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ETHNICITY AS A NEW DISCOURSE IN HIRING OF SENIOR STAFF IN KENYA'S PUBLIC UNIVERSITIES

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Abstract: *The dominant discourse on ethnicity in Kenya focuses on political conflicts and political powers yet employment and marginalization of ethnic minority groups resonates well with regional empowerment and political participation. This study sought to investigate what is the logic behind ethnicity as a factor that influences hiring of labor in Kenya. The author proposed the taste-based discrimination model of Lippens, Baert, Ghekiere, Verhaeghe and Devous (2020) to anchor the study on the non-inclusion of minority ethnic groups who were not hired competitively even when they qualified for the jobs they sought. This is because according to the study, ethnicity plays a key role in hiring decisions. This exposes job applicants to unequal hiring practices that deny them significant economic benefits. The study adopted exploratory research design in which qualitative approach was utilized. Data was collected through desk review of literature and policy documents on ethnicity in the hiring of labor. The study found that ethnicity is more situational with no valid reasons. The study also found because of lack of validity, social-economic non-inclusion is a prominent feature among the minority groups when ethnicity influences hiring, that ethnic environment influenced hiring and ethnic groups with no members placed in high places of power were unlikely to get jobs. Thus the study concluded that there was no logic in use of ethnicity in the hiring of labor and that it led to unequal and inequitable hiring practices. The study recommends reviewing of practices that constitute social and economic exclusion when hiring and that the government of Kenya recognizes alternative means that would be more suitable to address the ethnic hiring practices such as enforcing the Employment Act of 2007. This would have more significance in policy application, implementation and that appropriate and effective actions are taken when hiring is not appropriately carried out according to the existing law.*

Key words: *Ethnicity, Hiring, Logic, Labor*

1.1 Background of the Study

Ethnicity in Kenya is known mostly by the attribute of names and the county that one comes from (Ahmad, 2020). Ethnicity in Kenya is unfortunately viewed in terms of ethnic inequality and inequity because of imbalance in regional economic development that is aggravated by political divisions that have seen inequitable expenditure support by the governments of the day (Kramon and Posner, 2016). In the author's view such kind of inequality distances these ethnic groups from centers of power and decision making.

Kenya is experiencing unprecedented incidences of ethnic bias in hiring of labor than experienced before. Kenya as a society has had challenges of ethnic competition mainly of land and political power for quite some time (Miller, 2018). This is because much of Kenya's population is rural and dependent on agriculture. But agricultural productivity has been declining, in fact agricultural production was lower in 2014 than in 1994 (World Bank, 2018; Birch, 2018). There has been a decline in the agricultural households from 90% in the 1960s to 49% in 2000s which has reduced households farm activities (Nicodemus and Ness, 2010). The scholars further noted that this is a clear indication of a decline in economic significance of farming as a main economic activity of the rural population due to low prices on agricultural output making agriculture unprofitable besides decrease in land size as land is bequeathed to children (Syagga, 2006). Increase in population density in rural agricultural areas, has put pressure on arable land which has led to decline of agricultural activities and income forcing majority of the population to migrate to urban areas to seek for better paying jobs (Muyanga & Jayne, 2014). With increased urbanization and scarcity of arable land the landscape of the job seeking population in Kenya has changed.

This has made more people to look for employment in the urban areas because of increased unemployment among the rural agricultural population increasing demand for jobs in the urban areas (Thorns, 2017; Melo and Ames, 2016). But jobs in the urban areas are not easily forthcoming and many Kenyans have turned to their kin in positions of power to help them get a job. This has resulted in ethnic groups relying for job assistance on their members in positions of power and has led these members to develop attitudes of hiring members of one's own ethnic group to improve groups' economic wellbeing locking out more qualified job seekers from other ethnic groups. This not only undermines labor standards of the country but also lowers job seekers competitive potential. It strains labor relations in the country creating discontentment among ethnic groups and makes labor conditions also poor. This has also put employers under pressure to hire from their own ethnic in-group members even when faced with more qualified out-group members for the job (Rounds & Huang, 2017). Employers who practice equitable and equal employment practices allow their organizations to access a more diverse workforce who enjoys working in an equitable society (NCIC, 2016). According to the NCIC's Ethnic and Diversity Audit of Parastatals report, (2016), this establishes systems that promote greater social stability which is crucial for economic development.

