

# NIGERIA

## *Public Policy*

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This policy brief discusses employment laws in Nigeria, with particular focus on issues related to the dimensions of the quality-of-employment framework. Rather than discussing all employment policies, this policy brief will highlight the most significant legislation in order to provide a general introduction to current policies as they relate to quality of employment in contemporary Nigeria.

This brief includes four sections:

- An in-country policy context that introduces the reader to the policy background of Nigeria, highlighting country specific issues like labor unions and labor strikes.
- A discussion of the dimensions of quality employment, providing an overview of the major public policies affecting each dimension. The following matrix represents factors that impact the quality of employment. This brief discusses seven components in this matrix. The component, Provisions for Employment Security & Predictabilities, is omitted because it is not legislated in Nigeria.
- A contextual focus on trade unions in Nigeria highlighting issues in collective bargaining and employment relations. This section also will examine strike actions/lockouts in Nigeria.
- A brief conclusion on the implications of policy for quality of employment in Nigeria.



### TABLE OF CONTENTS

In-Country Policy Context	2
Policy Overview— Dimensions of Quality of Employment	3
Contextual Focus— Trade Unions	11
Implications for Quality of Employment	13

This brief uses the Quality of Employment Framework to discuss the effect of public policy in Nigeria.

## IN-COUNTRY POLICY CONTEXT

The Nigerian government has had a long battle with trade unions that have constantly accused it of ignoring several core labor standards that the government has an obligation by international law to comply. Trade unions in Nigeria are principally concerned with workplace gender discrimination, the prevalence of child labor, and the harassment of trade union members in the workplace.<sup>1</sup>

The International Confederation of Free Trade Unions (ICFTU) published a report on core labor standards in Nigeria. The report showed that the country still had serious shortcomings in applying and enforcing all eight core labor standards, particularly union rights, including the right to strike, as well as measures to combat workplace discrimination and child labor.<sup>2</sup>

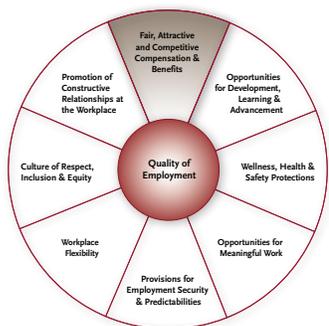
The Nigerian labor scene has also witnessed many worker strikes resulting from overdue or unpaid wages and the demand for a national minimum wage. The government recently adopted the Trade Union Amendment Act. However, the Act did not adequately address issues with regard to freedom of association, the right to collective bargaining, the right to strike, and anti-union policies. Rather, the Act is aimed at curbing the right to strike and weakening the Nigerian Labor Congress.

Another persistent problem within the Nigerian labor force is gender discrimination in regard to employment and wages. Several surveys have indicated a highly segregated labor market and a significant wage gap between men and women.<sup>3</sup> The surveys show that fewer women are employed in the formal economy due to a gender-based division of labor. As a result, most women are self employed either in private business or petty trading.<sup>3</sup>

Child labor is a persistent issue in Nigeria and has remained consistently high. In 2003, up to 40% of the 15 million children in Nigeria were feared to be at risk of being trafficked for forced labor, forced prostitution and armed conflict. Another 6 million children were also estimated not to be in school and 2 million children worked more than 15 hours a day. There was additional concern by the government that many children were being trafficked *into* the country for the purpose of forced labor.<sup>4</sup>

## POLICY OVERVIEW

### DIMENSIONS OF QUALITY OF EMPLOYMENT



➔ Indicators of Fair, Attractive, and Competitive Compensation & Benefits

*Employees' basic needs are secured, and fair and equitable distribution of compensation and benefits among employees is promoted.*

#### Overview

Many workers in Nigeria often engage in extra and sometimes conflicting interests outside of usual employment. This is because Nigerian workers find it difficult to survive just on their wages. The national minimum wage is so low, perhaps one of the lowest in the world, that workers often have to augment their incomes with side businesses or trades. Those in the service and public sectors appear to be the worst hit. This section explores the national minimum wage for Nigerian workers as related to the cost of living and purchasing power parity.

