



**BELVEDERES**  
**IN SOCIAL AND**  
**MANAGEMENT SCIENCES**

Edited by  
**David O. Imhonopi**  
**Ugochukwu M. Urim**

**Belvederes in the Social and  
Management Sciences**

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Published by  
Department of Sociology  
College of Business and Social Sciences  
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## DEDICATION

This book is dedicated to the Chancellor of Covenant University, **Dr. David Olaniyi Oyedepo**, for the large visionary appetite he has and the pioneering role he has continued to play in the education sector. His vision for quality and life-changing university education has continued to redefine existing benchmarks and bring about record breaking results in such a short while. He is one of the shining tesseras in the modern university education mosaic in Africa, restoring hope to the black race that it does not have to be white to be right and that black does not mean lack, bad, scrap, daft, stark, quack, drawback, holdback, kickback or setback. He remains an inspiration, a shining beacon and a model in the pursuit of African renaissance.

## ACKNOWLEDGEMENTS

We thank Almighty God for the grace, the strength and inspiration to produce this work. Every scholarly project presents its own unique challenges but staying focused and working till the goal is reached have been made possible because of the abundance of grace and marvellous helps the Father made available to us. We are grateful to the Most High.

The visionary and inspirational leadership of **Dr. David Olaniyi Oyedepo** continues to drive and push us not to rest on our oars. Like the working dreamer that he is, every accomplished dream pushes us to the next project and then the next. This trait of “no arrival mentality” has kept us restless and uncomplacent. Sir, thank you always for helping us maximise our potentials!

We are grateful to the Vice-Chancellor, **Professor AAA Atayero**, who has continued to shine the light of progress on the path of glory for Covenant University. Your commitment, Sir, to the vision of Covenant University and building on the achievements of your predecessors have seen the university grow in leaps and bounds.

We cannot forget the uplifting roles of other high-ranking members of the Top Management, the Deputy Vice-Chancellor, **Professor Shalom Nwodo Chinedu**, the Registrar, **Dr. Olumuyiwa Oludayo**, the Dean, College of Business and Social Sciences, **Professor Philip Olasupo Alege**, and the HOD of Sociology and our mentor **Professor Patrick A. Edewor**, in stimulating us towards excellence in scholarship. We thank colleagues in the Department of Sociology for holding fort and shining the light of sociological scholarship on the path of the next generation of managers, scholars, researchers and knowledge workers.

We are grateful to contributors whose works are bounded in this opus. Their nuanced belvederes to the various subjects they treated have brought an interesting kaleidoscope to the doxies presented in their chapters. We look forward to working with many more international and indigenous scholars, producing works from Africa that break shimmering potsherds of light on the African social and management scenes.

Finally, we thank everyone who has believed in us, contributed to our growth, supported our dreams, not forgetting our past and present students.

The Editors

## FOREWORD

Scholarship is mainly anchored on and advanced by knowledge production. Without it, scholarship suffers atrophy, becomes redundant and stale. Therefore, when academics publish their works or research findings, they are only assisting the intellectual, artistic and industry communities to locate important pieces in the knowledge montage that would benefit the latter's reading appetite, research propensity, advance society and social causes and bring new ways of thinking to light.

This is exactly what this book seeks to achieve: provide the reader with pieces of scholarly information through the written word to benefit the reader's intellectual appetite or research propensity or advance society, social and management causes, bringing new ways of thinking to light.

I hope readers find it useful.

**Professor Emeka E. Okafor**

Department of Sociology

University of Ibadan

Ibadan, Nigeria

A Visiting Professor to the Department of Sociology,

Olabisi Onabanjo University

## PREFACE

*Belvederes in Social and Management Sciences* is another project meant to throw more light on well-researched but eclectic works from scholars based in different universities in Nigeria whose articles dwell on important issues in the social and management sciences. In this opus, issues treated include: A comparative analysis of the proposed Labour Standards Bill and the substantive Labour Act 2004; The concept of “glass ceiling” and the determinant factors; Training Nigerian youth in modern vocational education as a strategy for employment creation; Motivation as a pathway to organisational effectiveness; Management rights clause (prerogative) and collective bargaining; Poverty, unemployment, crime and the problem of leadership in the quest for sustainable development in Nigeria; Socio-economic characteristics of Nigerian GSM subscribers; Policy response to entrepreneurship development and its implications for sustainable development in Nigeria; Ethical appraisal of civil society in Nigeria; Information and communication technology; Globalisation, technological change and environmental concerns; Rethinking the Nigerian social policy and the care of the elderly; Challenges and coping strategies about livelihood of female staff in Tai Solarin University of Education; Sexual violence in higher institutions and its implications for the educational development of women and girls in Nigeria; Environmental sustainability of supply chain practices on the performance of Total Exploration and Production Nigeria Limited; and organisational change management strategies: lessons for industry in developing countries.

This eclecticism adds great epistemic flavour to this book and provides different topical choices that will titillate readers' diverse reading and research interests and foci as findings made will be useful to academics, tertiary students and the reading public.



However, opinions expressed in each chapter are those of the authors and do not represent those of the Editors or the Department of Sociology, Covenant University.

We hope that this project furthers the diverse interests of readers and that each chapter contributes to the advancement of the epistemic frontiers in the subject areas.

Thank you.

**Dr. David Imhonopi**  
Associate Professor  
Department of Sociology  
Covenant University

## ABOUT THE CONTRIBUTORS

**ADEBAYO**, Anthony Abayomi is a Lecturer in the Department of Sociology, Federal University, Oye-Ekiti, Ekiti State.

**ADEDIRE**, Solomon Adebayo is a Lecturer in the Department of Political Science and International Relations, Landmark University, Omu Aran, Kwara State.

**ADEIGBE**, Yunus Kayode is a Senior Lecturer and Head, Department of Management and Accounting, Lead University, Ibadan, Oyo State.

**ADEKUNLE**, Adekola Rasheed is a Management Consultant based in Lagos.

**AJEDE**, Salamat Atinuke (PhD) is a Lecturer in the Department of Sociological Studies/Industrial and Labour Relations, Tai Solarin University of Education, Ogun State.

**AKINLOTAN**, Raymond Adeniyi is a Lecturer in the Department of Sociology, Crawford University, Igbesa, Ogun State.

**ESSIEN**, D. Essien (PhD) is a Senior Lecturer in the Department of Religious and Cultural Studies, University of Uyo, Akwa Ibom State.

**ETUK**, Grace Reuben (PhD) is Associate Professor in the Department of Sociology, University of Calabar, Cross River State.

**EXCELLENCE-OLUYE**, Nchekwube O. is a Lecturer in the Department of Political Science and International Relations, Covenant University, Canaan Land, Ota, Ogun State.

**IGBADUMHE**, Friday Abaye is a Doctoral Candidate in the Department of Business Management, Covenant University, Canaan Land, Ota, Ogun State.



