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# APPRAISAL OF PUBLIC POLICY ON CONFLICT RESOLUTION FOR HARMONIOUS INDUSTRIAL RELATIONS PRACTICE IN NIGERIA

BY

AJALA, M.E (Ph. D) AND OGHENEKOHWO, J.E  
DEPARTMENT OF ADULT EDUCATION  
UNIVERSITY OF IBADAN

## Abstract

*This paper examines public policy on conflict resolution for harmonious industrial relations practice in a deregulated economy with reference to Nigeria. This "deregulation" of industrial relation in the public service sector stems from the civil service re-organisation Decree (No.43) of 1988. The policy regulation stipulates that the relevant trade unions should henceforth negotiate with each state and local governments over its terms and conditions of employment bearing in mind the government ability to "pay". Unfortunately there is usually the problem of double standard on the part of government in the implementation of the policy. This double standard thus provides avenue for conflict (s) in the industrial relation systems. This is on account that, if deregulation policy provides that, one industrial union at the federal, state, and local government should negotiate separately on the same issues, the same government policy, having organised the trade unions along industrial lines, had insisted that collective bargaining should be effected in the public sector through national joint industrial council. This contradiction in policy direction has made industrial harmony a contentious issue in an expectedly democratized industrial environment. Our position in this paper is that, much as deregulated industrial system is the best process for ensuring industrial harmony, government policy on this should be consistent. For example, the fixing of 'basic minimum wage' at any level of the public work should not be accommodated, otherwise, conflicts, and other obstacles to industrial pace will continue to mar the peace of industrial relations practice in Nigeria. However, conflict as a force of balance of power cannot be completely avoided, or eliminated, hence, this paper provides strategies for nipping in bud contentious issues that may lead to conflict with regard to the administration of policy.*

## INTRODUCTION

Yesufu (1984) noted that "an important lesson to be drawn from the analysis of industrial relations is that the much desired high level of productivity and efficiency in the growth of the economy depend incalculably upon the development and maintenance of good and democratic industrial relations" It is imperative and inevitable, therefore, that good labour policies on the terms and maintenance of effective industrial relations must be accorded a significant status in the aspect of the national life, since, it is a sub-system of the national economic system. As a system, the industrial relations practice is an inter-play of the tripartite relationships which depicts interactions between the principal actors in any work organisation. This tripartite relations involves the workers (labour force), the employers (management) and the governments which also serves as both employer and regulator of the tripartite relationships (Dunlop 1958, Akintayo, 1986).

The existence of this relationships inevitably provides that at one time or the other, either as a result of economic interests, or socio-political factors, or even conditions seen as negating the terms and conditions of employment, there may arise contentious issues which will lead to disputes and industrial actions.

Thus, at each levels of the actor, there exist a hierarchy and its representatives: there is the trade unions at the hierarchy of workers, employers associations at the hierarchy of the government. All these hierarchies are recognised as bodies representing the interest of each of the industrial relations stakeholders. It is therefore interesting to note that the government and its agencies that provide the policies on the type of relationships as expected among these actors, often than not, provide policies that run contrary to the guidelines as exemplified in deregulation policy on collective bargaining at all levels viz-a-viz the institution of national joint industrial negotiating council by the same government. This conflict in the policy on achieving industrial peace is thus a prelude to the myriads or disputes that have attended the industrial relations scene in Nigeria.

## **DEFINITIONAL MATTERS**

In order to enhance the understanding of the concepts in application in this paper, the authors have to provide a clarity on their application. These concepts include: Industrial Relations, Public Policy and Industrial conflict.

## **INDUSTRIAL RELATIONS SYSTEM**

Dunlop (1958) observed that "an industrial-relations system at any one time in its development is regarded as comprised of certain actors, certain contexts, an ideology which binds the industrial-relations system together, and a body of rules created to govern the actors at the work-place and work community". Accordingly, Farnham and Pimlott (1995) noted that "it is this network or web of rules, consisting of procedures for establishing the rules, the substantive rules themselves, and the procedures for deciding their application to particular situations, which are the products of the system".