#### The National Minimum Wage

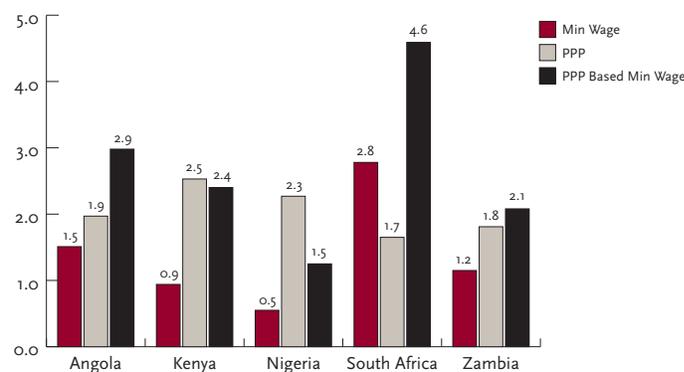
Initial wages are normally set by employers but many adjustments are done through collective agreements between employers and the unions. Agreed upon compensation requires the approval of the Federal Minister of Employment, Labor and Productivity, where the increases are moderate, non-inflationary and affordable. The agreed and approved compensation becomes applicable from the first day of the calendar month that follows such agreements, and agreements cannot be backdated. However, these agreements are occasionally either not implemented by the government, or when they are, only in a distorted way.

A typical example was the review of the minimum wage in 2000 that guaranteed a 25% increase, effective from May 1, 2001, and a further 15% the year after. However, that agreement was

never implemented, causing several industrial disputes.<sup>5</sup> In the end, a 12.5% increase was implemented by the government. The president of the Nigerian NLC mobilized a labor committee to insist on a further 25% increase. The government only managed to implement a further 15% in 2007, refusing to abide by the time frames set out for subsequent negotiations with workers.<sup>5</sup> Nigerian workers have struggled for improved wages and a national minimum wage legislation. Given its resources and level of development, Nigeria ought to be paying one of the highest minimum wages in Sub-Saharan Africa, however, in reality, it pays one of the lowest. Figure 1 shows the need to adjust the wages to conform with differences in the cost of living or the Purchasing Power Parity (PPP).

Purchasing Power Parity(PPP) generally stands for the cost of living. The PPP based minimum wage takes into account actual survival needs of employees. The “actual” minimum wage is multiplied by the PPP factor to get the PPP based minimum wage which is the adjustment that the Nigerian labor unions often demand.

Figure 1: National Minimum Wage Adjustments Against PPP for Nigeria and Some Other African Countries.



Note: In Nigeria, the min wage is 0.55, the PPP is 2.27 (the PPP based minimum wage is  $0.55 \times 2.27 = 1.2485$ ). These are in thousands (US dollars), thus 1.25 means \$1,250.

Source: Nigeria Labor Congress (2009)<sup>5</sup>

Figure 1 reflects the difference between the actual minimum wage and the PPP based minimum wage and suggests the need for an adjustment. Nigeria has a very high cost of living, yet ranks low in minimum wage. South Africa has the lowest cost of living rate yet has one of the highest minimum wage rates in the group of countries shown.



➤ Indicators of Opportunities for Development, Learning, & Advancement

*Job skill development and advancement are promoted for employees of as many industrial sectors, employment statuses, and life/career stages as possible.*

Overview

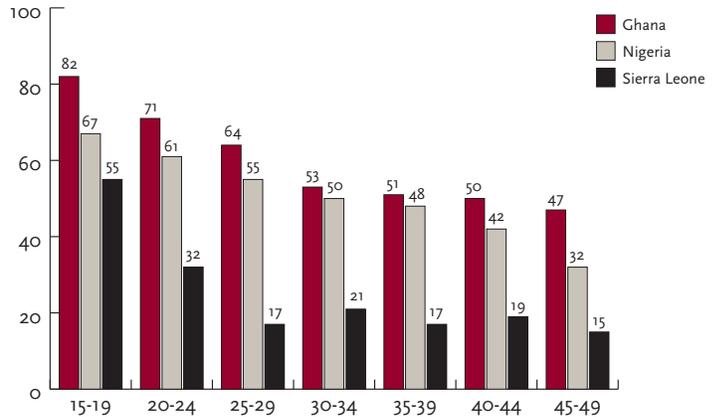
Nigerian factory workers within the manufacturing industry often come from the less developed and less educated populations. These workers also tend to possess skills that are not necessarily transferable to other sectors and industries. However, programs have been introduced by the government to tackle these shortcomings and ensure a more literate society. This section highlights some of those programs.