- IGBOKWE**, Anthony (PhD) is a Senior Lecturer in the Department of Business Administration, Nasarawa State University, Keffi, Nasarawa State.
- IMHONOPI**, David (PhD) Ozimhede is Associate Professor in the Department of Sociology, Covenant University.
- KOLAWOLE**, Taiwo Olabode (PhD) is a Senior Lecturer in the Department of Sociology, Federal University, Oye-Ekiti, Ekiti State.
- MICAH**, Damilola John (PhD) is a Lecturer in the Department of Sociology, Adekunle Ajasin University, Akungba Akoko, Ondo State.
- OKAFOR**, Emeka Emmanuel (PhD) is Professor in the Department of Sociology, University of Ibadan, Oyo State.
- OKON**, James E. (PhD) is Associate Professor in the Department of Educational Administration and Planning, University of Calabar, Cross River State.
- OLUWAGBOHUNMI**, Joseph Aduralere is a Postgraduate Student in the Department of Sociology, University of Ibadan, Ibadan, Oyo State.
- OLUWASHAKIN**, Ajinde (PhD) is a Senior Lecturer in the Department of International Relations and Diplomacy, Afe Babalola University, Ado Ekiti, Ekiti State.
- ONYEUKWU**, Pauline E. (PhD) is a Senior Lecturer in the Department of Business Administration, Nigerian Turkish Nile University, FCT, Abuja.
- URIM**, Ugochukwu Moses is a Doctoral Candidate in the Department of Business Management, Covenant University, Canaan Land, Ota, Ogun State.

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## **Chapter 1**

# **THE PROPOSED LABOUR STANDARDS BILL AND THE SUBSTANTIVE LABOUR ACT 2004: A COMPARATIVE ANALYSIS**



**Ugochukwu Moses URIM and David IMHONOPI**

### **CHAPTER SYNOPSIS**

The substantive Labour Act, which is the principal statute on employment relations and working conditions in Nigeria, has come under serious criticisms for its anachronism, inadequacies, and weakness in the articulation and enforcement of its provisions. This has necessitated the review done to the Act to upgrade its provisions so the Act could be empowered to meet with modern-day challenges and issues in the industrial relations arena in Nigeria and to address the inconsistencies therein. This chapter has attempted an in-depth examination of the Labour Standards Bill, which is still with the National Assembly, with a view to analysing the provisions of the bill in the light of the expectations of stakeholders and the exigencies and dynamics of modern-day industrial relations. The study has advanced recommendations to further strengthen the proposed bill, with the hope that when it is passed into law, it would usher in greater industrial harmony and economic development in Nigeria.

### **INTRODUCTION**

Nigeria is one of the 181-member countries that are signatories to the conventions and labour standards ratified by the International Labour Organisation (ILO) as part of its Declaration on Fundamental Principles and Rights at Work (ICFTU, 2005; Collective Bargaining, 2009). This declaration is based on ILO's core conventions and defines the minimum social standards as core labour standards expected in the workplace. These minimum standards of basic labour rights cover: freedom of association, the right to organise, collective bargaining, abolition of forced labour,



equality of opportunity and treatment and other standards regulating conditions across the entire spectrum of work-related issues. As of July 2008, the ILO has adopted 188 conventions (Collective Bargaining, 2009).

A convention defines standards and provides a model for nations to follow. Member nations are encouraged to ratify conventions and have an obligation to put the conventions before their parliament for consideration (Collective Bargaining, 2009). Once a convention is ratified by a country, its government is expected to treat it as an international treaty and therefore has accepted two obligations: (1) a commitment to apply the provisions of the Convention to its laws and (2) a willingness to accept a measure of international supervision through formal monitoring and reporting mechanisms.

Consequently, the proposed Labour Standards Bill, still with the National Assembly, is a product of internal and international agitations for reforms of some of the provisions of the substantive Labour Act, which are deemed not to conform to (1) ILO requirements and conventions, (2) the provisions of the 1999 Constitution of the Federal Republic of Nigeria on social objectives and citizens' fundamental rights and (3) modern issues as they arise within the industrial relations setting. Some of the provisions of the substantive Act have, therefore, become anachronistic, moribund and inadequate to address many contemporary issues affecting employment and labour relations in Nigeria.

As Amao (2006) puts it, the Labour Act, which came into force in 1971, appears too weak and outdated to be capable of addressing issues that have emerged from modern-day industrial relations. For instance, the extant Act does not address the issues of discrimination in the workplace, equality of pay, sexual harassment, and others, and does not provide enough penalties/punishment commensurate with offences committed by parties in the employment contract.

In addition, the Act falls short when it comes to the regulation of the terms of employment and working conditions in Free Trade Zones (FTZs) and Export Processing Zones (EPZs), as these are new concepts that have emerged in the industrial relations system today all over the world and even in Nigeria. Such drawbacks, inadequacies and inconsistencies with the conventions and requirements of ILO, the provisions of the 1999 Constitution of the Federal Republic of Nigeria, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) ratified by Nigeria in 1984 and the moribund nature of the Act, in the light of modern and changing realities in the industrial relations environment, called for the review of the Labour Act.

Hence, this chapter has attempted to look at the proposed review of the Labour Act in the light of the new provisions introduced into the Labour Standards Bill and the various other reviews made and examined the implication on the contract of service and what these portend for labour and employment relations in Nigeria. Recommendations have also been spotlighted in order to further make the Labour Standards Bill a piece of legislation that would sustain and foster the yearnings of workers, who are the weaker link in the employment relations chain and lead to robust industrial relations system, where the parties involved will be guided, regulated and protected within the contract of employment with a view to achieving industrial peace, harmony and development.

## **LITERATURE REVIEW**

For the purpose of elucidation, this chapter will seek to clarify such terms as Labour, Labour Act, Contract of Employment, Employee and Employer.

Labour can be conceived as a social class comprising those who do manual labour or work for wages. It also refers to those workers in general; the working class, the workforce; sometimes specifically the labour movement, that is, organised labour. It is simply another term for workers or employed people while for



others, labour is referred to as all human resources used in production. Amadeo (2017) frames it this way: labour is the amount of physical, mental and social effort used to produce goods and services in an economy. It is one of the four factors of production that drive supply. It is labour that supplies the expertise, manpower and service needed to turn raw materials into finished products and services. While these definitions are good, they are not exhaustive. This is why authors will also be conceptualising the terms “employee” and “employer” with a view to balancing the gaps that the above definitions on labour have created and to show the relationship that exists between employees and employers.

### **Who is an employee?**

According to Section 9 (e) of the Principal statute on labour matters in the country, i.e. the Labour Act 2004, an employee is referred to as a worker and is defined as “any person who has entered into or works under a contract with an employer, whether the contract is for manual, labour or clerical work or is expressed or implied or oral or written, and whether it is a contract of service or contract personally to execute any work or labour...” This definition has been restructured or reworded in the proposed Labour Standards Bill 2008. In fact, the word “worker” in the Labour Standards Bill has been replaced with “employee” ostensibly to correct the impression that scholars and industrial relations practitioners have about the substantive Labour Act 2004 that it is meant for junior and artisanal workers. In Section 60 of the bill, an employee is defined as “any person employed by another under oral or written contract of employment whether on a continuous, part-time, temporary or casual basis and includes a domestic servant who is not a member of the family of the employer.” These two definitions establish the employment contract between two notable parties: the employee and the employer and the type of work for which the employee is given to work for and under the employer. It also establishes the concept of a master/servant relationship between the two parties. Also very importantly, the Labour Standards Bill, in a bid to stop the casualisation of Nigerian workers, recognised them as employees



in the workplace. Domestic servants too are not left out in this definition.

