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ACRONYMS

PAYE	Pay As You Earn
NSSF	National Social Security Fund
SHIF	Social Health Insurance Fund
PPE	Personal Protective Equipment

CHAIRPERSON'S FOREWORD

On behalf of the Public Petitions Committee and pursuant to the provisions of Standing Order 227, it is my pleasant privilege and honour to present this House the Report of the Public Petitions Committee regarding public petition No.4 OF 2025 regarding unfair labour practices by Sukari Industries Limited in Homa Bay County. The Petition was presented to the House pursuant to Standing Order No. 225 (2) (a) by Hon. Martin Peters Owino, M.P. on behalf of the workers of Sukari Industry, Ndhiwa Constituency, Homa Bay County.

The Petitioner prayed that the National Assembly through the Public Petitions Committee inquire into the alleged discrimination, unfavourable working conditions and unfair treatment of both outsourced and directly employed workers, whether local or foreign. Further the Petitioner prayed that the Committee recommends that Sukari Industries Limited allow its workers, including those hired through outsourcing firms, to join or form labour unions to safeguard their rights, particularly their right to fair remuneration and reasonable working conditions, as guaranteed under Article 41 of the Constitution;

In consideration of the Petition, the Committee collected the views from the petitioner, Ministry responsible for labour and the Management of Sukari Industry on the various issues raised in the petition.

The Committee observed grievances by Sukari Industry workers included racial discrimination, unfavourable working conditions and unfair treatment and labour practices of both outsourced and directly employed workers, whether local or foreign at Sukari Industries Limited.

The Committee recommended that the Ministry of Labour and Social Protection undertake investigation of the unfair labour practices by Sukari Industries Limited. Further, the Committee recommends that all workers must be allowed to belong to a union of their choice and the Employer must deduct union dues from all that have confirmed in writing through check-offs to be deducted and remit to the Union.

The Committee is thankful to the Offices of the Speaker and the Clerk of the National Assembly for the logistical and technical support offered during the consideration of the Petition. The Chairperson expresses gratitude to the Members of the Committee and the secretariat for their devotion and commitment to duty during the consideration of the Petition.

On behalf of the Committee and pursuant to the provisions of Standing Order 199, I now wish to table the report before the House.

HON. MUCHANGI KAREMBA, CBS, M.P.

CHAIRPERSON, PUBLIC PETITIONS COMMITTEE

PART ONE

1. PREFACE

1.1 Establishment and Mandate of the Committee

- 1) The Public Petitions Committee was established under the provisions of Standing Order 208A with the following terms of reference:
 - i) considering all public petitions tabled in the House;
 - ii) making such recommendations as may be appropriate with respect to the prayers sought in the petitions;
 - iii) recommending whether the findings arising from consideration of a petition should be debated; and
 - iv) advising the House and reporting on all public petitions committed to it.

1.2 Committee Membership

- 2) The Public Petitions Committee was constituted in October 2022 and comprises the following Members:

Chairperson

Hon. Muchangi Karemba, CBS, M.P.
Runyenjes Constituency

United Democratic Alliance (UDA)

Vice Chairperson

Hon. Janet Jepkemboi Sitienei, M.P.
Turbo Constituency

United Democratic Alliance (UDA)

Hon. Patrick Makau King'ola, M.P.
Mavoko Constituency

Wiper Democratic Movement-Kenya (WDM-K)

Hon. Edith Vethi Nyenze, M.P.
Kitui West Constituency

Wiper Democratic Movement-Kenya (WDM-K)

Hon. Ntwiga Patrick Munene, M.P.
Chuka Igambang'ombe Constituency

United Democratic Alliance (UDA)

Hon. Maisori Marwa Kitayama, M.P.
Kuria East Constituency

United Democratic Alliance (UDA)

Hon. Joshua Chepyegon Kandie, M.P.
Baringo Central Constituency

United Democratic Alliance (UDA)

Hon. Beatrice Kadeveresia Elachi, M.P.
Dagoretti North Constituency

Orange Democratic Movement (ODM)

Hon. Bernard Muriuki Nebart, M.P.
Mbeere South Constituency

Independent

Hon. Biego Paul Kibichy, M.P.
Chesumei

United Democratic Alliance (UDA)

Hon. Peter Irungu Kihungi, M.P.
Kangema Constituency

Maendeleo Chap Chap Party (MCCP)

