

THE ROLE OF INTERNATIONAL ACTORS IN ENHANCING LABOUR RELATIONS IN AFRICA: A CASE STUDY OF THE KENYAN SKILLED LABOUR FORCE

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Abstract

Africa as a continent has been identified as the most rapidly growing and developing regional labour market in the world. The region has also experienced a high population growth rate in the last four decades making it the youngest continent in the world. As a result, it has experienced high average economic growth rate which can be attributed to its young and skilled labour force. Industrialization and globalization have resulted in an increased demand for skilled labour force and the rapidly growing skilled labour force on the continent has resulted in many countries in Africa being forecasted to be key economic hubs in the future. Labour. This study has been guided by the Marxist theory in analyzing the role of on challenges faced by the organization in Kenya's informal employment sector. The study has conducted a quantitative survey on 112 participants derived from Ministry of Labour and Social Protection of the Republic of Kenya, and the Central Organization of Trade Unions of Kenya (COTU-K). Data collected from trade unions offices in Kenya, and the Ministry of Labour and Social Protection was in the form of primary and secondary data. Using the SPSS software to analyze data statistically, this study identified the key strategies applied by the International Actors on the challenges faced by the organization in an attempt to ensure decent working conditions for the Kenyan employees.

According to the findings of this study, International Actors play a key role in ensuring decent work and inclusivity in the informal sector through the promotion of skilled labour force rights and also advocating for better wages and salaries in the sector. The organization has also been found to play a key role in the promotion of diversity and inclusion of employees in the informal sector through public education programmes and campaigns. This has created more employment opportunities for women and disabled employees and other groups in the country. The success of the execution of these roles has been largely dependent on the skilled labour force helpdesk established by the International Actors such as the International Labour Organization (ILO), International Organization for Migration (IOM), the World Bank and the US Department of Labour.

This study has also established the role of the International Actors in the development of labour laws in Kenya. Among the major strategies applied by the organization are advocating for the development of laws governing skilled labour, minimum wages, elimination of child and forced labour and the independence of trade unions. Other strategies include the development of collaborations with the Ministry of labour and COTU-K to aid in the development of labour laws to protect local skilled labour force from capitalist employers. However, these organizations have not been able to execute its mandate effectively in the country due to several reasons identified by this study. Declining influence of the organization in local affairs, low ratification of international conventions, lack of representation of the Ministry of Labour and Social Protection and COTU, and also the bureaucratic structure of the organization that hinder quick decision making.

The study concludes that the challenges faced in Kenya are due to the communication and collaboration gap that exists between these organizations and the Kenyan labour authorities. Factors such as the organizational structure of the International Actors enhancing skilled labour force have contributed to the challenges, major challenges are linked to poor collaboration. It, therefore, recommends the need to fully ratify conventions C189 and C190 of ILO, need for full cooperation within Interstate and state to state and Inter-agency for achieving key National Labour Standards, and need to support good governance; transparency and democratic leadership to enhance growth of trade unions and enshrine it in Kenya's Skilled Labour force.

Keywords: International Actors, Skilled Labour Force, Labour relations, Central Organization Trade Union.

1.0 INTRODUCTION

Globalization has reduced the world into a small, technologically connected and interdependent village. This has seen a rise in the number of developing economies in the Americas, Europe, and Asian countries as well as in the African continent. The phenomenon has been driven by technological advancements, an increase in GDP or productivity, and also the rising of investment opportunities in developing economies. At the heart of globalization is the upgrade and revision of labour regulations and policies.

Some of the emerging economies such as China, Brazil, and India offer much-needed labour to multinational corporations, Employment and labour laws are still under development in these countries and a similar problem is being experienced in Africa.

Focusing on East Africa, Kenya is ranked as the region's skilled economic hub by international stakeholders. Multinationals establish branches of their international corporations and other forms of investments in the country.

It is essential to review skilled labour force policies, employment laws and regulations and the role of related works in creating a viable skilled labour economic hub. This study examines the Role of International Actors in Enhancing Labour Relations in Africa; a case study of the Kenyan Skilled Labour Force.

1.1 Objectives

The objectives of this paper:

The general objective of this study is to analyze the role of International Actors in enhancing labour relations in Africa, a case study of Kenyan skilled labour force in improving strategies for employment and labour laws and policies in Kenya.

I. To evaluate the role of skilled labour force in the formation and oversight of decent work and inclusive industrialization in Kenya.

II. To investigate the strategies applied by international agencies in the development of labour laws in the Kenyan informal sector.

III. To examine the challenges faced by International Actors in working with the Kenyan authorities to ensure decent work and inclusive industrialization as far as skilled labour is concerned.

1.2 Background to the study

The aforementioned agencies are responsible for advancing economic and social justice through establishment of international labour standards. The premier international organization responsible for Labour matters is ILO, which was founded under the League of Nations in 1919, making it the first and the oldest UN agency. It has one hundred eighty-seven member states, most of which are in Europe and Asia. It has its headquarters in Geneva, Switzerland, and approximately 40 field offices across the globe.

The organization's operations standards ensure accessible, sustainable, and productive work globally concerning freedom, security, equity, and dignity. Its conventions and protocols are a significant contributor to international labour law.

It advances international labour standards via its field offices in Africa, the Arab states, Latin America and the Caribbean, Asia, and Europe. In Asia, the agency plays a key role in ensuring decent work and inclusion in both the developed and developing countries globally. The organization was established as labour relations specialized arm of the United Nations in 1946.

The organization has been in operation since the 1950s and in the last decade, a total of US\$130 million was spent by the organization in labour relations projects in Latin America, Asia, the Middle East, and Europe. The organization is committed to ensuring decent work and inclusivity for laborers of all gender and diversity through its array of regional offices stretched from the Middle East, Africa, Asia, and Latin American countries.