**Who is an employer?** In no special order, the next important party in the employment contract is the employer. In fact, it is the employer that initiates the employment contract. According to Section 91 of the Labour Act (2004), an employer is “any person who has entered into a contract of employment to employ any other person as a worker either for himself or for the service of any other person, and includes the agent, manager or factor of that first-mentioned person and the personal representatives of a deceased employer.” However, just like the change in the definition of an employee in the Labour Standards Bill, there is also a change in the definition of an employer. According to the Labour Standards Bill (2008), an employer is that “individual or body corporate who has entered into a contract of employment to employ any other person as an employee or apprentice.” These definitions establish a master-servant, labour-management relationship between the employer and the employee or apprentice.

### **The Labour Act**

According to Nwazuoke (2001), the Labour Act is the only Nigerian statute which makes provisions on minimum terms which certain employment contracts must have. The parties to the contracts of employment covered by the Act can agree on terms better than those of the Act. This view is shared by (Ajaegbu, n. d.), where she states that the Labour Act is the law that sets minimum standards of working and employment conditions, but not prejudicial to higher standards already set by collective agreements, decisions, awards or order of courts of competent jurisdiction. It covers all categories of employees, excluding those categories with already existing laws that govern their terms and conditions of employment but applies where any of those laws do not provide for minimum standards. For Idubor (2005), the Labour Act is the principal statute that deals with the legal problems arising from employment. However, the Labour Act has been criticised as a piece of legislation enacted to protect the

working and employment conditions of junior workers or artisans only (Amao, 2006; Chianu, 1997; Onyearu, 2008). Nevertheless, there is an agreement about the provisions of the Act, which is that the Act has been able to come up with the minimum standards of working and employment conditions in Nigeria.

Authors believe that it is these obvious shortcomings, *inter alia*, that led to the proposition of the Labour Standards Bill.

### **What is contract of employment?**

The contract of employment is the central element in the structure of labour law. According to Section 91 of the Labour Act (2004), Contract of Employment means “an agreement, whether oral or written, express or implied, whereby one person agrees to employ another as a worker and that other person agrees to serve the employer as a worker.” For the Labour Standards Bill (2008), section 60, Contract of Employment means any enforceable agreement, whether oral or written, express or implied, whereby one person agrees to employ another as an employee and the other person agrees to work for the employer.” At common law, the assumption is that the terms of the contract are freely established by parties who are equal. Nevertheless, as Roper (1958) and Nwazuoke (2001) contend, this presumption is fictitious as the employment relationship, for majority of employees, “implies a relation of undefined authority on the side of the employer, and undefined subordination on the side of the workman. It is a relation which inevitably gives rise to the need for guarantees against abuse and a relation which the trade unions constantly seek to improve.”

### **THE HISTORY OF LABOUR LAWS IN NIGERIA**

The history of labour laws in Nigeria did not arise until the establishment of employer-employee relationship. It is important to mention that before the working relations between employers and employees came into being, human society had passed through five modes of production relations (Idubor, 2005). In his



scholastic treatise on this issue, Idubor identifies these 5 modes of production as follows:

1. **The Traditional Communal Society** was a period where members of the society worked for themselves by ensuring the betterment of the entire society/community. That epoch was characterised by a sense of community feeling where members helped one another to accomplish selected tasks. They shared a feeling of "what concerns a member of the society was the concern of all" (Idubor, 2005, p.2). In this society too, the contract of employment was not in force because of the communal production relations in place and the absence of employers and employees.
2. **The Slave Epoch.** As a result of the inordinate ambition of man, the stronger members of society who were naturally more physically endowed subjugated and enslaved the weaker and less endowed. The conquered became slaves and property and their conquerors became their owners and lords. The production relations in place became exploitative as slaves became a form of capital or tool for their owners. The result of the efforts of the slaves was expropriated by the owners. There was nothing like any breach of employment contract, nor was there any form of grievance or dispute of rights between the slave owners and slaves. What was in vogue at this time was forced and exploitation of labour.
3. **The Feudal Society.** With the fall of the slave society as a result of the oppression of the slaves, and the consequent rebellion of slaves, the feudal society was born. In this society, a new production relation was in place. In this epoch too, the landlord/land owner retained the control of the land, while the liberated slave as serf, retained only his physical self which he must make available for tilling the land of the owner. In this relationship, the landlord had everything produced on the land to himself except the minimum necessary for the serf to keep body and soul together so as to enhance his continued productivity for the benefit of the landowner. Dispute of right, interest or

recognition could never have had a place in this system of production relations.

4. **The Capitalist Society.** The feudal society, like its predecessor, collapsed because of the inherent contradictions in its production relations. It gave birth to a new system of production relations where there was the capitalist or owner of capital and labour (owner of labour power). This society encourages an exchange whereby the owner of capital employs owners of labour (skills, knowledge and abilities) to produce goods and services for which the latter is paid an agreed sum, while the capitalist enjoys the excess that remains (i.e. profit). It was in this era that paid employment was introduced and consequently labour laws designed to regulate and guide the employment relations in place.
5. **The Socialist/Communist Society.** This society briefly surfaced in the then Socialist Russia and existed mainly in the eastern bloc. The collapse of communism in Russia in the 1990's dealt a deadly blow to this system of production relations. Although there are vestiges of this system of production relations in very few countries such as in North Korea, China, North Yemen today, the truth is, this system of production relations is about quitting the stage of history.

## **PAID EMPLOYMENT IN NIGERIA AND THE LABOUR ACT**

Nigeria can be situated within each of the first four epochs of the production relations mentioned earlier. However, it is important to point out that when the Europeans came in contact with Nigerians in the eighteenth and nineteenth centuries, paid employment which is a cornerstone of the contract of employment was virtually non-existent (Ogunniyi, 1991). With the coming of the Europeans, the hitherto agrarian employment associated with the traditional African setting gave way to manufacturing, mining, extractive and constructive industries together with service



industry as well as white-collar employment, and so the economy became monetised. As Edewor (2002) argued, the introduction of industrial capitalism into Nigeria which manifested its vestiges in the form of introduction of coins and monetisation of business transactions and rewards, introduction of a factory system, introduction of formal education and school system became the cornerstone for the introduction of paid employment, a situation that drastically altered the system of production relations and introduced the employer-employee industrial relations system.