Literacy and Training

Workers in the manufacturing sector are either uneducated or minimally educated. The Government of Nigeria is pursuing improvements to literacy levels through infrastructure provisions as well as learning and teaching materials at work places and government learning centres. Many state governments have followed the federal government by building new schools and libraries and some have even gone a step further to rehabilitate existing schools. In 1992, the Federal Government and the World Bank co-sponsored a primary education project that was designed to revitalize and upgrade education in the country through instructional materials, including textbooks, equipment, training of personnel, and effective monitoring and evaluation of the primary school system.<sup>4</sup> The government hoped to target learning “at the root” and improve literacy levels across the country. Other collaborative learning and development programs included the FGN/UNICEF program of cooperation in basic education, the UNESCO/UNICEF Learning Achievement Project and the FGN/UNDP Mass Literacy Programme.<sup>4</sup> Despite these, Nigeria still lags behind other countries in the region in terms of literacy levels, especially with regards to the older population.

The figure below shows a regional comparison of literacy levels according to different age groups.

Figure 2: Literacy Level by Age: Nigeria and Two Regional Comparisons



Source: United Nations (2009)<sup>6</sup>

*Ghana has the highest level of literacy, followed by Nigeria with Sierra Leone trailing behind. Literacy rates in the three countries are highest among the younger age groups. The literacy level for Nigerians between 45-49 years is 32, which, is less than half the level for ages 15-19 years, at 67.*



➤ Indicators of Wellness, Health & Safety Protections

*Protection of employees' safety and health at their worksites is mandated, and their physical and mental well-being is promoted. In the case of job-related injury or illness, compensation or other forms of social protection are offered.*

Overview

Health and safety in the workplace still seems to be a new topic in Nigeria. However, there appears to be some gradual improvement in awareness and practice. This section describes the law as it relates to health and safety at work.

Health and Safety

Occupational health and safety programs were first introduced in Nigeria during the time the country was a British colony.<sup>7</sup> These programs ensured that occupational health workers were dispatched to industrial plants and other commercial undertakings, including plantations, for monitoring. Those initial efforts resulted in:

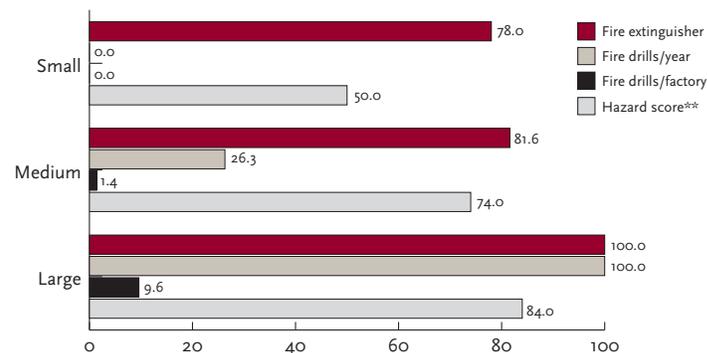
- Continuous education of personnel and the creation of societies for occupational health practitioners in Nigeria: physicians, nurses, safety officers, hygienists, etc.
- An increasing demand for the creation of divisions of OH&S in the Nigerian government; in health ministries at the state and national levels; and the improvement of health systems in the local governments.

These initiatives led to legislation that included the Labor Act of 1974, the Factories Act of 1987, and the Workman's Compensation Act of 1987.<sup>8</sup> The Factories Act was enacted to make general and special provisions for the health, safety and welfare of persons employed in places statutorily defined as "factories" and for which a certificate of registration is required by law. Additionally, the Act includes general provisions regarding standards of cleanliness, crowding/overcrowding, ventilation, lighting, drainage of floors, and sanitary conveniences, i.e., all factories must have portable water and washing facilities.

