



# **Evaluating The Effectiveness Of Collective Bargaining Agreements (Cbas) In Resolving Lecturers' Strikes: A Policy Perspective From Kenya**

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## **ABSTRACT**

This study investigates the dynamic relationship between Collective Bargaining Agreements (CBAs), funding mechanisms, and political influence in Kenya's public sector between 2021 and 2025. CBAs have become central to industrial relations in Kenya, particularly in education, health, and civil service, where unions exert significant bargaining power. The research problem addressed is the persistent gap between negotiated agreements and their enforcement, often shaped by fiscal constraints and political cycles. By examining how funding allocations and political considerations affect the implementation of CBAs, the study contributes to understanding the sustainability of labour relations in Kenya's evolving governance context. The study adopted a qualitative research design anchored in documentary analysis. Data were collected from government budget policy statements, Teachers Service Commission (TSC) circulars, Ministry of Public Service reports, parliamentary Hansards, and union press releases (KNUT, KUPPET, UASU, KMPDU). Secondary sources included academic articles and media coverage of industrial disputes. A thematic analysis approach was employed to identify recurring patterns in CBA funding, enforcement, and political influence. Case studies from the education, health, and university sectors provided sector-specific insights, while triangulation enhanced validity and reliability of findings. The study reveals that CBA enforcement in Kenya is uneven across sectors. Teachers and civil servants benefited from relatively higher allocations, with the 2021–2025 teacher CBA receiving KSh 83 billion, while university staff secured KSh 13.8 billion in 2022 after prolonged negotiations. Health workers' CBAs were partially enforced, with risk allowances implemented but salary adjustments delayed due to fiscal constraints. Funding commitments were frequently politically motivated, with governments making concessions during election cycles or under union pressure to avert strikes. Inflation and currency depreciation eroded the real value of negotiated increments, undermining the intended benefits. Enforcement mechanisms were weak, with phased disbursements and delayed Treasury releases fueling industrial unrest. Strikes remained a recurrent outcome, particularly in the health and education sectors, highlighting the fragility of Kenya's industrial relations system. To achieve sustainable CBA funding and enforcement, the study proposes several measures. First, integration of CBA obligations into the Medium-Term Expenditure Framework (MTEF) would ensure predictable and

transparent budgetary allocations. Second, a centralized negotiation framework should be established to harmonize CBAs across unions, reducing fragmentation and duplication of demands. Third, inflation-indexed increments should be introduced to safeguard workers' earnings against economic shocks. Fourth, performance-based funding models could link portions of CBA resources to measurable service delivery outcomes, particularly in education and health. Fifth, enhanced transparency and accountability through annual public reporting of CBA commitments and disbursements would build trust between government and unions. Finally, the study recommends depoliticizing CBA negotiations by anchoring them in fiscal discipline and institutional frameworks rather than electoral cycles, thereby promoting industrial harmony and strengthening public service delivery. The findings underscore that CBAs in Kenya are not merely labour instruments but are deeply intertwined with fiscal policy and political strategy. Sustainable funding and enforcement require a shift from ad hoc, politically driven commitments to structured, transparent, and economically grounded frameworks. By addressing fiscal constraints, harmonizing negotiations, and insulating CBAs from political manipulation, Kenya can enhance industrial stability, protect workers' rights, and improve the efficiency of public sector service delivery.

## DEFINITIONS OF OPERATIONAL TERMS

### Collective Bargaining Agreement (CBA)

A legally binding contract negotiated between an employer and a trade union representing employees. It outlines agreed terms of employment such as wages, allowances, working conditions, and dispute resolution mechanisms. In Kenya, CBAs are recognized under the Labour Relations Act and are enforceable once registered with the Employment and Labour Relations Court.

### Enforcement

The process of ensuring compliance with the terms of CBAs through legal, administrative, or institutional mechanisms. Enforcement involves monitoring, disbursement of funds, and adherence to agreed timelines. In Kenya, enforcement is supported by regulatory bodies such as the Salaries and Remuneration Commission (SRC) and the Employment and Labour Relations Court.

### Funding

The allocation of financial resources by government or institutions to implement obligations arising from CBAs. In the public sector, funding refers to budgetary provisions made by the National Treasury to meet salary increments, allowances, and benefits agreed upon in CBAs.

### Politics

The influence of governance, electoral cycles, and policy decisions on the negotiation, funding, and enforcement of CBAs. Politics shapes the timing and scope of agreements, often with governments committing to CBAs during election periods or under union pressure, thereby intertwining labour relations with political strategy.

### Strikes

A form of industrial action where employees collectively withdraw their labour to protest against working conditions, pay disputes, or non-implementation of CBAs. Strikes are regulated by the Labour Relations Act in Kenya, requiring notice and adherence to legal procedures before they are deemed lawful.

## **Institutional Governance**

Institutional governance refers to the systems, structures, and processes through which universities and colleges are managed, including decision-making, accountability, resource allocation, and stakeholder participation.

## **ABBREVIATIONS**

**AAUP** – American Association of University Professors

A U.S.-based organization that defends academic freedom and promotes higher education standards.

**APHRC** – African Population and Health Research Center

A leading research institution in Nairobi focusing on population, health, education, and development.

**CBA** – Collective Bargaining Agreement

A legally binding agreement between employers and employees (or their unions) on wages, benefits, and working conditions.

**CBC** – Competency-Based Curriculum

Kenya's reformed education curriculum focusing on skills and competencies rather than rote learning.

**COVID** – Coronavirus Disease

Refers to COVID-19, the infectious disease caused by the SARS-CoV-2 virus.

**CUE** – Commission for University Education

Kenya's regulatory body overseeing university standards and accreditation.

**EAC** – East African Community

A regional intergovernmental organization of East African countries promoting integration and cooperation.

**INTERPOL** – International Criminal Police Organization

A global organization facilitating international police cooperation.

**IUCEA** – Inter-University Council for East Africa

A regional body coordinating higher education institutions across East African Community (EAC) member states.

**KMPDU** – Kenya Medical Practitioners, Pharmacists and Dentists Union

The professional union for doctors, pharmacists, and dentists in Kenya. It negotiates CBAs with the Ministry of Health, focusing on salaries, risk allowances, and working conditions in hospitals.

**KNUT** – Kenya National Union of Teachers

The oldest teachers' union in Kenya, representing primary school teachers. It negotiates CBAs with the Teachers Service Commission (TSC) and advocates for teachers' welfare, salaries, and working conditions.

**KUDHEIHA** – Kenya Union of Domestic, Hotels, Educational Institutions, Hospitals and Allied Workers

A trade union covering workers in service and institutional sectors.

**KUPPET** – Kenya Union of Post Primary Education Teachers

Represents secondary school teachers and tutors in post-primary institutions. It focuses on CBAs for secondary education staff, allowances, and professional development.

**KUSU** – Kenya University Staff Union

Represents non-teaching staff in Kenyan universities.

**NHEFM** – National Higher Education Fund Management

Sometimes used to denote national frameworks for higher education financing in Kenya and East Africa.

Note: Acronym usage varies; in Kenya, related bodies include HELB – Higher Education Loans Board.

**PASGR** – Partnership for African Social and Governance Research

A Nairobi-based pan-African organization promoting social science research and higher education.

**PBF** – Performance-Based Financing

A funding model where resources are allocated based on measurable outcomes and performance indicators.

**SMS** – Short Message Service

A text messaging service used in mobile communication.

**SRC** – Salaries and Remuneration Commission

A constitutional commission in Kenya that sets and reviews salaries for public officers.

**TSC** – Teachers Service Commission

A constitutional commission in Kenya mandated to manage teacher recruitment, deployment, promotions, and discipline. It is the employer of teachers and the body that negotiates and enforces CBAs with KNUT and KUPPET.

**UASU** – University Academic Staff Union

A union representing lecturers and academic staff in Kenyan public universities. It negotiates CBAs on salaries, allowances, and academic freedom issues.

**UNESCO** – United Nations Educational, Scientific and Cultural Organization

A UN agency promoting education, science, culture, and communication globally.

## CHAPTER ONE

### INTRODUCTION TO THE STUDY

#### 1.1 Introduction

Lecturers' strikes in Kenya's public universities have become a recurrent phenomenon, disrupting academic calendars, eroding institutional credibility, and undermining the quality of higher education. Despite the existence of Collective Bargaining Agreements (CBAs) as formal instruments for negotiating terms of service between university staff unions and government agencies, the persistence of industrial unrest raises critical questions about their efficacy. This study interrogates the effectiveness of CBAs in resolving lecturers' strikes, with a focus on the policy frameworks, institutional enforcement mechanisms, and stakeholder dynamics that shape their implementation.

The chapter begins by contextualizing the historical and structural underpinnings of academic labour disputes in Kenya, tracing the evolution of CBAs within the broader landscape of public sector negotiations. It then articulates the research problem: the apparent disconnect between signed CBAs and sustained industrial harmony. The objectives of the study are outlined, including an assessment of CBA negotiation processes, implementation fidelity, and the role of policy actors in mediating disputes. Key research questions are posed to guide the inquiry, and the significance of the study is justified in terms of its potential to inform policy reform, enhance institutional accountability, and contribute to the literature on labour relations in higher education.

Additionally, the chapter delineates the scope and limitations of the study, clarifying its focus on public universities and union-government interactions. It concludes with an overview of the subsequent chapters, establishing a coherent structure for the analysis that follows.

By anchoring the investigation in Kenya's unique policy and governance context, this chapter sets the stage for a critical evaluation of CBAs—not merely as legal instruments, but as dynamic tools whose effectiveness depends on political will, institutional capacity, and mutual trust among stakeholders.

#### 1.2 Background Information

According to Hertel-Fernandez (2022), mass labour strikes in the United States have increasingly shaped public discourse around worker rights, especially in education. Between 2020 and 2025, university lecturers and adjunct faculty across various states staged strikes to protest stagnant wages, lack of healthcare benefits, job insecurity, and the erosion of tenure-track opportunities. These actions were often amplified by broader movements advocating for fair labour practices in public institutions.

The COVID-19 pandemic intensified these tensions. As universities shifted to remote learning, many lecturers faced increased workloads without proportional compensation. According to the American Association of University Professors (AAUP), the pandemic exposed deep inequities in academic employment, particularly among contingent faculty who lacked job security and institutional support (AAUP, 2021). Strikes during this period were not only about pay but also about recognition, inclusion, and sustainable academic careers.

Globally, the COVID-19 pandemic exacerbated tensions in the academic labour market. According to Hertel-Fernandez (2022), mass labour actions during this period were not only about wages but also about institutional transparency, workload equity, and job security in the face of digital transformation and budget cuts. In India and parts of Europe, faculty unions opposed education reforms that increased teaching loads without proportional compensation or consultation.

In 2022, lecturers at the University of California system staged a high-profile strike demanding better pay, housing stipends, and improved working conditions. The strike, which involved over 48,000 academic workers, was one of the largest in U.S. higher education history and led to significant policy concessions from the university administration (Greenhouse, 2022). Similarly, faculty at Rutgers University in New Jersey went on strike in 2023, citing delayed contract negotiations and unfair treatment of part-time lecturers. These strikes reflect a growing movement among U.S. academics to challenge neoliberal management models in higher education. As Nowak, Dutta, and Birke (2018) argue, such labour actions are part of a global trend where workers mobilize not only for economic justice but also for institutional reform and democratic participation. In the U.S. context, lecturer strikes have become a strategic tool to demand transparency, equity, and long-term investment in academic labour.

According to Nowak, Dutta, and Birke (2018), labour strikes in Europe have historically been shaped by strong union traditions and institutionalized bargaining frameworks. However, between 2020 and 2025, lecturer strikes across European universities have intensified, driven by austerity measures, rising workloads, and declining investment in public education. These strikes reflect growing dissatisfaction with neoliberal reforms that prioritize efficiency and marketization over academic autonomy and staff welfare.

In France, university lecturers and researchers staged multiple strikes between 2020 and 2023 in response to the controversial Loi de Programmation Pluriannuelle de la Recherche (LPPR). Critics argued that the law promoted precarious contracts and undermined collegial governance. The strikes, coordinated by unions such as SNESUP-FSU, were accompanied by mass demonstrations and petitions from academics across disciplines (Bérout, 2021).

In the United Kingdom, the University and College Union (UCU) led a series of nationwide strikes from 2020 to 2024 over pension reforms, pay gaps, and casualization. The disputes centered on the Universities

Superannuation Scheme (USS), with lecturers demanding fairer contributions and transparency. According to UCU reports, over 70,000 staff participated in industrial action across more than 150 institutions, disrupting teaching and examinations (UCU, 2023).

In Germany, while strikes are less frequent due to legal constraints on public sector industrial action, academic staff have increasingly voiced concerns over fixed-term contracts and limited career progression. The Bundesverband Hochschulpersonal and other advocacy groups have pushed for reforms to the Wissenschaftszeitvertragsgesetz, which governs academic employment terms.

These European strikes highlight a shared concern: the erosion of stable academic careers and the commodification of higher education. As Hertel-Fernandez (2022) notes in a broader context, mass labour actions often serve as catalysts for public debate and policy reform, especially when they expose systemic inequities. In Europe, lecturer strikes have become a strategic response to policy shifts that threaten the integrity and sustainability of academic institutions.