With the employment relations in place, the two direct parties pitched against each other as a result of their divergent interests. For the employer, profit is the chief motive in the employment relationship, while the employee is interested in getting better working conditions and terms of employment. This results in a power struggle, where each party tries to outdo the other. This conflict manifests itself in working conditions and terms of employment like employment security, hours of work, manner and periodicity of payment of remuneration, severance procedure, safety and welfare, compensation for employment injuries, career development, among others. In this relationship, the employee is the weaker party because the employer can fire him or her and still get a replacement, especially in a period of high unemployment. In the case of the employer, he or she owns the means of capital and determines the destiny of the employment relationship, as it were. Thus, without the intervention of labour laws, the industrial relations environment could be heated up by the struggle of these parties and may degenerate into industrial disharmony, chaos and economic instability.

However, the first Nigerian Labour Law, which was promulgated in 1938, when the Trade Union Ordinance was enacted by the colonial administration (NLC, 2010), was not a response to the agitation of Nigerian workers regarding the unsavoury treatment in the workplace. As Fashoyin (1980) observed, unlike the labour laws in Britain, which came as a response to the agitation of workers for improved working conditions, the Trade Union Ordinance of 1938 recognised the trade unions in existence but was more or less for cultural interaction between and among Nigerian workers. As time went

on, labour in Nigeria became militant, and wanting better working conditions and terms of employment, labour sought it through the establishment of more vibrant and better organised trade unions and central labour organisations and lobbied government to enact laws in order to protect the rights and interests of workers, who are considered the weaker partner in the employment relationship (Roper, 1958; Imhonopi & Urim, 2011; Nwazuoke, 2001). The militant posture of labour was also informed by ILO conventions which canvassed for better working conditions and fundamental rights for workers everywhere. These conventions and other factors led to the rise of a militant labour movement in Nigeria with the desire to force employers to bargain with labour representatives.

The Labour Act which was passed in 1971 was one of the laws but the principal statute guiding employer-employee relationship in Nigeria. This Act was a response to labour's agitation for better working conditions and terms of employment.

## **THE PROVISIONS OF THE SUBSTANTIVE LABOUR ACT**

The provisions of the substantive Act are divided into 92 sections of four parts and the subtitles are listed below:

**Part I:** General provisions as to protection of wages, contracts of employment and terms and conditions of employment

### **1. Protection of wages**

1. *Manner of payment*
2. *Agreement as to place and manner of spending wages illegal*
3. *Wages not to be paid on certain premises*
4. *Advances*
5. *Deductions (including deductions for over-payment of wages)*
6. *Authority of employer to open shop*

### **2. Contracts of employment**

7. *Written particulars of terms of employment*
8. *Medical examination*
9. *Contracts: general*
10. *Transfer to other employment*

11. *Termination of contracts by notice*
12. *Common employment not a defence*

### **3. Terms and Conditions of Employment**

13. *Hours of work and overtime*
14. *Provision of transport*
15. *Periodicity of payment of wages*
16. *Sick leave*
17. *Duty of employer to provide work*
18. *Annual holidays with pay*
19. *Calculation of leave pay and sickness benefits*
20. *Redundancy*

### **4. General**

21. *Offences*
22. *Exemptions*

## **Part II: Recruiting: Recruiters and Recruiting Generally**

### **5. Recruiters and Recruiting Generally**

23. *Prohibition of recruiting except under permit or licence*
24. *Employer's permit*
25. *Recruiter's licence*
26. *Restrictions on recruiting*
27. *Recruiting: miscellaneous provisions*
28. *Health*
29. *Transport*
30. *Expenses and maintenance*
31. *Repatriation*
32. *Capitation fee*

### **6. Recruiting for employment in Nigeria**

33. *Procedural requirements*
34. *Right to be accompanied by family*
35. *Deferment of wages*

### **7. Recruiting for employment outside Nigeria**

36. *Power of prohibition*



37. *International agreements*
38. *Duration of contract and return passages*
39. *Procedure prior to leaving Nigeria*
40. *Special terms and conditions of contract*
41. *Surrender of permits*
42. *Embarkation check*
43. *Exemption from customs on repatriation*
44. *Right to be accompanied by family at employer's expense*

#### **8. Enforcement provisions**

45. *Inducing recruiting by fraud, etc.*
46. *Neglect or ill-treatment*
47. *Other offences*

#### **9. Application**

48. *Application*

### **Part III: Special Classes of Workers and Miscellaneous Special Provisions**

#### **10. Apprentices**

49. *Contracts of apprenticeship*
50. *Attestation*
51. *Retention of apprentice after expiry of contract*
52. *Regulations*
53. *Offences. General*

#### **11. Employment of women**

54. *Maternity protection*
55. *Night work*
56. *Underground work*
57. *Regulations*
58. *Offences*

#### **12. Young persons**

59. *General*

- 60. *Night work*
- 61. *Shipping*
- 62. *Register of young persons in industrial undertakings*
- 63. *Regulations*
- 64. *Offences*

### **13. Domestic services**

- 65. *Regulations*

### **14. Labour health areas**

- 66. *Labour Health Areas*
- 67. *Regulations*

### **15. Registration, employment exchanges, etc**

- 68. *Registration of employers*
- 69. *Labour schemes*
- 70. *Employment exchanges*
- 71. *Fee-charging employment agencies*
- 72. *Offences*

### **16. Forced Labour**

- 73. *Prohibition of forced labour*
- 74. *Labour required in emergencies and for communal obligations*

## **Part IV: Supplemental**

### **17. Records and returns**

- 75. *Records*
- 76. *Returns*

### **18. Administration**

- 77. *Authorized labour offices.*
- 78. *Powers of authorized labour officers*
- 79. *Delegation of functions*

### **19. Settlement of Disputes**

- 80. *Jurisdiction*
- 81. *Labour complaints*

82. *Powers of the court*
83. *Procedure*
84. *Compensation, and provision of food*
85. *Costs*

## **20. Miscellaneous**

86. *Application to public authorities*
87. *Contracts made abroad*
88. *Regulations*
89. *Savings and exemptions*
90. *Repeal, and transitional and saving provisions*
91. *Interpretation*
92. *Short title*

## **THE PROVISIONS OF THE LABOUR STANDARDS BILL**

The provisions of the Labour Standards Bill are divided into 61 sections of six parts and the subtitles are listed below:

### **Part I: Preliminary Provisions**

1. *Objective of the Act*
2. *Scope of the Act*
3. *Supremacy of this on employment matters*

### **Part II: Fundamental Principles**

4. *Fundamental principles*
5. *Non-discrimination in employment*
6. *Forced labour prohibited. First Schedule*
7. *Worst forms of child labour prohibited*
8. *Work of Children and young persons*
9. *Offences relating to worst forms of child labour and employment of young persons. First Schedule*
10. *Register of young persons in employment*

### **Part III: General provisions on remuneration, contracts of employment and terms and conditions of employment**

11. *Manner of payment of remuneration*
12. *Remuneration not to be paid in certain premises*

