Post Civil War Labour Policy in Nigeria and Its Impact on Industrial Relations: A Critical Appraisal

FRANCIS C. ANYIM Ph.D
FCIPM, FNIM, FABS, FCAI
Department of Industrial Relations and Personnel Management,
Faculty of Business Administration
University of Lagos, Nigeria

CYRIL OSELOKA IKEMEFUNA
Department of Industrial Relations and Personnel Management,
Faculty of Business Administration
University of Lagos, Nigeria

JOY ONYINYECHI EKWOABA
Department of Industrial Relations and Personnel Management,
Faculty of Business Administration
University of Lagos, Nigeria

Abstract
Sequel to the civil war that threatened the corporate existence of Nigeria in 1967, the Military government that came to power in 1966 adopted a radical change within the period 1967 to 1979 on industrial relations policy due to the spate of industrial unrest occasioned by the economic hardship caused by the civil war.
The government at this period was compelled to abandon its back bench by shifting its position from non-interventionist (laissez-faire doctrine) to interventionist or what it coined as “Guided Democracy” in labour and industrial relations matters. The government’s objectives were enveloped in the “National Policy on Labour” which gave the government greater concern to participate in labour matters. The policy in a nutshell was hinged on the need for better and effective trade union administration and to promote labour/management co-operation tailored towards industrial peace and harmony in both public and private sector of the economy.
The intention of this paper is geared towards examining the objectives of the policy, the methods adopted in executing it and to appraise the outcome of the government’s lofty intention in terms of whether the objectives were met or otherwise. The authors however, applauded government for enacting the policy which have paved way in solving some of the industrial relations problems facing the country. They contended that there is need for continuous review of the policy and for government to overhaul the functions of its agencies responsible for labour administration especially the Federal Ministry of Labour and Productivity.

Keywords: Industrial Relations, Labour Policy, Guided Democracy, Interventionist, Trade Union.
INTRODUCTION:
Most governments try to shape their industrial relations system with a view to bringing them more in line with national needs, aspirations and objectives. Furthermore, the role of government provides a useful perspective for the analysis of changes in the pattern of industrial relations.

Unlike in some countries where the conduct of industrial relations was initially left for private regulations by the direct parties concerned, the government in Nigeria has been closely involved in the evolution of industrial relations and there have been tremendous increase in the responsibilities it has assumed in the recent years.

As stated by Otobo (1988) “at no period, then and now, has state involvement in industrial relations been less. It was certainly never absent.” The foregoing assertion by Otobo goes to correct the impression held by some writers like (Yesufu, 1982; Ubeku, 1982 and Fashoyin, 1992) and host of others that government interest in industrial relations was minimal before the civil war.

Government involvement or participation in industrial relations raises a number of questions which undoubtedly helps in shedding more light on government’s role as an actor:

i. Why government involvement in industrial relations?

ii. What are its objectives or concerns in industrial relations? and

iii. What methods or strategies are adopted in attaining these objectives?

Government involvement in industrial relations has three main purposes. Government is the sovereign and custodian of the coercive power, chief regulator of the national economy and the largest employer of labour with the principal responsibility of setting minimum standards to guide other employers or lays framework for the conduct of industrial relations. The task of the government therefore exceeds that of the other parties as ineffective handling of conflicts can paralyse other productive resources in the system.

According to Arewah (1980): “Albert Tevoedjre has rightly pointed out that learning from the experience of industrially advanced countries, African governments have accepted and are playing the policy that workers and employers cannot be left entirely on their own to regulate all aspects of the work situation, since instability to economic activities directly affects the welfare of the whole nation.”

