

An Assessment of the Political Environment of Trade Unions in Kenya: Is the Prevailing Environment Conducive?

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Abstract: Trade unions are independent workers organizations recognized by the Kenyan constitution to advance the interests of the workers. This recognition empowers them to work within the confines of the law to ensure workers enjoy fundamental labour rights and freedoms and accompanying employment benefits such as higher wages, job security, and likeable working environs, improvement of their lot, improved welfares and the right to partake freely into workplace matters. To achieve these goals, trade unions require a conducive political as well as socio-economic environment devoid of any hindrances. This paper therefore, examines the political environment that trade unions have operated in, and continue to operate in the country from the periods before independence, after independence and also after the proclamation of the current constitution in 2010. It assesses also the role of politics in the management of the unions in the country. Over the years, considerable developments have been made towards the progression of trade unions in Kenya. This is evident in the increased number of trade unions in the country, workers awareness to their labour rights as well as the increased democratic space. These developments notwithstanding, we recommend that government creates a favourable political environment for trade unions, desist from interference and infiltrating trade unions, adheres to the rule of law, create law enforcement mechanisms for labour laws and equally union leadership to stop any dalliance with politicians. Indeed government functionaries have interfered, infiltrated and politicised trade union activities. This has hampered what would otherwise be a cordial and well managed sector. The government has a duty to ensure that there is a good operating environment for the trade unions devoid of any political maneuvers for them to be able to execute their mandate well as expected by the workers. It must also view trade unions as key partners in labour relation matters and not adversaries. Based on this, we conclude that, the political environment under which the unions are operating is still not conducive enough as it should be for the trade unions to fully flourish.

Keywords: Political, Trade unions, Assessment, Prevailing, Environment, Democratic, Workers.

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Introduction

The formation and development of the trade unions in Kenya have a very extensive and laborious history. It has undergone various periods which have significantly defined its progress. The legal framework in the pre-independence period in which the trade unions operated was colonial based and not well established, immediate post-independence period which was defined by the independence constitution and the evolution of triparties engagement and voluntary industrial relations, and the present post-2010 constitution where workers' rights and trade unionism was entrenched in the constitution. The changing legal structures influenced greatly the political decisions of the day.

This entrenchment as well as the anchoring of section 41 in the constitution under the bill of rights, was a deliberate move by the crafters of the constitution to recognize the labour movement in the country and to allow workers to enjoy the fundamental freedoms granted by the constitution in executing their duties. These freedoms and rights guarantees the workers unions to operate freely without restrictions as was witnessed in the old constitution's tenure enacted in 1963.

It is important also to note that in the year 2007, the trade unions act was repealed, and subsequently replaced by the Labour Relations Act which came into being alongside other labour acts whose aim was to address the deficiencies emanating from the earlier Trade Unions Act improve workers welfare and conditions at the workplace and the trade union relations with the government as well as with the employers. The other four acts which were enacted were the employment act, the Labour Institutions Act, the Work Injury and Benefits Act and the Occupation, Safety and Health Act (OSHA) (Tubey, 2015). These laws were crafted to capture the current trends in the workplace.

The work, injury and benefits act seeks to provide compensation to employees for work related injuries and diseases contracted in the course of their employment and for connected purposes. The Labour Institutions act seeks to provide for their functions, powers and duties and to provide for other matters connected thereto. The repeal of the employment act seeks to declare and define the fundamental rights of employees, to provide basic conditions of employment of employees, to regulate employment of children, and to provide for matters connected with

the foregoing. The Labour Relations Act consolidates the law relating to trade unions and trade disputes, to provide for the registration, regulation, management and democratization of trade unions and employers organizations or federations, to promote sound labour relations through the protection and promotion of freedom of association, the encouragement of effective collective bargaining and promotion of orderly and expeditious dispute settlement, conducive to social justice and economic development and for connected purposes. The Occupational Safety and Health Act provides for the safety, health and welfare of workers and all persons lawfully present at workplaces, to provide for the establishment of the National Council for Occupational Safety and health and for connected purposes (Acts of Parliament, 2007).

