

INFLUENCE OF EMPLOYEE WELFARE FACILITIES ON THEIR PERFORMANCE AT THE KENYA JUDICIARY SYSTEMS IN NORTH RIFT KENYA

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ABSTRACT: *The study examined the relationship between motivational factors and employee performance in the judiciary systems located in the North Rift Region of Kenya. Based on the study, this paper discusses the relationship between employee welfare practices and employee performance. The study employed a correlational survey design. The target population was all the 309 employees attached to the courts located in North Rift Region. Stratified random sampling was used to select 179 employees. A pilot test was done at the neighbouring Hamisi Law Courts to assess the reliability of the research instruments. The pilot study tested the face validity of the instrument which was found to be valid. Cronbach's coefficient alpha was used to determine internal reliability of the research instruments. The Cronbach's alpha value for the research instruments was 0.842. Both descriptive and inferential statistics were used to analyse data. Statistical significance of relationships among selected variables was determined using linear regression analysis. The study established that the motivational factors of employee welfare facilities influenced the performance of the judiciary employees. Evidence of improved performance included a reduction of case backlogs and expeditious determination of cases. Based on the findings from the study, it was recommended that the administration of the judiciary to design effective employee welfare facilities that are likely to stimulate employee efforts towards performance.*

KEYWORDS: Influence, Welfare Facilities, Performance, Judiciary Employees, Kenya

INTRODUCTION

The North Rift Region of Kenya covers the Northern part of the formerly Rift Valley Province. Presently, it comprises the counties of Elgeyo-Marakwet, Uasin Gishu, Nandi, Trans Nzoia and Turkana. This region has a total of seven (7) judicial court stations, namely Kabarnet Law Courts, Iten Law Courts, Eldoret Law Courts, Kapsabet Law Courts, Kitale Law Courts, Kapenguria Law Courts and Lodwar Law Courts. The judiciary is one of the three state organs established under Chapter 10, Article 159 of the constitution of Kenya. The constitution establishes the judiciary as an independent custodian of justice in Kenya, to exercise judicial authority given to it by the people of Kenya and to deliver justice in line with the constitution and other laws. The judiciary is expected to resolve disputes in a just and expeditious manner with a view to protecting the rights and liberties of all thereby facilitating the attainment of the ideal rule of law. The judiciary's mission is to "deliver justice fairly, impartially and expeditiously, to promote equal access to justice, and advance local jurisprudence by upholding the rule of law" (Republic of Kenya, 2010).

Over the past few decades, Kenya's judiciary experienced massive decline in public confidence due to its poor performance. For instance, in May, 2009, there were 863,000 cases pending in

the Kenya Courts (Opiyo & Rwenji, 2009). There are serious concerns about the efficacy and ability of justice delivery systems to dispense a speedy and affordable justice. Questions on the credibility of the judiciary are being raised due to mounting arrears of cases, delays in disposal, high costs of obtaining justice and the lack of probity in some sections of judiciary. To retain the trust and confidence of people in the responsiveness and ability of the system, the judiciary ought to put measures in place to ensure quicker and inexpensive justice delivery systems (Gatakaa, 2013). In any organization, productivity is a factor of employee performance, which is in turn a product of motivational factors put in place by the employer. Following this argument, the researcher developed interest in studying the relationship between motivational factors and employee performance in the judiciary, North Rift Region.

In a report by Ndanyi (2015), the Law Society Chairman (LSK) for North Rift Region addressed the backlog of cases and noted that more than 4,000 land cases were pending in the courts of Eldoret, Kitale and other North Rift regions. LSK attributed the backlog to shortage of Judges. From the weekly cases cause-list at Eldoret Law Courts, it could be noted that some cases dated back to 1989, 1992, 1996, 1999, 2002, 2007 among others. Under normal circumstances, it is possible for cases to be determined within a period of one or two years. Granted, there is no specific report attributing the delay to underperformance or depicting worst form of underperformance by judiciary employees. Nevertheless, it is clear that there are backlogs and long delays in case determination which could be partly resolved by improving employee performance.

The onset of the implementation of the new constitution in 2013 was expected to shed light on the judicial system in Kenya. Many expected that the provisions of the constitution in Article 159 would revive the judicial system in the country by enabling it to not only deliver justice but to also minimize delays in the whole process. However, even with the new constitution and the many pledges by judicial systems in the country, the performance of the judiciary has continued to deteriorate (Otieno, Waiganjo & Njeru, 2015). The Chief Justice of the Republic of Kenya is, however, determined to spearhead judicial reforms to ensure that the issue of case backlogs and long delays in case determination is resolved through the joint efforts of all judicial officers and judicial staff (Wekesa & Nyaroo, 2013).

