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Department of Sociology and Social Work

**The Effects of Temporary Employment Contracts on Union Membership Status: A
Case of Kenya Broadcasting Corporation**

By

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**A Research Project submitted in partial fulfillment of the requirements for the
award of the degree of Master of Arts in Sociology (Labour Relations Management)
in the University of Nairobi.**

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DECLARATION

I declare that this research project is my original work and has not been presented to any other institution for academic purposes.

Sign..... Date.....

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This project is submitted for examination with the approval of the university supervisor

Sign..... Date.....

Prof. Edward Mburugu

University supervisor

DEDICATION

This project is dedicated to my family for their support and guidance throughout my education programme and mostly my late father Frederick Richard Okello who believed in education and gave me a strong foundation to enable me grow academically.

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ABBREVIATIONS/ ACRONYMS

BLS	Bureau of Labour Statistics
COK	Constitution of Kenya (2010)
COTU (K)	Central Organization of Trade Unions Kenya
COWU	Communication Workers Union
EUTUC	East African Trade Union Federation
ICT	Information and Communication Technology
ILO	International Labour Organization
IMF	International Monetary Fund
KBC	Kenya Broadcasting Corporation
KBS	Kenya Broadcasting Service
KUJ	Kenya Union of Journalists
KTN	Kenya Television Network
LRA	Labour Relations Act
LIA	Labour Institutions Act
NARB	National Labour Relations Board
NGO	Non-Governmental Organization
OTUWA	Organization of Trade Union in West Africa
PASETU	The Federation of Public Service Trade Unions
PRP	Performance Rated Pay
P&P	Permanent and Pensionable
SAPS	Structural Adjustment Programmes
SPSS	Statistical Package for Social Science
SATUCC	South African Trade Union Coordination Council
TCE	Temporary Contracts of Employment
TEC	Temporary Employment Contracts
TAW	Temporary Agency Workers
TU'S	Trade Unions
TUM	Trade Union Movement
USTMA	Union des Syndicats des Travailleurs du Magreb Arab

ABSTRACT

Temporary employment contracts are moderately new outside the agricultural sector and other periodic work has grown over time. This has been as a result of the changing nature of organizations, cultures, changes in the labour market and employment contracts. This has arisen due to globalization, changes in the employment contracts and improved human resource management practices. Contracts vary from term contracts, homework, casual, work through proxies, contingent work, casual, outsourcing and subcontracting. The unions on the other hand have thrived on funding from the union membership in a reciprocal association through collective bargaining agreements, training and education and social and economic empowerment of its members. The purpose of the study was to examine the effect of temporary employment contracts on union membership status and the objectives of the study were to; establish employer related factors that affect recruitment of temporary employment workers in to; establish the factors that influence temporary employment contract workers at KBC to join union membership; To establish employer related factors that affect recruitment of temporary employment workers into union membership; establish the perceived social and economic costs and benefits to be derived by temporary employment contract workers who seek union membership and; identify the underlying factors that affect the recruitment of temporary employment contract workers into union membership. The study area was Kenya Broadcasting Corporation headquarters (Broadcasting House) Nairobi and adopted descriptive research design where the study focused on employees with temporary employment contracts as key respondents offering quantitative data. The key informants were identified from the union officials at the corporation. Sampling was though purposive and non-purposive sampling procedure for key respondents and key informants respectively. The data was analyzed using SPSS and MS Excel spreadsheet programs. The key findings indicated that most of the employees join the union for better terms and conditions of service , solidarity (which may involve the bargaining capacity) and job security. They were also conversant with the union activities. Further findings also noted that the corporation has recruitment policy that guides on the terms and conditions of service. The employees also wish to have permanent and pensionable terms of service with other benefits like medical cover. The temporary employees also feel segregated at some times as the employer favours the core employees and would wish that the discrimination should be reduced. Some of the temporary contract employees are unable to join due to lack of information on the availability of the trade union in the workplace and recommend the involvement of trade unions in the induction program. Fear of being victimized by the employers also played a role in the non-enrolment of the TECW. The respondents recommended a minimum contract of three years to enable them fully support the organizations objectives. The conclusions focused on fair representation and equal opportunities for all employees. The conversion of terms of service was equally noted to be key to the TECW and they recommended the inclusion of union officials in the corporations' induction program.

CHAPTER ONE

INTRODUCTION

1.1 Background of the Study

Temporary employment is seen as an umbrella class of work that includes unique types of pay work like; fixed term contracts, part time, homework, work with proxy organizations, easygoing work, and particular sorts of government business and development plans (OECD, 1991; cf OECD, 2002). It has also developed as an incredible and most popular avenue for creating work just as incomes/compensation for both the contractor and agent. The worldwide challenges and vulnerabilities about the future and the expense and social insurance costs restraining the perpetual occupations has brought about most of work power in United States to move to transitory and low maintenance business. The contingent workers, who were moderately new outside of the manual and occasional work, have along these lines developed immensely. As per the Bureau of Labor Statistics (BLS) in the US, there were in excess of 20,000 transitory workers in 1956 that has developed hugely by about 2.7 million brief short term contract workers around two percent of workers in 2000. From 2004 to 2008, contingent laborers have skyrocketed nearly by 50% in the commercial and fiscal sector.

(<http://www.talentlogic.com/blog/review-about-emergence-of-temporary-employment>).

With the emergence of different types of temporary employment contracts, organizations have been able to adapt to the new strategies. This has been as a result of the changing patterns in employment, changing nature of organizations, changing technology, changing cultures of the organization, changes in the labour market and service contracts.

In Europe, FTC, short term contracts and proxy employers have multiplied ostensibly undermining standard work relations and the protection they offer. All in all, this ascent in uncertain work has been ascribed to macro level change, Globalization, innovative improvements just as the effects of the 2008/2009 recession have been depicted as key drivers of unprotected work (Hudson-Sharp & Runge, 2017).

India, Vietnam and Indonesia view temporary employment as nonstandard forms of employment which can be categorized as i). Structures that advance from the standard business model, (for example, fixed, venture or undertaking based) which are all transitory characteristically, ii). Working plans that stray from the standard models as far as working time, iii). Working models that digress from the standard model, for example, cottage work, outwork and; iv). Models through which work is involved (regardless of whether straightforwardly or through a bureau, subcontracting, use of proxy, outsourcing or where the presence of an express relationship is vague or camouflaged (Landau et al., 2015).

Gomez et al. (2004), states that one of the imperatives of many modern organizations is flexibility. In this particular case, organizations use two types of workers and these are core workers (permanent and pensionable employees) and contingent workers, temporary /contracted employees. The core workers appreciate mutually binding association with the business that incorporates professional growth, a full-time cluster of advantages and employer stability. Conversely the occupations of temporary laborers depend on the employer's advantages and efficiency needs. Businesses procure transitory support as unforeseen representatives to manage impermanent increments in a business's demand or to do work that isn't a part of the capacities. They give a cradle zone or security of the center specialists. Liable laborers incorporate impermanent representatives, low maintenance workers, redistributed subcontractors, contractors and school assistants. Gomez also indicates that temporary employees are used to increase output when demand is high and do work that is peripheral to the core. They also receive less compensation, lack health insurance cover, retirement and vocational benefits from the employer and neither receives the same from the agency.

Outsourcing/sub-contracting is another way of ensuring that staff allocation schedule/fringe work to another association that has special experience in that work and can perform it effectively. It is the flood of things to come as an ever-increasing number of organizations search for the "virtual partnership" as a hierarchical model. The exercises that are outsourced by organizations are and not limited to payroll, welfare

benefits, training and development, programming, public relations, marketing, media, communication, recruitment, medical insurance cover, security and cleaning services. Establishing the right relationship with the service vendor is very important for companies that outsource (Gomez et al., 2004)

We also have contract workers who are professional workers in certain fields and are called upon to perform certain tasks, supply their tools and determine their hours of work. They are also called freelancers or consultants. The areas that have been influenced by this type of employees are marketing/ advertising, medicine (doctors), university lecturers, reporters, Programme presenters. In this case, KBC has adopted this type of employers by using freelancers in marketing/ advertising and consultants for special programmes like health talks, business and political talks.

Organizations have also embraced the use of interns who work on either fulltime or part time basis on short duration for academic semester / summer. Some are paid others not and they provide support for professional staff. Editorial interns log in and read unsolicited manuscripts and write detailed reports. The government of Kenya through circular number has developed a policy to recruit and manage interns (PSC Internship Policy, 2016).

The emergence of performance contracts has also impacted on the types of contracts. However, routine contracts indicate the shared presentation commitments, aims and the obligations over an expressed timeframe. In this specific case we find that exhibition contracts do have a relative relationship with temporary contracts in situations where the contracts are on Performance Rated Pay (PRP).

Despite the fact that the contracts under which people are employed have changed to performance the overall common title is contract of employment. Initially it was conventional to think of employment as fulltime but gradually a range of alternative forms is emerging. Fulltime employment has been in steady decline for some time and fall in the numbers of people registered as unemployed has been attributed mainly to the number of part time employees. By 1994, the proportion of jobs in Britain that were part

time was 28% having almost doubled from 15% in 1971. This proportion seems to be greater than most European countries.

Most contracts are semi-perpetual as in the expectation of the parties is that it should proceed to inconclusively and it will be ended just if the expectations are not met. It is generally perceived that more individuals are being utilized at present on impermanent contracts either with an unequivocal end date or with an understanding that the activity is temporarily without a date of being foreordained.

The exact arrangement of Temporary Employment contracts (TEC) just as occurrence and pattern of development fluctuates broadly in various nations and along these lines the particular idea of its test to worker's organizations similarly differs. The prompt issue of worker's organizations emerges out of the presence of a dualistic division between the perpetual contract of business (on which the extensive work developments have assembled a variety of rights and qualifications to address the issues of representatives) and the diverse types of defined term business contracts. The advantages of long term contracts change from protection of their rights, institutionalized work time rosters, the lowest pay permitted by law and fringe engagement programs. Despite what might be expected, temporary employment contracts tend to stand outside the historical evolution and as a result they tend to grant certain privileges and benefits that tend to be marked with significant shortfall or deficit in comparison with permanent employees. The diligence and development of provisional service gives off an impression of being related with sub-par conditions and unpredictability. The development of impermanent service contracts raises obstructions to any endeavors to improve the rights and advantages of constant laborers and builds weight on the advantages achieved in the past.

Trade Unions in Kenya have been characterized by a struggle and adversity which has strengthened and sharpened the skills of trade union leaders to such great heights that may have always been viewed as shrewd to the government establishment both in the colonial and post-independence era. According to Aluchio (1998), Trade Unions in Kenya were permanent guilds of salaried workers that started prior to the industrialization era. This is because the unions existed due to protest against bad working conditions and

harassment from the colonialists. In developed countries like Britain, associations of salaried workers started to appear in the 18th century mainly as a result of the development of factories. Most of the employees associations developed as a result of alterations between the bourgeoisies and proletariats or conspiracy amongst labourers and legislators.

The prominent positions of Trade Unions have emphasized collectivism rather than individualism and therefore Human Resource Managers have to negotiate agreements with their union counterparts that deal largely with concessions on one side or the other. Employee's guilds, all through the development entrepreneur social orders face noteworthy difficulties in the present time frame (ILO, 1997; Hyman, 1990, 2001). One test is related with the tenacious and fluctuated types of non-lasting pursued work routinely called contingent work.

Notwithstanding, Unions started to observe huge association gains with the entry of the Wagner Act in 1935. By the 1940s organization enrollment in the US achieved its apex. The adjustments in work have similarly influenced the organization enrollment as they have encountered fast business development in discount, retail exchange, administration enterprises, improved innovation and the deluge of clerical occupations. In these specific regions, the associations had not recently centered their endeavors and were to a great extent ineffective because of the twofold digit swelling during the 1970s brought about the monstrous cutbacks in both the private and open division drastically reducing union funds and activities. The other factors that have influenced union membership are global competition and the emergence of legislative sentiments. Strikes are no longer used as weapons but as management tools used by managers to push workers out of their jobs and putting into consideration the fact that the future of the unions is bleak. The 1990s experienced union avoidance, union busting tactics, flatter organization structures, cutting back, individual work arrangements/ bargaining, innovation restructuring of unforeseen laborers and substitution of such specialists added to the decrease of organization enrollment.

Involvement and participation of employees in decision making has additionally improved the places of work from strife to coordinated effort/collaboration. Unionization of the civil/ public service has demonstrated worthwhile for associations and huge increases have been made here. Unionizing the non-customary representatives has additionally given the association development. Associations for all intents and purposes in every created economy have lost participation in late decades however the decrease has been particularly sharp in Britain where association density remained at 27 % in 2010 instead of 30% in 2000 and half in 1980. The descending pattern has been extraordinarily articulated among specific gatherings of eminently manual laborers, male specialists, youthful specialists and participation has stayed stable among white collar, female workers, government workers and more seasoned laborers (Bryson & Forth, 2010).

1.2 Statement of the Problem

Temporary employees are employed on contracts for a specific period of time or project (Nyaencha, 2014). The definition of temporary term accords well with the position of term contract and attendant entitlements. This has been viewed as an encouragement to betterment of work life balance and labor market demands. There has been developing enthusiasm for the effect of provisional business contracts on specialists influenced by them and along these lines work adaptability has turned into an administration mantra. For specialists fixed term and transitory contracts are exceptionally connected with professional stability, feeling of underestimation and loss of chance for advancement for vocation and authoritative credentials. Beck (2000) depicted the development of such contracts as moving the hazard from the utilizing association to the person. Provisional laborers can be seen as minimized and impeded however the specialists have gotten opportunity and self-sufficiency from the controlled associations.

Organizations have taken advantage of the changes in the employment patterns to maximize on profits and reduce the wage bill by hiring employees when need be, using term contracts, temporary and freelance employees to achieve targets. The emergence of performance contracts has also changed the employment patterns and employers value the ability of the employee to deliver.

A Trade Union is a workers' association, which is constrained by its individuals, run and controlled or for its sake by individuals and paid for by its individuals. In joining a Trade Union, specialists trust that it will enable them to verify better pay, get assurance from unreasonable treatment, accomplish better working conditions, and have security for work among different advantages (Siame & Mwamadzigo, 2012).

Engellandt and Riphahn (2015) indicated that it was likely to find higher levels of commitment among workers with a relational psychological contract (permanent workers) as compared to those with a transactional psychological contract (temporary employees). This was also noted by McInnis, Meyer, and Feldman (2016). Kalleberg and Rognes (2012) observed that lack of trust, perceived unfairness, and lower affective attachment can also be related to transactional contracts. These results are similar to those found by McDonald and Makin (2000) when comparing permanent and non-permanent staff. Unfavorable consequences that can be associated with short term employment, Millward and Hopkins (1998) found that the inexperience of temporary employees added to the lack of induction and investment in their skills, might have a negative influence over the attitudes they have concerning security and the best way to perform their duties. Regarding commitment Felfe, Schmook, Schyns, and Six (2008) noticed that short term employees who chose this type of contract show less commitment compared to those who did not. Many short time workers lack commitment to the organization when compared to core workers. Short time workers have a higher turnover rate and also may pose a security risk. Second, while some short time employees have specialized skills, many are lacking in this regard. Thus, even when hiring from short term agencies, a company may want to carefully screen short term employees for needed job skills. A third problem associated with short time workers is that they are likely to find it difficult to integrate into the company and may suffer from lower morale.