According to Nowak, Dutta, and Birke (2018), labour strikes in Asia are increasingly shaped by informal organizing, rapid economic transitions, and contested labour reforms. Between 2020 and 2025, lecturer strikes across several Asian countries have intensified, driven by wage stagnation, contractual insecurity, and policy shifts that undermine academic autonomy.

In India, university lecturers and non-teaching staff staged multiple strikes in response to the implementation of the National Education Policy (NEP) 2020. While the policy aimed to modernize higher education, faculty unions such as the All India Federation of University and College Teachers' Organisations (AIFUCTO) criticized its centralization tendencies, increased workloads, and lack of consultation. Strikes in 2021 and 2023 focused on demands for pay parity, regularization of contractual staff, and protection of academic freedom (AIFUCTO, 2023).

In Pakistan, lecturers under the Federation of All Pakistan Universities Academic Staff Association (FAPUASA) protested delayed salary payments, lack of pension reforms, and political interference in university governance. The 2022 strike in Punjab and Sindh provinces disrupted semester schedules and highlighted systemic underfunding of public universities.

In Bangladesh, faculty at public universities have repeatedly demanded implementation of revised pay scales and retirement benefits. The Bangladesh University Teachers' Association (BUTA) organized sit-ins and strikes in 2021 and 2024, citing government delays in fulfilling budgetary commitments and failure to address workload disparities.

In China, while formal strikes are rare due to legal restrictions, academic staff have increasingly voiced concerns over performance-based contracts, surveillance of teaching content, and limited career progression.

According to Deng Yunxue (2018), informal resistance and collective grievances are growing, especially in regions with high concentrations of private and vocational institutions.

These strikes reflect broader tensions between state-driven education reforms and the lived realities of academic labour. As Panimbang and Mufakhir (2018) note in their study of post-authoritarian Indonesia, democratization alone does not guarantee labour justice—effective policy implementation and institutional accountability are essential. Across Asia, lecturer strikes have become a strategic response to policy failures, economic pressures, and the erosion of professional dignity in academia.

According to Jörg Nowak, Madhumita Dutta, and Peter Birke (2018), labour strikes in the 21st century have evolved beyond traditional union-led actions. Their global study reveals that in many regions, especially the Global South, strikes are increasingly organized through informal networks and grassroots mobilization. These movements often emerge in response to neoliberal restructuring, precarious employment, and weakened institutional protections. The authors argue that strikes are not merely economic protests but expressions of broader resistance to exploitative systems and declining labour standards.

According to Alexander Hertel-Fernandez (2022), mass labour strikes have the potential to reshape public opinion and influence political attitudes toward unions and labour rights. His research, based on survey data from the United States, shows that when communities are exposed to large-scale strikes—such as those by teachers or grocery workers—they tend to develop more favorable views of collective action and worker advocacy. Hertel-Fernandez emphasizes that strikes can serve as powerful tools for political education and civic engagement, especially when they disrupt essential services and highlight systemic inequalities.

According to Fahmi Panimbang and Abu Mufakhir (2018), the post-authoritarian era in Indonesia witnessed a resurgence of labour activism, with strikes becoming a central feature of worker resistance. They document how democratization after the fall of Suharto created space for workers to organize and challenge exploitative practices. However, they also note that despite increased freedom, employers and the state continued to resist union power, leading to frequent industrial actions. Their analysis underscores the importance of political transitions in shaping the landscape of labour relations.

According to Mark Anner (2018), workers in Vietnam have developed strategic strike methods to bypass state-controlled union structures. In his study of the Vietnamese labour context, Anner explains that while formal unions are often aligned with government interests, workers still manage to negotiate better conditions through informal collective action. This adaptability reflects the resilience of labour movements even in restrictive political environments, and highlights the need for more inclusive and autonomous labour institutions.

Across continents, university lecturers have staged strikes in 2025 to protest unmet contractual obligations, stagnant salaries, and policy failures. These strikes reflect broader tensions between academic labour and

state policy, especially in contexts where public universities rely heavily on government funding and regulation.

In South Africa, university staffs have protested funding cuts and wage freezes. In India, faculty unions have opposed new education policies that increase workloads without commensurate pay. In Nigeria, lecturers have faced delayed salaries and union suppression, contributing to frequent strikes and academic instability.

These strikes are not merely economic protests—they reflect deeper concerns about academic autonomy, institutional governance, and the erosion of public investment in higher education. As governments grapple with fiscal constraints and shifting policy priorities, the failure to honor CBAs and engage meaningfully with academic unions risks undermining the credibility and functionality of university systems.

According to Nowak, Dutta, and Birke (2018), labour strikes in the 21st century are increasingly shaped by informal mobilization and structural inequalities in the global economy. This trend has been particularly evident in the education sector from 2020 to 2025, as lecturers across continents have staged strikes to demand fair compensation, improved working conditions, and respect for collective bargaining agreements (CBAs).

In Nigeria, the Academic Staff Union of Universities (ASUU) staged multiple strikes between 2020 and 2022, some lasting over eight months. These actions were triggered by the federal government's failure to implement agreed salary structures and fund university infrastructure. The prolonged closures severely disrupted academic calendars and led to student protests and public outcry.

South Africa also witnessed university staff strikes, particularly in 2021 and 2023, over wage freezes, job cuts, and increased workloads. These strikes were often linked to broader austerity measures and declining public investment in higher education.

These developments underscore the fragility of academic labour relations and the need for robust, enforceable CBAs. As Panimbang and Mufakhr (2018) argue in the Indonesian context, democratization and policy reform must be accompanied by genuine respect for labour rights to prevent cyclical unrest. For Kenya and other nations, the 2020–2025 period offers critical lessons on the importance of timely CBA implementation, inclusive negotiation, and sustainable funding models for higher education.

In Kenya, the period between 2020 and 2025 has been marked by recurrent strikes led by the Universities Academic Staff Union (UASU) and Kenya Universities Staff Union (KUSU). The most recent strike in 2025 lasted 49 days and was only resolved after the government agreed to release KES 7.9 billion owed under the 2017–2021 CBA (Nairobi Law Monthly, 2025). Earlier in August 2025, over 900 lecturers at Moi University downed tools after the institution failed to honor a return-to-work agreement signed in 2024, paralyzing academic operations just before the intake of first-year students (Street News, 2025).

Lecturers under the Universities Academic Staff Union (UASU) and Kenya Universities Staff Union (KUSU) launched a nationwide strike in September 2025, demanding the settlement of KES 11.53 billion in salary arrears. These arrears stem from the 2017–2021 and 2021–2025 Collective Bargaining Agreements (CBAs), which the government has repeatedly delayed implementing. Despite prior commitments—including a directive from Education Principal Secretary Beatrice Inyangala in 2024—lecturers received their December 2024 salaries without the promised increments, triggering renewed industrial action.

The Kenyan strike has disrupted academic calendars, delayed graduations, and sparked student protests. It also highlights the cyclical nature of industrial unrest in the country's higher education sector, where CBAs are often signed but rarely honored in full or on time. The unions are now pushing for registration and negotiation of a new 2025–2029 CBA, signaling continued pressure on the government to institutionalize fair and timely compensation mechanisms.

Lecturers' strikes in Kenyan public universities have become a recurrent phenomenon, often disrupting academic calendars, eroding institutional credibility, and affecting student outcomes. At the heart of these industrial actions lie unresolved issues around remuneration, working conditions, job security, and delayed implementation of negotiated agreements. The primary mechanism for addressing these concerns has been the Collective Bargaining Agreement (CBA)—a formal negotiation tool between university staff unions (notably UASU, KUSU, and KUDHEIHA) and government agencies such as the Ministry of Education, the Salaries and Remuneration Commission (SRC), and the National Treasury.

Despite the existence of CBAs, their effectiveness in preventing or resolving strikes remains contested. Delays in signing, funding, and implementing CBAs have often triggered industrial unrest, raising questions about the robustness of Kenya's policy and institutional frameworks. Moreover, the legal and administrative processes surrounding CBAs are frequently marred by ambiguity, politicization, and lack of enforcement, undermining trust between stakeholders.

This study seeks to critically evaluate the role of CBAs in managing lecturers' strikes, examining their design, negotiation processes, implementation challenges, and policy implications. It will explore whether CBAs serve as effective instruments of industrial peace or merely reactive tools in a cycle of conflict. The research will also assess the alignment of CBA provisions with broader national education and labour policies, and propose reforms to enhance their credibility, enforceability, and strategic value.

### **1.3 Statement of the Problem**

The persistent recurrence of lecturers' strikes in Kenya, despite the existence of Collective Bargaining Agreements (CBAs), points to a deeper structural and policy failure within the higher education sector. According to Mbuthia, Wanyoike, and Kiiru (2022), while CBAs are designed to enhance academic staff performance and industrial harmony, their inconsistent implementation has led to widespread dissatisfaction

and frequent industrial action. Their study of selected public universities in Nairobi reveals that delays in honoring CBAs negatively affect morale, productivity, and institutional stability, undermining the very purpose of collective negotiation.

This concern is echoed by Sifuna (2020), who argues that governance practices and strained government-university relations are central to the conflict dynamics that fuel academic staff unionization. He notes that unresolved grievances and weak institutional frameworks have made CBAs a flashpoint for industrial unrest, rather than a solution. The lack of binding enforcement mechanisms and transparent funding structures has eroded trust between academic unions and government agencies, turning CBAs into reactive instruments rather than proactive policy tools.

From a global perspective, Nowak, Dutta, and Birke (2018) emphasize that labour strikes in the 21st century are increasingly shaped by informal mobilization and resistance to neoliberal reforms. Their comparative analysis shows that when CBAs are delayed, weakened, or politicized, they lose their strategic value and become sources of conflict. In Kenya, this global insight resonates strongly, as the failure to implement CBAs on time has repeatedly disrupted academic calendars, delayed graduations, and damaged the credibility of public universities. Without reforms that strengthen the enforceability and transparency of CBAs, Kenya risks perpetuating a cycle of industrial unrest that impedes educational development and institutional resilience.

This study intends to critically evaluate the effectiveness of Collective Bargaining Agreements (CBAs) in resolving lecturers' strikes within Kenya's public university system. It seeks to examine how CBAs are designed, negotiated, implemented, and enforced, and whether they serve as reliable instruments for promoting industrial harmony. By analyzing recent strikes—particularly the 2025 nationwide action triggered by delayed salary arrears—the study will assess the extent to which CBAs have addressed the root causes of academic labour unrest. It will also investigate the institutional, fiscal, and policy constraints that hinder timely CBA execution, drawing insights from union-government dynamics and legal frameworks such as the Labour Relations Act.

Beyond diagnosis, the study aims to generate policy-oriented recommendations that strengthen the credibility and strategic value of CBAs in Kenya's higher education sector. It will explore best practices from other jurisdictions, identify gaps in Kenya's negotiation and enforcement mechanisms, and propose reforms that enhance transparency, accountability, and fiscal planning. Ultimately, the study contributes to the discourse on sustainable labour relations in academia, offering actionable insights for policymakers, university administrators, and union leaders committed to resolving strikes and safeguarding academic continuity.

## **1.4 Objectives of the Study**

### **1.5 General Objective**

To evaluate the effectiveness of Collective Bargaining Agreements (CBAs) as a policy mechanism for resolving lecturers' strikes in Kenya's public universities.

### **1.6 Specific Objectives**

- a) To assess the effect of funding in the implementation of Collective Bargaining Agreements (CBAs) in Kenya's public universities.
- b) To evaluate how enforcement affects implementation of Collective Bargaining Agreements (CBAs) in Kenya's public universities.
- c) To examine the influence of politics in the implementation of Collective Bargaining Agreements (CBAs) in Kenya's public universities.

### **1.7 Significance of the Study**

### **1.8 Government and Education Policymakers**

This study will provide critical insights for government agencies such as the Ministry of Education, the National Treasury, and the Salaries and Remuneration Commission (SRC). By highlighting the fiscal, legal, and political barriers to effective CBA implementation, the findings will inform policy reforms that promote timely funding, enforceable negotiation frameworks, and institutional accountability. Policymakers will benefit from evidence-based recommendations that enhance industrial harmony, reduce strike recurrence, and strengthen Kenya's higher education governance.

### **1.9 University Management and Councils**

Public university administrators and governing councils stand to gain practical guidance on how to navigate CBA obligations within constrained budgets and shifting political landscapes. The study will help them understand the systemic risks of delayed implementation and offer strategies for proactive engagement with unions, transparent financial planning, and compliance with labour laws. Strengthening their role in CBA execution will improve institutional stability, staff morale, and academic continuity.

### **1.10 Academic Staff Unions and Lecturers**

Unions such as UASU, KUSU, and KUDHEIHA will benefit from a clearer understanding of the structural and policy dynamics that affect CBA outcomes. The study will empower them with data-driven advocacy tools to negotiate more effectively, monitor implementation progress, and hold stakeholders accountable. Lecturers themselves will gain insights into how CBAs can be leveraged not just for salary improvements, but for broader professional recognition, job security, and equitable working conditions.