One of the key global regions where the International Actors have been active is the Asian region. The analysis of the role played by the Actors in this region is important since, on a world view, it helps in identifying imbalances in the commitment of the International Actors in global industrial relations. It is vital to note that the International Labour Organizations regional office for Asia also covers the Pacific, called the International Labour Organizations Regional Office for Asia and the Pacific. This region is one of the most diverse globally on account of ethnicity, culture, religion, and economy.

Asia and the Pacific have more than four billion people, covering some of the wealthiest countries on the global front and two-thirds of the world's poorest countries. Over the past few decades, Asia has grappled with substantial challenges that have posed threats to its socio-economic fabric. These challenges span a range of crises, including the Asia financial crisis of 1997-1999, the global financial crisis of 2008, the devastating 2004 Indian Ocean earthquake and Tsunami, and the ongoing complexities of the Myanmar conflict. These instances collectively reflect the region's resilience in the face of economic, environmental, and geopolitical adversities. Moreover, the shift in an international economic context and increasing globalization create more challenges for this region. The International Labour Organization works with the Asia member states to address these and other issues. Therefore, it builds institutions and local economic development for economic and social progress. The organization also advocates for respecting fundamental rights and principles to ensure benefits to all society sections.

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The International Actors also fights forced labour as one of its major priorities. Economic interest during the interwar periods brought significant abuses to people in the form of forced labour, a concept borrowed from colonialism. After 1945, the agencies established the goal of fighting forced labour as a universal and uniform standard because of the world's awareness gained from World War II as addressed by a political and economic motive. Although the cold war saw to the oppression of this objective, the International Labour Conference of June 1998 saw the adoption a Declaration of

Fundamental Principles and Rights at Work, obligating member states to promote, respect, and realize association freedom and the right to collective bargaining, eliminating of all forms of compulsory or forced labour, and eliminating discrimination on employment and occupation.

The organization also plays a highly significant role in developing the private sector in Asia as it contributes significantly to the global economy and economic and social justice. In many cases, government and International Actors disregard and exploit the private sector. However, the International Actors has over the years supported the private sector. It is a people-based and sustainable approach to enterprise development, aligning organizational growth and establishing productive employment and outstanding work with sustainable development goals. This approach revolves around three supporting pillars. The first one is creating a supportive environment for sustainable initiatives and employment, encouraging entrepreneurship and investment. This pillar ensures that the private sector thrives, receiving significant support from the International Actors to establish and expand new private enterprises.

The second pillar is helping entrepreneurs establish and build successful businesses. Indeed, there must be a balance between the public and the private sector in the business arena. The public sector receives significant government support, allowing it to grow and thrive. Since the private sector can lack adequate government support in Asia, especially in the low economic (income?) countries, the International Actors supports skilled labour force in these countries to establish and grow their enterprises. The last pillar links productivity improvements to ideal working conditions, favorable industrial relations, and healthy environmental practices.

Nevertheless, Asia continues to experience significant challenges with the significant diversity in the region, mainly based on economic diversity. These challenges include increasing decent and productive employment opportunities for the Asian population, offering sufficient social protection, and responding to economic and natural crises. As an organization, the International Actors strives to address all these challenges, following its economic and social justice.

Many Asians in developing countries suffer significant levels of unemployment. While their countries have high populations, they lack the economic competitiveness required to create formal employment for most citizens. Hence, many of them work in the informal economic sector. The International Actors supports informal economic employment in Asia because it employs many Asians in the developing nations, contributing significantly to the individual member states' workforce. The informal sector is characterized by a lack of protection for non-payment of wages, cutbacks without compensation or notice, an unsatisfactory working environment, and lacking social benefits. Therefore, the informal sector in Asia requires significant intervention to protect all its workers, a role that the International Actors plays significantly. While these roles also apply in other regions where the organization has jurisdiction, they apply more in Asia because of the challenges experienced in the region.

In Africa, the organization is playing a critical role in the enhancement of social dialogue between governments and agencies. In the last 10 years, International Actors has been aiming to bridge the gap between the governments in Africa, businesses, and the workers in skilled labour force frameworks in an attempt to promote better employment programmes and laws that protect decent work for most African countries emerging from crisis. Examples of such countries include Libya, Chad, Mali, Somalia, and Ethiopia.

Over the previous few years, economic development has been relatively strong in most African countries according to reports by the World Bank. The African GDP expanded by 5.4 percent in 2005 and 2006, according to the International Monetary Fund (IMF), and is expected to grow by 5.9 percent in 2025. The number of nations with growth rates of more than 5% has risen, while the number of countries with growth rates of less than 2% has decreased. Nonetheless, growth in Sub-Saharan Africa is low in comparison to that of the developing regions. Furthermore, even in nations where economic growth has been vibrant and promising, this progress has had a mild effect on poverty rates, and only a handful of African countries are projected to meet the first Millennium Development Goal (MDG) of halving severe poverty by 2025.

The slow and unequal rise of quality job prospects is to blame for the poor performance of these countries in the global and regional rankings. Nonetheless, an array of changes in the geopolitical and economic climate provide chances for Africa to improve and redefine growth in order to increase job creation and alleviate poverty.

The international community has been increasingly concerned about rising rates of poverty, high unemployment levels, and also the rates of social exclusion in the developing world, particularly in Africa, since the 1990s. These challenges dominated the global agenda at the World Summit for Social Development and have been termed as key concerns for the International Actors. The United Nations Millennium Development Goals (MDGs) and the World Summit on Sustainable Development followed the same trend in Johannesburg, September 2002.

While the UN through the International Actors had been drawing the attention of the international community's on the need to address the issue of the world's poorest and least developed African economies or countries for many years, it is important to note that the social partners and civil society organizations' active advocacy role has played a key role in bringing the issue of poverty and its links to the global development process into focus. The World Bank's Comprehensive Development Framework and the notion of Poverty Reduction Strategy Papers (PRSPs) brought a new focus in terms of incorporating poverty concerns into developing country policymaking. PRSPs have become the primary papers used by many countries to define their strategies.

