

## **Breached Agreements: Threat to Management-Union Relationship**

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**Abstract:** Like in any developing nation, labour unions emerged in Nigeria amidst difficult circumstances. They emerged to fight for and protect the rights of the workers in the situation where employers of labour strived always to enjoy maximum profits through the sweats of their employees but paid pittance to their workers as wages. The early labour leaders could not be oblivious of the importance of a central labour movement as a stronger umbrella capable of effectively fighting the course of the generality of Nigerian workers but selfish ambitions disunited them and this enabled the government to impose its decisions on workers. Consequently, there was no effective relationship between employers of labour and labour unions. The unions functioned individually and were treated by employers as an idle or isolated snake. Neither the formation of the unions nor the agreements reached at the negotiating table between them and employers were backed up by law thus, implementation of such agreements was at the discretion of the employers. In order to curb incessant strikes by individual trade unions for the sake of industrial peace in the country, the federal government had to promulgate decrees to regulate trade unionism by forcing a single central labour organization on labour leaders. Though on the surface, the step was to enable government which is the largest employer of labour in the country to have a single central labour body to bargain with as representative of the working class, the ulterior motive was to weaken the unions. Did the subsequent Trade union acts enhance management-union relationship in the country? Has collective bargaining solved labour problems? Why were collective agreements often breached by employers? These and other related issues are the focus of this study.

**Key words:** Trade union acts, decisions, relationship, unionism, labour problems, management-union, Nigeria

### **INTRODUCTION**

In any unionized establishment, collective agreement emanates from collective bargaining and collective bargaining is enabled by existing management-union relationship. Therefore, there cannot be collective agreement without collective bargaining between the management and union and only an established relationship between the management and union can give room for collective bargaining. Cordial relationship between management and union will be threatened at the expense of industrial peace if the former or latter breaches the collective agreement, they reached at the end of collective bargaining (or round-table meeting).

### **BRIEF HISTORY OF LABOUR UNIONS IN NIGERIA**

According to Hanson (1966), the existence of trade unions and employers' association is therefore, useful to the state if discussions with representatives of an organization are necessary. Though, many other matters are often the subject of discussion between trade unions and employers' associations, the most frequent cause of dispute between these two bodies is wages. He further

explained that the trade unions were often over-anxious to support their claims for increased wages by taking collective action against the employers by calling strikes. The unions however, found the strike to be a double-edged weapon because the employers were able to retaliate by a lock-out if the union refused to accept a reduction in wages. However, the strike came to be recognized mainly as a weapon of last resort to be used only when negotiations have failed and deadlock has been reached. The success of collective bargaining however depends on the willingness of each side to accept and honour any agreement made on their behalf by their representatives.

In the Nigerian handbook, it is revealed that the 1st central labour organization Trade Union Congress (TUC) was formed in 1943 but it was followed in 1950 by the Nigerian Labour Congress (NLC) which was launched to unite the opposing labour factions into which the TUC had broken. Surprisingly, the All-Nigerian Trade Union Federation (ANTUF) was also born in 1953 while the 2nd Trade union congress sprang up in 1959. After all, representatives of trade unions from all over the country had met to iron out their differences, the United Labour Congress (ULC) was launched in Ibadan, Oyo state in 1962. On the same day, a rival central labour organization

Independent United Labour Congress (IULC) was formed. Between 1962 and 1964, the formation of more labour unions continued unabated and antagonisms remained among these labour forces until government intervention led to the formation of the Nigerian Labour Congress (NLC) in December 1975. Despite the formation of the new central labour organization, election of officers for the congress did not reflect its oneness as its past ideological bickering continued and the situation made it difficult for the government to have a strong organization with which to deal. This made it necessary for the government to take control of the administration of the trade unions through the promulgation of Decree No. 44 of December 19, 1975. The Decree, promulgated by the Murtala/Obasanjo military regime, stipulates among others that the registration of the four central labour organizations has been cancelled. Anybody, other than an appointed administrator who forms a central labour organization in the country may go to jail for two years or pay a fine of N2,000. The administrator to be appointed by the federal commissioner for labour will perform the duties of the trade unions or any advisory body set up by the federal military government. He will promote the education of members of trade unions in the field of labour relations and related fields. The administrator will collect and disseminate information and advise such trade union members on economic and social matters. He will also advise, encourage and give financial assistance to trade unions in need and take steps to form a single central labour organization to which all trade unions in Nigeria would affiliate. The decree directed that all properties movable or immovable, held or vested in any former trade union or any of their officials should be vested in the administrator and held by him in trust for all members of trade unions formerly affiliated to the banned labour organizations.