However, the period 1966 to 1979 witnessed fundamental changes in the role of government in industrial relations in Nigeria. Due to the civil war which threatened the corporate existence of the country in 1967, government adopted a more positive approach in handling the increasing number of industrial strife in the face of national emergency. Strikes were banned, the procedures for declaring trade dispute were made cumbersome and state functionaries were empowered to arrest and detain recalcitrant trade union leaders as well as proscribe unions. Consequently, the Trade Disputes (Emergency Provisions) Decree No. 21 of 1968 was enacted. The law prescribed compulsory Arbitration. And in 1969, Trade Disputes (Emergency Provisions) Amendment Decree No. 53 was promulgated. These legislations regulated the conduct of industrial relations during the emergency period. Though both decrees appeared to be temporary measures necessitated by the prevailing state of emergency in the country at the period, it is significant that many features of these decrees were incorporated into the Trade Disputes Decree No.7 of 1976. In giving the rationale for the promulgation of these laws, the government asserted that there were serious industrial relations problems in the country. The speech of the then Honourable Commissioner for Labour, Chief Anthony Enahoro in 1974 attests to this point:

“I kept a close watch on relations in industry, but was disturbed to find a sharp increase in the incidence of trade disputes and work stoppages. The situation aroused unfavourable public comments and there were demands for a total ban throughout the duration of the emergency.”
However, these laws contributed to some degree of restraint, but nevertheless stopped the occurrence of strikes and work stoppages completely. Commenting on the enactment of these laws during the emergency period, Fajana (2006) acknowledged that:

“Changes in public policy since the 1960s can be seen as basically interventionists in approach. Although these changes are generally accidental rather than deliberate. This is because the changes arose largely in response to emergency situation facing the country during the civil war period.”

One may agree that industrial relations legislation of the 60s are interventionists in approach but it may not be true to construe such laws as arising accidentally since government has a continuing concern to ensure that industrial peace and harmony prevails at all time (Anyim 2009).

LITERATURE REVIEW
The Origin, Definition and Scope of Industrial Relations:
The term “industrial relations” was coined out of the historical circumstances of the British Industrial Revolution of the 18th and 19th centuries. It came into common parlance long before its subject matter drew enough attention or acquired sufficient respectability to be treated as an academic or intellectual discipline (Yesufu, 1982). According to Fajana (2006) industrial relations is defined broadly as a discipline concerned with the systematic study of all aspects of the employment relationship. It deals with everything that affects the relationship between workers and employers; perhaps from the time the employee joins the work organization until he leaves his job. The American system approaches to the subject were strongly influenced by structural functionalist sociology (Ogunbameru, 2004). Dunlop (1958) based his model explicitly on Talcot Parson’s social system; it assumed an inherent bias towards order and stability. According to Ogunbameru (2004) looking for a universal definition of industrial relations may be as stressful as looking for an Ocean in the desert. This is because over the years, the concept has been subjected to different conceptual treatment. Differences in definition derived partly from the fact that despite a long history of academic investigation, no single disciplinary core has yet emerged in descriptions and explanations of industrial relations behaviour. For instance, sociologists, historians, economists, lawyers amongst others continue to make contributions often with scant regard for each other.

Cordova (1980) defines industrial relations as the process of interest accommodation by which conditions of work are fixed; relations are regulated and power is shared in the field of labour. Yesufu (1982) on his part sees industrial relations as the whole web of human interactions at work which is predicted upon and arises out of the employment contract. Both definitions recognize that industrial relations is concerned with the systems, rules and procedures used by unions and employers to determine the reward for effort and other conditions of employment, to protect the interests of the employed and their employers and to regulate the ways in which employers treat their employees.

In the opinion of Fajana (2006), the whole idea of industrial relations emerged because the conflict involving the inability of the employers and employees to have a proper dialogue concerning the terms and conditions of employment. The ensuring conflict is inevitable but there are generally mechanisms to ensure that it is channeled or accommodated. These mechanisms are individual resolution, unilateral determination by employers, state, trade unions or workers or joint modes of regulation by the actions of the parties.

