PRESS RELEASE

COTU(K) PRESS STATEMENT DATED 20TH FEBRUARY 2014 AND THE UNBECOMING CONDUCT OF ITS SECRETARY GENERAL, BROTHER ATWOLI

For a long time, PUSETU-K has resisted COTU-K efforts to drag our labor centre into a mudslinging competition. PUSETU-K wishes to reiterate that it will not be engaged by COTU-K in nursery school name calling competition (also known as mchongoano). We wish to point out that COTU-K is avoiding its responsibility to serve members and instead fighting PUSETU-K which is busy serving its members. We eschew the position the various persons that signed the statement by COTU-K are respectable gentlemen who should have been serving their members rather than issue such statements that are self embarrassing and do not serve their members cause in any way.

After keen observation and consideration of press statements circulated by COTU (K) in the last week, the leadership of the various unions federating under PUSETU-K have directed that this statement be released to address the emerging matters as follows;

A. PUSETU-K was not registered to rival COTU-K; PUSETU-K is an alternative labor centre.
COTU-K should know that PUSETU-K was registered two (2) years ago, on 6th November 2012 pursuant to High Court Order in Judicial Review Miscellaneous Civil Application No. 204 of 2011; PUSETU-K had to go to court when it became apparent that COTU-K was behind the denial of registration to PUSETU-K.

For COTU-K to state that PUSETU-K has been registered instantly, to divide workers, is a cheeky attempt to hood wink the public. We wish to make it very clear that PUSETU-K was registered for the following reasons;

1. **Workers in the public service were not satisfied** with the way COTU-K was handling workers negotiations. In fact it had become very clear that the COTU-K leadership was using workers issues for political posturing; the recent outburst by COTU-K is enough evidence that the entry of PUSETU-K in the labor market has awoken COTU-K a certain threat.

2. **Realization that the leadership of COTUK was not public service representative;** hence COTU-K’s inability to champion public service welfare issues. Leaders of unions in the public sector thus found it inevitable that a Public Servants Labor Centre be formed to deal with sector specific labor matters.

3. **Splintering of trade unions in the union sponsored by insecure COTU leadership.** At some point it became clear to us that the COTU was behind the multiplicity of briefcase unions that were emerging to cause infighting in existing trade unions that appeared to be independent minded. Independent mindedness is one idea that COTU have vowed to attack because COTU is composed of tired, disillusioned leadership that is insecure.
B. COTU-K should cease frivolous attacks on PUSETU-K affiliates KNUT Secretary General Wilson Sossion.

PUSETU-K wishes to take this opportunity to advise COTU-K that personalized attacks on the person of Wilson Sossion will not help their members at all. Our advice is that statements aimed at an individual, which are in fact abusive, will only serve to attract law suits at the individuals who have signed the derogative statements that COTUK has issued. We urge that COTU-K deals with PUSETU-K as a corporate composed of vibrant affiliates and not brief case unions.

When COTU-K chooses to identify and attack an individual it betrays their morbid fear for the threat that they perceive from that individual. We are left to wonder "who is this feeling threatened by Mr. Wilson Sossion or PUSETU-K in general?"

C. PUSETU-K Has The Right To Seek Representation In Any Corporate.

Any citizen of this nation knows that PUSETU-K has the right to seek representation in any body corporate it feels will benefit its membership. We don't know why COTU-K feels offended by such a benign effort by PUSETUK; to such an extent that they are ready to abuse our leadership and state without proof that PUSETUK is on the "payroll of corrupt politicians".

COTU-K is guilty of impunity, in fact it has arrogated itself the right to represent even those who do not affiliate to them.

For the sake of truth we wish to state that some time ago we raised issue with the NSSF BILL. We heard COTU-K saying that teachers AND public servants are not going to be members or contributors to this fund. We are now re-highlighting the following sections of the bill to COTU-K;
Section 18 (4) of the bill states that; “all persons who are subject to the provisions of the employment act ..... and have not attained the pensionable age shall be members of the fund.”

Section 19 states that; “every employer who, under a contract of service, employs one employee or more shall register with the fund as a contributing employer and shall register his employees, as members of the fund.”

From the evidence above and the fact that section 20 makes contribution to this fund mandatory for all public service workers, we advice COTU-K to exercise prudence by reading the law before firing blank-shots at PUSETU-K as we are sincerely seeking their right of involvement in the NSSF bill.

PUSETU-K being a major contributors and stakeholder to this fund must be consulted and their views considered.

COTU-K should also know that the Labor Centre is demanding immediate representation in the following bodies:

1. Salaries & Remuneration Commission (SRC)
2. National Hospital Insurance Funds (NHIF)
3. National Labour Board (NLB)
4. Public Service Commission (PSC)
5. Universities Council
6. Kenya National Examination Council (KNEC)
7. National Industrial Training Authority (NITA) and many more.

As pertains to the NSSF; we stand by our statement that Br. Atwoli is only engaging in “political shadow boxing and writing his ‘The Rise and Fall‘”. As we stated last time we have concrete information that a company associated with him tendered for the project and that it is only when his company
did not get the tender he got infuriated and turned into “a self benefitting whistle blower”. We state it here that Br. Atwoli should know that at an appropriate time and forum, PUSETU-K shall expose his shenanigans to the public. This kind of conduct and abuse of workers mandate, geared towards self glorification is not acceptable to workers in public service.

D. COTU-K’s membership vs PUSETUK’s membership;

We are challenging COTU-K to produce a check-off list of its membership; PUSETU-K will produce its membership list and allow the concerned parties to judge who has more members. We are sure that COTU-K cannot master more than 160,000 members. If COTU-K has 2million members as claimed then PUSETUK would have over 6 million members.

Finally we reiterate that we have not asked for representation in COTU-K; similarly we are not asking Br. Atwoli for representation, we all know that he never call, has never called for any successful strike; but he is the quickest to call off his affiliates strikes if any. Our mandate is clear and separate from COTU-K, as is provided in our constitution; we are not rivals of COTU-K, rather, we are a separate labor centre. We urge that COTU-K serve its members and avoid engaging in turf keeping fights is a mockery to the spirit of workers solidarity.

On this note, we have communicated with I.L.O about this matter.

Dr. Charles Mukhwaya
General Secretary,
PUSETU-K