In spite of the problem of disunity that confronted the early labour movement in the country, the various trade unions endeavoured to fight vigorously for workers' demands. In 1945 for instance, the railway, postal and government technical workers went on general strike to press in their demands for wages increase. The strike paralyzed transport and communication systems nation wide and brought labour leaders like Mike Imoudu, Wahab Goodluck, Alhaji Adebola, etc., into the limelight in the labour circle. The strike however, achieved little perhaps due to lack of unity in the labour force.

According to Isichei (1981), the Coal Miners went on strike in Enugu in 1949 over demands for better conditions of service but the strike was aborted by the Police leading to the killing of 20 striking miners while 29 others were wounded. Another general strike that took place in 1964

over wage grievances also paralyzed economic activities in the country. In the various cases, labour leaders were either intimidated or coerced into succumbing to government's decisions due to absence of a single central labour organization to bargain effectively with government in the interest of the generality of Nigerian workers.

## **MANAGEMENT-UNION RELATIONSHIP**

**The basis of management/union relationship:** Omisore (1999) notes that both management (the organization) and the union (comprised of workers) are in essence components of much larger system, the government of the state. For this reason, the operations of these components, like others in the state will be duly acknowledged by the state. Such acknowledgement would normally be given effect through various legislations to regulate the various facets of management-union interaction. The sum total of the legislation forms part of the public labour policy.

Labour relations in Nigeria assume, the common law principle of equal rights of management and the union. The assumption, however is not completely upheld against the background of the realities of the institutional and environmental conditions of the Nigerian labour market. Yesufu (1982) captures the scene vividly when he observed that management-union relationship is predicated upon the demand and initiative of management and it subsists if at management's pleasure at least only for so long as it is in the interest that it should so subsist. Hicks also says that he (the worker) has no legal guarantee that this (continued employment) will be the case but it is not in the least surprising that he (the worker) feels himself with the flow of time to have acquired a customary right to continue in that employment on much the same term. The right of a worker to his job is an assumed expectation that he will continue in employment indefinitely.

It is clear that in a practical sense, the uncontrolled operation of the economic principle on the labour market can only lead to considerable inequality between management and workers (union) in the work-place. In order to regulate the inherent inequality in this management-union relationship, the government intervenes from time to time with stipulations of conditions and guidelines that describe the power relationship between management and union in their daily interaction. These stipulations come in form of judicial, legislative and administrative pronouncements. It is worth mentioning, however that while legislation in Nigeria is assumed to have created equality in management-union

relationship, the law does not automatically establish defects equality. Relationship between management and union connotes a marriage of convenience for the common purpose of forestalling trade disputes that could lead to strikes and disruption of production or services. It is a partnership that emanated from the realization by both the management and union that either party needs the other for survival. More so that both have common objectives increased productivity, better wages, good living conditions and industrial peace in the society. They however, pursue these objectives in different ways and manners. According to Reynolds (1970), management aims at maintaining the control of the organization in order to maximize profits while the union aims at maintaining the organization in order to sustain its jobs. While management aims at preserving the organization and its well-being, the union aims at rationalizing scarce job opportunities. The management aims at establishing relationship with bargaining agents while the union aims at improving working conditions and economic welfare of its members. While management takes steps to advance certain social and economic goals, the union strives to develop a judicial system of deciding disputes over rights of individual workers. It is clear from the foregoing that both management and union strive to advance personal goals and ambitions.

Nevertheless, management reserves the administrative right to use assets as are deemed as well as the right to expand, contract or close business. It can also specify working conditions, method of production, etc. But the management's rights stop where those of the union begin as the union, on the other hand, reserves the right to challenge any right of the management considered as inimical to workers' right to good working conditions. Therefore, the ideal relationship between management and union in any organization should be one of partnership, rather than a master-servant affair in order to sustain industrial harmony. It is also the responsibility of both parties to sort out details of mutual relationship within the broad framework of the objectives that each party is pursuing.

