

INTERNATIONAL **JOURNAL**

Of

LABOUR AND TRADE UNIONISM

Vol. 1, No. 1, 2005

ISSN 1597 - 5851

ISSN: 1597 - 5851

All rights reserved.

A Journal of the
Institute of Education
Olabisi Onabanjo University
Ago-Iwoye, Nigeria.

Printed by:

Y. A. Raji Printers Ltd.

68, Lagelu Shopping Complex, Iwo-Road, Ibadan, Nigeria.

Mobile Phone: 08030505909

Table of Contents

1.	Job Discrimination, Migrant Labour and the Problems of Convention: The ECOWAS Case - <i>Dr. D. I. Akintayo</i>	1
2.	Government Intervention in Industrial Relations Practice in Nigeria: Issues and Problems - <i>Dr. Olufemi Adeyeye</i>	16
3.	Women Involvement in Wage Employment: The Moderating Effects on Spouse Relationship - <i>Dr. H. T. Benedict</i>	30
4.	Gender Differences in the Experience of Work Burnout among University Academic Staff in South-Western Nigeria - <i>Dr. Bola Adekola</i>	40
5.	Managing Work Stress among Primary School Teachers in Ijebu North Local Government Area of Ogun State - <i>Abosede Subuola Catherine</i>	50
6.	Job Satisfaction and Motivation as Determinants of Workers' Commitment in Work Organizations in Oyo State - <i>Dr. Oloyede, David Oluwatoyin</i>	62
7.	Influence of Non-Formal Education Programme on Income Generating Capacity among Women at the Grassroots in Oyo and Osun States, Nigeria - <i>Dr. Oyebamiji, M. A.</i>	75
8.	Influence of Reward System on Teachers' Attitude to Work in some Public Primary Schools in Oyo State - <i>Dr. Babajide, Elsie Omolara</i>	84
9.	Globalization, Migration and Brain Drain: The Experience of Olabisi Onabanjo University, Nigeria - <i>Sodeinde, Olakunle O. and Adeleke, Oladele A.</i>	93
10.	Relationship between Demographic Factors and Urban Dweller's level of Participation in Solid Waste Management in Ibadan Metropolis, Nigeria <i>Dr. Adekola, Ganiyu</i>	111



11. **Adult Education and Socio-Economic Development in Nigeria: A Review** - *Akinsanya, Adebayo O. and Adeniyi, Adekunle A.*..... 1
12. **Psycho-social Factors as Determinants of Examination Mal-Practices among Senior Secondary Schools Students in Ogun State.** - *Dr. Alebiosu, K. A. and Dr. Olatoye, R. A.*..... 1
13. **Gender Conflict in Magistrate Court Talk in Nigeria** - *Dr. Tunde Onadeko and Bola Ogunsanwo.*..... 1
14. **Gender Differences in Students' Participation and Achievement in Science, Technology and Mathematics in Nigeria** - *Dr. B. J. Ogunkola.*..... 1
15. **Intervention of Non-Governmental Organizations in the Eradication of HIV/AIDS in Nigeria** - *Dr. Helen E. Adebola.*..... 1
16. **Comparative Study of Impulsive Behaviours among Prison Inmates in South-Western Nigeria** - *Gboyega E. Abikoye and Dr. James A. Adekoya.*..... 1
17. **A Survey of Attitude of English Language Teachers towards Teaching Profession in Ogun State** - *B. Oluwakemi, Adekola.*..... 1
18. **Psychological Construct of Motivation and Effectiveness in Competitive Sports** - *Dr. S. B. Ogunleye.*..... 2
19. **Study Habits and Academic Achievements of Boarding and Day Students of Oyo State Secondary Schools** - *M. A. Ogunsanwo.*..... 2

Government Intervention in Industrial Relations Practice in Nigeria: Issues and Problems

BY

ADEYEYE OLUFEMI (PhD)

**DEPARTMENT OF INDUSTRIAL RELATIONS AND
PERSONNEL MANAGEMENT.**

LAGOS STATE UNIVERSITY, OJO, LAGOS.

Abstract

This paper examined the role of the state in Industrial Relations in Nigeria. In the process, the author attempted to see if government's role in Industrial Relation Practice was for peace or trouble mongering. The paper highlighted government's labour policies and consequences. Government's role in resolving conflicting issues, historical and comparative analysis and some major issues in labour management trends were equally examined by the author. The paper submit that all actors in industrial relations should desire and provide for peace and that the initiative for developing and maintaining satisfactory labour relations must rest with the entire stakeholders in Industrial Relations.

