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**FACULTY OF MANAGEMENT AND SOCIAL SCIENCES**

**Department: Business Administration**

**Course Title: INTRODUCTION TO INDUSTRIAL RELATION**

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**Topic: INDUSTRIAL RELATIONS**

**outline:**

- ❖ **General Introduction to Industrial Relations**
- ❖ **History and Definitions of Industrial Relations**
- ❖ **Theoretical Conception of Industrial Relations**
- ❖ **Approaches to Employment Contract in Industrial Relations**
- ❖ **The Difference between Industrial Relations and Human Resource**
- ❖ **Industrial relations in Nigeria**
- ❖ **The Nigerian Industrial Relations System**

## **1.1 General Introduction to Industrial Relations**

Industrial relations have been argued to mean the same thing with labour relations (Englama, 2001). This shows that industrial relations contain the attitudes among the management and workers. One can equally argue that industrial relation is a major factor that affects directly or indirectly, productivity through such variable as managerial competence, workers motivation, institutional backup, and environment when identified (Obiekwe, Felix, & Izim, 2018)

Moreover, it is common to find humans disagree from time to time, and this is especially noticeable between employees and employers of organisations. Popularly referred to as workplace disputes, disagreements between employees and employers result from several workplace concerns such as working conditions, working salaries and benefits. Though workplace concerns are systems put in place to ensure that all stakeholders of an organisation are recognised and participate in the running of the organisation, the unequal power between employees and employers that such systems produced present employers as superior to employees. The power imbalance account for employees' grievances and constant demands for more power while employers make effort to remain in control. Grievances, which are not properly attended to have consequences for the survival and growth of any organisation. It therefore becomes vital that there is adequate awareness on the 'what' and 'why' of workplace disputed particularly the ways by which such disputes should be effectively handled. Industrial relations is concerned with the complex nature of workplace dispute and measures for resolutions. This section introduces industrial relations by providing fundamental understanding of the history, definitions and theories of Industrial relations. It also discusses approaches to employment contract, the difference between Industrial relations and Human resources, and industrial relations in Nigeria.

## **1.2 HISTORY AND DEFINITIONS OF INDUSTRIAL RELATIONS**

Industrial relations have been studied in the Anglophone world as far back as the early twelfth century. Specifically, in the United States of America, Industrial relations is traced to the scientific works of **John R. Commons**, who was an institutional economist and the founder of Wisconsin school. In Germany and England, Industrial relations is traced to **Lujo Brentano and Sidney and Beatrice Webb**, respectively (Tapia, Ibsen & Kochan, 2015). The three authors had little confidence in laissez-faire capitalism to treat workers fairly and therefore were sympathetic to workers. Although the three authors produced scientific works on the role and usefulness of trade

unions and features of labour as a commodity, **Brentano and Commons** focused on analyzing and providing more understanding about the conflicts that exist in employment relationships while **the Webbs** uncovered what differentiates individual contracts from collective contracts (Webb & Webb, 1897; Müller-Jentsch, 2004).

The explorations on individual contracts from collective contracts resulted in the concepts of **collective bargaining** and more findings about mutual insurance, and legal enactment. Earlier in the nineteenth and early twentieth century, **Karl Marx's** analysis supported the desires and efforts of workers to form trade unions under industrial relations but his theory about the unions was that they were more of historical organization of labour than as regulators of collective wage and labour (Abbott, 2006). Industrial relations occurred as a reaction to the inadequacies of Marxist analysis or classical economic models to address conflicts arising from employer / employee relationships.

### **1.3 Definition of Industrial Relation**

According to Englama (2001), industrial relation refers to the combination of interactions that take place between the employee and employer in an organisation. This connotes that the fundamental problem in all organisation, whether business, educational, local or national, was in developing and maintaining a dynamic and harmonious relationship. To achieve this, group dynamics, policy making by consultation, diffusion of authority, delegation, vertical and horizontal communication, have to be ushered in.

Industrial relations is the study of the complexities that exist in employment relationships. It provides a guide to how employees and employers should interact with one another and ways by which conflicts that arise from such interactions can be resolved. These interactions are workplace relationships and serve as contract between the two parties. Industrial relations is also described as the interdisciplinary study of employ relations (Kaufman, 1993), that provides a means by which collective bargaining or industrial actions through trade unions, government agencies and arbitrators give voice to employees to balance the power between them and their employers.

**Collective bargaining** allows a group of employees to negotiate on concerned issues with employers with the aim of reaching an agreement that both parties are expected to keep to. Concerned issues include working conditions, working salaries and benefits, and other aspects that relate to workers' rights (Obiekwe, Felix, & Izim, 2018). Whereas employees are expected to be

loyal to their employers, the absence of the means through which complaints and dissatisfaction can be presented and addressed results to exploitations by employers. Industrial relations therefore recognises the need to provide a platform to employees by which demands to their employers can be made.

Note that industrial relations engage several academic disciplines or professional specialties to provide understanding of and resolutions to conflicts that arise in employment relationships. It describes the conflicts between employers and employees as multidimensional and long-standing and proposes that employers are advantageous in such relationships. Employers' advantages are attributed to the fact that they decide solely most of the terms that guide employment relations including recruitment employment. Industrial relations assumes that since job description, job specifications and work conflict resolution process are decided by the employers, employee and employer relationship can only be likened to a servant-master or the governed and those who govern or the oppressed and the oppressor or the masses and the elites. In fact, under Marxism, the relationship is likened to the bourgeoisie (or capitalists) and the proletariat (or workers) (Marx, 1978).

Ultimately, the employer assumes superiority over employees. This means that power balance between employers and employees will never be equal without deliberate and purposeful mechanisms put in place by unions or legislatures (Lewin, 2018). As result, Industrial relations proposes that employer/ employee conflicts can only be attended to and resolved through institutional interventions such as unions and governments. Such mechanisms provided are intended to ensure that there is power balance in the workplace, and while conflicts may not be regarded as beneficial, their occurrences between employers and employees become platforms for interventions (Tapia, Ibsen & Kochan, 2015)

#### **1.4 THEORETICAL CONCEPTION OF INDUSTRIAL RELATIONS (Theories on which industrial relations were built)**

The nature of industrial relations as the interactions that exist in employment relationships has attracted several ideologies or schools of thoughts, which have played enormous roles in how

Industrial relations is defined. In this section, four main theoretical conceptions will be discussed as:

**a. the Systems Theory;**

**b. the Oxford School;**

**c. the Behavioural School ;**

**d. the Marxist Approach**

**a) The Systems Model**

This theoretical conception is accredited to **John T Dunlop**, an American Professor of Labour Economics. He drew great inspirations from the works of **Professors Talcott Parsons and Neil J. Smelser** and described Industrial relations as “an industrial relations system in its development is regarded as comprised of **certain actors; certain contexts** and **certain ideology** which binds the industrial relations system together and body of rules created to govern actors at the workplace and work community” (Otobo, 2000:18).

Dunlop (1958) proposes that an industrial relation system must consist of three main bodies, which are: the workers and their organisation, employers and their association and the government. However, other components that keep the industrial relations functional include market, technology, ideologies that exist within the group, budgetary concerns and power struggles. Accordingly, “the task of any theory of industrial relations is to explain why particular rules are established and how and when they change in response to changes affecting the system” (Ubeku, 1983:4).

**b) The Oxford School**

This school is credited to **Allan Flanders**. He defined Industrial relations as the understanding of the organisation of job regulations and concludes that Industrial relations can simply be defined as the study of the institution of job regulations. Flanders (1965) argues that Industrial relations is mainly directly concerned with employment, which entails the interaction among employees or between employees and employers (Ubeku 1983).

Consequently, to get an understanding of the interactions in an employment, each party to the employment (employees and employers) should be positioned into their legal setting such that regulatory rules are either substantive or procedural. This means that the rules which guides Industrial relations are largely determined by the rule-making process obtained from collective bargaining. This is likened to political institutions of power relations between employees and employers. This Oxford school also recognises the influence of external authorities such as governments and its agencies on job regulations for employment contracts.

### **c) The Behavioural School**

This is hinged on three main features about Industrial relations identified by **C.J. Margerison**. First, Industrial relations as a field of study should be recognised at both the behavioural and institutional levels. Second, conflicts are inherent in contemporary industrial societies and third, Conflicts resolutions require rules that have been agreed on. The Behavioural School proposes that most conflicts are generated within the firm because of concerns related to job contents, technology and interpersonal relationships. At this level, conflicts can easily be resolved using processes within the firm. However, conflicts that are related to issues outside the firm are not resolved within the firm but require other conflict resolutions machineries available from the government or its agencies (Margerison, 1969).

### **d) The Marxist Approach**

This approach is anchored by **Richard Hyman** in his 1975 work, which focused on the Marxist ideology of Industrial relations. This approach is based on understanding how conflicts can be resolved since conflicts are inevitable. The Marxist Approach emphasis that the capitalist system enables the platform for **bourgeoisies** to acquire more wealth while despising the wellbeing of workers. To address the notable uncommon ground between employees and employers, workers must organise themselves to fight for democracy within the state and demand for equity. Consequently, Hyman (1975) defined Industrial relations as the study of the mechanisms by which work relations are controlled.