These laws are testimony to the realization that workers interests and welfare were paramount and had become of age and therefore to ensure that there is adequate legislation to address the workers and trade unions wellbeing devoid of anything that will jeopardise their overall development moving forward. Despite the existence of these laws, political interference has been witnessed in the running of trade union affairs.

This paper therefore examines the prevailing political atmosphere in which trade unions are operating in Kenya since the country's independence and how it has posed significant challenges to the operations of trade unions, taking into consideration the existence of robust labour laws and the anchoring of labour matters in the country's constitution. Suggestions on how these challenges can be overcome will also be formulated.

Historical Development of Trade Unions

In this section, we examine the evolution of the trade unions in Kenya and how the political establishments of the day and their activities have interfered and impeded the development of trade unions in the country. We look at the various periods in the life of the country from the time the country's territory was taken over by the British government around 1895 when they took over the interior as far west as Lake Naivasha, made it a protectorate and later declared it as a British crown colony on 23 July, 1920 under the protectorate of the British empire. It became known as British Kenya. This lasted up to 1964 after the country gained its independence and became a republic. The second period is immediately after independence up to the year 2010 when a new constitution was passed, and finally the subsequent period to date.

Pre-independence period

Trade union development started in Kenya earlier than in any other part of East Africa. In fact, Kenya's experience helped the growth of trade unions elsewhere in East Africa (Mboya, 1986). Kenya's trade union movement was part and parcel of the national struggle against colonialism (Zarina, 2006). The evolution of the trade union movement was a reaction to the harsh conditions of Africans labour who felt they were being exploited and treated unfairly. This was mainly because the colonizers subjected Kenyans to hegemonic controls and imposed their procedures and practices in all spheres of life. The indigenous populations were forced to work on the white settlers farms for a pittance. (Mwathie, 2018).

Prior to attainment of independence were decades of adversity between colonial authorities and the restive labour movement, whose protests and struggle for freedom and labour rights were brutally suppressed by authorities (Aluchio, 1998).

Government hostility to trade unions was based on the belief that they meant riots and Communism (Mboya, 2006). Trade unions' response was equally uncompromising, as they embarked on strikes and other forms of protests across the country. These protests were met with the stiff hands of the authorities, determined to quash worker militancy at all costs; strikes were banned while labour leaders were imprisoned, but these actions generally failed to intimidate the labour leaders or arrest the growing discontent with the colonial authorities (Fashoyin, 2010). The settler colonial mentality thrived on elimination, domination and suppression of the colonized. They created structures to subjugate forever and exploit the colonized.

The first trade union in Kenya was registered in 1949 as ordinance no. 35 due to various factors that included: strong opposition of elite settler employees; the small number of wage earners and their lack of technical know-how in trade union organization; the authoritarian nature of the colonial political systems; the restrictive labour laws; and the high rate of illiteracy among wage earners. No machinery existed for negotiation or consultation between the workers and the employers (Mboya, 1986). Between 1949 and 1963, several other trade unions articulating various issues affecting the workers in various trades and fields were formed. They became the real voices for workers against unfair labour practices.

Post-independence Period

Workers looked to *uhuru* with lots of confidence. These celebrations and happiness were short-lived though, and workers slowly started losing hope that this was a government for the working people, and one in touch with their needs and grievances. Workers welfare was not accorded attention and the seriousness it deserved, and this created a state of hopelessness to workers in the young nation. Political maneuvers and collusions by key political players of the day seemed to be the main business of the ruling elite. Consolidation of political power was the major agenda in the new government. Events following immediately after attainment of independence points to this affirmation.

