

Labour conflict and management in Nigeria

Muhammad ABDULLAHI

Department of Public Administration,
University of Maiduguri, Maiduguri, Nigeria.

Abstract: In the course of interactions between employers and employees, conflict is likely to emanate due to differences in perceptions, values, attitudes, interests and other policies. Scores of conflicts have been in record over the years especially the incessant strikes at local, state and national governmental levels in Nigeria. It is against this backdrop that the study documentarily analyses labour conflict and management in Nigeria in recent years, with emphasis on incessant strikes by various labour unions, and the available statutory conflict management strategy. The study utilizes secondary data to arrive at conclusion that conflict management mechanisms has largely been ineffective in the country and the statutory provided mechanism has been found to be misused in most occasions which is the major reason for the incessant strikes in the country. The study therefore recommends that government and organisations should ensure that managers and administrators are skilled in conflict management and organisations and unions be compelled to abide by the statutory provided mechanism for conflict management in the country.

Keywords: Conflict, Labour Conflict, Strike, Conflict Management

Introduction

Organisations exist to attain certain crucial developmental objective, which may be in the form of service provision, profit maximization, production of goods and services, etc. Such obligations are attained with both human and material resources utilised efficiently and effectively. In the course of this, conflict is inevitable because of the coming together of people with different attitudes, beliefs, personalities, values, ideologies or interests. Therefore, conflict is a phenomenon attributed to all human groups, group activities and interactions between and among workers largely believed to have a devastating effect on production, success or development of an organisation or business entity.

Nigerian public and private organisations have over the years witnessed scores of conflicts which slows its phase as a result of strikes, protests, or other misunderstandings and efforts towards curtailing such menaces are observed to exist in many occasions, but remained unabated and continue posing negative challenges to growth and development of organisations. Therefore, if conflict is not properly managed, increase in productivity or success cannot be attained.

It is against this backdrop that the study critically analyses labour conflict issues in Nigeria and the available management techniques with emphasis on recent conflict records especially documented strikes across the various states in Nigeria.

Conceptual Issues

Labour refers to workers of all grades (skilled or unskilled) who are engaged in gainful employment, while management refers to employers of labour. As long as a nation remains industrialised, there is bound to be interaction between workers and management and between workers and government. In the event of disputes, there exists an avenue of interaction between workers, management and government (Aminu, 2001).

Conflict is defined as a clash between individuals arising out of a difference in thought process, attitudes, understanding, interests, requirements and even sometimes perceptions. It results in heating arguments, physical abuses and definitely loss of peace and harmony (MSG, 2017). Conflicts are inevitable part of employment relationship. The objective of public policy has in this century constantly been managing conflict and promotion of sound labour relations by establishing or allowing for a system for effective prevention and settlements. Conflicts can be curtailed through conciliation, mediation, arbitration other specialised labour adjudications (ILO, 2017).

Labour conflict is the dispute between an employer and / or group of employees. It includes any type of conflict which takes place within a workplace or among workers and / or managers (Honeyman, 2013). Industrial conflict includes the total range of behaviour and attitudes that express opposition and divergent orientations between industrial owners and managers on one hand, and working people and their organisations on the other (Kornhauser & Ross, 1954; Aminu, 2016).

International Labour Organisation (2002) summarized it thus:

<http://jrdsjournal.wixsite.com/humanities-cultural>

Labour conflict is a state of disagreement over a particular issue or group of issues, over which there is conflict between workers and employers, or about which grievance is expressed by workers or employers, or about which workers or employers support other workers or employers in their demands or grievances.

Conflict management involves the steps undertaken to prevent the conflict at the right time and also helps to resolve it in an effective and smooth manner. Through conflict management, one actually finds out the best possible events which can start a conflict and tries his levelbest to avoid them (MSG, 2017). The primary purpose of conflict management is to arrest the expansion and escalation of conflicts and create a structure and conditions which would be conducive to realizing beneficial consequences (Bercovitch, 1954; Farouq, 2004). Schmidt and Tannenbaum (1960) note that the ability of management to deal effectively with organisational conflict depend on its ability to diagnose and understand differences and to select appropriately from a variety of conflict resolution techniques.

Model

Models of labour relations vary from country to country and based on contexts. However, some countries just copy the models of others. In some instances, modifications are made to suit a particular environment. In Nigeria, typical Modified Classical Model is found suitable and has been in use since after Civil War till date. The model is a modification of Classical Model. Here, the government intervenes in activities of unions with respect to collective bargaining.