Official development support to Sub-Saharan Africa has increased since the international community adopted the Millennium Development Goals (MDGs) in 2000. A promise was made at the G8 Summit in Gleneagles to raise government development assistance to developing nations to roughly US\$50 billion per year by 2010, with about \$25 billion going to African countries to aid in the creation of jobs and the support of local small-scale businesses. The strategic plans and focus in Africa and outside the region have evidently lacked scope, focus and the urgency befitting any action

plan meant to realize the MGDs or even the level of developments that are needed by developing countries to eliminate poverty and create employment in the region.

This is according to the Commission for Africa's report, Our Common Interest that has also pointed out that it will take a huge push by the UN through the International Actors and Organization for Migration to succeed. The Paris Declaration on Aid Effectiveness restated commitments to scale up aid made at the International Conference on Financing for Development and to improve Aid quality made in Rome. These pledges were established based on five guiding principles: these were harmonization, alignment, leadership and ownership management and accountability. Many African countries have chosen trade liberalization strategies that remove tariff and non-tariff obstacles in order to speed their inclusion into the global market in an attempt to create jobs for the millions of graduates and skilled workers being released from universities and technical training institutes every year.

It is crucial to emphasize, however, that despite increased trade volumes, most African nations have witnessed a long-term worsening in the terms of trade as exporters of low-value agricultural products and importers of high-value goods and services. For a region that depends on agricultural production as a key economic activity, this also signals a decline in the level of jobs created and an increase in the number of entities collapsed. The recent increase in oil and mineral commodity costs partially offset this. Growth in the extractive mineral and fuel sectors, on the other hand, has not resulted in a huge number of employment being created across economies. Despite most African countries having an increased government revenue and returns accruing to multinational and national corporations who are the primary beneficiaries of these trends, these funds have also not been channeled considerably into areas that might assist raise employment and incomes for the poor. Simultaneously, sustainable growth from recent commodity price hikes (especially oil) cannot be guaranteed.

To fully realize the potential for most of the developing African economies to gain more employment benefits from trade openness, policy modifications at the state level as well as a more equitable African and an international global trading system will be required.

The African economy access to the most profitable markets for their products must be a key focus at the international level, and the infrastructure required for taking advantage of market opening needs to be upgraded if the impoverished developing economies and transition economies are to enjoy the benefits of international commerce through employment opportunities.

This necessitates, among other things, the improvement of the employment sector in the African region, the elimination of agricultural export subsidies by industrialized countries, the assurance that developing economies have not been hindered from pursuing legitimate domestic industrial development and growth strategies, and the improvement of the transparency and democratic processes within the World Trade Organization.

Improved access to the markets for developing- economies' products coupled with progressive commitment by developed economies to their own implementation requirements as dictated by the Uruguay Round, and the elimination of subsidies in agricultural products in the North all have the potential to boost the efforts of poverty eradication and also boost the improvement of employment conditions in the region through the support of the International Labour Organization. Despite the fact that the Doha Development Round of multilateral trade negotiations began with the Fourth World Trade Organization Ministerial Conference, held in Doha in 2001 and launched the Doha Development Round of multilateral trade negotiations, progress has been slow, particularly on issues that are of particular concern to Africa.

Nonetheless, it has been nicknamed the "Development Round," providing African negotiators with some political leverage in order to construct a package that suits the needs of the continent's development. According to the World Commission on the Social Dimension of Globalization's Report on the Social Dimension of Globalization, "Governments must manage these changes in conjunction with important social actors, promoting adjustment and new possibilities, empowering individuals via participation and skills, and protecting citizens from job insecurity," according to the agencies.

Similar to other sub-Saharan economies discussed in this section, Kenya is also facing problems in the labour sector.

The International Actors have a role to play in the emerging Kenyan economy in streamlining employment and labour relations to international standards. As the region's economic hub, the country has witnessed a number of political, structural as well as economic changes over the past decade.

These changes have been driven by the promulgation of the new 2010 constitution that ushered in a new era of political and legal as well as economic progress. However, the country has continued to grapple with the challenges that are affecting other emerging economies in the region such as poverty, unemployment, and corruption. The employment and labour legislation framework in the country is relatively new in the country and it's only a decade old. This new legal framework has greatly enhanced the much-needed changes in the employment industry and promoted the rights of employees. However, to elevate the Kenyan labour sector to international standards, there is an urgent need to assess the way in which the input of International Actors can help in improving the Kenyan employment and labour industry. As such, this research has focused on the analysis of the role of International Actors in promoting decent work in Kenya and also challenges that the organization is facing while working with Kenyan organizations.

1.3 Statement of the Research Problem

Kenya has been identified as a key investment economy on the world map and has seen an influx of multinationals scrambling for a market share in the economy. Kenya offers vibrant, energetic, well-motivated, and highly trained labour. According to the US Privacy Shield, American companies and other multinationals from first-world countries are being encouraged to invest in the Kenyan market due to its youthful population (67% of Kenyans are below 35 years). Despite Kenya being a growing promising economy, the country still needs to focus on the streamlining of the employment and labour laws that will help protect the Kenyan workers as the country opens up to the world.

In the past decade, cases of termination without cause and wrongful termination have increased by 5% in the country. This indicates that there are loopholes in the employment and labour regulations under the Kenyan constitution that needs the intervention International Actors.

Kenya needs to review the employment and labour laws as the country opens up as a regional economic hub to the world, for instance, by ratifying Conventions C189 and C190 of ILO. The ILO has been in operating here since 1965. As such it is important to assess what are the underlying reasons that have led to deteriorating employment. This study will focus on the role of International Actors in Kenya, the strategies employed by the organization in enhancing labour laws in Kenya, and how the role of International Actors and Organization for migration can be improved to enhance decent work in Kenya.

1.4 Study Objectives

1.4.1 Research Questions

The following are the major research questions that this study sought to answer.