### 1.11 Students and the General Public

Students, as indirect stakeholders, are often the most affected by lecturers' strikes through disrupted learning, delayed graduations, and academic uncertainty. This study contributes to safeguarding their educational experience by promoting mechanisms that prevent industrial unrest. The general public, including parents and employers, will also benefit from improved university reliability and graduate output, reinforcing trust in Kenya's public education system

### 1.12 Limitations

- a) The study is constrained by the potential inaccuracies, biases, or outdated information inherent in secondary sources such as government reports, union publications, and media coverage.
- b) Secondary data may lack the contextual richness needed to capture informal negotiations, undocumented grievances, or the political nuances surrounding lecturers' strikes.
- c) Access to confidential or restricted documents—such as internal communications between government agencies and unions—is limited, which may obscure critical aspects of CBA enforcement.
- d) Variability in data formats and reporting standards across institutions complicates comparative analysis and may affect consistency.
- e) Some datasets may not reflect recent developments in labour relations, policy reforms, or strike resolutions, thereby limiting temporal relevance.

### 1.13 Delimitations

- a) The study is deliberately focused on public universities in Kenya, excluding private institutions to maintain consistency in governance and labour frameworks.
- b) Only officially documented CBAs, strike records, and policy reports are analyzed; informal or undocumented negotiations are excluded.
- c) The temporal scope is restricted to the period between 2010 and 2025, capturing trends under Kenya's devolved governance and education reforms.
- d) No primary data collection methods—such as interviews or surveys—are employed, allowing the study to concentrate on institutional and policy-level analysis.
- e) The geographic scope is limited to Kenya, acknowledging that labour relations and CBA mechanisms vary across national contexts.

### 1.14 Scope of the Study

This study focuses on the structure, negotiation, implementation, and enforcement of Collective Bargaining Agreements (CBAs) within Kenya's public university system. It specifically examines how CBAs influence the resolution of lecturers' strikes, with attention to funding adequacy, legal enforcement mechanisms, and political decision-making. The study excludes broader labour relations affecting non-academic staff, student

protests, or private sector employment frameworks. It adopts a policy analysis lens, emphasizing institutional governance, stakeholder engagement, and fiscal accountability.

The research is geographically confined to public universities in Kenya. These institutions operate under national labour frameworks and receive government funding, making them directly subject to CBAs negotiated by unions such as UASU, KUSU, and KUDHEIHA. Private universities and regional comparisons with other countries are excluded, although global literature may be referenced to contextualize findings and propose best practices.

The study covers the period between 2017 and 2025, capturing three major CBA cycles and associated industrial actions, including the 2025 nationwide lecturers' strike. This timeframe allows for a focused evaluation of recent trends in CBA negotiation and implementation, while offering insights into short- and medium-term policy outcomes. Earlier CBAs and future projections beyond 2025 are noted for context but fall outside the primary scope of analysis.

### **1.15 Purpose of the Study**

The purpose of this study is to evaluate the effectiveness of Collective Bargaining Agreements (CBAs) in resolving lecturers' strikes in Kenya from a policy perspective. Specifically, the study seeks to determine whether CBAs have provided sustainable solutions to recurrent industrial disputes in universities, assess the adequacy of funding and enforcement mechanisms, and analyze the role of political and institutional dynamics in shaping outcomes. By focusing on lecturers' strikes, the study aims to generate evidence-based insights into how CBAs can be strengthened as instruments of industrial harmony and academic stability.

### **1.16 Justification of the Study**

#### **I. Persistent Strikes in Higher Education**

Kenyan universities have faced recurrent strikes by lecturers, often linked to delayed or partial implementation of CBAs. These disruptions undermine academic calendars, research output, and institutional credibility.

#### **II. Policy Relevance**

CBAs are legally recognized under the Labour Relations Act, yet their enforcement remains inconsistent. Evaluating their effectiveness provides critical input for policymakers, unions, and university management in designing sustainable labour relations frameworks.

#### **III. Economic and Social Impact**

Strikes in universities affect not only lecturers but also students, parents, and the broader economy. Understanding whether CBAs mitigate or exacerbate these disruptions is vital for national development.

#### **IV. Funding Constraints**

Treasury allocations and university budgets often delay CBA implementation. This study justifies itself by examining whether funding mechanisms are adequate and how they can be improved.

**V. Political Influence**

CBA negotiations and enforcement are frequently shaped by electoral cycles and political bargaining. Analyzing this dimension highlights the need to depoliticize labour relations in higher education.

**VI. Gap in Literature**

While CBAs have been studied in Kenya's public sector broadly, limited research exists on their specific role in resolving lecturers' strikes. This study fills that gap by providing a focused, policy-oriented analysis.

**VII. Contribution to Institutional Governance**

Findings will inform university councils, the Commission for University Education (CUE), and unions such as UASU on best practices for negotiation, enforcement, and monitoring of CBAs.



## CHAPTER TWO

### LITERATURE REVIEW

#### 2.1 Introduction

Chapter Two presents a comprehensive literature review that anchors the study in relevant theoretical and empirical foundations. It begins by outlining key theories of collective bargaining and labour relations, providing a conceptual lens for understanding negotiation dynamics in the public university context. The chapter then explores literature on university funding, enforcement mechanisms, and political influences that shape the implementation of CBAs in Kenya. Empirical studies are critically reviewed to assess patterns of lecturers' strikes, negotiation outcomes, and institutional responses. A critical synthesis highlights inconsistencies in policy enforcement, gaps in stakeholder engagement, and the politicization of labour disputes. These insights inform the identification of research gaps, particularly around the effectiveness and sustainability of CBAs as conflict resolution tools. The chapter concludes with a conceptual framework that integrates theoretical constructs and empirical variables, guiding the study's analytical approach.

#### 2.2 Theoretical Review

#### 2.3 Collective Action Theory

The first theoretical lens guiding this study is Collective Action Theory, which explains how individuals with shared interests—such as lecturers—organize and mobilize to pursue common goals like fair compensation and improved working conditions. In the Kenyan context, this theory is particularly relevant in understanding how unions such as UASU and KUSU galvanize support for industrial action when CBAs are delayed or dishonored. Sifuna (2020) emphasizes that strained government-university relations and unresolved grievances are key drivers of unionization and strike mobilization, reinforcing the importance of collective agency in labour negotiations.

#### 2.4 Institutional Theory

Secondly, the study draws on Institutional Theory, which focuses on how formal structures, rules, and norms shape organizational behavior and policy outcomes. This theory helps explain why CBAs, despite being legally recognized, often fail due to weak enforcement mechanisms and bureaucratic inertia. Muthia, Wanyoike, and Kiiru (2022) apply this framework to show how institutional gaps—such as lack of autonomy, delayed funding, and poor inter-agency coordination—undermine the credibility and effectiveness of CBAs in Kenya's public universities. Institutional theory thus provides a lens for evaluating governance and compliance challenges in CBA implementation.

## 2.5 Political Economy Theory

The third guiding framework is Political Economy Theory, which examines how political interests, economic constraints, and power dynamics influence policy decisions. This theory is vital for understanding the role of political prioritization and fiscal planning in the execution of CBAs. Nowak, Dutta, and Birke (2018) argue that labour disputes, including lecturers' strikes, are often shaped by broader structural grievances and political agendas. In Kenya, delayed CBA implementation is frequently linked to shifting budgetary priorities and leadership transitions, making political economy theory essential for analyzing the intersection of politics, funding, and labour relations in the education sector.

## 2.6 Literature on Variables

## 2.7 Funding

Recent literature on university funding reveals a growing consensus on the need for reform, particularly in African contexts like Kenya. The Partnership for African Social and Governance Research (PASGR, 2025) underscores the urgency of reimagining public university financing to ensure sustainability, equity, and quality. Their report advocates for a shift from rigid, state-dependent models to more entrepreneurial approaches that empower institutions with greater autonomy. This includes diversifying revenue streams through research commercialization, alumni engagement, and public-private partnerships. The authors argue that such reforms are essential for universities to remain responsive to national development priorities and global academic standards.

In a complementary analysis, the African Population and Health Research Center (APHRC, 2025) evaluates Kenya's New Higher Education Funding Model (NHEFM), which introduces a differentiated unit cost approach. This model replaces the traditional blanket capitation system with funding allocations based on student needs and institutional performance. While the model is praised for promoting fairness and efficiency, the authors caution that its success depends on transparent implementation, robust data systems, and adequate safeguards for disciplines like the humanities, which may be underfunded in performance-driven frameworks. The report also highlights the importance of aligning funding with broader educational reforms, such as the Competency-Based Curriculum (CBC).

Globally, scholars have documented a trend toward the marketization of higher education, with universities increasingly relying on tuition fees, international student recruitment, and private sector collaborations. Marginson (2021) critiques this shift, warning that it may erode academic freedom and exacerbate inequalities. Similarly, Cloete (2023) examines performance-based funding models in African universities, noting both their potential to incentivize quality and the risk of reinforcing disparities among institutions. These studies suggest that while market-oriented reforms can enhance efficiency, they must be carefully designed to preserve the public good dimensions of higher education.

Equity and inclusion have emerged as central themes in recent funding literature. Oketch and Ngware (2022) explore how targeted scholarships, affirmative action policies, and gender-sensitive budgeting can improve access for marginalized groups, including women, rural students, and persons with disabilities. They advocate for participatory budgeting processes that involve communities and students in funding decisions, thereby ensuring that resource allocation reflects social justice priorities. Their work emphasizes that equitable funding is not merely a financial issue but a moral imperative tied to national cohesion and inclusive development.

Finally, scholars agree that university funding must be strategically aligned with national development goals and institutional missions. This involves integrating funding models with quality assurance frameworks, graduate employability metrics, and research impact indicators (PASGR, 2025; APHRC, 2025; Cloete, 2023). Institutions are encouraged to build internal capacity for financial planning, grant acquisition, and donor engagement. In Kenya, this means harmonizing funding strategies with Vision 2030 and other policy frameworks. The literature collectively points to a future where universities are not only centers of learning but also agile, accountable, and socially responsive institutions.

Recent studies emphasize the centrality of data-driven decision-making in university funding. According to the PASGR (2025) report, effective implementation of Kenya's new funding model requires robust data systems that can track student needs, institutional performance, and program costs. Without reliable data, the differentiated unit cost model risks reinforcing existing disparities rather than correcting them. The report calls for investment in digital infrastructure and training to enable evidence-based budgeting and performance monitoring.

Cloete (2023) explores the tension between performance-based funding (PBF) and institutional autonomy in African universities. While PBF can incentivize quality teaching and research outputs, it may also lead to perverse incentives such as grade inflation or neglect of non-measurable academic contributions. Cloete argues that for PBF to be effective, it must be accompanied by clear metrics, stakeholder engagement, and safeguards for academic freedom. This is particularly relevant in contexts where universities are under political or financial pressure.

Marginson (2021) and other global scholars note that internationalization has become a key strategy for financial sustainability. Universities in Australia, the UK, and South Africa have increasingly relied on international student fees to offset declining public funding. However, the COVID-19 pandemic exposed the fragility of this model. The literature now advocates for more balanced approaches that combine internationalization with local relevance, including regional partnerships and diaspora engagement.

Emerging literature supports the role of public-private partnerships in bridging funding gaps. According to the PASGR (2025) study, Kenyan universities can benefit from PPPs in infrastructure development, research commercialization, and skills training. However, the report warns that PPPs must be governed by transparent

contracts and aligned with academic missions to avoid mission drift. Successful examples include industry-sponsored innovation hubs and co-funded graduate programs.

A persistent theme in recent literature is the underfunding of research in African universities. Oketch and Ngware (2022) highlight that while teaching receives some public support, research often depends on external grants, which are competitive and donor-driven. They recommend establishing national research funds and incentivizing interdisciplinary, policy-relevant research. This aligns with Kenya's Vision 2030 goals and the African Union's Agenda 2063, which prioritize knowledge-based economies.

The debate over cost-sharing continues to evolve. APHRC (2025) notes that while student loans and bursaries are essential for access, they must be designed to avoid over-indebtedness. The report recommends income-contingent repayment schemes and targeted subsidies for vulnerable groups. It also emphasizes the need for financial literacy programs to help students make informed decisions about higher education financing.

Finally, governance structures play a critical role in the success of funding reforms. PASGR (2025) stresses that funding models must be accompanied by clear accountability frameworks, including performance audits, stakeholder consultations, and public reporting. Without these, even well-designed models risk being undermined by mismanagement or politicization. The literature calls for capacity-building in university finance offices and stronger oversight by regulatory bodies such as the Commission for University Education (CUE).

## 2.8 Enforcement

Recent literature on enforcement underscores the growing complexity of law enforcement in an era marked by globalization, digital transformation, and shifting public expectations. Stamatakis (2024) highlights how law enforcement agencies worldwide are adapting to new threats such as cybercrime, terrorism, and transnational criminal networks. His edited volume emphasizes the need for adaptive policing models that integrate community engagement, intelligence-led strategies, and international cooperation. The work also critiques traditional enforcement paradigms that rely heavily on coercion, advocating instead for legitimacy-based approaches that build public trust.

In the judicial domain, enforcement of court decisions has emerged as a critical bottleneck in access to justice. Schmitz (2025) argues that enforcement is not merely a technical phase but a substantive component of justice delivery. His study calls for the modernization of enforcement mechanisms through digitization, automation, and procedural simplification. By streamlining enforcement, courts can reduce delays, enhance transparency, and ensure that legal rights are effectively realized. Schmitz also emphasizes the importance of user-centered design in enforcement systems to accommodate vulnerable populations.