In the course of everyday interaction, each of the parties, whether in the broader tripartite set up in industrial relations system itself, or bipartite nature of enterprise industrial relations has its own objectives which tend to guide its role. The objectives of the parties are sometimes congruent and at other times incongruent with one another. Inspite of the strong desire or compelling necessity to work harmoniously, there is nevertheless latent antagonism or conflict among the parties. For instance, a worker may seek more favourable terms and conditions of work; a trade union may want to secure maximum benefits for
its members; employers may seem always poised to achieve minimum costs and maximum profits while government and its regulatory agencies on the other hand may adopt socio-economic objectives and policies to which the other two parties may consider undesirable or find unpalatable (Anyim, 2009). Industrial relations in terms of scope and content also embrace issues which are national in character (fuel scarcity, bad roads, power failure, inflationary trends, armed robbery, terrorism etc). Aside from the decisive influence which industrial relations has on supply of goods and services, it touches upon human values in the work environment. Bearing in mind that the industrial relations actors are transmitters of various events some of which lie outside the realm of industrial relations, it is therefore not surprising that the following variables which are both national and international in character: war and peace, population explosion, technology, foreign trade, product market, social structure to mention just few affect industrial relations. However, it is generally believed that an industrial relations system is derived from a particular political, economic and legal context within which it exists. These contextual influences play prominent role in shaping the direction of industrial relations (Anyim, 2010). From the foregoing, industrial relations is therefore a complex of relationships in which many individuals, organizations and other variables or elements, have a role to play and the role of any one party or organization is affected by the role of the other.

Theories of Industrial Relations: In a broad sense theories are needed first as aid to understanding events and problems in the practical world. A second general reason for having theory is to aid prediction (Fajana, 2006). Dunlop (1958) stresses that theory is needed for the purpose of explaining observations. He decried the mounting up of facts on the plains of human ignorance and called for a speedy up of integrated theory to help interpret, explain and relate them. Aronson et al (1961) also commented that the practical problems in industrial relations field are predominantly attributable to the inadequacies of theoretical analyses. In the opinion of Walker (1976) the more industrial relations theory enables forecasting, the more useful it will be to practitioners, helping them to get ready for what may be in store. Flanders (1965) argues that theory is needed to pose the right questions and research to provide the right answers, granted that a constant interplay has to take place between the two. Explaining the link between theory and action, Hyman (1975) admonishes trade union scholars that indifference towards all theories can be extremely harmful and he went further to state that actions should not be based on take for granted assumptions especially in a constantly changing world where traditional ideas are often rendered obsolete. According to Fajana (2006) the most serious problem hampering the development of stable general and valid theories of industrial relations is perhaps the confusions of different stages of theory formulation. He posits that much of the controversy about theories of industrial relations could be avoided if the theorists could be conscious of their levels of theorizing and the limitations of such levels. There are five academic theories by which industrial relations institutions, structures and processes are analysed by different social theorists (Farnham and Primlott, 1998). These are Unitary Theory, Conflict Theory, Social Action Theory, Systems Theory and Marxist Theory. The unitary theory according to Fox (1974) is characterized by a belief that work organizations are unified bodies in whichever way share the same goals. A fundamental unity of interest is assumed among members of the organization, hence conflict does not necessary exist or should not logically occur. As Crouch (1982) puts it, conflict is seen in unitary perspective as rather unnecessary since there is no misunderstanding or mischief. The approach has even moved further to view trade union as a historical anachronisms which is not relevant in the 21st century (Salamon 1992). Conflict theory holds the basic assumption that the proponents see conflict as inherent in labour/management relationship based on the fact that these two classes have interests of conflictual nature and which are diametrically opposed to each other. The proponents of conflict theory also postulated that in a capitalist economy, the state is always on the side of the employer in an attempt to
protect the interest of the bourgeoisie. In the opinion of Miliband (1969) the state stands for a number of institutions that are constantly used to harass and repress the trade unions. The state is therefore seen as a coercive instrument of the ruling capitalist class. According to Hyman (1975), the quest for control of work brings workers into direct confrontation with the management and considers government and its regulatory agencies as mere tools of influential individuals or groups who perpetrate their selfish interests. In the view of Margerison (1969) conflict is inherent in industrial society hence there is the need to resolve it through agreed rules between the contending parties in order to avoid the use of violence or other non-legitimate means.

Social action theory in industrial relations emphasizes the individual responses of the social actors such as managers, employees and union representatives to given situations. Social action theory is predominantly associated with the studies of Max Weber. According to Weber, action is social by virtue of the subjective meaning attached to it by the acting individual. The action takes account of the behaviour of others and is thereby oriented in its course (Max Weber, 1896). Social action theory focuses on understanding particular actions in industrial relations situations rather than on just observing explicit industrial relations behaviour.