The power of employees to enable them bargain for better working conditions is derived from coalitions of staff and this is achieved through Trade Unions. The Kenyan Constitution, Article 41 gives each and every citizen the right to fair labour practices and subsection C empowers employees to form, join or participate in activities and

programmes of Trade Unions. In addition, the Labour Relations Act of 2007 stipulates that 4(i) “every employee has a right to participate in forming a Trade Union or a Federation of Trade Unions; join a Trade Union”. Section 5(1) states that no person shall discriminate against an employee or any person seeking employment for any right conferred in this Act. The Kenyan system does therefore offer opportunities for temporary /contracted employees, freelancers and casuals to form, join or participate in the union activities. The organizations have also adopted the culture of outsourcing services like security, cleaning and welfare services which does not offer this kind of employees a conducive environment to join the general unions of that organization.

Despite of the fact that there has been considerable growth in short term employment in organizations across the globe, the growing body of research remains largely limited to employees (typically referred to as permanent employees) hired with an expectation, on the part of both employer and employee, of relatively long-term employment, whether full or part-time. Very little research links progressive human resource management practices and systems to the management of workers hired on a short term basis who may not share their more permanent counterparts’ expectations of relatively longer-term employment (Foote, 2004). Even though the laws do not prohibit temporary employees from joining Trade Unions, there are no frameworks that support the recruitment, representation and training and representation of temporary employees and thus the continuous decline of enrolment and interest of workers into trade union movement. The effect of temporary employment contracts on union membership status has not been established beyond cursory observations and speculations. This study sought to address the decline in trade union membership as a result of the increase of temporary employment contracts.

1.3 Key Research Questions

- a) Do temporary employment contracts workers at KBC desire to join trade unions?
- b) How have temporary employment contracts affected the union’s bargaining/ negotiating power?

- c) What are the factors that affect the recruitment of TEC employees into trade unions?
- d) What are the socio- economic benefits of temporary employment contract workers in trade union membership?

1.4 Objectives of the Study

1.4.1 General Objective

The general objective of this study was to determine the effect of temporary employment contracts on union membership status at Kenya Broadcasting Corporation.

1.4.2 Specific Objectives

The specific objectives that guided this study were;

- a) To establish the factors that influence temporary employment contract workers at KBC to join union membership.
- b) To establish employer related factors that affect recruitment of temporary employment workers into union membership.
- c) To establish the perceived social and economic costs and benefits to be derived by temporary employment contract workers who seek union membership.
- d) To identify the underlying factors that affect the recruitment of temporary employment contract workers into union membership.

1.5 Justification of the Study

Temporary employment has increasingly attracted the attention of both economists and policy makers with growing effort dedicated to study the reasons behind its widespread use (Salvatori, 2009). Different writers and countries refer to this kind of workers using different terms which may vary from temporary agency workers, temporary employees, fixed contract workers or non-standard forms of employment.

On the other hand, a union can be reluctant to accept the use of temporary employees because they are unlikely to become members of the union (Salvatori, 2009). Doerflinger and Pulginano (2015) notes that TAWs not only face difference in pay and working environments because of national administrative settings yet they likewise face contrasts

with respect to portrayal rights which they feel ought to be put into thought when future research is being carried out.

A study carried out by COTU (K) 2017, established that Kenyans workforce in 2016 was 16 million. However, membership to the trade union movement at COTU (K) is only over 2.5 million which is an indicator that many workers are not members of Trade Unions. The study recommended that COTU (K) should come up with strategies to mount national campaigns aimed at organizing and recruiting nonunionized unionisable employees.

This study therefore endeavored to understand the desire by temporary employees to join trade unions and options available to enable them to improve their social economic benefits of their membership. It also supports the trade unions to come up with policies and guidelines to support the recruitment, representation and profiling employees on TEC/TAW.

1.6 Limitations and Scope of the Study

The study focused on Kenya Broadcasting Corporation, a public broadcasting stations administrative unit of Nairobi. The key respondents were the employees of the corporation on fixed term contracts, short term contracts, freelancers and outsourced staff. The officials of the Trade Unions that were active at the corporation represented the key informants as in these particular research. The unions that were active at the corporation were KUJ and COWU.

The study focused on the desire of temporary employment workers to join unions, the employer related factors that affect the recruitment of temporary employees in to the union membership, establish the existence of social economic costs to be incurred by the temporary employment contract workers who seek to union membership. The other areas of focus included the perceived social economic benefits to be derive from the TEC workers who consider union membership and underlying factors that affect the recruitment of temporary employment workers into unions.

In addition, the study was undertaken in the Nairobi office (HQs) as the key stations are located there with both technical employees and administrative staff. The technical employees in this particular function were editorial, production and programming staff and technical engineering and operations, while the support staff were Finance and Administration, Human Resource, ICT, Marketing and Advertising and procurement.

These findings are not limited to the corporation unions but will also affect all the unions in the country as they are affected by the temporary employment contracts and may challenge the existing unions to develop policies that will counter the identified gaps.

1.7 Definition of Key Terms and Concepts

Contract of Service- Means any agreement, whether oral or in writing, expressed or implied, to employ or to serve as an employee in return for remuneration, and includes contract of apprenticeship and indentured learnership

Contract of employment- An agreement between the employer and employee, employer and agent that may be written or psychological.

Employer's association- An association of employers registered under the Labour Relations Act of 2007

Probationary contract- Means an agreement of work which isn't over a year term or part thereof is recorded as a hard copy and explicitly that it is for a trial period.

Performance contracts- It is a memorandum of understanding which is routed in an evaluation system which does only look at performance comprehensively but also ensures improvement of performance by making the autonomy and accountability clearer and more transparent.

Management- The act of running and controlling an organization or business.

Trade Union- a workers guild that is formed a group of employees to negotiate for their terms and conditions of service in the workplace in exchange for subscription and pay ment of the monthly dues.

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1 Introduction

This chapter represents the works that is key to the study. This includes and not limited to, the background of trade unionism, the concept of temporary employment, empirical literature review, the theories related to the study, the conceptual framework, the changes that have occurred over the period from the history of Trade Unionism, the challenges that are affecting membership, the dynamics in the employment contracts, the bargaining capacity of the Unions and; international and local legislations.

2.2 An Overview of Empirical Literature

Several studies have been carried out on temporary employment contracts and trade unionism, However, none of the studies has directly addressed temporary employment contracts and its effect on Trade Union membership status, despite the fact that several writers have noted the decline in union membership due to different factors that may range from the work place as a global village, gender related issues, institutional diversities, improvement of Human resource policies and guideline, self-employment, improved socio economic factors and flexibility in employment contracts. The above factors are summarised by Ru et al. (2017) and are portrayed tin three aspects. First, systematic factors (sex, time, level of education, position in employment, skills, attitudes and; employment policies). Second, recurrent factors (organization dynamics, lack of employment, low per capita income, fiscal capacity of the country and scarcity of opportunities for engagement) and thirdly organizational framework (employment guilds, regulations, policies and guidelines)

Doerflinger and Pulignano (2015) noted that the use of temporary agency workers (TAW) had rapidly grown in Europe and had an impact on the Trade Unions. Related studies have barely started to look at the approaches and practices utilized by manager's representatives at working environment level. Such practices probably have impacted the activity dependability and laborers states of office specialists. It was noted that Germany

and Belgium both had components where the workers associations commanded chamber frameworks and impermanent specialists are qualified for voting in social decisions (Company level races of worker delegates) in the client firms in the wake of having worked there for at any rate three months. His assumptions were focused on the processes that unions were using to adjust to the increase of TAW, the correlation between the oversight bodies, industrial relations system, industrial negotiations and struggles for entitlement and the role of the oversight bodies. For all intents and purposes, all proxy associates could enjoy their rights, bureau representation and, increased representation of TAW – related issues as a lobbying item. Salvatori (2009) also noted that transitory workers have a lower probability of being unionized as a result of the duality of the relationship between the union representatives and employers, the fact that the union operates externally, the impact of the representatives on the shop floor and their bargaining power. Salvatori's assertions may have some relevance to the research but only in the area of bargaining power.

Doerfliner and Pulignano (2015) further observed that work related lobbying in the Belgian plants was increasingly constraining the utilization of TAWs in the meantime acquiring growth in occupation security and upgraded working conditions for proxy organizations. The Belgium associations involved bureau agreements arranged in local bargaining for contingent laborers. Proxy laborers don't just face diversities in remuneration and working conditions because of national administrative setting, yet they face diversities in regards to the portrayal of rights.

However, on the same note Gallie et al. (2017) approached TECs as a camouflaged version of security in the workplace and the work conditions as a way of the uniqueness of engagement contracts, the supply and demand of employees, management frameworks, technological policies that may improve performance, monitoring and evaluation, talent management, restructuring, employee involvement are some of the factors that have created the irrelevance of trade unions.

Landau et al. (2015) views temporary employment contracts as nonstandard types of business/separated types of work that deviate from the standard business model (like, short term, fixed term, venture errands based business which are all brief in nature , working courses of action that stray from the standard model as like) contingent work flexi time , working game plans that go astray from the standard model as far as area of such work as cottage models, outwork and models through which work is organized (one on one or through a proxy) that is self-employed entities, quasi dependent laborers and cottage industry workers.

De Cuyper et al. (2008) associates transitory workers with occupational related stress and create an environment of unpleasant work attitudes, indisposed physical ability and unbecoming characteristics among this cadre of employees. Campbell (2005) on his studies on the regulations on the representation of TEC assessed the legal entitlements and their benefits which focused more on controlling the use of TEC on continuous casual contracts and how they affect core staff in the organization. In this research, the contractual employee's contracts are extended for a number of years in which there needs to be a regulation controlling the same. Guest (2004) asserts that TEC staffs are viewed to be more supportive to the organization like core workers. The contracts are not only optional but also psychological to the workers.

The level of people in casual business characterized as occupations that need lawful assurance or work of social advantages establish 68.2% non-farming work in Vietnam, 72.5% in Indonesia and 83.6% in India ILO (2012) in India there is a limited reference material on legal ways to deal with work related issues, for example, the regularization (that is transmission to permanency of contingent laborers). In Indonesia non-standard types of work have in general been ignored. There has been more concentration on non-standard work with regards to ILO endeavors to gauge better than average work in the nation. ILO 2011, a, 2013 and expanding consideration has been given to the issue in terms of craft/ industrial associations, work activists, NGO's, explicitly in connection to fixed business and proxy work (ILO, 2012).

Literature review on the above subject is limited in Vietnam. The exception to this appears to be a recent overview of the regulation of temporary agency work (Pupos, 2014) there is also some although limited consideration to the incident of non-standard work to be found within other strands of literature on labour in Vietnam such as scholarship on changing industrial relations in the country (Chi, 2011; Collins 2011; Lee & Troung 2005; Landau et al., 2015).

Local studies have been carried out on temporary employment contracts but not on their effect on union membership. Wandera (2011) noted that temporary employment contracts resulted into unscheduled labour turnover, low staff morale and low productivity. Ongera and Juma on their study influence of temporary employment on employee performance a case of Safaricom Ltd also noted that employees viewed temporary employment contracts as a way of gaining permanent and pensionable employment which drove employees to high levels of performance a concern that was equally noted by Chumo (2007).

The COTU (K) strategic plan 2007 – 2012 highlighted the following issues as their weaknesses and challenges that deter their efforts to in achieve their strategic vision. The weaknesses were identified in shortage of structures that support the benefit of employee unionization, evaluation of service delivery to members, low level education and training of members, limited avenues for research and militant attitude of the union leadership. The challenges were noted in, privatization of the public sector, growth of the informal sector, increase in the casualization and embracing contractual work, globalization, unemployment growth, expansion of the white collar jobs and finally the growing trend on the judicial processes (COTU K, 2007).

Owidhi (2018) in his report on the valuation of the status of Trade Unions in Kenya shows that over the past five years, trade unions under the research have recruited 29,517 members which is 8.66% whereas the loss of membership over the same period is 23,158 which is 6.79 % of the membership and the loss has been due to massive retrenchment/restructuring, outsourcing, sub- contracting, and unfair termination. He also indicated that none of the unions recruited casual workers a great concern to the union movement.

The cause No. 2 of 2013, Peter Wambugu Kariuki and 16 others Vs. KARI also made a ruling that recommended that government institutions adopt outsourcing as a way of catering for non-core business in an organization to reduce employment related disputes.

2.3 The Background of Trade Unionism

In Malaysia TUM was activated in the 1950s, though it had started in the twenties. They are guided by three laws; Employment Act (1955), Trade Union Act (1959) and Industrial Relations Act (1967) and the later were amended in 1971. Trade union enrolment in Malaysia declined from 8.37 % in 2001- 6.99 in 2005 and back to 6.94 in 2009. The reasons for the low enrolment were institutional, recurrent through the influence of multinational corporations embracing the use of foreign employees and structural (Ru et al., 2014) the other factors that affected union membership in Malaysia were , the recruitment of skilled workers (Claus 2003 & Joachim, 2007), shift from production to service industries (Polacheck, 2004 & Bryson et al., 1998), rising involvement of female employees in the shop floor (Brady, 2007), the entry of younger workers in the workforce (Ramasany, 2008 & Amminudin 2008); development of better Human resource management practices through involvement of union officials in the workforce (Sano, Joelle & Williamson; John, 2008 & Ru et al., 2014).

Trade union movement and services in Africa arose as a way of liberation from the colonial government. This was used as a way of negotiating and claiming for opportunities to ensure that there is good governance, fairness, political suffrage, balanced treatment, employee rights, privileges and financial and social freedom. This is supported by ITUC (2012) that the TUM was crucial in the fight for independence and sovereignty of governments. The continent has undergone several milestones affecting employees and this includes the poor and protection of the helpless. In this regard TUM has been able carry out research in the key area of employee relations (ITUC, 2012).

The achievements of TUM were earned during the first decades of post-independence period of 60's and 70's. This led to most African countries achieving the recognition by adopting the ILO conventions (Kalusopa et al., 2012). The growth of the public sector and compulsory membership increased unionism in Africa, however, the 80s, and 90s

saw a reduction in their efforts to protect the engaged citizens and predisposed their rights in the community. The decline of the union membership has been greatly affected by the increase in self-employment and precarious work arrangements.

Kalusopa et al. (2012) further asserts that the excitement and rigours associated with union membership is reducing and the workers guilds no longer have fanatical control over their members at both local and national levels. The low enrolment has been associated with the financial positions of the unions which rely on union dues through members subscriptions. Nyaencha (2014) also associates the low enrolment with the inability of trade unions to effectively serve the members, failure by the union officials to profile and publicize their unions, fear by employees of being isolated by employers, improved Human Resource policies in the workplace, lack of recruitment strategies by the union officials, member hopping, social political issues apart from the dwindling subscriptions of the members as indicated by (Kulosopa et al., 2012).