There are also general provisions regarding the securing, fixing, usage, and maintenance and storage of equipment, transmission machinery, unfenced machinery, dangerous liquids, automated machines, hoists and lifts, chains, ropes and lifting tackles, cranes and other lifting machines, steam boilers, steam receivers containers, and air receivers. There are also standards for the training and supervision of inexperienced workers, safe access to workplaces, prevention of fire, safety arrangements in case of fire, and first aid boxes. The law also requires that there be adequate arrangements made for the removal of dust or fumes from factories, a provision of goggles to protect the eyes in certain processes and the prevention of airborne poisonous or injurious substances. There is a mandatory requirement that all cases of accidents and industrial diseases be reported to the nearest inspector of factories to be investigated.

The Workmen's Compensation Act provides for the payment of compensation to workmen for injuries suffered in the course of their employment. Despite all these, however, there is still no improvement in the safety of equipment in most factories.<sup>7</sup> Recent studies suggest an improvement within large and usually multinational industrial and commercial enterprises of Nigeria, but very little improvement in small-scale and indigenous industries.<sup>7</sup> Figure 3 shows the presence of safety equipment in small scale, medium scale and large scale industries in Nigeria.

Figure 3: Presence of Fire Extinguishers and Fire Drills in Nigerian Industries by Company Size\*

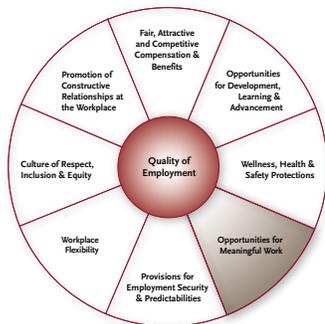


\* Large industries are usually multinational with 100+ workers, while the small and medium sized companies are usually indigenous, having between 15-100 workers.

\*\*The hazard score represents the level of awareness by workers of occupational hazards and related legislation.

Source: National Bureau of Statistics (2005)<sup>9</sup>

*Only large sized companies seem to have a presence of fire extinguishers or conduct fire drills. Though small sized companies have fire extinguishers, fire drills are not done at all.*



➤ Indicators of Opportunities for Meaningful Work

*Opportunities for meaningful or fulfilling employment are promoted through facilitating appropriate job-skill matches, self-realization through occupation, or community participation away from routine work.*

Overview

This section looks at government initiatives and programs focused on providing meaningful work and eradicating poverty in Nigeria. Several of the programs are aimed at youth and those workers in the rural areas who might not have access to better or meaningful jobs.

Youth Engagement and Poverty Alleviation

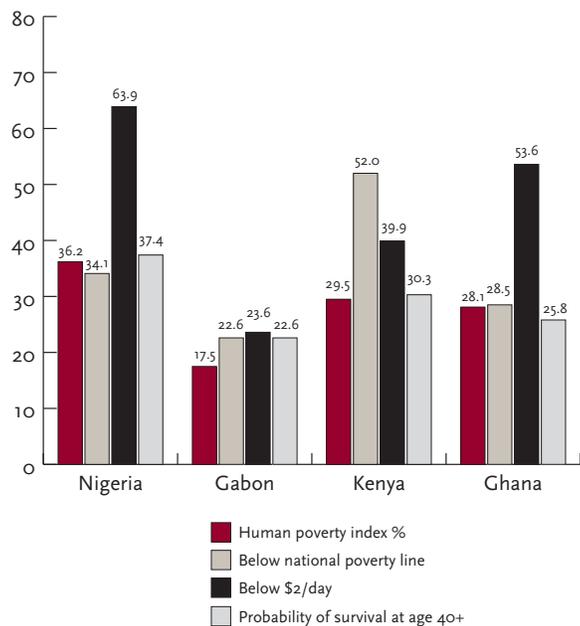
The provision of meaningful work in Nigeria is an essential component of poverty reduction and alleviation efforts. This effort has become especially necessary with the continuous growth of the urban population that has resulted in more slums, crime, drug use, and unemployment. It is important to consider both quantity and quality in evaluating meaningful work in Nigeria. This can be measured by considering the number and quality of programs targeted toward poverty elimination, skills acquisition and wealth creation.