- What is the role of International Actors in the formation and oversight of decent work and inclusive industrialization in Kenya?
- What strategies does International Actors apply in the development of labour laws in Kenyan informal sectors?
- What challenges are faced by International Actors in working with the Kenyan authorities to ensure decent work and inclusive industrialization?

1.4.2 General Objective

The general objective of this study is to analyze the challenges facing International Actors in Kenya and the development of strategies to improve these strategies for improved employment and labour laws and policies in Kenya.

1.4.3 Specific Objectives

- To evaluate the role of International Actors in the formation and oversight of decent work and inclusive industrialization in Kenya.
- To investigate the strategies applied by International Actors in the development of labour laws in Kenyan informal sectors.
- To examine the challenges faced by International Actors in working with the Kenyan authorities to ensure decent work and inclusive industrialization.

2.0 Literature Review

This section examines both theoretical and empirical literature relevant to the study. This was deemed important in helping identify the critical knowledge gap in relation to the subject under investigation. It covers both theoretical and empirical literature.

Theoretical Literature Review

In this section, the theoretical review of the key theories in labour relations has been reviewed so as to help examine the key debates around the role of International Actors and Organization for Migration in enhancing labour relations. In this case, three key theories that guide the field of labour relations have been reviewed. These are the Unitarism, Pluralism, and Radicalism. These have been directly linked with the field of labour policies and recent work in developing economies such as Kenya and other African developing economies. Employment relations can be traced back to the 1960s. This led to the development of three key theories that guide how employees are treated at the workplace and also what guides the employment contract in the human resource departments.

Unitarist theory

According to the Human Resource Management studies, unitary thinking is defined as the concept that management and employees are working together for the common good of the firm. According to unitary approach to industrial relations, the emphasis is on the entity as a cohesive team united by a single goal, where the business entity is regarded as an entire and harmonious whole with the concept of one happy family as its foundation.

According to the Unitarist theory, all members in a working organization share the same interest as employees and the employers share mutual benefits. This means that other players in the industry are irrelevant and the main focus is on the employee-employer labour relations. Unitarism mainly focuses on the management of the labour providers in the industry who share a common goal and their loyalty to the organization. Industries that rely on this form of labour relations focus on the cooperation of the employees and the employer in order to focus on the primary goal.

The Unitarist theory has, however, been faulted by other scholars in that it ignores the presence of conflicts between the employers and the employees. According to the Royal Commission Research Paper, Fox has argued that the Unitarist theory is not a realistic ideology and that industries will always experience conflicts despite employers and employees having the same goals and interests. However, most of the conflicts in industries arise from a lack of laws and regulations that ensure decent work for the employees.

Marxist or Radical Theory

According to the Marxist theory of labour relations, employees and employers are bound to have conflicts based on capitalism. This theory values the ideas of control as important in the field of management of employment relations. As

managers in developing and developed economies continue to embrace capitalism, a profit-oriented organizational culture, the needs of the employees are often neglected leading to conflict between the employers and the employees. This natural conflict is often seen in the form of trade unions.

Labour relations are seen from a Marxist viewpoint as founded on conflict. Relations between employers and employees can only be understood in the context of (capitalist) society as a whole. Marxists highlight the imbalance of power between the employer and labour, in opposition to any tacit or explicit assumptions about a balance of power in the business. Employees, according to Marxist theory, serve as the market's vendors of labour, while bosses serve as the market's exploiters.

From a Marxist perspective, all industrial interactions may be explained as a struggle between the proletariat and the bourgeoisie, with capitalism serving to keep the latter at a disadvantage. Different firms in a company represent society's and class's differences. Marxists hold that organizations have built-in inequities that serve to keep things as they are and that any kind of worker opposition is relentlessly repressed by the state.

Marxist perspectives on labour relations are larger in scope and place a greater emphasis on the need for collective action and organization as outlined by mobilization theory. When Marxist views evolve, the organization and society change as well. Marxists extensively study capitalism and its production, distribution, and exchange systems.

Empirical Literature Review

This section has focused on literature that is directly linked to the three objectives developed in this study.

The international labour organization spent \$130 million in the last decade in global operations outside Africa. The major projects were carried out in Europe, the Middle East, Latin America, and Asian countries. The International Actors and Organization for migration has a special interest in the global developing countries as they form the largest employment pools in the world. In this case, these numerous industries are more likely to violate employment laws as seen in the Chinese Apple and Samsung sweat shops.

In the Latin American and Caribbean countries, International Actors and Organization for migration reports that these countries have experienced rapid employment growth and the rate of unemployment has dropped by 25% in the past decade. However, the organization has also pointed out that Latin America and Asian countries experiencing rapid economic growth rates are more likely to lag when it comes to developing policies that ensure decent work and inclusivity. As such, the organization is undertaking a major project in these regions to ensure that the policy makers keep on improving the labour relations in these regions.

3.0 Research Design

Research design can be defined as a blueprint of a framework that guides the researcher on the journey to answering the key research questions in a study. This study has adopted a descriptive and quantitative research design. In this case, the research will focus on both statistical and descriptive data in an attempt to answer the key research questions.

3.1 Research Location/Scope of the Study

The research location refers to the area within which the research takes place or the key area of focus. This study was conducted in the environs of Nairobi city, where the informal and formal sectors are the key focus. The interviews were conducted among the participants located in the city. Since the study assess the role of International Actors in promoting a decent working environment in Kenya and how this can be improved, the main focus was on the capital city. The main offices under focus were the international labour organization offices in Kenya, the trade union offices in Kenya, and the ministry of labour offices in the country. These are the main offices that are involved in partnering with the International Actors in improving the working and living conditions of the employees.

3.2 Research Target Population

The research target population were the officials working in the International Actors offices in Nairobi. These are the employees who are directly involved in the project aimed at improving the working conditions; employment laws and policies in the country. The other target population comprises the employees of the Ministry Of labour and Social Protection, who are directly involved in working closely in the project developed. The last target population were the trade union employees such as those employed by the Central Organization of Trade Unions of Kenya (COTU-K).