An annual survey carried out in 2007 by ITUC noted various challenges in trade union movement in Africa. In Algeria, all employees are entitled to collective bargaining and there is no discrimination on the same, in Cameroon, there were limited collective bargaining agreements and no implementation. (ITUC, 2007). The report carried out in several countries also noted that several union officials were harassed and stringent control measures by the government on union activities.

The privatization of state owned organizations has further reduced the membership by half and lack of opportunities in the private sector which are viewed as alternative forms of employment. The changes in the political status has not been supportive either of their course and capitalism has overpowered the growth. The union negotiations have weakened as a result of low wages, fringe benefits and rising poverty levels which has resulted in low enrolment of members. Managers have equally developed strategies to come up with benefits that are not union negotiated to entice and attract new members. Owidhi (2017) indicates that such strategies include, training and development opportunities and, mortgage schemes for the members. The decline can also be related to the rising tide of precarious work arrangements. The control of the economy by foreign

financial guilds have introduced freelance trading, privatization and abolishment of rules guiding the fiscal sector and supply and demand , freezing of hiring in government agencies (Kalusopa et al., 2012).

2.3.1 Trade Union Movement in Kenya

TUM in Kenya commenced in the early 20th century, but it took over five decades to have the first ever workers organization in Kenya (Aluchio, 1998). The period between 1900-1946 saw crucial changes in the labour movement that saw the development of the first ever workers guild. The labour movement in Kenya is highly associated to social, economical and political tussles for survival and the connection cannot be ignored. The initial trade union movements started after the 1st world war as workers associations like the Kenya African Civil Servants Association and the Railway African staff association. The 1930s saw a paradigm shift in the TUM creating the Trade Union Ordinance of 1937. This enabled the creation of three more unions namely; East African Standard Union, the East African Staff union and the Labour Trade Union of East Africa. The ordinance was improved on in the 1940s, creating there more workers association. After the 2nd world war, Kenya African Union (KAU) was formed and struggle to reclaim land, improved pay and a better working environment. The period preceding independence saw an up rise of registered workers guilds and the formation of National Trade Union Centre/ Kenya Federation of Trade Unions (ICFTU) (Miruka, 2015).

The period 1948-1963, the activism against colonialism was rejuvenated and paved way for solidarity amongst TUs engagement of workers and political parties. The message was spread to the key stakeholders by word of mouth. The arrest of TU leadership in 1952 was a setback to the uprising that was aligned to Mau Mau and did not deter the TUM (Miruka, 2015).

The post-independence period led to the appointment of a presidential committee to resolve the leadership wrangles in TUS and this led to the formation of COTU (K) that introduced payment of union dues through a mandatory check off system. So far the organization had 36 affiliates that have risen to 44 by the year 2018 (Owidhi, 2018). COTU (K) was then controlled by the ruling party, a state that was maintained until the

emergence of multipartism and it became autonomous. The TUM in Kenya is embraced on four principles and these are unity, cooperation, responsibility and peace (Miruka, 2015). The government has used these strategies to manipulate the guilds/ union's bargaining power the creation of rival unions to thwart the spirit of unity has been the key to create division. In the case study, the registration of staff through KUJ and COWU has divided the workers loyalty. This can also be seen in the registration of PASETU (the federation of public service trade union) as an umbrella party to reduce the powers of COTU (K).

Cooperation is a weapon used to create harmony amongst the union between the union, employers, employees and the leadership of the country leading to collusions that betray the role of the workers guild (Miruka, 2014) the responsibility of developing the laws is held by the unions and they participate in the training of its members on the same. The employment act amendment bill is ongoing in Kenya and the unions are key stakeholders in lobbying with the government to ensure the amendments re passed. Employment Act Amendment Bill (2019). In an attempt to maintain peace, the unions may compromise on standards to create a conducive working environment (Miruka, 2015).

2.3.2 The Legal Framework in Trade Union Movement in Kenya

Kenya is celebrated for being one of the countries with legal and institutional frameworks governing the TUM (Owidhi, 2018). The first trade union law in Kenya to be enacted was the Trade Union Registration Ordinance No. 35 of 1949 and its mandate was to guide on the re-registration of unions that were already in existence (Aluchio, 1998). Secondly, the next document to guide industrial relations framework through social dialogue was the Industrial Charter of 1962 (amended in 1984) that guided on the tripartite relationship of the government, employers representatives and employees representatives and clearly stipulated the responsibilities of each arm.

The country went further to develop the first labour laws that guided the contracts of employment and trade union movement and this were, Trade Union Act Cap 233, Trade Disputes Act Cap 234, Workmen's Compensation Act Cap 236. Employment Act Cap 226, The Factories And Other Places Of Work Act Cap 514 and The Regulation of

Wages and Conditions of Employment Act Cap 229. The country has achieved several milestones through the amendment and enactment of various labour laws and the above laws were summarized into the new laws of 2011; Employment Act of 2007 (amended in 2012 and currently being amended) Labour Relations Act of 2007, Labour Institutions Act of 2007, Work Injuries and Benefits Act of 2007, Occupational Safety and Health Act of 2007 and finally The Fair Administration Act of 2015 also supports in the execution of the above stated laws. The laws are aligned to the socio, economical, political and technological changes that are connected to globalization and innovation. They are also aimed at taking care of the gaps in the informal sector that is rapidly growing work place.

The Employment Act of 2007 which has been improved from the Cap 226 and is still under review (presently, the bill is undergoing public participation for its review) has strived to control the appointment and engagement of casual workers and created room for definition and application of the contract terms of service for employees (Tubey et al., 2015). The Act has defined the casual terms to payment of salary at the end of the day and any other terms may be viewed as contractual an issue that is usually confused by the management of organizations. Compliance of the law and identification of key partners in the engagement of temporary contract workers is crucial in this particular act.

The Work Injuries and Benefits Act has equally been instrumental in the management of workers and offers employees an insurance cover to cater for the injury or death while in line of duty and compensation is done as per the severity of the injury and disability/death (WIBA, 2007).

The Labour Institutions Act 2007 (LIA, 2007) gives the framework and constitution of the institutions that have been put in place to resolve employment contracts and trade union related issues. This includes The National Labour Board, Industrial Court, Committee of Inquiry, Labour Administration and Inspection Unit, Employment Agencies and Wages Council.

The Labour Relations Act 2007 (LRA, 2007) as an amendment of the Trade Union Act Cap 233 and Trade Disputes Act cap 234 and provides the structure for trade unions registration and activities. It gives guidelines on the dispute resolution and protection of employees. The Occupational Safety and Health Act 2007 (OSHA, 2007) was enacted to support the provision of secure workplaces and buffer for the dangers associated places of work and control the occupational hazards catering for both long term and short-term contractual engagements (Nyaencha, 2014).

Article 41 of the Constitution of Kenya gives the Kenyan workers' rights and opportunities to join and participate in union activities and further lays down the bill of rights in section six that protects the workers against discrimination, coerced labour, bondage and freedom of association (COK, 2010). The relationship between the employer and the employee is also guided accordingly. Kenya is also an active member of the ILO conventions and strives to adopt the conventions to the later. The industrial charter of 1952, amended in 1984 is also used as a tool to guide the industrial relations between the government, employer and the employees in what is termed as a "social dialogue". Being one of the oldest countries to embrace social dialogue, several organs have been developed to manage the tripartite relations (Miruka, 2015).

Kenya is recognized as one of the countries that has embraced fundamental trade union rights as enshrined in the COK (2010) as stipulated in article 41. The Kenyan laws control TUM through long and restricted procedures and legislations. The use of union funds is equally restricted limiting the unions from exploring other areas like research (Owidhi, 2018).

2.3.3 Trade Union Movement and Economic Status of its Members

Dwivedi (2008) defines economics as a social science which studies human behavior in relation to optimizing allocation of available resources to achieve the given ends. Labour is one of the key factors of production apart from land, capital and entrepreneurship. Trade unions are a force that empowers their members economically and hence the role of temporary employment contracts on the economic status of the union (Mwanadzingo & Siame, 2008). They further use the socialist economic theory to support unionism by

stating that all social and economic theories and arrangement are united by the desire to achieve greater equality and give the workers greater control of all the means of production. The key role of trade unions is to empower their members economically, in this regard, the unions have the role of ensuring that they support their members and represent them in ensuring they are economically empowered.

Mwamadzingo and Siame (2007) describe supply and demand as the essential perceptions of economics and the pillar of a market economy. Trade unions are viewed as economic players and play an important role in the economy of a country, the economy is a social creation. The present predominant monetary framework is free enterprise, described by private proprietorship, generation revenue driven wages, work, showcase trade, ware creation (merchandise and ventures delivered available to be purchased in the market instead of being utilized) the present variation of private enterprise is neo radicalism, organized commerce, free market, negligible government which has changed the idea of business contracts.

There is approximate one on one transposition of TUs close by developing regional trade blocks in Africa. In South Africa, the Southern African Trade Union Coordination Council (SATUCC) shaped in 1993 in Gaborone Botswana with 12 member's battles for the advancement of solid, free and independent national TU Center's over the block. They adopted the social charter in 1991 to support the fundamental rights of workers in South Africa. Mwamadzingo and Siame (2008) in East Africa, the East African Trade Union Federation (EUTUC) an umbrella organization bringing together the national trade union centre's within East African community member states. The umbrella unions formulation in 1988 with the fundamental goal of profiling the interests of employee endeavors in East African block with the end goal of building up a typical methodology towards upgrading social and monetary equity through the cooperation of laborers associations at each degree of territorial coordination.

In West Africa, the Association of Worker's Organization in West Africa (OTUWA) and the Union des Syndicats des Traveilleurs du Maghreb Arabe (USTMA) unites the associations in the area that have attempted to battle for major privileges of laborers of

the block. Nations in Africa and other parts of the world have shown interest in developing together by as showed interest in collaborations that offer them opportunities for economic/ financial empowerment. Temporary employment contracts influence the economic status of trade unions (Mwamadzingo & Siame, 2008).

2.3.4 Challenges Facing Unions in Member Recruitment

The Labour Relations Act 2007, part (ii) on employee rights and freedom of association gives employees' rights to participation, forming and joining trade unions or federation of trade unions or join a trade union or form a trade union. Section 5 of the same Act on protection of employees states "no person shall discriminate against any employee or any person seeking employment for exercising any right conferred in the act".

One of the key roles of a trade union is recruitment of members and there is no law prohibiting unions from recruiting temporary employees, but they do not do so. Vaccaro (2002) states that lack of constant interactions/ transactions with their employers may prohibit temporary employees from joining the Trade Unions. The absence of a continuous transactional relationship with the employers limits them from becoming members of the corporate family; subsequently, transitory specialists are less involved in the working environment conditions/ requirements and guiding legislative issues. There is a stressing requirement for contingent employees to join unions are an emerging issue and; the choice may bring about the businesses sidelining impermanent laborers much more (Vaccaro, 2002).

The challenges faced by subcontracted employees in joining workers associations can be associated with the identification of key parties in the negotiation of the membership and agreements. This cannot be arraigned to the fact that it's not clear whether it's the agency or the employer who offer the work floor is the one concerned with the negotiating powers. The voting rights of the temps may likewise be limited. Employment authorities may need tut the contingent laborers with their key employees to weaken the pool of voters (Vaccaro, 2002).

Globalization is another challenge that has faced the union membership. This has been as a result insecure work and casualization of work. The increase in the market dynamics associated with direct international investment networks that have sabotaged both human and trade union rights. The liberalization of the market due to globalization has led to the job losses and increase in the poverty amongst the poor working class. The results of all this is poverty, joblessness, restructuring, use of agency workers, subcontracting and; in formalization of work (ITUC, 2012).

Owidhi (2017) in his report identified the opposition by subcontractors who are hostile to trade unionism and keep on subcontracting and hiring contingent/ short term workers; avoid high expenses of enrollment and maintainability of association programs; continuous restructuring programs ; High expenses of learning programs and low implementation of work related laws by the are components that have predisposed industrial associations. Reports have been made by some unions on being harassed by government security officers as a way of intimidation by the organization leaders

2.3.5 Negotiating/ Bargaining Power of the Trade Unions

The cardinal role of unions is negotiating for their members and coming up with collective bargaining agreements to support their members. Dwivedi (2008) asserts that the purpose of forming trade unions is to establish communication channels between employers and employees and to sort out the diversities amongst workers as a body and leadership of organizations, to explore the opportunities for cooperation and collaboration for the benefit of the organization and the society Nyaencha (2014). Further defines negotiation as a method by which parties with different preferences and interests attempt and come together to agree on a solution for a conducive working environment. Negotiating is used in transactional activities including but not limited to contractual transactional negotiations, outsourcing contracts, performance contracts and collective bargaining agreements. One of the key roles of the unions is to negotiate for their members through collective bargaining agreements.

The Labour Relations Act of Kenya 2007, on employee freedom of association allows every employee the right to a) participate in forming a Trade Union, b) joining of a Trade Union, c). Exit a Trade Union. There is no clause that bars temporary employees from participating or joining trade unions.

2.4 The Concept of Temporary Employment Contracts

Contracts of employment regulate and guide on the relationship between an employer and employee on issues pertaining to terms of employment and; rights and obligations that are established by the parties themselves. These rights, duties and other aspects of employment relationship form the terms and conditions of service (Nyaencha, 2014). There are different types of contracts and in this study the focus is more on temporary employment contracts, fixed term contracts, agency workers or temporary agency workers or: outsourcing/ subcontracting, Temporary Agency Workers. (TAW) non-standard forms of employment and part time workers.

Ntisa et al. (2016) defined contract of employment/ service as an exchange of services to the demand of a firm in return for financial gain. In this case the contractor has authority to guide on how these services are offered. The engagement is transactional and guided by the financial gains that the contractor is likely to gain. The transaction which is guided by the need to make more profit has made the proprietors to develop flexible work arrangements for informal contracts. This is common with employers and reduces the cost that comes with indefinite work contracts.

Temporary employment contracts do not have a universally acceptable name. In the United States and Canada, they are referred to as contingent employees; the European countries refer to them as fixed term contract or non-permanent employees while Australia and New Zealand use the term casual employees. Putting into consideration the different names of the employees used in various parts of the world, the fact is that it digresses from normal work on the purposes of time, relationship and period (De Cuyper et al., 2008).

Martinez et al. (2010) views temporary employment as a consequence of diversities in individuals and firms. Research carried out in Latin America on the adoption of TEC of a wide view as compared to the research carried out in the OECD states. The concept of TEC is basically used to align firms to the elasticity in working conditions, growth in technology, and innovation, the need for high returns and the changes in the supply and demand of goods and services to maintain high yields.

TEC are associated with entry level job and are used as an opportunity of vetting the employees who can be trusted to proceed with serving an organization in the long term. (Silos et al., 2010). The employee performance may be rated during this period and the terms may be changed to secure or long term relationship with the employer. The use of temporary employment workers offers a buffer for recruitment in an organization and reduces the liability of an employer going back to the market to identify new employees for recruitment in cases where there is need. Another advantage noted to the employer is that there is a reduction in hiring costs as depending on the services of an employee, the employee terms can be confirmed depending on performance.