Many Nigerian governments have initiated elaborate poverty alleviation programs ranging from President Obasanjo’s launch of Operation Feed the Nation (OFN) between 1976-1980, that focused on food production; to Shehu Shagari’s

Green Revolution in the 80s with similar focus; to Ibrahim Babangida’s institutional structures and policy framework for poverty alleviation during his time in office between 1985 and 1993.<sup>3</sup> Babangida’s structures, though now modified, included the National Directorate of Employment (NDE), which was responsible for fighting unemployment among school dropouts by providing opportunities for self employment. In addition, Babangida established the National Economic Reconstruction Funds (NERFUND) and Community Banks that provided capital for funding small businesses without stringent collateral requirements. Another program was the Directorate of Food, Roads and Rural Infrastructure (DFRRI) that focused on rural development through the construction of roads in rural areas for easy commuting to the urban centres. Finally, the National Agricultural Land Development Agency (NALDA) focused on making available cleared lands for cultivation of food.

The leadership of General Obasanjo reviewed these programs and set up a harmonized and restructured plan that led to a new policy on poverty alleviation. He initiated the National Poverty Elimination Programme (NAPEP) in 2001 which broadened the opportunities available to the poor and ensured that every Nigerian had access to the basic needs of life. The overall aim was an improved standard of living. NAPEP is an umbrella body of four complementary plans: the Rural Infrastructure Development Program that provides for development of infrastructural needs to the rural communities; the Youth Empowerment Plan that deals mainly with skill acquisition, employment and creation of wealth for youth; the Social Welfare Services Program that provides for basic quality education, primary health care and farmer empowerment; and the Natural Resources Development and Conservation Plan that promotes agricultural, water, solid minerals and environmental resources. Though these programs have become popular, participation is at the minimal level. Even in cases where there is a substantial participation, it is usually a top-down approach. Despite these programs workers in Nigeria still struggle to survive on their earnings. Though some groups of workers appear to live above the poverty level, especially those in the public, financial and oil sectors as well as large, small and medium entrepreneurs, a good number of workers still live below the poverty level, as reflected in Figure 4.

Figure 4: Poverty Data for Nigeria and Regional Comparisons



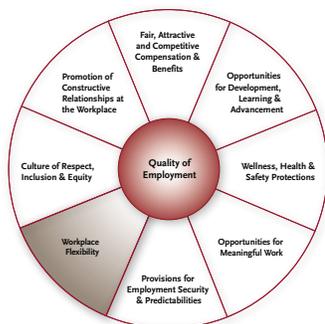
➤ Indicators of Provisions for Employment Security & Predictability

*Stable provision of employment opportunities for job seekers is promoted, clear communication of terms of employment is facilitated, and protecting the job security of the employed is a policy objective.*

*This dimension is omitted because it is not the focus of legislation in Nigeria.*

Source: United Nations (2009)<sup>6</sup>

*Figure 4 indicates that Nigeria has the highest number of citizens still living below \$2/day, though Kenya scores higher on the number of people below the National poverty level. Gabon has fewer of its population in all categories as well as fewer people with a probability of surviving to the age of 40+.*



➤ Indicators of Workplace Flexibility

*Availability and utilization of flexible work options are promoted for employees of various life stages through increasing their control over work hours, locations, and other work conditions.*

Overview

In as much as the Nigeria Labor Act of 1990 addressed employment issues, including health and safety and conditions of work, there is no indication attention was shown to workplace flexibility.<sup>6</sup> However, there are general provisions for work hours that are set through collective bargaining. For work exceeding six hours a day, workers are entitled to at least one hour rest. Workers who work above the normal work week are entitled to overtime pay. The law allows for employers to change work hours during “unforeseen circumstances.”



➤ Indicators of Culture of Respect, Inclusion & Equity

*Diversity in the workforce and inclusion of less-advantaged populations are promoted, and equity in work conditions is pursued.*

Overview

This section looks at issues in equality and discrimination with special focus on compensation as it relates to gender. It highlights areas in which discrimination and inequality between men and women is most visible, e.g education and compensation. Certain initiatives by the government geared towards reducing and eradicating such issues are also discussed.