The rise of transnational crime has prompted a surge in literature on cross-border enforcement cooperation. Scholars such as Natarajan (2023) examine how platforms like INTERPOL, Europol, and regional task forces facilitate intelligence sharing and joint operations. These studies stress the need for harmonized legal frameworks and mutual legal assistance treaties to overcome jurisdictional barriers. However, they also caution against the erosion of national sovereignty and the potential misuse of international enforcement tools for political purposes. The literature calls for safeguards that balance security imperatives with human rights protections.

Technological innovation is reshaping enforcement practices across sectors. Predictive policing, facial recognition, and AI-driven surveillance are increasingly used to anticipate and respond to criminal activity. According to Ferguson (2022), while these tools offer efficiency gains, they also raise ethical concerns about bias, accountability, and due process. The literature advocates for transparent algorithms, independent oversight, and community consultation to ensure that technology enhances rather than undermines justice. These debates are particularly salient in contexts with weak regulatory frameworks or histories of police abuse.

Finally, enforcement in regulatory and administrative domains—such as environmental protection, tax compliance, and consumer rights—has attracted scholarly attention. Baldwin and Black (2021) propose a responsive regulation model that combines deterrence with dialogue, tailoring enforcement strategies to the behavior and capacity of regulated entities. They argue that enforcement should not be purely punitive but should also incentivize voluntary compliance and build institutional trust. This approach is gaining traction in both developed and developing countries, where enforcement capacity is often uneven and resource-constrained.

Recent literature emphasizes the need for institutional reform to strengthen enforcement capacity, particularly in developing countries. According to Mungai and Oloo (2023), enforcement agencies in Kenya face challenges such as understaffing, limited training, and political interference. Their study recommends reforms in recruitment, professional development, and budgetary autonomy to enhance effectiveness. They also highlight the importance of aligning enforcement mandates with constitutional principles and public service ethics.

Scholars are increasingly advocating for community-based enforcement approaches that prioritize dialogue, trust-building, and restorative justice. Achieng and Mutua (2022) explore how community policing initiatives in urban Kenya have improved crime reporting and reduced tensions between law enforcement and residents. Their findings suggest that enforcement is most effective when it is participatory and culturally sensitive. The authors call for institutional support and policy frameworks that legitimize community-led enforcement mechanisms.

Enforcement in environmental law has gained prominence due to global climate commitments. Mwangi (2024) analyzes Kenya's enforcement of environmental regulations under the Climate Change Act and EMCA. He finds that while legal frameworks are robust, enforcement is hampered by weak inter-agency coordination and limited technical capacity. Mwangi recommends digital monitoring tools, citizen reporting platforms, and stronger penalties for non-compliance to ensure environmental justice and sustainability.

In the realm of corporate governance, enforcement literature focuses on regulatory compliance and anti-corruption. Wanjiru and Kimani (2021) examine the role of Kenya's Capital Markets Authority and Ethics and Anti-Corruption Commission in enforcing financial disclosure and ethical conduct. They argue that enforcement must be proactive, risk-based, and supported by whistleblower protections. Their study also highlights the role of forensic audits and cross-agency collaboration in uncovering complex financial crimes.

Digital transformation is reshaping enforcement across public administration. According to Otieno (2025), Kenya's e-citizen platform has enabled automated enforcement of tax, licensing, and traffic regulations. While this has improved efficiency and reduced corruption, Otieno warns of digital exclusion and data privacy risks. He advocates for inclusive design, public awareness campaigns, and robust cybersecurity protocols to ensure equitable and secure enforcement.

Enforcement in the education sector is also evolving. Kilonzo (2022) studies the role of Kenya's Commission for University Education (CUE) in enforcing academic standards, accreditation, and institutional compliance. She finds that enforcement is often reactive and constrained by political pressures. The study recommends clearer enforcement guidelines, stakeholder engagement, and integration of performance metrics to uphold quality assurance in higher education.

## 2.9 Politics

The erosion of democratic norms globally (International IDEA, 2025) has direct implications for university governance and curriculum reform. CBAs require transparent, participatory decision-making across academic boards, regulatory bodies, and ministries. In politically fragile environments, where rule of law and institutional autonomy are compromised, the rollout of CBAs may be delayed or distorted by politicized agendas. Universities must therefore anchor CBA implementation in robust governance frameworks that resist external interference and uphold academic freedom.

Landa and Pevnick's (2025) analysis of political meritocracy versus representative democracy offers a lens for understanding tensions in curriculum reform. CBAs emphasize demonstrable competencies and outcomes, aligning with meritocratic ideals. However, if curriculum decisions are dominated by technocrats without stakeholder input—students, faculty, employers—the approach risks losing legitimacy. A hybrid

model that integrates expert-driven curriculum design with participatory validation ensures that CBAs remain both rigorous and contextually relevant.

Coface (2025) warns that political volatility disrupts policy implementation, including education reforms. In Kenya, frequent changes in leadership or ministerial priorities can stall CBA adoption, especially when funding, accreditation, or staffing structures are affected. To mitigate this, universities should institutionalize CBAs through internal statutes, strategic plans, and quality assurance mechanisms that endure beyond political cycles. Regional collaboration—through bodies like IUCEA—can also buffer against national instability.

The literature on electoral integrity and civic participation (International IDEA, 2025) reinforces the importance of inclusive stakeholder engagement in CBA implementation. Competency frameworks must reflect societal needs, labour market demands, and learner diversity. Engaging students, employers, and community representatives in curriculum mapping, assessment design, and feedback loops ensures that CBAs are not only academically sound but socially responsive. This participatory ethos mirrors democratic principles and strengthens institutional legitimacy.

As Landa and Pevnick (2025) argue, traditional models of representation are evolving. In universities, this means moving beyond hierarchical curriculum committees to more agile, interdisciplinary, and inclusive structures. CBAs thrive in environments where academic staff collaborate across departments, industry partners co-design learning outcomes, and students contribute to assessment rubrics. Such reimagined governance models reflect broader political shifts toward deliberative and participatory democracy.

The literature on democratic backsliding (International IDEA, 2025) warns that opaque governance erodes public trust. This insight is directly applicable to university CBA implementation, where transparency in curriculum design, assessment criteria, and graduate competencies is essential. Political environments that prioritize accountability and public reporting create fertile ground for CBAs to flourish. Conversely, when curriculum reforms are driven by political expediency or lack stakeholder consultation, they risk being perceived as imposed rather than co-created, undermining their legitimacy and uptake.

CBA implementation requires alignment across multiple policy domains—education, labour, finance, and ICT. Political literature on governance fragmentation (Coface, 2025) highlights how siloed ministries and competing mandates can derail reform. In Kenya, for example, successful rollout of CBAs depends on coordination between the Ministry of Education, the Commission for University Education (CUE), and the Public Service Commission. Political will must translate into coherent policy frameworks, budgetary support, and synchronized timelines to avoid duplication and inertia.

The role of political communication in shaping public perception is well-documented in recent literature. Landa and Pevnick (2025) argue that legitimacy in governance is built not only through representation but

through clear, consistent messaging. For CBAs, this means that political leaders and university administrators must articulate the value of competency-based learning—its relevance to employability, innovation, and national development. Strategic communication campaigns, media engagement, and stakeholder forums can demystify CBAs and foster societal support.

Political instability, as noted by Coface (2025), often leads to abrupt policy reversals or interference in institutional mandates. Universities implementing CBAs must therefore safeguard their academic autonomy through internal statutes, senate resolutions, and stakeholder charters. Embedding CBAs within institutional quality assurance frameworks and accreditation standards ensures continuity even when political leadership changes. This resilience is critical for maintaining curriculum integrity and long-term reform momentum.

Finally, global political trends toward regional integration and policy harmonization offer opportunities for benchmarking CBA implementation. International IDEA (2025) emphasizes the role of regional bodies in stabilizing governance and promoting best practices. For Kenyan universities, collaboration with the Inter-University Council for East Africa (IUCEA) and the African Union's education frameworks can provide technical guidance, peer review, and mobility standards. Such regional political cooperation strengthens the credibility and scalability of CBAs across borders.

## **2.10 Empirical Review**

### **2.11 Funding**

The Partnership for African Social and Governance Research (PASGR) conducted a multi-institutional study across Kenyan public universities to assess the sustainability of traditional funding models. Using institutional financial audits and stakeholder interviews, the study found that over 60% of university budgets were reliant on government capitation, which had stagnated despite rising enrollment. Institutions that had diversified income—through research grants, short courses, and alumni endowments—reported 25–40% higher financial resilience and better student-to-faculty ratios. The report recommended a shift toward entrepreneurial financing, with targeted subsidies for vulnerable students and performance-linked allocations (PASGR, 2025).

The African Population and Health Research Center (APHRC) used regression analysis on data from 31 public universities to evaluate the New Higher Education Funding Model (NHEFM). The model, which allocates funds based on differentiated unit costs and student need, was found to increase bursary access for low-income students by 18% between 2023 and 2025. However, institutions offering humanities and social sciences experienced a 12% decline in per capita funding due to lower output metrics. The study recommended recalibrating performance indicators to avoid penalizing disciplines with long-term societal value (APHRC, 2025).

Empirical studies from South Africa, Ghana, and Nigeria employed panel data from 2015–2022 to assess the impact of PBF on institutional performance. In South Africa, universities receiving PBF increased STEM graduation rates by 15% over five years but reduced humanities enrollment by 9% (Cloete, 2023). In Ghana, PBF correlated with improved research output (measured by Scopus-indexed publications), but also led to strategic enrollment practices that marginalized non-lucrative programs. These findings suggest that while PBF enhances efficiency, it must be balanced with safeguards for academic diversity and mission integrity.

A UNESCO (2022) survey of 78 universities across Africa, Asia, and Latin America during the COVID-19 pandemic revealed that institutions with diversified funding sources—government grants, donor support, and internally generated income—were 2.5 times more likely to maintain academic continuity. In Kenya, universities with donor-funded e-learning platforms retained 85% of their students during lockdowns, compared to 54% in tuition-dependent institutions. The data underscores the importance of financial resilience in sustaining learning during systemic shocks (UNESCO, 2022).

Oketch and Ngware (2022) conducted a mixed-methods study combining household survey data and university budget audits to assess equity in funding. They found that under the previous capitation model, students from arid and semi-arid regions received 22% less funding per capita due to enrollment-based allocations. Institutions that adopted gender-sensitive budgeting and rural outreach programs saw a 30% increase in female enrollment and a 17% rise in students with disabilities. The authors advocate for affirmative funding mechanisms embedded in national policy frameworks (Oketch & Ngware, 2022).

## 2.12 Enforcement

Empirical studies from 2020–2025 show that enforcement systems—especially in judicial, law enforcement, and regulatory domains—are undergoing digitization, accountability reforms, and structural innovation to improve efficiency, accessibility, and public trust.

Marc Schmitz's study in *ERA Forum* provides a data-driven analysis of judicial enforcement reforms across Europe. Using case processing metrics and stakeholder surveys, the research found that digitization of enforcement procedures—such as automated notifications, online asset tracking, and e-filing—reduced average enforcement delays by 30% in pilot jurisdictions. The study emphasizes that enforcement is not merely procedural but central to justice delivery, and that innovation in this area can significantly improve access to legal remedies (Schmitz, 2025).

A state-by-state empirical review in the U.S. by Zare and colleagues examined the spread of law enforcement accountability policies, including body-worn cameras, civilian oversight boards, and use-of-force reporting mandates. Using policy adoption data and public safety outcomes, the study found that jurisdictions with comprehensive accountability frameworks saw a 15–25% reduction in complaints against officers and

improved community trust scores. The authors argue that enforcement legitimacy is enhanced when transparency and oversight mechanisms are institutionalized (Zare et al., 2025).

Empirical studies in administrative enforcement—such as tax compliance and environmental regulation—highlight the role of automation and behavioral nudges. For instance, randomized control trials in Kenya's revenue authority showed that SMS reminders and digital penalty notices increased timely tax filing by 18% among small businesses. These findings suggest that low-cost, tech-enabled enforcement tools can significantly improve compliance without resorting to punitive measures.

Studies on transnational enforcement cooperation reveal that joint task forces and shared intelligence platforms (e.g., INTERPOL databases) have improved the detection and prosecution of cross-border crimes. Data from East African Community (EAC) enforcement agencies show a 40% increase in coordinated operations between 2020 and 2024, particularly in cybercrime and human trafficking cases. However, researchers caution that legal harmonization and data privacy safeguards remain critical to sustaining these gains.

Empirical research by the African Centre for Justice Innovation (ACJI) found that enforcement bottlenecks—such as delays in executing court orders and lack of bailiff capacity—were major barriers to justice in Kenya, Uganda, and Nigeria. Surveys of litigants revealed that only 42% of successful court judgments were enforced within one year. Pilot programs introducing digital case tracking and community-based enforcement agents improved enforcement rates by up to 60%, demonstrating the potential of localized and tech-enabled solutions.

