in appointment.

SCHEDULE 10

Sch. 10.1 Compensation Administration

This defines the basic elements of the compensation program and details the standards that must be observed in fulfilling the program's requirements. The compensation program consists of the following elements:

- a) Documented job descriptions.
- b) Job evaluation.
- c) Performance evaluation process.

The compensation program has been designed to provide guidance to the University Management, supervisors and other employees with compensation related responsibilities. This aims at encouraging relevant employees to adhere to the set guidelines while at the same time utilising their own judgment and authority to achieve the most effective results.

Sch. 10.2 Job Descriptions

A job holder shall be issued with an appropriate job description. The responsibility to ensure that employees are issued with job descriptions lies with the relevant departmental head. The job description shall detail the job holder's duties and responsibilities and shall form the basis for the annual performance appraisals.

Sch. 10.3 Job Evaluation

Job evaluation is a means of determining how jobs should be ranked on the basis of the education and training required, the complexity of the work involved and the responsibility the employee must bear for the results of the work. The purpose of the University's job evaluation process is to:

- a) Establish a clear identification of each position by job title and description.
- b) Conduct job analysis to determine the training, initiative, responsibility, job conditions and supervision qualifications necessary for the performance of each job category in the University.
- c) Periodically audit changes in job content.
- d) Renewal of Contract and Salary on Promotion
- e) An officer on Contractual Employment who is Re-Contracted on a new salary scale whether higher or lower than before will have the new scale starting as from the date the new employee proceeds to take up duties for a further tour of service.
- f) An officer whose salary is at most two points below the minimum point assigned to the higher scale, shall be placed at least by two salary points from his present salary point, in the next scale on being promoted.
- g) Where over-lapping scales are involved, and the officer is already in receipt of a salary equal to or higher than the minimum point assigned to the higher scale, his new salary shall be placed at the next two salary points above that in which he is presently placed.

Sch. 10.4 Salary Increments

An increment is an increase of salary by a specified amount granted annually at the beginning of every financial year at the discretion of the University Council.

In general, an employee serving on an incremental scale cannot claim to be awarded annual increments as a right. However, provided that performance of duties is satisfactory, annual increments will be awarded as a matter of course. Employees whose performance of duties is unsatisfactory or below the required standard, will not be granted any increment, or be allowed to cross the efficiency bar where applicable, until they improve their performance, which will then be subject to periodic review.

Sch. 10.5 Warning to be given

Increments should not be stopped unless an officer has already been priorly warned in writing that such a course of action will be taken.

Sch. 10.6 Grading structure

Refer to your Human Resource Office for the current organizational and grading structure.

Sch. 10.7 Entry point

The entry point of a newly appointed employee shall be the minimum in the salary scale to which he/she has been appointed. Enhanced entry point may however be considered on the basis of relevant higher qualifications and/or approved experience of the appointee.

Sch. 10.8 Salary, Overtime and Advances

10.8.1 Payment of Salary

It is a policy of the University to pay salaries promptly after the necessary statutory deductions have been made. An individual employee's remuneration package is confidential and shall not be discussed with other employees.

10.8.1.1 Procedure

(1) Payment of Salary

The pay period for all permanent and contractual employees is monthly, with salaries being processed not later than the last day of the month. Net payments are sent directly to the bank accounts of employees. No salary shall be paid in cash. The Deputy Vice-Chancellor(AF&P) shall ensure only bona fide employees are captured in the payroll on time and paid their salaries as approved in their letters of appointment/contract and annual increments.

(2) Payroll Deductions

The University is required to withhold statutory deductions and relevant taxes from each employee's gross salary. In addition, deductions shall be made from an employee's salary for benefits such as retirement contributions, advances and other monies owed to the University as well as any other amount specified by the employee such as insurance. Employees shall complete the necessary paperwork and inform the Deputy Vice-Chancellor(AF&P) in writing of those deductions they authorise at the beginning of their employment or when they occur. All changes to the payroll must be effected in writing through a Pay Change Advice (PCA).

10.8.2 Salary Advances

A salary advance shall be granted to an employee owing to unforeseen circumstances, which places him/her in a difficult financial position requiring assistance from the University.

All salaried employees are eligible for Salary Advance up to a limit of not more than two (2) times an employee's monthly basic salary as shall be approved by the Vice-Chancellor on recommendation of the Deputy Vice-Chancellor (AF&P). To qualify:

- a) An employee should not have any outstanding salary advance or disciplinary case.
- b) Recovery of the advance to be in six months.
- c) Employees are expected to ensure that they comply with the one third (1/3) rule where their total deductions do not exceed two third (2/3) of their basic salary.