Hon. John Bwire Okano, M.P.
Taveta Constituency

Wiper Democratic Movement-Kenya (WDM-K)

Hon. Peter Mbogho Shake, M.P.
Mwatate Constituency

Jubilee Party (JP)

Hon. Sloya Clement Logova, M.P.
Sabatia Constituency

United Democratic Alliance (UDA)

Hon. Suzanne Ndunge Kiamba, M.P.
Makueni Constituency

Wiper Democratic Movement-Kenya (WDM-K)

1.3 Committee Secretariat

3) The Public Petitions Committee is facilitated by the following members of the secretariat:

Lead Clerk

Mr. Victor Weke

Principal Clerk Assistant II

Ms. Miriam Modo
First Clerk Assistant

Mr. Benard Toroitich
Third Clerk Assistant

Ms. Kafuyai Wamae
Third Clerk Assistant

Mr. Clinton Sindiga
Legal Counsel II

Ms. Nancy Akinyi
Research Officer III

Ms. Viola Saiya
Research Officer III

Ms. Roselyne Njuki
Principal Serjeant-at-Arms

Mr. Paul Shana
Serjeant-at-Arms

Mr. Pascal Valerian
Hansard Officer III

Mr. Collins Mahamba
Audio Officer III

Ms. Felistus Muiya
Public Communication Officer

Ms. Fridah Ngari
Media Relations Officer III

Mr. Valerian Ongendo
Hansard Reporter II

PART TWO

2. BACKGROUND TO THE PETITION

2.1 Introduction

- 4) The Petition is brought before the House by Hon. Martin Peters Owino, Member of Parliament on behalf of the workers of Sukari Industries Limited in Ndhiwa Constituency, Homa Bay County.
- 5) The Petitioner submits that there has been alleged discrimination, unfavourable working conditions and unfair treatment and labour practices of both outsourced and directly employed workers, whether local or foreign at Sukari Industries Limited.
- 6) The Petitioner further avers that the workers are prohibited from joining or forming labour unions and their employment terminated arbitrarily without due process by the company's management, particularly for the local workers.
- 7) Consequently, on 8th February 2024, several workers at Sukari Industries Limited staged a protest against the unfair labour practices, since all efforts to address these concerns through dialogue and engagement have been unsuccessful.

2.2 Petitioners Prayers

- 8) The Petitioners prayed that the National Assembly through the Public Petitions Committee:
 - i) Inquire into the alleged discrimination, unfavourable working conditions and unfair treatment of both outsourced and directly employed workers, whether local or foreign;
 - ii) Recommend that Sukari Industries Limited allow its workers, including those hired through outsourcing firms, to join or form labour unions to safeguard their rights, particularly their right to fair remuneration and reasonable working conditions, as guaranteed under Article 41 of the Constitution;
 - iii) Make any other recommendation(s) that it may deem appropriate in addressing the grievances of the Petitioners.

PART THREE

3. STAKEHOLDERS' SUBMISSIONS ON THE PETITION

3.1 The Petitioner

- 9) Hon. Martin Peters Owino, Member of Parliament on behalf of the workers of Sukari Industries Limited in Ndhiwa Constituency, Homa Bay County appeared before the Committee on 10th June 2025 and submitted as follows;
- 10) There has been alleged discrimination, unfavourable working conditions and unfair treatment and labour practices of both outsourced and directly employed workers, whether local or foreign at Sukari Industries Limited.
- 11) Workers are prohibited from joining or forming labour unions and their employment terminated arbitrarily without due process by the company's management, particularly for the local workers.
- 12) On 8th February 2024, several workers at Sukari Industries Limited staged a protest against the unfair labour practices, since all efforts to address these concerns through dialogue and engagement have been unsuccessful.
- 13) Workers at the industry had added the following matters as grievances;
 - i) Being outsourced under inferior terms as opposed to those employed by the main company. That the Expatriates were accorded superior terms even when their qualifications and experience were suspect;
 - ii) Matters of safety and Health including issuance of PPEs.
 - iii) Not being allowed to join trade unions.