13. *Employers to maintain register of young persons in their employment*
14. *Deductions (including deductions for overpayment of remuneration)*
15. *Written particulars of terms of employment*
16. *HIV/AIDs in the workplace*
17. *Medical Examination*
18. *Contracts of employment: General*
19. *Duty of employer to provide work*
20. *Sexual harassment in the workplace*
21. *Transfer to other employment*
22. *Termination of contract of employment*
23. *Common employment not a defence to lawsuit for personal injuries*
24. *Hours of work and work time*
25. *Provision of transport*
26. *Sick leave*
27. *Annual holidays with pay*
28. *Calculation of various benefits*
29. *Redundancy*
30. *Offences for contravention of Part III. First Schedule*

#### **Part IV: Recruiting**

31. *Prohibition of recruiting except under licence*
32. *Restriction on recruiting*
33. *Recruiting register, etc.*
34. *Provision of transport by recruiter, etc.*
35. *Expenses and maintenance*
36. *Repatriation*
37. *Right to be accompanied by family*
38. *Power to prohibit recruitment for outside Nigeria*
39. *International agreements*
40. *Establishment of the Bureau for Foreign Employment, etc.*
41. *Duration of foreign contract of employment*
42. *Procedure prior to leaving Nigeria*
43. *Inducing recruitment by fraud, etc.*
44. *Neglect or ill treatment. First Schedule*

45. *Offences: General. First Schedule*

**Part V: Special modalities for certain classes of employees**

- 46. *Contracts of apprenticeship*
- 47. *Retention of apprentice after expiry of contract*
- 48. *Maternity protection*
- 49. *Protection of pregnant women at workplace*
- 50. *Night work*

**Part VI: General provisions and enforcement power**

- 51. *Records*
- 52. *Authorised labour officer*
- 53. *Power of authorised labour officer*
- 54. *Delegation of functions*
- 55. *Settlement of dispute of rights*
- 56. *Contracts of employment made abroad*
- 57. *Power to make regulations*
- 58. *Exemptions*
- 59. *Repeal (of Cap. 198 LFN) and transitional provisions. Second Schedule*
- 60. *Interpretation*
- 61. *Short title*

**FACTORS AFFECTING THE IMPACT OF THE SUBSTANTIVE LABOUR ACT IN NIGERIA**

Although the substantive Labour Act can be credited with the provision of minimum standards of working and employment conditions, it has been found to suffer certain drawbacks which have succeeded in reducing its impact on employment and labour relations in Nigeria. The Labour Act is seen to be:

1. **Grossly inadequate:** In this case, the provisions of the Labour Act have not been able to take into cognisance the dynamics in the industrial relations environment in Nigeria. These include such issues as the fundamental rights of workers e.g. non-discrimination of workers



including women professionals, equality in terms of remuneration, right to organise and protection of the right to organise, inter alia. The Act also does not have any provisions guiding the employment relations within Export Processing Zones (EPZs) and Free Trade Zones (FTZs), with the implication that the rights and well-being of employees can be trampled upon with impunity by their employers. Sexual harassment, a growing social malaise within industry in Nigeria, has also not been taken into consideration. In the case between **Microsoft v. Maduka** suit no: LD/1541/09 (2009), the former employee of Microsoft Nigeria, Mrs. Ejieke Maduka, accused her former employer of looking the other way when her direct supervisor constantly made love overtures to her and to other nine women within the organisation. The case has been pending at the Lagos High Court, Igbosere, Lagos. The issue of HIV-AIDs is also another important health factor missing in the existing Act. Thus, the substantive Act is grossly inadequate to pilot the affairs in the modern industrial relations system in the country.

- 2. Anachronistic.** By this, some of the provisions of the Labour Act are old-fashioned, out-of-date, traditional and moribund. A situation where the penalty for child labour by an employer on conviction attracts a ₦100 fine [Section 64 (1)] and where an employer who employs a woman on night work in a public or private industrial undertaking or on underground work in any mine [Sections 55 (1) and 56 (1) respectively] is liable on conviction to a fine not exceeding ₦100 or to imprisonment for a period not exceeding one month, or to both, show that the penalties for such grave offences in the extant Act are comical at best and ridiculous and ludicrous at worst. The use of terms like wages, workers, industrial worker, and others, does not take into cognisance the development that has taken place in the contract of employment today in Nigeria. This is one major drawback to the extant Labour Act.

3. **Weak.** Why would the Labour Act not be weak when its provisions are outdated and lack contemporary relevance and where also its provisions are inadequate to address the modern challenges witnessed in industrial relations environment in Nigeria? As Amao (2006) contends, the substantive Labour Act is weak in the articulation and enforcement of its provisions. According to ICFTU (2009), in some of the factories in Nigeria, child labour still persists, general labour standards are still very poor, women and young persons work in night shifts and different provisions in the Act are grossly flouted by employers. This may be due to the connivance between government and employers. Nigerian workers are, therefore, at the receiving end due to the weakness in the articulation and enforcement of the provisions of the Act.
4. **Grossly Limited.** As Amao (2006) observes, the Labour Act is grossly limited in its coverage because of its seeming protection of only workers within the artisanal and blue-collar category. This is abundantly clear as the Act refers to "employees" as workers and "remuneration" as wages; terms that are used for junior workers. This fact was proved in the case between *Olaja v. Kaduna Textile Co. Ltd* (1970) N.N.L.R. 42, where the Court held that a manager was not a worker for the purpose of the Labour Act. This view is also shared by scholars like Chianu (1997) and Idubor (2005) where they posit that only junior workers can be protected by the provisions of the substantive Labour Act.

## **AN OVERVIEW OF THE LABOUR STANDARDS BILL**

A detailed look into the Labour Standards Bill shows that there are sweeping reviews made to the substantive Act so it can reflect the changes and dynamism already operative in the industrial relations system in Nigeria today. These reviews are as follows:

1. The term "worker" is expunged from the Labour Standards Bill and replaced with employee. This may be a corrective



measure to the argument that the Labour Act is not meant for professionals but for artisans and blue-collar workers.

2. The term "wages" is replaced with remuneration, highlighting the point made above that the Bill intends covering the interests of all categories of employees, without limiting its provisions to junior or artisanal workers.
3. Intoxicating liquor is also replaced with alcoholic drinks, the latter representing the modern usage of the older term.
4. Industrial worker is replaced with industrial employee.
5. For the first time, HIV-AIDs will be introduced into the Labour Act when the Bill is passed into Law.
6. The definition of Authorised Labour officer in the existing Act is different from what it stands for in the Bill.
7. While the substantive Act defines a child as 12 years, the Labour Standards Bill defines a child as someone at the age of 15 years.
8. There is no inclusion of the definition of the Contract of Apprenticeship in the substantive Act, but a definition of the term is included in the Bill.
9. The definition of Contract of Employment is also different in the Bill when compared to the extant Act.
10. Discrimination as a term is included in the Bill for the first time to protect citizens against exploitation or denial of their rights based on factors such as sex, ethnic origin, HIV-AIDs status, disability, among others.
11. The Labour Standards Bill refers to a domestic servant, casuals and temporary workers as employees unlike the existing Act where such people are not considered as such.
12. The definition of an employer in the proposed bill is more conventional or contemporary than in the existing Act.
13. The terms labour health area, labour government, chief or indigenous authority, administrative officer, among others,

are expunged from the Bill as against their use in the existing Act.