3.3 Research Sample and Sampling Technique

The participants in this study were drawn from the International Actors, Ministry of Labour and COTU. Since this is a study that was used to reflect the true image of the role of International Actors, In the whole country, it was important to use a suitable sample size that can be developed using the following calculation formula recommended by Yamane (1967), as enumerated below

$$n = \frac{N}{1 + Ne^2}$$

Where: n= Sample size, N= Population size e= Level of Precision (0.05); n= corrected sample size, n= 98/1+98(0.05)²
n=112 participants

The estimated sample size in each organization was 37 although this number differed based on responses received. The total number of participants was targeted in this study was 112

Convenient sampling has been selected as the ideal sampling method in this study due to the inaccessibility of key participants in this study. For example, since each group of participants requires at least 59 participants, it will be difficult to access all 59 participants from the ministry of labour, COTU, and the International Actors and Organization for migration offices in Kenya. As such, convenient participants will be targeted.

3.4 Data Collection Method

Data collection in this study targeted both primary and secondary data. In terms of primary data, the main methods were face-to-face interviews and also through the use of questionnaire-based survey with participants while observing social distancing in line with the COVID19 regulations by the Kenyan government. Online surveys were also applied to employees working in the selected organizations from home. The study also accommodated ordinary employees working for various organizations in the informal and formal sectors. Surveys were done through Zoom, Google Meet, and Google forms. Secondary data was collected from journals, newspapers, reports, and research organizations. The data collection in this study took a duration of one month.

3.5 Data Analysis and Presentation

This study has applied both qualitative and quantitative data collection methods. As such, these two forms of data were analyzed using different methods. The quantitative data was analyzed statistically using the SPSS software. The software then generated cross-tabulations and frequency distribution tables. The analysis and the interpretation of data collected, paved the way to critical discussions and the development of a comprehensive set of recommendations. Qualitative data was analyzed thematically and no special software has been used in this type of analysis. The responses from the interviews and online surveys were grouped based on content analysis. This has helped the researchers, to draw meaning and conclusions from the data, based on assertions, associations, denotations, and connotations.

3.6 Ethical Considerations

Research ethics is one of the most critical aspects that researchers should uphold. As such, this study is dedicated to upholding the highest form of ethical standards during the data collection process. The following are the ethical considerations of this study.

Participation in the study was voluntary and no participants were threatened or coerced to take part against their will. Anonymity was highly observed and as such, the researchers did not collect any personal data related to the participants. This type of data includes names, residential addresses and titles, and organization names. The participants had the right to withdraw their participation along the process and also reserved the right to take back their data within seven days after participating in the survey. To ensure confidentiality, Data collected in this case was only be accessed by the researchers and their supervisors and was stored in encrypted hard disks and drives. This ensured high levels of confidentiality in the process.

3.7 Demographic information

The demographic study refers to the study of populations based on factors such as age, gender, and race. Demographic also refers to the socioeconomic data when expressed statistically like in this study. Demographic data may also include the employment status of the participants, education, marriage status, and even the annual income. Though, depending on the type of research that a study is focusing on, the researchers selectively choose the type of demographic data to collect from their participants. In this study, the demographic data consists of age, gender, employment status, and education status.

Gender

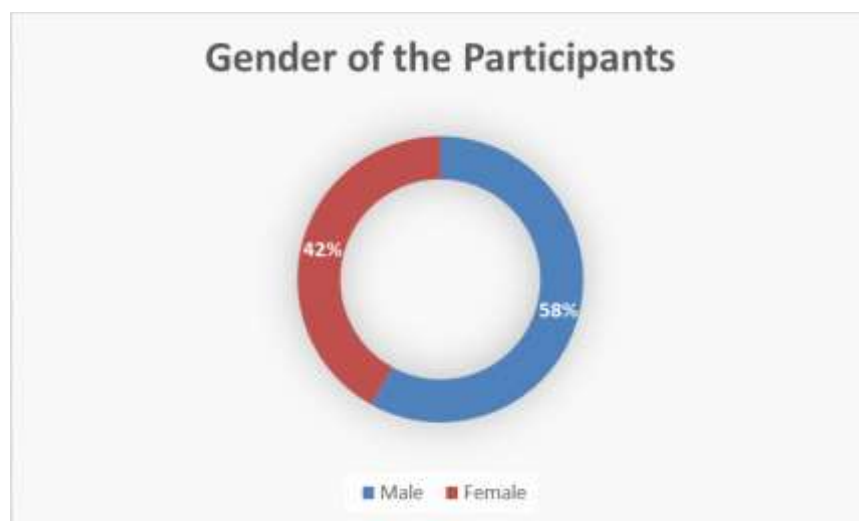


Fig 2.1. Gender of the participants
Source: Field Data 2021

Gender was regarded as a key factor of consideration among the participants in this study since men and women have different experiences and opinions at the work places. As such, including an almost equal number of male and female participants in this study ensured inclusivity and diversity of experiences and opinions and improved the quality of data collected. However, since the response rate was recorded at 51%, the number of female participants reduced and the study had more male respondents compared to female respondents. From the table above, male participants accounted for 58% while female participants accounted for 42%. The study keenly focused on balancing the number of male and female participants in order to avoid gender-based bias in opinions and responses. As such, balancing the number of male and female participants ensured that all gender-related responses in the labour industry were captured.