Introduction

Much as Government may appear to have played her role in the practice industrial relations, the society does not seem to appreciate or understand it. An observer of industrial relations may therefore find himself in a state of confusion on the genuiness of Governments roles in the marriage between workers and employers within the industrial environment. Whether or not it is recognized, the role of government can not be overemphasized in industrial relations in view of the fact that, she is the highest employer of labour (Annual Abstract Report, 1998). In order to bring to fore, this paper would discuss the conventional roles of government in industrial relations including a comparative analysis while some

major issues in labour management and trend would be highlighted. It may well be necessary to attempt working definition of industrial relations, although the meaning would likely become clearer as we progress. Industrial Relations has been defined as:

The working relationships established through negotiation, custom, practice and legislation between representatives of workers' organizations on the one hand and an employer, a group of employers or one or more employers' organizations on the other. (Sokunbi, 1983).

In other words, the subject deals with institutionalized relationships between the two sides of industry. It has also been referred to as "the rules governing employment together with the ways in which the rules are made and changed and their interpretation and administration" (Fajana, 2000).

Dunlop (1958), postulated that Industrial Relations constitutes a sub-system overlapping the others, viz, the economic, the political, ice technological socio-cultural etc. In the total social system. He went further by admitting that "an industrial relations system must comprises three groups of actors: the workers and their unions, the employers and their associations; and the government and its agencies concerned with the workplace and work community; certain contexts, namely technology, the market or budgetary constraints, and the power relations and status of the actors

Speaking in similar vein, Ubeku (1983) observed that:

The social system in any country has other sub-systems including, the economic system, the political system and the industrial relations system. An industrial relations system, therefore, overlaps with the other sub-systems in the total social system.

A tri – dimensional simplistic approach by Dunlop may not stand deeper sociological analysis of Industrial Relations in some circumstances. The way and manner societies react to issues vary from one culture to the other. Often times, wives, children and dependants of workers are identified during workers' demonstrations in Nigeria over non – payment of salary and pension allowances. In the 70s, a popular musician was seen to have sung in praise of the then Federal Government of Nigeria for the implementation of Udoji award, which recommended an increase of 35% on workers salary. Recently, I heard a musician sing in praise of the government for increasing minimum wage of workers from ₦3, 000 – ₦7, 500. I wonder if a British or American singer would bother about what workers take home as pay. This no doubt illustrates the complex relationship

involved in industrial relations. In other words, the paper is concerned with the relationship between the workers and their employers on the one hand, and the dependants of the employees may in turn be affected. poor Industrial Relations, including especially strikes, which lower or suspend production, cut into the incomes and welfare, not only of the workers directly affected, but of their children, wives, dependants and extended family members unlike the situation in Britain where a special grant is made available to those who are jobless due to no faults of theirs.

A number of writers however reject system approaches. Reaching to Dunlop's particular approach, they associate it with consensus theories, which assume that there are no long-term fundamental divisions of interest on society. Flanders (1975) for instance with his conceptual approach "sees industrial relations as occurring within a dynamic conflict situation which is permanent and unalterable so long as the structure of the society remains unaltered. It occurs because, on the one hand, the sellers of labour power is a vital subsistence matter for them, while on the other hand, the buyers enter the market because they own the means of production possible so that the price is an important cost factor which has to be minimized in order to make production profitable. These two interest groups are irreconcilable. "

So far, the paper has dealt with system and conflict theories of Industrial Relations, which could not be discussed in detail in view of the limited time at my disposal. Presumably, the paper attempted to identify the state or – more particularly, government – as one of the major actors' in Industrial relations. One inference from the above is that the role of a government could be justified within the context of a particular approach.

Government's Role, Labour Policy and Consequences

Government, whether socialistic, capitalistic or communal in its method or approach in carrying out functions, engages people for the creation of wealth which is fundamental to national development. Hence, the role of government in industrial relations cannot be over-emphasized. As Ubeku (1983) has observed:

of the actors in the system, the government agencies in some systems, may have such broad and decisive role that they can override the hierarchies of managers and workers on almost all matters. For example, in communist countries, such as China, no separate role is envisaged for employers and workers' trade union. They must operate within the directives of the political party and the guidelines of the state plan.

