

Kenya's private guards gain security through union organising

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Developing and Utilizing Power Resources: The Case of Kenya National Private Security Workers' Union

A Case Study by Jacob Omolo and Emily Odhong

"Three key success stories can be told of the KNPSWU: the massive growth in union membership, the ability to build internal cohesion and solidarity, and the strategic utilization of institutional power."

Private security guard John Wafula spends his 12-hour work day on the look out for any that could harm visitors to the Nation Centre building in the heart of Kenya's capital, Nairobi.

The heavily built 47-year-old father-of-three looks smart with his closely cropped hair, his clean boots and his well pressed uniform. He finishes work at 6pm before starting the hourlong commute from the Central Business District to his family at home in Kawangware.

With a monthly salary of 20,000 Kenyan shillings (approximately US\$196) Wafula is one of the 45,000 security guards that belongs to the Kenya National Private Security Workers' Union (KNPSWU), and he is happy with his membership.

"It was very tough ten years ago. The working conditions were bad and low pay was order of the day. But now things have changed thanks to vibrant representation by our union," Wafula tells *Equal Times*.

Given how common labour unrest is in Kenya - with public sector workers such as doctors, nurses and teachers all striking recently for better pay and working conditions - Wafula's positive words are a testament to the gains made by the union, which has worked hard to ensure shorter working hours and better working conditions for its members - security guards at private houses, public buildings, businesses and events.

Since 2009 Kenya's private security industry has mushroomed, after the country became a target for frequent terror attacks from Islamist extremists from neighbouring Somalia.

Charles Arori, a workers' representative for a local branch of the global security firm G4S, says improvements in the welfare of private security workers has increased the pay of some workers by as much as four times in the last ten years.

"The number of wrongful terminations has also gone down because the union has taken up those cases, and our members are rarely subjected to long working hours without holidays," says Arori.

"Many firms which did not normally send statutory [social security] contributions now do so and

there also training sessions for guards by their employers.”

Turnaround of fortunes

The dramatic improvement of the welfare of Kenya’s private security guards is the subject of a new report by the German foundation Friedrich-Ebert-Stiftung (FES).

The report, titled Trade Unions in Transformation-Developing and Utilizing Power Resources: The Case of Kenya National Private Security Workers’ Union, was written by Kenyan researchers Jacob Omolo and Emily Odhong.

The KNPSWU was founded in 1960 as the Night Watchmen Union with a mandate to secure, promote and protect the rights of private security guards in Kenya.

But until recently it was beset with poor leadership – with the majority of KNPSWU officials drawn from sectors other than private security – and it experienced a massive loss of membership as a result.

Since tackling these issues, union membership has risen from just 327 people in 2011 to over 45,000 in 2016 out of the estimated 450,000 total of private security guards employed in Kenya and 2,000 registered companies.

“The informal sector accounts for a fairly low proportion of the membership of the union,” notes the report, “estimated at less than five per cent. This means that upwards of 95 per cent of the members are drawn from the large, medium and small private security firms in the formal sector.”

In addition, about one-third of the KNPSWU members are women, an impressive number that shows the sectors ability to diversify, modernise and “break gender stereotypes,” according to Arori.

The report also notes that “formal sector firms operate alongside informal sector firms [in Kenya], and the segmented market structure with high, medium and low-end clients means that the interests and levels of achievement of the basic needs of the union members are completely at variance.”

Several years of fractured union representation had condemned guards to poorly-paid, insecure work in an industry characterised “by subcontracting, outsourcing and market segmentation pitting big, medium, small and micro-sized firms.”

However, thanks to effective union leadership there has been marked turnaround in the fortunes of the sector’s workers.

“Three key success stories can be told of the KNPSWU,” the report declares. “These are massive growth in union membership, [the] ability to build internal cohesion and solidarity, and the gaining of and strategic utilization of institutional power.”

Building workers’ power

The KNPSWU has managed to build internal cohesion in both its leadership and amongst the rank and file, “moving from a history that was dotted with leadership wrangles, coup d’états, and splinters and mergers to a relatively stable union,” the report states.

To develop a common ground and to ensure collective interest out of the conflicting demands, the union crafted a campaign message, which clearly stated it is a union “formed, owned, run and led by private security guards themselves and not outsiders.”

“This really worked magic and gave new and existing members a sense of confidence in the leadership of the union,” KNPSWU general secretary Isaac Andabwa tells Equal Times.

The main benefits of having a union run by the guards are increased grassroots visibility, the strengthening of the structures and training of shop stewards, the reinforcement of bottom-up processes, as well as an emphasis on the social importance of the work of the guards.

The areas of welfare enhancement targeted by the union in its campaign strategy included basic issues such as salaries, working hours, overtime payment and leave entitlement.

At the time of the campaign, for example, most of guards earned basic wages as low as US\$37 a month, which is about one-third the legislated minimum wage of US\$110.31. In addition, guards worked an average of 71 hours per week, contrary to the 52 hours provided for in the Regulation of Wages (Protective Security Services) Order of 1998, without overtime pay. And annual leave entitlements were administered through off-days rather than actual leave days.

KNPSWU has gained considerable institutional power by increasing its membership and improving internal cohesion in this way, which in turn has allowed it to influence policy through social dialogue, the establishment of a wages council for security workers in 2013 and through the negotiation of various collective bargaining agreements (CBAs).

The absence of government regulation, poor union representation and years of corruption had hampered efforts to demand better pay for guards as rogue security companies abused the rights of their employees with abandon, according to Andabwa.

But all of this is slowly changing. For example, the KNPSWU successfully lobbied the Kenyan government to ensure all public procurement entities obtain a mandatory certificate from the Ministry of East African Community, Labour and Social Protection (MEACL&SP) confirming adherence with statutory minimum terms and conditions of employment before being awarded any service contract.

Furthermore, at a meeting held late December 2016 at the State House, President Uhuru Kenyatta ordered the Ministry of Labour to shut down all private security companies that flout the law on minimum wages.

Lobbying measures “were aimed at increasing the policy influencing ability of the union while at the same time enhancing its representational ability,” says the report.

At a grassroots level, union membership is no longer a cause for victimisation for private security guards, who in previous years would be dismissed, discriminated against, transferred or penalised because of their involvement in union activities.

Andabwa says the union has secured the commitment of stakeholders at the highest levels to carry out reforms to improve the welfare of private security guards, including the stratification of pay based on organising security workers into three different bands (roughly based on whether they work in high, mid or low-end security firms)

The KNPSWU general secretary also says that the recently enacted 2016 Private Security Regulation Act, which the KNPSWU lobbied for over a number of years, will further boost the sector’s operations by providing for the regulation of the private security industry (for example, by ensuring the registration and licensing of all private security companies in Kenya), and a framework for cooperation with state security organs.

Andabwa admits there is a long way to go to ensure security guards enjoy world class working conditions but progress is being made. "My dream is to ensure our security guards are empowered to the fullest to ensure they effectively complement the work of our security agencies," says Andabwa. "There is no resting until we get there."

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<http://www.europe-solidaire.org/spip.php?article44846>

Au Kenya, la syndicalisation améliore la sécurité des gardes de sécurité privée, by Ngugi Njoroge

<https://www.fes.de/index.php?eID=dumpFile&t=f&f=31068&token=8e673ba2a4fdc0652a7ef20f0ae262a7735>

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