

## **Factors Perceived To Influence Employees' Performance; a Case of the Kenyan State Law Office**

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### **Abstract**

*In an increasingly competitive world, performance is not an option but rather a necessity for institutions seeking to survive, thrive and improve their productivity. This can only be achieved through collaboration between management and employees working together to achieve corporate goals. However, there are factors within and outside the organization that affect the performance of the employees. The external environment encompasses all issues, occurrences, trends that are peripheral to the corporation and beyond the control of a firm yet have a potential or real impact on the employees. The internal environment relates to all aspects within the confines of the organization and generally is within the control of the firm (David et al., 1970). This study was geared towards investigating the factors perceived to influence employee performance at the state law offices in Kenya. The study used a descriptive survey design with the target population of the study being the 1996 employees of the State Law Office in Kenya. Stratified random sampling method was used in selecting the sample employees in each department with a sample size of 200 employees. The study then used primary data that was collected using a semi-structured questionnaire and the data analyzed using descriptive statistics. The study concluded that the factors that affected employee's performance in State Law offices were job security, working conditions and autonomy in the work place. Similarly, it was also revealed that the employees were unsatisfied about promotions, bonuses and salary increment. The study recommended that the public sector in Kenya and in particular, the State Law Office needs to sustain rewarding processes and procedures to keep employees motivated in the work place. Following some instances of dissatisfaction cited by the respondents in regards to the training programs and capacity building offered by the State Law office, there was also need to develop consistent training programs and workshops to train and capacity build competencies.*

**Key Words:** Competition, performance, state law office, corporate goals, employees, management, benefits, leadership, equality, discrimination, management, environment, training and capacity building programs.

### **Introduction**

#### **Background of the Study**

Researchers have come up with many theories on the issue of motivation and employee performance (David et al., 1970). Popular among these theories are Douglas McGregor Theory 'Y' which unlike theory 'X' has the view that people love work naturally and see their reward not only in terms of cash benefit but from the satisfaction derived from undertaking difficult works on their own thus providing managers a platform to exploit this wish for self development for maximum productive efficiency. Herzberg Two Factor Theory is a two step theory based on hygiene and motivator factor status, the equity theory explains motivation in terms of trying to be like the Jones's social comparison between themselves and their peers, the expectancy theory which indicates that people are motivated by working towards some sort of benefits or bonuses. Maslow's hierarchy of needs theory can also be applied here. Employee's performance depends on a number of factors. There are employees who perform better due to their levels of intrinsic motivation. Other employees perform well because the working conditions and the benefits are favorable. In most cases, it depends on the needs and priorities of employees and the current status of employment that they are enjoying. These factors may affect their performance in their work places and this highly influences retention of employees in a particular job (Adsit et al, 1996). Performance is attained when an employee achieves organizational goals in a highly effective and efficient manner. This goal is closely aligned with achieving the overall goals of the organization.

Performance is an extremely important criterion that relates to the organizational outcomes and success. Employees' performance is the job related activities expected of workers and how well those activities are executed. This involves all aspects that directly or indirectly affect and relate to the work of the employees.

Performance must be directed towards organizational goals that are relevant to the job or role assigned to the workers (Slocum, 2007). Workers make decision about how much to produce, how to produce and quality of workmanship. Individuals do what they perceive will lead to desired outcomes and avoid what they perceive will lead to undesirable outcomes. Armstrong (2006) suggests that an evaluation of a leader's behaviors by employees do influence the extent to which employees perceive the organization positively or negatively. Leadership characteristics play a critical role in influencing the performance behaviors of employees in the work place.

### ***Perception***

Perception is the process, which attributes meaning to incoming stimuli through the human senses. It constitutes of two factors, the stimuli and the individual factors. Knowledge of the perceptual process is essential since the manner in which users of a product and service interpret the information that is affected by their cognitive understanding that they have established in their minds (James and Patrick, 2012). Too often managers misunderstand the behavior of employees because they tend to rely on their own perception of situation and forget that employee's perception may be different (Gregory, 1974). Baptiste (2008) notes that too often managers misunderstand the behavior of employees because they tend to rely on their own perception of situation and forget that employee's perception may be different.