## **1.5 APPROACHES TO EMPLOYMENT CONTRACT IN INDUSTRIAL RELATIONS**

Industrial relations present no coherent theoretical rationale but is driven by realistic concerns about the diverse conflicts confronting employment contracts. The Dunlop's Industrial Relations

Systems (1958), which is regarded as the best effort this far to produce a generally accepted theory, provides a significant framework for the identification and organisation of industrial relations key features such as identification of key parties to the contract, what ideology that binds the parties, the regulations and the nature of environment. However, the theory is criticised for not being able to generate hypotheses that can be tested. In other words, the theory does not provide a platform upon which questions and future predictions about Industrial relations can be developed and answered. Consequently, in this chapter, to provide basic understanding of how Industrial relations functions, we adopt the Fox's 'frames of reference' (1966, 1974). Although the Fox's 'frames of reference' can be described as old, it still presents relevant insight through its identified three frames of references in Industrial relations as *unitary, pluralist and radical*. The three frames of reference to Industrial relations provide varied explanations to the nature of employment contracts.

#### **a) Unitary Approach**

The unitary approach to employment relationship is based on the assumptions and set of values that employment relationships come with conflicts that can be easily managed and eliminated. It is premised on the fact that employees and employers have common interest, which is to ensure the survival of the organisation. As a result, arising conflicts are usually temporal and do not lead to the insolvency of the organisation.

In the unitary approach, conflicts that exist are not attributed to the ideology of the superiority of employers over employees but to personality disorders, poor communication, improper practices of recruitment, compensation and promotion and the wrong behaviours of rebels. To this end, the conflicts are handled by a good management team that would attend to eliminating the likely sources of conflicts. The management team can take measures that include establishing appropriate communication system to would assist in shaping and reshaping employees' interest to be in line with that of the organisation.

In addition, appropriate communication system can help suppress or eliminate individuals with personalities prone to triggering conflicts. The goal of the management team should be to ensure the organisation is portrayed to the work group as the only authority that should demand their compliance. Consequently, other groups such as trade unions should be ignored and only management should be legitimate.

## **b) Pluralist Approach**

Pluralism Pluralists believe that workplace conflicts are inevitable since the complexity of running an organisation triggers diverse interest between employees and employers. Consequently, conflicts become constant on issues that pertain to work allocation and associated rewards. The diverse interest leads to the existence of different authority within an organisation, whereby the management team is not seen as the only group with power to determine workplace activities. In this case, another source of authority is the unions. Conflicts are handled using the social mechanisms of collective bargaining, arbitration and conciliation. Workers join unions believing that the union is a medium to coerce employers to give attention to employees' interests. The power yielded by unions counterbalances that of employers. Pluralism believe that workplace conflict is healthy for any organisation because it provides a platform to acknowledge the grievance of employees and spur managers to delve into innovative conflicts resolution methods that would be effective. Employees and employers can compromise and agree because they want the organisation to survive.

## **c) The Radical Approach**

The radical approach is based on assumptions that greatly differ from the unitary and pluralist approach. The radical approach draws majorly from the work of **Karl Marx (1978)**, who proposed that all capitalist society cannot escape power struggle between employers and employees. The struggle is attributed to the inequality in wealth which favours the owners of the means of production. The owners of the means of production controlled and dictated the rules of the society and exploited the working class to achieve their purpose. Marx argues that the dominance of the owner of the means of production created a society that legitimised the coercion of the working class. However, the rapid growth of the working class who were at the same time the major consumers of goods produced make it difficult for the owners of the means of production to indefinitely seize power. At the same time, since the working class is faced with a common poverty problem, they eventually organise themselves into groups or unions to fight against exploitation. This approach therefore views workplace conflict as the outcome of struggle between two competing classes.

Summarily, the radical approach believes capitalism drives workplace struggle.



The three approaches discussed above, which are also referred to as the frames of reference of industrial relations are presented in Table 1 below

**Table 1: Frames of Reference of Industrial Relations**

<b>Approach</b>	<b>Employment Relationship</b>	<b>Form of Worker Representation</b>	<b>Research Implications</b>
<b>Unitary</b>	Based on trust and harmony; managed conflict	Individual voice; employee participation	Focus on firm performance, employee satisfaction
<b>Pluralist</b>	Divergent interests: need for regulation to solve conflict	Institutional: trade unions, collective bargaining	Role of trade unions and of institutions such as collective bargaining to resolve conflict
<b>Radical</b>	Underlying structural inequality; struggle for power and control	Militant unions; extra-institutional: social movements	Macro perspective of broader forces to fight for societal change

## **1.6 THE DIFFERENCE BETWEEN INDUSTRIAL RELATIONS AND HUMAN RESOURCE**

Even though it is correct that industrial relations and human resource are both interested in conflict resolutions that exist in employment relationships, the difference in the approach adopted by the two different discipline indicates that they are significantly different. Notably, contemporary industrial relations now have more similarities with human resource but the two concepts are still largely refer to as different.

To resolve employment relationship conflicts, industrial relations specialists emphasize that conflicts are inevitable and may never cease. Industrial relations specialists pursue conflict resolution based on the belief that employers are the oppressors while the employees are the oppressed; therefore, the struggle is to debase employers and empower employees.

With Industrial relations, employment relationship conflicts can only be resolved through interventions of two major entities, which are unions and legislatures. The union is the bonds and voice formed mostly by the coming together of all employees, with the sole aim of balancing power in the workplace. It is also noted that sometimes employers in the same industry also come together to form their unions. While the union formed by employees fight for the rights and benefits of its members based on the understanding that the employers are the elites, employers or the unionformed by the employers fight to keep the employees under check and obeisance. To struggle for power, employee unions utilise mechanisms presented in the Table 2 below.

**Table 2: Examples of Industrial Actions**

<b>S/N</b>	<b>Industrial Action</b>	<b>Definition</b>
<b>1</b>	<b>Labour strike/Strike action</b>	Employees refuse to work sometimes for a specific period or indefinitely until an agreement with employers are reached
<b>2</b>	<b>Occupation-of-factories</b>	Employees self-manage (take on the responsibility of supervising and organising work) a factor when employers engage in Lock-out. A lock-out is when employers partially close a factory or stop employments as a reaction to strike actions being carried out by employees
<b>3.</b>	<b>Work-to-rule</b>	Employees do the minimum job description and avoid extra responsibilities like work during breaks and extended work hours. The aim is to reduce productivity and efficiency in the organisation.
<b>4</b>	<b>Slowdown (or Go-slow)</b>	Employees become reluctant to work or choose to work slower than usual
<b>5</b>	<b>Overtime ban</b>	Employees make a rule not to accept or carry out any overtime work
<b>6</b>	<b>Blue flu</b>	Employees in their number go on sick leave in order to disrupt the progressive flow of work in the organisation. This is common in social service like the police force, where official strike actions are prohibited

7	<b>Picketing</b>	Employees engage in mostly non-violent protest outside the work premise as a way of drawing attention of the public to their petition and grievances with the organisation. It's main objective is to attract compliance from their employer, who is apprehensive about bad public opinion about the organisation
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Legislations is one of the ways to resolve dispute through government's interventions in the employment relationships conflicts. It is predicated upon the believe that the government of any country can regulate the activities of organisations within its domain. The argument is that; if governments can checkmate organisations through tax systems and registrations condition, the same powers can be applied to regulate employment relationships (see Tapia, Ibsen & Kochan, 2015).

Consequently, over the years, to protect workers, governments have put in place legislations such as anti-discrimination in employment, workplace safety and health, pensions, and family leave. Legislation also allows employees to engage industrial actions without being victimised or penalised by employers. Although, industrial actions are allowed, legalisations also provide boundaries through regulations on how industrial actions should be carried out. For example, regulations provide guidance on what grievance should warrants industrial actions as well as procedures of correspondence between employees and employers before an industrial action is embarked on. This is to ensure that employees do not embark on incessant and unwarranted industrial action which may in the long run cripple the organisation. In this case, legislations separate the interest of unions from management rights.

Despite the several legislations put in place by governments of countries and even internationally, legislations are still criticised for being more reactionary than proactive. Legislations are accused for not establishing property in the job. In other words, there are no automatic consequences for the employer who bridges a legislation. Instead, actions are only taken against the employer when aggrieved employees make formal complaints. In fact, the actual phrase here should be; when an aggrieved employee decides whether to act, and this of course is only when the employer has already acted. Forexample, an employer can decide to downsize at any time or terminate an

employee's employment and it is only when this has been done before the employees can decide whether to act. This means employees may have already be punished and their actions only follow the employer's actions. There is yet limited legislation to prevent the employer from embarking on 'punishing' actions in the workplace. Criticisms have also followed the length of time it takes for consequences to be taken against the employer who engages in unlawful actions. Even when employer face consequences for their unlawful actions, reports indicate that some charges do not make up for emotional and psychological trauma employees might have suffered.

Although, human resource like industrial relations believes that employment relationship conflicts are ongoing, its conflicts resolution methods are more towards achieving a common interest between employees and employers. This common interest is usually the achievement of organisational effectiveness that allows poor management to be eliminated. Organisational effectiveness is achieved by building structures and system innovations in ways that allow for conflicts resolutions through mutual problem-solving technique. This promotes cooperation and integration rather than adversarial. As employees and employers are drawn towards one goal (common interest) of building an effective organisation that would benefit both parties, power imbalance in workplace is minimised and possibly eliminated (Gopinath, 2021).

Human resource believes that if employees and employers are made to have a sense of ownership over the organisation, none of the parties will feel superior or inferior. It further advocates that this feeling can be achieved by how the organisation organises its activities. Activities of common interest that empowers both employees and employers should be consistently incorporated into the organisation. The rise of human resource led to the creations of personal departments in the 20th century, after which came the introduction of programs like the employee counselling program, employee relations training programs meant for those who are supervisors, work– family life balance programs, flexible work schedules and work designs that allows for work teams, and more involvement of employees in decision-making (Lewin & Mitchell, 1995).