Gender and Equality

The provision on Equal Remuneration was ratified by Nigeria in 1974 and in 2001. The Discrimination Act (Employment and Occupation) was ratified prior to 2002 and the constitution required that there be equality of pay without discrimination based on sex or any other grounds. The 2002 ILO report insisted that this adoption was not enough in itself to ensure that the principles were being applied as set out in the convention.<sup>10</sup> The report noted that the annual sample indicating employment earnings and work hours for the year 2000 and 2001, still showed a gap in wages between male and female workers.<sup>10</sup> Nigerian women have often experienced ‘social discrimination’ as a result of cultural norms and traditions, but this also occurs outside cultural spheres, like education and training and within the formal economy. Another indication of inequality is the provision within the National Minimum Wage Act which excluded most contingent workers, including those who work in the agriculture and shipping sectors, and companies that employ less than 50 workers. These groups are dominated by women.<sup>9</sup>

There is no provision within the Labor Act that protects newly employed women against discrimination or provides access to employment while pregnant or planning to start a family. The Nigerian NGOs Coalition (NNC) has proposed a bill that ensures that the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is implemented. On the national level, there are organizations and committees set up to tackle issues of inclusion, recognition and equality of women in developmental activities.<sup>4</sup> These groups have initiated several programs drawing on the provision of training, research, and a data bank on women and development. They have also worked on increasing the literacy level of women over the years.

Generally, all provisions made for inclusion, respect, and equity only concentrated on gender issues and has not addressed other groups like older workers or people with disabilities.



➔ Indicators of Promotion of Constructive Relationships at the Workplace

*Employer-employee frictions and conflicts are mitigated, and constructive workplace relations are facilitated.*

Overview

Nigeria has witnessed a good number of strikes and lock-outs which are either in protest to wages or general work conditions, or even fuel prices. This section sets out to evaluate the relationship between workers and their employers, and the impact of international labor standards on freedom of association and the right to strike. This section also explores issues in employment relations with emphasis on collective bargaining and the rights of workers.

Collective Bargaining and Worker's Rights

According to ILO statistics, Nigeria's unemployment is still high.<sup>10</sup> The country still suffers from a proliferation of strikes and lock-outs, though it is believed to have ratified both Convention No. 87 on Freedom of Association and Convention No. 98 on Collective Bargaining in 1960.<sup>10</sup> These laws gave workers the right to join or form trade unions. However, the right to organize is not extended to workers in certain essential services, or to workers employed at companies of 50 people or less.<sup>1</sup> Employees of the Customs and Excise Department, the Immigration Department, the Prison Service, and the Central Bank of Nigeria, are some of those classified as essential services. Additionally, the Labor Act, which prohibits anti-union discrimination by employers, only covers those classified as unskilled workers. Further, both the right to collective bargaining and the right to strike come with certain restrictions that make it difficult for the workers to exercise. For collective bargaining, the restrictions imply that every agreement on wages has to be registered with the Ministry of Labor; the Ministry decides whether the agreement becomes binding.

In the case of strikes, the restriction is indicated in a section of the Trade Unions (Amendment) Decree of 1996, which makes check-off payments conditional on a “no strike” clause during the lifetime of a collective agreement.<sup>2</sup> Unions are required to give 15 days notice for any planned strike. However, after a bill was passed in October 2003 and signed in March 2005, it further weakened the Nigerian Labor Congress (the major trade union) and curbed the right to strike. The new legislation ended automatic trade union membership and introduced a general strike ban that includes workers in essential services.<sup>1</sup>

Workers are allowed to strike if there is a breach of contract or collective bargaining agreement but they must comply with the general provisions on arbitration of the Trade Disputes Act of 1990 before embarking upon the strike, and must have favorable votes of a simple majority of registered members.<sup>8</sup> Illegal strike action, according to the bill, is punishable by six months imprisonment or a cash fine.

## CONTEXTUAL FOCUS: TRADE UNIONS

### *The Nigerian Labor Congress*

Trade unions are an active part of the Nigerian work population. The country practices a collective bargaining approach and most workers are registered under a central body called the Nigerian Labor Congress (NLC). The NLC was formed in 1975 and is recognized in the Nigerian Law under decree 44 of 1976 that establishes NLC as the sole umbrella for all trade unions in the country.<sup>7</sup> The NLC is composed of a secretariat in the country's capital, national executives and state councils within all the states in the country. Over a hundred smaller unions fall under the NLC and most of the labor matters are usually channeled through the NLC, or other unions with strong membership and wide reach. The NLC often communicates matters on strikes and lock-outs across all member unions within the states, who in turn, communicate to their members. Occasionally, the NLC reaches out directly to all union members, especially in cases of national strike actions.<sup>5</sup> However, there were problems within the NLC in the 1980s that nearly led to its disintegration. The federal government intervened by appointing an administrator to manage its affairs until the NLC was able to organize an election for a leader. Recently, the NLC has been viewed by the government as an anti-government congress, and this has led to tension between its leaders and the national government resulting in several arrests and even killings.<sup>5</sup>