3.2 Ministry of Labour

- 14) The Cabinet Secretary for Labour, Hon. Alfred Mutua, EGH appeared before the Committee on 11th March 2026 and submitted as follows:
- 15) Upon receipt of the petition, the Ministry, through the County Labour Officer and the County Occupational Health and Safety Officer in Homabay, conducted investigations into the allegations of discrimination, unfavourable working conditions and unfair treatment at the company.
- 16) It was noted that the implementation of the resolutions made to address the grievances raised by the employees during their industrial action in 2024 had led to elimination of all forms of discrimination that had been witnessed prior to the strike.
- 17) It was also noted that most employees are issued with PPEs, especially those working in the main factory. However, some employees at the weighbridge stations and even the main factory lacked PPEs yet other were worn out.
- 18) It was also confirmed that Sukari Industries Limited and all the three outsourcing firms have insurance cover for their employees in cases of accidents. Additionally, it was noted that there are ambulances stationed at the main factory in case of emergencies, but the weighbridge stations do not have standby ambulances and rely on those at the main factory.
- 19) It was also confirmed that Sukari Industries Limited and the three outsourcing firms do deduct and remit NSSF dues as required by law.

- 20) The right of workers to join or form trade unions is a fundamental labour right guaranteed under Article 41 of the Constitution of Kenya (2010), which provides for fair labour practices, including the right to fair remuneration, reasonable working conditions, and freedom of association. These rights are further operationalized under the Labour Relations Act 2007, which protects employees from discrimination or victimization on account of union membership or participation in union activities.
- 21) In this regard, employers are required to respect and uphold these rights for all workers, including those engaged through outsourcing or third-party employment arrangements. Consequently, Sukari Industries Limited and all the contracted Outsourcing companies, like all employers operating in Kenya, are obligated to comply with these legal provisions and must not obstruct employees from joining or forming trade unions of their choice.
- 22) During the investigations, it was confirmed that all the outsourcing companies have allowed their employees to join labour unions. This is evidenced by the deposit slips for deducted union dues for various months.
- 23) A team constituted by the Cabinet Secretary visited the factory on 20th & 21st April 2026. The team comprised of two Senior Labour Officers, two Senior Safety & Health officers and was coordinated by an Under Secretary from the office of the Principal Secretary.

Terms of Reference for the Team

- 24) The team was tasked with:
- i) Investigating the allegations of violations of labour rights which led to workers going on strike in February 2024.
 - ii) Investigating the extent to which the resolutions made after the strike had been implemented by the Management;
 - iii) Establishing any other labour violations that may exist and recommending corrective measures for any violations noted to improve compliance with legal obligations as provided in the Labour Statutes: Employment Act Cap 226, Labour Institutions Act Cap 234, Labour Relations Act Cap 233, Occupational Safety and Health Act Cap 236A and Work Injury Benefits Act Cap 236.
- 25) To accomplish the above terms of reference, the team engaged all the stakeholders who included:
- i) The Senior Management of the Sukari Industries Company Limited;
 - ii) The Representative of the Member of Parliament for Ndhiwa, the NGCDF Manager, Mr. Joseph Ondeng'e Alal;
 - iii) The Representative of the Area Member of the County Assembly, Mr. Jacob Onoka;
 - iv) The Officials of the Union (Kenya Union of Sugar Plantation Workers) led by the Branch Secretary Mr. Philo Ongoro, Branch Treasurer Ms. Beth Nyaga, and Assistant Branch Treasurer, Mr. Nicholas Amolo;
 - v) The Management of the Outsourcing Companies, namely, M/s Volt Management Services Ltd, M/s Platinum Outsourcing Logistics EA Ltd, M/s Consolidated HR Solutions, M/s Rolls Ltd (Newly on-boarded);

- vi) Inspected the factory to confirm the issues of safety and health;
- vii) Inspected employee records to confirm compliance with labour statutes: Employment Act and Labour Institutions Act on terms and conditions of employment.

Issues raised by workers in a meeting held on 26th February 2024 following the strike of 8th February 2024 and resolutions made in the meeting