1.2 Statement of the Problem

In Kenya many times employers are confronted with the challenge of ethnicity when hiring and are torn between the social expectation of hiring one of his/her own people and the profitability of the business or sustainability of the organization. This could be reflected in the small formal sector with less than 25% workforce employed and a large informal sector of more than 75% of the

country's workforce unemployed. Ethnicity is an important determinant of the potential economy of Kenya and many believe it leads to weak institutions and badly designed economic policies and disappointing economic performance (Easterly, 2003). As a result there is slow economic development in Kenya leading to heavy reliance on ethnicity to progress group economic and political interests. In Kenya even the educated believe you cannot get a job unless you know somebody in a position of power. This is evidenced by the increasing numbers of highly qualified unemployed youth who believe that to get a job in Kenya you must have a "godfather" to assist you get a job. Reference to one self, such as "people from our area" or "members of our ethnic group" are an everyday phrase when looking for a job, an evidence of how much people rely on group power which is political or economic. The result of this is the problem of ethnic based hiring of labor which excludes qualified, talented and capable people who are able to propel the country's economy to greater levels of prosperity that are inclusive of everybody. Therefore the objectives of the study were to investigate the logic of ethnicity in hiring of labor that influences the employment patterns in Kenya which do not reflect a just society in employment. The possible element of ethnicity in hiring of labor is limited short-run benefits but deteriorates the chances of growth of businesses and the economy at large in the long-run.