The concept of voluntarism or abstention notably argued by Flanders (1975) would seem to contrast with the communist system. The basic assumption to the voluntary tradition is that the principal actors had preferred or would wish that they be allowed to sort out their differences themselves without interference from any third party. This implies that all are in a position to flex industrial muscles on parity of power.

In other systems, particularly *Laissez – Faire State*, the role of the government, though, not totally voluntary, it may be as minor and constricted as to permit consideration of the direct relationships between the two hierarchies without reference to Governmental agencies. Thus, under the Anglo-Saxon model (with British as a typical example). The approach is based on the *Laissez Faire* doctrine which permits employers and unions' reasonable latitude to determine their own affairs within a framework established by the state.

Furthermore, Ubeku (1983) identified a different system in developing countries where "the workers hierarchy or even the managerial hierarchy may be assigned a relatively narrow role. " As he tersely puts it: "The government of these countries, realizing on the basis of experience, that it is their duty to regulate the social system, have had to pay a more active role in industrial relations in the interest of the whole economy. Under this system therefore the government plays a dominant role, but different from what obtains in communist countries. The model therefore has both elements of voluntarism and elements of state control".

As was noted in the above discussion that a different system had emerged in the developing countries with workers hierarchy being assigned with a relatively narrow role in Industrial Relations, it is open to debate whether Ubeku is really not describing emergent industrial in third world countries as well, rather than, attempting to construct a model for developing countries. For our purpose, however, the constriction of a voluntary, limited or more intervention continuum of government roles in various system is not too important. Whether developed or developing, the question is no longer the issue of intervention in Industrial Relations, but rather what forms and extent the intervention should take and what should be the guiding principles and policies in the marriage between workers and employers. The remaining part of this paper will therefore be devoted to discussion on Government's efforts at ensuring peace or otherwise among the actors in industrial environment and how the Nigerian industrial relations system, which was originally based on the Anglo-Saxon model at independence with emphasis on voluntarism, gradually acquired elements which have now put it in a different model.

Government, Labour and Industrial Relations Practice (1960-1975)

his period marked significant developments in Government labour policy in Nigeria.

The Gorsuch Commission wage award in 1955, left significant wage differentials between the highest paid staff and the lowest paid staff in the public sector. The ratio was 48:1. Mbanefo Commission was appointed in 1960 to rectify the anomaly.

In 1964, the Federal Government set up the Morgan Wage Commission to review the wages and salaries of junior employees in the public sector. Two primary reasons were given for the setting up of this Commission. First, it was aimed at enabling the junior workers recover some of the purchasing power of their earnings. The period was marked by high and rising prices of essential goods. Secondly, another reason that prompted the setting up of the Commission was the general strike which occurred in 1964.

The period 1965-70 marked the end of the Laissez-Faire Government policy and the beginning of the interventionist policy period in Nigerian labour policy. In 1967 in particular, the Nigerian Public Policy took a new dimension when the Military took over the administration of the country. The military method was different because it brought radical changes to Nigerian Labour Policy.

These radical changes were reflected by a number of decrees. When the Military took over the administration of the country in 1966, all the existing labour laws were replaced with new labour decrees. The first of these decrees was the Trade Union Disputes (Emergency Provisions) Decrees of 1968. Although the purpose of these decrees was to provide voluntary measure for settlement of disputes. But in spite of the decrees.

Therefore in 1969, the decree was amended as the Trade Disputes (Emergency Provisions Amendment) Decree No. 53 of 1969. The 1969 decree put a ban on stikes and lockouts.

The decree also stated that the approval of the Federal Military Government was required before an employer can grant a general or percentage wage increase to any group of employees. This meant that all collective agreements were made subject to the approval of the Federal Government.

Between 1970 and 1975 two significant events occurred in Nigeria that had significant effect on National labour policy. First the Nigerian Civil which ended in January, 1970. Secondly, the Government leadership change hand with the overthrow of Gowon's administration in 1975. With the end of the war in 1970, the various governments focused attention on the need to restore a stable industrial atmosphere necessary for satisfactory socio-economic reconstruction.

Importantly the Government recognized that there had been a drastic fall in the real income of workers as a result of inflation caused by war expenditure. During the 1970/71 fiscal year therefore the Government set up Adebo Wage Commission to review wages and salaries of workers in both the private and the public sectors. It is significant to note that this was the first time when the government openly included the private sector in its wage and salary Review Commission.

