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THE SALARIES AND REMUNERATION COMMISSION ACT

THE SALARIES AND REMUNERATION COMMISSION
(REMUNERATION AND BENEFITS OF STATE AND OTHER
PUBLIC OFFICERS) REGULATIONS, 2026

(Cap. 412D)

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THE SALARIES AND REMUNERATION COMMISSION ACT

(Cap. 412D)

IN EXERCISE of the powers conferred by section 26 of the Salaries and Remuneration Commission Act, 2011, the Salaries and Remuneration Commission makes the following Regulations—

THE SALARIES AND REMUNERATION COMMISSION
(REMUNERATION AND BENEFITS OF STATE AND OTHER
PUBLIC OFFICERS) REGULATIONS, 2026

PART I—PRELIMINARY

1. These Regulations may be cited as the Salaries and Remuneration Commission (Remuneration and Benefits of State and other Public Officers) Regulations, 2026.

Citation.

2. In these Regulations, unless the context otherwise requires—

“Commission” means the Salaries and Remuneration Commission established under Article 230 of the Constitution;

“Committee” means the Job Description Analysis Committee” constituted under Regulation 11(2)(a) of these Regulations;

“cost of living” means the cost of purchasing goods and services as measured by the changes in the Consumer Price Index as published by the Kenya National Bureau of Statistics from time to time;

“job description” means standardized documentation setting out the duties, responsibilities, reporting relationships, critical performance areas, working conditions, qualifications, experience, skills and competencies required to perform a job;

“job description manual” means a document containing approved job descriptions within a public body;

“job evaluation” means a systematic and objective process of determining the relative value of a job in comparison with other jobs;

“performance” means the extent to which a public body achieves its approved objectives and targets in an efficient and effective manner;

“productivity” means the efficiency and effectiveness in the utilisation of public resources in the delivery of goods and services in the public service;

“public body” means—

- (a) the national government, including any department, institution or agency thereof;
- (b) a county government; or
- (c) any authority, board, commission, committee or other body, whether paid or unpaid, which is invested with or is performing, whether permanently or temporarily, functions of a public nature;

“public officer” has the meaning assigned to it under Article 260 of the Constitution;

“public service” has the meaning assigned to it under Article 260 of the Constitution;

“review cycle” means the period after which remuneration and benefits for State and other public officers are reviewed for budgeting and planning purposes;

“State officer” has the meaning assigned to it under Article 260 of the Constitution; and

“trade union” has the meaning assigned to it under the Labour Relations Act.

3. The objective of these Regulations is to provide for the procedures for— Object of the Regulations.

- (a) setting and reviewing remuneration and benefits for State officers; and
- (b) advising on remuneration and benefits for other public officers.

PART II—SETTING, REVIEWING, AND ADVISING ON REMUNERATION AND BENEFITS

4. Pursuant to Article 230 (4) of the Constitution, the Commission shall— Setting and advising

- (a) set and regularly review the remuneration and benefits of all State officers; and
- (b) advise the national and county governments on the remuneration and benefits of all other public officers.

5. (1) The Commission shall review and set remuneration and benefits for State officers every four years. Review cycle.

(2) The Commission shall review and advise on remuneration and benefits for other public officers every four years.

(3) In undertaking a review under sub-regulations (1) and (2), the Commission shall—

- (a) assess the prevailing remuneration and benefits of State officers with a view to institute change, where necessary; or
- (b) assess the prevailing remuneration and benefits of other public officers for purposes of providing advice to the relevant public body on the remuneration and benefits.

(4) Despite sub-regulations (1) and (2), the Commission may undertake a special review of the remuneration and benefits of State and other public officers— to address emerging circumstances.

(5) In undertaking a review under this regulation, the Commission shall take into account the national budgeting and planning cycle.

6. (1) Whenever a review is due, the Commission shall require a public body to submit information on remuneration and benefits for State officers or other public officers in the public body. Requirement for submission of information.

(2) Where the Commission requires a public body to submit information on remuneration and benefits under sub-regulation (1), the public body shall submit the information in writing.

7. (1) Pursuant to the principles set out under Article 230 (5) of the Constitution and section 12 of the Act, the Commission shall, in performing its functions, consider—

Considerations during setting, reviewing, and advising on remuneration and benefits.

- (a) the economic performance of the country;
- (b) the capacity of a public body to afford the cost of proposed remuneration and benefits;
- (c) the ability of a public body to sustain payment of remuneration and benefits;
- (d) the outcome of comparative surveys on the labour markets and trends in remuneration;
- (e) comparative analysis between remuneration and benefits for similar jobs within institutions in the same sector to ensure equity and competitiveness;
- (f) job evaluation results as undertaken by the Commission;
- (g) cost of living;
- (h) existing collective bargaining agreements;
- (i) achievement of performance and productivity targets;
- (j) government policies and guidelines; or the equitable share of revenue to county governments.

8. The Commission shall communicate in writing the—

Communication and effective date.

- (a) set and reviewed remuneration and benefits for State officers indicating the effective date of implementation; or
- (b) advice on remuneration and benefits for other public officers indicating the effective date of implementation.