Dunlop (1958) presented the systems theory and provided tools of analysis to interpret and to gain understanding of the widest possible range of industrial relations facts and practice. In the words of Dunlop (1958) an industrial relations at any one time in its development is regarded as comprising of certain actors, contexts, an ideology which binds the industrial relations system together, and a body of rules created to govern the actors at the workplace and work community. The actors comprise a hierarchy of managers and their representatives; a hierarchy of non-representatives; and specialized third party agencies whether governmental or private ones. The contexts focused on three environmental contexts that play a decisive part in shaping the rules of an industrial relations system and with which the actors interact. They include technological characteristics, budgetary constraints and the locus and distribution of power in the larger society. The greatest criticism leveled against Dunlop’s theoretical approach is the way the term ‘systems’ was applied. Blain and Gennard (1974) view as a grave shortcoming Dunlop’s failure to define accurately the systems concept and his application of the term in a variety of ways. For instance, he applied the term variously to individuals, individual firms, and industrial branches and even to analyze and describe real case or circumstances.

The Marxist perspective has its origin from socialist ideologies. It assumes and emphasizes within a capitalist society where productive systems are owned and profit is the key influence on company’s policy (Hyman, 1975). Hyman (1975) states further that conflict which arises out of those differences in economic power between social groups are rooted in the structure and institution of society itself and also that, the activities of industrial relations are means of achieving a resolution. According to Ogunbameru (2004) the conflict taking place in industrial relations between those who buy labour and those who sell it is seen as a permanent feature of capitalism merely reflecting the predominant power base of the bourgeois and the class relations of capitalist society generally. In this respect, class conflict permeates the whole of society and is not just an industrial phenomenon. In the same way, trade unionism is a social as well as industrial phenomenon. Trade unions are by implication challenging the property relations wherever they challenge the distribution of the national produce. They are challenging all the prerogatives which go with the ownership of the means of production, not simply the exercise of control over labour power in industry (Allen, 1971). The Marxist perspective in its perception or notion sees the bourgeoisie giving rise to a revolutionary dictatorship of the working class which will gravitate to socialism and later communism.

In summary and in line with Roy Adam’s (1988) contention, a good deal of theory are found in rudimentary forms which are enough to negate the statement that there are no valid theories of industrial relations.
OBJECTIVES OR GOVERNMENT’S CONCERN IN INDUSTRIAL RELATIONS
On 4th December, 1975, the then Commissioner for Labour, Brigadier General Adefope H. E. O. read the ‘National Policy on Labour’ to representatives of the Trade Unions and Employers. At the meeting held with the parties, the main objectives of the policy are as follows:

a) To give a new sense of direction and new image to the Trade Union Movement;

b) To remove completely from the Trade Union arena, ideological or external influences which had plagued Nigeria Trade Union unity for more than a quarter of a century;

c) To rationalize the structure and organisation of Trade Unions to ensure that they are self-sufficient financially and not be dependent upon foreign sources of finance;

d) To provide facilities for Trade Union education as a means both to improve union leadership and the knowledge and understanding of the purpose of Trade Unionism by the rank and file;

e) To strengthen the labour administration system i.e. the Ministry of Labour for the enforcement of labour laws and regulations and to enhance other institutions for promoting effective labour administration; and

f) The continued support of the principles and objectives of the International Labour Organisation and the Organisation of African Trade Union Unity (OATUU).

The Commissioner went further to state that the ‘National Labour Policy’ will involve limited government intervention or “guided democracy” in certain areas of labour matter and that the policy is hinged on the following:

i. The continued guarantee of Freedom of Association;

ii. The promotion of strong, stable and responsible workers’ and employers’ organisations;

iii. The establishment and development of a suitable institutional framework for the effective and expeditious settlement of labour disputes;

iv. The promotion of Labour–Management Co-operation and consultation at appropriate level between workers, employers and government; and

v. The vigorous enforcement of the provisions of labour legislations relating to minimum conditions of employments, social security, safety, health and welfare at work.