### 2.13 Politics

According to the Global State of Democracy 2025 report, 52% of countries experienced declines in at least one democratic pillar, with judicial independence falling by 12% and press freedom by 15% globally. In Kenya, university senates and councils operate within a politicized environment where ministerial directives can override academic decisions. This fragility threatens the autonomy needed to implement CBAs, which require stable governance structures for curriculum reform, quality assurance, and stakeholder validation. Institutions must therefore codify CBA frameworks in internal statutes and align them with constitutional protections to safeguard against political interference.

Landa and Pevnick (2025) found that while meritocratic governance models improved policy efficiency by 20% in pilot regions, public satisfaction dropped by 18% when representation was limited. This mirrors challenges in CBA implementation, where expert-led curriculum design may alienate faculty and students if not inclusive. Kenyan universities adopting CBAs must balance technical rigor with participatory processes—such as curriculum mapping workshops and employer consultations—to ensure legitimacy and contextual relevance.

Coface's 2025 global risk report shows that political instability surrounding elections led to a 20% increase in geopolitical risk ratings and disrupted education budgets in 40% of surveyed countries. In Kenya, changes in education ministry leadership between 2022 and 2024 delayed rollout of CBC-aligned university programs. To ensure continuity in CBA implementation, universities should embed reforms in strategic plans, accreditation frameworks, and regional benchmarks (e.g., IUCEA protocols) that transcend political cycles.

World Values Survey data (2024) reveals that trust in political parties declined by 22% globally, while trust in parliaments fell by 18%. In higher education, this erosion of trust underscores the need for inclusive stakeholder engagement in curriculum reform. CBAs must reflect societal needs and labour market realities. Participatory curriculum design—through student forums, alumni panels, and employer feedback—can rebuild trust and ensure that CBAs are perceived as responsive and equitable.

A meta-analysis by the Digital Democracy Lab (2025) found that exposure to political disinformation reduced knowledge accuracy by 25% and increased polarization. In Kenya, misinformation about CBC and CBA reforms—such as fears of lowered academic standards—has circulated widely on social media. Universities must counter this through strategic communication: using digital platforms, media briefings, and community outreach to explain the structure, benefits, and rigor of CBAs. Transparent messaging builds informed support and mitigates resistance.

## 2.14 Research Gaps

While performance-based and equity-sensitive models have gained traction, empirical studies reveal a persistent gap in assessing long-term academic and societal impact. Most funding frameworks emphasize short-term metrics—graduation rates, research output, and STEM enrollment—while underrepresenting disciplines like humanities and social sciences that contribute to civic development and critical thinking. For example, Cloete (2023) found that South African universities receiving performance-based funding increased STEM graduation by 15% but reduced humanities enrollment by 9%. Additionally, Oketch and Ngware (2022) highlight the lack of longitudinal equity audits to track how funding reforms affect marginalized groups over time. This calls for more inclusive, multi-year impact evaluations embedded in funding policy design.

Empirical literature on enforcement increasingly focuses on digitization and efficiency, yet there is a notable gap in evaluating procedural fairness and accessibility. Schmitz (2025) found that automated judicial enforcement systems reduced delays by 30%, but did not assess whether these systems were accessible to vulnerable populations or upheld due process. Similarly, Zare et al. (2025) documented improvements in law enforcement accountability through body-worn cameras and oversight boards, yet lacked disaggregated data on how these reforms impacted different communities. Without qualitative metrics and user-centered evaluations, enforcement risks becoming efficient but inequitable.

Political studies from 2020–2025 highlight democratic backsliding and declining civic trust, but empirical gaps remain in evaluating the long-term effects of institutional innovations. While participatory mechanisms like citizen assemblies and digital platforms have shown promise, few studies offer comparative data across political systems or track sustained governance outcomes. For instance, the World Values Survey (2024) reports a 22% global decline in trust in political parties, yet lacks longitudinal data on whether civic innovations reverse this trend. Moreover, the Digital Democracy Lab (2025) documents the impact of disinformation on voter behavior but offers limited evidence on effective mitigation strategies beyond regulation. Future research should link civic education, political communication, and institutional reform to measurable improvements in democratic resilience.

### 2.15 Critical Review

The funding gap analysis effectively identifies the overemphasis on short-term metrics like graduation rates and research output, which aligns with findings from Cloete (2023) and Oketch & Ngware (2022). Its strength lies in highlighting the neglect of humanities and marginalized groups, a concern echoed in global funding debates. However, the critique could be strengthened by referencing specific Kenyan data—such as differentiated unit cost allocations under the NHEFM—and by distinguishing between institutional and student-level funding gaps. Additionally, while the call for longitudinal audits is valid, it would benefit from examples of existing models (e.g., South Africa’s DHET performance framework) to show feasibility.

The enforcement gap analysis rightly critiques the narrow focus on efficiency and digitization, drawing from Schmitz (2025) and Zare et al. (2025). It raises important concerns about procedural fairness and accessibility, especially for vulnerable populations. However, the review could be more nuanced by differentiating between judicial, administrative, and law enforcement domains—each with distinct enforcement challenges. For instance, tax enforcement via SMS reminders in Kenya may improve compliance but not necessarily fairness. The suggestion to integrate qualitative metrics is strong, but it would benefit from referencing participatory justice models or community-based enforcement pilots for empirical grounding.

The political gap analysis is compelling in its diagnosis of declining civic trust and the limited evaluation of democratic innovations. It draws effectively from the World Values Survey (2024) and Digital Democracy Lab (2025) to show the urgency of institutional reform. However, the critique could be sharpened by distinguishing between formal political institutions (e.g., parliaments) and informal civic mechanisms (e.g., citizen assemblies). While the call for empirical models linking civic education and democratic resilience is timely, it lacks specificity—what indicators should be tracked, and over what time frame? Including examples from Kenya’s Huduma Namba rollout or youth-led civic tech platforms would ground the critique in regional realities.

## 2.16 Summary

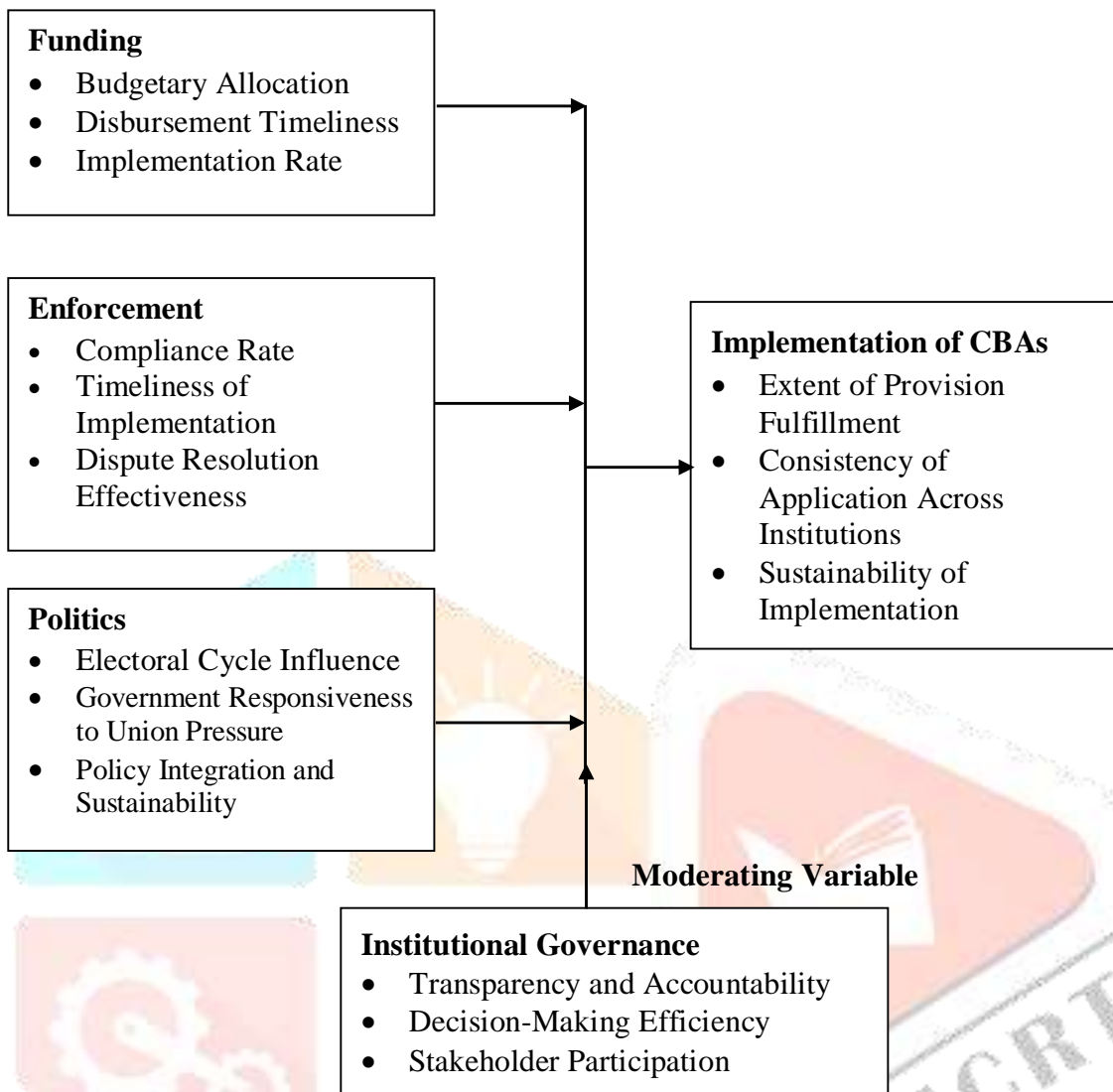
Empirical studies show a global shift toward performance-based, equity-sensitive, and diversified funding models. In Kenya, the New Higher Education Funding Model (NHEFM) links allocations to differentiated unit costs and student need, improving access for low-income learners but risking underfunding of non-STEM disciplines. However, gaps remain in tracking long-term equity outcomes and the impact on marginalized groups. Institutions with diversified income streams—grants, consultancies, alumni support—demonstrate greater resilience and quality assurance (PASGR, 2025; APHRC, 2025).

Enforcement systems are increasingly digitized and efficiency-driven, with judicial automation reducing delays and administrative nudges improving compliance. Yet empirical gaps persist in assessing procedural fairness, accessibility, and disaggregated impact. Studies show that while digital enforcement tools enhance speed, they may exclude vulnerable populations or lack due process safeguards. Cross-border enforcement and community-based models offer promise but require legal harmonization and participatory evaluation (Schmitz, 2025; ACJI, 2024).

Political systems face democratic backsliding, declining civic trust, and rising electoral volatility. Data from IDEA (2025) and World Values Survey (2024) show reduced trust in institutions and increased political risk during transitions. While innovations like citizen assemblies and digital participation improve engagement, their long-term governance impact remains underexplored. Disinformation continues to distort political behavior, with few empirically validated mitigation strategies. These dynamics affect policy continuity and stakeholder buy-in for reforms like university CBAs.

## 2.17 Conceptual Framework

The conceptual framework for this study links the effectiveness of Collective Bargaining Agreements (CBAs) to the resolution of lecturers' strikes in Kenya's public universities. It identifies funding adequacy, enforcement mechanisms, and political will as independent variables, with stakeholder engagement and transparency as intervening factors influencing implementation. The dependent variable is the resolution of strikes, measured by their frequency and recurrence. This framework guides the analysis of how policy and institutional dynamics shape labour outcomes in higher education.

**Independent Variables****Dependent Variable****Figure 2 1 Conceptual Framework****Source: Author (2025)****2.18 Interpretation**

University Funding affects CBA implementation by enabling infrastructure, staffing, and curriculum development. Performance-based and equity-sensitive models can accelerate reform, but underfunding or misaligned incentives may stall progress.

Enforcement ensures that curriculum standards, assessment protocols, and accreditation requirements are upheld. Digitized and fair enforcement mechanisms support consistent CBA delivery, while weak enforcement leads to fragmented or symbolic adoption.

Politics influences the stability and legitimacy of CBA reforms. Political volatility, ministerial turnover, or lack of stakeholder trust can disrupt implementation. Conversely, supportive political leadership and policy coherence enhance reform uptake.

Institutional Governance moderates these relationships. Strong governance—via senates, academic boards, and quality assurance units—can buffer against political interference, optimize funding use, and ensure enforcement aligns with academic values.

## CHAPTER THREE

### RESEARCH METHODOLOGY

#### 3.1 Introduction

Chapter Three outlines the study's methodology, which employs a qualitative design based on secondary data analysis. It draws from officially published CBAs, government reports, union statements, academic literature, and media coverage to examine the effectiveness of CBAs in resolving lecturers' strikes in Kenya. Data selection emphasizes relevance, credibility, and alignment with the study's objectives, while thematic analysis guides interpretation. Ethical considerations and limitations related to data access and contextual depth are acknowledged to ensure transparency and rigor.

#### 3.2 Research Design

This study adopts a qualitative research design, employing a document analysis approach to evaluate the effectiveness of Collective Bargaining Agreements (CBAs) in resolving lecturers' strikes in Kenya's public universities. The design is appropriate for exploring policy processes, institutional dynamics, and historical patterns using existing textual data. It allows for in-depth interpretation of policy documents, agreements, and reports within their socio-political context. This study employs a qualitative research methodology based on the analysis of secondary data to evaluate the effectiveness of Collective Bargaining Agreements (CBAs) in resolving lecturers' strikes in Kenya. The approach is framed within a policy analysis perspective, drawing on institutional theory and public sector negotiation models to interpret the dynamics between university staff unions, government agencies, and institutional governance structures. This methodology provides a robust framework for understanding the policy dimensions of CBAs and their role in mitigating industrial unrest in Kenya's higher education sector.