9. The Commission shall undertake job evaluation covering jobs in public bodies in order to—

Job evaluation.

- (a) determine comparable and relative worth of jobs in public bodies;
- (b) determine equal pay for work of equal value; and
- (c) ensure fairness and transparency in pay.

10. (1) The Commission shall undertake job evaluation where—

Circumstances of job evaluation.

- (a) a public body submits a request;
- (b) a public body is established;
- (c) a public office is established;

- (d) a new job is established arising from—
 - (i) a change in the mandate of a public body; or
 - (ii) a change in the institutional structure of a public body; and
- (e) a change arises in the job content of a role in a public body.

11. (1) The Commission shall—

Procedure for
undertaking job
evaluation.

- (a) before undertaking a job evaluation sensitise public bodies on the job evaluation;
- (b) use an analytical, point-factor based job evaluation system;
- (c) engage the respective public bodies on job evaluation results; and
- (d) communicate the job evaluation results to the respective public bodies, in writing.

(2) Every public body shall—

- (a) constitute a job description analysis committee comprising—
 - (i) the Authorized/Accounting Officer;
 - (ii) heads of Department/Functions;
 - (iii) employee representatives for different cadres; and
 - (iv) shop stewards, where applicable.
- (b) ensure the committee assesses, identifies and determines the jobs to be evaluated;
- (c) ensure the committee develops complete, accurate, approved and authenticated job description manual to be submitted to the Commission;
- (d) ensure the committee develops a report on the Jobs to be submitted to the Commission for job evaluation; and
- (e) provide feedback on the job evaluation results when communicated by the Commission.

(3) A public body shall align the job description manual referred to in sub-regulation (2)(c) to the provisions of the relevant law, where applicable, and the approved human resource instruments.

(4) The Commission shall, where a job description for a State officer or other public officer is not submitted and where applicable, use the information provided in the relevant law to evaluate the job.

(5) Where a job description for a public officer is not submitted, the results of the previous job evaluation shall apply.

(6) Where a public body does not provide feedback on job evaluation results, the Commission shall proceed to conclude the job evaluation.

12. (1) A public body that meets the requirements for job evaluation as set out under regulation 11 shall submit to the Commission information relating to jobs within the public body for the purposes of job evaluation.

Information to be submitted by a public body for job evaluation.

(2) The information to be provided in sub-regulation (1) shall include—

- (a) the approved institutional structure;
- (b) the approved staff establishment;
- (c) the approved career progression guidelines or schemes of service;
- (d) a list of jobs in the public body indicating current grades or levels;
- (e) the complete, accurate, approved and signed-off job description manual; and
- (f) the report of the Committee under regulation 11(2)(d).

13. (1) A public body that is dissatisfied with the job evaluation results may, within thirty days from the date of communication of the job evaluation results, submit a request to the Commission for review of the job evaluation results.

Review of job evaluation results.

(2) A request under sub-regulation (1) shall—

- (a) be in writing;
- (b) set out the grounds for review; and
- (c) provide information in support of the grounds for review.

(3) A State officer or other public officer that is dissatisfied with the job evaluation results, may upon communication of the job evaluation results—

- (a) submit their grounds for review to the public body; and
- (b) the public body shall, if satisfied that the grounds have merit, submit to the Commission a request for review, the grounds for review and information in support of the grounds for review.

(4) Where the Commission requests, in writing, for additional information relating to a request for a review of job evaluation results, a public body shall provide the information within twenty days from the date of receipt of the request.

(5) Where the Commission does not receive additional information relating to a request for the review of job evaluation results within the stipulated time, the Commission may—

- (a) extend the time for submission of the required information; or
- (c) make any other determination as the Commission may consider fit.

- (6) The Commission shall review job evaluation results within fifty-five working days from the date of receipt of all the required information in support of a request for review.
14. Job evaluation results shall remain valid until the job is re-evaluated by the Commission. Validity of job evaluation results.
15. A public body may request for clarification, in writing, from the Commission on job evaluation results and the implementation of job evaluation results. Request for clarification.
16. The Commission shall use job evaluation results, among other considerations set out in regulation 7, to— Application of Job Evaluation results.
- (a) set and review remuneration and benefits for a State officer; or
- (b) advise on the remuneration and benefits for other public officers.
17. (1) The Commission shall— Procedure for developing salary structures.
- (a) develop and set salary structures for State officers; or
- (b) advise on the salary structures for other public officers.
- (2) Before developing or reviewing salary structures, under sub-regulation (1) the Commission shall—
- (a) conduct comparative surveys on labour markets and trends in remuneration to determine the relativity of remuneration of public service in relation to the market trends; and
- (b) subject the outcome of the comparative surveys on labour markets and trends in remuneration to the considerations set out in regulation 7.
18. (1) A public body shall upon request by the Commission provide such information on remuneration and benefits as may be required by the Commission to enable the Commission set and review salary structures for State officers; and advise on salary structures for other public officers. Information for setting and review, and advise on salary structures.
- (2) The Commission may, notwithstanding failure by a public body to submit the required information in accordance with sub-regulation (1) —
- (a) set salary structures for State officers; and
- (b) advise on the salary structures for other public officers.
19. (1) The salary structures set for State officers shall remain in place until reviewed by the Commission. Validity of, and advice on, salary structures.
- (2) The salary structures for other public officers may only be reviewed on the advice of the Commission.
20. (1) A public body may request for guidance, in writing, from the Commission on implementation of— Guidance on implementation of salary structures.