From the late 20th century, many organisations to show support for Human resource, went a step further by converting their personal departments into Human resource departments and eliminating labor relations departments. Despite the growing acceptance of Human resource over the century, Industrial relations still plays a major role in workplace. From time to time, both in public and private organisations, conflicts have warranted the need for unions and legislatures. The idea that

Human resource can eliminate win–lose struggle for power between employees and employers, minimise and eliminate conflicts (see Ulrich, Losey, & Lake, 1997) is yet to be a reality.

Employers still assume the superiority role, and this has continuously driven employees to engage in industrial actions. Industrial relations is faced with diverse regulations from the governments of various countries in order to prevent employees from taking laws into their hands in the guise of demanding for rights and better work conditions. While Industrial relations may have been largely reduced in many countries like the united states of America and Australia, countries like Denmark and Nigeria still experience numerous industrial actions from aggrieved employees, who are treated as inferior by employer

## **1.7 INDUSTRIAL RELATIONS IN NIGERIA**

The beginning and growth of Industrial relations in Nigeria is traced back to the pre-colonial era and in particular, the colonial history of the country. The colonialist operated a system that relied on the interaction of employees, employers and government and, in the system, interventions depended on coercion that ensured compliance and the prevention of industrial actions.

When Nigeria gained independence in 1960, AlhajiAbubakar Tafawa Balewa became the Prime, minister; unfortunately, he but did not effectively handle political crises in the country. Whereas the prime minister had the executive power to handle crises, he utilised military means. For example, crises such as the Tiv riots and the AG crises of western Nigeria were handled by the military means. The constant use of military led to the military attempting to seize power in 1966. Within January to July 1996, two coups were executed in Nigeria, after which, the military ruled the country from 1966 to 1979, making it a total of thirteen years. In this period, amidst the civil war and other economic challenges the country faced, the military suspended the constitution and ruled by decrees. In addition, several radical reforms were introduced, and this greatly changed the social, economic and political terrane of the country. The new decrees, labour laws and regulations resulted to structuring and restructuring of labour unions that saw the arrest and detention of labourunion members and increased minimum wage. The major laws enacted or promulgated under military regime are summarised and presented below.

### **i. Trade Unions Act of 1973:**

This act provided the guidelines for the trade union formulation, regulation and structure. It also determined those who could join trade union or serve as officials.

**ii. Labour Act of 1974:**

This act makes provision for job recruitments, wages and terms of employment or contract. It provides considerations for some special categories such as women, apprentices and young people. However, the provisions of this act does not apply to the police force, armed forces, administrative and executive officers, technical or professional workers and domestic workers

**iii. Trade Disputes Act (TDA) of 1976:**

This act regulates trade disputes between employees and employers. Its jurisdictions include providing the procedures and time frames within which various disputes should be settled.

**iv. Trade Disputes (Amendment) Act of 1977:**

This act is the amendments to the Trade Disputes Act of 1976. It made provision for the minister of labour to take certain action as may deemed fit when handling a trade dispute. In addition, the act determined what can be classified as offences and associated consequences for workers, employers and trade union that fail to comply to TDA

**v. Trade Disputes (Essential Services) Act of 1976:**

This act empowers the president of the country to bar any trade union when members who provide essential services engage in industrial actions or unrest. The act also determined what powers accrue to union members in such situation.

**vi. Labour Amendment Act of 1978:**

This act is an amendment of the 1974 labour act. It empowers employers upon the registration of trade union to include all employees who meet the set criteria to become members but for through writing make known their intentions of non-membership.

**vii. Trade Unions (Amendment) Act of 1978:**

This act amends the 1973 trade union act. This amendment was the outcome of the restructuring of trade union which led to the compilation of trade union which were registered and recognised.

#### **viii. Trade Unions (Amendment) Act of 1979:**

This act made information available about the categories of workers who can be said to be in the management cadre in an organisation and would therefore not be eligible to be members or office holder of trade unions.

#### **ix. Trade Unions (Miscellaneous) Decree of 1976:**

This decree restructured the list of trade unions that were registered and recognised. The restructuring resulted to a Part 'A' list and a Part 'B'. Consequently, this provided the distinction between trade union with members from the workers and members from senior staff and employers. This aim of this decree was to initiate Senior Staff Associations.

#### **x. Factories Decree of 1987:**

This decree made provision for workers who were faced with occupational hazards. It made provisions for what how such workers should be treated and penalties in cases where employers did not adhere to set regulations.

#### **xi. Workmen's Compensation Decree of 1987:**

This decree was a re-enactment of Workmen's Compensation Act, which extended its provisions to more categories of workers. In addition, it eliminated difficulties and challenges that faced the previous act.

#### **xii. Trade Disputes (Amendment) Decree of 1988:**

This decree is an amendment to the 1977 Trade Disputes Act. It reduced dispute settlements in court to not more than 30 days.

### **1.8 THE NIGERIAN INDUSTRIAL RELATIONS SYSTEM**

The recognised mechanisms of statutory regulation that guides collective bargaining in Nigeria is referred to as the Nigerian industrial relations system. To resolve industrial disputes the Nigerian industrial relations system works at two levels, which are levels are voluntary mechanisms and statutory mechanisms.

#### **a) Voluntarism**

This level of industrial relations is also referred to as the internal mechanisms. This voluntaristic approach is the process where the parties to the employment contract willingly come together for collective bargaining to settle existing grievances. This mechanism of industrial dispute resolution prevents the occurrence of further recourse within an organisation, which can lead to industrial actions such as strikes and lockouts. Investigations show that many organisations in Nigeria lack appropriate grievance resolution mechanisms and this account for the incessant industrial actions that characterised the country's work system (Diejomoah, 1979).

#### **b) Statutory mechanism**

This mechanism is contained in the Trade Disputes Act of 1976 and can also be referred to as external machineries for dispute settlement.

#### **It involves four stages which are**

**i. Conciliation:** This allows the parties to the dispute to negotiate informally and reach an agreement where possible;

**ii. Arbitration:** In this case, instead of going to court, the parties bring the issues before an arbitrator(s), whose decisions are binding on all parties;

**iii. Inquiry:** this can also be called enquiry or fact-finding: It is the process of finding more detailed information about a dispute in the hope that such accurate information would make things more translucent in ways that grievances can then be eliminated. Inquiry can also be a preliminary of the other dispute resolution mechanisms; and

**iv. The National Industrial Court:** This court handles issues related to employment, labour, trade unions and in general industrial relations in Nigeria.

The above four stages are expected to help resolve issues when voluntary mechanism for dispute settlement fails. Although these four stages are in place, reports indicate that there is constant failure of dispute settlement in the country (Adebisi, 2013). Particularly, the Federal and State government are guilty of not adhering to statutory mechanisms and even when the mechanisms are partially adhered to, the Governments violates the terms agreed on. For example, the Governments often does not keep to terms of collective bargaining d between them and Academic Staff Union of Universities (ASUU) or the Nigerian Labour Congress (NLC).



## **Section 11: 1.1           General Introduction to Industrial Relations**

Industrial relations have been argued to mean the same thing with labour relations. This shows that industrial relations contain the attitudes among the management and workers. One can equally argue that industrial relation is a major factor that affects directly or indirectly, productivity through such variable as managerial competence, workers motivation, institutional backup, and environment when identified.

Moreover, it is common to find humans disagree from time to time, and this is especially noticeable between employees and employers of organisations. Popularly referred to as workplace disputes, disagreements between employees and employers result from several workplace concerns such as working conditions, working salaries and benefits. Though workplace concerns are systems put in place to ensure that all stakeholders of an organisation are recognised and participate in the running of the organisation, the unequal power between employees and employers that such systems produced present employers as superior to employees. The power imbalance account for employees' grievances and constant demands for more power while employers make effort to remain in control. Grievances, which are not properly attended to have consequences for the survival and growth of any organisation. It therefore becomes vital that there is adequate awareness on the 'what' and 'why' of workplace disputed particularly the ways by which such disputes should be effectively handled. Industrial relations is concerned with the complex nature of workplace dispute and measures for resolutions. This section introduces industrial relations by providing fundamental understanding of the history, definitions and theories of Industrial relations. It also discusses approaches to employment contract, the difference between Industrial relations and Human resources, and industrial relations in Nigeria.

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Ultimately, the employer assumes superiority over employees. This means that power balance between employers and employees will never be equal without deliberate and purposeful mechanisms put in place by unions or legislatures (Lewin, 2018). As result, Industrial relations proposes that employer/ employee conflicts can only be attended to and resolved through institutional interventions such as unions and governments. Such mechanisms provided are intended to ensure that there is power balance in the workplace, and while conflicts may not be regarded as beneficial, their occurrences between employers and employees become platforms for interventions (Tapia, Ibsen & Kochan, 2015)

#### **1.4 THEORETICAL CONCEPTION OF INDUSTRIAL RELATIONS (Theories on which industrial relations were built)**

The nature of industrial relations as the interactions that exist in employment relationships has attracted several ideologies or schools of thoughts, which have played enormous roles in how Industrial relations is defined. In this section, four main theoretical conceptions will be discussed as:

**a. the Systems Theory;**

**b. the Oxford School;**

**c. the Behavioural School ;**

**d. the Marxist Approach**

**a) The Systems Model**

This theoretical conception is accredited to **John T Dunlop**, an American Professor of Labour Economics. He drew great inspirations from the works of **Professors Talcott Parsons and Neil J. Smelser** and described Industrial relations as “an industrial relations system in its development is regarded as comprised of **certain actors; certain contexts** and **certain ideology** which binds the industrial relations system together and body of rules created to govern actors at the workplace and work community” (Otobo, 2000:18).