Armstrong (2006) indicates that perception happens in one of five ways; you see something with your eye, smell something with your nose, hear something with your ears, feel something with your fingers and taste with your tongue. Because there is an over abundance of stimulation hitting your senses in every moment, most sensations will be filtered out. This is why only a fraction of our surrounding environment will ever reach your conscious awareness. What is filtered in versus filtered out depends on where you put your attention. Whatever stimulus you focus on becomes the attended stimuli. At this stage you become consciously aware of the environmental stimuli and you begin to analyze and interpret the perceived object in order to give them meaning and context. Performance is therefore a function of a worker's knowledge, skills and abilities. Competences and performance are usually correlated as competences are diagnostic and can be used to assess the potential to perform (Bernardin, 2010).

### ***Factors that Influence Employees Performance***

There are various factors that influence the performance of employees in work places. Khankar (2007) defines motivation as one's willingness to exert effort towards accomplishment of goals. It is willingness to exert high levels of efforts towards organizational goals, conditioned by one's ability to satisfy some individual needs. This accounts for an individual's intensity, direction and persistence of effort towards attaining a certain goal. Motivation can either be intrinsic or extrinsic. Extrinsic motivation is related to tangible rewards such as salary and fringe benefits, security, promotion, contract of service, the work environment and conditions of work. Intrinsic motivation is related to psychological rewards such as opportunity to use one's ability, a sense of challenge and achievement, receiving appreciation, positive recognition and being treated in a caring and considerate manner (Spector et al, 2004).

People's behavior is determined by what motivates them, their performance is a product of both their level of ability and the level of motivation (Spector et al., 2004). It is clearly evident that if the manager is to improve performance of work in an organization, attention must be given to the level of motivation of its members. According to Porter et al, (1968) character traits, skills and knowledge are used in the performance however; these traits are not always present and will not vary widely over short periods of time. Porter (1968) suggested that effort does not lead directly to performance but is influenced by individual characteristics, for instance, factors such as intelligence; skills, knowledge, training, and personality affect ability to perform a given activity. If a person lacks the right ability or personality or has inaccurate role perception of what is required of them, the exertion of large amount of energy may still result in low level of performance or task accomplishment. Training is any attempt to improve employee performance on a currently held job or one related to it. This usually impacts on specific knowledge, skills, attitudes or behaviors. Development refers to learning opportunities designed to help employees grow opportunities that may not be limited to improving employee's performance on their current job.

The role of perception in relation to employees' performance, the findings of this study showed that perception influences the type of effort exerted, the direction and the level of action in which is believed to be necessary for effective performance. As well skills and abilities individual should have an idea of what their role involves that often go beyond the formal job description (Mullins, 2010). Role perception are influenced by our past experiences and expectations communicated. On the other hand Khankar (2007) stated that performance would depend upon role perception as defined in the standing orders, policy instructions and the level of efforts, skills ability, knowledge and intellectual capacity of the individual. Managers must explain to the employees the role they play in the organization. Employee need to understand what is expected of them and how these expectations affects performance. Managers should be sure that desired level of performance set for employees can be attained.

### ***State Law Offices***

There are two state law offices in Kenya. The Office of the Attorney General has the overall responsibility of providing legal advice to the Government and its agencies. It is responsible for ensuring that the Kenya Legal system effectively offers opportunity for the activities of the Public and Private Sector to be carried out within the ambit of the law (OAG, 2013).

Attorney general's office is currently divided in the following Seven (7) Departments namely: civil litigation, legislative drafting, treaties and agreements, registrar-general, administrator-general, advocate's complaints commission and administration and Planning (OAG, 2013). Office of the prosecutor is also a state law office that has a mandate to carry out all forms of prosecutions including Police Prosecutions.

Other functions of state law offices include: estate duty, civil litigation, official receiver, public trustee, custodian of enemy property, college of arms, copyright, legislative drafting, drafting and vetting of Agreements, handling matters related to the Legal Profession, advocates Complaints Commission and handling all forms of registration. These offices cannot provide quality services without competent employees since they offer professional services to the government and the public. Although, there various factors that are perceived to influence employees performance, most employees in state law offices are highly affected by a number of factors in their performance for example: traits and abilities, external environment, rewards (OAG, 2013).