The duality of this kind of workers can be seen as primary workers (who work continually receiving protection, supervision, health cover and other welfare benefits) and contingent/ secondary (outsourced workers, fixed term workers, on call workers, relievers, precarious and private workers). The differences in this type of work can be identified by hours of work, period when services are required and the rewards attached to the job. (Martinez et al., 2010).

In Spain, one in every three contracts is transitory, while in the US and Luxenberg, its one in every twenty workers. In Europe (Portugal, France, Italy and Netherland) the growth of contingent workers is associated with constricted recessions, time/ period-controlled jobs, and increased safeguarding of the workers' rights (Martinez et al., 2010).

2.5 Theoretical Framework

There are no known theories on temporary employment contracts but there are theories on the employment relationship and theories on trade unionism. This research therefore focused on both theories as a way of aligning the two variables in the research. The research is also supported by models though this research identified one core model that clearly captures the research area.

2.5.1 The Social Exchange Theory

This hypothetical direction depends on prior philosophical and mental direction getting from utilitarianism on one hand and behaviorism on the other. The remnants of both these hypothetical establishments stay clear in the forms of the trade hypothesis that are present today (Cook & Rice, 2003). One prominent sign of late research on the social exchange theory in the field of human science is the regard for the connections between social exchange hypothesis and the hypothesis of societal position impact, informal communities, decency, alliance development, solidarity trust impact and attachment. In this case the joining of a trade union by an employee offers the employee the social networks, coalition/ collaboration with other employees to bargain for a common course that offers room for solidarity.

Homans (1961) described social exchange as sharing of ideas, physical and emotional, more or less fulfilling, benefitting or expensive between in any two people or businesses. The relative worth is dictated by the parties' history of support and hence taken as given at entry into trade networks. Homans grand apex was social conduct that rose because of social procedures of importance on guidelines or (absence of it) relations could likewise end on the disappointment of actualization (Cook & Rice, 2003). Blau (1964) saw social exchange as procedure of focal importance in societal relations between cohorts and individuals. He concentrated principally on transactional exchange of affiliation of fiscal benefits and developing social structure that these sorts of social relationships achieved

Social exchange hypotheses treat social lifestyle as including a progression of successive exchanges between at least two groups (Cropanzano et al., 2017). Assets are traded through a transactional exchange of goods and services. The employment contract is a

relationship of reciprocity between the employer and the employee. The union member and union also operate on reciprocity where the member registers and pays union dues in exchange for representation in collective bargaining agreement, grievance handling, job security and improved terms and conditions of service.

Cropanzano et al. (2017) further states that there is limited regard to the degree to which a portion of the constructs frequently used in social exchange hypothesis are indulgently positive (contractor support, helping) where as some are hedonically negative (damaging and uncivil manager). Social trade hypothesis adopts the absence of characteristics that are indulgently positive (justice& trust) is effective, the absence of something that is hedonically negative (injustice and mistrust) and; explains the need for employees to seek representation to increase circumstances of justice to all.

Homans (1974) deduces the social exchange theory in four dimensions on how human beings respond to various issues in the society. This is done through the success factors that indicate that the more one gains, the more he or she is able to perform the activity. Secondly, the stimulus proportion where the benefit an individual receives from a certain action determines the ability of an individual to perform a similar activity for gain. Third is the deprivation- situation where the frequency of benefits reduces the commitment of an individual and; finally the value proposition that rewards the commitment of an idea of interest to an individual.

Blau (1963) further looked at the social exchange theory as a process of an act that is motivated by reciprocity as individuals make informed decisions focusing on the returns. The concept of social exchange is transactional and operates in a market (supply and demand of goods and services) the temporary employment contract allows the relationship between the employer and employee in return for salary and other benefits. The unions are formed on this basis and the temporary employment contracts create an avenue for individualism and susceptibility of both workers and workers guilds.

2.5.2 Rational Choice Theory

The Rational Choice Theory denotes the trends that characterized by ones decision to attain a specific objective given the benefits that may occur as a result of decision. Wittek (2013) the theory is based on three assumptions which are; preferences, based on personal benefits, enjoyment of the benefits to the fullest and finally the ability to have the relevant information/ knowledge to make informed decisions.

This phenomenon is basically formed on the fact that, people have the full information, have options for the decision they make and understand the outcomes and repercussions of their choices. The theory further focuses on the external forces that are self-centered and to ensure the full achievement of the tangible benefits. The other option may be that the choices may be formed as a result of intangible benefits that are related to the group achievements (Wittek, 2013). In reference to the theory, the self-centered egoistic approach is manifested in the contract of employment and especially where we have individual negotiated contracts while the group benefits can be associated with union membership that is focused on collectivism and solidarity enjoyed by union members.

Rational Choice Theory is characterized to mean the way toward figuring out what choices are accessible and picking the most favored one as per some consistence foundation. This methodology fuses that individuals' very own decisions ought to decide the administration's welfare standard is lined up with present day popularity based qualities (Levin & Miligrom, 2004). On the other hand, a significant number of similar insights of the Rational Choice Theory – the intrinsic forecasts concerning decision on which individuals' change as per the conditions surrounding are affirmed in previous studies.

Toubel and Jensen (2014), in their investigation on the effect of industrial relations associations' magnitude, on association enrollment noticed the micro sociological hypotheses in regards to how individuals join associations can be partitioned into two kinds of clarification focusing on; the mutual or closed shop arrangements (Visser, 2002). Workers join Trade Unions because they have an enthusiasm for joining one. The intent of joining is that they would get the leeway and benefits which they wouldn't have

achieved if they wouldn't have joined one. This is the fundamental presumption inside the Rational Choice hypothesis. The Rational Choice Theory frequently has Olsen (1965) as a focal decision of reference and addresses the issue of undecided workers and limits cases of joy riders. Divergent views pressure the significance of qualities and standards and contend that they have a self-governing effect on joining worker's organizations or probability of joining a TU. A few positions contend initially taking Coleman (1990) as a beginning stage that the regulating intentions can be deciphered inside a discerning decision structure (Toubel & Jensen, 2014). Normal decision hypothesis states further that individuals have inclinations and decide as indicated by those inclinations. (Levin & Miligrom, 2004). The utilization of short term contracts is a decision grasped by firms more than the laborers on the utilization of transitory work contracts. The hypothesis likewise influences the organization growth as employees settle on a decision to join or not to join a worker's guild. This is viewed as rational and the involved worker makes a choice to join or not to join a union.

2.5.3 Agency Theory

This hypothesis focuses on a relationship where there is an agreement of at least one or more people (principal(s)) connect with others (agent(s)) to offer some administration on their behalf which includes assigning some basic leadership roles to a proxy Jensen and Mackling (1976: 308). There are persons and cohorts in the firm having distinctive hazard resilience and their role varies in like manner (Panda & Leepsa, 2017). The proxy who is the proprietor owns the resources and gets out of his way to secure the monetary advantages while the bureau who deal with the risks are disadvantaged with owning the challenges facing the business identifying opportunities that offer them optimum profits. Fontrodama and Sison (2006) noted that the agency affiliation has a typical individual agenda that focus more on self-gain and lacks assurance that the proxy will work for the benefit of the principal. This is affirmed by Mulika (2015) who found that in the spirit of unity, cooperation, peace and responsibility, the standards are compromised for individual gain and compromise on the agenda.

The employment contracts are on agency basis where the employee is contracted by the management as an agent of the employer hence the employment relationship. The union movement equally operates on the principal and agency arrangement where the union officials act on behalf of the members on issues pertaining to collective bargaining agreements, policy formulation, training and development and representation of its members in grievance/ disciplinary forums. Agency relationship arises where most employees are unionized but there are some who have decided to be non-union members even though they are eligible for membership in terms of the union's constitution (Nyaencha, 2014). The Labour Relations Act developed the agency fee for the non-members of the union who benefit from the unions' collective bargaining agreements. Ross (1973) and Mitnick (1975) have molded the hypothesis of organization and thought of two unique methodologies in their various works. Ross viewed the office issue as the issue of motivating forces while Mitnick thought about that the issue happens because of institutional structure. The agency theory impacts on temporary employment contracts as it increases the role of proxys in the working place in a different perspective and denies the unions an opportunity to play the agency role.

2.5.4 Artikinsons Flexible Firm- Model

TEC's have arisen as a result of suppleness in the work place and suppleness of workers. Artikinsons flexible firm- model clearly defines the employment contract and the relationship with trade unions. The model was developed in 1984 by Atkinson and Meager. (Penn et al, 1994). Artikinson and Meager used the model as an organizational tool used to maximize on the available human capital in relation to the labour market demands and supply and the workers need for elasticity.

The model focuses on the core/ technical functions of the organization that is operated by the permanent and pensionable staff while the peripheral duties are leased out to the contingent or staff on non-standard contracts of employment. He noted the desire to separate the crucial cohorts of employees that are prominent in the delivery of services in an organization for purposes of elasticity in the levels of authority or chain of command (Atkinson, 1994).

This model of a flexible workplace is based on four key principles of financial, functional and numerical and distancing flexibility. Financial flexibility focuses on the ability of an organization to pay its employees in relation to the supply and demand in the market. Employers would wish to pay less for services offered as much as possible and this is as a result of limited negotiations at shop floor level and the increasing gap between the skilled and unskilled labour (Artikinson, 1994).

Numerical flexibility focuses on time rate and piece rate jobs that may arise as a result of fluctuation of the demand and supply of the labourers with minimal costs to the organization. This kind of arrangements enables the organization control the number of employees at no extra cost (Artikinson, 1994). In this case an organization may operate with employees on short term contracts, casuals or part time employment

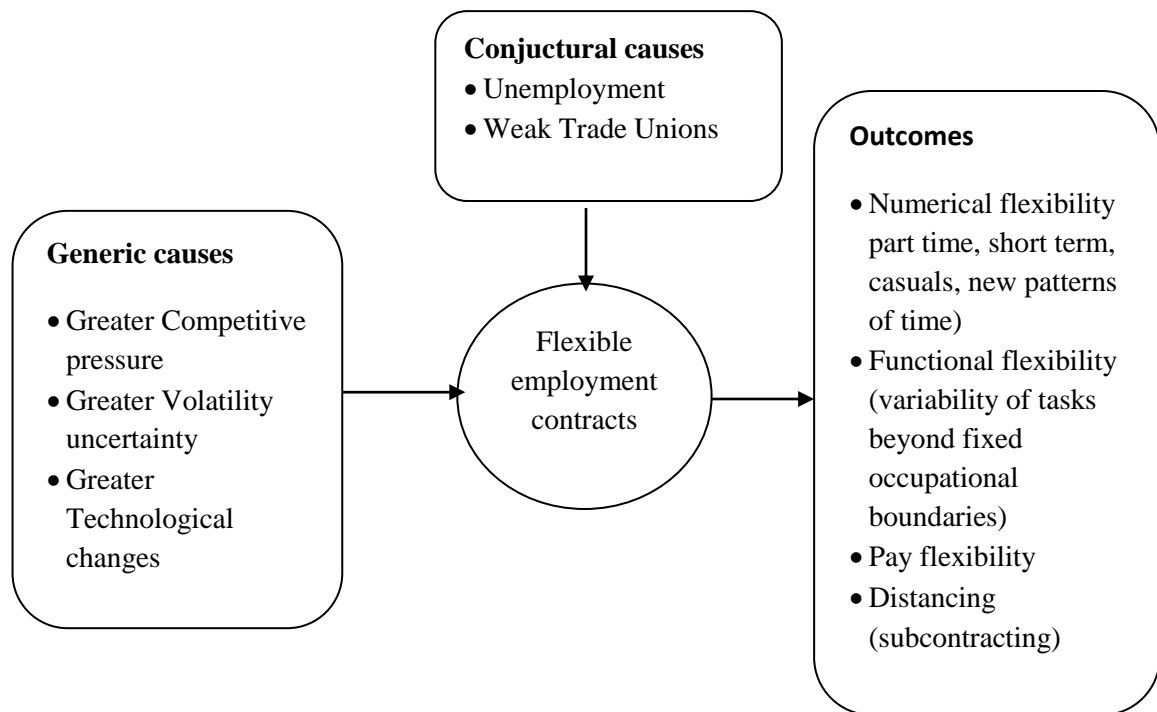
The third principle of functional flexibility is a situation where the employees are hired on their operations in the organizations and this may include redeploying employees to other departments to reduce on costs and fully utilize the available skills and competencies (Artikinson, 1994). Multitasking is encouraged and at KBC, there are situations where employees who are in other departments like marketing are expected to drive themselves and also administrative officers who broadcast during their free time. The distancing flexibility is concentrated on the art of utilizing agencies to hire employees, subcontracting and outsourcing of the functions. This limits the ability of the unions in the negotiating for the rights of the employees

The above principles may push for a paradigm shift in the organization to create a conducive environment for operationalisation. The model may deviate from the normal hierarchies in the organization and different policies may be applied to different employees in an organization. Penn et al. (1992) in this particular case where we have employees with different contracts of employment, the chances are there are no shared policy documents. The unionized and non-unionized employees are entitled to different terms and conditions of service whereas the non-unionized may use the Human resource manuals in the work place while the unionized employees may use the collective bargaining agreement. Organizations that subscribe to this model have to be vibrant,

elastic and optimistic to adjust to the organizational form. Bagher & Mackernon (2017) this scenario has created a paradigm shift from the conventional approach on organizational management.

This model clearly distinguishes the independent variable by creating irrelevancy of the works guilds and this reduces the collective responsibility of unions of negotiating for employees' rights.

