

COLONY AND PROTECTORATE OF KENYA

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LABOUR DEPARTMENT

During the last few months the Government has had under consideration the reorganization of the Labour Department and proposals will be put forward in the 1946 Draft Estimates for a very considerable increase in the staff of the Department.

Before the war, the functions of the Department were in the main connected with inspecting duties, but in the last five years the increasing complexities of the problems of labour have thrown an ever-growing burden on a small department, a burden which it was never designed to carry. It, therefore, became necessary to review not only the size but the status of the Department in order to fit it to deal with the tasks of the post-war years.

The Government regards the basis of its labour policy to be the promotion of good relations between the employer and the worker. Such relations can only subsist when the worker is employed under decent conditions and gives a fair day's work in exchange for a wage which enables him to maintain a reasonable standard of living. In addition, this Government, in common with all other Governments in the British Empire, is bound by various conventions with regard to the treatment of workers which are to be found in the International Labour Code, and although in the past the Department has in fact performed many of the duties now discussed, its work has always been limited by its size. In order, therefore, to explain the need for the expansion of the Department, this Paper will review briefly the more important duties which do, and will, fall to the Department.

In the first place, the constant and even-handed inspection of the conditions under which labour works and the general administration of the labour laws of the Colony must remain one of its primary functions. It will also continue to administer the system of African registration and the records of employment of the individual employees. Sufficient labour officers must be available for assistance in trade disputes and labour unrest, and to a lesser extent in giving help and advice in disputes and difficulties between domestic servants and their employers. Further, the Department must keep under constant review the basic causes of labour difficulties and put forward proposals for their remedy. In the past, the control of recruiting activities, although governed by law, has not been altogether satisfactory, and the Department must not only have sufficient staff to inspect and control labour recruitment, but should also be in a position to afford all proper assistance to the worker and employer during the process of recruitment.

In addition, the problem of post-war employment will necessitate the setting up of free labour exchanges in urban areas for skilled, semi-skilled and domestic labour. The Department must also be in a position to give authoritative advice to employers on the proper handling, feeding and housing of labour, and also to help employers wishing to provide welfare amenities for their labour.

The time has now come when incipient trades unions, which are springing up, should be guided along the right lines, and for that reason provision has been made for the post of a Trades Union Officer and it is hoped that it may be possible to obtain the services of an expert Trades Unionist from the United Kingdom.

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Draft legislation is now being prepared with regard to workmen's compensation and this will legalize the present practice whereby the Department obtains ex gratia payments when workers are killed or injured in the course of their employment. A Bill regulating the conditions of work in factories will also be introduced into Legislative Council in the near future, and it is likely that the administration of that measure will also be a duty of the Labour Commissioner.

During the year certain Regulations controlling the movement of labour between industries and limiting the number of Africans employed in large towns have been enforced. Certain of these Regulations have valuable peace-time application, and such of these as are retained will be administered by the Department.

During the year the Labour Department has produced a handbook dealing with the Labour Laws of the Colony, which shows that the volume of labour legislation is fairly formidable. It will be one of the tasks of the reorganized Department to advise on the consolidation and amendment of those laws in order to meet modern needs. The administration of the law relating to resident labourers, the protection of the juvenile worker and the control and welfare of the migrant worker are all duties which will take up a considerable part of the time of the Labour staff.

In order therefore to deal with the increasing responsibilities of labour, the Man Power Directorate and the Labour Department will be combined early in the New Year. Mr. E. M. Hyde-Clarke, M.B.E., who has already been gazetted Labour Commissioner, will then assume control of the combined Departments. It is proposed that Mr. Hyde-Clarke, in his capacity of Labour Commissioner, will be given a seat on the Legislative Council next year.

On the staff side, provision has been made in the Draft Estimates to increase the staff of the Department by the creation of the post of Deputy Labour Commissioner. In addition, the increases include four Senior Labour Officers in place of the single post at present, new posts of a Senior Medical Officer, a Trades Union Officer and a Boiler Inspector, while the staff of Labour Officers will be increased from seven to nine. The effect of these increases will be to double the European staff of the Department, and this should go some considerable way to assist in the problems of labour which lie ahead.

THE SECRETARIAT, NAIROBI.

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