10.8.3 Pension/Gratuity Benefit Scheme

Employees on permanent terms of employment shall be eligible for membership to the University's pension scheme and the terms shall be as contained in the Retirement Benefits Act and the University's Trust Deed.

10.8.4 Gratuity

Employees appointed on contract terms for a period of one (1) year and above, shall be eligible for gratuity as stipulated in the letter of appointment and as per the law.

10.8.5 Allowances

The University shall pay employees such allowances as the University Council shall determine from time to time and as provided for by the guidelines on Terms and Conditions of Service for State Corporations and Collective Bargaining Agreements.

10.8.5.1 House Allowance

Employees shall be entitled to a house allowance. The house allowance shall be paid to an employee every month as part of their compensation package.

10.8.5.2 Leave Allowance

Every employee shall be entitled to a leave allowance. The Leave allowance shall be paid to an employee only once in any one (1) leave year. The rates of leave allowance shall be those approved by the University Council.

10.8.5.3 Commuter Allowance

Employees shall be entitled to commuter allowance. The rates of commuter allowance shall be determined by the University Council.

10.8.5.6 Hardship Allowance

Eligible employees as determined by the University Council shall qualify for hardship allowance (employees working in hardship gazetted areas where the University has a campus or study centre). The rate of hardship allowance payable shall be as provided by the Government from time to time or by a negotiated CBA.

10.8.5.7 Extraneous Allowance

This is an allowance paid to officers to compensate them for extra duties occasioned by the demands of their busy offices. This allowance is paid to compensate such officers for the extraneous nature of their duties as they are required to work for long hours, during weekdays, weekends and sometimes on public holidays. The rates shall be those determined by the University Management from time to time.

10.8.5.8 Daily Subsistence/Accommodation/Night-Out Allowance

When an officer travelling on duty is required to stay overnight away from his permanent station and makes his own arrangements for boarding and lodging, accommodation allowance shall be paid to him at the rates approved by the University Council through negotiated CBAs. Eligibility for this allowance and the period of absence from the permanent station shall be determined in each case by the Management taking into account such factors as the distance, mode of travel, nature of assignment and the time taken to travel from the permanent station to a specified destination.

10.8.5.9 Subsistence Allowance when Travelling on Duty outside Kenya

An officer who is required to travel on duty outside Kenya shall be granted subsistence allowance at the daily rates as per the government rates as notified from time to time.

When an officer's travelling, boarding and lodging expenses are paid in full directly to the hosting institution/hotel by the University or any other organization, a residual allowance of up

to one-third (1/3) of the standard rate of subsistence allowance may be paid to him/her to cover incidental expenses.

An officer travelling on duty abroad is normally expected to regularize his expenses within the standard rate of subsistence allowance. Nevertheless, in very exceptional circumstances, for example, when hotels are heavily booked during an international meeting and the officer has no choice of accommodation or when the standard rate of subsistence allowance is insufficient for any other justifiable reasons, consideration shall be given by the University Management for a refund of the additional expenses on production of receipted bills in respect of actual expenditure incurred.

10.8.5.10 Travelling in the Company of a More Senior Employee

Where an employee travels on duty in the company of a more senior employee, each employee shall reside in a hotel commensurate with his/her grade unless reasons acceptable to the University are provided for such employee to reside in a hotel other than that which is commensurate with his/her grade prior to such residence.

10.8.5.11 Individual Rates

The specified individual rate in respect of subsistence allowance payable to every category of employees shall be determined by management as per negotiated CBAs or any other public policy document and approved by the University Council.

10.8.5.12 Telephone Allowance

Owing to the nature of their duties and level of responsibility, some categories of employees may be eligible for telephone allowance. The rates and eligible categories of staff for this allowance shall be approved by the University Council.

10.8.5.13 Entertainment Allowance

Owing to the nature of their duties, some employees shall be required to provide hospitality or entertainment to the University's clients. Such officers shall be paid entertainment allowances as shall be approved by the University Council.

10.8.5.14 Transfer Allowance

An employee who is transferred from one duty station to another shall be eligible for transfer allowance in the following manner:

- a) This allowance shall be paid in addition to any other allowance for which the employee is eligible.
- b) Transfer allowance shall be paid once at the rate of 20,000 Kenya shilling or at such other rate as the University Council may, from time to time, determine.
- c) The transfer should be at least 60km away from the employee's current station.