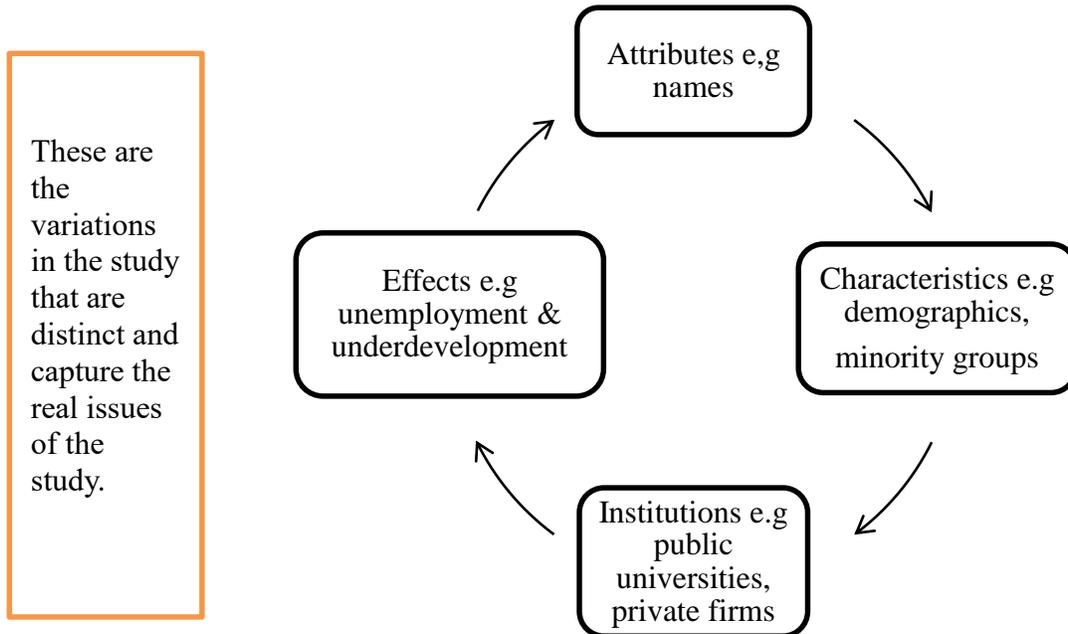
1.3 Research Objectives

- a. To discuss factors that promotes ethnicity in hiring of labor in Kenya.
- b. To analyze the role of the employers in the hiring decision process when faced with ethnicity among the job applicants in Kenya.
- c. To examine the hiring of labor practice in view of ethnic diversity even in locations of a local majority ethnic group in Kenya.
- d. To investigate if employers follow any logic in ethnic hiring in Kenya.

1.3.1 Research Questions

- a. What are the factors that promote ethnicity in hiring of labor in Kenya?
- b. What is the role of the employers in the hiring decision process when faced with ethnicity among the job applicants in Kenya?
- c. What is the hiring of labor practice in view of ethnic diversity in locations of a local majority ethnic group in Kenya?
- d. What logic do employers follow when ethnic hiring in Kenya?

1.4 Conceptual Framework



Source: *Researcher's own design, 2018*

The conceptual framework of this study looks at demographics, minority groups, public universities and private firms as the independent variables. The dependent variables are the names, unemployment and underdevelopment. The demographics of a group such as ethnicity, the population size, education level and income level determine the economic and political empowerment of the group. Demographics of an ethnic group affect people's access to education and employment. Names depend on one's ethnic group. One's name can make a person not get a job especially those from the minority groups who are usually weak economically and politically. To get education people must have means to pay for it which means they need employment. Ultimately this makes group members less likely to get access to higher education and employment. Lack of education and lack of jobs makes the minority groups remain unemployed and underdeveloped. Unemployment and underdevelopment depends on education and job opportunities.

1.5 Literature Review

1.5.1. Theoretical Framework

Ethnicity can be simply described as a way of identifying with each other on similarities such as common language, social and cultural experiences (Reher and Gotz, 2015). Ethnicity is often an inherited status based on the society in which a person lives (Roccas and Brewer, 2002). Ethnicity can be said to be a perception in which a person aligns himself or herself to as a result of early socialization experiences to be a social fit (Schmader and Sedikides, 2018; Thelamour, Mwangi and Ezeofor, 2019). Ethnicity can be described as a contextual term because its use depends on the context in which it is used. Ethnicity is complex especially in Africa where every aspect of the individual life, social, economic and political is defined by one's ethnicity (Jenkins, 1994). Initial studies supporting social complexity of ethnicity show that ethnicity is a concept with no scientific

backing (Tobias and Andrea, 2012). Where there is ethnicity prevalence there is lack of universality mainly because of culture as a form of self-identification (Ford, 2019).

In Kenya ethnic identity has a far-reaching role in shaping the social, economic and political associations which significantly defines and determines the development patterns of the country's economy (Michalopoulos & Papaioannou, 2015). Individuals depend on each other for their typical process of socialization which shapes their day to day interactions. These interactions help individuals get nurtured in a way that they acquire guidelines that direct and structure their subsequent encounters with each other, other ethnic groups and the rest of the world. As a result this has encouraged Kenyans to rely heavily on each other in response to the changing circumstances or perceived threats that are economic or political. Individuals draw their strength from such interactions especially those seeking to better themselves (Bhattacharyya, Korschun and Sen, 2009). Ethnicity in hiring of labor can occur in any type of organization public or private with much of the influence from ethnicity found in ethnic entrepreneurships. Ethnicity can also be in a regular or elite organization where what is to be done during hiring is on paper but what happens in practice is different for those who are responsible for ensuring considerations of their ethnic groups members when making hiring decisions in their organizations (Rivera, 2012). This point's to the objective of the study on the role of employers when making hiring decisions especially when faced with non-ethnic members' job applicants.