Notably, the two independence political parties with different ideologies, merged together in November, 1964. This gave the then KANU government the opportunity to install a centralist system of government in place with little or no opposition. Widner (1992) as cited in Barkan (1994) has referred to this phenomenon as "the rise of party state." Trade unions were equally expected to tag along and identify themselves with the ruling party. This was clearly manifested in 1965, when the government sought to have full control of the largest conglomeration of trade unions, COTU, by determining who was to become the general secretary from a list of the three elected officials. This period defined a new relationship between the government and trade unions, thus marking beginning of interference and muzzling of the trade union movement in Kenya.

Additionally, Jomo Kenyatta, Kenya's first president, abhorred competitive politics and that is why he strategized very fast to dismantle KADU immediately after independence. He set the stage by personalizing politics and development in Kenya. Many supposedly apolitical bodies were politicized, such as trade unions, universities, co-operative societies, women organizations, police and the army (Njogu, 2013). This trend continued under Moi's government from 1978 to 2002. There was too much government in Kenyan society (Munene, 1997). A tradition of

direct and indirect intimidation of constitutional dissent was equally maintained (Barkan, 2013).

The period after 2010 following the promulgation of new constitution

The reduced political space since the country's independence led to agitation for a new constitutional dispensation by opposition politicians, pressure groups and lobby groups. This agitation also set the stage for multiparty politics with a wide political space. This led to the promulgation of a new constitution in 2010. This document was welcomed with pomp and colour for it was seen as a panacea for the many ills that had bedeviled the nation since its birth in 1963 on all fronts – political, socio-economic as well as legal. However, just like the period just before independence, the hopes that citizens had, are slowly diminishing since the old habits seem to be recurring.

The new constitution brought to an end all previous wrongs; or had brought fresh or stronger safeguards against their return. We were trying to make the Kenya we had clearly said in the referendum a few weeks earlier, what we wanted – by an overwhelming majority (Nowrojee, 2023). This was promulgated with a joyous roar as the then president presented the sealed document high in the air for the whole nation and the world to see.

The 2010 constitution is a powerful tool that guides the country to extraordinary success, but unfortunately it is the most abused document, with a good number of articles rendered obsolete and others useless. Following the experience where a lot of powers were concentrated around the presidency, they also sought to protect some government functions. This led to about 14 independent commissions and offices including the judicial service commission, Teachers Service Commission, Public Service Commission, Salaries Review and Remuneration Commission, etc. The unfortunate bit is these institutions tend to take the character of those appointed to head them and operate by the mercies of the appointing authority. Not once have some of these institutions made decisions clearly non-independent (Nyagwoka, 2024). Courtesy of a complacent parliament.

Trade Unions and the Struggle for the Country's Freedom Liberation

The unions were instrumental in rallying people to the call for independence by pitching themselves against colonialism. We aver that the power and ability to mobilize people and resources must have been viewed as a threat to the new establishment. Zarina (2006) has noted that in the period 1927 to 1939 Labour Trade Union of Kenya (LTU), which was renamed LTUEA in the following year to include Uganda and Tanganyika was launched with its main objectives being to organize the workers in Kenya to defend their rights and struggle for anything in their interests.

The unity of the African nationalist organizations was being strengthened as the Kikuyu Central Association (KCA), the North Kavirondo Central Association, the Taita Hills Association and the Ukambani Members Association began to work together. One outcome of their unity was that the leaders of these associations now began cooperating with LTUEA, and African workers began to join the union in large numbers. Subsequent meetings held in 1950 in Nairobi at the Kaloleni Social Hall and attended by several trade union leaders and government legislative council (legco) leaders, a resolution was reached which stated that “ the real solution of the problem is not this or that small reform,

but the complete independence and sovereignty of the East African territories and establishment in all these territories of democratic government elected by the people and responsible to the people of these territories only, and that the solution should be implemented at an early stage (Zarina, 2006). This led to the arrest of several key leaders.