### *Background History of Union Activity in Nigeria*

The first signs of trade union activities in Nigeria started in 1883 with the mechanics mutual aid and mutual improvement association. The association was an apprenticeship association, but in 1912, the Nigerian service union emerged and became the first trade union for wage employment.<sup>2</sup> The union dealt with matters of efficiency in the civil service and did not practice actual trade unionism. At the time, the country was still under colonial leadership and the workers formed representation for ensuring the welfare of other civil servants. This organization was later transformed into the Nigeria Civil Service Union. Before long, workers in other sectors began to clamour for trade unions and by the year 1975, there were already over 1000 unions operating in the country.<sup>2</sup> By 1976, the government gained interest in union activities and appointed an administrator to take charge of all unions and initiate structure. The following year unions were reduced to 42 in number, and a central labor center was established to operate and monitor activities.

Subsequently, the Nigeria Labor Congress was formed in 1978 and the 42 unions were placed under its affiliation through the Trade Union (Amendment) Decree 22 of 1978.<sup>8</sup> In 1989, however, the unions were further reduced to 29, but in 2004, the Labor Act added amendments that allowed multiple centers and one central secretariat in the capital.

### *Collective Bargaining*

The process of collective bargaining involves consultations and negotiations between different parties, usually employers and worker's representatives (unions) for terms and conditions of employment. The outcome of such negotiations usually involve an agreement being reached, but this does not necessarily happen in all situations as negotiations still end up in disagreements and often result to strikes and lockouts. The Nigerian Labor Act Cap 198 enacted collective bargaining as the process of arriving or attempting to arrive at a collective agreement between employers and employees; and a written agreement regarding work conditions and terms of employment reached between worker representatives and other parties, including employers and the government.<sup>11</sup> There must be freedom of association, and trade union recognition for collective bargaining to be effectively carried out. Because workers must be able to bargain collectively, they need to be free to associate with the trade unions and as such, the trade unions ought to be recognized by the government as an essential part of the collective bargaining process. Whether this is the case in Nigeria is something that has to be critically evaluated. The Nigerian Labor Congress upholds the collective bargaining power of the country's labor force. However, how strongly the Congress has been able to succeed in bargaining with the government is another issue. One can argue that terms, processes, bargaining power, and enforcement by trade unions depends a lot on the size and strength of the bargaining unit. This is still unproven in Nigeria.

The negotiation process by the NLC depends largely on the sector and is usually in the public sector. Bargaining within the public sector is often done on a national level especially when dealing with issues concerning federal government workers. For those employed by the state government, bargaining is done as in the private sector.<sup>12</sup> When the bargaining concerns private and public sectors alike, representatives of the NLC meet with both federal and state government officials for negotiations. More often than not, these negotiations traditionally centers on wages, living and working conditions. Nigeria has constantly witnessed strikes and lockouts as a result of the recurring battle between the different levels of government, the employers, and the unions over wages, especially within the public sector. In 1991, the government decentralized collective bargaining in the

public sector thereby creating a major problem of industrial relations in the country.<sup>11</sup> Being a British colony, the country adopted certain practices and policies and the system was fashioned to conform to the British system. The feature of voluntary machinery within the British system was filtered into the Nigerian system.

### *Strikes and Lock-Outs*

Unions were formed in Nigeria as a result of imbalances between workers and their employers. The workers hoped that having a collective voice would afford them a better relationship with employers. The workers also hoped to push for improved working conditions beneficial to them and ensure that they had a choice and the ability to negotiate in decisions that affected them. However, following the decentralization of the labor unions, the unions became increasingly weaker in responding to some government policies that were not favorable to workers or their well-being.<sup>11</sup>

A breakdown in communication between workers, employers and the unions occurred and strike actions and lock-outs resulted. Labor leaders believed that the decentralization was a deliberate attempt by the government to weaken the unions. They also believed that the government became increasingly hostile to the labor unions. The hostility transferred to employers, who intimidated workers to leave the unions. Employers also fired representatives for taking part in union activities.<sup>11</sup> These actions were blamed on the lack of regulatory laws and policies in the country.

