

# Livelihood, conditions of work, regulation and road safety in the small-scale public transport sector : a case of the Matatu . mode of transport in Kenya

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**ABSTRACT** : The matatu, a small-scale public transport vehicle in Kenya, is vital in both rural and urban areas for the movement of people and goods. This paper examines the struggle for livelihood in the matatu industry and the resultant problems of conditions of work, regulation and road safety. The results reveal that there are many financial expectations by a wide range of stakeholders in the matatu industry. This has led to unsatisfactory and extremely difficult conditions of work for matatu workers. Regulation of the sector is also a contested field of competing socio-economic interests. The resultant involvement of the matatu in road crashes has to be seen against this background: the struggle for livelihood by a wide range of stakeholders, extremely difficult working conditions and a hotly contested field of control. The overall recommendation is that the Government of Kenya alone cannot tackle the problem of road traffic injuries associated with the matatu. Passengers, vehicle owners, policemen, insurance firms, banks, vehicle importers and the travelling passengers have a role to play in improving road safety in the matatu industry.

**RESUME** : Le matatu , un véhicule de transport public de petite capacité, est vital au Kenya pour acheminer passagers et marchandises, tant en zone rurale qu'en zone urbaine. Cette communication étudie la lutte pour la survie des entreprises exploitant les matatus , ainsi que les problèmes qui en résultent en ce qui concerne les conditions de travail, l'adoption d'une réglementation adaptée et la sécurité routière. Il apparaît que la recherche du profit joue un rôle important pour une large part des opérateurs. Il en résulte des conditions de travail insatisfaisantes et même très difficiles pour les employés de ce secteur. La réglementation y est aussi le champ d'affrontement d'intérêts socio-économiques concurrents ou divergents. C'est dans ce contexte qu'il faut situer l'implication des matatus dans les accidents de la circulation . Il en ressort que le gouvernement du Kenya ne peut à lui seul résoudre le problème des accidents corporels de la circulation impliquant des matatus. Passagers, propriétaires des véhicules, policiers, compagnies d'assurance, banques, importateurs de véhicules et usagers de la route en général, ont tous un rôle à jouer pour améliorer la sécurité routière dans le secteur des transports par

## INTRODUCTION

A strong motorized informal transport industry has developed in Kenya. This industry is linked to other sectors of the economy such as vehicle assembly, body-building, insurance, motor vehicle garages, car dealers and gas stations. The *matatu* mode of public transport has grown both in the volume of activity conducted and importance. It offers transport service to both rural and urban areas. This sector competes, supplements and complements transport service offered by the other transport modes such as the bus and train. In some of the rural areas in Kenya, the *matatu* sector is the main and perhaps the only motor vehicle transport service available to facilitate

movement of goods and people. The *matatu* is also a source of livelihood to a number of persons. However, there are intriguing issues pertaining to control, conditions of work and safety in this sector. This paper therefore examines the struggle for livelihood in the *matatu* industry and the resultant problems of conditions of work, regulation and road safety.

The paper is based on findings from two studies: Nafukho<sup>1</sup> (1996, 2001) and Khayesi<sup>2</sup> (1997).

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Nafukho's study was conducted in Eldoret town and Khayesi's in Nairobi, Thika and Ruiru towns. Data from the *matatu* workers were collected using interviews and questionnaires. The Eldoret study had 143 drivers while the Nairobi study had 263 *matatu* workers (drivers, conductors and stage workers). In addition, *matatu* owners were interviewed.

## RESULTS AND DISCUSSION

### Struggle for Livelihood

The *matatu* industry in Kenya provides both direct and indirect employment opportunities to individuals, institutions and firms.

record of their names and a copy of identification card kept by the owner, association or *matatu* rank group but not a contract spelling out the terms and conditions of work. A key reason for lack of written contracts is that the family and social networks used in the recruitment of the workers seem to be taking advantage of the availability of many people looking for employment. There is a growing labour force from which workers can always be recruited. The owners are therefore taking advantage of the existence of a large labour force, which is largely unemployed.