METHODS ADOPTED IN ATTLAINING THE OBJECTIVES OF THE LABOUR POLICY
To attain its policy, the methods adopted by government could be classified as Legislative, Executive and Judicial.

- Legislative:

The process has to do with the laying down of minimum standards, terms and conditions of employment, enactment of laws to regulate the employer-employee relations, industrial disputes etc. According to Yesufu (1982) “by means of legislation the state lays down the framework within which industrial relations shall be conducted.”

- Executive

The Ministry of Employment, Labour and Productivity and its agencies carry out leadership, regulatory, investigatory and advisory functions on behalf of the government. For instance, it ensures compliance by
employers and workers of labour regulations, inspection of factories, reporting and advising government on conditions that requires further legislation or prosecution for breaches of existing laws. It organizes education programmes to improve labour education and labour management relations. As summed by Yesufu (1982) “the Ministry continuously monitors the barometer of labour and industrial relations atmosphere of the country and advises government through the Minister responsible for labour matter.”

- Judicial:

This has to do with the institutions created by government to handle labour disputes and carry out arbitration process e.g. Conciliation, Industrial Arbitration Panel (IAP) and National Industrial court (NIC). Yesufu (1982) in summing up the role of government states that:

“industrial relations policy in Nigeria had taken some significant new steps away from traditional so-called laissez-faire in the direction of greater state intervention and control.”

Within the context of the foregoing assertion, the questions that arise for discussion in the rest of this presentation are:

i. Has that objectives of the labour policy been met?

ii. If yes, in what area(s) and to what extent?

iii. If no, which areas were not met and what factors were responsible?

RESULTS AND IMPACT OF NATIONAL LABOUR POLICY ON INDUSTRIAL AND LABOUR RELATIONS

The impact of Labour Policy on industrial relations are mixed grill or in other words, they are diffused. Some of the measures adopted by government have caused deterioration in industrial relations while others are remedial and appropriate as they keep pace with time. We shall critically examine each objective in the sub-headings that follows:

(i) To Give a New Sense of Direction and New Image to the Trade Union Movement:

In the 40’s, the main problem of the parties (employers and trade unions) centred on how to work together, tolerate and accommodate each other because either of the parties seem to see the other as an antagonist. For instance, the trade unions see the management as always after exploitation while management at times sees the workers as the proverbial: Oliver Twist” who would always ask for more. With better enlightenment and understanding of the purpose of unionism, parties now see and appreciate each other as partners in progress. Attempts are made to guard against issues that are conflict prone such as non-recognition of the union, violation of collective agreement, refusal to bargain etc.

In the face of the recession, the relationship between the parties are no longer adversarial but assumes a co-operative posture. Trade unions are known to have joined hands with the employers to lobby government to grant the employers import license to keep the firm afloat and increase capacity utilization. Trade unions sometimes make sacrifice by accepting work rotation, overtime ban, reduction in working hours all in a bid to ensure the survival of the enterprise. Thus trade unions have developed new attitudes and approaches to labour issues.

Akin to this, the use of militancy, banging of table and intimidation by union leaders (popularly termed “Imouduism”) to secure concessions from the employers have been minimized. Collective relations are held under a congenial atmosphere with parties advancing convincing reasons to support their demands or position on the issues earmarked for deliberation. In the event of disagreement, the laid down procedures in the procedural agreement or the Trade Dispute Act are religiously followed by parties with a view to resolving the disagreement amicably.
(ii) To Remove Completely from the Trade Union Arena Ideological or External Influences which had Plagued Nigeria Trade Union unity for more than a quarter of a century

Trade Union Decree No. 35 of 1990 reinforced this objective by banning the trade unions from foreign affiliation. Experience so far had shown that government’s action may have minimized ideological influence, but it has not divorced the trade unions completely from external or foreign links. Some observers hold the view that the Nigeria trade unions cannot stand as an island. Consequently, they need to share the experience of their foreign counterparts in the area of labour education, co-operatives, productivity schemes, organisation; agriculture, transportation etc. In similar vein, the trade unions can be likened to the state which cannot remain isolated from foreign or international influence. However, it appears that this objective has not been met as some of the trade unions still have foreign links with international trade unions and occupational groups.