Figure 2.1: Artikinson and Meagers model of the flexible firm



Source; Penn et al. (1994)

2.6 Conceptual Framework

This is a concrete or general thought construed or got from explicit occurrences. It symbolizes several or interrelated ideas of the research (Kombo & Tromp, 2006). Conceptualization is inventing and discerning up a thought or clarification and detailing it rationally. It must explain the relationship among the interlinked concepts; it explains the answers to the variables. To find out how operative one's conceptual framework is, one should analyze whether the set objectives have been worked on (Smyth, 2004). The

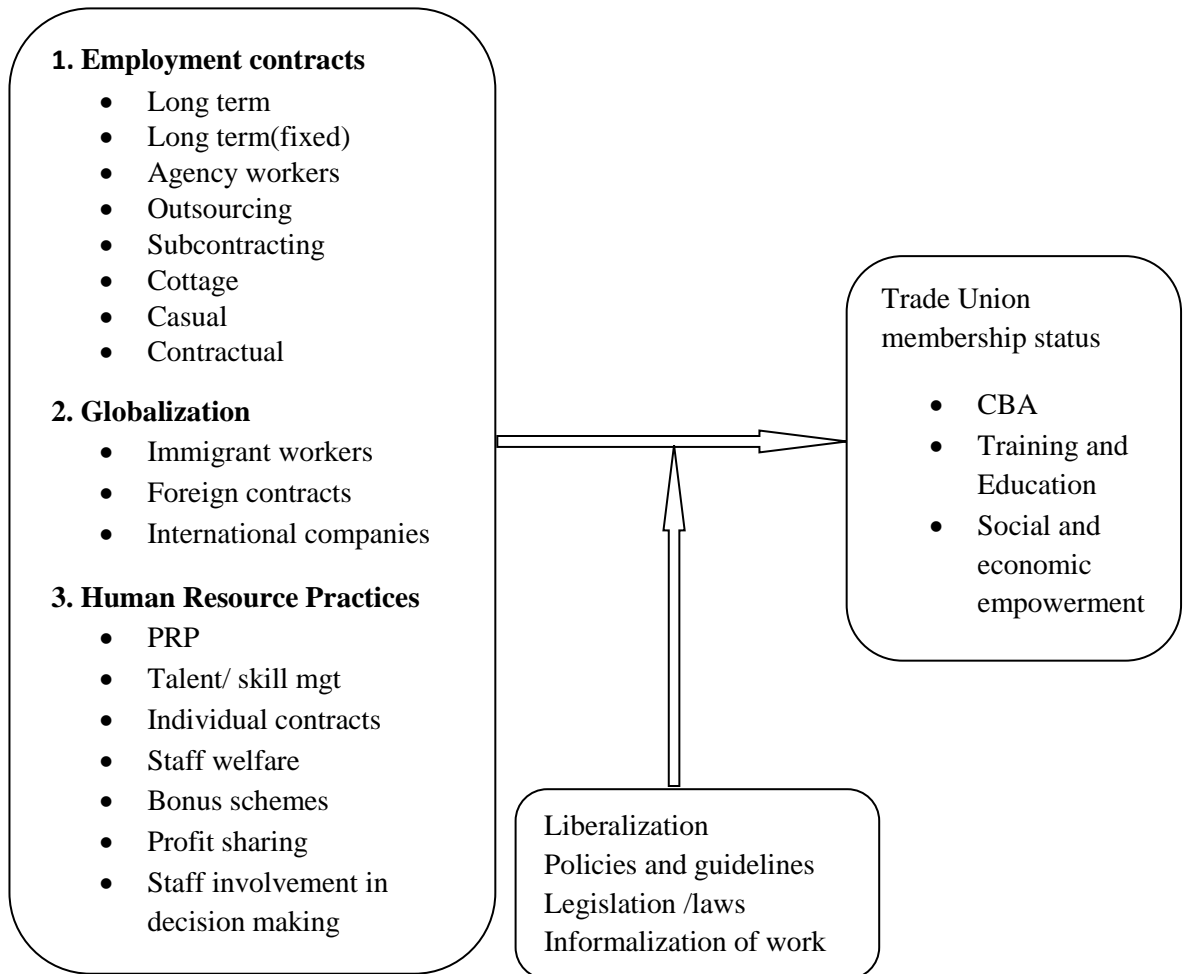
framework also guides the research and keeps on track to avoid deviating from the subject of the study.

In this particular case the employment contracts, globalization and improved Human Resource management policies have affected the union membership status have impacted on the trade union membership status. The above forces have enabled the employees/ workers to embrace flexible working contracts that may arise as a result of liberalization of the economy, restructuring of key workers, informalization and improved policies and legislations that govern the work place.

Figure 2.2 Conceptual framework
Independent variable

Intervening variable

Dependent variable



CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

This section discusses the site description, research design, units of analysis and observation, target population, sample size and sampling procedures, methods of data collection, ethical considerations and data analysis.

3.2 Study Area

The study was carried out at Kenya Broadcasting Corporation. KBC which is a state owned by an Act of parliament CAP 221 of the laws of Kenya to give free and fair-minded telecom administrations of data, instruction and excitement in English, Kiswahili and in such other languages that the corporation may decide for both Radio and Television.

Radio broadcasting began in Kenya in August 1928 with the setting up of British East African Broadcasting Limited. From that point forward, Broadcasting has contributed in all respects considerably to the general national advancement of Kenya. In 1931, an understanding was marked between the pilgrim government and the global correspondence restricted to shape links and remote constrained to take up Radio Broadcasting to the British East African Broadcasting Limited. During the 25 years of presence of this organization, Radio communicates were only gone for English talking outsiders in the nation. It was not until the Second World War that the frontier government chose to begin communicates in several African Kenya languages. African Broadcasting Service was introduced to broadcast in Kiswahili, Kikamba, Kikuyu, Kalenjin, Luo, Luhya and Arabic.

In 1954 a commission was set up by the pilgrim government to take a gander at the eventual fate of Broadcasting in Kenya and through these proposals, Kenya Broadcasting Service was set up in 1959. The isolated administrations for African, European and Asian individuals of Kenya were brought under one specialist (KBS), the local stations were likewise set up in Mombasa (Sauti ya Mvita), Nyeri (Mt. Kenya) and Kisumu (Nyanza).

Kenya broadcasting company was quickly framed in 1961 to take over from the government controlled KBS along these lines contradicting Africans prompt access to broadcasting offices. KBC took over the running of the radio broadcasting with plans of introducing a television station and television broadcasting was introduced in 1962. In 1964, KBC was changed to VOK which continued broadcasting until 1989. In 1991 KBC Act was formed making it a state corporation.

The corporation has grown over time with over 1200 employees on permanent and pensionable terms of service, contract and “artistes” the corporation has 3 public TV stations (channel 1, heritage and Y254) and five public radio stations (Radio Taifa, English Service, Eastern Service- Somali, Burji, Rendile, Borana, Rendile and Turkana; Eastern Service – Embu; Western Service- Teso , Pokot, Kuria and Suba and; ten commercial stations- Pwani (Kiswahili), Nosim (Maasai) Minto (Kisii), Kitwek (Kalenjin) Mayienga (Luo) Mwatu (Kamba) Mwago (Meru) Ingo (Luhya) And Iftiin (Arabic)

The corporation has the following departments; Directorate, Finance and Administration, Television Programmes, Radio Programmes, Technical Services, ICT, Marketing, Newsroom, Procurement, Independent units (Procurement and Audit) Advertising and Marketing. The key technical departments with the highest number of employees are Technical services, Radio and Television programmes.

3.3 Research Design

The study adopted a descriptive research design. Kothari and Garg (2014) views research design as a collection of circumstances for compilation and analysis of data in a manner that aims to mix significance to the research purpose with limitations in process. Mugenda and Mugenda (1999) argue that the purpose of a descriptive research is determining and reporting the way things are. Tromp and Kombo (2009) view research design as an arrangement of conditions for collection and analysis of data in a manner that aims to combine relevance with the research purpose. It is the conceptual structure within which the research is conducted. This design was adopted since the goal of the

study is to describe relevant aspects of phenomena of interest namely: The effects of temporary employment contracts on union membership status.

3.4 Unit of Analysis and Units of Observation

According to Singleton et al., (1993), a unit of analysis is an object of study or item under study that is to be described or analyzed. Babbie (2005) further explains that a unit of analysis is what, or who can to be studied. The unit of analysis in this study was Temporary employment contracts and its effects on union membership at the KBC. Mugenda and Mugenda (2003) describe units of observation as subject, object, item or entity from which we measure the characters of, or obtain the data required in the research study. Thus, the units of observation in the study were employees on temporary employment contracts at KBC. Trade union officials of the corporation were key informers in the study.

3.5 Target Population

The target population for the study focused on staff with temporary employment contracts at Kenya Broadcasting Corporation. The location of the study was KBC Headquarters in Nairobi where temporary staffs are based. At the time of study, the corporation had a total of 160 employees on temporary employment contracts.

3.6 Sample Size and Sampling Procedure

Sampling means selecting a given number of subjects from a defined population as representative of that population. Thus, any statements made about the sample should also be true of the population. KBC was purposively chosen as the research site because of the researcher's familiarity with the institution. Singleton (1993) contends that the ideal setting for any study should be easily accessible to the researcher and should be that which permits instant rapport with the informants. The selected study site met these criteria.

3.6.1 Sample Size

A representative sample of 70 employees with temporary employment contracts was drawn to constitute the sample. The sample formed 44% of the target population of 160 employees with temporary employment contracts. The stratum was treated as an independent population from which the required number of employees was selected randomly for the study. The random selection of employees was carried out as per each department in the respective strata. This included Technical, Radio, Television, Editorial and administrative departments. The layout of the selection procedure is indicated in Table 3.1.

Table 3.1: Target population and proportionate target representation

Dept	Nairobi	Other stations	Total	Target Sample	Sample
Technical	36	1	37	0.44	16
Radio	75	3	78	0.44	34
Television	22	0	22	0.44	10
Editorial	12	3	15	0.44	7
Administration	5	3	8	0.44	3
Total	150	10	160	0.44	70

3.6.2 Sampling Procedure

The study adopted both probability of and non-probability (purposive) techniques to derive the sample. Probability sampling technique was used in the selection of 70 employees with temporary employment contracts from the target population of 160 temporary contract workers. The selection procedure entailed random sampling given the fact that some employees worked on night shift.

Criteria were based on command of knowledge, work experience and familiarity with trade union related matters. Given this selection criteria, five key informants were purposively selected each from the respective departments namely technical, radio, television, editorial and administration. In addition, two trade union officials were purposively selected.

3.7 Methods of Data Collection

The researcher collected both primary and secondary data. Kothari and Garg (2014) defined primary data gathered just because and subsequently happen to be unique in character while optional information then again are those which have just been gathered by another person and have just been taken through the measurable procedure.

3.7.1 Collection of Quantitative Data

Primary data was collected by use of questionnaires. This method is quite popular particularly in case of big enquiries. It is being adopted by private individuals, research workers, private and public individuals and even government (Kothari & Garg, 2014). A questionnaire was prepared for the employees with temporary employment contracts who are the key respondents. The questionnaires was used to identify the demographics of the employees in the organization on areas like sex, number of years in service, departmental representation and justification.

3.7.2 Collection of Qualitative Data

An interview schedule was prepared for union officials at KUJ and COWU and the Human resource officers handling the payroll. The personal interview was crucial with key informants like the human resource staffs who handle the payroll have the data that is prerequisite on union membership at KBC.

3.7.3 Collection of Secondary Data

Secondary data was collected through document reviews on previous research documents by ILO, COTU and other related organizations. Case studies were also used as secondary data.

3.8 Ethical considerations

The researcher endeavored to ensure that the rights of the participants were not violated whatsoever. This included intended participation, informed consent, and confidentiality of the information, anonymity of research participants and approval by the relevant bodies (Resnik, 2005). Authority to pursue the research was sought from Kenya Broadcasting Corporation, Communication Workers Union and Kenya Union of Journalists.

3.9 Data analysis

Analysis is the way toward bringing request, structure and significance to the mass of data gathered. It includes what has been gathered and making reasoning and references. (Kombo & Tromp, 2009). The examination utilized insights to break down the information collected. Quantitative information/data collected using questionnaires was edited, coded and entered into the Statistical Package for Social Sciences (SPSS) system. A computer spreadsheet program (MS Excel) was also used to prepare and process the data which was then presented in tables and charts.

CHAPTER FOUR

DATA ANALYSIS, PRESENTATION AND INTERPRETATION

4.1 Introduction

This section covers the information examination, introduction and elucidation of the investigation discoveries. The introduction of the information investigation, results and exchange depends on the arrangement of inquiries in the survey used to gather information.

4.1.1 Response Rate

The study targeted 160 employees of KBC working at the headquarters in Nairobi on temporary contract. The sample constituted 70 randomly selected employees. Out of the 70 surveys that were directed, 55 filled polls were gathered. This meant 79% return rate which was acceptable as indicated by Babbie (2008) who contends that any reaction of half or more is satisfactory for investigation. This reaction rate was made conceivable after a few individual calls were made and visits to remind the respondents to fill-in and return the polls just as clarifying the significance of their interest in this examination. The reaction rate to a great extent exhibits an eagerness of the respondents to take an interest in the examination.

4.2 Respondents' Background Information

In this section, the study sought to establish background information and demographic data of the respondents. They were requested to indicate their gender, marital status, department, age, level of education, position in the organization, union membership status, years of service and length of contract.

4.2.1 Gender distribution

The respondents were required to indicate their gender. The findings show that majority (69.1%) were male while 30.9% were female.

Table 4.1: Respondents' gender

Gender	Frequency	Percent
Male	38	69.1
Female	17	30.9
Total	55	100

The study results in Table 4.1 implies that though there is gender equality at KBC as both male and female employees are well represented, more males are engaged compared to their female counterparts. This can be due to the demanding nature in the media sector as it requires working during odd hours sometimes making it more difficult for females. However, the findings are gender sensitive and can be taken as illustrative of the opinions of both genders as regards to the effect of temporary employment contracts on union membership among media houses in Kenya.

4.2.2 Marital Status

Respondents were requested to indicate their marital status. The study results obtained indicated that majority of employees at KBC are single (54.5%) while those who are married were established to be (40.0%). The rest are assumed to be divorced or widowed. The study results indicate that most of KBC employees are in their youthful age as their job requires young energetic individuals.

Table 4.2: Respondents' marital status

Marital status	Frequency	Percent
Married	22	40.0
Single	30	54.5
Other	3	5.5
Total	55	100

4.2.3 Distribution according to department

Researcher further requested respondents to indicate the department in which they work in. The study results in Table 4.3 established that most of employees at KBC worked in Radio department (43.6%), (18.2%) of respondents worked in the Technical department,

(16.4%) worked in the TV department, (14.5%) worked in the Editorial department while those working in the Administration department were established at (7.3%). The results imply that Radio department at KBC has the highest number of employees which can be attributed to the fact that it is a state owned and has the largest number of radio stations at both national and local levels. This is also because broadcasting is the core mandate of the corporation. In addition, the study results imply that all the department were well sampled during the study irrespective of their department or employment status, hence, the researcher was able to have a clear picture of the effect of temporary employment contracts on union membership within KBC. The findings of this study are therefore representative of all the departments within KBC.

Table 4.3: Respondents' department in KBC

Department within KBC	Frequency	Percent
Technical	10	18.2
Radio	24	43.6
TV	9	16.4
Editorial	8	14.5
Administration	4	7.3
Total	55	100

4.2.4 Age Distribution of respondents

Respondents were also requested by the researcher to indicate their age. The study results in Table 4.4 indicated that majority (56.4%) of respondents were aged between 20-30 years, (36.4%) were aged between 31-40 years, (5.4%) were aged between 41-50 years while those above 50 years was established to be (1.8%). The study results imply that most of KBC employees are youths as shown by the large number of respondents who are at most 40 years and very active in productivity enabling to enhance the overall performance of the company.

Table 4.4: Age Distribution of respondents

Age	Frequency	Percent
Between 20 – 30	31	56.4
Between 31 – 40	20	36.4
Between 41 – 50	3	5.4
51 and above	1	1.8
Total	55	100

4.2.5 Academic qualifications of respondents

Respondents were again requested to indicate the highest academic qualifications they had achieved. The study results illustrated in Table 4.5 established that majority (54.5%) of KBC employees with temporary employment contract had diploma certificate as their highest academic qualifications, (40%) had bachelor's degree as their highest education level while (5.5%) had master's degree as their highest academic qualifications. The study findings imply that KBC employs staffs on temporary basis in various divisions with various scholarly capabilities. In addition, the study results imply that employees engaged at KBC with temporary have a higher professional qualification in their different departments in which they work from, hence, were able to understand the study questions and have a vivid idea of what the study sought to establish.