*Matatu* workers essentially lack job security. Due to the fact that the contracts were verbal and not written in most cases, whenever the employer felt like terminating the contract, he/she went ahead and terminated it without prior warning. This partly explains the high driver turnover in the *matatu* industry. A majority of the drivers interviewed in Eldoret had been sacked from elsewhere and so they got employed on an hourly, trip or daily basis.

Table 1: Number of Financial Dependants of *Matatu* Workers

Number of Dependants	Drivers	Conductors	Stage Workers	Others	Total	Per cent
None	9	11	8	1	29	11.0
1 – 3	29	36	28	4	97	36.9
4 – 6	32	28	18	1	79	30.0
7 – 9	19	4	8	0	31	11.8
10 and above	18	2	5	2	27	10.3
Total	107	81	67	8	263	100.0
Per cent	40.7	30.8	25.5	3.0	100.0	

Source: Khayesi (1997)

### Conditions of Work

Job security and satisfactory conditions of work are crucial for a worker to feel secure and be more productive. We report on four aspects of conditions of work in the *matatu* industry: types of contracts, tenure of employment, working hours and levels of earnings.

Directly, the industry offers working opportunities to owners (especially owner-drivers), drivers, conductors and stage workers. Indirectly, the industry offers employment opportunities to such sectors as insurance companies, motor vehicle dealers and gas stations. The government exchequer also gets revenue in form of taxes from the *matatu* industry.

### Types of Contracts and Tenure of Employment

A very high number of *matatu* workers in Nairobi, Thika and Ruiru (n=211 or 80.2%) had verbal contracts (Table 2). Although 11% stated that they had written contracts, further probing revealed that what they referred to as written was basically a

*Matatu* workers have a number of persons who depend on them for financial support (Table 1). Drivers have the highest number of dependants, followed by conductors, stage workers and others. Majority of the workers (n=97 or 36.9%) had 1-3 dependants. In the Eldoret study, nearly all the drivers had dependants, the highest frequency being 5 dependants, reported by 32 drivers (22%).

<sup>2</sup> This study was funded by Institute for Development Studies of the University of Nairobi and the Centre for Development Research, Copenhagen.

Table 2: Types of Contracts and Employment Tenure of *Matatu* Workers

Type of Contracts*	Drivers	Conductors	Stage Workers	Others	Total	Per cent
Written	2	4	22	1	29	11.0
Verbal	96	74	38	3	21	80.2
Self-employed	4	3	7	4	18	6.8
No response	5	0	0	0	5	1.9
Total	107	81	67	8	26	99.9
Per cent	40.7	30.8	25.5	3.0	10	0.0

  

Employment Tenure**	Drivers	Conductors	Stage Workers	Others	Total	Per cent
Temporary	75	73	51	7	20	78.3
Permanent	26	8	14	1	49	18.6
No response	2	0	2	0	4	1.5
Self	4	0	0	0	4	1.5
Total	107	81	67	8	26	99.9
Per cent	40.7	30.8	25.5	3.0	10	0.0

Source: \*Khayesi (1997), \*\*Nafukho (1996).

Nine out of the twelve owners who were interviewed in Nairobi, Thika and Ruiru emphasized that the terms and conditions of work, including tenure, are solely a matter to be settled between the owner (employer) and worker (Khayesi 1997). They stated that they could not give written contracts and permanent tenure to the workers because of the following reasons. First, this will give the workers a basis to take up issues with the Ministry of Labour and Manpower Development, Industrial Court and trade unions. The second reason is that the owners feel that many of these workers would not get a job anywhere else because of their low academic standards. In any case, these owners feel that they are already doing a big favour to these workers by employing them as drivers, conductors and stage workers. Evidently, there is no clearly laid down procedure followed in determining the tenure and nature of contract for *matatu* workers.