### ***Research Design and Methodology***

The study used descriptive survey design with the target population of the study being the 1,996 with a sample size of 200 employees. The stratified random sampling method was used in selecting the respondents in all the seven departments. 28 employees were selected from each of the seven departments in the State Law Office namely: registrar general, administrator general, civil litigation, legislative drafting, treaties and agreement, advocates complaints commission and administration and planning. Primary data was collected using a semi-structured questionnaire.

### ***Response Rate***

Out of 200 questionnaires issued, 140 were filled and returned making a response rate 70% with 43% being female and 57% male. 18 employees were between the ages of 20-28, 38 were between 29-38 and 84 were above 40 years of age. Employees this was an indication that most of the employees working in the state law office were between 39-48 years.

Further, from the above findings, it was revealed 34% of the employees had a degree, the other 32% of the employees had a diploma, and 30% had masters with only 4% having doctorate degrees. From the findings in table 4.4 above, it was observed that 5% of the employees had served for less than 5 years while 27.9% of the respondents had served for 6-10 years. 64.3% of the respondents had served for 11-15 years and only 2.9% of the respondents had served in the organization for 16 years and above. This clearly reveals that most employees working in the state law office had served between 11-15 years in the organization.

### ***Perceived factors that influence Employees' Performance Office In State Law Offices.***

The respondents were asked to select the response rate that best described their perception of factors that influence employee's performance. Likert scale was used in a scale of 1-5 as illustrated below: Strongly disagree =1, Disagree =2, Undecided =3, Agree =4 and strongly agree =5.

## Rewards

The study sought to determine whether rewards influenced employee's performance in the State Law office.

**Table 1: - Rewards**

Statement	Strongly Disagree	Disagree	Undecided	Agree	Strongly Agree	Mean	Std. Deviation
Rate of Reward is Satisfactory	2.8%	2.8%	36.7%	30.0%	27.8%	3.97	0.91
Rewards and performance	5.6%	12.8%	21.1%	38.3%	22.2%	3.89	0.98
Payment of salaries is done promptly	8.3%	8.3%	31.1%	27.2%	25.0%	3.72	1.19
Rate of Payment	5.6%	18.3%	18.3%	30.0%	27.8%	3.86	1.10
Outstanding performance	5.6%	25.6%	5.6%	24.4%	38.9%	4.06	1.09
Salaries and wages	1.3%	10.2%	21.5%	10%	57%	4.57	0.89
Average	5.84%	4.67%	9.05%	57.98%	33.12%	4.814	1.014

**Source:** Field Data (2014)

From above findings in table 1 above, 57.8% of the respondents agreed that rate of reward was a perceived factor that enhanced the level of satisfaction. Rewarding employees leads to improved employee's performance. These statements are supported by 60.5% of the respondents, 52.2% and another 57.8% respectively agreed to the statement that rate of pay and timely payment highly influences employees' performances and overall productivity of the institution. On a 5 point scale the mean score of the responses was 4.814 which indicate that there was a higher level of agreement on the questionnaire statements by respondents. The responses were also spread from the mean at a 1.014 standard deviation.

## Traits and Skills

The respondents were asked to comment whether traits and skills influenced the perceived factors affecting employees' performance in State Law office.

**Table 2: Traits and Skills**

Statement	Strongly Disagree	Disagree	Undecided	Agree	Strongly Agree	Mean	Std. Deviation
Training and abilities	0.3%	30.8%	3.3%	43.9%	21.7%	3.83	0.94
Training employees	0.8%	31.1%	4.9%	30.0%	33.2%	3.85	1.08
Improvement after training	20.1%	30.6%	4.0%	31.7%	13.6%	3.65	0.75
Training and development	0.2%	50.5%	2.1%	10.1%	37.1%	3.58	1.03
Average	0.375	0.8	3.5	63.93	31.4	3.83	0.94

**Source:** Field Data (2014)

From above findings in table 2 above, 65.6% of the respondents agreed that training and abilities was a key factor that enhanced employee's performance in State Law office. Training and development programs led to improved employees performance.

The findings further revealed that some of the employees were not satisfied with the training and development programs offered in the State Law office. From the above findings, this is represented by 50.7% of the respondents. These statements are supported by 63.3% of the respondents who agreed to the statement that training and development is significant for improving employee's traits and skills in their work. On a 5 point scale the mean score of the responses was 3.83 which indicated that the respondents strongly agreed on the various questions asked in respect to traits and skills. The responses were also spread from the mean at a 0.94 standard deviation. work supervision was ineffective. On a 5-point scale the mean score of the responses was 3.79 which indicated that the respondents agreed on the various questions asked in respect to environmental factors. The responses were also spread from the mean at a 0.946 standard deviation.