The Commission's main objective was to develop a suitable pay system for the working class. Subsequently the Commission recommended an average wage increase of 30 percent for workers in both the private and the public sectors. This report was highly controversial and consequently resulted in several industrial strikes.

In 1973, the Federal Military Government repeated the 1968/69 Trade Disputes (Emergency Provisions) Decrees and promulgated the Wages Boards and Industrial Councils Decree. The main purpose of this decree was to assist workers where the unions were weak or non-existent. In 1974/75 the then existing four central labour organizations were reconstituted into one central union known as the Nigerian Labour Congress.

The then existing central labour organizations were:-

1. United Labour Congress of Nigeria (ULCN).
2. The Nigerian Trade Union Congress (NTUC).
3. The Nigerian Workers Council (NWC).
4. The Labour Unity Front (LUF).

Government also announced what it called a New Labour Policy in 1975. This new policy banned affiliation with all foreign trade union movement Ideological Influences that had plagued the Unity of Nigeria trade Unions for more than a quarter of century.

In the same year, Government ordered a judicial probe into the activities and assets of the main trade scale misappropriation and embezzlement of Union funds. After the Tribunal's findings, eleven influential Union leaders were banned from future participation in the trade Unionism in the country.

In 1974/75 fiscal year the Federal Military Government appointed Udoji commission to review the wages and salaries of workers in the public sector.

This was to correct some of the obvious inconsistencies in the Adebo Commission's award that made the public sector employees to feel that they should have received a higher wage increase than their counterparts in the private sector. There were also intra-group salary differentials which were not defensible. In respect of the private sector, the commission made no specific recommendations by which wages were to be raised. It simply recommended that increases in the

private sector should be similar to those of the public sector. It was in response to these various workers discontents that the Federal Government appointed the Udoji Commission.

Like the previous commissions, Udoji award was controversial. Although it made very generous wage increases to various categories of workers (the average was 35%) the award gave rise to very many strike actions involving workers in both the private and public sectors. Thus far it would have become clearer to us that the various government policies till 1975 did not foster genuine leadership in collective bargaining, which is considered as a corollary for industry harmony and peace (Akintayo, 2001).

The National Labour Advisory Councils and the National wages Advisory Council though set up to review wages in favour of the workers, it functioned in advisory capacity and their recommendations were subject to government's approval. And in any case their recommendations were not derived from negotiations with the Unions but rather on what the councils felt was good enough. However, wage Commission was the most popular method of setting wages and other conditions of employment in the public sector, usually formed the basis upon which wages were also set in the Private Sector.

In the private sector for a larger part of this period, the public policy was weak in ensuring a proper collective bargaining process. As a result of ineffective Government Labour Policy, many Unions suffered from chronic structural and organizational problems. There was the fundamental problem of Union multiplicity and the resultant small and ineffective Union membership. This structural weakness was attributed to the weakness of the law. The result was that they had no proper organization for the formalizing or instituting appropriate collective bargaining process. The employers on their own capitalized on the union organizational weaknesses and in most cases refused to negotiate with the Unions. Similarly the employers did not see any need to come together or to organize themselves to form Employers Associations (Fashoyin, 1980). Another weakness of national labour policy was its attitude to the use of collective bargaining machinery. It was true that as far back as 1948, public policy had consistently stressed the importance of collective bargaining as the most appropriate machinery for wage determination in both the public and the private sectors through the Whitley Councils and the Joint Industrial Councils. However, official support for the use of these machineries in term of actual use was a complete disappointment.

In 1955 for example the Government issued the following policy statement:

We have followed in Nigeria, the voluntary principles which are so important and relevant in industrial relations in the United

Kingdom. If free collective bargaining, which is one of the main purposes of Trade Union Organization should disappear, then with it would go (in a democratic society) a large proportion of Union membership and one of the principal element which sustain free association of workers –public service commission 1955.

Most experts and practitioners of industrial relation would probably endorse this declaration. Yet the Government as the single largest employer in the country and naturally a model for smaller employers has consistently ignored collective bargaining process and has systematically employed Adhoc Wage Commissions and tribunals for setting wages and other conditions of employment in the public sectors. Directly and indirectly therefore the actions of Government have done much to undermine the potential for collective bargaining both in the public and in private sectors. With the exception of the Mogan Commission of 1963/4, which permitted considerable trade union input, was commissions were by nature unilateral wage determination and therefore contradict public policy on collective bargaining. Wage Commission, by Nigerian experience; have shown to be destabilizing, crisis- pruned and inflationary (Adeyeye, 2002).