#### NUMBER OF WORKING HOURS

*Matatu* workers generally work for long hours (Table 3), with a concentration in the range 9-15 hour range. The drivers have their hours predominantly in the range 13-15. The conductors are in the 13-15 hour range and stage workers in the 9-12 hour range. In order of relative importance, the drivers work the longest, followed by conductors, stage workers and others.

Table 3: Number of Daily Working Hours for *Matatu* Workers

Source: Khayesi (1997)

Number of Hours	Drivers	Conductors	Stage Workers	Others	Total	Per cent
Less than 9	6	2	4	1	13	4.9
9-12	21	13	36	3	73	27.8
13-15	51	46	19	1	117	44.5
Over 15	20	16	3	1	40	15.2
Varied	8	4	5	2	19	7.2
No response	1	0	0	0	1	0.4
Total	107	81	67	8	263	100.0
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13-15	51	46	19	1	117	44.5
Over 15	20	16	3	1	40	15.2
Varied	8	4	5	2	19	7.2
No response	1	0	0	0	1	0.4
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Source: Khayesi (1997)

### Levels of Earnings

*Matatu* workers are mainly paid on a daily basis (Table 4). In the Eldoret study, it is illustrative that only a mere 2 per cent of the drivers in the study earned above Kshs. 10,000 (\$8) per month. Although drivers bring the owners a lot of money, their salaries are quite low. Nearly all the drivers' earnings fall within the poor income group (Kshs. 1,300 - 6,000).

**Table 4: Amount of Salary earned by *Matatu* Drivers in Eldoret**

Amount in Kshs.	Frequency	Per cent
1,300	2	1.40
2,000	7	4.89
3,000	10	6.99
4,000	15	10.49
4,500	9	6.30
5,000	20	13.99
5,500	12	8.40
6,000	8	5.59
6,500	9	6.30
7,000	6	4.19
7,500	4	1.79
8,000	10	6.99
8,500	12	8.39
9,000	9	6.30
9,500	5	3.50
10,000 and above	3	2.09
No response	2	1.40
Total	143	100.00

Source: Nafukho (1996). Note: 1 US\$= Kshs. 78

## Other Employment Benefits

Employment benefits go beyond salary or wage to include leave, off, accident insurance, commuting allowance and retirement benefits. The workers were asked to report if they are provided with any of these other benefits. Their responses revealed that by and large, *matatu* workers are not offered these benefits. The benefits to which most of them responded in the affirmative were lunch allowance and off. They reported that they are given off when they request but they miss payment on the days they get off. It is evident that the main employment benefit, which these workers look forward to, is their pay from which they are expected to meet their financial needs.

The state of working environment and conditions analysed in this section raises questions about the effectiveness of existing employment policy and institutional framework with respect to the *matatu* workers. The Government of Kenya has formulated policy guidelines to govern recruitment and reward of labour. The relevant policy documents are the Employment Act (Laws of Kenya, Chapter 226), the Regulation of Wages and Conditions of Employment Act (Laws of Kenya, Chapter 229), Traffic Act (Laws of Kenya, Chapter 403) and Transport Licensing Act (Laws of Kenya, Chapter 404). It is intriguing to find out why government laws do not appear to work in the *matatu* industry (Nafukho 1996 and Khayesi (1997)). We offer part of the reason in the next section.

## Control and Regulation of the *Matatu* Industry

There are strong business, economic and political groups as well as deeply entrenched route-based cartels in the *matatu* industry (Khayesi 2002). Entry onto a route by a new operator is difficult. When one buys a *matatu* vehicle, he or she will face a number of hurdles and has to negotiate effectively with cartels before being allowed to operate on a certain route and thereby enter into the *matatu* business. Thus, buying a vehicle is not an assurance that one has entered into the *matatu* business. *Matatu* owners have formed route-based groups, which regulate entry and operations. A new entrant (owner) is expected to pay an exorbitant good will fee. The new owner has also to contend with getting a driver (if he or she is not an owner-driver) and a conductor. The hired driver and conductor have to deal with the financial demands of a number of stage and rank workers. Thus, entry of a new *matatu* owner into the business is not a free market choice but rather a strategic negotiation with key stakeholders. The negotiation and entry is based on a wide range of social, political and economic variables. A more or

less similar situation of entry and regulation has been found in the informal transport sector in the city of Lima in Peru (de Soto 1989). Some of the strong interest groups in the *matatu* industry engage in illegal activities that pose a threat to the life of *matatu* passengers as noted below:

*... traffic police have un-earthed a major syndicate involving the printing and distribution of falsified foreign car permits, driving and road licences and PSV driving certificates... The fake driving licences have been printed using cheap material and have smaller font giving a distinctly different look from the genuine ones (Daily Nation, June 22, 1996, p.3, cited by Nafukho, 1996).*

## The *Matatu* and Road Safety

The behaviour of *matatu* crews is a matter of concern to other road users and the Government of Kenya. *Matatu* drivers violate traffic rules with impunity (Shorter and Onyancha 1997, Khayesi 1999). This partly explains the increasing number of *matatu*-related road traffic injuries (Odero, Khayesi and Heda 2002, Nantulya and Muli-Musiime 2001, Khayesi 1999). Tunbridge has vividly described how economic interests lead to disregard for road safety by *matatu* drivers:

*Racing for time and battling against stiff competition, safety is invariably thrown to the wind. Pity the pedestrian who is in the way as a matatu tries to skip the queue of traffic by speeding along the pavement (Tunbridge 1998: 54).*

Nafukho (1996) established that 29% of the *matatu* drivers in the Eldoret study had been involved in road crashes five times in their driving career. Seventeen per cent of the drivers had been involved in only one crash in their driving career while another 11% of the drivers had been involved in up to ten road crashes. Asked why they overspeed and overload, some of the *matatu* drivers reported that this was a mechanism of compensating for the lost time and earnings incurred while bribing traffic police officers. They also stated that pressure from passengers and owners made them overspeed. The drivers identified additional factors contributing to their involvement in road traffic crashes: poor conditions of the road; pedestrians, cyclist and animal crossing; obstruction and driving poorly maintained vehicles. When further asked to specifically indicate in what way pressure from employers led to road traffic crashes, the drivers

reported that most *matatu* owners tend to set the minimum amount of money to be brought by the drivers in a day. Failure to meet this condition resulted in job loss in most cases. This then partly explains why the *matatu* drivers flout traffic rules: to make more trips to meet the minimum amount of money to generate in a day. Profit-making is therefore a major motive in the *matatu* industry. This is pursued at the expense of and threat to human life.

## CONCLUSION

This paper has examined the struggle for livelihood in the *matatu* industry in Kenya and the resultant problems of regulation, conditions of work and road safety. The results reveal that there are many financial expectations by a wide range of stakeholders in the *matatu* industry. The conditions and terms under which *matatu* workers operate are unsatisfactory and extremely difficult: long working hours, verbal contracts, poor remuneration, lack of other expected employment benefits, harassment from vehicle owners and passengers and harassment from traffic police. This kind of environment is the key explanatory factor why speeding, reckless driving and virtual disregard for traffic rules are the rule rather than the exception in the *matatu* sector. It is evident that the motive to make profit and the general environment under which *matatu* workers operate create situations that lead to road traffic collisions involving *matatu* vehicles. Thus, the ensuing struggle for livelihood and strong vested socio-economic interests undermine conditions of work in the *matatu* industry and pose a serious threat to road safety and human life in Kenya. The overall recommendation is that the Government of Kenya alone cannot tackle the problem of road traffic injuries associated with the *matatu*. Passengers, vehicle owners, police officers, insurance firms, banks, vehicle importers and the travelling public have a role to play in providing a conducive working environment for drivers and conductors in order to reduce the *matatu*-related deaths and injuries on the Kenyan roads.

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