Hassan Sunmonu (1979) lays credence to the foregoing fact when he stated that “Nigeria workers then and now believe in and cherish unity and international solidarity. We believe in the need to have unity at the level of international trade unions inspite of some difficulties” Sunmonu commenting further states that:

“There has also been long standing good relationship between Nigeria Trade Unions and the Secretariats of both International Confederation of Free Trade Unions (ICFTU) and World Federation of Trade Unions (WFU) in particular. There has never been any moment when the Nigeria Trade Unions have been isolated. The diverse experience that has been gained by Nigeria Trade Unions and Workers through association and friendship with trade unions of all tendencies throughout the world, have greatly enriched us and our country.”

(iii) To Rationalise the Structure and Organisation of Trade Unions to ensure that they are self-sufficient financially, and not to be dependent upon foreign sources of finance:

The report of the Justice Duro Adebiyi Tribunal of Inquiry into the activities of the Trade Unions from 1960 to 1975 amongst other showed that all was not well with the organisation, administration, finance and leadership of the unions. The government consequently appointed an Administrator (Mr. Michael Abiodun) to restructure over 1000 unions into fewer industrial unions and to evolve a single central labour organization. The end product of the Administrator’s assignment was the regrouping of all the unions then into 70 industrial unions made up as follows: 9 for Employers (now 22); 19 for Senior Staff (now 24) and 42 (now 29) for Junior Staff.

The restructuring exercise to a great extent brought sanity and new image to the Trade Union Movement. The introduction of check-off system strengthened the finance of the unions. The unions were able to engage capable hands or professionals to man their secretariats and to bargain effectively with management on labour matters.

However, in spite of the fact that the check-off has improved the financial position of the unions, there have been reported cases of misappropriation of union fund by the leadership.

As Fajana (2006) observed:

“The new structure introduced considerable sanity into the labour system in the previous years. For example, damaging ideological conflicts were reduced, feeble unions which numbered over a thousand in 1975 were replaced with large and effective industrial unions and senior staff associations, well disciplined and experienced full time union leaders could now be hired, and automatic check-off dues now ensure regular internally generated revenue”. Sonubi (1987) also acknowledged that:

“The reorganization had in fact enabled the unions through their newly found unity to block all attempts to cause division and undermine their strength and power. It has enhanced the power of resources, but also in terms of exclusive jurisdiction or job territory. The emergence of a single central labour organisation has not only put
paid to the ideological and leadership wrangling of the 1940s, 1950s and 1960s and early 1970s, but it has made possible effective co-ordination at the national level and provide back-up support for individual unions who act mostly as bargaining agents on behalf of the workers”.

Without mincing words, this objective to a large extent was met.

(iv) To provide facilities for Trade Union Education as a means both to improve union leadership and the knowledge and understanding of the purposes of Trade Unions by the rank and file:

It is an incontestable fact that many of the industrial relations problems can be solved through the education of the workers and the employers. Therefore, the state attaches great importance to the role education play in improving labour relations. The government has been sponsoring and financing the one year Industrial Relations and Trade Unionism Course and the Annual National Conference on Industrial Relations organized by the Department of Adult Education, University of Ibadan. The course was later extended from the level of the Trade Union officials to that of the rank and file and the management. Indeed, the programme has contributed a lot in producing the right caliber of personnel or manpower for industrial relations practice. Perhaps, Omolayole (1984) the then President of Nigeria Employers Consultative Association (NECA) must have made similar observation when he asserted that:

“Whereas it is the responsibility of the three major parties to industrial relations—the government, employers and workers to evolve the pattern and institutions of industrial relations, our education institutions have an important role to play in this regard. Their role will lie in contributing ideas and providing training to the practitioners. There is no doubt that the Department of Adult Education, University of Ibadan, has been in the fore-front of this role from its inception.”