#### 4.3.4 Job Satisfaction

The study sought to determine the extent of satisfaction by the employees in the State Law Office. Below are the findings of the study provided in the table 3 below:

**Table 3 Job Satisfaction**

Statement	Strongly Disagree	Disagree	Undecided	Agree	Strongly Agree	Mean	Std. Deviation
Satisfied to work	0.6%	40.4%	3.4%	13.9%	41.7%	4.03	0.94
Job satisfaction and performance	0.6%	41.3%	4.9%	20.0%	33.2%	3.75	1.08
Better working conditions	0.1%	20.5%	4.0%	21.8%	33.6%	3.67	0.79
Support and resources to							
meet performance targets	0.3%	20.4%	2.1%	28.1%	49.1%	3.58	1.03
Average	0.4	0.65	3.6	55.95	39.4	3.79	0.96

**Source:** Field Data (2014)

From above findings in table 4.6 above, 55.6% of the respondents agreed that they were satisfied with the job which motivated them to perform better. On the other hand 41% of the respondents indicated that they were dissatisfied with their job this highly demotivated them to perform in the work place. This statement was supported by 53.2% of the respondents. Better working conditions and resources play a critical role in job satisfaction leading to improved performances in the work place. The findings show that these statements were supported by 55.4% and 77.2% of the respondents respectively. This is an indication that job satisfaction leads to improved performance in the State Law office, In a 5 point scale the mean score of the responses was 3.79 which indicated that most respondents agreed that job satisfaction highly contributed to performance of employees' performance. The responses were also spread from the mean at a 0.96 standard deviation.

#### *Summary and Discussion of findings*

In regard to the traits and skills, the findings revealed that the respondents agreed on traits and skills influence employees' performance in the State Law Office. These findings are consistent with a study by Armstrong (2006) who drew conclusions that employees performance are relatively affected by some factors for example remuneration and working conditions. According to this study, remuneration was one of the key drivers of motivation to employees in the work places.

It was confirmed that rewarding employees leads to improved employee's performance. These statements were supported by 60.5% of the respondents, 52.2% and another 57.8% respectively agreed to the statement that rate of pay and timely payment highly influences employees' performances and overall productivity of the institution. With regard to training and development programs, it was observed that training and development programs led to improved employee's performance. The findings further discovered that some of the employees were not satisfied with the training and development programs offered in the State Law office. These findings are coherent with the following studies: Mbaabu (2013) who determined the perceived factors that influence lecturers' performance at the institute of human Resource Management (IHRM). The findings revealed that rewards, training and, motivation play a key role in enhancing employees' performance in the work place.

The findings unearthed that motivational programs played an important role in improving the level of performance of most employees, leadership, culture and extra input in enhancing performance was an essential motivational factor towards improving employees performance. Similarly, according to the findings, better working conditions and resources played a critical role in job satisfaction leading to improved performances in the work place. This finding is however in line with the suggestions by Kaimuri (2012) carried out a study on the perceived factors affecting employee performance management in the city council of Nairobi, it was found that stakeholder involvement, working conditions, organizational culture and leadership commitment highly influenced employees' performance.

With regard to the extent of employees' satisfaction in the work place, the results show that 55.6% of the respondents agreed that they were satisfied with the job which motivated them to perform better. Similarly, 41% of the respondents indicated that they were dissatisfied with their job; this highly demotivated them to perform in the work place.

Further, better working conditions and resources was found to play a critical role in job satisfaction leading to improved performances in the work place. These findings are in tandem with the explanations given by Herzberg (1968) who contended that job satisfaction is linked with motivation; employees who are more satisfied are likely to perform better in their work places than those who are dissatisfied. He further showed that the elements which give job satisfaction have little to do with money or the status and far more to do with achievement, responsibilities, the job itself, opportunities for career growth and recognition. Self-driven and focused individuals can gain personal satisfaction from working in a group with high morale this motivates them to work even harder like their counter parts and in turn leads to high employees' performance.