Age of the participants

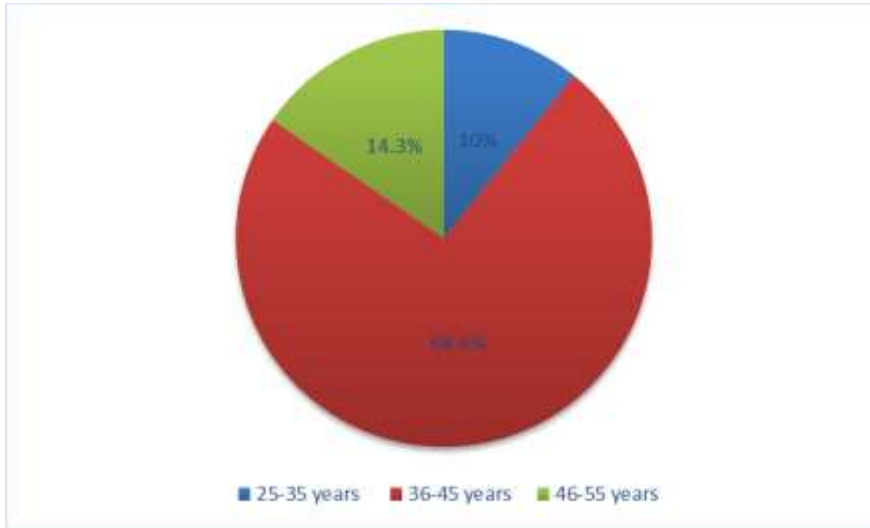


Fig: 2.2. Age of the participants in this study
Source: Field Data 2021

Age was a significant factor among the participants since it defines experienced versus inexperienced workers thus giving the research team an area to focus on. The study balanced the target population based on all age groups from the freshly employed to the experienced employees.

Level of education

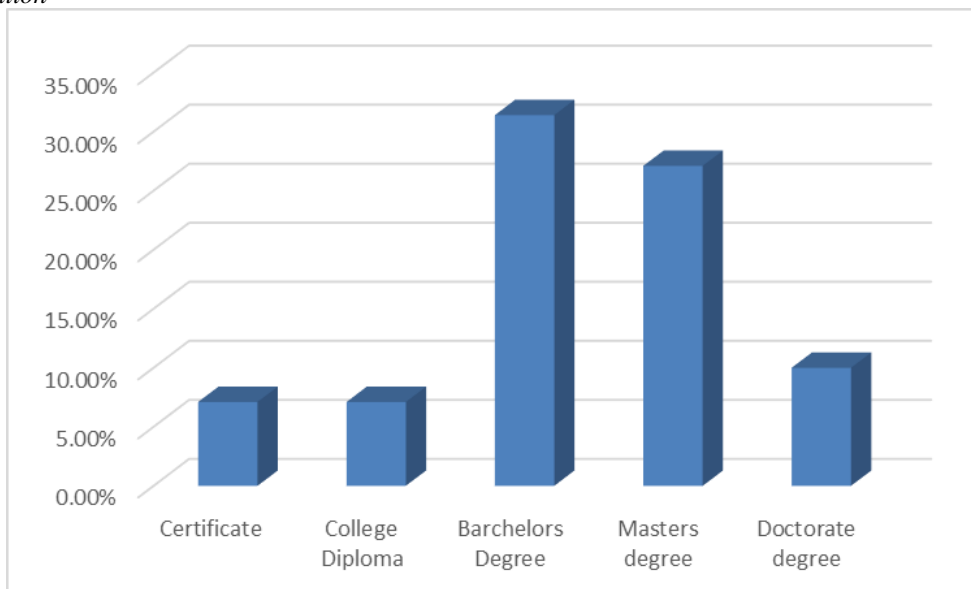


Fig 2.3. Education of the participants
Source: Field Data 2021

The level of education was also a key demographic factor in this study. Education defines both experience, responsibility, and eloquence in organizational matters. As such, accommodating employees with at least a bachelor’s degree in the sample ensures the collection of quality data. In this case, the researcher was focusing on the diversity in terms of education among the participants. Both college diploma and certificate employees accounted for 14.2% of the total respondents. Graduates and postgraduate employees dominated the response teams. These two categories accounted for 68.5% of the total respondents in this study. The level of education of the participants is important for this study since it determines the

nature of responses given on the assumption that the higher the level of education the higher the levels of experience and responsibilities assigned to the employees.

Organization

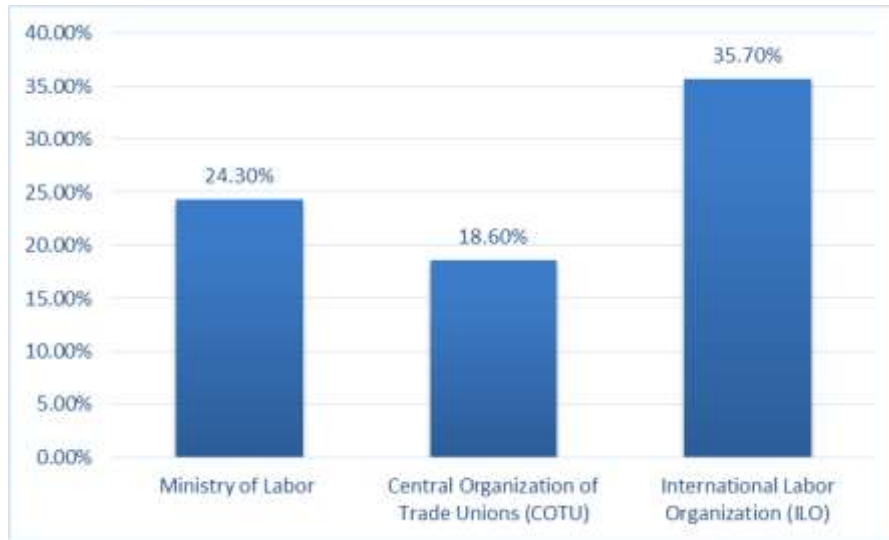


Fig 2.4. Employing Organization distribution among the participants
Source: Field Data 2021

Knowing the employing organization among the participants helps in the grouping of responses and also determining how well the data collected meets the set objectives of targeting three key organizations. The participants in this study were derived from three organizations that are involved in the regulation of the working environment in the country. The respondents from the Ministry of Labour and Social Protection accounted for 24.3%, COTU-K accounted for 18.6% while the international labour organization accounted for 35.7%. Employees from other trade unions accounted for 5.7%. The knowledge about the employing organization of the participants is important in this study to ensure that no organization dominates the responses and thus eliminate the bias in data collected.