However, between 1975 and 1978, significant developments in Industrial Relations occurred, reflecting a new socio-economic philosophy. Emanating from this philosophy was the introduction of a new labour policy on December 4, 1975.

Its objectives include:

- a. The need to give a new sense of direction and a new image to the Trade Union Movement in Nigeria.
- b. The need to rationalize the structure and organization of trade unions and to ensure that they are self-sufficient financially in future.
- c. The need to provide facilities for trade union education in order to improve the quality of trade union leaders and the general knowledge and understanding of the purposes of trade unions by the rank and file of members of these organizations.

In line with the new philosophy the government revoke the certificates of the existing 4 central labour organizations and commissioned an administrator of trade unions to restructure the unions along industrial line. It was this exercise that produced the 42 industrial unions and a single trade unions center, the Nigeria Labour Congress. Government went ahead to provide initial financial assistance to trade unions (and the NLC) to set up their administrative and functional machinery. Though critics may see this governmental gesture as interference on the independence of the labour movement.

One major Government policy in the late 80's which had major impact on collective bargaining process was the promulgation of the National Economic Emergency Power (Nigerian Labour Congress) order 1988. The order as argued from government quarters became necessary to bring orderliness to Nigeria Labour Congress which had been turned apart on ideological basis and which was unable to effectively organize a Delegated Conference in Kano in 1981, Enugu in 1984 and in Benin in 1988.

The order had the effect of removing the officers of the factions, appointed an administrator for the Congress and Order the administrator to organize a special delegate Conference within six months to choose a new National Executive Council.

Nonetheless, we should not forget to ask whether our hitherto proclaimed doctrine of voluntarism is now a thing of the past especially having regard to the elaborate legal framework quite unique between 1966 and 2004. A related observer may be tempted to see our industrial relations system as a plaything of the law. Since independence, except for the 30 months period of civil war which brought emergency provisions, our pattern of Industrial Relations was to a large extent has been a mixture of free and voluntary collective bargaining between the employer and the trade unions on one hand and that of government direct intervention in the activities within the workplace on the other hand. Our industrial relations policy was therefore based on democratic principles and some degree of autocracy.

Adhering to democratic principles in government intervention, a function which labour ministry discharges, had been on that of maintenance of balance and ensuring that the National interest, which was paramount, was adequately safeguarded. Indeed "state" intervention was the second best alternative.

Obviously coercion, intimidation and the multitude of the existing legal framework have controverted the policy of voluntarism and industrial democracy often orchestrated by government and its agencies. With mediation, conciliation, arbitration and industrial court being compulsory, the consent or the otherwise, of all parties notwithstanding, Sola (2004) sees the trend as averse to the proclaimed "self-government" in industrial environment. The attendant economic sanctions, Adeyeye (2002) believes have corroded the voluntary tradition of the world of work.

The resentment of the Federal Government of Nigerian since May 1999, to the growth of effective unionism as demonstrated by the new labour law can not be overemphasized. Notably, the hitherto section of Trade Unions Act which make it an offence for early Trade Unions that fails to pay to the Central Labour

Organization, the check-off dues has been deleted. With the law, the Minister is to approve the formation of Federation of Trade Unions.

The law empowers the Ministers, to in his discretion, approve that members of two or more trade unions whose members are not employed in the same trade, occupation of industries, form a registration of Federation of Trade Unions, if it is in the public interest to do so. Ventilation of grievances through strike actions by a trade union or registered Federation of trade unions becomes illegal on implementation of the law.

Section 30 of the Trade Union Act is also being further amended by a provision which makes it mandatory for a Trade Union or registered Federation of Trade Unions, by whatever name called, to first secure a resolution passed by at least two-thirds majority of the members of the Trade Union or Registered Federation of Trade Unions as the case may be, approving a strike action, before it could embark on any strike.