Table 4.5: Respondents' education level

Level of education	Frequency	Percent
Masters degree	3	5.5
Bachelors Degree	22	40
Diploma certificate	30	54.5
Total	55	100

4.2.6 Respondents level in employment (rank)

Further study sought to establish the respondents rank of employment as illustrated in Table 4.6. The study findings indicated that majority (65.4%) of employees with temporary contract at KBC worked as clerical or support staffs, (18.2%) indicated that they held the rank of supervisor while (16.4%) indicated that they were middle-level

managers. The study results imply that employees with temporary contract at KBC held different rank in their employment, hence, are able to have a clear picture of effect of temporary employment contracts on union membership within KBC. In addition, the result implies that employees with temporary employment contract at KBC are mostly engaged as clerical or support staffs since they are not permanently employed. The results can be attributed to the fact that most employees take up this positions for purposes of work experience that enables them to bargain for better terms with other media houses.

Table 4.6: Respondents' level of employment(rank)

Level in employment	Frequency	Percent
Middle-level Management	9	16.4
Supervisory	10	18.2
Clerical or Support Staff	36	65.4
Total	55	100

4.2.7 Respondents membership status in the union

Respondents were also requested to indicate their membership status in the union. The study results in Table 4.7 established that majority (69.1%) of employees with temporary contracts at KBC were members of a particular union while (30.9%) were not members of any union. As an employee with temporary contract, being unionized is very essential particularly in regards to job one's job security since in the work environment, employees find themselves in a dependent relationship on their employers and on what they probably view as impersonal organizations. For this reason, employees want to know that their jobs will exist in the future and that they will be protected against unfair or arbitrary treatment from their employers and thus they feel vulnerable to job loss a thing which can be protected when one is a union member. In addition, joining becoming a union member helps in allowing an employee to be recognized especially for employees with temporary employment contract as they find out that the union structure offers them an opportunity to gain recognition not available to them in the business organization. For example, a worker with little education may be elected as a position of influence.

Table 4.7: Respondents' union membership status

Union membership status	Frequency	Percent
Unionized	38	69.1
Non-Unionized	17	30.9
Total	55	100

4.2.8 Types of unions joined by respondents

Respondents who indicated that they were members of unions were further requested to indicate respective union where they were members. The study results in Table 4.8 established that (55.3%) of employees with temporary contracts at KBC were members of other unions. The larger number of COWU members can be attributed to the fact that this is the union that has a recognition agreement with the KBC management

Table 4.8: Unions joined and distribution

Union joined	Frequency	Percent
COWU	21	55.3
KUJ	13	34.2
Others	4	10.5
Total	38	100

4.2.9 Duration of service at KBC

The study also sought to establish the duration of time respondents had worked at KBC. The study results obtained indicated that (43.6%) of employees with temporary contracts had worked at KBC for between 1-5 years, (23.7%) had worked for at least 10 years, (20.0%) had worked for less than one year while (12.7%) had worked at KBC for between 6-10 years. The results show that most of the staff who participated in the study had worked in KBC long enough to understand the effect of temporary employment contracts on union membership within KBC. The degree of experience indicated is a confirmation of the validity of the data accumulated in this investigation. It demonstrates information legitimacy and unwavering quality in light of the fact that the respondents' abilities, learning and mastery had been tried for an extensive stretch and their

recognition on the issue under examination had been impacted by their experience. Table 4.9 shows a summary of the findings.

Table 4.9: Respondents’ years of service at KBC

Years of service at KBC	Frequency	Percent
Less than 1 Year	11	20.0
Between 1 - 5 Years	24	43.6
Between 6 - 10 Years	7	12.7
At least 10 Years	13	23.7
Total	55	100

4.2.10 Length of current employment contract

Respondents were also requested to indicate the length of their current employment contract. Results in Table 4.10 indicates that (61.8%) of employees with temporary contract at KBC current employment contract was three months, (16.4%) had a one-year contract, 7.3 had a two- and three-years contract respectively, 5.4% had a five years contract while 1.8% of respondents had a four years contract. The study results imply that employees engaged in temporary basis at KBC are normally handed short-term contracts not exceeding three months. The reason why many organizations prefer offering many short-term employment contracts is due to three key reason which are to minimize operational costs, ensure staff flexibility and also to make room for ease of seperation. In addition, short-term contracts like three months contract are offered in many organizations a great way to increase labour when it is required and putting employees on probationary period so that their work can be evaluated before offering them a permanent contract within the organization.

Table 4.10: Respondents' length of current contract

Length of contract	Frequency	Percent
Three Months	34	61.8
One Year	9	16.4
Two Years	4	7.3
Three Years	4	7.3
Four Years	1	1.8
Five Years	3	5.4
Total	55	100

4.3 Knowledge of Trade Unionism

4.3.1 Familiarity with union-related issues

Respondents were also requested to indicate to indicate whether they were conversant with trade union related issues. The study results in Table 4.11 established that majority (63.8%) of employees with temporary contract at KBC were conversant with union related issues while (18.2%) of the respondents indicated that they were very conversant and not-conversant respectively. The study results are a clear indication that most of employees with temporary employment contract are aware of union related issues and are therefore conversant with how joining a trade union can help in job related matters such as being given a long-term contract or being engaged permanently with the company.

Table 4.11: Respondents' conversance with union-related issues

Conversance with union-related Issues	Frequency	Percent
Very Conversant	10	18.2
Conversant	35	63.8
Non-conversant	10	18.2
Total	55	100

4.3.2 Desire to Join Union

Respondents were further requested to indicate whether they had any desire to join any union. According to the study results in Table 4.12, it was established that majority (76.5%) of employees with temporary employment contract with KBC indicated that they desired joining a union while (23.5%) indicated that they had desire of joining a union. The high number of employees conversant with union issues is also reflected in the number of temporary employed workers who desire to join a union.

Table 4.12: Respondents' desire to join union

Desire to join union	Frequency	Percent
Yes	13	76.5
No	4	23.5
Total	17	100

One respondent a KIJ official indicated that “To respond to the unions mandate of training and education of members, KIJ holds regular sensitization forums every six months with newly recruited employees and hence the increased awareness and conversance amongst the members”

4.3.2 Motivation to join a union

The study further sought to establish what motivates employees under temporary contracts to join unions. Results in Table 4.13 indicates that (56.8%) of the respondents indicated that they were motivated to join union due to their better terms and condition of services, (20.5%) indicated that they were motivated to join union as a result of solidarity with other staffs, (18.2%) indicated due to job security, (4.5%) indicated that they were motivated by higher wages while no single respondent indicated that they were motivated to join union as a result of peer pressure. The study results imply that employees join union due to different reasons, though, it is mostly as a result of factors touching on their jobs and well-being as employees. Most employees are influenced by better terms and conditions of service and if not gained by a group, they prefer to negotiate independently creating room for individual employment contracts. The study results agree with Gallie et al. (2017) who consider TECs as a camouflaged version of security in the workplace and

the work conditions as a way of the uniqueness of engagement contracts, the supply and demand of employees, management frameworks, technological policies that may improve performance, monitoring and evaluation, talent management, restructuring, employee involvement are some of the factors that have created the irrelevance of trade unions.

Table 4.13: Respondents’ motivation to join union

Motivation to join union	Frequency	Percent
Peer Pressure	0	0
Solidarity with other staff	9	20.5
Higher Wages	2	4.5
Job Security	8	18.2
Better terms and condition of services	25	56.8
Total	44	100

4.3.3 Approach by the union officials

The study also sought to establish whether respondents had ever been approached by a union official to join a union individually or as a group. The study results in Table 4.14 established that (52.7%) of respondents indicated that they had never been approached by a union official to be encouraged to join a union while (47.3%) indicated that they had ever been approached to join the union. Comparing the findings with the number of respondents with the desire to join Trade Unions, the results show that most of the employees join the union at free will. This indicates that the union officials are not aggressive enough to mobilize employees to join unions. The study results conform with Salvatori (2009) who notes that transitory/temporary workers have a lower probability of being unionized as a result of the duality of the relationship between the union representatives and employers, the fact that the union operates externally, the impact of the representatives on the shop floor and their bargaining power.

A respondent who is a COWU official at KBC indicated that “We have made efforts to recruit new employees on entry into the corporation. We have also signed a collective bargaining agreement with our employer a situation that makes it easy to comfortable carry out our duties educating employees. We also

have a recruitment policy but it becomes difficult to implement as the recruitment mandate is with the national officials who do not have direct relationship with the employees”.

Table 4.14: Whether the respondents have been asked by the trade union to join a union

Ever been approached to join union	Frequency	Percent
Yes	26	47.3
No	29	52.7
Total	55	100

Respondents who indicated that they had been approached by a union official to join a union were requested to indicate how long they had been approached. Results in Table 4.15 shows that (61.5%) of the employees on temporary contract employment get approached to join unions after 3 months, 30.8% within a month while 7.7% get approached between 2 to 3 months. The study results implies that union at KBC are always ready to assist employees in temporary contract by always approaching them to become their members in order to help them on employment related issues since being a contract worker is not a guarantee that the contract can be renewed every time a given contract period is over.

Table 4.15: Time elapsed before being approached

Time elapsed before being approached	Frequency	Percent
One month and below	8	30.8
Between 2 - 3 Months	2	7.7
Over 3 Months	16	61.5
Total	26	100

4.3.4 Issues of concern and understanding of trade unionism

Using a 5-point Likert scale where where 1 “Very Low” (VL), 2 “Low” (L); 3 “Neutral” (N), 4 “High” (H) and 5 was “Very High” (VH), the respondents were asked to rate their level of awareness and understanding on unionism in various areas. Table 4.17 shows a summary of the findings.

Table 4.16: Rating awareness and understanding of union-related matters

Union related matters	Extent of awareness and understanding							
	VH%	H%	N%	L%	VL%	T%	Mean	N
a) Process of joining a TU	16.4	38.2	25.4	9.1	10.9	100	4.60	55
b) Availability of TU in my work place	20.0	41.8	16.4	5.4	16.4	100	3.92	55
c) TU training and education programs carried out in the workplace	14.5	16.4	21.8	23.6	23.6	100	4.54	55
d) Availability of CBAs	7.3	25.5	25.5	14.5	27.3	100	4.54	55
e) Union officials in the workplace	14.5	29.1	30.9	16.4	9.1	100	4.06	55
f) Laws relating to union activities	5.5	12.7	40.0	23.6	18.2	100	3.18	55
g) Labor relation procedures	7.3	20.0	30.9	21.8	20.0	100	3.16	55
h) Research activities	14.6	12.7	23.6	27.3	21.8	100	3.47	55
i) TU Involvement in decision making	9.2	32.7	18.2	16.4	23.5	100	4.55	55
j) Responsibilities of unionists	9.1	32.7	21.8	18.2	18.2	100	4.65	55
k) Purpose, functions and structure of trade unions	5.4	30.9	20.0	25.5	18.2	100	4.31	55
l) ILO conventions & treaties	5.5	12.7	30.9	23.6	27.3	100	3.24	55
m) Affirmative action & Equal Employment Opportunity	9.1	25.5	23.6	18.2	23.6	100	3.73	55

The study results established that, respondents are very highly conversant with responsibilities of unionists (mean of 4.65); very highly conversant with the process of joining a TU (mean of 4.60); very highly conversant with TU Involvement in decision making (mean of 4.55) very highly conversant with TU training and education programs carried out in the workplace (mean of 4.54); and also very highly conversant and availability of CBAs (mean of 4.54). The study results agree with Dwivedi (2008) who

asserts that the purpose of forming trade unions is to establish communication channels between employers and employees and to sort out the diversities amongst workers as a body and leadership of organizations, to explore the opportunities for cooperation and collaboration for the benefit of the organization and the society. This is the reason why majority of respondent's rate of awareness and understanding of union-related issues is very high.

Further the study established that respondents are highly conversant with purpose, functions and structure of trade unions (mean of 4.31); highly conversant with union officials in the workplace (mean of 4.06); highly aware of the availability of TU in their work place (mean of 3.92); and also highly conversant with affirmative action and equal employment opportunity (mean of 3.73). In addition, the study established that most of the respondents are not conversant with the laws relating to union activities (mean of 3.18), the labor relation procedures (mean of 3.16) and the ILO conventions and treaties (mean of 3.24).

4.4 Employer Related Factors Affecting the Recruitment into Trade Unionism

4.4.1 Availability of employers' recruitment policy

The section sought the effect of employer related factors on the recruitment of temporary employment workers into trade unions. Table 4.17 shows that 65.5% of the respondents indicated that KBC has a recruitment policy compared to 34.5% who indicated that the corporation does not have such a policy. The findings show that there exists a recruitment policy at KBC which can be attributed to the fact that an effective recruitment and selection policy helps in eliminating the rate of employee turnover; making it easier for the organization to choose the just right candidate who not only meets the work-related competencies, but also complements the core values of your organization. In addition, having a recruitment policy ensures a transparent and fair hiring process that can assist the HR personnel to select the right candidate on the basis of merit and relevance with the job. This is because recruiting the right people carries supreme importance for the continuation of the success of an organization.

Table 4.17: Response on whether KBC has a recruitment policy

KBC has recruitment policy	Frequency	Percent
Yes	36	65.5
No	19	34.5
Total	55	100

The corporation's recruitment policy influences the terms of employment of the respondents in several ways. The policy gives proper working relation between employee and employee, guides employees in understanding their mandate and enhances affirmative action and equal employment opportunity. The policy also stipulates that contract renewal is based on one's performance and determines one's salary increment and terms of employment. Job security is well spelt out by the policy because all contracted employees are made aware of their rights and areas to operate from. This in turn enhances good working co-operations and good work ethics by determining the nature of one's job description and nature.

"The union officials are employees and participate in policy formulation and sensitization at the corporation. The corporation is compliant with involvement of all the key stakeholders in formulation of policies and on approval, sensitization is carried out". (Supervisor from Human Resource Department -a key informant)

4.4.2 Availability of the induction program for temporary employees

Further results show that KBC has an induction programme for temporary employees as indicated by 65.5% of the respondents. The findings are in table 4.18. This implies that the corporation not only recruits but also takes the newly employed temporary workers through an induction process.

"We have already negotiated for a CBA with the corporation and this gives us an upper hand and confidence to negotiate for our members. We do have a member recruitment policy housed by our national office" (Key informant and official from COWU)

"The fact that we have not signed any collective bargaining agreement with the employer limits us from directly negotiating for our members rights." (Official from KUJ)

Table 4.18: KBC has induction programme for temporary employees

KBC has induction programme for temporary employees	Frequency	Percent
Yes	36	65.0
No	19	35.0
Total	55	100

Having an induction programme particularly for new helps in welcoming them to the company and prepare them for their new role. In addition, induction programme helps in the effective integration of the employee into the organisation as it helps in meeting interaction needs that exist among the new employees. This is because an induction programme is part of an organizations knowledge management process and is intended to enable the new starter to become a useful, integrated member of the team, rather than being made to start working without understanding how to do their job, or how their role fits in with the rest of the company.

4.4.3 Recruitment of temporary employees into trade unionism

Using a 5-point Likert scale where 1 was “Strongly Disagree(SD)”, 2 “Disagree (D)”; 3 “Neutral (N)”, 4 “Agree”(A) and 5 was “Strongly Agree (SA) ”, the respondents rated their level of agreement regarding various employer related factors on recruitment of temporary employees into unionism. Table 4.19 shows a summary of the findings.