Labour Conflict in Nigeria

Generally, conflicts in Nigerian workplace as far as labour issues are concerned are caused by several factors including, poor working conditions, abnormality in salaries and wages, complicated rules and regulations, delay in promotion, discrimination against minorities, favouritism, management attitude towards change, complicated compensation plans, unlawful dismissal of employees, claim of bonus, poor management system, inappropriate implementation of fringe benefits, government policies, etc. These problems usually frustrate workers and leads to incessant disagreements which culminate into the customary last resort, strike action.

Labour conflict in Nigeria has always ended up in strike actions as internal mechanisms seem to be ineffective and external mechanisms being sidelined. Strike actions has been in record in almost all republics, fueled prominently by Nigerian Labour Congress (NLC), Academic Staff Union of Universities (ASUU), Academic Staff Union of Polytechnics (ASUP), Association of Resident Doctors (ARD), Nigerian Medical Association (NMA), Petroleum and Natural Gas Senior Staff Association of Nigeria (PENGASSAN), Nigerian Union of Petroleum and Natural Gas Workers (NUPENG), etc. Their actions severely affect the lives of citizens as it sees the hibernation of schools, scarcity of fuel, cost rise in price of goods and services, difficulty in access to healthcare services, amongst others.

Latest instances of strike actions in 2016/2017 include the PENGASSAN nationwide indefinite strikes over disagreement with government in 2016 and 2017 (Jeje, 2017); workers strike fueled

by NLC and TUC in Niger state as a protest over deductions in worker's salary in June 2016 (Agunbiade, 2016); Ondo State physicians strike promoted by the association of government general medical and dental practitioners over non-payment of their salaries in August 2016 (Agunbiade, 2016); Labour strike in November 2016 at Osun and Ogun States over non-payment of civil servant's salaries and areas (Daniel, 2016); polytechnic lecturers strikes by ASUP in 2016 because of non-payment of salaries, shortfalls in personnel, unpaid allowances, etc. (Daniel, 2016); ASUU warning strike in 2016 over exclusion in Treasury Single Account, non-funding of universities revitalization, non-payment of entitlements, etc. (Adebayo, 2016); Health workers nationwide strike stimulated by the Nigerian Union of Health Professionals because of government's inability to address their demands (Okogba, 2017); Nationwide labour strike fueled by NLC because of fuel price hike and electricity tariffs, which also sees NLC officials chasing workers in their offices and closing them down in some states like Edo, Taraba and Imo States (Oluwadare, 2016); Tanker drivers' strike because of Nigerian Ports Authority (NPA)'s order of 10,000 Naira entry sticker permit levy so as to stop NPA from collecting that (Olafamihan, 2016); civil servants strike at Bayelsa State promoted by NLC in 2016 because of salary issues (Ebikabowei, 2016); warning strike by NUPENG in protest against alleged violation of the country's labour laws and anti-workers disposition of the oil companies in December-January, 2016-2017 (Bassey, 2017); local government workers indefinite strike in Kwara and Edo states encouraged by Nigerian Union of Local Government Employees (NULGE) over non-payment of staff salaries for over six months (Agunbiade, 2016); medical doctors strike in Lagos over dismissal of many staff fuel by Association of Resident Doctors in 2016 (Premium Times, 2016).

Management of Labour Conflict in Nigeria

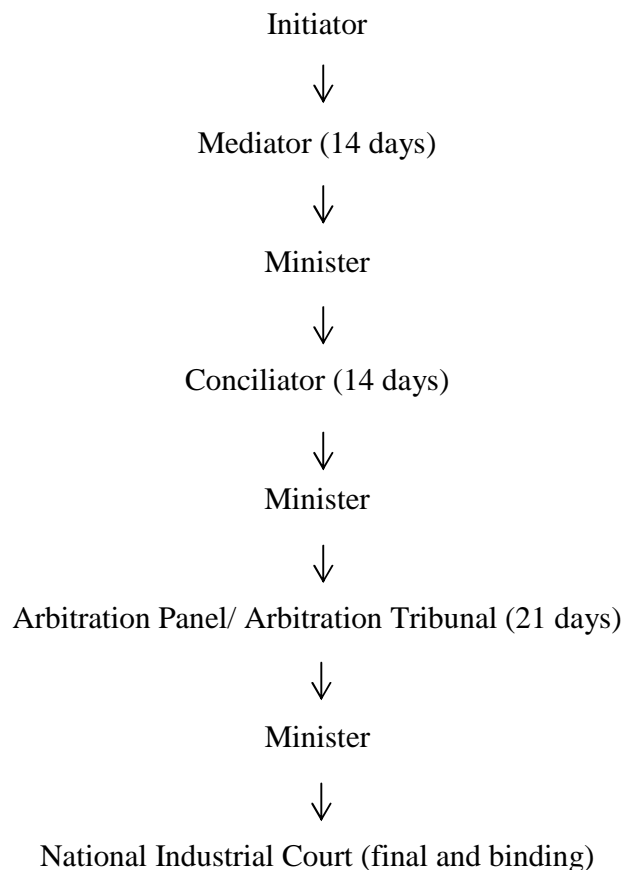
The machinery for the resolution of labour conflict in Nigeria can be internally and externally. Internal mechanisms are collectively negotiated within an organisation as Dlakwa (2016; p23) puts "the hallmark of successful managers lies in their ability to forestall strikes through amicable collective bargaining and sustain industrial harmony through amicable dispute resolution mechanism". On the other hand, external mechanisms are statutory and established by the state. The statutory usually takes over where the state fails.