Dunlop (1958) proposes that an industrial relation system must consist of three main bodies, which are: the workers and their organisation, employers and their association and the government. However, other components that keep the industrial relations functional include market, technology, ideologies that exist within the group, budgetary concerns and power struggles. Accordingly, “the task of any theory of industrial relations is to explain why particular rules are established and how and when they change in response to changes affecting the system” (Ubeku, 1983:4).

**b) The Oxford School**

This school is credited to **Allan Flanders**. He defined Industrial relations as the understanding of the organisation of job regulations and concludes that Industrial relations can simply be defined as the study of the institution of job regulations. Flanders (1965) argues that Industrial relations is mainly directly concerned with employment, which entails the interaction among employees or between employees and employers (Ubeku 1983).

Consequently, to get an understanding of the interactions in an employment, each party to the employment (employees and employers) should be positioned into their legal setting such that regulatory rules are either substantive or procedural. This means that the rules which guides Industrial relations are largely determined by the rule-making process obtained from collective bargaining. This is likened to political institutions of power relations between employees and employers. This Oxford school also recognises the influence of external authorities such as governments and its agencies on job regulations for employment contracts.

### **c) The Behavioural School**

This is hinged on three main features about Industrial relations identified by **C.J. Margerison**. First, Industrial relations as a field of study should be recognised at both the behavioural and institutional levels. Second, conflicts are inherent in contemporary industrial societies and third, Conflicts resolutions require rules that have been agreed on. The Behavioural School proposes that most conflicts are generated within the firm because of concerns related to job contents, technology and interpersonal relationships. At this level, conflicts can easily be resolved using processes within the firm. However, conflicts that are related to issues outside the firm are not resolved within the firm but require other conflict resolutions machineries available from the government or its agencies (Margerison, 1969).

### **d) The Marxist Approach**

This approach is anchored by **Richard Hyman** in his 1975 work, which focused on the Marxist ideology of Industrial relations. This approach is based on understanding how conflicts can be resolved since conflicts are inevitable. The Marxist Approach emphasis that the capitalist system enables the platform for **bourgeoisies** to acquire more wealth while despising the wellbeing of workers. To address the notable uncommon ground between employees and employers, workers must organise themselves to fight for democracy within the state and demand for equity. Consequently, Hyman (1975) defined Industrial relations as the study of the mechanisms by which work relations are controlled.

## **1.5 APPROACHES TO EMPLOYMENT CONTRACT IN INDUSTRIAL RELATIONS**

Industrial relations present no coherent theoretical rationale but is driven by realistic concerns about the diverse conflicts confronting employment contracts. The Dunlop's Industrial Relations

Systems (1958), which is regarded as the best effort this far to produce a generally accepted theory, provides a significant framework for the identification and organisation of industrial relations key features such as identification of key parties to the contract, what ideology that binds the parties, the regulations and the nature of environment. However, the theory is criticised for not being able to generate hypotheses that can be tested. In other words, the theory does not provide a platform upon which questions and future predictions about Industrial relations can be developed and answered. Consequently, in this chapter, to provide basic understanding of how Industrial relations functions, we adopt the Fox's 'frames of reference' (1966, 1974). Although the Fox's 'frames of reference' can be described as old, it still presents relevant insight through its identified three frames of references in Industrial relations as *unitary, pluralist and radical*. The three frames of reference to Industrial relations provide varied explanations to the nature of employment contracts.

#### **a) Unitary Approach**

The unitary approach to employment relationship is based on the assumptions and set of values that employment relationships come with conflicts that can be easily managed and eliminated. It is premised on the fact that employees and employers have common interest, which is to ensure the survival of the organisation. As a result, arising conflicts are usually temporal and do not lead to the insolvency of the organisation.

In the unitary approach, conflicts that exist are not attributed to the ideology of the superiority of employers over employees but to personality disorders, poor communication, improper practices of recruitment, compensation and promotion and the wrong behaviours of rebels. To this end, the conflicts are handled by a good management team that would attend to eliminating the likely sources of conflicts. The management team can take measures that include establishing appropriate communication system to would assist in shaping and reshaping employees' interest to be in line with that of the organisation.

In addition, appropriate communication system can help suppress or eliminate individuals with personalities prone to triggering conflicts. The goal of the management team should be to ensure the organisation is portrayed to the work group as the only authority that should demand their compliance. Consequently, other groups such as trade unions should be ignored and only management should be legitimate.

## **b) Pluralist Approach**

Pluralism Pluralists believe that workplace conflicts are inevitable since the complexity of running an organisation triggers diverse interest between employees and employers. Consequently, conflicts become constant on issues that pertain to work allocation and associated rewards. The diverse interest leads to the existence of different authority within an organisation, whereby the management team is not seen as the only group with power to determine workplace activities. In this case, another source of authority is the unions. Conflicts are handled using the social mechanisms of collective bargaining, arbitration and conciliation. Workers join unions believing that the union is a medium to coerce employers to give attention to employees' interests. The power yielded by unions counterbalances that of employers. Pluralism believe that workplace conflict is healthy for any organisation because it provides a platform to acknowledge the grievance of employees and spur managers to delve into innovative conflicts resolution methods that would be effective. Employees and employers can compromise and agree because they want the organisation to survive.

## **c) The Radical Approach**

The radical approach is based on assumptions that greatly differ from the unitary and pluralist approach. The radical approach draws majorly from the work of **Karl Marx (1978)**, who proposed that all capitalist society cannot escape power struggle between employers and employees. The struggle is attributed to the inequality in wealth which favours the owners of the means of production. The owners of the means of production controlled and dictated the rules of the society and exploited the working class to achieve their purpose. Marx argues that the dominance of the owner of the means of production created a society that legitimised the coercion of the working class. However, the rapid growth of the working class who were at the same time the major consumers of goods produced make it difficult for the owners of the means of production to indefinitely seize power. At the same time, since the working class is faced with a common poverty problem, they eventually organise themselves into groups or unions to fight against exploitation. This approach therefore views workplace conflict as the outcome of struggle between two competing classes.

Summarily, the radical approach believes capitalism drives workplace struggle.

The three approaches discussed above, which are also referred to as the frames of reference of industrial relations are presented in Table 1 below

**Table 1: Frames of Reference of Industrial Relations**

<b>Approach</b>	<b>Employment Relationship</b>	<b>Form of Worker Representation</b>	<b>Research Implications</b>
<b>Unitary</b>	Based on trust and harmony; managed conflict	Individual voice; employee participation	Focus on firm performance, employee satisfaction
<b>Pluralist</b>	Divergent interests: need for regulation to solve conflict	Institutional: trade unions, collective bargaining	Role of trade unions and of institutions such as collective bargaining to resolve conflict
<b>Radical</b>	Underlying structural inequality; struggle for power and control	Militant unions; extra-institutional: social movements	Macro perspective of broader forces to fight for societal change

## **1.6 THE DIFFERENCE BETWEEN INDUSTRIAL RELATIONS AND HUMAN RESOURCE**

Even though it is correct that industrial relations and human resource are both interested in conflict resolutions that exist in employment relationships, the difference in the approach adopted by the two different discipline indicates that they are significantly different. Notably, contemporary industrial relations now have more similarities with human resource but the two concepts are still largely refer to as different.

To resolve employment relationship conflicts, industrial relations specialists emphasize that conflicts are inevitable and may never cease. Industrial relations specialists pursue conflict resolution based on the belief that employers are the oppressors while the employees are the oppressed; therefore, the struggle is to debase employers and empower employees.



With Industrial relations, employment relationship conflicts can only be resolved through interventions of two major entities, which are unions and legislatures. The union is the bonds and voice formed mostly by the coming together of all employees, with the sole aim of balancing power in the workplace. It is also noted that sometimes employers in the same industry also come together to form their unions. While the union formed by employees fight for the rights and benefits of its members based on the understanding that the employers are the elites, employers or the unionformed by the employers fight to keep the employees under check and obeisance. To struggle for power, employee unions utilise mechanisms presented in the Table 2 below.

**Table 2: Examples of Industrial Actions**

<b>S/N</b>	<b>Industrial Action</b>	<b>Definition</b>
<b>1</b>	<b>Labour strike/Strike action</b>	Employees refuse to work sometimes for a specific period or indefinitely until an agreement with employers are reached
<b>2</b>	<b>Occupation-of-factories</b>	Employees self-manage (take on the responsibility of supervising and organising work) a factor when employers engage in Lock-out. A lock-out is when employers partially close a factory or stop employments as a reaction to strike actions being carried out by employees
<b>3.</b>	<b>Work-to-rule</b>	Employees do the minimum job description and avoid extra responsibilities like work during breaks and extended work hours. The aim is to reduce productivity and efficiency in the organisation.
<b>4</b>	<b>Slowdown (or Go-slow)</b>	Employees become reluctant to work or choose to work slower than usua
<b>5</b>	<b>Overtime ban</b>	Employees make a rule not to accept or carry out any overtime work
<b>6</b>	<b>Blue flu</b>	Employees in their number go on sick leave in order to disrupt the progressive flow of work in the organisation. This is common in social service like the police force, where official strike actions are prohibited

7	<b>Picketing</b>	Employees engage in mostly non-violent protest outside the work premise as a way of drawing attention of the public to their petition and grievances with the organisation. It's main objective is to attract compliance from their employer, who is apprehensive about bad public opinion about the organisation
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Legislations is one of the ways to resolve dispute through government's interventions in the employment relationships conflicts. It is predicated upon the believe that the government of any country can regulate the activities of organisations within its domain. The argument is that; if governments can checkmate organisations through tax systems and registrations condition, the same powers can be applied to regulate employment relationships (see Tapia, Ibsen & Kochan, 2015).