#### OBJECTIVES OF MANAGEMENT AND UNION

The point has already been made as to management and union having a common objective in the organization. It is the difference in the perception of the objective by either party that tones the relationship. In practically, all labour-management relationship, the overall interest of the union and management is both competing and complementary. Most union demands (gains) represent cost to management. For the business to remain viable,

Table 1: Objectives of management and union

Management	Union
Maintenance of control of the organization	Maintenance of the organization
The preservation of the organization and its well being	Rationing of scarce job opportunities
Establishment of relationship with bargaining agents	Improvement of working conditions and economic welfare of members
Advancement of certain social and economic goals	Development of a judicial system of deciding disputes over rights of individual workers
Advancement of personal goals and ambitions (individual members)	Individual goals and ambitions

Goods and strategy in collective bargaining (Harbison and Coleman, 1951); Labour economies and labour relations (Reynolds, 1970)

cost must be minimized in order that profit can be maximized. The ultimate effect of union activities is to raise the operating labour cost of the employer. Management is bound to consider the union a cost raising institution.

This makes the employer (management) to try to develop strategies to reduce the cost of every concession made to the union. The realization by both management and union that either party needs the other for survival, underscores their complementary roles. Thus, there is little fundamental conflict between the goals of management and union, the difference lies in the interpretation given the goals. Where, conflict occurs in goal interpretation, it is not unusual that this may be due to the peculiarities of the personalities of the leaders of the union and management.

The public labour policy should provide the basis for management-union relationship. It is however, the responsibility of the union and management to sort out the details of mutual relationship within the broad framework of the objectives each party is pursuing. A summary of these objectives are shown in Table 1.

#### MANAGEMENT AND UNION RIGHTS

Both parties in the management-union relationship have rights. As management gets more enlightened and workers become better educated either party's stance to its rights has grown less rigid. Nevertheless, there is some measure of resistance to union advances by management. This is no doubt due to management assumption that its right would be encroached upon by the union. The union on the other hand, holds the view that it is their legitimate right to contribute to decisions affecting work conditions. Management exercises what have been referred to as administrative rights which include property rights which permit management to use assets as are deemed fit as well as the right to expand, contract or close the business. It also confers the right to specify working conditions, the methods of production, etc. On the other hand, union

rights are tantamount to challenging rights which are invoked over any initiative by management, considered inimical to the workers' right to his conditions of work.

#### **MANAGEMENT POLICY TOWARD UNIONS**

A sound, corporate labour policy encompassing a defined industrial relations policy is necessary for a reasonably stable working relationship between management and the union. For the maintenance of such a policy, a sense of accommodation is paramount. The relationship between management and labour is a long-term one, the effective utilization of workers will enhance the achievement of management goals including profit maximization.

To the extent that management cannot achieve its objectives without human effort, it beholds management to develop labour policies which will seek to resolve conflict of interests between it and workers. To start with the important issue is whether or not to allow the unionization of workers in the organization. The presence of a union in an organisation can be unsettling to management officials at the outset. Generally, there is some form of resistance to the formation of unions in organizations. Such resistance often leads to disruption of service. Management may decide otherwise and permit union organization because it cannot be prevented, particularly where there are popular demand and support for such unionization. This was the case in 1946 when workers in United Africa company were successfully unionized.

It is not uncommon to encounter instances where management pledges support for workers unionization in one breath only to turn round to do everything possible to frustrate the union in another breath through diverse tactics threats, victimization, favouritism, etc. In some cases, unionization is encouraged all the way to the negotiating table where management resorts to brow beating workers to agreeing with it. There is no gainsaying that such a policy by management is definitely short-sighted sparking an investment in organizational upheaval sooner or later but most likely sooner than later.