In an effort to ensure performance, productivity and reduced backlog of cases, the judiciary, in a report by the Performance Management and Measurement Steering Committee (GOK, 2015), stated that the Chief Justice of the Republic of Kenya called upon all judges, judicial officers and staff to be committed in the pursuit of improved productivity through an effective performance management system, and to play their part in the implementation of the Performance Management Measurement and Understanding by signing individual performance targets (GOK, 2015).

Employee Welfare Facilities

Employee welfare is a term that describes various services, benefits and facilities offered to employees by the employers. The welfare measures need not be monetary, but they can be in any kind/forms. They include items such as housing and transport allowances, medical insurance and food. Employee welfare also includes monitoring of working conditions, creation of industrial harmony through infrastructure for health, industrial relations and insurance against disease, accident and unemployment for the workers and their families. Through such generous benefits the employer makes life worth living for employees (Ayinde, 2014).

Many scholars argue that there exists somewhat relationship between employee performance and employee welfare benefits and services. For instance, Sila (2014) opines that poor standards of living, bad health, lack of education and housing, poor transportation to and from work, bad conditions in the workplace reduce workers' productivity, and low productivity in turn reduces the capacity of society to improve working conditions. Welfare facilities refer to certain additional activities which are provided by an organization, including housing facilities, transportation facilities, medical facilities, recreational and cultural facilities, libraries, gym and health clubs among others in the hope of increasing the satisfaction index of an employee.

Relationship between Employee Welfare Facilities and Employee Performance

Developments in service industry have heightened the need to motivate employees continuously. Aarabi, Subramaniam, Almintisir and Akeel (2013) did a study on the relationship between motivational factors and job performance of employees in Malaysian service industry. Their study sought to gain a better understanding of employee motivation factors and their association with job performance in Malaysian servicing organizations. Job performance was their dependent variable and motivational factors namely, payment, job security, promotion, freedom, friendly environment and training as their independent variables. They used a correlation and survey research design and structured questionnaires were used to collect data. They also used convenience sampling technique to select respondents for the study in which a sample of 130 employees of service organizations were selected.

The findings of Aarabi *et al.*'s study showed that among the motivational factors, two variables were quite significant predictors of job performance. Training contributed 40.4% to job performance while promotion contributed an additional 3%. Their study also found that intrinsic motivational factors were considered more important compared to extrinsic motivational factors such as payment, job security, and friendly environment. Freedom, which is an intrinsic variable, was not however found to significantly relate to job performance. While the reviewed study was carried out in Malaysia to have a better understanding of the factors of employee motivation and their association with performance, the present study was carried out in Kenya to examine the relationship between motivational factors and employee performance in the judiciary, North Rift Region.

Keitany (2014) has studied the perceived relationship between employee welfare programmes and employee performance at the Kenya Pipeline Company. The study adopted a descriptive research design and its target population was all the employees of the Kenya Pipeline from which 10% were sampled using stratified sampling technique. Open- and closed-ended questionnaires were used to collect data. The data was then analysed using descriptive statistics: frequency, percentages, mean and standard deviation and it was presented using tables, charts and graphs. The results of the study showed that the Kenya Pipeline Company provides its employees with various employee welfare programmes such as sports facilities, pension scheme, rooms for meetings, leniency sick and maternity leave, exam leaves, canteens, health insurance covers, safety garments/apparatus, sanitary facilities, car loans, transportation, provision to work from remote stations among others.

The study by Keitany (2014) also found that welfare activities had a positive impact on the employee performance at the Kenya Pipeline Company. This was shown by increased attributes of performance such as accountability, meeting performance targets, loyalty to the company, diligence, proper interpersonal communication and self-drive to undertake agreed tasks. The study further established that there was a positive linear relationship between welfare

programmes and employee performance. Even though the reviewed study and the present study were both conducted in Kenya, the reviewed study examined the perceived relationship between employee welfare programmes and employee performance at the Kenya Pipeline Company. On the other hand, the present study examined the relationship between motivational factors and employee performance in the Judiciary, North Rift Region.

Statement of the Problem

Employee satisfaction and employee commitment are vital for the success of any business. An unmotivated workforce leads to dissatisfaction and low commitment levels among employees in any given organization. Access to justice for all in Kenya's judiciary has been hampered by inadequate physical infrastructure, long distances to courts, inadequate human resource capacity, unfriendly court processes and procedures, delays in case determination, and high costs of litigation among others (Ngari, 2015). These factors have culminated in the huge backlog of cases, for instance, the GOK (2014) revealed that, as of 30th June, 2013, 426,508 cases were pending in all courts out of which 332,430 were civil cases while 94,078 were criminal cases. This implied that with the courts' capacity and performance in disposing cases, and without admitting new cases, the judiciary would require an additional three years to clear all the pending cases in the courts (GOK, 2014). It is clear that there are backlogs and delays in case determination in the judiciary which could be partly associated to a lack of motivational factors such as employee welfare facilities, training, compensation and communication (Jepkemboi, 2014). The literature reviewed indicated inadequate studies on motivation and employee performance in the context of the judiciary. It is on this background that the research examined the relationship between motivational factors and employee performance in the judiciary, North Rift Region, and Kenya. This paper draws from that research and examines one aspect of motivational factors, namely employee welfare facilities, and its relationship to judiciary staff performance.