In order to remove the monopoly of the Nigeria Labour Congress (NLC) as the only Central Labour Organization in the country, the entire part III of the Trade Union Act is being deleted. The amendment provides that wherever the words "Central Labour Organization" appear in the Trade Union Act, they shall be deleted forthwith while the Registrar is required to, forthwith, remove from the register, the Nigeria Labour Congress as the only Central Labour Organization in Nigeria. In summary, the bill seeks to amend the Trade Unions Act, to provide, among other things for:-

- a. The expanded registration of Federation of Trade Unions:
- b. Voluntary, rather than mandatory contribution of check – off dues to Trade Unions.

Whether or not, this development urges well for Industrial Relations, would be left to posterity and time to judge. Apparently, the cavalier attitude of the Government to the growth of effective unionism as clearly expressed by the proposed Act may have a number of consequences. First, the development could be exploited by a number of employers to impoverish their employees. Secondly, if the bill is passed into law, workers may not be obliged to join unions and this may mean no avenues for them to ventilate their grievances. This may lead to political agitation any time they do not feel comfortable with the policy or policies of the Government. This also could lead to spontaneous anarchy that may consume all within and without the industrial relations environment. Even though time does not allow one to follow these arguments through, this is not to suggest that they should be accepted as valid or invalid.

Government and Wages Determination

Admittedly, the Government (Federal, State and Local) generally constitutes by far the largest single employer of labour. It is, therefore pertinent to take more than passive interest in industrial relations, since it example becomes the stand for the regulation of employer and employee relations in other sectors of the economy.

According to the 1973 census, about 65 per cent of the work force was employed by the public sector in Nigeria. – (Federal Office of Statistics 1978). The position of the public sector as the single biggest employer of labour is not debatable. In the area of wage – determination, government is rendered more vulnerable to criticism. Since return to civil rule in May 1999, Government's role as income regulator has in effect ranged from the President's moratorium on wages and salary increases to that of imposing minimum wage policy guidelines on workers irrespective of the location, welfare and economic situation of the employees in question.

Having said, that, the prevailing view within the leadership of organized labour is that Government, contrary to its declared policy of promoting industrial democracy and peace, has done very little to encourage negotiation and collective bargaining in the public sector. Indeed, Negotiation and collective bargaining and what goes to the civil servants in terms to take - home pay, is determined by the Presidency or occasionally with the collaboration of the National Assembly.

From the foregoing, however, it would not be correct to say, that collective bargaining machineries are totally absent in the public sector. Whether or not, or the extent to which, the institutions are effective is, of course, another matter altogether and this not the place to follow the argument through. However, the numbers of collective agreements entered into by government and honored or dishonored go a long way in justifying the claims of the critics of government's position on the proclamation of democracy and collective Bargaining in the Civil Service exists at two levels, that is, at the departmental and central levels. Trade Union demands essentially local in nature or peculiar to the department concerned, such as overtime, shifts and break periods "are disposed off after agreement between the Heads of Departments, provided that the total mandatory hours of work are not altered. Union demands that have repercussions through the service and cut across the interest of other Unions, such as salary grading and allowances, are handled at the central level (Adeyeye, 1995).

The absence of collective agreement in the public sector of our economy has not only created a type of industrial relations practice in the country that

usually exists between the master and servant, but is also mainly responsible for the incessant industrial unrest in the country. Government has often claimed that it supports and encourages collective bargaining as the basis for good industrial relations practice in the country. Yet it will not allow its agencies such as the ministries, statutory corporations and state-owned companies to negotiate freely and enter into collective agreement with the trade unions operating in these covering all aspect of employment conditions and specifying duration of such agreements“ and when agreement are reached, government seldom honour the agreements that are voluntarily entered into with the labour unions. Such agreements that are voluntarily entered into with the labour unions. Such agreements are not honored (Oshiomole, 2000). This speaker deplores the frequent recourse by which the Government resorts to tribunals, courts et cetera to supplant the collective bargaining machinery.

Other parameters rather peculiar to public sector include the phenomenon of non-payment of wages and salaries as at when due, non implementation of incomes policy guidelines, refusal to negotiate in good faith, etc. All these no doubt, have to do with the role of government as the dominant employer with the attendant repercussions on industrial relations and on which students scholars of industrial relations may wish to think aloud.

