



KENYA UNION OF CLINICAL OFFICERS

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PRESS STATEMENT DATED 07/01/2025

Ladies and gentlemen,

The Kenya Union of Clinical Officers (KUCO) has observed with great concern the ongoing challenges and injustices facing Clinical Officers, which have undermined the delivery of critical healthcare services in the country. The following key issues therefore require urgent attention;

- Discrimination by the Social Health Authority (SHA).
- Breach of the Return-to-Work Agreement (RTWA).
- Our demands and issuance of a strike notice.

ON DISCRIMINATION BY THE SOCIAL HEALTH AUTHORITY (SHA)

The Social Health Authority (SHA) has blatantly discriminated against Clinical Officers by excluding them from offering services under its framework. This exclusion stems from the refusal by SHA to recognize health facilities and practitioners registered and licensed by the Clinical Officers Council, as mandated by the Clinical Officers Act No. 20 of 2017 (Revised 2019).

This discriminatory practice has caused widespread suffering among Kenyans who are denied essential services provided by Clinical Officers. Many are forced to pay out-of-pocket for healthcare services, exposing them to significant financial strain, contrary to the objectives of Universal Health Coverage (UHC) and SHA.

Further injustices include;

- **Double Licensure**

Clinical Officers are being coerced into licensing their facilities with the Kenya Medical Practitioners and Dentists Council (KMPDC), an illegal act that forces them into double licensure.

- **Pre-Authorization Extortion**

Specialized Clinical Officers are being compelled to use KMPDC license numbers from Medical Officers for pre-authorization, a practice that is both illegal and extortionate.

We regard these actions as forms of institutionalized corruption and self-interest that hinder the provision of accessible healthcare services. Despite numerous letters, petitions, and memoranda to the President, Senate, National Assembly, Ministry of Health, and SHA, there has been no response to address these concerns.

ON THE BREACH OF THE RETURN-TO-WORK AGREEMENT (RTWA)

KUCO entered a Return-to-Work Agreement (RTWA) with employers (Ministry of Health and County Governments) following the 99-day strike under County Governments and a 121-day strike under the Ministry of Health, as directed by the Employment and Labour Relations Court. Unfortunately, the agreed provisions have been largely ignored, particularly by County Governments, despite the Union's consistent follow-ups. The following key items remain unimplemented:

- **Collective Bargaining Agreement**

Due for conclusion 60 days after signing the RTWA.

- **Promotions and Re-designations**

That was to be completed by 1st September 2024.

- **Comprehensive Medical Cover**

That was to commence by 1st September 2024.

- **Confirmation of UHC Clinical Officers into Permanent and Pensionable Terms**

That was to be implemented after consultations between the Ministry of Health and the Council of Governors.

- **Conversion of Short-Term Contracts to Permanent and Pensionable Terms**

To be implemented immediately after the agreement.

OUR DEMANDS AND STRIKE NOTICE

In light of the unresolved issues and lack of goodwill from the Government and responsible State Agencies, KUCO now makes the following demands;

- Immediate recognition and empanelment of all healthcare providers and practitioners registered and licensed by the Clinical Officers Council, as per the law.
- Reinstatement of pre-authorization rights for Clinical Officers, including specialists, under SHA.

- Full implementation of the RTWA by the Ministry of Health and all 47 County Governments before 19th January 2025.

Failure to address these demands will leave KUCO with no alternative but to invoke Article 41 of the Constitution of Kenya, together with relevant legal provisions, and commence industrial action starting at midnight on the 19th of January 2025.

Meanwhile, we remain open to constructive dialogue with the Government and all key stakeholders to amicably resolve these issues. Without concrete action, we are ready to take lawful measures to protect the rights and welfare of Clinical Officers and the public they serve as stated above.

Signed,

A handwritten signature in blue ink, appearing to read 'G. Gibore', with a stylized flourish at the end.

George M. Gibore,
General Secretary & CEO,
Kenya Union of Clinical Officers.