



MINISTRY OF LABOUR AND SOCIAL PROTECTION

STATE DEPARTMENT FOR LABOUR

TERMS OF REFERENCE

**CONSULTANCY ON DEVELOPMENT OF A NATIONAL GREEN JOBS STRATEGY
AND ACTION PLAN FOR KENYA**

MARCH 2022

Terms of Reference - Consultancy for development of a National Green Jobs Strategy and Action Plan for Kenya:

1.0 BACKGROUND

Kenya's economic, social, and political aspirations that underpin the *Kenya Vision 2030*, seek to transform the country into an industrialized upper middle-income economy offering high quality of life to all its citizens by the year 2030. However, the country's economic growth rate has remained below the *Kenya Vision 2030* target of at least 10 per cent per annum and the SDG target of at least 7 per cent per year, which is required to support sustained, inclusive, and sustainable economic growth. Furthermore, economic growth has not been inclusive and formal job creation has not matched employment needs, particularly for youth leading to high levels of unemployment and income inequalities across the country.

The *Kenya Vision 2030* is being implemented through successive five-year Medium-Term Plans (MTPs). The third MTP III (2018-2022) builds on achievements of the first (2008-2012) and second (2013-2017) MTPs while prioritizing implementation of the "Big Four" Agenda. The MTP III (2018-2022) targets to create 1.3 million new jobs annually, and to increase the ratio of formal sector employment from 13 per cent in 2017 to 40 per cent by 2022. It also focuses on promoting equity in access, control, and participation in resource distribution for improved livelihoods of women, youth, and vulnerable groups.

The Government has achieved several milestones in the implementation of MTP III policies, programmes, and projects. However, the full realization of MTP III macroeconomic and sectoral targets have been derailed by outbreak of COVID-19 pandemic. The pandemic adversely affected key economic activities including tourism, exports of horticulture, micro, small and medium enterprises (MSMEs), manufacturing, transport, and storage as well as domestic and external trade. It led to losses in lives and overstretched the healthcare system capacity and disrupted education calendar in school, colleges, and universities. The slowdown in economic activities also negatively impacted the performance of other key economic variables including Government revenue, investments, fiscal deficit, and exchange rates.

The Budget for FY 2020/21 whose theme was "Stimulating the Economy to Safeguard Livelihoods, Jobs, Businesses and Industrial Recovery" included the initial Government measures to address the pandemic, stimulate the economy and achieve economic recovery in the near term. This paved way for the post-Covid -19 Economic Recovery Strategy (ERS) which builds on these earlier government initiatives to protect lives and support jobs and the economy. The ERS macroeconomic objectives include targeting fiscal and other support to enterprises to re-employ Kenyans who lost jobs due to the pandemic and creating additional formal and informal sector jobs, among others. The ERS provides the road map for transition into the fourth MTP (2023-2027) and a new development framework beyond the current Vision 2030. The key elements and focus of this recovery strategy include facilitating the private sector to play a larger role in economic recovery and growth and anchoring Kenya's future development on a clean, green and resilient recovery and growth pathway.

The Fourth MTP is being developed against a backdrop of high unemployment rate, particularly among the youth. Youth unemployment was as high as 8.3% in the first quarter of 2020 necessitating the need to promote MSMEs, address skills mismatch between demand and supply and improve linkages between industry and training institutions. Engagement of youth in the green economy agenda needs therefore to be aligned with goals of the ERS. Youth face several disadvantages that may hinder them from reaping fully from the potential opportunities that the green economy agenda presents. Among these include the fact that youth are less likely to have exclusive ownership of land due to lack of capital and unfavorable inheritance practices. Furthermore, female youth face cultural barriers to ownership. In addition, green economy interventions will need time to transform the livelihoods of those who opt to engage in it yet unemployment challenges facing the youth are immediate. Promotion of innovations, including making full use of the potentials in the digital economy and bringing multiple actors together can create additional avenues to enhance the benefits of green economy to young people.