Level of employment

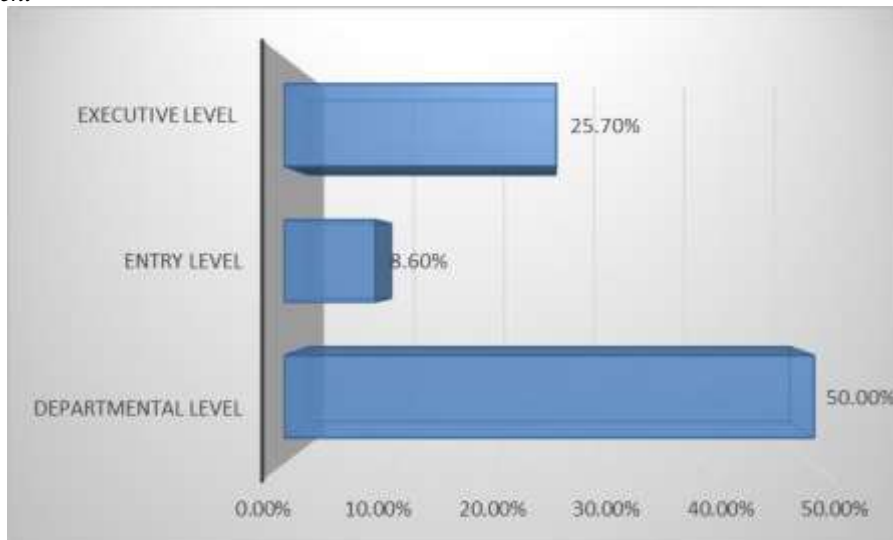


Fig 2.5. Employment level
Source: Field Data 2021

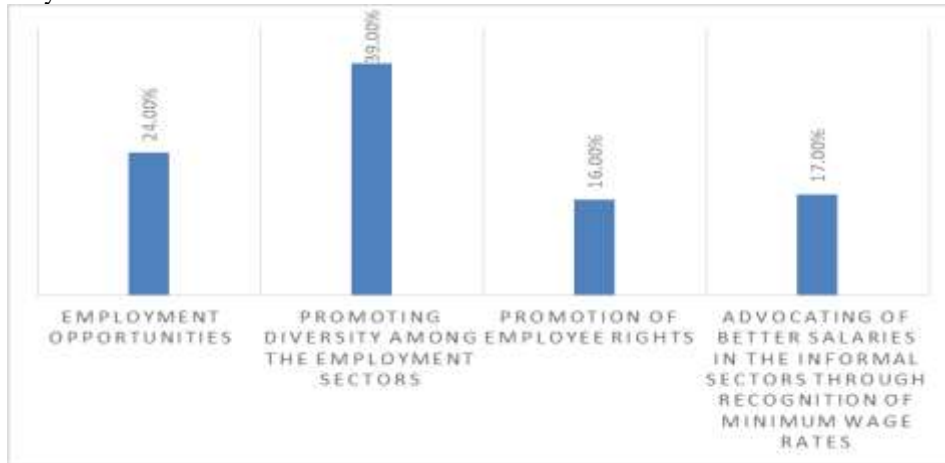
The level of employment defines the responsibility of the employees as well as the level of experience. As such, it helps in ensuring the quality of data collected in this study. A departmental manager is more likely to give more useful data compared to an entry-level employee. In terms of the level of employment of the participants, the study divided the participants into three key groups. These were the entry-level comprising of the freshly employed and non-promoted staff. The second category was the departmental level comprising of promoted employees but working within a specific department. These include team leaders, supervisors, and department managers. The last and highest level of employment is the executive level. These are participants who manage or oversee more than one department in the three mentioned organizations. 50% of the respondents had departmental level employment status, entry-level status accounted for 8.6% while the executive employees accounted for 25.7%. Finding out the level of employment among the participants was

important in that it helped the researchers in sorting out the responses and ensuring only experienced employees dominated the data analysis section.

Promoting diversity among the employment sectors

The respondents were asked to state the strategies that the International Actors has laid in place to ensure decent work in Kenya. 39% indicated that there is more focus on promoting diversity and inclusivity in the workplaces in the country.

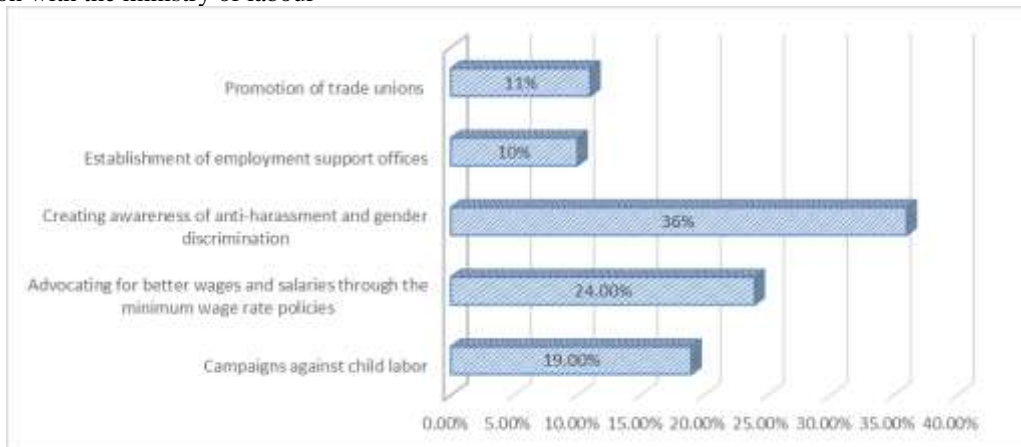
Promoting Diversity



Source: field data 2021

One of the key factors to consider in the African labour industry is that the issue of diversity and inclusion has not been popular in the last decade. African and Asian countries share collectivist and conservative norms and values. As such, in terms of diversity and inclusivity of the employees in the workplaces, the African market is lagging and this can be seen in the Kenyan labour market. International Actors has embarked on a mission to ensure that diversity in terms of race, sexual orientation, and religion as well as nationality has been embraced in the Kenyan labour industry. This has been done through the enactment of the Sexual and Gender Act and other gender-based programs in the country.