Employment law in Nigeria is almost not existent. The labor act does not protect workers from taking part in union activities nor does the act address discrimination in any aspect. Some organizations resort to using casual labor to avoid the interference of unions and the incidence of strike actions.

For strike actions to be regarded as legal and formal, prior police permission must be obtained. This permission is not usually given. Instead, the police or security forces are used to intimidate, harass and arrest strikers and the trade union leaders.<sup>1</sup> Thus, the act that supported the right to strike became almost irrelevant. Apart from other strict conditions set out in the 2005 Act, strikes were prohibited and regarded as criminal if they were carried out as a result of disputes of interest or for economic issues, like strikes to protest a rise in fuel prices. The act also banned strikes within the essential services sector, normally outside the ILO definition of essential services,

including public transport and educational institutions. The Act imposed compulsory arbitration with a fine or six months imprisonment for non-compliance and further stated that a fifteen day notice period be given prior to any strike action in order for the action to be regarded as legal.<sup>8</sup> Even with all these conditions and restrictions, the Nigerian workers and the unions have managed to embark on strike actions for just about any reason. In 2006 for instance, the Petroleum and Gas Senior Staff Association of Nigeria (PENGASSAN) and the National Union of Petroleum and Gas workers (NUPENG) embarked on a three-day national strike to protest the violence in the Niger-Delta region.<sup>4</sup>

## IMPLICATIONS FOR QUALITY OF EMPLOYMENT

Trade unions in Nigeria intended to address certain work issues, including employment security, work conditions, wages, relationships with employers, justice, and equality, but hardly achieved this task. Workers and representatives often have to deal with oppression and aggression from the government and the employers alike. The implication is that employment law tends to favor employers over employees. As a result, wages, work hours and other conditions of employment continue to remain an issue.

The major problem with employment practices in Nigeria is that workers are regarded as “capital resources” rather than “human resources” and, as a result, employers place more emphasis on the capital implications rather than the human implications. This perspective stems from the general situation of the government and the economy. The country appears to be operating on a democratic regime where the ‘people’s voice’ is supposed to matter, but that is only in theory. In practice, employment equity is far from the case. Therefore, workers join unions because there appears to be no other solution left for them than to speak in a collective voice. As the saying goes “one man can be ignored, but the entire workforce cannot be ignored.”<sup>11</sup>

A review of the labor act by the Nigerian government is necessary and more protective provisions should be implemented for workers. With the recession, trade union activities have reduced as workers seem to be more concerned about retaining their jobs than about the conditions in which they work. When the recession ends, however, the vicious circle for workers begins again unless provisions are implemented to provide for better conditions of employment within all sectors.

The Nigerian workforce has continuously suffered protracted crises that have had negative impacts on the country’s international image. The country faces high unemployment, poor living standards, dilapidated infrastructure, a weak industrial base, political instability, and the collapse of public health and educational institutions.<sup>3</sup> These shortcomings have often been attributed to the political governance and policies in the country. Recently, with an influx of international labor standardization and other international initiatives, the government has begun amending such policies to conform to international standards.

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Established in 2007 by the Center on Aging & Work, the Global Perspectives Institute is an international collaboration of scholars and employers committed to the expansion of the quality of employment available to the 21st century multi-generational workforce in countries around the world.

The Global Perspectives Institute focuses on innovative and promising practices that might be adopted by employers and policy-makers.

The Institute's research, publications, and international forums contribute to:

- a deeper understanding of the employment experiences and career aspirations of employees of different ages who work in countries around the world;
- informed decision making by employers who want to be employers-of-choice in different countries; and
- innovative thinking about private-public partnerships that promote sustainable, quality employment.

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The Sloan Center on Aging & Work at Boston College promotes quality of employment as an imperative for the 21st century multi-generational workforce. We integrate evidence from research with insights from workplace experiences to inform innovative organizational decision-making. Collaborating with business leaders and scholars in a multi-disciplinary dialogue, the Center develops the next generation of knowledge and talent management.

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