- d) No transfer allowance shall be payable if the transfer of such an employee is temporary for instance relief duties or for a period not exceeding three (3) months. Such employees shall be entitled to their subsistence allowance.

10.8.5.15 Acting Allowance

Acting allowance will be payable to an employee who is called upon to perform duties of a job position immediately above his substantive post, following the temporary or permanent vacation of the post by the substantive holder. The employee appointed to act must in every way be qualified and experienced to perform the duties of that particular post. The amount of acting allowance will be calculated as the full difference between the minimum salary applicable to the employee's job and the minimum basic salary attached to the higher post or 25% of the employee's substantive salary, whichever is higher.

The qualifying period for the payment of acting allowance shall be a minimum of thirty (30) days, continuous period, but the acting appointment should not continue for a period exceeding six (6) months. This allowance will also cease when the acting employee is confirmed to the position or when the position is substantively filled.

10.8.5.16 Special Duty Allowance

- a) When an officer does not possess the necessary qualifications and cannot be appointed to act in a higher post, but is nevertheless called upon to undertake the duties of that post either in full or in part for a limited period of time, a special duty allowance shall be granted to him. This is subject to approval by the Management.
- b) Special duty allowance shall be paid at the rate of ten percent (10%) of the officer's substantive basic salary.
- c) Special duty allowance shall be paid when an officer who performs the duties in a higher post for a continuous period of not less than thirty (30) days or when the special duty allowance appointment follows another within an interval of not more than fifteen (15) days and the actual duration of both special duty allowance appointments is thirty (30) days or more.
- d) An officer who is performing the duties of a higher post shall be eligible for travelling privileges and hotel or accommodation allowance during the period he is performing the duties of a higher post. However, the officer shall not qualify for house allowance or other remunerative allowances assigned to the higher post.

12.8.5.17 Overtime Allowance

When it is established that a non-management employee is required to work overtime as a matter of necessity and it is not possible to allow him equivalent time off in lieu of overtime, the department head shall make the request for overtime allowance to the Management for approval. Rates payable shall be as per the Terms of Service provided for each job category. Management employees shall not qualify for overtime.

10.8.5.18 Expense Reporting

In all cases, where an employee is paid any reimbursable allowance, they shall promptly and honestly account for the same to the University within 48 hours after completion of the task.

SCHEDULE 11

11.1 Resignation

Resignation is a voluntary decision by an employee to terminate his/her employment with the University.

The resignation procedure involves the following:

- a) An employee who wishes to resign from employment with the University shall give a written notice as per the Terms and Conditions of Service. This advance notification allows supervisors time to adjust work schedules and secure a replacement.
- b) On the employee's last day, the employee's supervisor shall conduct an Exit Interview. At the Exit Interview, the University property in the employee's possession shall be retrieved and information regarding final dues clarified.
- c) An employee on probation may resign by giving a seven (7) days written notice. In this case, the normal Exit Interview process shall also be undertaken.
- d) Resignation of an employee from the University shall be put in writing to the Vice-Chancellor. The resignation letter shall state reason for resignation (optional) and the effective date of the resignation.

11.2 Retirement

Employees of the University shall retire from service upon attainment of the mandatory or voluntary retirement age as per Public Service guidelines/negotiated CBAs and approved by the University Council. This policy aims at the following:

- a) To increase opportunities for advancement within the University.
- b) To help the University achieve its personnel planning objectives.
- c) To provide an orderly means of retiring employees at a time when their productivity may have started to decline and they are no longer able to meet the demands of their jobs as fully as before.

Six (6) months before retirement date of an employee, the Registrar (ADMIN) shall write and notify them of their impending retirement. The letter should include all information pertaining to the retirement including all the benefits due to the employee at the time of retirement. From this point, processes to retire the employee can be effected.

11.3 Layoffs

- a) Layoffs are initiated when one or more jobs are eliminated because of various situations such as declining level of organisational activity, reduced funding or abolished functions or operations. Decisions regarding layoffs must be reviewed and/or approved by the University Council through the Management. Employees terminated under this section are eligible for severance pay.
- b) It is the University's policy to notify an employee in advance of any necessary layoffs that is not of an employee's fault.

11.4 Provisions for Layoffs

When a layoff is necessary, the following points shall be considered in determining which position(s) shall be necessary to temporarily dissolve:

- a) The employee's job responsibilities in relation to the continued efficient operations of the University.
- b) The employee's skill level.
- c) The efficiency of the employee.
- d) The employee's length of service.
- e) The need for the employee's skills to the University.