1.5.2 Empirical Review of Literature

a) *Ethnicity as a form of suitability*

According to the model of Cross (1971), people seek ethnic identity to suit a situation especially to enable one move from a negative to a positive situation. Ethnicity is often a transformational perception for an individual or a group of people who use it in their pre-encounter, encounter and post-encounter stages of development of their lives. According to Nagel's (1994) model, ethnicity is constructed to shape and reshape self-definition in order to fit to the social, economic and political changes and processes of one's life. This allows people to benefit from defining themselves in ethnic ways so as to gain progress by strengthening their social and economic interactions within and outside their ethnic communities. From these two models of ethnicity serve the purpose of a relation and a situation. Ethnicity is relational in case of ethnic identity and situational in case of constructing ethnicity to establish a culture of relational identity to gain support in case of a situation, i.e an encounter (Shittu and Michael, 2020).

Now this is very common in Kenya especially in politics and economic alignments. This makes for the understanding when ethnicity influences the hiring of labor process in Kenya. In this sense ethnicity is constructed to create a culture that articulates groups' interests, which is why it is not uncommon to hear such references as "in our culture" exclusively used to lock out non-ethnic members.

b) *Underlying Factors of Ethnicity in Kenya*

Ethnicity is an important aspect of social identity in Kenya. There are several underlying factors of ethnicity with most important being that many Kenyans feel marginalized economically and politically. Kenya is an ethnically diverse country and political parties have used ethnic identity to mobilize voters and establish political allies leading to violent ethnic conflicts during elections (Romero, 2010). When citizens vote primarily on the basis of ethnicity other issues such as

economic performance are put aside diminishing their value and this widens existing division across groups. Much explanation of ethnicity as a challenge has been looked at from a political point of view because there is a lot of political mobilization from ethnic groups for those seeking to be elected around election time. All this happens to promote ethnic groups' economic power while the marginalized ones see it as an opportunity to get closer to power and change the fortunes of their people. So there are all valid reasons especially for these ethnic groups who see political power as a means to sort out their economic woes. For instance in the 2007 disputed presidential elections, people from a certain ethnic group became a target of political violence from other ethnic groups who saw them as a blockage to the change of their economic well-being (Romero, 2010). Unfortunately in Kenya political power is attached to economic empowerment for ones' ethnic group.

The study notes that Kenya is a developing country with an economic growth rate of 5.8% (World Bank, 2016) but unfortunately Kenya's economic growth is very cyclical because of political attachment that sees economic downturn every five years during election periods. For instance in 2017 the economic growth rate was at 4.81% being the year of elections as had been projected (World Bank, 2018). In 2007 the economic growth rate was at 6.9% and after the disputed presidential elections it dropped to 1.7% in 2008 (World Bank, 2016). Unfortunately ethnicity in Kenya has been used to perpetuate divisions among the indigenous groups in Kenya since the colonial government (Bisin, Patacchini, Verdier and Zenou, 2011). Attempts by the government to oversee an end in use of ethnicity as a factor of self-promotion as an individual or group has not borne much fruits (Bisin, Patacchini, Verdier and Zenou, 2011; NCIC, 2016).

c) *Employers who hire under the influence of Ethnicity*

In Kenya ethnicity is a determining factor when hiring labor in organizations because of various reasons such as family and social ties and high unemployment levels. Most institutions in both public and private sectors in Kenya hire workers on the basis of attributes that are not production related such as ethnicity instead of the workers' skills (Rounds & Huang, 2017). The marginal product of these workers may be lower than for those workers who are hired because of their productive attributes (Agesa, 2002). This is because most employers in Kenya are often ethnic entrepreneurs who own businesses as small traders, merchants or small dealers, but unfortunately they are not able to shed off their ethnic distinctiveness even when it comes to hiring labor (Zhou, 2004). In their quest for socioeconomic mobility they are simultaneously the owner and manager of their own business and hiring of labor is often tied to their own ethnic group membership (Wang and Altinay, 2012; Valdez, 2015). This is because the desire for better lives with economic independence is met with job scarcity leading to ethnic competition for jobs in the labor market and this has led to formation and persistent ethnic groups which have seen employers flout legislative laws on equal opportunities when hiring (Banks, 2016; NCIC, 2016). As a result many employers are pressured to hire their own ethnic group members due to social expectation (Deros, Pepermans and Ryan, 2017; Valdez, 2016).