Consequently, over the years, to protect workers, governments have put in place legislations such as anti-discrimination in employment, workplace safety and health, pensions, and family leave. Legislation also allows employees to engage industrial actions without being victimised or penalised by employers. Although, industrial actions are allowed, legalisations also provide boundaries through regulations on how industrial actions should be carried out. For example, regulations provide guidance on what grievance should warrants industrial actions as well as procedures of correspondence between employees and employers before an industrial action is embarked on. This is to ensure that employees do not embark on incessant and unwarranted industrial action which may in the long run cripple the organisation. In this case, legislations separate the interest of unions from management rights.

Despite the several legislations put in place by governments of countries and even internationally, legislations are still criticised for being more reactionary than proactive. Legislations are accused for not establishing property in the job. In other words, there are no automatic consequences for the employer who bridges a legislation. Instead, actions are only taken against the employer when aggrieved employees make formal complaints. In fact, the actual phrase here should be; when an aggrieved employee decides whether to act, and this of course is only when the employer has already acted. Forexample, an employer can decide to downsize at any time or terminate an

employee's employment and it is only when this has been done before the employees can decide whether to act. This means employees may have already be punished and their actions only follow the employer's actions. There is yet limited legislation to prevent the employer from embarking on 'punishing' actions in the workplace. Criticisms have also followed the length of time it takes for consequences to be taken against the employer who engages in unlawful actions. Even when employer face consequences for their unlawful actions, reports indicate that some charges do not make up for emotional and psychological trauma employees might have suffered.

Although, human resource like industrial relations believes that employment relationship conflicts are ongoing, its conflicts resolution methods are more towards achieving a common interest between employees and employers. This common interest is usually the achievement of organisational effectiveness that allows poor management to be eliminated. Organisational effectiveness is achieved by building structures and system innovations in ways that allow for conflicts resolutions through mutual problem-solving technique. This promotes cooperation and integration rather than adversarial. As employees and employers are drawn towards one goal (common interest) of building an effective organisation that would benefit both parties, power imbalance in workplace is minimised and possibly eliminated (Gopinath, 2021).

Human resource believes that if employees and employers are made to have a sense of ownership over the organisation, none of the parties will feel superior or inferior. It further advocates that this feeling can be achieved by how the organisation organises its activities. Activities of common interest that empowers both employees and employers should be consistently incorporated into the organisation. The rise of human resource led to the creations of personal departments in the 20th century, after which came the introduction of programs like the employee counselling program, employee relations training programs meant for those who are supervisors, work– family life balance programs, flexible work schedules and work designs that allows for work teams, and more involvement of employees in decision-making (Lewin & Mitchell, 1995).

From the late 20th century, many organisations to show support for Human resource, went a step further by converting their personal departments into Human resource departments and eliminating labor relations departments. Despite the growing acceptance of Human resource over the century, Industrial relations still plays a major role in workplace. From time to time, both in public and private organisations, conflicts have warranted the need for unions and legislatures. The idea that

Human resource can eliminate win–lose struggle for power between employees and employers, minimise and eliminate conflicts (see Ulrich, Losey, & Lake, 1997) is yet to be a reality.

Employers still assume the superiority role, and this has continuously driven employees to engage in industrial actions. Industrial relations is faced with diverse regulations from the governments of various countries in order to prevent employees from taking laws into their hands in the guise of demanding for rights and better work conditions. While Industrial relations may have been largely reduced in many countries like the united states of America and Australia, countries like Denmark and Nigeria still experience numerous industrial actions from aggrieved employees, who are treated as inferior by employer

## **1.7 INDUSTRIAL RELATIONS IN NIGERIA**

The beginning and growth of Industrial relations in Nigeria is traced back to the pre-colonial era and in particular, the colonial history of the country. The colonialist operated a system that relied on the interaction of employees, employers and government and, in the system, interventions depended on coercion that ensured compliance and the prevention of industrial actions.

When Nigeria gained independence in 1960, AlhajiAbubakar Tafawa Balewa became the Prime, minister; unfortunately, he but did not effectively handle political crises in the country. Whereas the prime minister had the executive power to handle crises, he utilised military means. For example, crises such as the Tiv riots and the AG crises of western Nigeria were handled by the military means. The constant use of military led to the military attempting to seize power in 1966. Within January to July 1996, two coups were executed in Nigeria, after which, the military ruled the country from 1966 to 1979, making it a total of thirteen years. In this period, amidst the civil war and other economic challenges the country faced, the military suspended the constitution and ruled by decrees. In addition, several radical reforms were introduced, and this greatly changed the social, economic and political terrane of the country. The new decrees, labour laws and regulations resulted to structuring and restructuring of labour unions that saw the arrest and detention of labourunion members and increased minimum wage. The major laws enacted or promulgated under military regime are summarised and presented below.

### **i. Trade Unions Act of 1973:**

This act provided the guidelines for the trade union formulation, regulation and structure. It also determined those who could join trade union or serve as officials.

**ii. Labour Act of 1974:**

This act makes provision for job recruitments, wages and terms of employment or contract. It provides considerations for some special categories such as women, apprentices and young people. However, the provisions of this act does not apply to the police force, armed forces, administrative and executive officers, technical or professional workers and domestic workers

**iii. Trade Disputes Act (TDA) of 1976:**

This act regulates trade disputes between employees and employers. Its jurisdictions include providing the procedures and time frames within which various disputes should be settled.

**iv. Trade Disputes (Amendment) Act of 1977:**

This act is the amendments to the Trade Disputes Act of 1976. It made provision for the minister of labour to take certain action as may deemed fit when handling a trade dispute. In addition, the act determined what can be classified as offences and associated consequences for workers, employers and trade union that fail to comply to TDA

**v. Trade Disputes (Essential Services) Act of 1976:**

This act empowers the president of the country to bar any trade union when members who provide essential services engage in industrial actions or unrest. The act also determined what powers accrue to union members in such situation.

**vi. Labour Amendment Act of 1978:**

This act is an amendment of the 1974 labour act. It empowers employers upon the registration of trade union to include all employees who meet the set criteria to become members but for through writing make known their intentions of non-membership.

**vii. Trade Unions (Amendment) Act of 1978:**

This act amends the 1973 trade union act. This amendment was the outcome of the restructuring of trade union which led to the compilation of trade union which were registered and recognised.

#### **viii. Trade Unions (Amendment) Act of 1979:**

This act made information available about the categories of workers who can be said to be in the management cadre in an organisation and would therefore not be eligible to be members or office holder of trade unions.

#### **ix. Trade Unions (Miscellaneous) Decree of 1976:**

This decree restructured the list of trade unions that were registered and recognised. The restructuring resulted to a Part 'A' list and a Part 'B'. Consequently, this provided the distinction between trade union with members from the workers and members from senior staff and employers. This aim of this decree was to initiate Senior Staff Associations.

#### **x. Factories Decree of 1987:**

This decree made provision for workers who were faced with occupational hazards. It made provisions for what how such workers should be treated and penalties in cases where employers did not adhere to set regulations.

#### **xi. Workmen's Compensation Decree of 1987:**

This decree was a re-enactment of Workmen's Compensation Act, which extended its provisions to more categories of workers. In addition, it eliminated difficulties and challenges that faced the previous act.

#### **xii. Trade Disputes (Amendment) Decree of 1988:**

This decree is an amendment to the 1977 Trade Disputes Act. It reduced dispute settlements in court to not more than 30 days.

### **1.8 THE NIGERIAN INDUSTRIAL RELATIONS SYSTEM**

The recognised mechanisms of statutory regulation that guides collective bargaining in Nigeria is referred to as the Nigerian industrial relations system. To resolve industrial disputes the Nigerian industrial relations system works at two levels, which are levels are voluntary mechanisms and statutory mechanisms.

#### **a) Voluntarism**

This level of industrial relations is also referred to as the internal mechanisms. This voluntaristic approach is the process where the parties to the employment contract willingly come together for collective bargaining to settle existing grievances. This mechanism of industrial dispute resolution prevents the occurrence of further recourse within an organisation, which can lead to industrial actions such as strikes and lockouts. Investigations show that many organisations in Nigeria lack appropriate grievance resolution mechanisms and this account for the incessant industrial actions that characterised the country's work system (Diejomoah, 1979).

#### **b) Statutory mechanism**

This mechanism is contained in the Trade Disputes Act of 1976 and can also be referred to as external machineries for dispute settlement.

##### **It involves four stages which are**

- i. Conciliation:** This allows the parties to the dispute to negotiate informally and reach an agreement where possible;
- ii. Arbitration:** In this case, instead of going to court, the parties bring the issues before an arbitrator(s), whose decisions are binding on all parties;
- iii. Inquiry:** this can also be called enquiry or fact-finding: It is the process of finding more detailed information about a dispute in the hope that such accurate information would make things more translucent in ways that grievances can then be eliminated. Inquiry can also be a preliminary of the other dispute resolution mechanisms; and
- iv. The National Industrial Court:** This court handles issues related to employment, labour, trade unions and in general industrial relations in Nigeria.