Meanwhile, it is established also that the establishment and administration of these rules is the major concern or output of the industrial relations sub-systems of industrial society. Thus, these rules may be represented in form of written, oral or custom and practice, and could be seen in terms of managerial decisions, trade union regulations, laws of the state award, by governmental agencies, collective agreements, and the work place conditions among others. In this wise, industrial relations system could be seen as system of rule making and administration of rule procedures that guide, regulate and control the actor in the industry as they daily interact with one another in the work place. Such rules and procedures are made and administered to ensure or guarantee industrial peace and harmonious relationships among the actors. According to Armstrong (1999), "the principal purpose of industrial relations rules or laws is to, among other things, regulate, support, and restraint the power of management and that of the organised labour in industrial relations.

## **PUBLIC POLICY**

Public policy is a official position or statement on issues of national interests supported by enabling-laws. The essence of which is to ensure regulation, control and a clear-cut understanding on the government stance on issues and matter of national interest. Public

Policy, is therefore conceived as government official directives expected to regulate, guide, and control the various sub-systems of national lives and consequently expecting absolute compliance from the public. Operationally, policy is a guiding principle or a course of action of the entire system or industrial organisation. Edem (1982) posits that, any policy regulates and controls the conduct or national systems of which industrial relations is a sub-system, which must be geared to the special needs, and aims of a nation. Thus, any official statement made by the government and which guides the practice of industrial relations is considered a policy.

## INDUSTRIAL CONFLICT

One of the most quoted traditional definition of conflict according to Otite (1999) is that, "it is a struggle over values and claims to scarce status, power and resources in which the aims of the opponents are to neutralise, injure, or eliminate their rivals". Park and Burgess (1921) argue that "conflict is designed to resolve divergent dualism (and achieve) some kind of unity even if it be through the annihilation of one of the conflict parties".

Conflict is then seen as social phenomenon which can be interpreted through three different perspectives; namely, the functionalist, the interactionist and the conflict perspectives. While the functionalist focuses primarily on processes of order and stability, and the interactionist, on processes of everyday social behaviour, the conflict perspective focuses on the processes of competition and change (Omole and Adegoke (2001). A consideration of all these perspectives to the interpretation of industrial conflict shows that, while conflict does not necessarily imply outright violence, although it may include tension, hostility, competition and disagreement over goals and value, it is observed that, the nature of conflict in industrial organisation just like any other sub-systems in the society is usually a balance of forces between conflicting groups or associations. It can therefore be asserted that the mechanism which keeps society going is conflict. Conflict between organised groups over the scarce rewards/resources available within the social system indicate that changes caused by social conflict prevent society from lapsing into stagnation (Penkin, 1977).

In the plural societies, it is necessary to direct the analysis of



conflicts to involve various strategic social institutions such as the industrial sector in the search for meanings conveyed through different lenses, logic and grammars. Industrial conflict is basically a struggle between joint organised groups, which are competing for their share of a product. This is why Iwuyi (1993) confirms that "studies have shown that where people work together in an enterprise, many interests are to be found, some shared, some not. For example, employer wants the operations to be as successful as possible whether judged by profits or in non-profit making terms by other measures, such as effectiveness and efficiency, on the part of the workers, their diverse interests include maximising the price and conditions on which they supply their labour, ensuring the security of their jobs, fair treatment from their manager, avoiding an unduly toughened work place, belonging to congenial work groups and working in a safe and reasonably pleasant environment.

Apart from differences in the goals of management and workers, the changes and rapid process of adaptation which the enterprise at times has to undergo in order to survive in a complex but competitive working environment, affect members of the work community in so many different ways that they also serve as a continuous source of conflict. Other factors that leads to conflict include, differences in perception, departmentalization and specialization, limited resources, the nature of work activities, role differentiation, inequitable treatment, and violation of operational territory (Mulling, 1996).