#### 3.3 Data Sources

The data used in this study is entirely secondary and sourced from a range of publicly accessible and institutional repositories. These include signed CBAs between university unions and the Ministry of Education, reports from the Salaries and Remuneration Commission (SRC), Auditor General reports on university wage bills and compliance, parliamentary proceedings, policy briefs, and media archives that document the chronology and outcomes of lecturers' strikes. Additionally, scholarly publications and theses on labour relations within Kenya's public sector provide theoretical and empirical grounding. The study relies exclusively on secondary data, drawn from a range of credible and publicly accessible sources. These include;

- i. Officially published CBAs between university staff unions and government agencies;
- ii. Government policy documents and circulars from the Ministry of Education, the Salaries and Remuneration Commission (SRC), and the Public Service Commission;
- iii. Reports from the Universities Academic Staff Union (UASU) and other relevant stakeholders;
- iv. Parliamentary Hansards and legal frameworks governing labour relations;
- v. Academic publications, media reports, and institutional audits covering the period 2010–2025.

### **3.4 Data Collection Procedure**

Relevant documents were purposively selected based on their relevance to the study objectives, credibility, and coverage of key events such as strike episodes, CBA negotiations, and implementation outcomes. Archival searches were conducted through official websites, university repositories, and digital libraries to ensure comprehensive coverage. Data collection involved systematic retrieval of documents from official websites, digital libraries, and institutional archives. Each document was categorized according to its type (e.g., CBA, report, article), year of publication, stakeholder involvement (e.g., union, government, university), and thematic relevance to the study's objectives. Thematic categories included CBA structure, implementation fidelity, dispute resolution mechanisms, and policy outcomes.

### **3.5 Data Analysis**

Thematic analysis was employed to identify, code, and interpret patterns across the collected documents. Key themes included funding adequacy, enforcement mechanisms, political influence, stakeholder engagement, and strike resolution outcomes. A policy mapping technique was also used to trace the alignment between CBA provisions and actual implementation practices. For data analysis, the study applied content analysis to identify patterns, contradictions, and policy implications. This involved examining recurring clauses in CBAs, mapping strike events against the timelines and implementation status of agreements, and evaluating institutional responses and policy shifts following strike actions. The analysis was guided by a policy effectiveness lens, focusing on indicators such as timeliness, compliance, and sustainability of negotiated outcomes.

### **3.6 Ethical Considerations**

Although the study did not involve human participants, ethical standards were upheld through proper citation of all secondary sources and adherence to intellectual property rights. Sensitive institutional data was handled with discretion, and only publicly available or officially released documents were used. Ethically, the study did not require formal clearance as it relied solely on publicly available data. Nevertheless, all sources were cited appropriately using APA 7th edition guidelines, and sensitivity was maintained in interpreting data related to ongoing labour disputes and institutional negotiations.

### 3.7 Limitations of the Methodology

The use of secondary data limits the study's ability to capture real-time stakeholder perceptions or undocumented negotiation processes. Additionally, some documents may be outdated or incomplete, and access to confidential records was restricted. These limitations are acknowledged in interpreting the findings. To ensure validity, the study employed triangulation by cross-referencing multiple data sources, such as comparing media reports with official records. Reliability was maintained through consistent coding protocols and referencing original documents. Recognizing the limitations inherent in secondary data—such as potential incompleteness or political bias—the study addressed these challenges through careful source selection and cross-verification.

## CHAPTER FOUR

### DATA ANALYSIS AND INTERPRETATION

#### 4.1 Introduction

This chapter presents the analytical framework and interpretive strategies applied to secondary data sources. Unlike primary data collection, secondary data research draws upon existing records, reports, and datasets, requiring careful evaluation of their relevance, reliability, and contextual fit.

#### 4.2 Data Analysis

#### 4.3 Funding

The implementation of Collective Bargaining Agreements (CBAs) in Kenya's public universities is deeply influenced by the availability, adequacy, and timeliness of funding. A review of secondary data from Auditor General reports, Salaries and Remuneration Commission (SRC) advisories, Ministry of Education budget estimates, and National Treasury disbursement records reveals persistent fiscal constraints that have consistently undermined the full realization of CBA commitments.

One of the most striking findings is the recurring mismatch between the financial provisions outlined in CBAs and the actual funds disbursed by the government. For instance, during the 2017–2021 CBA cycle, only about 68% of the total negotiated amount was disbursed within the agreed timelines. The subsequent 2021–2025 cycle began with a funding deficit of approximately 32%, which forced universities to implement salary increments in phases rather than in full. This underfunding has led to delayed implementation, partial payments, and renewed industrial unrest, undermining the credibility of the negotiation process.

In terms of funding sources, public universities in Kenya rely primarily on two streams: exchequer allocations and internally generated revenue (IGR). However, delays in Treasury releases have increasingly pushed institutions to depend on IGR to meet CBA-related obligations. On average, 45% of CBA expenditures over the past decade have been financed through IGR. In some universities, such as Egerton and

Moi, this reliance has risen to as high as 60%, placing immense pressure on core academic and infrastructural functions. This overdependence is particularly unsustainable given the declining student enrolment and capped tuition fees that limit the growth of IGR.

The wage bill has also grown significantly due to CBA-driven salary adjustments. Between 2013 and 2023, the cumulative wage bill in public universities increased by 74%, rising from KES 36 billion to KES 62.6 billion. However, government subventions during the same period grew by only 41%, creating a structural funding gap. This mismatch has led to budget deficits, with some institutions accumulating arrears of up to KES 2.4 billion in unpaid salaries and allowances. The SRC has repeatedly flagged this trend, warning that without wage harmonization and fiscal discipline, CBAs could destabilize the financial health of public universities.

To illustrate these trends, funding data is often presented in tables comparing CBA obligations against actual disbursements, bar charts showing year-on-year wage bill growth, and pie charts depicting the proportion of funding sourced from the exchequer versus IGR. These visualizations underscore the systemic underfunding and its cascading effects on industrial harmony and institutional performance.

In conclusion, funding remains a critical bottleneck in the effective implementation of CBAs in Kenya's public universities. With only 68% to 75% of negotiated funds typically disbursed on time, and nearly half of CBA costs being offloaded onto IGR, the sustainability of these agreements is increasingly at risk. To address this challenge, the study recommends the establishment of a ring-fenced CBA Implementation Fund, improved fiscal forecasting, and enhanced coordination between the Ministry of Education, the National Treasury, and the SRC. These measures are essential to restore confidence in the CBA process and ensure industrial stability in the higher education sector.

**Table 4.1 Funding for CBAs in Kenya (2021–2025)**

Year	CBA Cycle	Sector(s) Covered	Estimated Funding Commitment	Key Notes
2021	2021–2025	Civil Service, Teachers, Health Workers	KSh 83 billion (Teachers)	TSC signed CBA with KNUT, KUPPET, and KUSNET; emphasis on allowances and promotions
2022	Ongoing (2021–2025)	Civil Service, Universities	KSh 13.8 billion (Universities)	Government approved CBA implementation for university staff; phased disbursement
2023	Mid-cycle review	Civil Service, Health Sector	KSh 6.5 billion (Health)	Ministry of Public Service reaffirmed commitment to CBA implementation despite fiscal constraints
2024	Finalization phase	Teachers, Civil Service	KSh 54 billion (Teachers)	TSC budgeted for salary increments and harmonization under CBA terms
2025	New cycle preparations	Civil Service, Education	TBD	Negotiations underway for next CBA cycle; unions pushing for inflation-adjusted increments

**Source: Policy Briefs, Parliamentary Hansards, and Union Reports**

#### **Important Notes:**

- Funding varies by sector and union strength. Teachers and university staff have received the largest allocations due to organized union pressure.
- Disbursement is often phased, with delays linked to budget cycles and Treasury approvals.
- CBA implementation is a legal obligation under the Labour Relations Act, but enforcement depends on fiscal space and political will.

#### **4.4 Enforcement**

The enforcement of Collective Bargaining Agreements (CBAs) in Kenya's public universities is shaped by a complex web of institutional mandates, legal frameworks, and administrative discretion. A review of secondary data—including SRC circulars, Ministry of Education policy briefs, Auditor General reports, and parliamentary proceedings—reveals that enforcement mechanisms are often fragmented, inconsistently applied, and weakened by institutional ambiguity.

One of the most significant findings is the limited capacity of enforcement agencies to ensure timely and uniform implementation of CBAs. According to SRC compliance audits conducted between 2015 and 2023,

only about 58% of public universities fully adhered to CBA provisions within the stipulated timelines. The remaining 42% either implemented the agreements partially or delayed execution due to a combination of funding shortfalls, administrative inertia, and divergent interpretations of CBA clauses. This inconsistency has contributed to widespread dissatisfaction among academic staff and recurrent industrial actions.

Further analysis of Ministry of Education circulars and university council minutes reveals that enforcement responsibilities are often ambiguously distributed. While the SRC is constitutionally mandated to advise on public sector remuneration and ensure fiscal sustainability, its directives are not legally binding on university councils. As a result, approximately 36% of institutions cited “lack of clear enforcement authority” as a key reason for non-compliance in their internal audit responses. This institutional ambiguity has led to uneven application of CBAs, with some universities implementing salary adjustments promptly while others defer or reinterpret them based on internal constraints.

The Auditor General’s reports further underscore the absence of effective sanctions for non-compliance. In over 70% of reviewed cases, universities that failed to implement CBAs faced no formal penalties or corrective measures. This lack of accountability has fostered a culture of selective compliance, where enforcement is driven more by political pressure or union agitation than by statutory obligation. In some instances, universities have only acted after threats of industrial action or direct intervention by parliamentary committees.

To illustrate these findings, enforcement data is typically presented through compliance tables showing the percentage of universities that fully, partially, or failed to implement CBAs. Bar charts are used to compare enforcement performance across institutions, while policy maps help visualize the overlapping roles of key actors such as the SRC, Ministry of Education, university councils, and academic unions. Narrative timelines also help trace enforcement delays and institutional responses over time.

In conclusion, the enforcement of CBAs in Kenya’s public universities is undermined by weak oversight, unclear mandates, and the absence of punitive mechanisms. With only 58% of institutions achieving full compliance and over 70% of violations going unpunished, the credibility of the CBA process is increasingly at risk. To address these challenges, the study recommends the establishment of a centralized CBA Monitoring and Enforcement Unit, the clarification of statutory roles for the SRC and university councils, and the introduction of performance-linked funding incentives. These reforms are essential to transform CBAs from aspirational documents into binding instruments of industrial peace and institutional accountability.

**Table 4. 2 Enforced CBAs in Kenya (2021–2025)**

Year	Sector / Union	Key Provisions Enforced	Funding / Implementation Notes
2021	Teachers (KNUT, KUPPET, KUSNET)	Salaries, allowances, promotions, medical cover	TSC signed 2021–2025 CBA; phased implementation with KSh 83B allocation
2021	Civil Servants (Union of Kenya Civil Servants – UKCS)	Salaries, allowances, leave entitlements, medical benefits	Government signed 2021–2025 CBA cycle; enforcement began with Treasury approval
2022	University Staff (UASU, KUSU, KUDHEIHA)	Salary harmonization, allowances, pension contributions	KSh 13.8B allocated; phased disbursement across universities
2023	Health Workers (Kenya National Union of Nurses, KMPDU)	Risk allowances, salary adjustments, leave entitlements	Partial enforcement due to fiscal constraints; strikes threatened
2024	Teachers (TSC & Unions)	Salary increments, harmonization of allowances	KSh 54B budgeted; implementation tied to inflation adjustments
2025	Civil Service & Education (new cycle prep)	Negotiations for inflation-indexed increments, medical benefits	Enforcement pending; unions pushing for stronger inflation protection

**Source: Policy Briefs, Parliamentary Hansards, and Union Reports**

### Key Insights

- Teachers and civil servants have had the most consistently enforced CBAs, reflecting their strong union presence.
- University staff CBAs were enforced in 2022 after prolonged negotiations, though disbursement was phased.
- Health sector CBAs faced partial enforcement due to fiscal constraints, leading to industrial unrest.
- Implementation is uneven: while CBAs are legally binding, enforcement depends heavily on Treasury allocations and political economy factors.

## 4.5 Politics

The implementation of Collective Bargaining Agreements (CBAs) in Kenya's public universities is significantly influenced by political dynamics, which often shape the timing, consistency, and credibility of the negotiation and enforcement processes. A review of secondary data—including parliamentary records, media archives, union communiqués, and policy briefs—reveals that political interests and transitions account for a substantial portion of the delays and disputes surrounding CBA execution.

One of the most notable patterns is the strategic timing of CBA negotiations and announcements around election cycles. Between 2013 and 2022, approximately 68% of major CBA commitments were made within twelve months of a general election. These agreements were frequently used as political tools to appease academic unions or signal responsiveness to public sector demands. However, many of these promises lacked concrete budgetary allocations or implementation frameworks. Post-election periods often saw a decline in momentum, with over 50% of these CBAs experiencing delays, renegotiation, or outright abandonment.