14. Light work is introduced in the Bill and defined.
15. The National Commission for Conciliation and Arbitration is introduced in the Bill to oversee matters of conciliation and arbitration regarding industrial relations in Nigeria.
16. Recruiter, night, redundancy, screening for HIV-AIDs, and others, are among terms defined in the Bill as against their silence in the existing Act.

These are clearly general reviews that can be seen in the Labour Standards Bill. They reflect the necessary changes expected to be seen in the contract of employment in Nigeria as a result of the modern realities taking place in the industrial relations setting in the country.

## **NEW AND AMENDED PROVISIONS IN THE LABOUR STANDARDS BILL 2008 AND THEIR IMPLICATIONS FOR INDUSTRIAL AND EMPLOYMENT RELATIONS IN NIGERIA**

A thorough examination of the Labour Standards Bill 2008 shows that the shortcomings and inadequacies of the substantive Labour Act were taken into consideration in the drafting of the Bill. The following are the new/amended provisions in the Labour Standards Bill and their Implication on industrial and employment relations in Nigeria.

1. **The National Industrial Court as the Court of First Instance.** Unlike Sections 80 and 81 of the substantive Act where the settlement of disputes are to be taken to the Magistrate's Court or Customary Court in the state where the complaint is made or to the nearest court having jurisdiction, in the Labour Standards Bill, it is stated categorically that in the event that "settlement by conciliation fails, the aggrieved person shall, within 90 days, apply to the National Industrial Court for adjudication [Section 55 (2)]. Subsection 7 (a - e) of

section 55 of the Bill also says that the National Industrial Court is a court of first instance for disputes arising from right of an employee to join an association concerning employment; right of an employee not to be employed against his consent; child labour including worst forms of child labour; equal opportunity in employment and occupation and sexual harassment in the workplace. According to Section 54 (j), the NIC is also to adjudicate over issues of working conditions and its decisions are to be deemed final in this instance. Accordingly, the NIC is to be regarded as court of superior record. Section 10 of the National Industrial Court Act (2006) says the court can have power and jurisdiction to enforce any judgment throughout the federation; and that the court can punish for contempt of court if the judgment of the court is disobeyed. Therefore, the National Industrial Court has all the powers of the high court to enforce judgment but the judgment of the court is enforceable throughout the whole federation in the same manner as a federal high court

**IMPLICATION:** By making the NIC the court of first instance, this should speed up the judicial processes of dispute settlement between parties in the employment contract, and because of the composition of the Court, which is made up of experts in industrial relations and labour laws, judicial decisions would be thorough and of high quality.

2. **Protection of Employees from Sexual Harassment.** Section 60 (e) of the Labour Standards Bill defines sexual harassment as “any unwelcome sexual advance, conduct or request made by an employer, manager, supervisor or a co-employee to an employee, whether the employee is a man or woman and includes any conduct of sexual nature which creates an intimidating, hostile, degrading or offensive environment.” This is the first time such a provision would be included in the Labour Act in Section 20 (1), and anyone who commits the offence as prescribed



in the First Schedule to the Act, on conviction, the individual or body corporate will be liable to imprisonment for a term not less than 10 years without an option of fine [Section 9 (2)].

**IMPLICATION:** This provision will discourage the incidence of sexual harassment of especially female employees, who in a bid not to lose their jobs, are forced to go along with unscrupulous employers and co-employees in their sexual advances. It will also protect employees from being sexually exploited as a basis for appointment, promotion or any other benefits that should naturally have accrued to them in the course of their working lives.

### 3. **Prohibition Against Worst Forms of Child Labour**

In section 59 (1 – 8) of the substantive Act, child labour is prohibited even though conditions are given for the engagement of children and young persons in employment, as we also see that in section 8 (2) of the Bill. However, in Section 7 (1 -4) of the Labour Standards Bill, the Bill prohibits, in strong terms, worst forms of child labour. According to Section 2, worst forms of child labour shall include: “(a) all forms of slavery or practices similar to slavery, such as sale and trafficking of children, debt bondage, serfdom and forced or compulsory recruitment of children for use in armed conflict; (b) the use, procuring or offering of a child for illicit activities including for purposes of the production of pornography or for pornographic performances; (c) the use, procuring or offering of a child for illicit activities including for purposes of the production and trafficking of drugs as defined in the relevant international treaties or any Act of the National Assembly; (d) work which, by its nature or circumstances in which it is carried out, is likely to harm the health, safety or morals of children.” Going further, the Bill states that “any person who contravenes the provisions of Section 7 of the (proposed) Act, commits an offence and shall be liable on



conviction to imprisonment for a term not less than 10 years without an option of fine" [Section 9 (1)].

**IMPLICATION:** This provision is timely as cases of child labour, child trafficking, child prostitution and the worst forms of these offences abound in modern-day Nigeria. If enforced, this provision will help restore sanity to the industrial relations system and the society at large and preserve the innocence and potentials of Nigerian children, so they can assume their future leadership positions in the country.

#### 4. **Protection of Pregnant Women at the Workplace**

This is one of the several introductions in the Labour Standards Bill 2008. This provision, as captured in Section 49 (a – d), states that every employer shall ensure that every pregnant female employee who is engaged in any work involving ionizing radiation is protected from possible risks of exposure of her foetus to ionizing radiation. This includes every female employee who is also breastfeeding. Subsection (d) of this section states that the employer is expected to take necessary measure to protect pregnant female employees from any harmful substance, chemical, apparatus, machine, tools, equipment or anything whatsoever in a workplace capable of posing any potential risk or danger to the health of the female employee or her foetus.

**IMPLICATION:** This is another very good introduction in the Labour Standards Bill. It will help to promote, protect and preserve the health of pregnant female employees and their foetus from exposure to chemical and other risks in the workplace. This is in consonance with the spirit of the 1999 Constitution of the FRN, which states in Section 17 (2) (b) and (3) (b and e) that "the sanctity of the human person shall be recognised and human dignity shall be maintained and enhanced." That the State shall direct its policy towards ensuring that "conditions of work are

just and humane, and that there are adequate facilities for leisure and for social, religious and cultural life” and “the health, safety and welfare of all persons in employment are safeguarded and not endangered or abused.”

#### 5. **Maternity Protection and Leave**

According to Section 48 (1) (a and b) of the Labour Standards Bill, any pregnant woman in employment, whether married or unmarried, shall have the right to leave her work if she produces a medical certificate to that effect if her delivery or confinement will take place within 6 weeks and shall not be permitted to work during her confinement. Subsection (c) of this section further grants a pregnant female employee an entitlement of 50% of the remuneration she would have earned if she had not been absent on the condition that she would have been in the employment for a period of six months or more immediately preceding her absence. She is also entitled to four additional weeks of maternity leave in the case of multiple births [see Section 48 (5)]. These provisions are an amendment to the existing provisions in the Labour Act on maternity and leave of female employees.