Among the proposed interventions in the ERS is the development and implementation of a National Green Jobs strategy and promotion of labour-intensive programmes. It is against this background that UNDP and the State Department of Labour would like to engage the services of a consultant to develop a strategy and implementation plan for attaining the green jobs aspirations for the country.

2.0 Rationale of the study

According to the 2019 Kenya Population and Housing Census (KPHC) Report on Distribution of Population by Socio-Economic Characteristics, Kenya has a Working Population of 26,868,611 aged 15-64 years, which includes: 17,187,670 employed persons and 2,566,404 unemployed persons who were actively looking for work at the time of the census. Female labour force participation rate was 63.6 per cent compared to 69.1 per cent for males. The youth aged 18-34 years made up 45.3 per cent of the active population while those aged 15-24 years constituted 18.4 per cent. A total of 18.9 million individuals were estimated to be out of the labour force in 2019. The informal economy accounted for 83 per cent of total employment in 2019, signalling difficulties in realizing the government's aspiration of increasing the ratio of formal sector employment from 13 per cent in 2017 to 40 per cent in 2022.

The rate of unemployment in the country between January and March 2020 was recorded at 4.9%. However, using the relaxed definition of unemployment where potential labour force is included in the computation, the unemployment rate was 13.7%. This signals underutilization of the labour supply and inability of the economy to generate employment for those persons who want to work but are not doing so, even though they are available for employment and actively seeking work. The rise in levels of unemployment in the country may be attributed to loss of jobs and livelihoods due to the effects of COVID-19 pandemic. Kenya's labour force is projected to increase to 31.6 million by 2022 and 39.2 million by 2030 with the proportion of the working age population projected to be 62 per cent by 2050. This implies that Kenya must design and implement programmes that promote establishment and development of sustainable

enterprises, and support creation of full and productive employment and decent work for the growing labour force.

Kenya's economy grew at an annual average rate of 5.6 per cent in 2013-2019, some 1.4 percentage points below the SDG target of at least 7 per cent per annum and 4.4 percentage points below the 10 per cent annual target set by the *Kenya Vision 2030*. The economy generated 846,300 new jobs in the calendar year 2019 against a target of 1,150,000 jobs, where 767,900 jobs were in the informal sector, 78,400(9.26%) jobs were in the formal sector. The informal sector jobs grew by 3.2%; the formal sector jobs grew by 2.4% while the jobs in the self-employed and unpaid family worker in modern sector grew by 6.9%. The share of new jobs created in the formal economy declined from 17.6 per cent in 2013 to 9.3 per cent in 2019. The average new jobs created represents a paltry 30.7 per cent of the 2.6 million Kenya's active population that were unemployed and seeking employment in 2019 before issues about quality of the jobs is taken into consideration. The recorded economic growth rates and the rate of new job creation continues to be dampened by the demand and supply shocks occasioned by COVID-19.

Arising from tourism drops and disruptions in global value-chains which led to massive loss of export markets (horticulture, tea, coffee, fruits, etc.) and importation of crucial products (consumer and industrial products), women and youth have been greatly affected. The percentage of the population in active employment, whether informal or formal, has now fallen to 65.3% for men and 48.8% for women, with over 91.2% of the households not sure if they would ever go back to work. National unemployment rates among the youth stand at about 39% compared to the overall national unemployment rate of 9.3%. Thirteen counties, including cities of Nairobi, Mombasa and Kisumu, have nearly half (43, 49 and 41 percent respectively) of the youth population unemployed. On average 61% of the businesses reported negative business impacts due to the pandemic.