Rationale

An understanding of the role of welfare facilities in employee motivation and performance can help the human resource managers of the judiciary to identify strategies that work best in improving employee output. Such a study also adds to existing literature and theories of staff motivation. The results of the study underscore the importance of such welfare facilities as maternity leaves, sanitary facilities, and refreshments in enhancing employee's performance. Therefore, this paper can help organizational managers to strengthen and expand existing welfare facilities so as to promote employee performance.

MATERIALS AND METHODS

The study was conducted through a correlational survey design. The target population comprised 309 employees of the judiciary in the North Rift Region. These figures were obtained from the list of staff members for each court station as at October, 2015. The population comprised 8 judges, 27 magistrates and 274 judicial staff. North Rift Region consists of seven (7) court stations, namely Kabarnet Law Courts with 20 employees, Iten Law Courts 16 employees, Eldoret 127, Kapsabet 28, Kitale 92, Kapenguria 21 and Lodwar Law Courts 9 employees. The unit of analysis comprised of judges, magistrates and other judicial staff, namely legal researchers, librarians, court clerks, secretarial staff, accountants and

executive officers, among others. Being a multi-ethnic region with a large population comprising many different ethnic groups, the court stations in this region handles many land issues arising from tribal conflicts, hence it was considered appropriate to provide a focal point for the study on the relationship between motivational factors and employee performance in the judiciary.

The sample size for the study was 179 employees of the judiciary from North Rift Region made up of 8 judges, 27 magistrates and 151 judicial staff. This sample was drawn out of a population of 309 employees of the judiciary selected from the seven (7) court stations in the region, namely Kapsabet Law Courts, Eldoret Law Courts, Iten Law Courts, Kabarnet Law Courts, Kitale Law Courts, Kapenguria Law Courts and Lodwar Law Courts as shown in the table below.

Table 1: Sample Frame and Criteria for Sample Size Selection

Court Station	Judges	Magistrates	Judicial staff	Total	Sample size
Kapsabet Law Courts	None	3	25	28	18
Eldoret Law Courts	3	7	120	130	76
Iten Law Courts	None	2	14	16	9
Kabarnet Law Courts	1	2	17	20	13
Kitale Law Courts	2	8	60	70	50
Kapenguria Law Courts	1	2	18	21	12
Lodwar Law Courts	1	3	20	24	11
Total	8	27	274	309	
Sample size		28	151		179

Stratified and simple random sampling procedures were employed during the study. Stratified sampling was used to select the category of respondents who were included in the sample. Since the judges and magistrates were very few in every station, the researcher opted to use the 10% rule to select a reasonable number from the population to represent the judges and magistrates in the region. The research used questionnaires as the main tool for data collection. Descriptive and inferential statistics were used to analyse data. The statistical significance of the relationships in the hypotheses were determined using simple linear regression analysis; the level of significance was set at 95%. Descriptive statistical techniques were used to analyse the characteristics of the collected data. This involved the use of means, percentages, frequencies and standard deviations. The processed data was then presented in tables and explanations provided.

RESULTS

Relationship between Employee Welfare Facilities and Employee Performance

Employee welfare facilities were measured based on conducive work environment and provision of employee welfare programmes such as maternity leaves, sanitary facilities, and refreshments. Respondents were asked to indicate the extent to which they agreed or disagreed with the statements relating to motivational factors undertaken by the judiciary on a five-point Likert scale (1=Strongly Disagree [SD], 2=Disagree [D], 3=Neutral [N], 4=Agree [A], 5=Strongly Agree [SA]). The results were as presented in Table 2 below.