#### **THE SUBSTANCE OF MANAGEMENT-UNION RELATIONSHIP**

Collective bargaining through what is arguably the core apparatus in any viable management-union communication network system, the joint consultative meeting, originates agreements which are essentially the substance of the management-union relationship. There is also the service handbook (conditions of service

handbook). However, both are found to be deficient on important issues affecting the relationship at times. This deficiency often leads to dispute between the parties. Either instrument has inherent limitations, the service handbook is static whilst collective agreement is dynamic only to the extent to which it deals with the matters of the moment. Collective agreements are too often brief and limited and usually until recently have had no legal backing. This makes enforcement difficult in cases where one of the parties reneged on an agreement. With the review of the National industrial policy and the National labour policy, bargaining between management and labour is done under the aegis of IAP (Industrial Arbitration Panel) and Industrial courts.

#### **COMMUNICATION IN MANAGEMENT-UNION RELATIONS**

Communication is the life-blood of any human relationship. Nowhere is this more true than in the area of management-union relationship. A considerable proportion of the problems encountered in issues of management-union relationship can be traced to lack or inadequacy of communication. Industrial peace in any setting is enhanced by the degree and effectiveness of communication networks. The lack of communication networks are often noticed within the labour movement usually, especially within a particular union. This manifests in an inadequate system of information dissemination between union leaders and membership. Decisions reached at executive meetings are hardly ever communicated to members. At times, there is insufficient communication within the leadership itself. Often, communication problem within the leadership group of the union is complicated by the struggle for leadership and control of the union.

The problem of management-union communication most relevant is the lack of cooperation between management and labour. In a number of cases in Nigeria, management and labour take decisions individually which should have been jointly decided. Thus, since the other party has no advance knowledge of the action being taken, it naturally frowns at it and withholding any support or grudgingly giving it. An effective and efficient communication network is most desirable. It is probably more of the responsibility of management to ensure the existence of the network through the provision of the necessary infrastructure house journal, circular, regular management-union meetings. This for obvious reasons when established, however the value of effective feedback in a viable communication network system should not be lost on either side.

## **COLLECTIVE BARGAINING**

The industrial revolution brought about the development of trade unions and the unions quickly became a weapon to counter the hitherto practice whereby employers of labour decided what wages they would pay to their employees, a practice which gave room for exploitation of labour. The existence in an organization or establishment of a representative of employers (management) and a representative of employees (union) makes possible collective bargaining. The individual employee is by himself in a weak position for bargaining with his employer but when he combines with his fellows in a trade union, his interests can be watched more effectively. Employers nowadays also prefer that there should be some organizations representing their employees with which they can negotiate because individual bargaining would waste too much time.

In Nigeria, collective bargaining was not effective in the early days of trade unionism due to disunity in the labour movement. The attempts made by trade union leaders in the early 40s to form a central labour organization that was necessary for regulating the terms and conditions of employment for workers were aborted by selfishness and unhealthy rivalry among labour leaders. No sooner had such an organization been formed than other divisive factors separated union leaders into factions.

### **CHARACTERISTICS OF COLLECTIVE AGREEMENTS**

Omisore (1999) explains that the collective bargaining from which collective agreements issue is one of the communication apparatuses employed in management-union relations. In the unionized organization, collective bargaining offers a forum at which two equals management and union at least in theory can meet and look each other in the face to examine issues of mutual interest, especially those considered sensitive or vitally important by one side and brought to the notice of the other side through a duly prosecuted procedure. Collective bargaining is in essence a management-union decision making process and instrument.

Decisions made at such forum should be binding and easily implemented, since they would have been jointly and collectively arrived at by both sides in agreement through accommodation predicated on a spirit of give and take. It is to be expected that implementing collective agreements would be a matter of course, bearing in mind the collective nature of the events from which they issue negotiation through collective bargaining. Unfortunately,

this has never been the case. Although, the creation of state legislation (vide Trade Union Act (TUA) 1973) (as amended) enforcement of implementation of collective agreements cannot be the subject of a legal suit. Trade Union Act 1973 section 20(1) (as amended) specifically barred the courts from entertaining any action for the specific purpose of enforcing the implementation of a collective agreement or for the recovery of damages for the breach of any agreement.

