

**RETURN TO WORK FORMULA**

**BETWEEN**

**UNIVERSITIES' ACADEMIC STAFF UNION (UASU)- NATIONAL OFFICE AND  
EGERTON UNIVERSITY CHAPTER**

**AND**

**EGERTON UNIVERSITY COUNCIL**

*msn*

*msn*

**THIS RETURN TO WORK FORMULA (RTWF)** between Egerton University Council, the Employer on the one part, and the Universities' Academic Staff Union (UASU)- National Office and Egerton University Chapter duly registered as a Trade Union under the Labour Relations Act, 2007, Laws of Kenya, on the other part, witnesses as follows:

**WHEREAS** the members of UASU at Egerton University Chapter withheld their labour effective 15<sup>th</sup> November, 2021, in an industrial action that commenced pursuant to a strike notice issued on 8<sup>th</sup> November, 2021;

**NOW THEREFORE** the parties hereto AGREE as follows:

1. The Universities' Academic Staff Union (UASU)- National Office and Egerton University Chapter calls off the strike with immediate effect upon the signing of this Return to Work Formula.
2. Egerton University Council shall effect migration/placement of staff to their rightful 2017-2021 National Collective Bargaining Agreement (CBA) salary notches with effect from 1<sup>st</sup> July 2021 in accordance with the court ruling of 15<sup>th</sup> January, 2021. The March 2022 pay-slips thereof shall capture deferred pay and 2017-2021 CBA arrears with effect from 1<sup>st</sup> July 2021 in regard to the new salary scales.
3. Egerton University Council shall pay salaries to the staff members once the strike is called off effective end of March, 2022 within the available funds. Three (3) months into the new semester, the status of finances will be reviewed in the spirit of adjusting the salaries within the available funds.
4. In furtherance of Clause 2 and 3 above, the parties shall JOINTLY review the performance of this agreement quarterly. At the time of the review, Egerton University Council shall furnish the Union with information of the financial status of the University until the arrears are paid in full.
5. There shall be no victimization whatsoever of members of academic staff arising from or in any way related to the industrial action.
6. The twenty (20) employees whose contracts were terminated during the pendency of the strike, to write an appeal individually to the Vice-Chancellor for re-instatement, with a covering letter from the UASU Secretary General.
7. The Egerton University Council shall unconditionally withdraw all disciplinary actions directly related to the Union activities during the pendency of the strike.
8. The parties shall withdraw the following suits filed in the Employment and Labour Relations Court (ELRC) related to the industrial action:
  - (i) Nakuru ELRC No.2 of 2022 - UASU (Egerton Chapter) and 14 others -vs- Council of Egerton University, The Vice Chancellor and Egerton University.

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- (ii) Nakuru ELRC NO.E005 of 2022 – Egerton University –vs- UASU (National and Egerton Chapter) and 15 others.
- (iii) Each party shall bear its own costs of the suits mentioned hereinabove in 8 (i) and (ii).


9. In furtherance of Clause 8 above, the parties shall deposit this RTWF in court for cases mentioned in 8 (i) and (ii) for adoption as consent order.

10. This agreement is binding to the Egerton University Council and to the Universities' Academic Staff Union (UASU)- National Office and Egerton University Chapter, and shall not be varied without the consent of all the parties.


SIGNED AT EGERTON UNIVERSITY THIS <sup>4<sup>th</sup></sup>..... DAY OF March 2022

**SIGNED FOR AND ON BEHALF OF EGERTON UNIVERSITY COUNCIL:**

- 1. Prof. Isaac O. Kibwage, PhD, HSC  
Vice-Chancellor, Egerton University


SIGNATURE:  DATE: 04/03/2022

- 2. Prof. Richard M. S. Mulwa, PhD  
Ag. Deputy Vice-Chancellor (AP&D), Egerton University

SIGNATURE:  DATE: 4/3/2022

**WITNESSED BY:**

- 1. Prof. Joshua O. Ogendo, PhD  
Principal NTCC, Egerton University

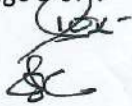
SIGNATURE:  DATE: 4/3/2022

- 2. Stellah Kereto  
Ag. Registrar (HC&A), Egerton University

SIGNATURE:  DATE: 4/3/2022

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**SIGNED FOR AND ON BEHALF OF UASU- NATIONAL OFFICE AND EGERTON UNIVERSITY CHAPTER:**

1. Dr. Constantine Wasonga Opiyo, PhD  
National Secretary General, UASU

SIGNATURE: *Constantine Wasonga Opiyo* DATE: *4/3/2022*

2. Dr. Grace W. Kibue, PhD  
Chapter Secretary, UASU- Egerton

SIGNATURE: *[Signature]* DATE: *4/3/2022*

**WITNESSED BY:**

1. Grace Nyongesa  
UASU National Chairperson

SIGNATURE: *Grace Nyongesa* DATE: *4/3/2022*

2. Prof. Mwaniki S. Ngari  
UASU- Egerton Chapter Chairman

SIGNATURE: *[Signature]* DATE: *4/3/2022*