The above four stages are expected to help resolve issues when voluntary mechanism for dispute settlement fails. Although these four stages are in place, reports indicate that there is constant failure of dispute settlement in the country (Adebisi, 2013). Particularly, the Federal and State government are guilty of not adhering to statutory mechanisms and even when the mechanisms are partially adhered to, the Governments violates the terms agreed on. For example, the

Governments often does not keep to terms of collective bargaining d between them and Academic Staff Union of Universities (ASUU) or the Nigerian Labour Congress (NLC).

- ❖ **Introduction to Conflict Management in Organization**
- ❖ **Meaning of Organization**
- ❖ **Meaning of Conflict**
- ❖ **Meaning of Organizational Conflict**
- ❖ **Types of Conflict**
- ❖ **Causes and Issues of Conflict in Organizations**
- ❖ **Effects of Conflict**
- ❖ **Conflict Prevention**
- ❖ **Conflict Mediation**
- ❖ **Conflict Resolution**
- ❖ **Conflict Transformation**
- ❖ **Concept of Conflict Management**
- ❖ **Steps in Conflict Management**
- ❖ **Conflict Management Strategies**
- ❖ **Negotiation Skill**
- ❖ **Communication and Conflict Management**

## **INTRODUCTION TO CONFLICT MANAGEMENT IN ORGANIZATION**

### **2.1. Meaning of organization**

The word “organization” connotes two concepts: (1) an entity: a group (2) a process. Therefore, an organization occurs when a group of people come together to organize themselves in a social unit. This social unit to become an organization has to be established with the explicit purpose of achieving certain goals.

Organizations, therefore are social units deliberately constructed and reconstructed to seek specific goals. Typical organizations includes schools, hospitals, prisons, churches, clubs are all organization.



Organization is a social group whose differentiated activities are deliberately coordinated for the purpose of achieving a goal. One can therefore say that every organization is made up of human and physical resource, brought together in order to accomplish a predetermined goal. Thus organization is a means of achieving the best result from concerted efforts. It is the organizations that determine the type of people required and relationships, that is the type of personnel and structure needed in the University setting is different from that of car assembling industry.

### **Meaning of Conflict**

At all level of life or spheres of human existence conflict cannot be ruled out. As affirmed by Greg (2012) conflict is “inevitable and has the potential for beauty, but at the same time, there is also a “beast” lurking in it if we mishandle our conflicts”. This is so because no two people have the same expectations, thoughts, opinions or needs. According to Hoban (1992a), Conflict is a natural disagreement resulting from individuals or groups that differ in attitudes, beliefs, values or needs. In addition, Greg (2012) and Dobson (1992) saw conflict as avoidable and potentially beneficial because it is a part of getting to know and adjusting [to a group], values, habits and ways of functioning.

Conflict is a disagreement between two parties, therefore, conflict in an organization simply means a state of friction caused by the actual or perceived opposition of needs, values and interests between working together.

It has been observed that irrespective of the level of management, (Lower, Middle or Top) managers or administrators are bound to face conflict in as much they deal with human being. Therefore, the fear of conflicts should be ignored and focus should be placed on turning weakness to strength in developing the organization where they work.

Olukayode (2015) aver that politics in the organization give rise to conflict as employee or group of employees influence the goal and decision making of an organization to their own selfish interest, usually at the expense of some other employees with the organization. Therefore, agreeing to the term that conflict is an inevitable feature of organizational life. Thus, as posited by McNamara Carter (2013), conflict is not the problem, however, poor management of the conflict is the problem. Conflict is a problem when it hampers productivity, lowers morale, causes more and continued conflicts, and causes inappropriate behaviours.

Foundation Coalition (2013), define conflict as a struggle or contest between people with opposing needs, ideas, beliefs, values, or goals. Other meaning such as stated by Deustch (1973) believes a conflict is manifested when two or more individuals interact and perceive incompatible differences between or threats to their resources, needs, or values. From a communication perspective, Hocker and Wilmot (1985) explain conflict as “an expressed struggle between at least two interdependent parties who perceive incompatible goals, scarce rewards, and interference with the other party in achieving their goals. Conflict arises from differences, both large and small. As such, it occurs whenever people disagree over their values, motivations, perceptions, ideas, or desires (Segal & Smith, 2013).

It is obvious that definitions attributed to conflict have some words in common which revolve around words such as differences, disagreement and incompatibility in connection to needs, ideals, values, belief and goals.

## **2.2 Meaning of Organizational Conflict**

Organizational conflict as an act of dissatisfaction and contention which either the employers of labour or workers utilize to put excessive pressure against each other so as to get their demands. It is equally described as “a dispute that occurs when interests, values or goals of different individuals or groups are conflicting with each other in organizations” (Ajala&Oghenekohwo, 2002).

Organizational conflict focus on individual and groups, they emphasize that it is a disputed that occurs when interests, goals or values of different individuals or groups are conflicting with each other in organizations.

Obi (2012) expressed that organizational conflict is an act of discontentment and contention which either the workers or employers of labour employ to put unnecessary pressure against each other so as to get their demands.

In a similar vein Kazimoto (2013) established that organizational conflict is described as the presence of discord that occurs when goals, interests or values of different individuals or groups are incompatible and frustrated each other’s attempt to achieve objectives in an organization. Olukayode (2015) view organizational conflict within the context of employment relationship as an inevitable clash of interests and resulting disputes of varying intensity between and with any or all of the active actors in organizations.

On this premise, organizational conflict within the setting of employment relationship can be considered as an unavoidable clash of interest, resulting to disputes between and within any or all of the active actors in organizations. Thus, it is certain that in the absence of common values in organizations, conflict is bound to occur.

Conflicts represent part of the dynamics of organization. But when conflicts become too frequent within organization they divert attention from the more basic issues of development and achieving the goals of the organization. This is more so when such conflict escalate into open wars violence, disruption of school activities which actually consume substantial quantities of human and material resources.

Dysfunctional behaviours in an Organisation leads to loss of time and resources and affects the achievement of organisational goals and objectives. There is therefore a serious need to understand what conflict is and how it can be successfully managed in order that organizational goals are achieved.

### **2.3 Meaning of Conflict Management**

Conflict management refers to exertion, to regulate or control conflict through a number of events. It is putting in place strategies as internal mechanisms used by the several authorities in resolving conflict.

Invariably, management is duty bound to resolve conflict properly for the sake of increasing organizational performance and better productivity, because the outcome of such action will result in good communication, good cooperation, time management and it will increase corporate productivity. Thus, an effective conflict management will result into establishment of cooperative atmosphere that promote opportunities and movements towards directed reconciliation, nonaggressive or basic clashing interest.

Conflict management is also concerned with the ways and means of controlling and harmonizing conflictual relationships within an interaction process. This means that efforts at conflict management must seek to eliminate the conditions that create an environment of conflict. In other word, one should not wait for conflict to erupt before taking action. Conflict management in the integrated sense in which it is applied in this study represents a process embracing three types of

activity: conflict prevention and /or peace promotion and consolidation; conflict control/abatement; and conflict resolution.

## **2.4 TYPES OF CONFLICT**

Conflict occurs among different classes of people and produces different kinds of results. We will consider only four types of conflicts that are based on where the conflict happens and two types of conflicts based on the kind of effect the conflicts produce.

### **A. CONFLICTS BASED ON LOCATION INCLUDES**

#### **1. Intrapersonal Conflict:**

This occurs within a person as he takes a decision on the use of time, choice of partner, moral issues, goals and aspirations etc. This is capable of producing anxiety and tension within the person going through this kind of conflict.

#### **2. Interpersonal Conflict:**

This is a conflict that occurs between two or more individuals. It may result from differences in opinion, motives and actions. This kind of conflict is what is seen when two people are having disagreement among themselves.

#### **3. Intragroup Conflict:**

This may occur between individuals within a group. This is similar to interpersonal conflicts except that it occurs within a particular group. This kind of conflict can be seen when for example two members of the choir are having disagreement about something which has to do with the choir.

#### **4. Intergroup Conflict:**

This is a conflict that occurs between groups of people such as solidarity groups, activity groups and church denominations. This kind of conflict occurs when for example members of the choir are in disagreement with members of the ushering team or one country at war with another country.

### **B. CONFLICTS BASED ON THE EFFECTS PRODUCED INCLUDE**

#### **1. Functional or Constructive Conflict:**

This kind of conflict improves the quality of decisions, stimulates creativity and innovation through which problems can be aired and tensions released. This kind of conflict is also referred to as positive conflict because it is a conflict that helps the people involve to improve their relationship for good. An example of this kind of conflict is when people argue from different points of view on the same matter with an open mind, they end up arriving at a new position which is an improvement on their previous myopic views. This kind of conflict helps you understand the sensitivity of the other person on a particular issue, which will help you avoid conflicts in such matters in the future.

## **2. Dysfunctional or Destructive Conflict:**

This type of conflict leads to retarded communication, reduction in group cohesiveness and a subordination of goals to primacy of in-fighting among members. This kind of conflict produces bitterness, envy, anger and unforgiveness. This type of conflict is usually protracted with no immediate and permanent solution at sight.

For most people, when you mention the word conflict, what comes to their minds is the dysfunctional or destructive type of conflict. Nevertheless we now know that there are constructive and destructive types of conflict but the choice of which to practice is entirely dependent on you. Let us then proceed to study different ways to manage our conflicts.