- (a) the set and reviewed salary structures for State officers; or
- (b) the advice on its salary structures for other public officers.

(2) The Commission shall, upon receipt of a request under sub-regulation (1), provide guidance in writing to the public body.

21. (1) The Commission shall take into account productivity and performance in undertaking its functions.

Recognising productivity and performance. Factors to be considered in recognising productivity and performance.

22. The Commission shall, in taking into account productivity and performance, be guided by the—

- (a) achievement of productivity and performance targets as set by the public body;
- (b) capacity of a public body to afford the cost of proposed financial reward; and
- (c) government policies and guidelines.

23. (1) The Commission shall, pursuant to section 11 of the Act, advise public bodies on the remunerative and benefit items payable out of public funds in collective bargaining negotiation.

Collective bargaining negotiation.

(2) Collective bargaining negotiation between a public body and a trade union shall cover a four-year cycle.

24. (1) A public body with a recognition agreement with a trade union shall seek the advice of the Commission on remuneration and benefits items payable out of public funds before the commencement of collective bargaining negotiation.

Procedure for collective bargaining negotiation.

(2) A public body shall provide the following information required for provision of advice on collective bargaining negotiation—

- (a) any trade union proposals and management recommendations;
- (b) the public body's financial performance;
- (c) the budget allocation; and
- (d) the approved salary structure and staff establishment.

(3) The Commission shall, upon receipt of a request for advice, provide the public body with advice on the remunerative and benefits items payable out of public funds for purposes of collective bargaining negotiation, taking into account the considerations set out in regulation 7.

(4) A public body shall undertake negotiation based on the advice of the Commission.

(5) Upon conclusion of collective bargaining negotiation, the public body shall request the Commission in writing for concurrence on the items under Regulation 24(1).

(6) Where the Commission is satisfied that the items under Regulation 24(1) are in line with its advice, the Commission shall issue concurrence in writing to facilitate registration of the collective bargaining agreement at the Employment and Labour Relations Court.

25. (1) The Commission shall set the retirement benefits due to a State officer. Retirement benefits.

(2) A public body shall seek advice of the Commission on the retirement benefits due to other public officers.

(3) The Commission, upon receipt of a request for advice on retirement benefits due to other public officers under sub-regulation (2), shall advise on the retirement benefits due to other public officers taking into account the considerations set out under these regulations and other enabling statutes.

(4) Despite sub-regulation (2), the Commission may undertake periodic reviews and advise public bodies on retirement benefits for other public officers.

26. The Commission shall, at any time, upon the request of a public body, in writing,—

PART III—MISCELLANEOUS PROVISIONS

- (a) set and review the remuneration and benefits of the State officers serving in the public body; or Submission of request for setting, reviewing and advising.
- (b) advise on the remuneration and benefits of the other public officers serving in the public body.

27. (1) The advice of the Commission, in relation to the remuneration and benefits of all other public officers may only be reviewed by the Commission.

(2) A public body shall seek for the review of the advice of the Commission in writing. Review of advice on remuneration and benefits.

(3) The Commission may review its advice upon receipt of new information not previously placed before it provided that such review shall take into account the considerations set out in regulation 7.

(4) The advice of the Commission once reviewed supersedes any prior advice.

28. (1) Pursuant to section 13(1)(a) of the Act, the Commission may, request a public body to provide such information as may be relevant.

(2) A public body shall, upon receipt of the request in sub-regulation (1), provide the information to the Commission in writing. Request for information.

29. (1). A public body shall notify the Commission of any dispute relating to remuneration or benefits for its State or other public officers.

(2) The Commission shall encourage the use of alternative dispute resolution mechanisms in any disputes relating to remuneration or benefits for State and other public officers. Disputes relating to remuneration and benefits.

30. (1) The Commission may monitor and evaluate the implementation of its set remuneration and benefits for State officers or advice on remuneration and benefits for other public officers to—

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- (a) assess effectiveness in the implementation of the set or reviewed remuneration and benefits of State officers; Monitoring and evaluation.
- (b) assess effectiveness in the implementation of the advice on remuneration and benefits for other public officers;
- (c) identify challenges in the implementation of sub-regulations (a) and (b); and
- (d) in liaison with public bodies, identify remedies, where appropriate, for continuous improvement.
- (2) The Commission may sensitize public bodies on implementation of the—
- (a) set and reviewed remuneration and benefits for State officers; and
- (b) advice on remuneration and benefits for other public officers.

Made on the 5th June, 2026.

SAMMY CHEPKWONY,
Chairperson,
Salaries and Remuneration Commission.