d) *Employers of an ethnic group secure jobs for their own members*

The private sector in Kenya has two disconnected parts: a formal part which is large businesses sector with healthy and highly productive undertakings and a massive informal part which is small businesses sector that has poor institutional support yet it supports almost nine out of ten Kenyan workers excluding the agricultural sector (Outlook, 2007). Unfortunately this informal sector is

poorly documented and has no support coherent with government action in terms of institutional support (Sydow, Cannatelli and Giudici, 2020). This has caused employment differentials in the economy making some ethnic groups less likely to secure jobs even when vacancies are available. Also the realities of employment within the government, is that in the public sector those in charge of hiring mostly support their own ethnic groups. Since ethnic group members are usually positively typified in the ethnic economy, ethnic employers prefer to hire workers from their own ethnic labor pool (Portes & Sensenbrenner, 1993). This not only defines how classic roots of ethnicity refine the social structures but also how ethnicity affects the economic actions of people and their employability in the country.

e) *Ethnic Diversity in a location of majority ethnic group*

The downside of ethnic business owners hiring their own ethnic group members is that they maintain their profits by minimizing costs in all aspects of their business operation including keeping wages low. Subsequently the economic return for workers in the ethnic economy become affected and leaves them in a poverty trap (Fong & Luk, 2007). In this case, these scholars hypothesize that the economic returns for ethnic group workers in the ethnic economy will be less than the returns of ethnic group workers outside the ethnic economy when the level of relative employment is high. Despite the negative effects ethnic hiring has on the economy employers still consider ethnicity in their hiring practice. For instance in the city, employers first hire top-ranked ethnic groups and then hire lower ranks from less preferred ethnic groups an indication that they have prevalent ethnic groups (Rounds & Huang, 2017; Bendick & Nunes, 2012). This process affects the employment opportunities of those who are ranked at the end of the job seekers queue usually minority group when unemployment is high. This disadvantage in the labor market encourages ethnic group members to seek self-employment and in Kenya these small and medium enterprises are also driven by ethnicity when it comes to hiring of labor because that is the culture they have been exposed to in the labor market. This is especially where firms might use managers' social networks to select new hires not only to reduce uncertainty about applicant productivity but also to exploit production complementariness that arises when manager and employee are socially acquainted (Giuliano, Levine and Leonard, 2011). This not only promotes ethnicity but also keeps the potential manpower available in the labor market low and underutilized which may explain the slow economic development in Kenya (Ohmae, 1995).

f) *Ethnicity and Hiring of labor in Private Businesses in Kenya and Economic Evidence*

The probability of a business owner or an employer of a private company in Kenya employing a non-ethnic group member is considered very carefully. This is because most businesses in the informal sector are a sole proprietor or owner led businesses and also the consideration that Kenya has a highly ethnic fractionalized society. And so there is a high probability of considering ethnicity when one is being hired though not openly said but one's name is an attribute of one's ethnic background. And subconsciously people think they can only do ethnic businesses or look on one of their own to do business. This is not only detrimental to the growth of the business but also to the national economic progress because it converges economic growth effects (Carree & Thurik, 2010). When a country has many small and medium businesses where there is competitive hiring of labor there is an increase in entrepreneurial activities that enable firms to grow in production and profitability thus increasing the macro-economic growth of a country as they also mature to larger businesses (Carree & Thurik, 2010).