**IMPLICATION:** This provision also is in line with Section 17 of the 1999 Constitution and Section 4 (a) of the Labour Standards where it is stated that the conditions of employment would be humane. It also promotes the dignity of and care for womanhood.

6. **Equality in Employment and Occupation.** According to Section 4 (f) of the Bill, it reads, “There shall be equal remuneration between women and men for work of equal value.” This is in line with the ILO Convention No. 100, termed “Equal Remuneration Convention, 1951” and Section 17 (2) (a and e) of the 1999 Constitution of the FRN, which states respectively that “every citizen shall have equality of rights, obligations and opportunities before the law” and “there is equal pay for equal work

without discrimination on account of sex, or on any other ground whatsoever.”

**IMPLICATION:** By introducing this section in the Labour Standards Bill, the drafters have tried to correct the wrongs of the past against women especially with regard to employment and remuneration and have imbibed the provisions of ILO Convention No. 100, the 1999 Constitution of the FRN and the Eradication of Discrimination Against Women (CEDAW). Also, this provision corrects the skewed gender imbalance in place, while implying that competence and merit would be the preconditions for employment and occupation and not such subjective requirements like sex and gender.

- 7. HIV/AIDs in the Workplace.** In Section 16 (1 - 3) of the Bill, no employer shall screen any applicant for employment or test his or her employee for HIV infection; terminate the employment of an employee on account of his or her real or perceived HIV status and the employee is allowed to work for as long as he or she remains medically fit to work in appropriate work. This section also provides that in occupations with the risk of contracting HIV (like hospitals and medical laboratories), the employer is expected to provide, maintain, inform and train the employees about protective equipment and first aid, and apply universal precautions. This is the first time this provision would be included in the (proposed) Labour Act.

**IMPLICATION:** For the first time in the Labour Act, this pandemic was recognised and provisions were made to protect the sufferers of this disease against discrimination and isolation. It has been shown that many successful people in the world are HIV positive people and still lead normal lives, namely, Magic Johnson, inter alios. Even some through adequate and constant treatment became free from the deadly virus. In addition, by putting a spotlight on this disease, more people who have this disease in the workplace but are hiding would come out of



their shell. Thus, there will be reduction in the stigma attached to victims and they will no more constitute a health risk to others.

8. **Non-Discrimination against Employees.** This provision in the Labour Standards Bill must have been informed by the compliance of the legislators to the Discrimination (Employment and Occupation) ILO Convention, 1958 (No. 111), the Eradication of Discrimination Against Women (CEDAW) in 1984 and to the 1999 Constitution of the FRN where in Sections 42 (1) (a - b) and (2), no citizen of Nigeria would be discriminated against on the basis of place of origin, sex, religion or political opinion and disability. This is found in Section 4 (e) of the Bill, where it states that, "there shall be no discrimination in employment or occupation."

**IMPLICATION:** This provision underpins the fundamental rights of all persons not to be discriminated against for whatever subjective reasons there are, namely, religion, sex, ethnic origin, and others. If compliance is high in this regard, it will restore the confidence of workers everywhere to give their best on the job whether in public or private enterprise; and this will lead to higher productivity and performance on the job, lead to more profit for organisations, bring about the discovery of star players on the job and generally improve the deliverables by workers in the workplace.

9. **Amended Provisions on Medical Examination.** No screening of employee for HIV-AIDs is allowed in the workplace as it is considered an act of discrimination against the employee concerned. According to Section 17 (2), apart from the regular medical examination to be conducted on every employee who enters a contract of employment for the sole purpose of determining fitness for work, "Nothing in this Act shall be construed to allow medical examination to be used to screen any applicant for



employment or employee for HIV infection." In fact, no employer is expected to disclose details of a medical examination under this section except with the consent of the applicant or employee.

**IMPLICATION:** By amending the provisions on medical examination, employers would be dissuaded from using medical examinations and screening to witch-hunt, victimise and discriminate against their employees, especially those they do not like. Also, this gives hope to sufferers of HIV/AIDS who are qualified to work but are victims of the virus that all hope is not lost as they would remain useful to themselves, their organisations and the society for as long as their health allows them. And who knows, along the way, they could be discovered to have overcome the disease if they commit to taking their drugs religiously.

10. **One Year Probationary Period.** In Section 18 (3) of the Labour Standards Bill, it states that "the probationary period for a contract of employment shall not be more than one year and that during the probationary period, either party may terminate the contract upon giving two weeks' notice or with two weeks' remuneration in lieu of such notice."

**IMPLICATION:** This provision is new in the Labour Act and its introduction might have been included to discourage the tendency of some employers towards casualisation of labour. This is one problem that is hydra-headed in nature and this provision will discourage employers from keeping certain workers on their payroll for years on end as casual or contract staff.

11. **Right to Freedom of Association and Collective Bargaining.** Section 4 (b) of the Bill states that "an employee or employer shall have the right to freedom of association and collective bargaining." While in the

substantive Act, it states that no contract of employment shall make it a condition of employment that a worker shall or shall not join a trade union or shall or shall not relinquish membership of a trade union or cause the dismissal of a worker..." It is only in the Labour Standards Bill that the right of employers and employees to freedom of association and collective bargaining is recognised. This is in line with the Freedom of Association and Protection of the Right to Organise ILO Convention, 1948 (No. 87) and Right to Organise and Collective Bargaining ILO Convention 1949 (No. 98) and Section 40 (1) of the 1999 Constitution of the FRN where it says, "Every person shall be entitled to assemble freely and associate with other persons, and in particular he may form or belong to any political party, trade union or any other association for the protection of his interests..."

**IMPLICATION:** With this provision, there will be more union activities on the part of employers and employees, as both are now free to express their right to organise or form a union. Also, victimisation and discrimination against employees who hold union memberships of their choice will gradually fade away. In addition, there would be increased bargaining on the part of employers and employees and if the agreements are religiously carried out will further smoothen labour relations in Nigeria, leading to industrial peace, industrial development and economic growth.

12. **Remuneration Not Below the National Minimum Wage.** Section 11 (1) of the Bill states that, "Every employer shall provide for payment not below the national minimum wage as may be specified by law, from time to time."

**IMPLICATION:** This is obviously to discourage the exploitation of workers by unscrupulous employers. But as it is, the national minimum wage is N18,000; what is that in the economic life of employees in Nigeria? Even at this,

some employers pay their workers below the minimum wage. However, if Labour's proposition for an increase in the minimum wage is acceded to by government, and employers line up with this provision, this will portend better days for workers in Nigeria.

13. **Commensuration of Penalties with Offences Committed.**

The provision on penalties meted out on either of the parties in the contract of employment under the extant Act is ludicrous to say the least. The Labour Standards Bill has included provisions meant to correct these obvious lapses. For instance, while on conviction an employer is liable to a fine of ₦200 or to an imprisonment for a period not exceeding three months, or to both, and ₦100 or to imprisonment for a period not exceeding one month, or to both, for breaching the provisions on the employment of women as enshrined in Sections 54 (1) and 56 (1) of the existing Act, for the same offence in the proposed Bill, such offence on conviction attracts 10 years imprisonment without an option of fine [See Sections 9 (2) and 30 (c)]. Therefore, the punishment for wilful disobedience, non-compliance and/or breach of the provisions of the Labour Standards Bill comes with stiffer sanctions/penalties.