Omoole (1987) lays credence to the above assertion when he stated that:

“With the pioneering attempts by either union or government failing, there was a move by the only institution of Higher Learning in the country then, the University of Ibadan to promote labour education”. The government in 1975 through its labour policy decided to be directly involved in Trade Union education through its pronouncement to establish an Institute for Labour Studies which is now functional and called Michael Imoudu Institute for Labour Studies (MIILS), Ilorin in Kwara State, Nigeria. The institute runs programmes structured to equip union officials, members of the union and employers with the right skills to enable them appreciate the need for industrial peace and harmony. Other training outfits used for labour education include Administrative Staff College of Nigeria (ASCON), Centre for Management Development (CMD), Chartered Institute of Personnel Management of Nigeria (CIPMN) amongst others. These institutions organize a number of courses geared towards the improvement of labour–management relations in Nigeria.

Bearing in mind that education and training elevated the management team to the exalted positions they occupy and for labour to bargain effectively with management, there is need for constant training and retraining for all categories of union membership. Unfortunately, the union most of the time rely on management to foot the cost of training their rank and file membership rather than partaking in funding training as a joint venture with management. However, irrespective of the union’s attitude and poor response especially at the domestic unit level to the funding of training, the management owe it a duty to ensure that harmonious and good interpersonal relationship that will promote industrial peace and harmony prevails within the work environment otherwise management will lose more if it unskilfully allow the climate to be chaotic. On the strength of this important consideration management will do well to take special interest in the sponsoring of labour education. Omole (1987) seems to support the foregoing view point when he stated that:
“There were instances where employers of labour who realized the importance of labour education to their growth, participated in sponsoring trade union leaders in their employment within and outside the country”.

On the same issue Omole (1987) further advised that:

“The management in consultation with the union should arrange periodic courses at management expense on labour education for the employees. In addition, management can aid the industrial unions through allocation of funds for the education of workers”.

Today, a good number of the tertiary institutions in the country run programmes on labour matters which is a remarkable improvement when compared with the situation three decades ago. This positive development supports the fact that gigantic strides have been made in the production of readily available manpower for labour administration in the country.

(v) To strength the Labour Administration System i.e. the Ministry of Employment, Labour and Productivity, for the Enforcement of Labour Laws and Regulations, and to enhance other institutions for promoting Effective Labour Administration:

The thrust of this objective centres on the need to make the Ministry of Employment, Labour & Productivity responsive and to be alive to its numerous responsibilities as government agency responsible for labour matters; creating institutions that will manage the settlement of disputes effectively; promote labour-management relations at various levels and to ensure that labour legislations are vigorously and religiously enforced.

With government’s interest in increasing its involvement in the conduct of industrial relations, it has restructured the Ministry of Employment, Labour & Productivity to cope with the enormous responsibilities it has been saddled with. However, the greatest problem of the Ministry is the dilatory attitude of its employees in handling labour matters. Observers on labour matters have imagined that the Industrial Arbitration Panel (IAP) is meant to make its award within 21 days, but experience had shown that Industrial Arbitration Panel takes up to 12 months or more to make its award known to parties thus creating erosion of confidence and frustration for the parties. Mallam Aliu Dangiwa, one time General Secretary of Nigeria Labour Congress seems to frown at the Industrial Arbitration Panel procedures when he states that: “the Industrial Arbitration Panel awards are mere recommendations to the Labour Minister”. Of course, one cannot but agree with him since the awards are forwarded to the Minister in the first instance who in turn communicates the parties. Besides, the Minister can direct the Industrial Arbitration Panel to reconsider the awards in the guise of “Public Interests” before communicating the parties. In similar vein, Dr. Beko Ransome Kuti, former General Secretary of the Nigeria Medical Association observed that “the Industrial Arbitration Panel is one of the Federal Government machinery for staling issues.” With respect to enforcement of labour laws, the Ministry scarcely enforces them nor does it ensure strict compliance by all the parties concerned. As the custodian of the law, the Ministry is in a position to punish law-breakers or non-conformist to serve as deterrence to others. Registered disputes need be treated with dispatch in order not to erode the confidence of the parties in the activities and functions of the Ministry and its agencies.

In some instance, government policies on labour matters have been inconsistent with economic trends in the country. For instance, wage adjustments lagging behind rising prices, restriction of import in the face of acute shortage of commodities at home or local markets etc. Furthermore, government policies and directive at times lack confidence, firmness and finesse it should have e.g. the legislation on Essential Services and “No work, no pay” is hardly applied on government employees but the measure is freely applied to the private sector employees.