Kenya had a labor-force participation rate of 75% in 2019, which fell to 56.8% in April 2020. The percentage of the population in active employment, whether informal or formal, fell to 65.3% for men and 48.8% for women in May 2020, with over 91.2% of the households not sure if they would ever go back to work. National unemployment rates among the youth stand at about 39% compared to the overall national unemployment rate of 9.3%. Thirteen counties, including cities of Nairobi, Mombasa and Kisumu, have nearly half (43, 49 and 41 percent respectively) of the youth population unemployed. On average 61% of the businesses reported negative business impacts due to the pandemic. By August 2020, redundancy notification from 628 companies affecting 14,401 workers in the formal sector had been received while 14,354 people from the informal sector were reported to have lost their livelihoods. To curb the impact of COVID-19 in the country's labour market, there is need to ensure creation and increased access to decent jobs, income and entrepreneurship opportunities by men and women, including the youth, persons with disability and the new vulnerable groups.

The pandemic has had its greatest impact on women and girls, who have been subjected to increased cases of gender-based violence and reported increase in teenage pregnancies associated with prolonged closure of both primary and secondary schools. Women in Kenya are

under-represented in wage employment, comprising slightly above a third (37%) and in most sectors of formal employment requiring high education or specialized skills, including information and communications, finance and insurance, real estate as well as manufacturing. However, they are over-represented in vulnerable employment (68% compared to 39% of men).

According to ILO, climate change adaptation and mitigation strategies require investment in new technologies, products, services, and infrastructure, which can provide a major stimulus for much-needed new employment. The ILO estimates that up to 60 million new jobs could be created by focusing on greening of Jobs. Tens of millions of green jobs have already been created in countries at various levels of development. In the United States, 2.7 million jobs have been created in the environmental goods and services sector, mainly for low- and middle-skilled workers. In Brazil 2.9 million green jobs have been created through the pursuit of low-carbon development, accounting for 6.6 per cent of total formal employment. In China, over a million jobs have been created in forestry programmes while in the EU, 14.6 million direct and indirect jobs exist in biodiversity protection and forest and national resource rehabilitation. Globally, the renewable energy sector employs over 8 million workers.

Green job creation and the greening of existing jobs, enterprises and economies are an essential means of achieving sustainable development and providing decent work for all. Green jobs will help increase the country's climate resilience and if properly designed and managed, green jobs can foster social inclusion and gender equality and contribute to the eradication of poverty. Understanding the employment effects and other dynamics of green jobs is crucial in developing policies that achieve positive social and labour outcomes. Skills building and upgrading, training and education, and entrepreneurship development is needed to maximize green jobs creation, stimulating investment in new green products and services, and promoting environmentally friendly workplaces.

3.0 Overall Objective

The key objective of the consultancy is to develop a National Green Jobs Strategy and Action Plan to guide in implementation and monitoring of the green jobs agenda in the country. This objective was jointly formulated by the Ministry of Labour and Social Protection and trade union partners of Friedrich Ebert Stiftung (FES) Kenya and United Nations Development Programme. FES Kenya supported background research as a base for the facilitation of the strategy development process and possible pathways towards a just transition and green job creation.

3.1 Specific Objectives

- i. Review existing data and relevant reports focusing on the Green Jobs initiatives implemented in Kenya and its relation to the UN Agenda 2030 for SDG achievement.
- ii. Review the situational analysis report and with additional field assessments, propose key result areas, and strategic activities necessary for the development of Kenya's green jobs strategy across key sectors of the economy and inform the development of the green jobs action plan.
- iii. Identify key sectors and specific interventions necessary to demonstrate viability of green jobs, including, awareness, infrastructure, and services necessary to build support for the Green Jobs agenda in Kenya.
- iv. Through the green jobs action plan, develop mechanisms for the State Department of Labour for engagement, advocacy, and awareness creation for stakeholders, including the other partners, to further develop policy ideas and strengthen the implementation of policy initiatives towards the realization of the green jobs strategy in Kenya in line with the Agenda 2030.