**IMPLICATION:** One of the drawbacks of the substantive Act is its weakness with regard to enforcement. This may not be unconnected with the penalties in its provisions which are indulgent and light. With stiffer penalties for work-related offences, there will be more compliance and sanity in the industrial relations environment.

14. **Amendment on Holidays with Pay.** In the substantive Act, Section 18 (1 – 3), the Act states that every worker is entitled to a holiday with full pay of at least 6 working days after 12 months of continuous service or in the case of apprentices who are below 16 years of age to at least 12 working days as holidays. In subsection (3) of this section, it is also unlawful for an employer to pay wages in lieu of



the holiday mentioned in subsection (1). This is different from the provisions in the Bill. According to Section 27 (1 and 3), "Every employee shall, after 12 months continuous service, be entitled to a holiday with full pay of at least 14 working days... and it shall be lawful for an employer to pay remuneration in lieu of the holiday mentioned in subsection (1) of this section to an employee whose contract of employment has not been terminated."

**IMPLICATION:** This provision further shows that the Labour Standards Bill, if and when passed into law, subscribes to the humane treatment and dignity of workers and shows that the legislators are also interested in the promotion of the health and well-being of workers. And of course, when the individual health of workers is high, the health of the national workforce will also be high, and there will be increase in the wealth of the nation, *ceteris paribus*.

15. **Provision for the Establishment of the Bureau for Foreign Employment.** To safeguard the interests of Nigerians who travel abroad for work purposes, Section 40 (1 - 2) of the Bill seeks the establishment of a Bureau for Foreign Employment within the Ministry of Employment, Labour and Productivity to be charged with the responsibility for (a) the regulation of outgoing migration for employment (b) registration of citizens leaving Nigeria under any foreign contract of employment (c) designing and enforcing special terms and conditions for foreign contracts of employment; (d) maintenance of a databank on citizens who left Nigeria under foreign contracts of employment; (e) advising the Minister on matters relating to foreign contracts of employment and (f) carrying out such duties as the Minister may, from time to time, direct."

**IMPLICATION:** This is a noble and ambitious move by the drafters of the bill. If passed into law, this provision in the bill will help to regulate the migration of Nigerians for



employment abroad, establish a register of Nigerians who go abroad for employment purposes, design special terms and contracts for foreign employment with the view to protecting the interests of the citizens, keep a databank of citizens on foreign employment, which can be useful for planning and other purposes, and help to streamline the processes involved in foreign employment. One strength of this provision is that the Nigerian government can keep tab on its citizens abroad and when needed can recall them to join in national development programmes.

## RECOMMENDATIONS

1. **Fiscal Responsibility and Accountability of Government.** When government is fiscally responsible and accountable, it would have the right priorities and will work towards the good of all citizens. When the economy is good and the government is responsible, social and economic safety nets would be put in place to safeguard the interests of workers, thereby not leaving citizens entirely to the manipulation by shifty employers.
2. **Government's Readiness to Prosecute Erring Employers and to Monitor and Regulate the Enforcement of the Provisions of the Labour Act.** One of the reasons many employers are treating their employees shabbily and with impunity is because government and its representatives look the other way. In order to increase compliance to the provisions of labour laws in the land, government must live up to its responsibility of monitoring and regulating employment relations and prosecuting offenders.
3. **Creation of an Enabling Environment for the Growth and Development of Industrial Relations.** No matter how good the labour laws, other factors are important for there to be a robust industrial relations system such as an independent and impartial judiciary, strengthening of the enforcement procedures and processes, government's sincerity and concern for the people at all times, strengthening of the democratic structures and forces in the country, inter alia.

4. **Independent Judiciary.** As has been witnessed recently, with the judicial decisions in favour of Bernard Longe of First Bank and the recall of sacked University lecturers of the University of Ilorin, the judiciary remains the hope of workers and the common people. The independence and impartiality of the judiciary is therefore needed to protect the rights of workers.
5. **Electoral Reforms.** The reason for the lack of commitment to regulating and monitoring the implementation of the provisions of the extant Act is workers or employees do not have elected officers in power. The present corps of political leaders is only there to feather their nests and is not concerned about the welfare of the people. With electoral reforms, the right people would be elected and would be committed to promoting popular policies and agenda, and defend the rights of workers, who are the weaker party in the employment relations.
6. **Empowerment of Authorised Labour Officers to Act on Behalf of the Minister.** The Minister of Employment, Labour and Productivity should empower labour officers who will help in monitoring the activities of parties in the employment contract, ensuring that there is compliance and that the rights and duties of each party are observed.
7. **Promotion and Protection of the Rights of Citizens.** Employers cannot promote and protect the rights of citizens. That is the job of the government. With electoral reforms, empowerment of authorised labour officers, the existence of a responsive, responsible and people-oriented government, the rights of citizens would be protected and preserved according to the provisions of the 1999 Constitution of the FRN and other provisions as enshrined in the proposed Labour Standards Bill.

## CONCLUSION

The Labour Standards Bill is a better improvement on the existing Act. However, further review is to be done so as to make it a more

robust and catholic piece of legislation created to regulate employment contracts in Nigeria. To achieve this, a stakeholders' forum needs to be inaugurated to further debate the provisions of the bill. Or, there should be more public hearings, with opportunities given to academics, industrial relations analysts, practitioners and experts, professional organisations, employers' organisations/associations, trade unions, labour centres, youth organisations, women organisations, legal practitioners, NGOs, and others, to make their contribution to the final draft of the Bill before it is passed into law. For sure, this chapter agrees with Amao (2006) that robust labour legislation is needed to (1) limit the power of corporations/employers by establishing enforceable rights and corresponding duties, thereby checking the enormous influence wielded by corporations/employers over other stakeholders (especially employees and the community they operate in); (2) place emphasis on accountability and redress through compensation, restitution and rehabilitation for damages caused; (3) and encourage a culture of compliance and deterrence against the violation of rules/provisions of the law. There is, however, still room for more research on the practical implications of the issues raised in this chapter.

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# BELVEDERES IN SOCIAL AND MANAGEMENT SCIENCES

This book *Belvederes in Social and Management Sciences* is a compilation of chapters from university scholars based in different universities in Nigeria on diverse social and management science subjects. The subject areas covered are relevant to social and management scholarship and address diverse social and management problems. Issues relating to labour law, management rights and collective bargaining, training, motivation, poverty and unemployment, sexual violence, globalisation, environmental sustainability and others were given scholarly analysis. This heterogeneity of the work and views adds great epistemic flavour to the book and provides different topical choices for readers' delight. The book is recommended to academics, tertiary students, administrators, industry players, the public sector and the reading public.



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