Politicization of trade Unions: Centralization of power

Kenya attained its independence and unshackled itself from the colonial rule of about 70 years in December, 1963. The ruling party Kenya African National Union (KANU), won majority seats, with Kenya African Democratic party (KADU) getting minority seats. The two parties had different political ideologies. KANU preferred immediate total independence and unitary government with a new constitution, while KADU pushed for a continuation of the colonial political system with a quasi - federalism as its key ideology. Jomo Kenyatta, Kenya's first president, abhorred competitive politics and that is why he strategized first to dismantle KADU immediately after independence. He set the stage by personalizing politics and development in Kenya. Many supposedly apolitical bodies were politicized, such as trade unions, universities, co-operative societies, women organizations, police and he army (Njogu, 2013). This trend continued under Moi's government from 1978 to 2002. There was too much government in Kenyan society (Munene, 1997). A tradition of direct and indirect intimidation of constitutional dissent was equally maintained (Barkan, 1994). The government tactfully wanted to reduce or remove any resistance or dissent to its authority.

The Labour Movement Entanglement in Politics

Immediately after independence, trade unions which had been influential in the agitation of both the workers' rights and independence, started becoming elitist and compromised by the political establishment. Trade union leaders also started using unionism as springboard to politics, and the labour movement was equally used as the training ground for politics (Kamau, 2021). In fact since then, most of the top officials in the labour movement have continued to engage themselves in politics. The largest workers body Cotu has remained a highly political organization- and most of the top officials waded into national politics and at best, they are more concerned with their personal interests and survival and hardly press for workers' rights. It can rightfully be said that Cotu has been the training ground for politics (Kamau, 2025).

This involvement in politics has made trade unions to not be spared either in the scheme of things by the political leaders, since the power of the unions was well known from its activities in terms of mobilizing the people and resources in the colonial period during the agitation of the fight for independence and this in itself was scary to the political establishment. It posed a significant threat. The unions were instrumental in rallying people to the call for independence by pitching themselves against colonialism. In a nutshell, the new political players seemingly entrenched the colonial principle of divide-and-rule into the trade unions leadership. The KANU government's relationship with labour unions changed as a result of these events. We fervently contend that as time progressed, the two entities' prior relationship gradually deteriorated. We also contend that the first erosion of trade union sovereignty came about as a result of the attainment of independence.

The affiliation of the Kenya Federation of Labour to the western affiliated and controlled International Confederation of Free Trade Unions (ICFTU) resulted in a series of breakaways in the leadership. Continued ICFTU domination of the KFL led to a fresh and major split. This was in 1964. The new Federation was called the Kenya Federation of Progressive Trade Unions, and later renamed the Kenya African Workers Congress (KAWC). The congress was registered and rallied unions behind it. Numbers of unions broke from the KFL, including the dock workers, the oil workers, the Common Services Union, the railway, building and construction union, the quarry and mine workers, the Salaried Workers Association and it was clear that KFL was losing heavily to the KAWC. The KAWC started with a minority of the unions affiliated to it, but it had mass support even in the unions affiliated to the KFL. It held enormous workers' rallies in Nairobi and Mombasa, and in Kisumu during 1964 and 1965. Both union federations were registered, and they functioned side by side, with the KAWC continuing to rally most workers' support. Minister of Labour at that time was demonstrably sympathetic to the KFL and went out of his way to give it facilities. Examples of this favouritism were the recognition in Kenya of the KFL as the only representative body of Kenya workers at ILO; and the admission of the KFL as the only trade union body allowed to sit on the Labour Advisory Board, a statutory body (Odinga, 1967).

The splitting of KFL in 1964, and the formation of the Kenya Africa Workers Congress, which was affiliated to All Africa Trade Union Federation. Kenya was now home to two umbrella organizations and this was a deliberate political move. As the two groups, started fighting, the president set up an inter-ministerial committee to recommend the way forward. And that is how he eventually decreed the formation of Cotu (Kamau, 2021). Kenya was now home to two umbrella organizations. As the two groups, started fighting, the president set up an inter-ministerial committee to recommend the way forward.