## **2.5 CAUSES AND ISSUES OF CONFLICT IN ORGANISATIONS**

Many human complexities exist which trigger conflict at home, offices, party (groups) and in the society. It is impossible to separate conflicts from organizations. Organizational members come from different backgrounds, think so differently and communicate so uniquely. These make conflict a high probability. It becomes imperative therefore to determine the causes of conflict. It is important to state that many conflicts are either avoidable or unnecessary.

Most conflicts arise out of simple miscommunication, misunderstandings, unintended meanings, irrelevant differences, poor choices, ineffective styles, unclear roles and responsibilities, false expectations, different standards, fluctuating economic and political conditions, or personal misfortune. These, very often have nothing to do with the issues that are the basis of the conflict and can easily be corrected with learning and dialogue (Elangovan, 1998).

As identified by Rahim (2002), conflict can arise when:

- a) A party is required to engage in an activity that is incongruent with his or her needs or interests
- b) Behavioral preferences, and the satisfaction of which is incompatible with another person's implementation of his or her preferences
- c) A party wants some mutually desirable resource that is in short supply, such that the wants of all parties involved may not be satisfied fully.
- d) A party possesses attitudes, values, skills, and goals that are salient in directing his or her behavior but are perceived to be exclusive of the attitudes, values, skills, and goals held by the other(s).

Other causes of conflict include trying to negotiate before the timing is right or before needed information is available (Hoban, 1992a), Conflicting values or actions, The alignment or the amount of resources is insufficient, poor communications and leadership problems (McNamara, 2013).

There are also some causes which are best categorise as predisposing factors or ingredient that fuel conflict because directly they are not problems on their own but can trigger the real causes of conflict in an organisation.

Hoban (1992) pointed them out to include:

- 1. Needs:** individuals or groups in an organisation have things that are essential to their well-being and when these needs are ignore it causes conflict.
- 2. Values:** values are beliefs or principles we consider to be very important (Hoban, 1992). Values of individuals, party or between organisation management and staff needs to be make it clear and incompatible values resolved. When this is lacking it results to conflicts.
- 3. Perceptions:** interpretations given to situations or issues around us differ and this can cause conflicts. Hoban (1992) pointed out that misperceptions or differing perceptions may originate from self-perceptions, others' perceptions, differing perceptions of situations and perceptions of threat.

**4. Power:** The ability or right (capacity) to control people or things, perform or act effectively can be subjected various test.

This is not far from the view of Hoban (1992), in which he pointed out that the way people define and use power is an important influence on the number and types of conflicts that occur. Especially when that power is used to make others change their actions or to gain an unfair advantage.

**5. Feelings and emotions:** Many people let their feelings and emotions become a major influence over how they deal with conflict. Conflicts can also occur because people ignore their own or others' feelings and emotions. Other conflicts occur when feelings and emotions differ over a particular issue

**6. Code of conduct, ethics and principles:** in any organisation, code of conduct, ethics and principles goes a long way to help people to refrain from conflicting behaviour but when it is lacking conflicts arises no matter the all other efforts embark on to make peace.

Okotoni and Okotoni (2003), found that the following are the causes of conflict within the secondary school system. They are arranged in their order of importance.

1. Unimpressive conditions of service
2. Partial implementation of the minimum wage salaries approved by the Federal Government for workers.
3. Forceful and compulsory retirement/retrenchment of workers.
4. Administrative incompetence of principals.
5. Misappropriation and embezzlement of school funds.
6. Indiscipline (on the part of both staff and students).
7. Negligence of duty.
8. Personality clashes
9. Inferiority / Superiority complex.
10. Favouritism

11. Role conflicts
12. Misunderstanding of motives
13. Youthful exuberance
14. Lack of cooperation
15. Salary comparison
16. Interdependence
17. Communication problems.
18. Irrational wage, wage system and structure not mutually acceptable
19. Poor working environment, low presence of safety, hygiene conditions vitiated atmosphere for smooth working
20. Poor human relations, and lack of dexterity on the part of management personnel
21. Lack of control over the situations erosion of discipline, which rebounds.
22. Introduction of new technology or automation mechanization, Computerization etc. without proper consultations, preparations and discussion with workers and creating climate.
23. Nepotism, unequal work loads, disproportionate wage, and responsibilities.
24. Adoption of unfair labour practices either by employer or employees and unions.
25. Unjustifiable profit sharing, and not considering workers as a co- shares of the gains of the industry.
26. Frequent union rivalries over membership foisting up of fake unions.
27. Strikes lock out, lay off, and resulting retrenchment due to high handedness on the part of the concerned.
28. Throwing away the agreements and arrived settlements
29. Militancy of the unions



30. Attitude of government and political parties who may indirectly control some the unions for their own gains or to get a hold on the industry.

## 2.6 Effect of Conflict

Conflict on its own is not a problem; it is when conflict is poorly managed that it might be done, we are more likely to experience positive outcomes (Anderson & Olson 2003).

### 2.6.1 Positive Effect of Conflicts

In many cases, effective conflict resolution skills can make the difference between positive and negative outcomes. The good news is that by resolving conflict successfully, you can solve many of the problems that it has brought to the surface, as well as getting benefits that you might not at first expect.

The following are positives that result from conflicts:

- i. **Increased understanding:** The discussion needed to resolve conflict expands people's awareness of the situation, giving them an insight into how they can achieve their own goals without undermining those of other people.
- ii. **Increased group cohesion:** When conflict is resolved effectively, team members can develop stronger mutual respect and a renewed faith in their ability to work together.
- iii. **Improved self-knowledge:** Conflict pushes individuals to examine their goals in close detail, helping them understand the things that are most important to them, sharpening their focus and enhancing their effectiveness.

*Others include:*

- iv. Helps to raise and address problems.
- v. Energizes work to be on the most appropriate issues.
- vi. Helps people to be real, for example, it motivates them to participate.
- vii. Helps people learn how to recognize and benefit from their differences becomes a problem.  
By being proactive in identifying areas in which damage
- viii. Reveal new aspect of an existing issue
- ix. Improve long term communication between the individuals concerned
- x. Always previously stifled emotions to be released

## **2.6.2 Negative Effect of Conflicts**

Conflict is negative when it:

1. Hampers productivity.
2. Lowers morale.
3. Causes more and continued conflicts.
4. Causes inappropriate behaviours.

## **2.7 CONFLICT PREVENTION**

Conflict prevention is all about preventing the outbreak of violent conflicts, for it is generally said that prevention is better than cure. Intractable conflicts are better and easier to avoid before they happen, than trying to manage or solve them once they have occurred. For, even if you are successful in putting off the conflict, the scar from a violent conflict can always start the conflict again.

When we talk of conflict prevention we are not saying people should pretend that there are no issues to confront, on the contrary conflict prevention advocates that latent conflicts should not be repressed or submerged altogether, for when this is done, they just tend to erupt, sometimes violently, at a later time. Therefore to avoid this, conflict should be allowed to surface, but the complicating factors, especially escalation of the conflict, should be limited to the maximum extent possible and an effort should be made to confront the core conflict with the most beneficial and least destructive strategies available.

Conflict prevention is only useful to the extent that the parties involved can control complicating factors from the onset by defining the conflict as a mutual problem rather than a competitive or win-lose situation. Conflict prevention aims to create an environment where conflicts are nipped in the bud before they get out of hand and become uncontrollable, however where conflicts have started, conflict prevention tries very hard to isolate the conflict in a way that the conflict is not allowed to grow. But once the conflict escalates and other complicating factors develop, the strategy must change from conflict prevention to conflict management or resolution, which is considerably harder to manage successfully. In the church today, one way we can practice conflict prevention is in marriages by insisting on proper courtship and teaching intending couples properly

on theseveral challenges that they are likely to encounter in their marital lives. If this is done, it will save the church the situation where pastors are trying to apply conflict management to problems that might never be fully resolved.

## **2.8 CONFLICT MEDIATION**

Mediation is an informal, voluntary and confidential process in which a trained professional dispute resolver (the mediator) facilitates understanding, communication and negotiation between disputing parties and assist those parties in reaching their own mutually acceptable resolution to their dispute. Note that the key words are facilitates and assists. The major aim of a mediator is to help the parties in conflict reach a mutually satisfying agreement. The mediator does this by improving the flow of information in a meeting between parties in conflict. Mediation according to Moore (1996:1) is “The intervention in a negotiation or conflict of an acceptable third party who has limited or no authoritative decision- making power but who assists the involved parties in voluntarily reaching a mutually acceptable settlement of issues in dispute”. Mediation can also be defined as a problem-solving negotiation process, in which an outside, impartial neutral party works with disputants to assist them to reach a satisfactory negotiated agreement. Unlike judges or arbitrators, mediators have no authority to decide the dispute between the parties; instead, the parties empower the mediator to help them resolve the issue between them. Mediation differs from negotiation, in that parties with apparently incompatible demands turn over the dispute resolution process, but not the dispute itself, to the mediator. However when facilitators are used in negotiating, the process is similar to mediation. Mediation also differs from arbitration, in that a mediator makes no decisions as to how the case should be resolved; rather the mediator guides the parties in making this determination.

Mediation differs also from case evaluation, in that the mediator makes no finding as to the value of the claims and there is no penalty if the mediation is successful. Mediation is different from litigations, in that it is quicker and less expensive and allows the parties to work-out their own solutions in private rather than having an unknown result imposed on them by a judge or jury in a lengthy, expensive and formal process

Mediation helps stakeholders discuss issues, repair past injuries and develop the tools needed to face disagreements effectively. Mediators may help participants glimpse at their blind spots, broaden their perspectives, and even muddle through the problem-solving process. Yet, successful

mediators remember that the challenges are owned by the stakeholders and do not attempt to short-circuit the process by solving challenges for them. This is the point where many mediators miss the point, they want to quickly solve the problem and move on, so they take over the problem solving process and tell everyone what they need to do and any party that does not agree to their solution is rejected by them. Mediators are to help the parties involve solve the problem, this way even if the mediator is not around the conflicting parties own the resolution of the crisis.