## **DEREGULATION OF INDUSTRIAL RELATIONS AND HARMONY IN THE WORKPLACE**

As in all aspects of the economy, the leadership role of government is particularly crucial in the field of conflict management, especially in industrial relations practice. Following upon the civil service (Re-organisation) Decree No 43) of 1988, the military regime embarked on a pronounced and misguided policy of "deregulation" of industrial relations in the public service. That policy stipulated that the relevant trade unions should hence forth negotiate with each state, and local government over its terms and conditions of employment, bearing in mind its ability to pay. The same government as reported by Yesufu (2000) having re-organised the trade unions along

industrial lines had insisted that collective bargaining should be effected in the private sector through National Joint Industrial councils.

In nutshell, it is observed that the private sector as had been noticed, was making, and has continued to make progress on these lines, but unfortunately, the system of relations has virtually collapsed in the public sector. By implications inference can be drawn on the fundamental implication of the deregulated policy thus, that one industrial union in the public service had to negotiate separately with the federal government, 36 state governments and 774 local governments on the same issue. The effects of this policy are that:

One, it was designed to overstretch the capacity and resilience of the public service industrial union. Two, to disaggregate the public service as an industry'. Three, to encourage disintegration of the national industrial unions into local and state factions and thus destroy their solidarity.

Four, emerging of disparate terms and conditions of service between the various state and local governments, even those that were contiguous and had previously been one state, and finally. The possibility of some states and local governments to meet negotiated rates, however, justified, thus resulting in workers' industrial action and strikes that could be nationwide and destructive to the economy as a whole.

Arising from this analysis, it is obvious that the current policy has to be sustained even though there had been occasions where the government will unilaterally fixed wage for the public sector. But to correct this error, the present Obasanjo administration has emphasised the decentralisation of collective bargaining, which in its real application denotes the fundamentals of deregulated industrial relations system.

Decentralization of collective bargaining, on the lines of deregulation to the various tiers of governments in effect destroyed the effectiveness of the national joint industrial councils in the public service. Since wages and salaries constitute the soft under-belly of industrial relations, the principle of decentralised collective bargaining struck at the very fabric of meaningful and effective human resource management.

As reported by Yesufu (2000), the deregulatedly established institutionalised machinery to prevent and resolve industrial conflict in the form of services and powers of the federal ministry of labour with respect to conciliation, arbitration, industrial court, etc, has been pursued with little or no commitments by the government. This is because, the government seems to feel too superior to use such machinery, preferring instead to use its powers to impose its will as employer upon the workforce. The incompatibility of this stance with the nation's commitments to industrial democracy, and the need for government to reassess its leadership role potends new challenges to national development, which must involve the willing participation of the public service workers.

Our position in this analysis is that, the double standard put forward by the government does not help to instill industrial harmony, and the time has come (and indeed, overdue) for the federal and state governments to drastically change their attitudes to employees in the public service. Government must interpret its position as employer vis-a-vis its employees, exactly as it expects of the private employer. The public sector has no more right to the service of its employees than the private sector, and, today, it offers nothing particularly attractive to justify the public servant accepting conditions which their colleagues in the private sector would not accept.

Therefore, good, effective and development oriented industrial relations can neither be enforced by draconian laws nor by double standards. The human factor involved is extremely complex and has to be carefully nurtured.

### **SUSTENANCE OF INDUSTRIAL HARMONY: THE DEREGULATED OPTION**

Flowing from the immediate discourse, it is pertinent to understand that the process of achieving industrial harmony rest on the application of the principles of deregulated collective bargaining bearing in mind the government's much touted about industrial democracy. Collective bargaining on issues of employment from time to time must be based on the commitment of the two parties not only to bargain in faith but also be ready to implement the negotiated agreement. The willingness of the employer at both the public and private sectors to implement the agreed negotiation is another issue

that is subject to deregulation. This is principally out of the availability of resources to meet the agreement by the two parties. What is difficult to provide meaningful expression for is that, the environmental variables as well as the individual leadership good-will have often been neglected in terms of fulfilling negotiated terms. This has continued to perpetuate failure on the process of collective bargaining.