In as much as the reasons given prior to forming the committee were 'to put an end to the bitter rivalries' and to 'foster economic development and strengthen the existing unions' (Owithi, 2024), the labour movement in Kenya was getting entangled in cold war politics and had also started fighting amongst them as a result (Kamau, 2021). Some of them had become like non-governmental organizations with some receiving funding from other countries to drive agendas other than that of workers Mghanga (2011). The presidential committee recommended for the formation of a central body for all the trade unions in Kenya. In September 1965, the government sought to reorganize the trade union movement. Since then, protection of workers' rights has been spearheaded by COTU (K) in conjunction with its affiliate unions (Owithi, 2024). The Kenya Federation of Labour (KFL), the African Workers Congress and other similar bodies were deregistered, all existing external affiliations were cancelled and fresh elections were held for selecting officials of the new organization, the Central Organization of Trade Unions (COTU). The state effectively censured control of the trade union movement in Kenya (Zarina, 2006), and which explains its toothless bulldog status (Kamau, 2021). Institutional control was at its peak in the fact that all elected top functionaries of COTU must be confirmed by the office of the president (Oyugi, 1994).

We argue that these scheming within a short time after independence and the accompanying public pronouncements in the period thereafter by the establishment's leadership were the prerequisites and machinations of one party domination in Kenya

under KANU. Kenya was declared a de jure one party state in 1982 thus stifling any dissent from any quarter. Immediately thereafter, Moi's government showed an increasing determination to transform KANU into a monolithic national organization like its Tanzanian counterpart, seeking to exert control over the national trade union confederation, COTU (Central Organization of Trade Unions), the national women's organization, *Maendeleo ya Wanawake* (Women for Development), university student unions, youth organizations, professional associations, and other elements of civil society (Barkan, 1995). Okumu and Holquist (1984) as cited by Barkan (1995), have compared TANU under Nyerere with KANU under Kenyatta. Whereas the latter was a strong governing party that paralleled virtually every institution of the state that was ideologically based, the former represented little in the way of ideological or organizational innovation. The same can be said of the Congress of South African Union (COSATU) in South Africa which has always had linkages with the ruling African National Congress, but importantly it has maintained a very strong ideological identity rooted in Marxist and workerist traditions devoid of underhand schemes that place workers interests in the backseat unlike Cotu.

From the promulgated constitution, a significant check was need for parliamentary concurrence on several presidential appointments. The history in Kenya is everything passes. Even matters of great consequence, such as unexplained wealth, corruption cases and questionable academic certificates arise, the President's call takes the day. The importance of public participation when passing laws and policies cannot be overstated. All these are the fulcrums of our governance and deliberate measures to protect our democracy. Unfortunately, most current leaders were raised in the old constitution, where the president had his way. They find it hard to adjust to the new era where the people must buy in. This was evident during the introduction of the housing levy from workers' salaries in 2023 and despite workers resentment through petitions and appeals, parliamentarians passed it into law. Zarina (2006) adds that clearly, the problem of concentrating power in one individual thus swaying political decisions without rationale discussions is not a recent phenomenon in Kenya.

Disregard of Existing Laws

In Kenya, labour laws only exist in paper. Workers are literally treated like slaves and paid peanuts while making millions for their employers (Nyagwoka, 2024). The trade union movement has a long history of attempts by outside forces to infiltrate them and subsidize them to pursue tame policies. A case in point was the splitting of the giant Kenya National Teachers Union (KNUT) which ended up in a splinter union Kenya Union of Post-Primary Education Teachers (KUPPET). The government's hand was seen in this manouvre aimed at weakening KNUT. Granted and According to Devinat, (2011) trade unions are looked at as an extension of democracy from politics to industry under the industrial democracy theory (Mwath, 2018). Government and employers play a key role in the declining influence of the unions. In fact, government has been accused of registering the rival union Kuppet of emasculating and decimating Knut. "The world over, governments and bosses are using such tricks to weaken unions. It takes unity to survive. Otherwise, they become toothless.