The Trade Dispute Act of 1990 provides for rancor-free steps to be followed in resolving labour disputes between employers and their employees since January 1976. In the procedure of settlement of trade dispute, according to the Act, where there exist agreed means for the settlement of the dispute independent of the Act, the parties to the dispute shall first attempt to settle the dispute by the means provided for in the agreement. This reflects the policy of the government to encourage the parties to settle their dispute without having recourse to the Act. This policy is further reflected in the Act where it is provided that if any attempt to resolve the dispute fails or there is no agreement between the parties to provide for a mode of settlement of dispute, a mediator will be appointed (Aminu, 2001).

First, there ought to be an agreement between employers and employees so as to demarcate the boundary of operations for each group. Secondly, whenever workers have discovered a breach of law by their employers, they must draw the attention of the employer in writing. The employer

would be given reason time to be specified in the letter of notice by the workers within which it should comply with the terms of agreement or give sufficient reasons for the breach of its provisions. Thirdly, if the employer fails to respond satisfactorily respond to the notice served to it by the workers within time specified, the workers are free to take the case to the Minister of Labour for mediation. On receipt of the letter of complaint, the Minister will arrange for a mediation meeting between the management and the representatives of the workers. He would listen to the two disputant groups and take a position, which he will propose to the disputants for resolution of the conflict. Fourthly, if the proposal made by the Minister is rejected by any of the disputants and the matter is not resolved within 14 days of the commencement of the mediation meeting, the workers can formally declare a trade dispute. The workers would fill a prescribed form and submit to the minister, which indicates that a trade dispute has been declared. Fifthly, upon receipt of the trade dispute form the Minister would constitute a reconciliation panel to broker peace between the disputants within 14 days. Sixthly, if the conciliation panel fails to resolve the dispute within 14 days, the dispute would be referred to an Industrial Court for final judgement within 30 days. The decision of the Industrial Court is final and binding on all disputants (Tom & Bazza, 2005; Dlakwa 2016). In spite of all these elaborate conflict resolution mechanisms in Nigeria, workers often engage in strikes, disputes, work stoppages in total disregard of the law.

Diagrammatically, the procedure can be depicted thus:



Source: Aminu (2001)

Other more participatory procedures in conflict management include conciliation and mediation or what is known as Alternative Dispute Resolution (ADR) processes are being used to replace formal judicial processes. Aminu (2016) added that ADR is any method of dispute resolution other than formal adjudication such as litigation or administrative proceedings.

Overtime, the conflict management procedure statutory provided for in the country's law has been sidelined, which sees workers go on strike frequently and adopting a different negotiation mechanism when resolving. For instance, the recent ASUU warning strike in 2016 was curtailed by serious intervention by Nigerian Senate through its committee on Tertiary Education Trust Fund which sees immediate resolution with agreements on payment of staff entitlements, funding of universities revitalization, exclusion of universities from Treasury Single Account (TSA), amongst others (Adebayo, 2016). The National Association of Resident Doctors strike over dismissal of doctors in Lagos state was resolved with an intervention by Speaker House of Representatives and Nigerian Medical Association. The President also directed Minister of health to resolve the impasse based on the interest of Nigerians (Premium Times, 2016). The NLC, TUC strike in Niger state was called off following the intervention of the Speaker, House of Assembly of the State who assured them all the necessary sums but will be determined with

the screening of workers (Premium Times, 2016). In Nassarawa State, Isuwa (2016) observed that elders had to intervene in NLC strike action over poor condition of service in the state. The conflicting parties reached consensus and committees were established because of those respected elders' intervention.