g) *Public Policy Orientation to Ethnicity*

Looking into the aspect of ethnic hiring in Kenya and why employers continue to do so, it is important to understand the government efforts in the employment Act of 2007 and employment policy developed in the Sessional Paper No.4 in 2013. The employment Act of 2007 outlines equitable employment for all ethnic groups, a task overseen by the National Cohesion and Integration Commission established by an Act of parliament No.12 of 2008 with a mandate to prevent discrimination in employment opportunities on the basis of ethnicity, race etc. The NCIC is also mandated to advocate for cohesiveness among the diverse ethnic groups in the Kenya. Most public policies take stock of the policy options available for Kenya to accommodate ethnic diversity in the advent of increasing complexity of economic activity and social structuration without eroding the cultural solidarities from the state unit (Ann-gertraude, 2018). However, for example, according to the Ethnic and Diversity Audit of the County Public Service (2016), 32 counties did not comply with law of fair ethnic hiring to ensure equitable distribution of ethnic groups (NCIC, 2016). Also, according to Ethnic and Diversity Audit of Parastatals more than a half of the state corporations did not comply with the law for fair ethnic hiring (NCIC, 2016). This is an evidence of failure of institutions in the public sector to comply with the law of fair ethnic groups' distribution in the hiring of labor process.

h) *Ethnicity and the general economic aspect of Kenya*

High unemployment rate of 12.7% shows Kenya has failed to provide a conducive environment for economic growth making it difficult to establish the kind of framework that is required to promote sustainable economic growth (Omolo, 2012; Dibie, Edoho and Dibie, 2015). A minimum function of the state is the provision of a legal and institutional framework to facilitate the economic life of its citizens by establishing and ensuring stable institutions that support the sources of growth (Koch, 2017). That is why when Kenya's government fails or is slow to fulfil the needs of the people it is common for people to get together and form ethnic groups for empowerment and expand beyond the central government support by localizing their efforts and resources (Mohan & Stokke, 2000). Ordinarily this kind of approach in an economy restricts access to job opportunities for those who wish to seek employment (World Bank, 2018). This often pushes people to self-employment in order to make money that will help them meet their basic daily needs. In Kenya majority of businesses belong to the informal sector known as 'jua kali' or 'hot sun' as they are operated in the open fields with no closed structures or in open sheds and have little institutional support. Most often for them, business sustainability is achieved in an ethnic environment through causal relationship with ethnic members (Szkudlarek and Wu, 2018). To determine the extent of sustainability of such businesses that lead to increased production and employment, which means increasing individual and national incomes, it will require not only building of business capital but also social capital through increased equal and equitable employment opportunities (Treuhaft, 2018).

1.6 Methodology

This research applied qualitative research method in which exploratory research design was utilized. The qualitative research method was of significant value because of the lived experiences and the events under investigation that contributed to the significance of the study had already occurred. The exploratory research design enabled the author to establish a roadmap and a strategy to carry out a thorough analysis of the events under investigation. This is because ethnicity and hiring of labor is not very clearly defined and this allowed the author to explore the ethnicity as a

concept in hiring of labor (Wyk, 2012). This was done through desk review of literature and policy documents. This required the author to analyze the secondary data by examining the different perspectives of ethnicity in hiring of labor and interpreted it in order to elicit meaning, gain understanding and give deeper insights relevant to the study.

1.7 Study Findings

Table 1: Ethnicity of Vice Chancellors in Public Universities.

S/N	Ethnic Group	Pop%	Frequency	V.C %
1	Luo	10.8	5	16.1
2	Kamba	10.4	4	12.9
3	Kikuyu	17.7	4	12.9
4	Luhya	14.2	5	16.1
5	Meru	4.4	4	12.9
6	Mijikenda	5.2	3	9.6
7	Kalenjin	13.3	2	6.5
8	Kisii	5.9	2	6.5
9	Somali	1.7	1	3.2
10	Teso	1.7	1	3.2
Total		85.3	31	100

Source: NCIC (2016).