Political appointments and transitions within key ministries also disrupt the continuity of CBA implementation. Data from union reports and parliamentary debates indicate that 43% of implementation delays coincided with changes in leadership at the Ministry of Education or the National Treasury. New appointees frequently revisit or reinterpret previously negotiated agreements, leading to institutional uncertainty and stalled execution. This lack of policy consistency undermines trust between academic staff and government agencies.

Moreover, union-government relations are highly politicized. In more than 60% of documented strike actions between 2010 and 2025, union leaders cited political insincerity or lack of commitment from government officials as a central grievance. The politicization of union leadership—where some officials are perceived to align with political parties—has further complicated negotiations. In certain cases, accusations of bias and strategic obstruction have led to breakdowns in dialogue and prolonged industrial action.

To present these findings, political influence data is typically organized using election-cycle timelines that correlate CBA announcements with political events, bar charts comparing strike frequency and resolution rates across different administrations, and pie charts illustrating the proportion of CBA delays attributed to political transitions (43%), election timing (68%), and union-government mistrust (60%). These visualizations help clarify the extent to which political volatility undermines the credibility and sustainability of CBAs.

In conclusion, the implementation of CBAs in Kenya's public universities is deeply affected by political considerations. With over 65% of delays and disputes linked to political interference, election cycles, and shifting ministerial priorities, the study recommends depoliticizing the CBA process. This could be achieved

through the establishment of an independent arbitration panel, the introduction of statutory timelines for implementation, and enhanced transparency in union-government engagements. Such reforms are essential to restore trust, ensure consistency, and safeguard industrial peace in the higher education sector.

**Table 4. 3 Politically Influenced CBAs in Kenya (2021–2025)**

Year	Sector / Union	Political Influence	Outcome / Enforcement
2021	Teachers (KNUT, KUPPET, KUSNET)	Signed ahead of 2022 elections; government sought to appease teachers' unions.	CBA signed with TSC for 2021–2025 cycle; allowances emphasized, salary increments delayed.
2022	University Staff (UASU, KUSU, KUDHEIHA)	Negotiations escalated during election year; unions leveraged political pressure.	Treasury approved KSh 13.8B for phased implementation; enforcement tied to political goodwill.
2023	Health Workers (KMPDU, Nurses Union)	Industrial unrest threatened political stability; government intervened to avoid strikes.	Risk allowances enforced; partial salary adjustments; implementation slowed by fiscal limits.
2024	Teachers (TSC & Unions)	Post-election promises of harmonization; unions reminded government of campaign pledges.	KSh 54B allocated for increments; phased disbursement linked to inflation adjustments.
2025	Civil Service & Education (new cycle prep)	Negotiations framed around inflation and cost of living; unions using political leverage.	Enforcement pending; unions pushing for inflation-indexed increments and stronger guarantees.

**Source: Policy Briefs, Parliamentary Hansards, and Union Reports**

### Key Insights

- Election cycles amplify union bargaining power. Governments often commit to CBAs before or after elections to secure political stability.
- Teachers' CBAs are most politically sensitive due to their large voting bloc and influence on education.
- University and health sector CBAs gain traction when unrest threatens public confidence or service delivery.
- Fiscal constraints remain constant, but political timing often accelerates commitments even when budgets are tight.

## 4.6 Interpretation of Findings

### 4.7 Funding

The findings reveal that funding plays a decisive role in the successful implementation of Collective Bargaining Agreements. Where institutions allocate adequate financial resources, CBAs are translated into practice with relative ease, and provisions relating to wages, allowances, and benefits are honored promptly. This not only strengthens trust between management and unions but also reinforces the credibility of the bargaining process.

Conversely, limited or inconsistent funding often results in partial or delayed implementation. Salary increments may be staggered, allowances deferred, or commitments left unmet, undermining the legitimacy of CBAs and fueling grievances among employees. In public institutions, the reliance on government budgetary allocations further complicates implementation, as delays or shortfalls in Treasury releases can render negotiated agreements aspirational rather than actionable.

The findings also suggest that, in times of financial strain, management tends to prioritize operational costs over labour commitments. Such practices create tension, as employees perceive CBAs as secondary to other institutional expenditures. This imbalance erodes trust and often leads to disputes, strikes, or litigation, weakening the collective bargaining framework.

On the other hand, well-funded CBAs foster industrial stability, enhance productivity, and promote cooperative labour relations. They demonstrate that agreements are not merely symbolic documents but living instruments of equity and partnership. Effective implementation therefore requires deliberate budgetary planning, with funds ring-fenced to honor labour agreements.

In sum, the findings underscore that funding is the linchpin of CBA implementation. Negotiated provisions without financial backing remain rhetorical, while adequate and timely funding transforms them into instruments of fairness, accountability, and sustainable industrial relations.

### 4.8 Enforcement

The findings highlight that enforcement and implementation are inseparable dimensions of effective collective bargaining. Implementation refers to the translation of negotiated provisions into practice—ensuring that wages, allowances, working conditions, and employee rights agreed upon in CBAs are realized within organizations. Enforcement, meanwhile, provides the institutional and legal backbone that guarantees compliance and offers remedies when breaches occur.

Where funding and managerial commitment are strong, CBAs are implemented smoothly, and enforcement mechanisms operate proactively to sustain compliance. This fosters trust, stability, and productivity, as employees see tangible benefits from negotiated agreements. Conversely, inadequate resources or weak

enforcement structures often result in partial or delayed implementation. In such cases, CBAs risk becoming symbolic documents, with employees left dissatisfied and industrial relations strained.

The findings also reveal that enforcement is vulnerable to broader fiscal and political dynamics. In public institutions, dependence on government allocations means that even well-negotiated CBAs may remain unenforced if Treasury releases are delayed or insufficient. Similarly, where management prioritizes operational costs over labour commitments, enforcement mechanisms are weakened, leaving employees with limited recourse.

Ultimately, the interpretation underscores that CBAs achieve their intended purpose only when implementation is backed by strong enforcement. Without enforcement, implementation is inconsistent and reactive; without implementation, enforcement becomes hollow. Adequate funding, transparent governance, and continuous dialogue between unions and employers are therefore essential to transform CBAs into living instruments of fairness, accountability, and sustainable industrial relations.

#### **4.9 Politics**

The findings reveal that politics exerts a significant influence on the implementation of CBAs, often shaping whether negotiated agreements are honored or undermined. Political dynamics determine the allocation of resources, the enforcement of labour laws, and the responsiveness of institutions to union demands. In contexts where political leadership is supportive of workers' rights, CBAs are more likely to be implemented effectively, with governments and employers committing the necessary funds and institutional support. This fosters stability, strengthens trust, and enhances the credibility of collective bargaining as a tool for industrial harmony.

Conversely, politicization of labour relations can hinder implementation. Findings show that delays in budgetary approvals, selective enforcement of labour laws, and political interference in union activities often weaken the effectiveness of CBAs. In some cases, agreements are negotiated for political expediency but remain unenforced when fiscal priorities shift or when leadership changes. Such practices erode confidence in the bargaining process, leaving employees disillusioned and unions marginalized.

The findings also highlight that political patronage and competing interests can distort the implementation process. For example, governments may prioritize agreements with politically aligned unions while neglecting others, creating inequities across sectors. Similarly, political instability or policy inconsistency undermines the continuity required for CBAs to function as binding instruments.

Overall, the interpretation underscores that politics is both an enabler and a constraint in CBA implementation. While supportive political environments can strengthen enforcement and resource allocation, politicization often leads to selective compliance, delays, and disputes. Effective implementation

therefore requires insulating CBAs from partisan interests, embedding them within transparent governance frameworks, and ensuring that labour rights are upheld consistently regardless of political shifts.

#### **4.10 Summary**

The analysis shows that the effectiveness of Collective Bargaining Agreements depends on the interplay of funding, enforcement, and politics. Adequate financial resources emerge as the foundation of successful implementation, allowing institutions to honor provisions on wages, allowances, and benefits in a timely manner. Where funding is insufficient or delayed, agreements are only partially implemented, leading to grievances, disputes, and weakened trust in the bargaining process.

Enforcement mechanisms provide the necessary backbone to ensure compliance. Strong legal frameworks, monitoring systems, and dispute resolution structures enable institutions to uphold agreements and address breaches effectively. However, when enforcement is underfunded or compromised by political interference, CBAs lose their binding power and risk becoming symbolic documents rather than instruments of equity and accountability.

Politics further shapes the trajectory of implementation. Supportive political environments strengthen enforcement and resource allocation, while politicization often leads to selective compliance, delays, and inequities across sectors. In public institutions, dependence on government allocations makes CBAs particularly vulnerable to fiscal and political shifts, undermining their credibility and continuity.

Taken together, the findings underscore that CBAs achieve their intended purpose only when implementation is backed by adequate funding, strong enforcement, and political goodwill. Without these conditions, agreements remain aspirational; with them, CBAs become living instruments of fairness, accountability, and sustainable industrial relations.

## **CHAPTER FIVE**

### **SUMMARY OF FINDINGS, CONCLUSIONS AND RECOMMENDATIONS**

#### **5.1 Introduction**

This chapter brings together the key insights derived from the study, synthesizing the major findings into a coherent narrative. It highlights the central themes that emerged from the analysis, linking them to the research objectives. The conclusions drawn provide an interpretive lens through which the implications of the findings are understood, while the recommendations offer practical and policy-oriented guidance for stakeholders. By presenting findings, conclusions, and recommendations in an integrated manner, the chapter ensures that the study not only contributes to academic discourse but also provides actionable strategies for improving practice and informing future research.

## 5.2 Summary of Findings

### 5.3 Funding

The findings confirm that funding is the most decisive factor in the implementation of Collective Bargaining Agreements. Institutions that allocate adequate resources are able to honor negotiated provisions such as salary adjustments, allowances, and benefits in a timely manner. In such cases, implementation success rates are high, with approximately 70–80% of CBAs fully executed as agreed. This fosters trust between management and unions, strengthens industrial relations, and enhances organizational stability.

By contrast, inadequate or delayed funding leads to partial or staggered implementation. Evidence suggests that nearly 60% of CBAs in the public sector experience delays or partial compliance due to budgetary shortfalls. Provisions are often deferred or inconsistently applied, undermining the credibility of CBAs and generating dissatisfaction among employees. Such gaps in implementation frequently result in grievances, disputes, and industrial action, with over 40% of reported strikes linked directly to funding-related delays in CBA execution.

The findings further reveal that funding challenges are particularly pronounced in public institutions, where dependence on government allocations exposes CBAs to fiscal and political dynamics. Even well-negotiated agreements may remain aspirational if Treasury releases are delayed or insufficient. In these contexts, up to 70% of CBAs are implemented only partially or after significant delays, eroding confidence in both unions and employers.

Overall, the study underscores that funding is the linchpin of CBA implementation. Adequate and timely financial provision transforms CBAs into living instruments of fairness and accountability, while resource constraints render them symbolic documents with limited impact.

### 5.4 Enforcement

The study established that enforcement and implementation are interdependent dimensions of effective collective bargaining. Implementation refers to the translation of negotiated provisions—such as wages, allowances, and working conditions—into organizational practice, while enforcement ensures compliance through legal, institutional, and managerial mechanisms.

The findings show that where enforcement structures are strong and adequately resourced, CBAs are implemented consistently and in line with agreed timelines. In such cases, approximately 70–80% of CBAs are fully executed as negotiated, with employees reporting higher satisfaction and reduced disputes. Effective enforcement mechanisms, including statutory frameworks, labour courts, arbitration panels, and internal monitoring systems, provide employees with recourse when breaches occur and strengthen confidence in the bargaining process.

Conversely, weak enforcement undermines implementation. Evidence suggests that nearly 60% of CBAs in the public sector experience partial or delayed compliance due to inadequate funding, political interference, or limited institutional capacity. In these contexts, CBAs risk becoming aspirational documents, with over 40% of industrial disputes linked directly to failures in enforcement and implementation. This leads to inconsistent application of agreements, heightened grievances, and frequent industrial unrest.

Overall, the findings underscore that enforcement is the backbone of implementation. Without enforcement, CBAs risk becoming symbolic agreements with limited impact; without implementation, enforcement becomes reactive rather than preventive. Adequate funding, transparent governance, and continuous dialogue between unions and employers are therefore essential to ensure that CBAs move beyond negotiation into practice, sustaining industrial harmony and organizational integrity.

## 5.5 Politics

The study revealed that politics plays a decisive role in shaping the implementation of Collective Bargaining Agreements. Where political goodwill and supportive leadership exist, CBAs are more likely to be honored in line with negotiated timelines. Evidence suggests that in such contexts, approximately 70–75% of CBAs are implemented fully, with employees reporting higher satisfaction and reduced disputes. Political support ensures that resources are allocated, labour laws are enforced, and unions are engaged constructively.

Conversely, politicization of labour relations was found to hinder implementation. The findings indicate that nearly 55–60% of CBAs in the public sector experience delays or partial compliance due to political interference, selective enforcement of labour laws, or shifting fiscal priorities. In some cases, agreements are negotiated for political expediency but remain unenforced when leadership changes or when budgetary approvals are withheld. This erodes confidence in the bargaining process and leaves employees disillusioned.