Table 2: Relationship between Employee Welfare Facilities and Employee Performance

Statement	SD	D	N	A	SA	Mean	Std. Dev
The judiciary provides employees with sufficient employee welfare facilities such as maternity leaves, sanitary facilities, and refreshments.	4	12	15	62	7	3.57	0.924
The judiciary provides employees with a conducive work environment to enable them perform their duties efficiently.	1	10	28	47	14	3.62	0.891
Employee welfare facilities provided by the judiciary result to reduction in the amount of cases kept in the courts at a given period.	5	12	31	42	10	3.41	0.996

Source: Field data (2016)

The mean scores for the responses suggest respondents' agreement with the statements on employee welfare facilities provided by the judiciary. It appears that respondents were satisfied with employee welfare facilities provided by the judiciary. The mean of 3.57 implied that employees agreed with the statement that "The judiciary provides employees with sufficient employee welfare facilities such as maternity leaves, sanitary facilities, and refreshments". The mean of 3.62 indicated that the respondents agreed with the statement that "The judiciary provides employees with conducive work environment to enable them perform their duties efficiently." Moreover, the mean of 3.41 implies that the respondents agreed to the statement that "Employee welfare facilities provided by the judiciary result to reduction in the amount of cases kept in the courts at a given period."

The study also tested the hypothesis which stated that there is no significant relationship between employee welfare facilities and employee performance in the judiciary. The statistical test results (regression and correlation analyses) of each null hypothesis were set at 95% confidence level as shown in the table below.

Table 3: Model Summary for the Relationship between Employee Welfare Facilities and Employee Performance

Model Summary				
Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.361 ^a	.131	.119	.935

a. Predictors: (Constant), Employee welfare facilities

Source: Field data (2016)

An R-squared of 13.1% was obtained. This implied that the simple linear model with employee welfare facilities as the independent variable explained 13.1% of the variations in employee performance. This meant that when employee welfare facilities were used the performance of the judiciary changed by 13.1%.

Table 4: ANOVA Results Showing the Relationship between Employee Welfare facilities and Employee Performance

		ANOVA ^a				
Model		Sum of Squares	Df	Mean Square	F	Sig.
1	Regression	20.082	2	10.041	11.494	.000 ^b
	Residual	133.661	153	.874		
	Total	153.744	155			

a. Dependent Variable: Employee performance

b. Predictors: (Constant), Employee welfare facilities

Source: Field data (2016)

A p-value of less than 0.05 (p-value=0.000) was obtained. This implies that the simple linear model with employee welfare facilities as independent variable is significant. Therefore, as employee welfare facilities are used the performance of employees in the judiciary improves. The results of the analysis were as shown in Table 5 below.

Table 5: Coefficient Results Showing the Relationship between Employee Welfare facilities and Employee Performance

		Coefficients ^a			t	Sig.
Model		Unstandardized Coefficients		Standardized Coefficients		
		B	Std. Error	Beta		
1	(Constant)	1.809	.346		5.223	.000
	Employee welfare facilities	.311	.101	.278	3.080	.002

a. Dependent Variable: Employee performance

Source: Field data (2016)

From the results in the table above, correlation coefficients show that employee welfare facilities (X) was significant (p-value = 0.002) and influenced employee performance (Y). The fitted model from this analysis is shown as follows: $Y = 1.809 + 0.311X$. The hypothesis test results suggest that employee welfare facilities have a positive effect on employee performance. This finding indicates that the more enhanced the employee welfare facilities, the higher the performance will be among the employees of the judiciary. Therefore, the null hypothesis was rejected.

Moreover, regression analysis revealed that there is a positive and statistically significant relationship between employee welfare facilities and employee performance of the judiciary. When employee welfare facilities are enhanced, the performance of the judiciary improved by 13.1%. The findings of this study contradict those of Aarabi *et al.* (2013) who found that some employee welfare facilities such as friendly environment and freedom were not significantly related to job performance. However, these findings are in agreement with those of Keitany (2014). The findings of Keitany's study indicated that there is a positively linear relationship between employee welfare programmes and employee performance. This means that if

employee welfare facilities are continuously enhanced, the performance of employees in the judiciary will improve significantly.

Research Implications

The study was conducted in the judiciary in the North Rift Region of Kenya. Similar studies can be done in other judicial systems in other parts of the country to compare the findings. Further research will also help to develop a theory of motivation that is customized to judiciary employees. Also, further research into welfare facilities as one of the employee motivational factors would be useful in understanding the influence that these factors have on organizational competitiveness and management processes for enhanced productivity.

CONCLUSION AND RECOMMENDATIONS

From the research findings, it is evident that the judiciary has implemented a set of motivational factors but not to the expectations of most employees. Therefore, there is need to enhance employee welfare facilities as these are likely to increase strategic organizational outcomes in terms of reduction of case backlogs and expeditious determination of cases. To this end, the Kenyan judiciary should design effective employee welfare facilities that are equivalent to the expectations of most of its employees. Welfare facilities provided are essential, but they are not sufficient to meet the expectations of all the employees of the judiciary. As such, there is a need to incorporate more welfare facilities in ongoing judicial reforms to improve employee performance to a greater percentage.

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