Collaboration with the ministry of labour



Source: field data 2021

3.8 Recommended solutions for the challenges facing International Actors in Kenya

The participants were also asked about the strategies that can improve the collaboration between the ministry of labour and the International Actors. A slight majority (51%) indicated that the ministry of labour can open the office of the International Actors representative in its headquarters. This will improve the collaboration with the ministry of labour. According to a study done in the United States labour industry has indicated that the representation of trade unions in the ministry of labour in the federal government improved collaboration between the federal government and the American workers through their trade unions. In a similar fashion, establishing an International Actors representative office at the ministry of labour and COTU will improve the relations among the agencies and COTU.

3.9 Integration of international labour laws with local labour laws

According to the data collected 49% indicated that there should be an integration of the Kenyan laws and the international labour laws. The main aim of the International Actors is to ensure decent work and industrialization in the Kenyan employment industry. The organization also aims to improve the employment standards and relations to mirror the international standards. As such, integrating the international labour laws within the Kenyan labour statutes will improve

the operations of the International Actors in the country. For example, the international labour organization has been effective in developed countries such as the US and the UK due to the similarity of the UK, US, and the international labour laws.

As such, the local labour regulatory organization advocate for the same standards and policies as the International Actors. However, in a study done in the African market, implementing international labour laws in developing countries is faced with a number of challenges. First, there is the issue of political influence in the labour industry and secondly, the economic hardships facing the developing countries make it impossible to honor some tenets of the international laws such as the minimum wage rate. In the Kenyan market, full integration of international laws such as the minimum wage laws may not be possible in the informal sector due to economic challenges. As such, these solutions can be implemented gradually from the government employees to the informal sector.

4.0 Summary of the findings

This chapter has established that some of the key challenges that International Actors face while working with Kenyan organizations are the declining influence of the organization in setting labour standards not only in Kenya but also in the world and non-representation in the ministry of labour and COTU. There is also the low ratification of its conventions and a restrictive decision-making structure. Some of the key solutions that have been proposed in this study are the integration of international labour laws and standards in Kenya and the establishment of an International Actors representative office in trade unions and the ministry of labour. These solutions are aimed at reducing the collaboration gap among these organizations and also the improvement of the Kenyan employment sector with an aim of protecting the Kenyan employee. The chapter, therefore, concludes that the government and other parties in the labour industry should fast-track the development of solutions to the existing gap challenges between them and the International Actors to maximize the role of the organization in the country. There are also some key internal challenges that the organization needs to address at the international level to maximize its input in the Kenyan economy.

5.0 Conclusion

The International Labour Organization is an UN-affiliated but independent body governing and monitoring the global employment industry. The organization has developed major projects in the areas such as the Asian region, Latin America, the Middle East, and other regions in Africa. The success of the organization in any country depends on the nature of the relationship it shares with the labour regulatory authorities. In Kenya, the International Actors plays a key role in ensuring diversity and inclusive industrialization in the informal sector. This helps in protecting the employees especially skilled labour force from capitalist authorities and employers in the sector. Based on the research conducted by this study, the major roles played by the International Actors for migration in line with its mandate are the promotion of employee rights, advocating for diversity and inclusivity of women and the disabled in the informal sector, and also the development of public education campaigns. Among the key strategies applied by the organization in the country are assisting in the development of minimum wages laws and Skilled Labour force policies. The organization also thrives in collaboration developed with the ministry of labour and COTU. However, this study has identified four key challenges that need to be addressed for the International Actors to execute its mandate effectively in the country. These are lack of representation, low ratification of its conferences and laws in reference to Conventions C189 and C190 of the ILO, declining influences, and a lengthy decision-making structure within the organization. This research has therefore developed suitable recommendations to solve these challenges and ensure the implementation of mandates in line with the study in the country successfully.

5.1 Recommendations

Furthermore, representation of the International Labour Organization should be a key focus of the government and the International Actors. In this case, the government should allocate an office of the International Actors representative at the labour ministry for consultation purposes. Due to the inability of the agencies to execute any policies without the input of the ministry of labour in the country, this office should be classified as a senior consultation office in the matter of developing the legal framework governing industrial relations in the country.

The office of the International Actors representative should have the power to also consult for the COTU-K when it comes to issues such as advocating for the enactment of various policies governing employee welfare and industrial relations. Consultation with external regulatory and international bodies should be included as a key stage in the process of developing industrial relations laws in Kenya.

The ILO, being an affiliate body of the UN, should compel its member states to attend its conferences and also allow the member states to implement the international labour laws based on the prevailing economic conditions.

Lastly, there should be a focus on autonomy in the decision-making process. The International Labour Organization has a lengthy decision-making structure based on an international bureaucracy structure. As such, the process of making a decision takes time-consuming and this makes consultations with the International Actors ineffective in the country. As such, the organization should review its decision-making process to ensure that feedback is provided with a specified time and that the autonomy of the organization is achieved to enable quicker decision-making.

5.2 Areas of Further Research

This study recommends that a detailed research study on fully ratifying conventions C189 – Domestic Workers Convention (No. 189) and ILO Convention No. 190 (C190) is essential, also the need for full cooperation within Interstate and state to state and Interagency for achieving key National Labour Standards, Lastly, Need to support good governance; transparency and democratic leadership to enhance growth of trade unions which can effectively implement international labour laws and also effectively collaborate with employers in the informal sector to ensure that exploitation and manipulation of the Kenyan employee by capitalist employers are minimized.

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