4.0 Scope of the work

The consultant will review and update the existing situational analysis based on additional consultations and limited field visits. H/She is expected to carry out an assessment of the country's potential for creation of green jobs across in key sectors of the economy to inform mapping of interventions. The consultant will identify several sectors, regions and activities necessary for implementation of specific interventions relevant to the green jobs strategy. In consultation with stakeholders and with coordination of the state department of labour and UNDP, the consultant will develop a National Green Jobs Strategy to provide guidelines regarding decent green jobs, as well as National Green Jobs Action Plan to guide implementation and monitoring of the green jobs agenda in the long-term. The consultant will report to the Ministry of Labour and Social Protection and UNDP on all aspects related to the development of the report.

The scope will include the provision of an Inception Report on the study including a Work Plan with proposed timelines and budgets of each activity. This will also provide in detail the method to be used in carrying out the exercise. An outline of the report will be produced, a draft report, and lastly the final report. As part of the inception report, the consultant will recommend additional data and field visits necessary to update the existing green jobs situation and potential in the country.

5.0 Expected Deliverables/Outputs

The consultant will be expected to present the deliverables to State Department of Labour and UNDP in the following order:

- i. Inception report – Understanding of TOR, Work Plan, Research Design/Methodology.
- ii. Final report - a National Green Jobs Strategy to provide policy guidelines regarding the green jobs agenda.
- iii. Action Plan - a National Green Jobs Action Plan to guide implementation and monitoring of the green jobs' agenda in the long-term.

Under the full supervision of the director for planning in the State Department of Labour and UNDP Portfolio Analyst for Inclusive Growth and in coordination with the Team Leader Governance and Inclusive Growth Unit, the consultant will have the following scope of work:

- Meet with UNDP and State Department of Labour team to discuss the work plan and methodology,
- Review the TOR and green situational analysis report and recommend sectors, stakeholders, management plans currently underway and necessary for green jobs;
- Through a consultative process and application of an appropriate tool of analysis, identify focus areas and develop strategic objectives and key result areas for the green jobs strategy in Kenya;
- Based on the situational analysis, extract, map, and fully describe the current activities that are taking place in the identified sectors or can take place within the selected sectors including information about target audiences, activities, sites, effect, economy, benefits, etc.) relevant for green economy jobs;
- Propose and conduct additional field visits and consultations, meetings with the select sector leaders and other main stakeholders, that were mapped, select sectors and relevant current geographical distribution of the activities areas, necessary for creation of green jobs in Kenya
- Fully describe the proposed sectors and activities and accurately (geographic location, and potential jobs, proposed activities, awareness, surrounding services and infrastructure, interaction with other sectors, etc.)
- The consultant should make recommendations on how to expand the numbers and types of activities in the situational analysis in accordance with the updated situational analysis and proposed new strategy and their application to the youth;
- Review the institutional capacity, organizational set-up, financial and administrative systems of the State Department of Labour against the mandate and the identified

strategic objectives and key result areas for green jobs strategy and make recommendations, if any.

- Propose a strategy for achieving the strategic objectives and key results.
- Develop a Results and Resources Framework for the plan period;
- Lead stakeholder meeting(s) to validate the draft Strategic Plan;

6.0 DELIVERABLES AND TIMELINE

The consultant will be responsible for the delivery and technical quality of the final product. All deliverables shall be submitted to UNDP in accordance with the following timeline:

Tasks/ Outputs	Estimated duration to complete
1. Signing and Submitting Inception Report	
a. Upon signing of contract, the consultant is expected to produce a detail workplan of the activities to be undertaken and timelines, in line with the TOR and an inception report.	2 days
2. Meeting and consultation with UNDP and State Department of Labour Teams	
a. Meeting with the UNDP and State Department of Labour Teams on the specifications of the designs, contents, functions and technical improvement of the situational analysis, field visits etc., with details agreed to by UNDP, State Department of Labour and the Consultant	1 day
3. Updated Situational Analysis report	