- 26) Arising out of the strike of 8th February 2024, a meeting was held on 26th February 2024 which comprised of the Management of Sukari Industries, The Management of the Outsourcing companies and the workers representatives. The following grievances were raised by workers and discussed in the meeting:
- i) Request for salary review due to inflation and elevation of Ndhiwa as a Municipality.
 - ii) Racism and discrimination especially from Auto workshop and top management of Sukari
 - iii) Unfair and unprocedural termination of employees
 - iv) Request for staff canteen
 - v) Salaries to be paid through bank and not MPESA
 - vi) Outsourcing companies were issuing poor PPEs
 - vii) Tractor drivers request for basic salary just like prime mover drivers.
 - viii) Staff bus to be introduced to drop employees home after work.
 - ix) Mid-month salary advances to be reinstated.
 - x) Discrimination in the use of ambulance.
 - xi) Discrimination in rates of wages with Indian workers being paid more than local counterparts.
 - xii) Failure to remit statutory deductions.
 - xiii) Employees should be allowed to join a union of their choice.
 - xiv) Factory emergency exits blocked risking the life of staff in case of emergencies.
 - xv) Employees are retiring without gratuity/service pay.
- 27) During the meeting, the following resolutions were made:
- i) Salaries for the general workers would be revised to the new rates as per a schedule that had been attached. The new rates would be effective from 1st March 2024.
 - ii) Tractor drivers' tonnage rate would be revised to Kshs. 39 per ton with effect from 1st March 2024.
 - iii) Subcommittee of the Workers Committee was formed, under the chairmanship of the Employee Health and Safety Manager, to address health and safety issues raised with a view to closure by end of April 2024.
 - iv) Subcommittee of the Workers Committee was formed, under the chairmanship of the Human Resource Manager, to address employee welfare issues raised with a view to closure by end of April 2024.
 - v) Laid down processes of consultations should be followed in future in order to resolve issues and grievances before they escalate.

- vi) Workers committee should be strengthened as a means to achieving and maintaining industrial peace with each outsourcing company committing to maintaining a workers committee that would be meeting at least once every month, with minutes of these meetings shared with Sukari Industries management. Additionally, the Human Resource Manager of Sukari Industries Limited shall meet outsourcing companies and members of the workers committees at least once monthly to review common grievances affecting workers.
- vii) Grievances raised concerning loaders and truck drivers were not part of the original grievances raised during the strike and therefore were to be raised differently and addressed separately.
- viii) Salary advance shall be given on emergency cases only upon written request. Employers to avoid being unreasonable where there are deserving cases.
- ix) Employees have the option of choosing their pay point between bank account and MPESA. Employees to inform employers well in advance when there are changes in the pay point.
- x) All drivers are to be issued with employment contracts by their respective employers.
- xi) Employers are responsible for defining the required PPEs for the various cadre of staff, and its issuance. The employer is to ensure the PPEs are of good quality and are issued on time. The employees are to ensure they take good care of the PPEs.
- xii) The ambulance is to be made available to all at the factory. The mobile number for ambulance services to be shared.
- xiii) The company is to ensure there is equity in the issuance of airtime.
- xiv) Company committed to following due process at all times especially in matters of dismissals and termination of service.
- xv) Company committed to following a fair process in promotions and appointments and ensure that formal letters are issued.
- xvi) At the appropriate time, the company to undertake the construction of a staff canteen.

General Human Resource Management

- 28) The team confirmed that a total of five companies, inclusive of Sukari Industries Limited, manage the workforce at the Sukari Industries Limited. There is a total workforce of 1870.
- 29) The Main Company-Sukari Industries Limited employs a work force of 122 mainly the Management staff, supervisors and other technical staff. These are engaged on permanent terms. In addition, Sukari Industries Limited has brought on board four outsourcing companies that supply it with labour. These companies are:
 - i) Platinum Outsourcing & Logistics East Africa Limited, which employs a total of 891 employees in Mechanical, Electrical and Instrumentation departments. This company is also engaged in Cane haulage where they employ Tractor drivers and Loaders whom they pay on piece rate.
 - ii) Volt Management Limited, which employs 327 employees in Auto Workshop, Recovery, Fuel Station, Finance, security Marshals and Civil works.
 - iii) Consolidated Human Resource Solutions Limited, which employs 490 workers.

- iv) Rolls Limited, which is barely one month old and employs 40 employees.
- 30) Of importance to note is that although the Outsourcing Companies are the employers of their work force, the management of Sukari Industries Limited retains control over the outsourcing companies; Sukari Industries decide who is employed, the rates of pay for the employees, and all other conditions of employment. This makes Sukari Industries Limited severally jointly liable in the event of any compliance issues.