The study shows that there is an over representation of certain ethnic groups in the public universities' Vice Chancellors positions. Kenya has more than 44 ethnic groups and more than thirty are not represented. This shows that a few ethnic groups are over represented and many ethnic groups have no representation in the top leadership of the public universities and thus marginalization of those ethnic groups who have no Vice Chancellor from their ethnic groups is a possibility when it comes to hiring of labor. This means that representation of the majority of smaller communities in these institutions is questionable. There is probable lack of inclusivity in the public sector institutions for most ethnic groups in Kenya.

Table 2: Same ethnic groups in Public Universities among the V.Cs and staff

University	County	V.Cs ethnic group	Staff prevalent ethnicity
Kirinyaga University	Kirinyaga	Kikuyu	Kikuyu
Kibabii University	Bungoma	Teso	Luhya
Muranga University	Muranga	Kisii	Kikuyu
JaramogiOginga University	Odinga	Kisumu	Luo
Rongo University	Migori	Luo	Luo
Kisii University	Kisii	Kisii	Kisii
Meru University	Meru	Meru	Meru
Dedan Kimanathi University	Nyeri	Kikuyu	Kikuyu
University of Kabiangi	Kericho	Kalenjin	Kalenjin
Machakos University	Machakos	Kamba	Kamba
Maseno University	Kisumu	Luo	Luo
Karatina University	Nyeri	Kikuyu	Kikuyu
Moi University	Uasin Gishu	Kalenjin	Kalenjin
South Eastern Kenya University	Kitui	Kamba	Kamba
Chuka University	Tharaka Nithi	Meru	Meru
Garissa University College	Garissa	Somali	Somali
Kenyatta University	Nairobi	Kikuyu	Kikuyu
Taita Taveta University	Taita Taveta	Mijikenda	Taita
Pwani University	Kilifi	Mijikenda	Mijikenda

Source: Taaliu (2017)/Author

The study shows of the 31 public universities in Kenya, more than a half of the public universities have majority of staff from one ethnic group which is in the location of the institution. This contravenes the Employment Act of 2007 which requires public sector institutions regardless of the location of their offices to have fair ethnic groups hiring (NCIC, 2016). The study also shows there is a high number of the prevalent staff from the Vice Chancellor's ethnic group in most of these public universities. According to the National Cohesion and Integration Commission's Ethnic and Diversity Audit of Parastatals report (2016), over 36.8% of the state corporations, the prevalent ethnic group which had the largest number of employees was similar to that of the chief executive officer of the corporation.

Table 3: Non-ethnic V.Cs and prevalent ethnic group's staff in Public Universities.

Public University	County	V.Cs ethnic group	Staff prevalent ethnicity
Jomo Kenyatta University	Kiambu	Luhya	Kikuyu
Cooperative University of Kenya	Nairobi	Luhya	Kikuyu
University of Nairobi	Nairobi	Kikuyu	Kikuyu
Technical University of Kenya	Nairobi	Luo	Kikuyu
Multi Media University	Nairobi	Meru	Kikuyu
Muranga University	Muranga	Kisii	Kikuyu
University of Embu	Embu	Meru	Embu
Egerton University	Nakuru	Luhya	Kikuyu
University of Eldoret	Uasin Gishu	Luhya	Kalenjin
Maasai Mara University	Narok	Luhya	Maasai
Laikipia University	Laikipia	Kamba	Kikuyu

Source: Taaliu (2017)/Author

According to the study most counties in Kenya have a public university but some ethnic groups have more staff than other ethnic groups even when they are not the prevalent group in the county, for example Nairobi County. This study found only ten public universities had non-ethnic V.Cs out of thirty one public universities in Kenya. Prevalent ethnic group staffs in these ten public universities are different from the V.Cs and five have prevalent ethnic group staff even though they are in locations where they are not the prevalent ethnic group. According to the NCIC's Ethnic and Diversity Audit of Parastatals report (2016), 65% of the public corporations have hired their employees from the Kikuyu ethnic group even if their offices are in a different ethnic group location. This may be because they are the majority in national population. However, the hiring of the majority of the staff from the Kikuyu community in most public corporations is well above their percentage. This is because they stand at 17% of the total national population but stand at 65% of total staff in the public corporations. This means the workforce of the 82.3% of Kenya's population has to contend with and compete for 35% jobs available in the public corporations.