Before Trade Union Act 1973 (as amended) collective bargaining and its adjunct, collective agreement were not institutionalized in trade union practice in Nigeria; the use of tribunals was the phenomenon in settling disputes between labour and the employer. Thus, the implementation of collective agreements whilst TUA 1973 (as amended) held sway was very much subject to the whims and caprices of the contracting parties, labour and employer on the issue. To a large extent agreements reached were dependent on the honour of the parties for implementation. In 1976, the Trade Disputes Act 1976 (as amended) was enacted. The Trade Dispute Act (TDA) (as amended) and its later amendments stipulate that where there is any written agreement for the settlement of trade disputes within a trade or an industry at least three copies of such an agreement must be deposited by the parties with the federal minister of labour within 30 days of the commencement of the act (where such agreement was in existence before the enactment of the act) or within 30 days of the execution of the agreement where it follows enactment.

Thereafter, the minister may order full or part implementation of the agreement as binding on the parties to agreement (vide section 9(3) of TUA 1976 and TDA (as amended) section 10(2) and 12(1). Further, either party is granted leave to take legal action to enforce implementation of the agreement confirmed by the minister. Section 2(4) of the amendment goes further to provide for sanctions in the event of failure in compliance with the terms of agreement as confirmed by the minister. The sanction stipulates a fine (N100) or imprisonment (6 months) on conviction. Evidently from 1976, the TDA (as amended) changed the existing tenure of enforceability of collective agreements; their implementation on terms confirmed by the minister of labour are legally enforceable.

### **THE GRIEVANCE PROCESS**

In so far as the collective agreement is of human fashioning, it cannot possibly foresee all possible contingencies. TDA section 3(1) (as amended) requires parties contracting an agreement to indicate how disputes

(contiguous implementation) shall be settled. The legislation goes further to specify a machinery in which the two parties, labour and employer, play major roles. The procedures, culminating in the resolution of a conflict is the grievance process.

The grievance clause is a major element of the collective bargaining agreement. It offers a more satisfactory platform to workers than leaving a matter of such great import (settlement of disputes) to the exclusive discretion of the employer. The grievance clause promotes an accommodating relationship between the negotiating parties as well as encouraging either party to grant concessions which may otherwise be difficult if not impossible at the negotiating table. The grievance procedure grants the prospect of the continuity of the collective bargaining process thus, ensuring its effectiveness. Grievances correct mistakes as well as highlight problems which may not be evident during the collective bargaining negotiations. Furthermore, it calls to play a trial and error approach from which an improved situation can evolve.

Grievances may be collective where all workers are involved in the prevailing dissatisfaction and this often entails a dialogue between the union and management. On the other hand, there may be grievances involving one or a few workers and such disputes may in time, affect the entire management-union relationship. Such individual grievances may result from disciplinary action on the individual(s), termination of appointment, improper job classification, denial of promotion or victimization. Reasons abound why an individual grievance can escalate into a collective grievance within an organization or industry. A 4-stage process for grievance handling has been recommended by Tayo Fashoyin comprising:

**Stage one:** The employee is expected to make his grievance known to his immediate sectional supervisor who will investigate the matter and inform the employee of his findings in 3 days after he has been informed.

**Stage two:** If the employee is unsatisfied with action taken at the 1st stage he may make his case known to the sectional manager in writing within 3 days.

**Stage three:** If the grievance is not resolved after 7 days, the aggrieved accompanied by the union representative in the company may present the dispute to the head of the department.

**Stage four:** If the dispute is not resolved at stage 3, it may be referred to the managing director through the personnel manager and the decision reached at this stage

shall be final. The 4 stage approach is the in-plant grievance machinery. However, the in-plant approach does not always resolve the dispute partly because some of the officers looking into the dispute as specified may not be aware of the point in dispute.

Also, management may take such steps as lie within its prerogative and make its decision final for this reason individual grievances are hardly satisfactorily settled in Nigeria, thereby making them often to fester into collective grievances. Regardless of whether, it is individual or collective in nature, the total grievance machinery provides for several stages in the settlement of disputes between management and union. Nevertheless, emphasis on the earlier stages of the grievances process is very important. It not only saves time to settle early, the successful use of the initial stages at the plant level also can boost the status of supervisory personnel and union stewards who are familiar with the peculiar situation of the dispute.

Satisfactory settlement of a grievance at one of the initial stages without going all the way to the top officials on either side has the prospect of increasing the sense of solidarity between union leadership and members, strengthen the union and reinforce the bond of loyalty between employer and employee. Figure 1 shows an integrated model for settling grievances and disputes.

