



UNIVERSITY OF EMBU



STAFF PROFILE

Name: Dr. Johana Kambo Gathongo

Qualifications: DOCTOR OF LAWS (LLD) (Labour Law) – Nelson Mandela University
MASTER OF LAWS (LLM) (Labour Law) – Nelson Mandela University
LEGUM BACCALAUREUS (LLB) – Nelson Mandela Metropolitan University
PG-Diploma: Labour Law – Nelson Mandela Metropolitan University

Position: Ag. Dean School of Law

Department: Commercial Law

School: School of Law

Area of Specialization: Labour law, Social Security Law, Alternative Dispute Resolution (ADR) and Equality Law.

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Short Biography

Dr Johana Kambo Gathongo is currently a Law Lecturer and Ag. Dean at the University of Embu, School of Law. He teaches Tort Law and Legal Research and Writing.

Dr Gathongo received his Legum Baccalaureus (LLB) degree, Master of Laws (LLM) degree and Doctor of Laws (LLD) degree from the Nelson Mandela University (NMU). He also holds a Post Graduate Diploma in Labour Law Practice directed by the Commission for Conciliation Mediation and Arbitration (CCMA - South Africa). While at NMU, Dr Gathongo served as a

Teaching Assistant, a Supplemental Instruction (SI) Leader and Supplemental Instruction Coordinator. He is also a research associate at Nelson Mandela University, Faculty of Law in South Africa. He has supervised and still supervises Masters (LLM - research) and examines students' in the field of Labour law at Nelson Mandela University, Faculty of Law.

Dr. Gathongo also writes frequently for publications. He is the author or co-author of many papers in international refereed journals and has contributed in conferences. He serves as a peer reviewer for the Journal of Law and Ethics - Kabarak University.

Besides working at NMU, Dr Gathongo has also worked at Rhodes University in South Africa as an acting Employee Relations (ER) Manager. While there, he represented the University at the CCMA proceedings, initiated staff disciplinary hearing, advised Heads of Department (HoDs) on various institutional matters, assisted in drafting, reviewing and amending internal Policies, provided advice on various amendments to labour legislation, monitored compliance with internal University Policies, labour and other relevant legislation. He subsequently held the position of Senior Administrator: Legal, Support, Projects and Services at Rhodes University until 30 June 2019.

Research Interests

His research is situated in the field of Law, with a special focus on Labour Law.

Publications in Journals:

- **JK Gathongo** "Sexual Harassment in the Workplace" 2019 Vol 39 No.5 *Journal of the Institute of People Management* 14-25.
- **JK Gathongo** "Towards an effective Kenyan labour dispute resolution system: A comparison with the South African labour dispute resolution system and International Jurisprudence" 2018 Vol 2 *Obiter* 27.
- **JK Gathongo** "Resolving Essential Services Disputes in Kenya: The 2017-2018 Doctors, Nurses and Clinical Officers Strikes Revisited - Lessons from South Africa." *Potchefstroom Electronic Law Journal* Vol 23 2019.
- **JK Gathongo & Loshni Govender** "Towards a fair hearing for all Kenyan employees: A case of probationary employee's right to be heard prior to dismissal." Accepted: *Potchefstroom Electronic Law Journal* Vol 23 2019.
- **JK Gathongo** "Equality and Freedom from Discrimination: A Critical Evaluation of section 5(3) (a) Employment Act 14 of 2007 and the Proposed Amendment." *Journal of Law & Ethics* 2019.
- **JK Gathongo** "Towards Equal Pay for Education of Equal Value: A Case of Non-Southern African Development Community (SADC) International Students in South Africa" and lessons from *Larbi-Odam and Others v MEC for Education (North-West Province) and another* (1998) 1 SA 745 (CC) - Under peer review at *Obiter Law Journal* 2019.

Work in progress

- **JK Gathongo.** “The Future of Collective Bargaining in Kenya – Time for a different approach? Lessons from South Africa” (in progress).

Presentation of Papers at Academic and Professional Conferences

- **JK Gathongo** “*International Conference on Peer Assisted Study Sessions (PASS) or SI (Supplemental Instruction) international Leaders.*” Organised and hosted by the University of Manchester Teaching and Learning Support Office Directorate for the Student Experience, UK. Held on 4th – 6th November 2014 in Manchester, United Kingdom.
- **JK Gathongo** “*International Conference UK PASS National Leader conference.*” Organised and hosted by the University of Edinburgh Teaching and Learning Support Office Directorate, Held on 7th – 9th November 2014 in Scotland, United Kingdom.
- **JK Gathongo** “*The future of Peer Support: International Conference for UK Peer Assisted Study Sessions.*” Hosted by the University of Edinburgh Teaching and Learning Support Office Directorate. Held on 7th – 9th November 2014 at the University of Edinburgh, Scotland, United Kingdom.