However, there are still few instances where government intervene but through the Minister of Labour. For instance, NLC's nationwide strike because of fuel price hike and electricity tariff was called off due to intervention by federal government through the Labour Minister, Chris Ngige, in 2016 (Soriwei, 2016). This was also followed by protests in support of the federal government's decision by several Civil Society Organisations. It was done to restructure the operational modalities of the Joint Venture Cash Call especially in view of the low oil prices. In addition, PENGASSAN and NUPENG strike over disputes as a result of indiscriminate sack of workers without benefits and refusal to allow workers to join union was suspended due to intervention by Minister of Labour (Premium Times, 2017).

Conclusion

From the foregoing, it is obvious that labour conflict is persistent in Nigeria and has led to incessant strikes by labour unions and other affected groups. The study concludes therefore that it is as a result of ineffective conflict management in the country as well as increasing overwhelming demands and aspirations of people. The statutory provided mechanism for labour conflict resolution is also in most cases not being followed.

Recommendation

The study recommends that government and organisations should ensure that managers and administrators have adequate conflict management skills so as aid curtailment of labour conflict. The statutory provided procedure should also be adhered to so as give law a chance rather than embarking on incessant strikes at a go.

Reference:

1. Adebayo, H. (2016, May 22nd). ASUU strike continues as Senate meeting is deadlocked. *Premium Times*. <http://www.premiumtimesng.com/news/headlines/215985-asuu-strike-continues-senate-meeting>
2. Agunbiade, Y. (2016, August 3rd). Strike, protest. <http://www.informationng.com/tagstrike>
3. Aminu, A.A. (2001). *Labour management relations in Nigeria*. Maiduguri, Nigeria: Premier Communications Limited.
4. Aminu, A.A. (2016). *Labour-Government conflicts in Nigeria*. Deutschland, Germany: Lambert Academic Publishing.
5. Daniel, D. (2016). Strike. *Information Nigeria*. <http://www.informationng.com/tag/strike>
6. Dlakwa, H.D. (2016). *Applied management in healthcare organisations*. Lecture Module, Department of Public Administration, University of Maiduguri, Maiduguri, Nigeria.
7. Ebikabowei, I. (2016, May 19th). Strike returns negotiation table. *Today Nigeria*. <http://www.today.ng/news/nigeria/124330/strike-return/negotiation-table-forfeit-pay-dickson-tells-workers>
8. Farouk, U.B. (2004). *Management of pastoral-agricultural conflict in Zamfara State, Nigeria*. Unpublished Ph.D. Dissertation. Department of Sociology, Bayero University, Kano.
9. Isuwa, S. (2016). Elders intervene as workers calls off strike. *Pulse Nigeria*. <http://www.pulse.ng/local/in-nassarawa-elders-intervene-as-workers-call-off-strike-id4718058.html>
10. Jeje, O. (2017). *PENGASSAN strike*. <http://www.pengassan.org/pengassan-enforces-total-compliance-with-strike>
11. Kornhauser, A.D.R. & Ross, R.M. (1954). *Industrial conflict*. New York, USA: McGraw-Hill
12. Management Study Guide (2017). *Understanding conflict: Meaning and phases of conflict*. <http://www.managementstudyguide.com/understanding-conflict.htm>
13. Tom, M.G. and Bazza, M.I. (2005). *Healthcare management in Nigeria*. Maiduguri, Nigeria: Compaq Publishers Limited.
14. Okogba, O. (2017, March 3rd). Health workers begin indefinite strike. *Vanguard Nigeria*. <http://www.vanguard.com/2017/03/health-workers-begin-indefinite-strike-monday/>
15. Olafanihan, K. (2016, May 18th). Tanker drivers threaten strike over NPA sticker permit levy. *Today Nigeria*. <http://www.today.ng/news/nigeria/123930/tanker-drivers-threaten-strike-npa-sticker-permit-levy>
16. Oluwadare, Y. (2016, May 19th). Strike. *Today Nigeria*. <http://www.today.ng/tag/strike/page/11>

17. Premium Times (2016, June 25th). *Nigerian doctors suspend strike*.<http://www.premiumtimesng.com/news/top-news/205922-nigerian-doctors-suspend-strike.html>
18. Premium Times (2016, November 1st). *NUPENG calls off 3-day strike*.<http://www.premiumtimesng.com/news/more-news/220235-nupeng-calls-off-3-day-strike.html>
19. Premium Times (2016, July 16th). *NLC, TUC end strike in Niger State*.<http://www.premiumtimesng.com/regional/north-east/207027-nlc-tuc-end-strike-in-niger-state.html>
20. Schmidt, W.H. & Tannenbaum, T. (1960). *Management of differences*.*Harvard Business Review*, November-December Edition.