**The grievance process (source, Ibidem):** The grievance model combines in-plant machinery with statutory machinery as stipulated in TDA. The whole gamut covers a range beginning with the worker(s) and the immediate foreman right through the echelons of the organization to independent arbitration and finally, the industrial court. Yet, the grievance process can be abused by either party; management may be obsessed with its prerogatives so much that it may be blinded to the genuineness of workers' grievances. The workers on their side should resist the temptation of frivolous use of the grievance machinery. These are real problems in the collective bargaining process.

According to Gosh (1961), arbitration and conciliation panels are often used to break the tempo of labour movements (rather than amicably settling dispute) and thus, create conditions in which a government may afford to set aside the recommendation of these tribunals if they favour the workers. The months that elapse between the appointment of a tribunal and the submission of its report or judgment is a useful interregnum that gives the employers time to assemble their forces of obstruction. Also to outlaw workers' strikes, the federal government on July 26, 1977 promulgated a decree titled Trade Dispute (Amendment) decree of 1977. The decree

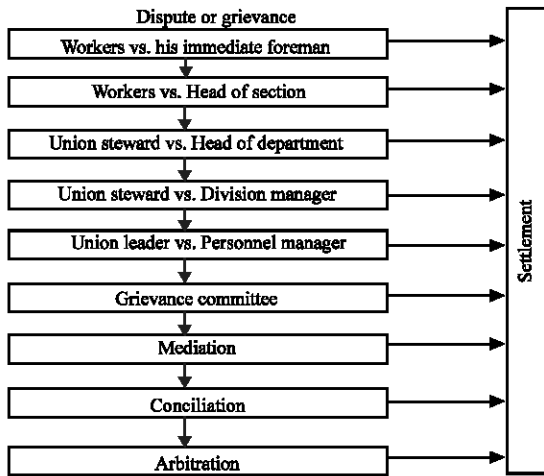


Fig. 1: Integrated model for setting grievance and disputes

stipulates that any worker who goes on strike would henceforth forfeit his pay for the period and that any employee locked out by his employer would be entitled to wages and any other applicable remuneration for the period of the lock out. Though, the decree was difficult to enforce by government for political and economic reasons, the decree was not favourable to workers because it gave the employer undue chance to breach collective agreement. The fact however remains that breach of collective agreements constitutes a threat to management-union relationship as it has been generally recognized as the major cause of industrial crisis in the country. For instance, breach of the collective agreement reached between the federal government and the Academic Staff Union of Universities (ASSU) in 1992 to end a 3 months industrial dispute has not only strained relationship between the government and university lecturers but also forced the latter to go on strike annually in their bids to compel government to honour the collective agreement signed by both parties but which the government persistently ignored.

ASSU demanded for proper funding of the nation's universities in order to provide adequate educational infrastructures for enhanced academic standard, lack of which has caused production of half-baked university graduates in the country. Government's hesitance to honour its side of the 1992 agreement led to a 3 months strike and closure of the nation's universities to the detriment of the students. Also on April 9, 1996, the ASUU went on an indefinite strike over non-implementation of the 1992 collective agreement. Rather than honoring the agreement, the federal government again dissolved the ASUU on May 16, 1996 as it did in 1992. Closure of the universities due to ASUU strikes not

only delayed university programmes but also prevented graduates from going for their National youth service corp programme at the appropriate time. Earlier on July 4, 1994, the 1 month nation wide strike embarked upon by the National Union of Petroleum and Natural Gas (NUPENG) from July 4, 1994 paralyzed the nation's economic activities. There was no vehicular movement and many people died of hunger and lack of medical treatment. Scarcity of Kerosene and domestic gas also lead to massive deforestation as woods were fell for cooking purposes. Strained relationship between government and NUPENG caused the arrest and detention of the union leaders including its general secretary, Mr. Frank Kokori. Some critics however, heaped blames on labour leaders for the strained relationship between government and trade unions. Demands by labour unions were allegedly influenced by political sentiments. They recognized the right of individual workers to embrace any political party he or she likes but the comments and reactions of some labour leaders to government policies portrayed them as political opponents of the ruling party. When therefore, their unions went on strike, aftermath of bitter criticism of government's policies by the opposition parties, government hesitated to consider or honour their demands. For instance, it was contended that the privatization of the NITEL, oil refineries, Ajaokuta steel industry, etc., that the labour movements protested against would perhaps not have occurred if the workers in the privatized establishments were patriotic and dedicated enough to save them from being moribund. Rather than assisting government in ensuring the sustenance of its parastatals through high productivity by the workers, labour unions were delighted in protesting against privatization which tended to throw some of their members into the unemployment market. In the situation where, cordial relationship that is devoid of political sentiment exists between government and labour movement both parties would strive towards the socio-economic development of the country.