<p>a) Propose and conduct additional field visits and consultations, meetings with the selected sector leaders and other stakeholders, in relevant geographical areas and the relevant activities necessary for creation of green jobs strategy in Kenya</p> <p>b) Based on the field visits and documents analysis, extract, map, and fully describe the current activities that are taking place in the identified sectors or can take place within the selected sectors including information about target audience, density, activities sites, effect, benefits, etc.) relevant for green economy jobs</p> <p>c) By updating the situational analysis report, fully describe the proposed sectors and activities accurately (geographic location, and potential jobs, proposed activities, awareness, surrounding services and infrastructure, interaction with other sectors, etc.)</p> <p>d) Make recommendations on how to expand the numbers and types of activities in accordance with the updated situational analysis and proposed new strategy</p>	12 days
4. Development of Green Jobs strategy	
<p>a. Through a consultative process and application of an appropriate tools of analysis, and using the improved situational analysis report, identify focus areas and develop strategic objectives and key result areas for the green jobs strategy in Kenya</p> <p>b. Review the institutional capacity, organizational set-up, financial and</p>	8 days

administrative systems of the state department of labour against its mandate and the identified strategic objectives and key result areas for green jobs strategy; and make recommendations, if any	
c. Propose a strategy for achieving the strategic objectives and key results	
d. Develop a Results and Resources Framework for the implementation of the plan period	2 Days
e. Lead stakeholder meeting(s) to validate the draft Strategic Plan;	1 day
Final report - a National Green Jobs Strategy to provide policy guidelines regarding the green jobs agenda.	2 days
Final Action Plan - a National Green Jobs Action Plan to guide implementation and monitoring of the green jobs' agenda in the long-term.	2 days

7.0 Consultant qualifications and requirements

The consultant(s) should have a minimum of a master's degree in either Labour Economics, Development studies, Environmental Entrepreneurship, Environmental and Natural Resources Management or any other related field. The preferred candidate should have a wide understanding of environmental and natural resources management in context of Kenya. He/she should have experience in the relevant field.

Knowledge and Experience

- i. At least five years of demonstrated professional expertise in Conducting research, strategic planning, public policy planning and policy analysis.
- ii. Demonstrated experience in development of a policy interventions
- iii. Demonstrated experience in working with the government, partners, and stakeholders in public sector programmes.
- iv. Skills in facilitation of workshops and stakeholder engagement forums
- v. Experience in energy auditing will be an added advantage
- vi. Familiarity with the labour market dynamics in Kenya

- vii. Evidence of having undertaken similar assignments

6.0 Duration of the consultancy

The consultancy is expected to be accomplished within 30 days spread over a period of not more than two (2) months from the date the contract is signed.

7.0 Institutional arrangement

The consultant will report directly to UNDP Portfolio Analyst of Inclusive Growth and the Director for planning at the State Department for Labour or their representatives.

7.1 Role of the consultant

- The consultant is responsible to provide his/her technical expertise to produce the expected outputs
- The consultant shall cover all the related cost during the assignment period, except the validation workshop
- The consultant shall report on and submit the above deliverables under this assignment to the assigned person, acting as the focal point for the project

7.2 Role of UNDP focal person/team

- The UNDP Portfolio analyst -Inclusive growth will provide overall quality assurance for this consultancy on behalf of UNDP, while the directors of planning in the State Department of Labour, will do the same on behalf of the State Department of Labour
- The Team Leader, Governance and Inclusive Growth Unit, will review all deliverables for payment release
- The focal persons for UNDP and State Department of Labour will act as the focal persons to interact with the consultant to facilitate the assignment, to facilitate the field mission, to facilitate the review of each outputs and ensure the timely generation of the comments from stakeholders on each output.

8.0 DUTY STATION

The consultant will be based at UNDP Kenya Country Office, Nairobi.