In some occasions, government labour policies tend to generate stability or instability in the conduct of industrial relations. The creation of one central labour organisation, Nigeria Labour Congress (NLC) in
1978 seems to have united and strengthened the unions for effective collective bargaining but the civilian government of Alhaji Shehu Shagari in 1981 in reaction to the NLC General Strike almost turned around to amend the law to allow for the creation of two central labour organisations. In defending its action, government cited ILO Convention No. 87 and 98 which guarantees “Freedom of Association and the rights of workers to organize and bargain collectively”. It is obvious that there are more to government’s action as these conventions were in existence when government opted for one labour centre (NLC) in 1978.

Some labour legislations though child of circumstances at the time of their enactment and coupled with the economic depression need to be reviewed by the government. For instance, Decrees No. 16 & 17 of 1984 titled Public Officers (Special Provisions) empowers the government to terminate the services of a public officer or place a public officer on involuntary retirement without right of redress at the court of law. Others are “No work no pay”; “No right to strike in Essential Services or take life jail”; Senior Staff Associations cannot affiliate with NLC and their check-off system not automatic amongst others are currently out of fashion and does not promote democratic ideals.

From the foregoing instances, it can be vividly seen that all is not well with labour administration as it is currently been discharged by the Ministry of Labour & Productivity. There is no doubt that good industrial relations is essentially a tripartite responsibility between the actors but it must be stressed that the government has the greatest role to play in the tripod; hence it should show a greater capacity in tackling the highlighted problems and shortcomings of its agencies.

(vi) The Continued support of the Principles and Objectives of the International Labour Organisation (ILO) and the Organisation of African Trade Union Unity (OATUU)

Irrespective of the fact that Decree No. 35 of 1990 banned the Trade Unions from foreign affiliation, the Nigeria Trade Unions still have links with other foreign trade unions with ILO and OATUU inclusive. The government sponsors representatives comprising its officials, employers and the workers to the annual conferences of the ILO and other activities the body organizes from time to time. The same is true of OATUU in which a Nigerian, Comrade Hassan Sunmonu is currently the Secretary–General of the organisation based in Ghana. The government has ratified and implemented a good number of the ILO Conventions which deserves commendation.

From all indications, this objective appears to have been fulfilled following the cordial relationship existing between the government, ILO and OATUU. What need be tackled is the enforcement of Decree No. 35 banning the Trade Unions from affiliating with other foreign trade unions. However, if the reasons earlier advanced for this romance between Nigeria Trade Unions and their foreign counterparts sound logical, then government should not hesitate to abrogate Decree No. 35 since it is not being strictly and currently enforced by the state agencies.

CONCLUSION

In this presentation, we have examine the objectives of the government labour policy, ascertained the extent to which they have been met and also the factors responsible for those that were not met. Looking back on industrial relations scene in the past years, there can be no doubt that great strides have been made in finding solutions to some of the problems affecting good conduct of industrial relation in Nigeria. However, much more remains to be done to transform industrial relations to an enviable field in order to meet the challenges posed by technology and rapid economic–social–political changes in the country. The government should provide adequate safeguards against abuses and excesses and should avoid doubt standards. It should strive as much as possible to be even handed as an unbiased umpire. The government should not regard public initiative as superior to private initiative at all times. However, there is no doubt that government’s role in industrial relations will continue to increase rather than diminish in importance in response to the ever-changing state of the economy and in line with global trends.

© 2012 British Journals ISSN 2048-1268
As earlier stated, there is no gainsaying the fact that the government had done well in enacting laws, the problem however, has been in the quality of its execution or application. In other words, government’s increasing involvement in industrial relations is desirable but regrettably, the performance of government functionaries has been unimpressive. Furthermore, it is gratifying that government has created various institutions to cope with the emerging trends in industrial relations but these innovations must keep pace with time, trends and be adequately maintained and sustained. It is true that the labour policy certainly cannot solve all labour problems, however and with time, there are positive signs that the scene would change for the betterment of all the stakeholders in Nigeria Industrial Relations System.

REFERENCES