Findings of the Fact-finding visit

- 31) Based on the engagement with stakeholders and a look at the employers' employee records, the team noted that indeed there has been some improvement since the strike of February 2024. Specifically, it was noted that:
 - i) As agreed in the meeting of 26th February 2024 wages had been increased. This includes the rate for those on piece rate-those paid per tonnage effective march 2024.
 - ii) The Companies had allowed workers to form/join a Trade Union and were deducting and remitting union dues.
 - iii) The Human Resource Manager conducts monthly meetings with the outsourcing companies to monitor progress.
 - iv) Union officials have been allowed to engage with the HR office whenever there is an issue that needs the attention of management.
- 32) However, even though these positive strides had been made, there is need to do more, specifically;
 - i) Although the companies had allowed workers to form/join a trade union of their choice, there was no evidence that there were any structured engagements between the union officials and the Managements of all the companies. The Union still faces challenges because the companies were said not to be deducting union dues from all employees that had accepted to join the union and be deducted union dues. In fact, the Sukari Industries Limited has declined to deduct union dues for any employee who has signed the check-off form on the grounds that its entire workforce is made up of employees who are part of management, which is incorrect.
 - ii) Although the meeting had resolved to strengthen the workers committees and which were to be constituted by each and every outsourcing company, this has not been achieved. The last meetings happened in 2024.
 - iii) Workers are still disillusioned with being employed through third parties as opposed to being employed by the company directly. This is premised on the fact that those on the Sukari Industries Limited payroll enjoy superior terms and conditions and are employed on permanent terms whereas those under Outsourced companies are engaged on one-year contracts and their terms and conditions are inferior.
 - iv) The Tractor Drivers and the Loaders' terms and conditions of employment do not accord with those provided for in the Law. These employees were not enjoying leaves and worked for long hours.
 - v) Although the wages for the workers had been increased as agreed in the meeting of 26th February 2024, a scrutiny of the payrolls of some of the outsourcing companies showed

- that wages paid to some cadre of employees were not consistent with the minimum wage guideline, Legal Notice No. 164 of 2024.
- vi) Whereas it was agreed during the meeting of 26th February 2026 that the companies would define the required PPEs for each cadre of employees and provide them once year, this has not been adhered to fully.
 - vii) Although some fire exits and emergency exits, that had been blocked, have been made accessible, others still remain locked and manned for ‘security’ reasons, contrary to provisions of the Occupational Safety and Health Act.
 - viii) Critical Occupational Safety and Health Committees have not been constituted as envisaged in the Occupational Safety and Health Act. These committees include the Safety and Health Committee, Fire Fighting Team and First Aid Team.
 - ix) There is suspected under reporting, by the employers, of occupational accidents that have occurred at the factory.
- 33) It was also noted that although the workers had alleged forms of racial discrimination in terms of pay structures, no evidence for the same was shared with the team to help address it. However, the same will be highlighted in the contravention report to be addressed to the Management of the Company.

Recommendations

- 34) Based on the visit, the ministry makes the following recommendations;
- i) Freedom of Association must be respected by all the Employers within the Sukari Industries Limited. Workers must be allowed to belong to the Union of their choice and the Employers must deduct union dues from all that have confirmed in writing through check-offs to be deducted and remit to the Union. This should include the Management of Sukari Industries which had not started deducting even though its workers had joined the union.
 - ii) The Managements should strengthen the Works Committees as earlier agreed and this time they should be structured under the Union. This should be able to help deal with any issues/grievances that the workers may be having.
 - iii) Sukari Industries should harmonize the terms and conditions of employment between its employees and those of the Outsourcing companies to eliminate discrimination and achieve the principle of equal pay for work of equal value.
 - iv) The Tractor drivers and the Loaders’ terms and conditions must accord with the Law. (Contravention letter advising on this shall be issued to the company).
 - v) All the companies, especially the Outsourcing companies, need to adjust their wages to conform with Legal Notice No. 164 Of 2024. (Contravention letter advising on this shall be issued to the companies).
 - vi) The Companies must ensure they provide the appropriate and adequate PPEs in compliance with the Occupational Safety and Health Act. Additionally, Risk Assessments must be done as per the Act to guide on the PPEs required by the various cadre of employees. PPE Issuance Register must be kept and availed, upon request by the DOSHS Officer, for inspection.