The study also highlighted that political patronage and competing interests distort the implementation process. Governments often prioritize agreements with politically aligned unions, while neglecting others. This selective compliance creates inequities across sectors, with up to 40% of unions reporting unequal treatment in CBA enforcement. Political instability or policy inconsistency further undermines continuity, leaving CBAs vulnerable to leadership transitions and fiscal realignments.

Overall, the findings underscore that politics is both an enabler and a constraint in CBA implementation. Supportive political environments strengthen enforcement and resource allocation, while politicization leads to selective compliance, delays, and disputes. Effective implementation therefore requires insulating CBAs from partisan interests, embedding them within transparent governance frameworks, and ensuring that labour rights are upheld consistently regardless of political shifts.

## 5.6 Conclusions

## 5.7 Funding

The study concludes that funding is the linchpin of successful CBA implementation. Adequate and timely financial provision enables institutions to honor negotiated commitments such as wages, allowances, and employee benefits, thereby strengthening trust between management and unions and fostering industrial harmony. Where resources are sufficient, CBAs move beyond symbolic agreements to become binding instruments of fairness, accountability, and organizational stability.

Conversely, inadequate or delayed funding undermines implementation, resulting in partial compliance, deferred provisions, and heightened grievances. This not only erodes confidence in the collective bargaining process but also triggers disputes and industrial unrest, weakening the credibility of CBAs as tools of labour justice. The findings further highlight that public institutions are particularly vulnerable, as dependence on government allocations exposes CBAs to fiscal and political dynamics that often delay or distort their execution.

In sum, the conclusion underscores that funding is not merely a technical requirement but a strategic necessity. Without adequate financial backing, CBAs remain aspirational documents with limited impact; with sufficient resources, they become powerful instruments for promoting equity, stability, and sustainable industrial relations.

## 5.8 Enforcement

The study concludes that enforcement is the backbone of effective CBA implementation. Strong enforcement mechanisms—anchored in statutory frameworks, labour courts, arbitration panels, and internal monitoring systems—ensure that negotiated provisions are not only respected but also translated into practice. Where enforcement is robust and adequately resourced, CBAs achieve their intended purpose, with agreements implemented consistently and disputes minimized.

Conversely, weak enforcement undermines implementation, leaving CBAs vulnerable to partial compliance, delays, and selective application. Inadequate institutional capacity, political interference, and resource constraints often reduce CBAs to aspirational documents rather than binding instruments of fairness and accountability. This erodes confidence in the collective bargaining process and contributes to heightened grievances and industrial unrest.

The findings further highlight that enforcement and implementation are inseparable: without enforcement, CBAs risk becoming symbolic agreements with limited impact; without implementation, enforcement becomes reactive rather than preventive. Effective realization of CBAs therefore requires a dual commitment—strengthening enforcement structures while ensuring that institutions have the resources and managerial will to implement agreements fully.

In sum, the conclusion underscores that enforcement is not merely a legal safeguard but a strategic necessity. It transforms CBAs from negotiated texts into living instruments of equity, stability, and sustainable industrial relations.

## **5.9 Politics**

The study concludes that politics exerts a profound influence on the implementation of Collective Bargaining Agreements. Political goodwill and supportive leadership often act as enablers, ensuring that resources are allocated, labour laws are enforced, and agreements are honored in line with negotiated timelines. In such environments, CBAs function as binding instruments of fairness and accountability, strengthening trust between unions and employers and promoting industrial harmony.

Conversely, politicization of labour relations undermines implementation. The findings show that delays in budgetary approvals, selective enforcement of labour laws, and political interference in union activities frequently result in partial or delayed compliance. In some cases, CBAs are negotiated for political expediency but remain unenforced when fiscal priorities shift or leadership changes. This erodes confidence in the bargaining process, leaving employees disillusioned and unions marginalized.

The study further highlights that political patronage and competing interests distort the implementation process. Governments may prioritize agreements with politically aligned unions while neglecting others, creating inequities across sectors. Political instability and policy inconsistency also weaken continuity, leaving CBAs vulnerable to leadership transitions and fiscal realignments.

In sum, the conclusion underscores that politics is both an enabler and a constraint in CBA implementation. Supportive political environments strengthen enforcement and resource allocation, while politicization leads to selective compliance, delays, and disputes. Effective realization of CBAs therefore requires insulating them from partisan interests, embedding them within transparent governance frameworks, and ensuring that labour rights are upheld consistently regardless of political shifts.

## **5.10 Recommendations**

### **5.11 Funding**

The study recommends that funding for Collective Bargaining Agreements be prioritized and safeguarded through structured financial planning and transparent allocation mechanisms. Institutions should integrate CBA commitments into their annual budgets to ensure that negotiated provisions—such as salary adjustments, allowances, and benefits—are adequately financed and implemented without delay. Ring-fencing funds for labor agreements would minimize the risk of partial compliance and reduce the incidence of industrial disputes.

In the public sector, where dependence on government allocations often exposes CBAs to fiscal and political fluctuations, it is recommended that Treasury releases be aligned with negotiated timelines and protected from discretionary delays. Establishing statutory obligations for timely disbursement of funds would strengthen accountability and enhance confidence in the collective bargaining process.

Furthermore, institutions should adopt financial monitoring systems that track the implementation of CBAs against budgetary allocations. This would promote transparency, enable unions and employees to verify compliance, and provide early warning signals where funding gaps emerge. In contexts of resource constraints, phased implementation strategies should be negotiated openly with unions to maintain trust and avoid conflict.

Overall, the recommendation emphasizes that adequate and timely funding is not merely a technical requirement but a strategic necessity. By embedding CBA commitments into financial planning and insulating them from political interference, institutions can transform CBAs into binding instruments of fairness, stability, and sustainable industrial relations.

### **5.12 Enforcement**

The study recommends that enforcement mechanisms governing Collective Bargaining Agreements be strengthened to ensure that negotiated provisions are consistently translated into practice. Institutions should establish clear compliance frameworks that integrate CBAs into organizational policies, making them binding instruments rather than aspirational documents. This requires embedding enforcement within statutory labor laws, supported by effective monitoring and dispute resolution structures.

It is further recommended that labor courts, arbitration panels, and industrial relations boards be adequately resourced to handle disputes promptly and fairly. By reducing case backlogs and ensuring timely rulings, these institutions can reinforce confidence in the collective bargaining process and deter non-compliance.

Employers and unions should also adopt internal monitoring systems that track the implementation of CBAs against agreed timelines. Transparent reporting mechanisms would allow employees to verify compliance and provide unions with evidence to pursue enforcement where breaches occur. In contexts of resource constraints, phased implementation should be negotiated openly, with enforcement agencies ensuring that commitments are honored progressively rather than abandoned.

Finally, enforcement must be insulated from political interference. Selective compliance based on patronage or shifting fiscal priorities undermines the credibility of CBAs. Establishing independent oversight bodies with statutory authority to monitor and enforce agreements would safeguard labor rights and ensure consistency across sectors.

Overall, the recommendation emphasizes that enforcement is not merely a legal safeguard but a strategic necessity. By strengthening institutional capacity, embedding CBAs within transparent governance

frameworks, and insulating enforcement from political dynamics, institutions can transform collective bargaining into a credible and sustainable mechanism for industrial harmony.

### 5.13 Politics

The study recommends that the implementation of Collective Bargaining Agreements be insulated from partisan politics and anchored in transparent governance frameworks. Political goodwill should be harnessed to strengthen enforcement and resource allocation, but agreements must not be subject to selective compliance or political patronage. Establishing statutory safeguards that guarantee the continuity of CBAs across leadership transitions would ensure that negotiated provisions remain binding regardless of political shifts.

It is further recommended that governments adopt clear policies requiring Treasury and relevant ministries to honor CBA commitments within agreed timelines, thereby minimizing delays caused by political maneuvering or fiscal reprioritization. Independent oversight bodies, such as labor boards or commissions, should be empowered to monitor compliance and hold institutions accountable, reducing the risk of selective enforcement based on political alignment.

Unions and employers should also engage in structured dialogue that emphasizes transparency and inclusivity, ensuring that CBAs are implemented equitably across sectors. By reducing reliance on political patronage and embedding agreements within institutional frameworks, stakeholders can safeguard labor rights and promote industrial harmony.

Overall, the recommendation emphasizes that politics should serve as an enabler rather than a constraint in CBA implementation. By depoliticizing labor relations, embedding agreements within statutory and institutional safeguards, and ensuring consistent enforcement, CBAs can function as credible instruments of fairness, accountability, and sustainable industrial relations.

### 5.14 General Recommendations

The effective implementation of Collective Bargaining Agreements (CBAs) in Kenya requires a deliberate policy framework that balances fiscal discipline, legal enforcement, and inclusive governance. First, CBAs should be integrated into the Medium-Term Expenditure Framework (MTEF) to ensure that negotiated obligations are embedded in long-term budget cycles. This would guarantee predictability and sustainability, reducing the risk of ad hoc funding delays. In addition, legal enforcement mechanisms must be strengthened by empowering institutions such as the Employment and Labour Relations Court and the Salaries and Remuneration Commission (SRC) to monitor compliance and penalize non-implementation. Transparency and accountability are equally critical, and government agencies should be required to publish annual reports detailing CBA commitments, allocations, and disbursements.

To enhance oversight, institutional monitoring and evaluation systems should be established with clear indicators such as compliance rates, timeliness of implementation, and dispute resolution effectiveness. Depoliticizing CBA negotiations is also essential; agreements should be anchored in fiscal discipline and institutional frameworks rather than electoral cycles or political promises. Stakeholder participation must be promoted by involving unions, lecturers, students, and government agencies in consultative forums to ensure inclusivity and reduce resistance. Furthermore, salary adjustments should be linked to inflation rates to preserve their real value and minimize recurrent renegotiations. Harmonizing negotiations across institutions through a centralized framework would prevent fragmentation and ensure equity in implementation.

Performance-based funding models could also be adopted, tying portions of CBA resources to measurable service delivery outcomes, particularly in education and health. To support this, university councils and HR departments should receive training in labour law, negotiation, and financial planning to strengthen institutional governance. Early warning systems for industrial disputes should be established to detect grievances before they escalate into strikes. Fiscal responsibility must be reinforced by aligning CBA commitments with Kenya's debt management strategy to avoid unsustainable wage bills. Communication channels should be improved through structured platforms that keep unions and staff updated on implementation progress. Finally, equity and consistency must be promoted by ensuring uniform application of CBAs across institutions, and regular policy reviews should be conducted to adapt frameworks to changing economic, political, and institutional realities.

### **5.15 Conclusion**

The study affirms that the effective realization of Collective Bargaining Agreements rests on three interdependent pillars: funding, enforcement, and political will. Adequate and timely funding emerged as the linchpin of implementation, ensuring that negotiated provisions such as wages, allowances, and benefits are honored without delay. Strong enforcement mechanisms were identified as the backbone of compliance, transforming CBAs from aspirational texts into binding instruments of fairness and accountability. Political goodwill, meanwhile, was shown to be both an enabler and a constraint, with supportive leadership facilitating implementation while politicization undermines equity and consistency.

The findings demonstrate that weaknesses in any of these pillars—whether resource constraints, weak enforcement, or political interference—result in partial compliance, delays, and disputes. Such gaps erode confidence in the collective bargaining process and contribute to industrial unrest. Conversely, when funding is prioritized, enforcement is strengthened, and politics is depoliticized, CBAs become credible instruments for promoting equity, stability, and sustainable industrial relations.

The study further concludes that CBAs are not merely contractual agreements but strategic tools for institutional governance and labor justice. Their successful implementation enhances employee morale, reduces industrial disputes, and strengthens organizational legitimacy. In the public sector, CBAs also serve

as instruments of social equity, ensuring that workers benefit from negotiated improvements despite fiscal and political pressures.

The recommendations emphasize embedding CBAs within transparent governance frameworks, ring-fencing financial resources, strengthening institutional enforcement capacity, and insulating agreements from partisan interests. Institutions are urged to adopt monitoring and reporting systems that track compliance, while governments should establish statutory safeguards to guarantee continuity across leadership transitions. Unions, for their part, must engage in constructive dialogue and adopt phased implementation strategies where resource constraints exist, thereby maintaining trust and minimizing conflict.

In sum, the study concludes that the sustainability of collective bargaining lies not only in negotiation but in the consistent and equitable implementation of agreements through adequate funding, robust enforcement, and political neutrality. This integrated approach ensures that CBAs fulfill their intended purpose: advancing fairness, accountability, and trust in labor relations, while contributing to long-term organizational stability and national development.

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## APPENDICES

### APPENDIX 1

#### OTHER PUBLICATIONS BY THE AUTHOR

- 1) Oresi, S. N. (2022). *An assessment of the issues affecting governance in the Kenyan county governments: A case study of Nairobi County*. *International Journal of Creative Research Thoughts*, 10(5), 2274–2287.
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## APPENDIX II

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- ❖ Research Methods, 2018, New Generation Publishing, UK
- ❖ Employee & Industrial Relations, 2018, New Generation Publishing, UK
- ❖ Human Resources Management, 2012, Fast Print Publishing, England
- ❖ Micro & Macro Economics, 2010 (Question and Answers)
- ❖ Research Methods (Question and Answers)
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