Any employee on leave of absence during a layoff period shall be subject to layoff on return to work, in accordance with the above considerations. The University shall give an employee terminated by layoff:

- a) Pay in lieu of notice, based on the employee's length of service at the University.
- b) Service pay.
- c) Payment for leave earned but not taken.

11.5 Exit Procedure

The following shall be the exit procedure following an employee's separation from the University:

- a) Handing over of the University's property.
- b) Clearance form signed by the relevant departmental heads.
- c) Finance department to compute final dues which include pay for days worked, payment of leave days earned and not taken and payment in lieu of notice, less any dues owed to the University.
- d) Gratuity payment.

11.6 Certificate of Service

MMU shall give a certificate of service to staff members who resign or otherwise have to leave the University. The certificate shall state the dates of commencement and termination of employment, position held and any other relevant information.

11.7 Procedure

An employee who leaves the University through applicable forms of voluntary or involuntary termination shall obtain a certificate of service from the Deputy Vice-Chancellor(AF&P) after they have been officially cleared.

11.8 Death of an employee

The University has provided this guideline to accomplish as quickly as possible those actions it believes are necessary at the time of an employee's death. The death of an employee brings certain hardships to the employee's family. It is the policy of MMU to provide assistance as per the Terms and Conditions of Service and the CBA in countering the difficulties encountered when death occurs to an employee.

11.9 Procedure for final payment to the next of kin

Every employee is requested to designate their beneficiary at the time of employment. In case of death of a MMU employee, the following payments shall be made to the deceased employee's next of kin:

- a) Salary earned up to the point of death.
- b) Pro-rated leave earned but not taken.
- c) Any other dues to the deceased employee.
- d) Gratuity where applicable.
- e) Death benefits as per the term of service.

To avoid legal tussles, the University shall pay these benefits to the legally recognised next of kin only as indicated by the deceased employee and recorded in the personal file.

SCHEDULE 12

12.1 The Scheme

- a) Shall cover inpatient, outpatient, optical, dental and maternity expenses;
- b) Shall specify ailments or conditions to be covered as prescribed and approved by licensed medical officer.
- c) Shall define the limits of entitlement for inpatient, outpatient and maternity expenses; and;
- d) May be administered by an approved medical services provider, in-house by the University Chief Medical Officer or a combination of both.

Medical Benefits

The University operates a non-contributory medical scheme under which it provides free of charge, the following medical services to members of staff and their families:

- a. Clinics and General Practitioner service.
- b. Such specialist services as may be recommended by the University approved doctors or other specialists recommended by the Chief Medical officer.
- c. Hospital charges over and above the National Hospital Insurance fund's
- d. Contributions shall be paid at the rates to b determined by the Council from time to time. The current rates are indicated in schedule XIV.
- e. Cost of drugs in full in a calendar year.
- f. The payment of anaesthetist's, surgeon's, theatre and other specialist's treatment.
- g. Expenses on testing of eyes, supply of spectacles and dental treatment will be covered as indicated in Schedule XIV per family on production of supporting receipts.

Children of members of staff (including legally adopted children) for whose support in the opinion of the Council, the member of staff is responsible and who are wholly so supported and are under the age of eighteen (18) years, shall be included in the University medical scheme free of charge.

Children in the above category over the age of eighteen (18) years, who, in the opinion of the Council are undergoing an approved full-time course of higher or other approved education shall be included in the medical scheme free of charge. In exceptional circumstances, the Principal may extend the maximum age, subject to the Council's approval.

12.2 Cost of Transport and Travelling in Connection with Medical Treatment

The University may, at its own discretion, meet the expenses of transport in connection with free medical attention and hospital treatment as may be approved by the Council and implemented through the Vice-Chancellor. The specific circumstances are defined in the MMU terms and conditions of the medical scheme.

12.3 Medical and Hospital Treatment outside Kenya

- a) No employee or an eligible member of his family shall be considered for medical treatment overseas except on recommendation of an approved medical practitioner and approved by the University Council. Such a recommendation shall be dealt with on an ex-gratia basis.
- b) Authority to incur expenditure for medical treatment outside Kenya shall be subject to authorisation by the University Council.
- c) Where an employee who is outside Kenya either on University business or for a University -sponsored course falls ill and receives medical attention or treatment outside Kenya, the University shall reimburse such costs as provided for in the Medical scheme and upon production of original receipts from a licensed medical practitioner in that country.

12.4 National Hospital Insurance Fund

12.5 Rates of Contribution

All officers are statutorily required to make a monthly contribution to the fund according to their MMU job levels. As per the provisions inpatient hospital bills incurred by MMU staff shall be settled by the University less the NHIF cover.