- vii) All Fire Exits within the factory must remain easily accessible from the inside when workers are within the premises.
- viii) All statutory Occupational Safety and Health Committees need to be reconstituted and operationalized in conformity with the law.
- ix) Companies must report all accidents in the prescribed manner and within the specified timelines to facilitate compensation if any. Any pending compensable claim should be settled with immediate effect and report filed with the DOSHS office

3.3 Sukari Industries Limited

- 35) The Management of Sukari Industries Limited Submitted that they are a member of the Rai Group of Companies which operates, among other business ventures, 5 Sugar factories in Kenya located in Homa Bay County (Sukari Industries Limited), Kakamega County (West Kenya Sugar Company), Busia County (Olepito Sugar Company) and Bungoma County (Nzoia Sugar Company and Naitiri Sugar Company). Sukari Industries Limited has been operating in Homa Bay County since 2017.
- 36) As a company, they have had challenges with the community and the workers but through purposive engagements they have been able to surmount the challenges. Management submitted that since the strike of February 2024, things had improved and most of the resolutions had been implemented as agreed.
- 37) Specifically, they submitted that;
 - i) They had increased the wages as agreed.
 - ii) Workers had been allowed to join the Union and in fact the Union has had a Branch Registered and now deductions are being made;
 - iii) They supervise the Outsourcing companies to ensure compliance with the statutory deductions every month as well as compliance with other requirements of the Law.

3.4 Kenya Union of Sugar Plantation and Allied Workers

- 38) The Union submitted that although there had been some improvements since the strike, there was still much to be done.
- 39) Wages were increased but they were still low especially for those engaged by Outsourcing companies. They demanded that the wages be based on the Municipality rates as Ndhiwa had been upgraded as one.
- 40) Although Union had been allowed to operate, there was still fear of victimization on account of membership to the Union.
- 41) The Companies were not deducting wages from all those who had shown interest to belong to the Union. As a matter of fact, Sukari industries Limited had blatantly refused to deduct from their employees who had joined the union.
- 42) There was job insecurity as their contracts were based on the contracts between Sukari Industries Limited and the Outsourcing companies.
- 43) The tractor drivers were working for long hours without compensation.

3.5 The Outsourcing Companies

- 44) M/s Volt Management Services Ltd, M/s Platinum Outsourcing Logistics EA Ltd, M/s Consolidated HR Solutions, M/s Rolls Ltd comprise the outsourcing companies.
- 45) The managements submitted that they are engaged by Sukari Industries to supply and manage labour force on one-year contracts. Based on this, they issue one-year contracts to their employees too.
- 46) Sukari Industries Limited controls their operations in that they decide how many workers to hire, how much the workers are paid, the skills the workers should possess, and all the other terms and conditions of employment pertaining to the employees, including issuance of PPEs.
- 47) They have complied with the decisions made during a meeting following the strike of February 2024 (although Platinum Outsourcing Logistics was on-boarded later).
- 48) They have allowed their workers to join the Union and have started deducting and remitting union dues.
- 49) They deduct and remit all statutory deductions (PAYE, NSSF, SHIF and Affordable Housing Levy) promptly and monthly.
- 50) They were willing to comply with any other legal provisions if and when guided.

PART FOUR

4. COMMITTEE OBSERVATIONS

Upon hearing from the Petitioner and other stakeholders, the Committee observed that –

- 51) The Sukari Industries Limited are a member of the Rai Group of Companies which operates, among other business ventures, 5 Sugar factories in Kenya located in Homa Bay County (Sukari Industries Limited), Kakamega County (West Kenya Sugar Company), Busia County (Olepito Sugar Company) and Bungoma County (Nzoia Sugar Company and Naitiri Sugar Company). Sukari Industries Limited has been operating in Homa Bay County since 2017.
- 52) Despite Outsourcing Companies being the Employers of their work force, the management of Sukari Industries Limited retains control over the outsourcing companies; Sukari Industries decide who is employed, the rates of pay for the employees, and all other conditions of employment. This makes Sukari Industries Limited severally jointly liable in the event of any compliance issues.
- 53) The finding by the ministry that the main Company-Sukari Industries Limited maintains the aforementioned control demonstrates intentional layering by the main company in attempts to shield itself from liability, and continued discrimination between those directly employed by them and those ‘outsourced’.
- 54) The Committee noted flagrant abuse and disregard of rights of workers guaranteed by the Constitution and non-adherence to the Occupational Safety and Health Act and other labour laws and international standards.
- 55) The aforementioned disregard of the law has been abetted by an ineffective county labour office and the ministry in general. This is manifest in the response of the Cabinet Secretary who was jolted into (re)action after filing of the petition, despite industrial action having been documented in 2024.
- 56) Worse still, it was appalling that the ministry noted a lack of a structured framework with unions, refusal by the company to remit union deductions, inadequate PPEs, inaccessible emergency and fire exits, working beyond contractual hours and non-adherence to legal notice no. 164 of 2024 on minimum wages, but had condoned or not taken decisive action on the same.