Alesina and Spolaore, (1997) and Paczyńska, (2006) have postulated that the trade union is an organization of workers essentially functions to over-come the weakness of unorganized

individual labor through collective action. Trade unions gain power from their capacity to withdraw labor and prevent alternative allocation of labor by acting monopolistic. Hence membership represents strength of organized labor. The extent of fragmentation or centralization also conditions the strength and orientation of trade unions. Competition among trade unions for representation of the same group of workers weakens unions internally and intra union coordination externally (Murillo, 2001). Apart from direct collective mobilization through membership, trade union strength is determined by institutional access to social resources, participation in decision making, autonomy from state and legal prerogatives and substantive legal rights increases the power of organized labor (Zaad, 2016).

Trade unions are akin to political parties as they perform the function of articulation of demands, create consciousness and serve as a specific interest group. Differences in the orientation of trade unions particularly between left trade unions and non-left trade unions due to the ideological reasons have been documented in literature (Masilamani, 1994). Political competition and loyalties to government also impact trade union strength and response. Murillo (2001) points out that political linkage between government and trade union facilitates cooperation where as political competition for trade union control provides incentives for militancy (Zaad, 2016).

On the few occasions when COTU had announced a one-day general strike to obtain a rise in the minimum wage in times of political tensions, as in May 1975 or June 1982, a brief warning from the President was enough to make it abandon its plans (Oyugi, 1994). Additionally, the 'Union of Kenya Civil Servants', the largest and most powerful single union, was dissolved by presidential decree in 1982 because of its "militancy". This was a reaction to the radical trade unionists who had called for reactivation of the trade unions i.e. more frequent trade union elections and a stronger political orientation. Also, the University Staff Union (USU) the precursor of UASU was banned at the same time. President Moi, when issuing a ban on the unions in a public function, said that the government was "taking care of its employees well and therefore did not need unions (Munene, 1997).

In the early years, indeed, the Trade Unions Act gave the Registrar sweeping powers on the issue of the registration of trade unions. The general practice by the Registrar was either to sit on the applications without response or to refuse registration. This trend of behavior was directly linked to situations where the president has directly and openly taken a stand as he did in the cases of USU and later UASU, Civil Servants Union (CSU), Kenya Medical Practitioners and Dentists Union (KMPDU) and SAFINA (Swahili word for Noah's Ark). SAFINA was thereafter registered in late 1997 (Adar, 1997).

On the initiative of the employer's organization – "Kenya Federation of Labour" (KFL) – the Trade disputes Act as passed in 1965 which, was a reaction against the relatively frequent strikes since 1960, changed the situation further to the disadvantage of the trade unions. They possess a certain amount of autonomy in negotiations, but the minister of Labour could declare strikes to be illegal if the lengthy negotiations procedures, culminating in the 'industrial Court', the highest arbitration tribunal, have not been adhered to. As proceedings in this are often delayed and the panel of judges are appointed by the government, the trade unions have up to now given in (Munene, 1997). The unions seemed able to

commit themselves to strike action, for instance, only if the government agreed (Odinga, 1967).

Today under the current multiparty arrangement, there is no direct control of unions as in the past by the government, however in periods of industrial unrest such as the frequent strikes by doctors, university staff, nurses and other employees, the response has always been unwarranted highhandedness and violent dispersals by the police. Mutual agreements reached during collective bargaining negotiations are rarely honoured by the employer and government again leading to industrial disharmony. This is a negation of the law which anticipates that such negotiations and agreements be done in an atmosphere of good faith and sincerity by the parties involved. The Salaries and Remuneration Commission (SRC) established by the constitution to review remuneration and benefits of public officers as well as advising the government has not fared any better. It has abdicated its role in many occasions and mutated into an impediment to the process of collective bargaining negotiations, through issuance of negative advisories and creation of unnecessary bottlenecks.