Having said that, the critics of government as the single biggest employer should, however, not lose sight of its role as income regulator. Though, Oshiomole (2000) argues further that “incomes policy guidelines are restrictive and tend to circumscribe the free play of collective bargaining. “ workers representatives are more vociferous on this, contending that, the enterprises have been making abnormal profits, the benefits of which, they should otherwise have extended to the poor workers producing them but for the Guidelines (Akintayo and Adeyeye, 2001). Yet, the irony of the prevailing view is that the very opposite conception may be nearer to the truth, nor the issues raised peculiar to Nigeria as a developing country, they only go to illustrate the dilemma that government must necessarily face as state authority, incomes regulator and as an employers – roles that are simultaneous, some time conflicting or incompatible.

Conclusion

This paper has attempted to portray the state not only as a peacemaker providing mediatory, conciliatory, arbitration and legal services as and when necessary but also show some of its actions that are capable of creating a fertile ground for the various actors to “fight to finish“ in an attempt to achieving the objectives of their groups. While the state has a responsibility to protect the workers from the power of the employer, it has also the equally compelling duty to protect the community against the power of organized labour. Nevertheless, its equally

dominant role as the largest employer and the need to be a good one at that could not be neglected. In this regard, government has to resolve its over bearing roles to strive to be a good employer if only to guard against unpleasant repercussions on industrial relations generally.

As for the proposed trade unions amendment act, this paper would rather be silent on the issue, since the law has not been implemented the law is implement. However, it must be said in passing, that reliance on registration and on legal sanctions for the enforcement of rights and duties between employers and trade union or workers, may well be a symptom of an actual or impending break- down of peace and other. All actors in industrial relations should desire and provide for and operate an effective system of collective bargaining, which ipsofacto is a stronger guarantee of industrial peace and of self –sustaining labour management relations than resort to sanctions, prescriptions and litigations against real and imaginary enemies in the work place. The initiative for developing and maintaining satisfactory labour relations must therefore rest with all the stakeholders in Industrial Relations.

References

- Adeyeye J.O (2001). Industrial relations: Economic development and democracy. *Nigerian Journal of Industrial Education and Labour Relations*, Vol.3 (1), 31-43.
- Adeyeye J.O (1995) Conflict and Conflict Resolution in work organization. *The African Journal of Labour Studies*, Vol. 3 (1) 25-34.
- Akintayo, M.O. (1986). Strike in an ailing economy and the contemporary instruments for Solving it: Nigerian experience. *Journal of Educational Research*, Vol. 2 (1) 21-32.
- Akintayo, M.O and Adeyeye J.O (2002). Government policy and collective bargaining process in Nigeria. *The African Journal of Labour Studies* Vol. 5 (11), 17-24).
- Annual Abstract Report (1998). *A publication of the Federal Office of statistics*. Creating industrial peace in Nigeria. *N.I.S.E.R, Lecture*, Ibadan, 5th July.
- Fajana, S. (2002). *Human resource management: An introduction*, Lagos: Longman Group Ltd.
- Fajana, S. (2000). *Industrial Relations in Nigeria. Theory & Features*. Lagos: Longman Group Ltd.
- Fashoyin, T. (1980). *Industrial Relations in Nigeria*. Longman Group Ltd.
- Federal Republic of Nigeria (1974). *Public Service Review Commission: Main Report*, Lagos: Federal Ministry of Information Printing Division.

- Flanders, A. (1975). *Management and Unions: The Theory and Reform of Industrial relations*. London: Faber and Faber.
- Kester, K.O and Adeyeye J.O. (2002). National Minimum Wages Trends, issues and perspectives in Nigeria. *The African Journal of Labour Studies, Vol. 5, (2) 26-37.*
- Omole, M. A. L. (Ed.) (1984). Conflict and Conflict resolution. *Proceedings of National Conference on Industrial Relations*, University of Ibadan, Department of Adult Education.
- Otobo, Dafe and Omole M. A,L. (Ed) (1987). *Readings in Industrial Relations in Nigeria*. Ibadan: University Press.
- Sonubi, O. (1982). The Role of Trade Unions in Industrial Relations. *Proceedings of Industrial Relations, (23-28 August).*
- Sokunbi, O. (1983). The Role of Government in Industrial Relations. *Unpublished paper resented to NABIFT at a Management Seminar, August.*
- Ubeku, A.K.(1983). Government's Role in Industrial Relations in Nigeria. Lagos: Longman Group Ltd.
- Yesufu, T.M. (1980). The Dynamics of Industrial Relations in Nigeria Experience.
- Oshiomole, Adam (2004). Federal Government set to dismantle NLC. *Business Times, June 21st.*