Probably due to the failure or inability of trade unions to organize proper orientation programmes for their members, majority of the working class in the country not only have poor attitudes to work but also deliberately colluded with political officials to run down government establishments through embezzlement of public funds that were meant for running the establishments. When the government consequently decided to privatize such moribund establishment, the labour unions would kick against such decision and go on strike because privatization would lead to retrenchment of workers. But the questions are; where were the labour unions when the affected establishments were being run down by the

unpatriotic and corrupt workers? What prior steps did the unions take to ensure productivity in these establishments on the part of their members? Why did labour unions only take steps to serve the interests of the workers at the expense of those of their employer? In a democratic setting, the labour unions have the responsibility of constantly monitoring the affairs of both public and private establishments where their members earned salaries and wages with the view to ascertaining the progress and problem of the establishments. In order to protect the jobs of their members, labour unions owe the employers of labour useful advices and actions capable of improving productivity and enhancing profits in order to prevent retrenchment, privatization or closure. By visiting and meeting with the management regularly, labour leaders would be abreast of any factor of conflict and quickly nip it in the bud.

In view of the strained management-union relationship that is often consequent upon the breach of collective agreements, it is suggested that sound corporate labour policy encompassing defined industrial relations based on a sense of accommodation is necessary for a reasonably stable working relationship between management and union. Such policy should seek to resolve conflict of interests between employer and employees. Communication is also essential in management-union relationship as it enhances industrial peace and harmony in any establishment. Lack of it can affect collective bargaining and collective agreement when union members were not carried along. Communication can be effective through house journal, circular, regular management-union meeting, etc.

Any collective agreement signed by management and union should be honoured to the letters in order to enhance industrial peace; more so that it emanates from collective bargaining which is the essence of management-union relationship in any unionized establishment. It is also jointly arrived at between management and union at a meeting over contentious issues. Much as they reserve the right to defend the interests of their members, labour unions also owe the employers of labour the duty of orientating their members towards improved attitude to work and high productivity. More so that poor attitude to work, lack of dedication, low productivity and official corruption on the part of the workers often lead to retrenchment of workers. Labour unions should practically insulate themselves from partisan politics and eschew political sentiment that is capable of straining their relationship with employers of labour. Any labour leader that has political ambition should be compelled to resign his/her appointment. The Trade Union Act 1976 should be re-amended to compel the implementation of collective agreements. It is better

not to sign an agreement that will not be implemented. The intervention of arbitration panels is obnoxious and should be cancelled in the interest of industrial peace and tranquility in the country.

## CONCLUSION

In Nigeria, events have shown that government has poor attitude to workers' demands hence, its breaches collective agreements, it signed with labour unions. This has created the general believe, especially in labour circle that the only language government understands on labour matters is strike; more so that government would not react to workers' plights until they go on strike even after giving long warning notices.

Rather than working towards sustenance of industrial peace in the country, government strives to weaken the labour movement in order to enforce obnoxious and torturing economic policies (like deregulation of the down stream oil sector) on the nation. As a component of its public service reforms programme, the Obasanjo administration also splited the NLC into three central labour organizations NLC, TUC and NWC (Nigerian Workers Congress). Although, the reason advanced for its step was to democratize trade union practice in Nigeria but the ulterior motive was to weaken the central labour movement. More so that the Administration's new Trade Union Act made membership of the labour organizations and the check-off system optional for workers. Rather than striving for instability in the country's labour force, government should endeavour to improve its attitudes to labour's plights in order to ensure high productivity in the public and private sectors.

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