Table 4.19: Employer related factors on recruitment of temporary employees into unionism

Employer related factors	SA%	A%	N%	D%	SD%	T%	Mean	N
KBC provides an all-inclusive training to new employees	20.0	32.7	18.2	14.55	14.55	100	4.88	55
The management has a clear recruitment policy	16.4	41.8	16.4	16.4	12.7	100	3.73	55
The policy on non-discrimination is in existence and communicated to all employees	20.0	38.2	20.0	20.0	9.1	100	3.92	55
The management has an avenue for employees to discuss issues affecting them in the workplace.	12.7	34.55	27.3	27.3	10.9	100	4.56	55
The management respects the rights of workers as stipulated in the constitution	18.2	20.0	29.1	7.3	25.4	100	3.73	55

The study results established that KBC provides an all-inclusive training to new employees (mean of 4.88) and the management has an avenue for employees to discuss issues affecting them in the workplace (mean of 4.56). In addition, the policy on non-discrimination is in existence and communicated to all employees (mean of 3.92), the corporation's management has a clear recruitment policy (mean of 3.73) and respects the rights of workers as stipulated in the constitution (mean of 3.73).

The respondents cited better medical terms, permanent and pensionable employment as one of the key areas of improvement needed on their contracts. This ensures job security and motivates employees. As a result, their skills and knowledge will be utilized to the maximum. The working environment is very encouraging and therefore employees should be treated with dignity by being awarded permanent contracts.

Probation should not be more than 6 months and thereafter, employees should be given permanent contracts, or long-term contracts that are renewable. Regarding the renewable contracts, they should be at least 3 years for the employee to focus on the mandate of the corporation of delivering to its listeners. Such contracts will also ensure employees get some of the allowances due to them like house and leave allowances.

In addition, employees with long-term contracts work efficiently and plan properly. They are also able to accomplish their life goals.

“The length of the contract (3 months) is a major challenge to our members, I wish the corporation would consider making the contracts longer to enable our members concentrate on service delivery .the three months contract also create fear in our members as there are cases of victimization by supervisors” (An official from KUJ-Key informant).

4.5 Socio-economic Costs and Benefits of Temporary Employment Contracts

4.5.1 Perception on TU membership on TEC workers

This section sought to establish the employee’s perception on TU membership as a temporary employment contract worker in relation to KBC as their employer. The general believe is that TU membership addresses workers’ rights well for casual, temporary and permanent employees. The TUM also gives employees a sense of belonging and presents our grievances equally. Other respondents noted that under TUM, media firms are observant about its employees. Thus, TUM protects the workers from unfair treatment at the workplace and ensures better working terms and conditions. The study results agree with Campbell (2005) study on the regulations on the representation of TEC assessed the legal entitlements and their benefits which focused more on controlling the use of TEC on continuous casual contracts and how they affect core staff in the organization. In this research, the contractual employee’s contracts are extended for a number of years in which there needs to be a regulation controlling the same.

However, concerns were also raised by the respondents with some citing unfair handling of employee grievances whereby TUM were said to only fight for the permanent and pensionable staff. The temporary employees feel neglected and don’t get all their benefits. They therefore recommended that TUM should fairly fight for job security and employee rights for all the workers. Emphasis should be on proper medical and social benefits. The results conform with Guest (2004) who asserts that TEC staffs are viewed to be more supportive to the organization like core workers. The contracts are not only optional but also psychological to the workers.

“As a union, our mandate is limited to negotiating for registered members only and it becomes difficult to negotiate for the rights of employees who are not unionized. It’s also difficult to negotiate for them to pay the agency fee as this has to be paid through subscriptions. However, we have been able to negotiate for protection of the rights of employees and social welfare in the workplace. (Shop steward from COWU)

“We have made arrangements with our members to pay their union dues through individual subscriptions and direct check off system. This came up as a result of the union noting that most of our members were “freelancers” and required protection from the union. (Official from KUJ).

4.5.2 Socio economic costs of unions to TEC

Table 4.20 used the Likert scale to analyze the economic benefits of temporary employment benefits of unionism to temporary employees. Using a 5-point Likert scale where 1 was “Strongly Disagree”, 2 “Disagree”; 3 “Neutral”, 4 “Agree” and 5 was “Strongly Agree”, the respondents rate their level of agreement regarding various employer related factors on recruitment of temporary employees into unionism. Table 4.18 shows a summary of the findings.

Table 4.20: Socio-economic costs and benefits of temporary employment contracts

Statement	SD%	D%	N%	A%	SA%	T%	Mean	N
The TEC I have with the corporation offers me job security	14.5	25.5	23.6	18.2	18.2	100	3.78	55
The TEC has properly catered for and protects my working conditions.	9.1	34.5	21.8	18.2	18.2	100	3.91	55
The TEC can enable me effectively to bargain with my employer for better terms and conditions of service	10.9	16.4	45.5	12.7	14.5	100	3.76	55
The TEC can enable me access better financial services from any financial institution.	9.1	36.4	21.8	14.5	18.2	100	3.73	55
I am supported by the employer offered freedom to join the union of my choice.	10.91	21.82	43.64	10.91	12.72	100	4.14	55
I can relate and be represented by the union officials and represented if my terms and conditions are infringed on	10.9	20.0	34.55	20.0	14.55	100	4.06	55
I have freedom to join, interact and participate in union activities as an employee of the corporation	10.9	30.9	32.7	16.4	9.1	100	3.35	55

4.6 Non-Employer Factors Affecting Recruitment into Union Membership

The study results indicate that respondents strongly agreed that they are supported by the employer and offered freedom to join the union of my choice (mean=4.14), and that they can relate and be represented by the union officials and represented if their terms and conditions are infringed on (mean=4.06). In addition, respondents agreed that TEC has properly catered for and protects my working conditions (mean=3.91); TEC have with the corporation offers me job security (mean=3.78); TEC can enable them effectively to bargain with my employer for better terms and conditions of service (mean=3.76); TEC can enable them to access better financial services from any financial institution (mean=3.73) and also that they have freedom to join, interact and participate in union activities as an employee of the corporation (mean=3.35).

4.6.1 Reasons for accepting recruitment into union membership

This objective sought to assess the non-employer factors that affect recruitment of temporary employed personnel at KBC into unionism. Table 4.21 shows that 67.3% of the respondents accept a temporary employment contract because they lack opportunities for permanent and pensionable jobs, 18.2% stated that they were seeking experience in the relevant field while 11% chose and prefer temporary employment contracts while 3.6% had other factors that were not mentioned. The study results disagree with Doerflinger and Pulignano (2015) who notes that the use of temporary agency workers (TAW) had rapidly grown in Europe and had an impact on the Trade Unions. Such practices probably have impacted the activity dependability and laborers states of office specialists. However, the results agree with Ongera and Juma study on the influence of temporary employment on employee performance a case of Safaricom Ltd who noted that employees viewed temporary employment contracts as a way of gaining permanent and pensionable employment which drove employees to high levels of performance a concern.

Table 4.21: Reason for accepting temporary employment

Reason for accepting temporary employment	Frequency	Percent
Choice	6	10.9
Lack of opportunity for permanent & pensionable job	37	67.3
Seeking experience in relevant field	10	38.2
Others	2	3.6
Total	55	100

4.6.2 Motivation to join unionism

Results in table 4.22 show that involvement with other employees on workplace issues (40.0%) motivation to temporary contracted employees to join unions. 38.2% are motivated by protection from unfair labour practices while 18.2% by ideals and values of the union.

Table 4.22: Motivation to Join Union

Motivation to join union	Frequency	Percent
Involvement with other employees on workplace issues	22	40.0
Ideals and Values of the Union	10	18.2
Protection from unfair labour practices	21	38.2
Others	2	3.6
Total	55	100

4.6.3 Factors discouraging temporary employees joining TUM

On the other hand, lack of knowledge on the availability of a TUM in the workplace (36.2%) discourages temporary employees most from joining TUM followed by type of employment contract (32.7%). Other factors cited are fear of the unknown (23.6%) and lack of choice (7.3%). Table 4.24 shows a summary of the findings. The study results agree with Landau et al. (2015) who views temporary employment contracts as nonstandard types of business/separated types of work that deviate from the standard business model (like, short term, fixed term, venture errands based business which are all brief in nature , working courses of action that stray from the standard model as like) contingent work flexi time , working game plans that go astray from the standard model

as far as area of such work as cottage models, outwork and models through which work is organized (one on one or through a proxy) that is self-employed entities, quasi dependent laborers and cottage industry workers.

Table 4.23: Factors discouraging temporary employee from joining TUM

Factors discouraging temporary employee from joining TUM		
TUM	Frequency	Percent
Lack of knowledge on the availability of a TUM in the workplace	20	36.2
Fear of the Unknown	13	23.6
Type of Employment Contract	18	32.7
Choice	4	7.3
Total	55	100

4.6.4 Limitations of joining the TUM

Further findings rank terms and conditions of service (50.9%) as the top limitations to joining trade unions by difficulty in mobilization of people with different contracts (20.0%). Other limitations cited included union policies and regulations (14.5%), availability of a union that caters for the interests of all (9.1%) and inclusion of the union in the induction programme (5.5%). Table 4.25 shows a summary of the findings. The study also agrees with Vaccaro (2002) who states that lack of constant interactions/ transactions with their employers may prohibit temporary employees from joining the Trade Unions. The absence of a continuous transactional relationship with the employers limits them from becoming members of the corporate family; subsequently, transitory specialists are less involved in the working environment conditions/ requirements and guiding legislative issues. There is a stressing requirement for contingent employees to join unions are an emerging issue and; the choice may bring about the businesses sidelining impermanent laborers much more.

Table 4.24: Limitations to Joining the Union

Limitation to joining union	Frequency	Percent
Inclusion of the union in the induction programme	3	5.5
Terms and Conditions of Service	28	50.9
Difficulty in mobilization of people with different contracts	11	20.0
Availability of a union that caters for the interests of all	5	9.1
Union policies and regulations	8	14.5
Total	55	100

4.6.5 The effect of temporary employment contract on union membership

Most of the respondents (65.5%) indicated that engaging workers on temporary employment contracts encourages workers to join unions, 21.8% believed that it had no effect. Only 12.7% indicated that it discourages workers from joining unions. Table 4.25 shows a summary of the findings. The challenges faced by subcontracted employees in joining workers associations can be associated with the identification of key parties in the negotiation of the membership and agreements. This cannot be arraigned to the fact that it's not clear whether it's the agency or the employer who offer the work floor is the one concerned with the negotiating powers. The voting rights of the temps may likewise be limited. Employment authorities may need tut the contingent laborers with their key employees to weaken the pool of voters.

Table 4.25: Engaging workers Temporary Contracts and Joining TUM

Engaging workers temporary contracts and joining TUM	Frequency	Percent
Encourages workers to join unions	36	65.5
Discourages workers from joining unions	7	12.7
It has no effect on the decision to join a TU	12	21.8
Total	55	100

Further analysis established several strategies that can encourage workers on TEC to join unions. Unions create awareness on the benefits of TUM to the employees. TUM need to be more vibrant in addressing issues and enhance awareness at the workplace. This will encourage temporary workers to join unions for job rights and protection.

The unions have genuinely and equally fight for fair labour practices for all the employees, temporary or permanent. In addition, employers should allow unions to recruit members by including them in the induction process. This will empower TEC employees about their rights and increases their bargaining powers with their employers.

Some workers recommended that the unions should champion for either longer term contracts or permanent and pensionable employment to gives members a sense of belonging and creates a good working environment. The collection of union dues through checkoffs was a hindrance to members in joining TUM as some employers used it as a way of controlling employees from joining TUs, however, a female official from KUJ confirmed that they had moved a step ahead and developed an avenue where its members could make annual contribution/subscription directly to the union. The process could be easily adopted by contractual employees. The study results agree with Owidhi (2017) whose report identified the opposition by subcontractors who are hostile to trade unionism and keep on subcontracting and hiring contingent/ short term workers; avoid high expenses of enrollment and maintainability of association programs; continuous restructuring programs; High expenses of learning programs and low implementation of work related laws by the are components that have predisposed industrial associations. Reports have been made by some unions on being harassed by government security officers as a way of intimidation by the organization leaders.

CHAPTER FIVE

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

The chapter provides the summary of the study findings, conclusions and recommendations of the study. It also offers the suggestions for further research.

5.2 Summary of findings

The purpose of this study was to examine the effect of temporary employment contracts on union membership status at Kenya Broadcasting Corporation. Out of the 70 questionnaires that were administered, 55 filled questionnaires were collected. This translated to 79% return rate. Below is a summary of the key findings.

5.2.1 Conversant with union matters

Over 80% of the employees were found to be conversant with the issues surrounding unions in the media industry and at KBC. This is also reflected by the high number of employees (80%) with desire to join a union. Further, it was found that better terms and conditions of services was the highest motivator for joining a union followed by solidarity with other staff and job security. Other motivations included higher wages and job security

Further findings showed that most of the employees join the unions at free will because only 47% indicated to have been approached to join a union compared to 53% who had never been approached. Most of the approach happens after the employees have settled in their job i.e. after at least 3 months. This can be attributed to that fact that after 3 months; the employees are conversant with process of joining a TU following TU training and education programs carried out in the workplace. In addition, they are aware of the available CBAs, TU's involvement in decision making and responsibilities of unionists.

5.2.2 Employer related factors affecting the recruitment into trade unionism

The findings show that KBC has a recruitment policy that influences the terms of employment of the respondents in several ways. It gives proper working relation between employee and employee, guides employees in understanding their mandate and enhances affirmative action and equal employment opportunity. The policy also stipulates that contract renewal is based on one's performance and determines one's salary increment and terms of employment. In addition, job security is well spelt out by the policy because all contracted employees are made aware of their rights and areas to operate from. This in turn enhances good working co-operations and good work ethics by determining the nature of one's job description and nature.

In addition to a recruitment policy, KBC has an induction programme for temporary employees. This implies that the corporation not only recruits but also takes the newly employed temporary workers through an induction process. Both recruitment policy and induction program ensure that the corporation provides an all-inclusive training to new employees and provides the management with an avenue for employees to discuss issues affecting them in the workplace include fairness in addressing employee issues, respects towards the rights of workers as stipulated in the constitution.

Regarding areas of improvement, the employees cited better medical terms, permanent and pensionable employment as one of the key areas of improvement needed on their contracts. This will ensure job security and increased employee motivation. This will ensure that their skills and knowledge are utilized to the maximum. The working environment is very encouraging and therefore employees should be treated with dignity by being awarded permanent contracts.

Probation should not be more than 6 months and thereafter, employees should be given permanent contracts, or the contracts should also be renewable. Regarding the renewable contracts, they should be at least 3 years for the employee to focus on the mandate of the corporation of delivering to its listeners.

Such contracts will also ensure employees get some of the allowances due to them like house and leave allowances. In addition, employees with long-term contracts work efficiently and plan properly. They are also able to accomplish their life goals.