Table 4: Vice Chancellors' ethnicity and majority ethnic group staff members of Public Universities in Kenya and non-ethnic rate of compliance.

S/N	University	Ethnicity of the VC	Majority Ethnic group (staff)	% of the Compliance (Staff)	
1	Cooperative University of Kenya	Luhya	Kikuyu	33.1	Complies
2	University of Nairobi	Kikuyu	Kikuyu	30.1	Complies
3	Egerton University	Luhya	Kikuyu	27.1	Complies
4	Technical University of Kenya	Luo	Kikuyu	26.8	Complies
5	Multi-Media University	Meru	Kikuyu	21.8	Complies

Source: Taaliu (2017)/Author

The study found that only five public universities in Kenya have complied with the one-third rule (33.3%) of National Cohesion and Integration Commission Act, 2008 on ethnic diversity and recruitment. According to the NCIC Act, 2008 public institutions ought not to recruit more than one third of its staff members from one ethnic group at the national level. But majority of employees in the public universities were still from a prevalent ethnic group which shows they did not comply with the law especially those in the city and its environs. Ethnic influence is a factor in hiring of labor in public institutions even as seen in the NCIC (2016) Ethnic and Diversity Audit report in the Counties and State Corporations as most did not comply with the law. This could be a representation of how ethnicity is widely considered when hiring labor in Kenya. According to the employment law, public institutions and organizations are required to practice equal and equitable hiring of labor in order to promote social justice and social stability in the country. This will cultivate a culture of a fair and an all-inclusive hiring of labor system.

1.8 Conclusion

The study established that indeed ethnicity influences hiring of labor in Kenya. This is verified by the data analyzed. Most public universities in Kenya tend to have staff from a prevalent ethnic group if they share the same ethnic group with the V.C. The study found ethnicity plays a major role in the hiring of staff with many public universities having prevalent staff sharing the same ethnicity as the V.Cs. Where there was a non-ethnic V.C and the public universities are placed in a non-predominant ethnic group location, there was a prevalent ethnic group of staff in all these public universities which signifies ethnic influence.

The study also found that ethnicity is a factor that influences hiring of labor whether the institution is located in a predominant ethnic group or non-predominant ethnic group. The study findings showed that there was no valid reason of ethnicity when hiring staff in the public universities. Thus the study concluded there was no logic followed in ethnic hiring of labor in the public universities. The study was significant because it generated knowledge that showed unequal and inequitable hiring practices in Kenya in the clear view of the law. Further the study generated data that will be of benefit to the employers as stakeholders to learn that when they hire fairly they promote social and economic stability of the country.

1.9 Recommendations

The study recommends for the government to empower institutions established under the

constitution to deal with equitable distribution of job opportunities with powers that will allow them to take action against institutions and organizations that fail to comply with the law. The solution lies in the government strengthening institutions that have the mandate of ensuring ethnic integration in employment by giving them prosecutorial powers to enforce compliance. The study also recommends the government to be more constructive and move away from using the influence of politics of ethnicity in hiring of labor in public institutions because this stalls economic development of the country. This is because there are more drawbacks than benefits as there are too many ethnic groups excluded. Thus the government ought to promote an all- inclusive hiring of labor process and give incentives to employers who comply with the law.

These incentives ought to address the barriers to equal and equitable job opportunities and discourage ethnic discriminatory hiring practices in both the public and private sectors to allow for productive employment of the workforce in Kenya and allow economic benefits to all.

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