There has for instance been lots of haggling between the government and doctors which is not healthy at all. In the earlier days, doctors would be on the streets demanding better terms of service but today they are demanding what has been agreed and signed on paper; then a chance to negotiate further. (Nyagwoka, 2014). These renegeing of agreed pacts has been the norm to several other unions. The issues on the table notwithstanding, the last thing that should be allowed is the government taking away the benefits and allowances already settled. This is counterproductive to the process and against the principle and spirit of collective bargaining agreements.

Recommendations

The role of trade unions in championing for the rights and welfare of the workers at the workplace cannot be gainsaid. Unions play a big role in bringing industrial harmony between the employer and employees and given an environment to operate freely without hindrance, they can achieve a lot. In order for the unions to work better under any political dispensation, we recommend a raft of measures:

The Industrial Relations Charter envisages a situation where the unions, the government through the labour ministry and the employer through the federation of Kenya Employees engage through a tripartite agreement. For this to be effective, it is important that the different players stick to their rightful lanes. There shouldn't be any interference and infiltration by the political players in this process.

We also urge adherence to the rule of law by the government. Within the labour laws and regulations, there exists well defined mechanisms for dispute resolution which if well adhered to, will enable the smooth handling of labour related matters without the derailment by politicians through unwarranted political statements that can put matters in jeopardy. These regulations should be strictly followed.

The critical gaps which have been noted such as challenges in the implementation and enforcement of collective bargaining agreements (CBAs), non-implementation of agreed positions and gridlocks in negotiations between employers and trade unions that lead to labour unrest be reduced by honoring of the agreed pacts. The political establishment in most cases deliberately refuse to

honour them. There should be put in place a mechanism by the ministry of labour to strengthen the enforcement mechanisms of CBAs which is clearly lacking. There is a very weak enforcement and implementation of the existing labour laws.

The Salaries and Remuneration Commission (SRC) has been cited severally as interfering in collective bargaining processes leading to continued labour unrest. We recommend that its role remains purely advisory as stated in the constitution and not be misused through political machinations for distractive purposes to the disadvantage of unions.

Policy ambiguities, disrespect of rights to unionized personnel and the proposed removal of protests and strikes in the country's capital city through legislation by politicians threatens and intimidates union sustainability and collective representation. The constitution under chapter four has a bill of rights which inter alia guarantees certain fundamental freedoms to workers – the right to strike, picketing and protesting. These are rights which cannot be removed, but should instead be protected.

Trade union leaders have had dalliance with the politicians. They have engaged themselves either directly or indirectly with the activities of political parties. Cotu has been notorious in this front to the detriment of the workers. What may want to be conceived as the conglomerate Cotu union strength, is actually partisan political gimmicks and other dynamics operating through the giant workers body. All existing evidences point to failure and disappointment by Cotu to protect the interests and welfare of the organized sector leading to demotivated workers and emaciated labor. We recommend that officials in the labour movement disengage from such practices. Granted, unions and government can, and, should work together however such an arrangement should be mutual, and be both independent and interdependent for the singular benefit of the worker

Conclusion

The primary role of trade unions is to champion for better pay, good and to safe and dignified working conditions, reduce discrimination in the workplace, advance employment levels and giving advice and counselling to members in case of unavoidable layoffs and redundancies. However, in their pursuit to achieve these endeavours, they have been viewed as a nuisance by the government and their efforts have mostly been frustrated deliberately. Instances of high-handedness, lukewarm handling of their grievances by the government as well as interference and infiltration of its activities by politicians, has otherwise hampered what would otherwise be a cordial and well managed state of affairs. Indeed the government has a duty to ensure that there is a good operating environment for the trade unions devoid of any political maneuvers for them to be able to execute their obligation well. It must also view trade unions as key partners in labour relation matters and not adversaries. With this glaring insight, this paper concludes that, the political environment in which the unions are operating is still not conducive enough as it should be for the trade unions to fully flourish.

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