9.0 **CRITERIA FOR EVALUATION OF LEVEL OF TECHNICAL COMPLIANCE OF INDIVIDUAL CONTRACTOR.**

Technical Evaluation Criteria	Obtainable Score
Qualification	
Master's degree in social sciences, Labour Economics, Development studies, Environmental Entrepreneurship, Environmental and Natural Resources Management or any other related relents field	10%
Experience	
Demonstrated experiences on data analysis and data collection tools development	20%
Minimum 5 years of proven and demonstrable professional experience in conducting research, strategic planning, public policy planning and policy analysis	30%
More than 5 Years working with demonstrated experience in development of a policy interventions	10%
Proven familiarity with the labour market dynamics in Kenya	20%
Experience working with UN agencies or other development actors on public sector programmes	10%
Total Obtainable Score	100%

Upon the advertisement of the Procurement Notice, qualified Individual Consultant is expected to submit both the Technical and Financial Proposals. Accordingly, Individual Consultants will be evaluated based on Cumulative Analysis as per the following scenario:

- Responsive/compliant/acceptable, and
- Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation. In this regard, the respective weight of the proposals is:
 - Technical Criteria weight is 70%
 - Financial Criteria weight is 30%

Only candidates obtaining a minimum of 49 points (70% of the total technical points) will be considered for the Financial Evaluation.

10.0 PROPOSAL SUBMISSION

Applicants are instructed to submit their all-inclusive fee proposal in KSH using the financial proposal template provided (Offerors letter to UNDP). The financial proposal should be all-inclusive and include a breakdown. The term 'all-inclusive' implies that all costs (professional fees, travel related expenses, communications, utilities, consumables, insurance, etc.) that could possibly be incurred by the Contractor are already factored into the financial proposal.

Financial evaluation (maximum 30 points):

The following formula will be used to evaluate financial proposal:

$p = y (\mu/z)$, where:

p = points for the financial proposal being evaluated

y = maximum number of points for the financial proposal

μ = price of the lowest priced proposal

z = price of the proposal being evaluated

11.0 PAYMENT MILESTONE

The prospective consultant will indicate the cost of services for each deliverable in Kenya Shillings **all¹ inclusive lump-sum contract amount** when applying for this consultancy. The qualified consultant shall receive his/her lump sum service fees upon certification of the completed tasks satisfactorily, as per the following payment schedule:

Deliverables or Documents to be Delivered	Approval should be obtained	Percentage of Payment
On completion of the Inception report – Understanding of TOR, Work Plan, Research Design/Methodology.	Project Manager	30%
Upon submission of draft reports: a) National Green Jobs Strategy to provide policy guidelines regarding the green	Project Manager	50%

¹ The term "All inclusive" implies that all costs (professional fees, travel costs, living allowances, communications, consumables, etc.) that could possibly be incurred by the Contractor are already factored into the final amounts submitted in the proposal

jobs agenda. b) Action Plan - National Green Jobs Action Plan to guide implementation and monitoring of the green jobs' agenda		
Final report after validation: a) National Green Jobs Strategy to provide policy guidelines regarding the green jobs agenda. b) Action Plan - National Green Jobs Action Plan to guide implementation and monitoring of the green jobs' agenda	Project manager	20%

12.0 CONFIDENTIALITY AND PROPRIETARY INTERESTS

The Individual Consultant shall not either during the term or after termination of the assignment, disclose any proprietary or confidential information related to the consultancy service without prior written consent. Proprietary interests on all materials and documents prepared by the consultants under the assignment shall become and remain properties of UNDP.

13.0 APPLICATION PROCESS.

Interested and qualified candidates should submit their applications which should include the following:

1. Detailed Curriculum Vitae
2. Proposal for implementing the assignment – template provided
3. Offeror's letter to UNDP – template provided

Note: The successful applicant will be required to complete a UNDP Personal History Form (P11) form prior to contracting.

Please quote: **"KEN/IC/018/2022 – National Consultant – Development of National Green Jobs Strategy and Action Plan"** on the subject line. **Applications must be received through consultants.ken@undp.org on or before Wednesday, 23rd March 2022 by 11.59 P.M (GMT+3.00)**

Firms are not eligible for this consultancy assignment. **Open to national individual consultants only.**

Incomplete applications will be disqualified automatically.

For any clarifications please write to **undp.kenya.procurement@undp.org**