12.6 Benefits

Benefits consist of a daily allowance at rates that are fixed from time to time by the hospital where treatment is being undertaken

12.6.1 Reimbursement Rates

When an employee who is a contributor or a member of his/her family obtains a hospital treatment at a NHIF recognised medical entity within the limit of such an officer any charges over and above what NHIF has covered and is within MMU medical provision shall be reimbursed upon production of genuine receipt of the same.

12.7 Claims for “Ex-Gratia” Assistance (Financial Assistance over and above the Allowed Upper Limits in the Medical Scheme)

The University shall at its discretion consider ex-gratia assistance for medical expenses incurred by an officer, his/her spouse or children in excess of the amount reimbursed to him/her by NHIF and in excess of what is covered by the MMU medical scheme where an officer’s financial circumstances after meeting the medical expenses call for financial assistance from the University. Such an officer may be given some financial assistance by the University after approval by the Council since such a situation could impose considerable financial constraints on the member of the staff.

Claims for “ex-gratia” assistance giving full details of the illness shall be forwarded to the University Council for approval. All medical claims for officers shall be submitted through the University Chief Medical Officer. The claims shall thereafter be deliberated by the Registrar (ADMIN) and University Chief Medical officer and make recommendation to Vice-Chancellor for action as appropriate.

12.8 Inpatient Expenses

- (1) Consultation fees and evacuation costs directly leading to hospitalization
- (2) In hospital accommodation costs.
- (3) ICU/HDU charges, physiotherapy, radiotherapy and chemotherapy
- (4) Theatre charges, costs of surgical appliances and toiletries.
- (5) Road and air ambulance for emergency evacuations.
- (6) Doctors' fees (physicians, surgeons, anaesthetics).
- (7) Medical investigations & pathology such as X-rays, scans, assorted laboratory tests.
- (8) Inpatient ophthalmological (eye), ear, dental treatment and management arising out of sickness or injuries.
- (9) Prescribed medications, dressings and costs of surgical appliances and toiletries.
- (10) Day-care surgeries and procedures subject to pre-authorization.
- (11) Treatment for pre-existing cases, chronic conditions and HIV/AIDS management plus related conditions. The chronic ailments include diabetes, hypertension, asthma, renal failure, Eczema, Osteoarthritis/ Rheumatoid arthritis/spondylosis, liver diseases, Eczema among others.
- (12) Congenital conditions covered within the pre-existing /chronic conditions.
- (13) Psycho-effective illnesses e.g. mania /depression.
- (14) Laser surgery treatment and cataract surgery.
- (15) Family planning and infertility treatment.

12.9 Excluded Benefits

- (1) General/routine health checkups.
- (2) Intentional self injury, chronic drunkenness, drug and substance abuse.
- (3) Cosmetic surgery and beauty treatment unless necessitated by accidental injuries.
- (4) Treatment other than by registered medical practitioners.
- (5) Amount (rebate) recoverable from NHIF and other insurances.
- (6) Treatment by chiropractors, Acupuncturist and Herbalists.
- (7) Active participation in riots and strikes.

12.10 Insurance Cover Limits

If the University outsources medical scheme services for its staff, the following will be the inpatient and outpatient limits. The limits for dental, optical and maternity will be negotiated with the insurance company.

INSURANCE SCHEME LIMITS

CATEGORY	GROUP	INPATIENT LIMITS (KSHS) PER YEAR	OUTPATIENT LIMITS (KSHS) PER YEAR
	Vice-Chancellor	5,000,000.00	500,000.00
	Deputy Vice-Chancellors	4,000,000.00	400,000.00
1	Professors, Registrars,	2,000,000.00	300,000.00
2	Associate Professors, Finance Officer	1,800,000.00	300,000.00
3	Deputy Registrar	1,700,000.00	300,000.00
4	Senior Lecturers, Senior Assistant Registrars	1,600,000.00	250,000.00
5	Lecturers, Assistant Lecturers, Tutorial Fellows	1,200,000.00	200,000.00
6	Assistant Registrars and equivalent	1,000,000.00	200,000.00
7	Grade 11	900,000.00	180,000.00
8	Grade 9/10	800,000.00	180,000.00
9	Grade 7/8	700,000.00	150,000.00
10	Grade 5/6	500,000.00	150,000.00
11	Grade 3/4	300,000.00	100,000.00
12	Grade 1/2	200,000.00	100,000.00