The deregulated nature of the industrial relations system therefore assumes a critical stance on which a constructive industrial democracy should operate at the public service. Once this is allowed and operational, outright deviants by any party to the sustenance of the system can then be adequately checked through the new policy. While the employees are ready to negotiate at all times, the government must match her policy with action as any deviation, as was the case, would be seen as arbitrary, irrational and inconsistent thereby preparing the stage for conflict situation.

Presently, the public sector employees at all the three levels can therefore negotiate on the basis of the employers' ability to pay. Notwithstanding the provision of the policy, the government can only intervene in the sustenance of industrial harmony not by fixing wages, but by providing the enabling industrial environment (democracy) that will ensure faith in the application of the system.

## **CONCLUSION AND RECOMMENDATION**

Given this scenario, achievements through collective bargaining between labour and management must be openly rewarded and even celebrated periodically. However, appropriate strategies have been established for the effective and efficient management of conflicts at negotiation section in the industrial relations system. These are:

1. Lose-win strategy
2. Win-lose strategy
3. Win-win strategy

Whatever the nature of the conflict, in public sector, any of the above strategies especially the lose-win strategy will certainly help the management of the Nigerian Industrial Relations System. It is therefore, essential to recommend that the continuing and sustained

application of collective bargaining, dialogue and negotiation with adequate opportunity for flexibility without room for rigidity as illusion theory will assist in the achievement of industrial peace through deregulated democratic system of collective bargaining in the work administration in Nigeria without government interference as this constitutes contradiction and a potential source of conflict in the industrial relations system.

## REFERENCES

Akintayo M.O. (1989). "The problem of wage Price policies Industrial Relations in Nigeria". In The Nigerian Journal of Industrial Education and Labour Relations. Department of Adult Education, University of Ibadan.

A k i n Initiatives on the Theory of Industrial Relations, Ibadan Holland Publisher.

Coser, L.A (1956). The Functions of social Conflict, Glencoe Ill The free Press.

Dunlop J.T. (1950). Wage Determination under trade unions, Oxford, Basil Blackwell.

Dunlop J.T. (1958) Industrial Relations System. New York Henry holt & cool.

Edem, D.A (1982) Introduction to Educational Administration in Nigeria, Ibadan Spectrum Books Limited.

Farnham D and Pimlott J (1995). Understanding Industrial Relations, London, Casell.

Gouldner A.W (1960). The norm or reciprocity: A Preliminary statement. American sociological Review 25, 161-178.

King J.E (1992) (ed) Contemporary Issues in Collective Bargaining Ibadan, Afrographical.

Lasswell, H and Kaplan, A (1970). Power and Society, Hew Haven: Yale University Press.

Mullins, D.J (199). Management and Organisational Bargaining. Ibadan. Afrographical Publishers Ltd.

Omole, M.A.L. and Adegoke, N.A (2001) "Patterns of Industrial Conflicts in Nigeria: 1980-1999, Nigerian Journal of Industrial Education and Labour Relations June, 4 (1) 1-16.

Otite, O (1999). "On conflicts, Their Resolution, Transformation and Management" in O. Otite and I.O. Albert (eds) Community Conflicts in Nigeria Management Resolution and Transformation, Ibadan, Spectrum Books Limited.

Park, R.E and Burgess. E. W (1921). Introduction to the Science of Sociology, Chicago, University of Chicago Press.

Richardson J. H (1954). An Introduction to the study of Industrial Relations. London, George Allen and Unwin.

Rousseau D.M (1989). Psychological and Implied Contract in organisations. Employees Rights and Responsibilities Journal 2, 221-139

Rousseau D.M (1990). New Nire Perceptions of their own and Their Employers Obligations: A Study of Psychological Contract. Journal of organisational Behaviour II, 389-400.

Yesufu T.M (1984). The Dynamics of Industrial Relations: The Nigerian experience. Ibadan University Press Limited.

Yesufu T.M (1991). Emerging Trends in Public Sector Collective Bargaining: Implications for Industrial Relations in the 1990s, National Institute of Labour Studies NILS Annual Public Lectures, Series 2, October.

Yesufu T.M (2000). The Human Factor in National Development Nigeria, Ibadan and Benin City, Spectrum Books Limited.