### ***Conclusion and Recommendations***

The study established that management efforts and extra input in enhancing performance was an essential motivational factor towards improving employees' performance. On the other hand the respondents indicated that the quality of work supervision was ineffective due to the nature of the organizational structure.

The findings further revealed that some of the employees were not satisfied with the training and development programs offered in the State Law office. It was discovered that some of the employees were not satisfied with the training and development programs offered in the State Law office. The findings also revealed that most employees were not satisfied with the way promotions were awarded in their organization.

In reference to the analysis, better working conditions and resources was found to play a critical role in job satisfaction leading to improved performances in the work place. Job satisfaction was found to influence the level of employees' motivation. According to the findings, employees who were more satisfied with the job to performed better than those who are dissatisfied.

The study concludes that there are several main factors realized to have influence in the performance of employees at the State Law offices. First, most of the respondents are quite satisfied with the working conditions especially job security and autonomy in the work place. Majority of the respondents concurred that the public service commission did not offer promotions on experience; the respondents indicated that employees had to further their studies in order to qualify for promotions which was a very long process to them. Some of the employees also noted that they were not satisfied with the rewarding process and procedures by the State law office. They argued that special recognition in the state law offices was not given special attention, this demotivated employees in working extra harder to boost performance.

Training has its importance at the State Law office. Although the majority of respondents expressed satisfaction with the training activities at State Law offices, a few of the respondents indicated that the kind of staff training did not translate to improved performance. There are all indications that majority of the employees were satisfied to work in the organization. However, it is also evident that more than a few of the employees were demoralized as their grievances are not promptly attended to. The translation is low performance. Fourthly, the most of the employees were quite motivated with their roles since they were clearly defined.

However, some of the employees were dissatisfied with the remunerations; a few contended that their remuneration was not commensurate with the kind of work that they performed in the organization. Finally, support to meet individual performance targets is a crucial factor a few respondents claim low support was accorded to them especially in the introduction of county government, the respondents at the state law offices claimed that they were subjected to a lot of work.

### ***Recommendations***

The study recommends that the public sector needs to sustain rewarding processes and procedures to keep employees motivated in the work place. Following some instances of dissatisfaction cited by the respondents in terms of the training processes and capacity building programs offered by the State Law office, the public sector should come up with occasional training programs and workshops to train and educate its employees in order to sharpen their skills and competence in their job. The public service commission should take full account on established policies in the counties in which they operate and consider the views of other stakeholders. In this regard, it should: Contribute to economic, social and environmental progress with a view to achieving sustainable development. The study also recommends that the public service should encourage local capacity building through close co-operation with the local community, including business interests, as well as developing the enterprise's activities in domestic and foreign markets, consistent with the need for sound commercial practice.

Encourage human capital formation, in particular by creating employment opportunities and facilitating training opportunities for employees. Refrain from seeking or accepting exemptions not contemplated in the statutory or regulatory framework related to environmental, health, safety, labour, taxation, financial incentives, or other issues. Support and uphold good corporate governance principles and develop and apply good corporate governance practices. Develop and apply effective self-regulatory practices and management systems that foster a relationship of confidence and mutual trust between enterprises and the societies in which they operate. The study further recommends that the public service should promote employee awareness of, and compliance with, company policies through appropriate dissemination of these policies, including through training programmes. Encourage, where practicable, business partners, including suppliers and sub-contractors, to apply principles of corporate conduct compatible with the Guidelines.

### ***Limitations of the Study***

It was not easy to have busy employees to help in filling the questionnaires since most of them thought that the process was tedious and non-paying. In most cases, white collar workers consider their time precious and worth payment; therefore, it was a hard subject convincing them that the research was meant for the betterment of their working conditions. Also, due to social desirability nature of the questions in the questionnaire, it was presumably difficult to convince the respondents to give only true information.

The researcher faced significant time and funding constraints which limited the scope of the study. It would have been more useful if the study involved a higher sample across the public service commission.

### ***Suggestions for urther Research***

Future researchers and academicians may conduct studies on the perceived factors affecting employees' performance in the private sector and other public sector organizations to see if the findings of the study hold.

Future researchers and academicians should seek to investigate on the appropriate measures that organizations should put in place to ensure that their employees are not affected by the factors perceived to influence employees' performance in the work place. This way most organizations can devise a strategy on how to balance between the effects of these factors and the performance of their employees leading to improved organizational performance.

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