5.2.3 Socio-economic costs and benefits of temporary employment contracts

The study found that TUM membership addresses workers' rights well for casual, temporary and permanent employees. The TUM also gives employees a sense of belonging and presents our grievances equally. It was further noted that under TUM, media firms are observant about its employees. Thus, TUM protects the workers from unfair treatment at the workplace and ensures better working terms and conditions.

However, concerns were also raised by the respondents with some citing unfair handling of employee grievances whereby TUM were said to only fight for the permanent and pensionable staff. The temporary employees feel are neglected and don't get all their benefits. They therefore recommended that TUM should fairly fight for job security and employee rights for all the workers. Emphasis should be on proper medical and social benefits.

5.2.4 Non-employer factors affecting recruitment into union membership

The study found that most of the employees accept a temporary employment contract because they lack opportunities for permanent and pensionable jobs. Some were simply seeking experience in the relevant field while others had no choice. Despite their temporary contracts, employees cited various motivations for joining TUM including involvement with other employees on workplace issues, protection from unfair labour practices and ideals and values of the union. On the other hand, lack of knowledge on the availability of a TUM in the workplace, fear of the unknown and lack of choices discourages temporary employees most from joining TUM.

Joining TUM has several limitations according to the study findings. They include terms and conditions of service, difficulty in mobilization of people with different contracts, union policies and regulations, availability of a union that caters for the interests of all and inclusion of the union in the induction programme. However, most of the employees

indicated that engaging workers on temporary employment contracts in union matters encourages workers to join unions.

Further analysis established several strategies that can encourage workers on TEC to join unions. Unions create awareness on the benefits of TUM to the employees. TUM need to be more vibrant in addressing issues and enhance awareness at the workplace. This will encourage temporary workers to join unions for job rights and protection. The unions have genuinely and equally fight for fair labour practices for all the employees, temporary or permanent.

In addition, employers should allow unions to recruit members by including them in the induction process. This will empower TEC employees about their rights and increases their bargaining powers with their employers. Some workers recommended that the unions should champion for either longer temporary contracts or permanent and pensionable employment to gives members a sense of belonging and creates a good working environment.

5.3 Conclusions

Most of the employees on temporary employment at KBC are aware of TUM in the corporation and privy to employee related issues surrounding unions. They therefore have the desire to join a union at their own volition for better contract terms and conditions of employment.

The recruitment policy and induction program at KBC have ensured that the corporation provides an all-inclusive training to new employees and provides the management with an avenue for employees to discuss issues affecting them in the workplace include fairness in addressing employee issues, respects towards the rights of workers as stipulated in the constitution. Thus, there's good working relation between KBC and temporary employees. The policy guides employees in understanding their mandate and enhances affirmative action and equal employment opportunity.

Another conclusion is that TUM membership addresses all workers' rights, gives them a sense of belonging and presents our grievances equally. Thus, TUM protects the workers from unfair treatment at the workplace and ensures better working terms and conditions. Recommendations were that TUM should fairly fight for job security and employee rights for all the workers. Emphasis should be on proper medical and social benefits.

Employees on temporary employment contract due to lack opportunities for permanent and pensionable jobs are still motivated to TUM because they want to be involved with other employees on workplace issues and get protection from unfair labour practices. The unions of the other hand continue to create awareness on the benefits of TUM to the employees.

5.4 Recommendations

5.4.1 Social welfare

It was recommended that employees on short contract should be considered for welfare facilities which include staff medical cover, commuter, house and leave allowance.

5.4.2 Conversion of terms of service from temporary to permanent and pensionable

Employees basically take short term contracts with a belief they will be converted to permanent and pensionable after 3 years. In addition, the probation should not be more than 6 months and thereafter, employees should be given permanent contracts, or the contracts should also be renewable. Regarding the renewable contracts, they should be at least 3 years for the employee to focus on the mandate of the corporation of delivering to its listeners. Such contracts will also ensure employees get some of the allowances due to them like house and leave allowances. In addition, employees with long-term contracts work efficiently and plan properly. They are also able to accomplish their life goals.

5.4.3 Better terms and condition of service

TUM should protect all the workers from unfair treatment at the workplace and ensures better working terms and conditions. In addition, employee grievances should be handled fairly, not only for the permanent and pensionable staff but also for the temporary

employees who feel neglected and don't get all their benefits. TUM should fairly fight for job security and employee rights for all the workers. Emphasis should be on proper medical and social benefits.

5.4.4 Inclusion of union in the corporation induction program

Another recommendation is that KBC should allow unions to recruit members by including them in the induction process. This will empower TEC employees about their rights and increases their bargaining powers with their employers. At the same time, the unions should champion for either longer temporary contracts or permanent and pensionable employment to give members a sense of belonging and create a good working environment.

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APPENDICES

APPENDIX 1: QUESTIONNAIRE

The effect of temporary employment contracts on union membership a case study of Kenya broadcasting corporation

Section A: general information

Please answer the questions below by ticking in the boxes

A) **BACKGROUND INFORMATION** (Please tick appropriate)

1. Gender

Male Female

2. Marital status

Married single Other (specify).....

3. Number of children

None 1-2 3-4 5 and above

4. Department

Technical

Radio

Television

Editorial

Administration

5. In which age group do you fall?

20- 30 31-40 41-50 51 and above

6. Level of education

PhD Master's Degree

Diploma Certificate

O –level

Others, specify

7. Level in the organization
- | | | | |
|-------------|--------------------------|-------------------------|--------------------------|
| Senior mgt | <input type="checkbox"/> | Middle mgt | <input type="checkbox"/> |
| Supervisory | <input type="checkbox"/> | Clerical/ support staff | <input type="checkbox"/> |
8. Union membership status
- | | | | |
|-----------|--------------------------|---------------|--------------------------|
| Unionized | <input type="checkbox"/> | Non-unionized | <input type="checkbox"/> |
|-----------|--------------------------|---------------|--------------------------|
9. Which union do you belong to?
- | | | | | |
|------|--------------------------|-----|--------------------------|------------------|
| COWU | <input type="checkbox"/> | KUJ | <input type="checkbox"/> | Others (specify) |
|------|--------------------------|-----|--------------------------|------------------|
10. Years of service
- | | | | |
|-------------|--------------------------|--------------------|--------------------------|
| Less than 1 | <input type="checkbox"/> | year 1- 5 years | <input type="checkbox"/> |
| 6 -10 years | <input type="checkbox"/> | 10 years and above | <input type="checkbox"/> |
11. Length of contract
- | | | | |
|----------|--------------------------|--------|--------------------------|
| 3 months | <input type="checkbox"/> | 1 year | <input type="checkbox"/> |
| 2 years | <input type="checkbox"/> | 3years | <input type="checkbox"/> |
| 4years | <input type="checkbox"/> | 5years | <input type="checkbox"/> |

B) AWARENESS OF TRADE UNION MEMBERSHIP

12. How conversant are you with union related issues
- Very conversant
 - Conversant
 - Not conversant
13. Do you desire to join a trade union?
- Yes
 - No
14. If yes, what would motivate you to join a union?
- Peer pressure
 - Solidarity with other staff
 - Higher wages
 - Job security

- Better terms and conditions of services
- Other- specify.....

15. (a) Have you ever been approached to by a union official either as an individual or a group to encourage you to join a union?

- Yes
- no

(b) If yes, after how long were you approached on entry in the organization?

- 1 month and below
- 2-3 months
- Over 3 months

16. How would you rate your awareness and understanding on unionism in the following areas?

	Rating on awareness and understanding				
	Very high	High	Neutral	Low	Very low
Union related matters					
a) Process of joining a TU					
b) Availability of TU in my work place					
c) T U training and education programs carried out in the workplace					
d) Availability of CBAs					
e) Union officials in the workplace					
f) Laws relating to union activities					
g) Labor relation procedures					
h) Research activities					
i) TU Involvement in decision making					
j) Responsibilities of unionists					
k) Purpose, functions and structure of trade unions					
l) ILO conventions & treaties					
m) Affirmative action & Equal Employment Opportunity					

C) EMPLOYER RELATED FACTORS THAT AFFECT THE RECRUITMENT OF TEMPORARY EMPLOYMENT WORKERS INTO TRADE UNIONISM

17. Does your employer have a recruitment policy?

- Yes
- No

If yes, explain its influence on your terms of employment

.....

.....

18. Does KBC have an induction program for temporary employment contract workers?

- Yes
- No

19. In your opinion to what extent do you agree with the following statements?

Statement	Strength of agreement				
	Strongly Agree	Agree	Neutral	Disagree	Strongly disagree
KBC provides an all-inclusive training to new employees					
The management has a clear recruitment policy					
The policy on non discrimination is in existence and communicated to all employees					
The management has an avenue for employees to discuss issues affecting them in the workplace.					
The management respects the rights of workers as stipulated in the constitution					

20. Kindly indicate the kind of employment contract that you would wish to have with your employer and explain the reason

.....

.....

.....

PERCEPTION ON SOCIAL AND ECONOMIC COSTS AND BENEFITS OF TEMPORARY EMPLOYMENT CONTRACTS

21. What is your perception on T U membership as a temporary employment contract worker in relation to KBC as your employer

.....

.....

.....

22. What is your perception as a temporary employment contract worker on the social benefits of union membership in relation to KBC as an employer

.....

.....

.....

23. The following statements may indicate the social and economic costs and benefits of temporary employment contract workers. Kindly indicate status in the following statement

Statement	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
The TEC I have with the corporation offers me job security					
The TEC has properly catered for and protects my working					

conditions.					
The TEC can enable me effectively bargain with my employer for better terms and conditions of service					
The TEC can enable me access better financial services from any financial institution.					
I am supported by the employer offered freedom to join the union of my choice.					
I am able to relate and be represented by the union officials and represented if my terms and conditions are infringed on					
I have freedom to join, interact and participate in union activities as an employee of the corporation					

D) FACTORS THAT AFFECT THE RECRUITMENT OF TEMPORARY EMPLOYMENT INTO UNION MEMBERSHIP

24. What prompted you accept a temporary employment contract? (Tick one)

- Choice
- Lack of opportunity for a permanent and pensionable job
- Seeking for experience in the relevant field
- Others (specify).....

25. Which of the factors below would motivate you to join a TU (Tick one)

- Peer pressure

Involvement with other employees on workplace issues

Organizational influence

Political pressure

Ideals and values of the union

Protection from unfair labour practices

Others (specify)

26. What would demotivate you from joining the trade union of your choice? (Tick one)

Lack of knowledge on the availability of a TUM in the workplace

Fear of unknown

Type of employment contract

Choice

27. Trade union movement is facing a decline as a result of temporary employment contracts, what would be your recommendations on the same.

.....
.....
.....

28. (a) Do you think the practice of engaging workers on temporary employment workers is encouraging or discouraging workers to join trade union movement?

Encourages workers to join

Discourages workers from joining

It has no effect from one from one way to another

(b) If the practice discourages workers from joining the union, what do you think should be done to enable TEC workers join trade union movement?

.....
.....

APPENDIX II: KEY INFORMANTS INTERVIEW SCHEDULE

1. How has your union profiled itself to its members? (Brief statement)

.....
.....

2. Does your union have a recruitment policy or guidelines on member recruitment? (Yes /No)

If yes, how do you manage the recruitment of TEC employees into the union?

.....
.....

3. Do you participate in the drafting staff related policies in the corporation? (Yes/ No)

a) If yes what are your areas of focus in the policy documents that you participate in.

.....

4. Do you hold sensitization / awareness forums for new employees in the corporation (Yes/ NO) if yes how often and if No, why

.....
.....

5. What are the socio- economic costs incurred by the union on recruitment of Temporary employment contract workers

.....
.....

6. Which are the social economic benefits received by your TEC members as a result of their affiliation to your TU.(clearly specify if any)

.....
.....

7. What challenges have you faced as a union on recruiting of TEC workers into your union?

.....
.....

8. Which policies have you put in place to ensure non-discrimination in recruitment of your members?

.....
.....

9. What capacity building / training programme do you have for TEC workers?

.....
.....
.....

10. TUs are known to collect union dues through check off system, which alternative method have you introduced to ensure that you collect union fee from the members?

.....
.....

APPENDIX II: INTRODUCTION LETTER

Patricia Caroline Okello
P.O. Box 620- 50400
Busia
Tel: 0724238841/0733959666

8th February 2019

Managing Director
Kenya Broadcasting Corporation
P.O. Box 30456-00100
Nairobi.

Attention: Human Resource Manager

Dear Sir,

RE: REQUEST TO CARRY OUT RESEARCH IN AT KBC

I am a Masters of Arts Student in Labour Relations Management at the Department of Sociology, University of Nairobi. I am currently conducting a research on *The Effect of Temporary Employment Contracts on Trade Union Membership a Case Study of the Kenya Broadcasting Corporation*

I would like to humbly request you allow me carry out the study within the organization. I wish to confirm that the details of the research will be used strictly for academic purposes and the not any other objective.

Attached is the approval letter from the university

Your support and consideration will be highly appreciated.

Yours faithfully

Patricia Caroline Okello
Reg.No. C50/73982/2012

APPENDIX III: AUTHORITY TO COLLECT DATA



UNIVERSITY OF NAIROBI DEPARTMENT OF SOCIOLOGY & SOCIAL WORK

Fax 254-2-245566
Telex 22095
Varsity Nairobi Kenya
Tel. 318262/5 Ext. 28167

P.O. Box 30197, Nairobi
Kenya
Email: dept-sociology@uonbi.ac.ke

February 2nd, 2019

TO WHOM IT MAY CONCERN

RE: PATRICIA CAROLINE OKELLO-C50/73982/2012

Through this letter, I wish to confirm that the above named is a bonafide postgraduate student of the Department of Sociology & Social Work, University of Nairobi. She has presented a project proposal entitled; **“The Effect of Temporary Employment Contracts on Membership: A Case Study of Kenya Broadcasting Corporation.”**

Patricia is required to collect data pertaining to the research problem from the selected organization to enable her complete her thesis which is a requirement of the Masters degree.

Kindly give her any assistance she may need.

Thank you


Prof. C.B. Nzioka
Chairman, Department of Sociology & Social Work

APPENDIX IV: AUTHORITY LETTER TO CONDUCT DATA AT KBC



KENYA BROADCASTING CORPORATION

Telegrams : "KBC KE"
Telephone : Nairobi 318823, 2223757
Telefax: : 220675

P.O. Box 30456, NAIROBI
KENYA

When replying please quote
KBC/MD/23/8 TF

.....20.....

Ref: No.....
and date

12th February, 2019

Ms. Patricia Caroline Okello
P. O. Box 620 -50400
BUSIA

Dear Madam,

RE: AUTHORITY TO UNDERTAKE ACADEMIC RESEARCH AT KBC

Your letter dated 8th February, 2019 on the above subject refers.

I am pleased to inform you that your request to undertake research on "the effect of Temporary Employment Contracts on Trade Union Membership" in the Corporation for two weeks has been approved.

Please note that you will be expected to submit a copy of the report /thesis to the KBC Management upon completion of your research.

I take this opportunity to wish you best of time in KBC.

Yours faithfully,

**JANE KIAMBI (MRS.)
FOR: MANAGING DIRECTOR**