PART FIVE

5. COMMITTEE RECOMMENDATIONS

57) Pursuant to the provisions of Standing Order 227, the Committee recommends that-

- i) On the prayer that the Committee inquires into the alleged discrimination, unfavourable working conditions and unfair treatment of both outsourced and directly employed workers, whether local or foreign; **The Committee reprimands the Cabinet Secretary, Ministry of Labour and Social Protection and recommends that the Cabinet Secretary immediately issues notice to Sukari Industries Limited to comply with Article 41 of the Constitution and all prevailing labour laws, failure to which the factory be shut down for non-compliance.**

From the foregoing, the Cabinet Secretary submits a report to the National Assembly within ninety (90) days of tabling of this report.

- ii) On the prayer that the Committee recommends that Sukari Industries Limited allow its workers, including those hired through outsourcing firms, to join or form labour unions to safeguard their rights, particularly their right to fair remuneration and reasonable working conditions, as guaranteed under Article 41 of the Constitution; **the Committee reiterates its recommendation in prayer (i) above.**
- iii) On the prayer that the Committee makes any other recommendation that it may deem appropriate in addressing the grievances of the petitioners; **the Committee recommends that the Cabinet Secretary ensures strict compliance with labour laws cited in recommendation (i) above, across all industries/ sectors and by all employers.**

Signed: _____

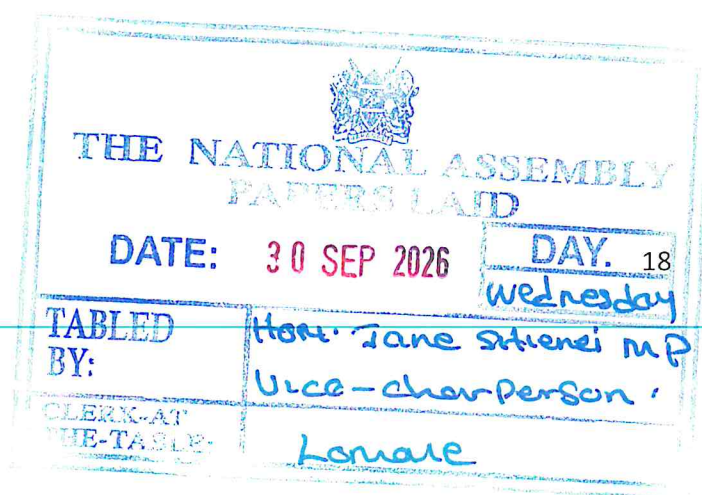


Date: _____

30-09-2026

HON. MUCHANGI KAREMBA, CBS, M.P.

CHAIRPERSON, PUBLIC PETITIONS COMMITTEE



ANNEXURES

Annex 1: Adoption List.

Annex 2: Public Petition No. 04 of 2025 regarding unfair labour practices by Sukari Industries Limited in Homa Bay County.

Annex 3: Minutes of the proceedings.

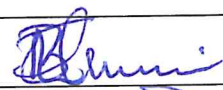
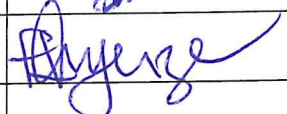
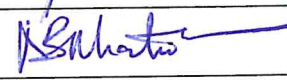
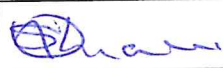
PUBLIC PETITIONS COMMITTEE

ADOPTION LIST

(i) Consideration and adoption of the P/No. 04 of 2025 regarding unfair labour practices by Sukari Industries Limited in Homa Bay County by Hon. Martins Owino, MP.

We, the undersigned, hereby affix our signatures to this Report to affirm our approval:

DATE: 3/9/2026

	HON. MEMBER	SIGNATURE
1.	Hon. Muchangi Karemba, CBS, M.P. (Chairperson)	
2.	Hon. Janet Jepkemboi Sitienei, CBS, M.P. (Vice Chairperson)	
3.	Hon. Patrick Makau King'ola, M.P.	
4.	Hon. Beatrice Kadeveresia Elachi, CBS, M.P.	
5.	Hon. Joshua Chepyegon Kandie, M.P.	
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13.	Hon. John Bwire Okano, M.P.	
14.	Hon. Sloya Clement Logova, M.P.	
15.	Hon. Peter Irungu Kihungi, M.P.	