## **2.9 CONFLICT RESOLUTION**

This aims at identifying the causes of the conflicts on ground and finding new ways of reconciling the groups involved and building a new social relationship. Incompatible interests are not the only thing that is a problem in more severe conflicts. Conflicts last longer and are more deeply rooted than disputes. They tend to arise over non-negotiable issues such as fundamental human needs, intolerable moral differences, or high-stakes distributional issues regarding essential resources, such as money, water, or land. To truly resolve a conflict, the solution must go beyond just satisfying the parties' interests as in dispute settlement. To end or resolve a long-term conflict, a relatively stable solution that identifies and deals with the underlying sources of the conflict must be found. This is a more difficult task than simple dispute settlement, because resolution means going beyond negotiating interests to meet all sides' basic needs, while simultaneously finding a way to respect their underlying values and identities. However, some of the same intervention processes used in dispute settlement (i.e. mediation) is also used to achieve resolution.

True conflict resolution requires a more analytical, problem-solving approach than dispute settlement. The main difference is that resolution requires identifying the causal factors behind the conflict, and finding ways to deal with them. On the other hand, settlement is simply aimed at ending a dispute as quickly and amicably as possible. This means that, it is possible to settle a dispute that exists within the context of a larger conflict, without resolving the overall conflict. This occurs when a dispute is settled, but the underlying causes of the conflict are not addressed. Almost every year, despite the several peace meetings and settlements between Christians and Moslems in the northern part of Nigeria, every time there is a conflict, the problem still comes up again and again. This is so because we are so much in a hurry to have temporary peace than to seek a permanent solution which is resolving the situation by dealing with the underlying problem(s) that causes the conflict to always resurface.

There are many reasons why underlying causes of conflict may not be addressed. Often, the underlying causes of conflict are embedded in the institutional structure of society. Achieving complete resolution of a conflict can require making significant socioeconomic or political changes that restructure society in a more just or inclusive way. Changing societal structures, such as the distribution of wealth in society, is a difficult thing to do and can take decades to accomplish. Thus, fully resolving conflict can be a long laborious process. As a result there are other conceptions of ways to deal with, but not necessarily "resolve" conflicts.

## **2.10 CONFLICT TRANSFORMATION**

A number of conflict theorists and practitioners, including John Paul Lederach, advocate the pursuit of "conflict transformation", as opposed to "conflict resolution" or "conflict management." Conflict transformation is different from the other two, Lederach asserts, because it reflects a better understanding of the nature of conflict itself. "Conflict resolution" implies that conflict is bad, and is therefore something that should be ended. It also assumes that conflict is a short-term phenomenon that can be "resolved" permanently through mediation or other intervention processes. "Conflict management" correctly assumes that conflicts are long-term processes that often cannot be quickly resolved. The problem with the notion of "management," however, is that it suggests that people can be directed or controlled as if they were physical objects. In addition, "management" suggests that the goal is the reduction or control of volatility, rather than dealing with the real source of the problem.

Conflict transformation, as described by Lederach, does not suggest that we simply eliminate or control conflict, but rather that we recognize and work with its "dialectic nature." First, Lederach argues that social conflict is a natural occurrence between humans who are involved in relationships. Once conflict occurs, it changes or transforms those events, people, and relationships that created the initial conflict. Thus, the cause-and-effect relationship goes both ways -- from the people and the relationships to the conflict and back to the people and relationships. In this sense, "conflict transformation" is a term that describes the natural process of conflict. Conflicts change relationships in predictable ways, altering communication patterns and patterns of social organization, altering images of the self and of the other.

Conflict transformation is also a prescriptive concept. It suggests that the destructive consequences of a conflict can be modified or transformed so that self-images, relationships, and social structures

improve as a result of conflict instead of being harmed by it. Usually, this involves transforming perceptions of issues, actions, and other people or groups. Conflict usually transforms perceptions by accentuating the differences between people and positions. The Bible says as a man thinketh in his heart, so he is, (Proverbs 23:7 KJV), therefore, if you think that somebody is your enemy, you will begin to act towards him as your enemy. Lederach believes that effective conflict transformation can utilize this highlighting of differences in a constructive way and can improve mutual understanding. From the perspective of conflict transformation, intervention has been successful if each group gains a relatively accurate understanding of the other. In the end, improving understanding is the objective of conflict transformation, in spite of parties differing or even irreconcilable interests, values and needs.

### **3.1 CONCEPT OF CONFLICT MANAGEMENT**

No single definition of conflict management exists. However, the definition of Rahim (1992) which stated that conflict is "the interactive process manifested in incompatibility, disagreement, or dissonance within or between social entities" pulls a lot of facts to limelight. This definition identified some key issues such as interactive process, and incompatibility and entities. Conflict might escalate and lead to nonproductive results, or conflict can be beneficially resolved and lead to quality final products. Therefore, learning to manage conflict is integral to a high-performance in an organisation. Although very few people go looking for conflict, more often than not, conflict results because of miscommunication between people with regard to their needs, ideas, beliefs, goals, or values.

Furthermore, learning how to manage conflicts can decrease the odds of nonproductive escalation in organisations. Conflict management involves acquiring skills related to conflict resolution, self-awareness about conflict modes, conflict communication skills, and also establishing a structure for management of conflict in your environment (The Foundation Coalition, 2003). Conflict management, has been used as a generic term to cover the whole scope of positive conflict handling. It is referred to as a more limited way to the settlement and containment of violent conflict while conflict resolution is a more comprehensive term, which implies that the deep-rooted sources of conflict are addressed and transformed.

The fundamental understanding of industrial relations provided in this chapter equips an individual with the boost to engage in further studies of industrial relations. The understanding provided

extends from what industrial relations infer to how it functions in Nigeria by presenting laws that guide how disputes are handled. Also of relevance is the awareness that the workplaces in Nigeria mostly fall short in ways disputes are attended to. This means that the Nigeria government must not only make laws but through its agencies ensure that offenders of such laws are reprimanded and face corresponding consequences.

### **3.2 STEPS IN CONFLICT MANAGEMENT**

It is very important to avoid mixing up steps in conflict management with conflict management strategies. The latter (management strategies) is the second step of conflict management known as determination of management strategy (Hoban, 1992). Strategies employed in conflict management can be viewed from different perspective and according to level of existence of groups or parties such work teams, communities, corporate entities, or organisations, states or nations involved in the conflicts. Thus, no one way is the best and for different situation. There are five steps to managing conflict. These steps are:

1. Analyze the conflict
2. Determine management strategy
3. Pre-negotiation
4. Negotiation
5. Post-negotiation

#### **1. Analyze the Conflict**

This required analysing the nature and type of conflict. It raises important questions such as who are the groups involved, who they represent, how they are organised, what their power base is, and historical relationships among the groups. It is also important to find out how the conflict arise and also identify and describe main and secondary issues. In the course of analysing the conflict negative issues can be reframed positively. Then see if issues are negotiable and what is the position of parties involved in these issues and what are their common interests.

To progress, further questions should be ask, such as

- i. What information is available and what other information is needed?
- ii. What values or interests are challenged? Then, possible strategies are looked into.
- iii. Would consensus serve all interests?
- iv. Are there external constraints or other influences that must be accommodated?
- v. What are the past experiences (if any) of the groups working together?
- vi. What is the timeline for a decision?
- vii. How will the public and the media be involved and informed?
- viii. Will an outside negotiator be needed?

It is noteworthy to remember that sources of these answers can come from interviews of some of the groups concerned, partners, organisation archives, or from personal experience.

## **2. Determine Management Strategy**

Proper understanding of the nature and type of conflict will surely influence the selection of the most appropriate strategy bearing in mind that sometimes it may be necessary to have a neutral negotiator to help move the groups toward consensus. Hoban (1992a), Dontigney (2013) and McNamara (2013), highlighted five conflict management strategies, which are

- a) Collaboration
- b) Compromise
- c) Competition
- d) Accommodation
- e) Avoidance.

These strategies will be further discuss under conflict strategies

## **3. Pre-negotiation**

The third step in managing conflict requires laying down the ground work which should occur prior to negotiation. This ground work is purported by Hoban (1992a) to include



- a) Initiation
- b) Assessment
- c) Ground rules and agenda
- d) Organization and Joint fact.

#### **4. Negotiation**

Negotiation which is the process whereby parties seek to settle or resolve their conflict, is another step that put issues in perspective to lasting solution. Negotiation entails the interest of parties, options for satisfying interests, evaluation entails discussion of options and determining the best, written agreement and finally, commitment to agreement.

#### **5. Post-negotiation**

Once negotiation is complete, the parties will need to implement the decisions made. Some key steps include ratification and implementation of agreement. The partnership will need to have a plan to monitor progress, document success, resolve problems, renegotiate terms and celebrate success.

### **3.3 CONFLICT MANAGMENT STRATEGIES**

Kenneth Thomas and Ralph Kilmann (1970); Hoban (1992); Dontigney (2013); and McNamara (2013) identified five conflict management strategies which are explained below.

- a) Collaboration
- b) Compromise
- c) Competition
- d) Accommodation
- e) Avoidance.

#### **a) Collaboration**

Collaboration works by integrating ideas set out by multiple people. The objective is to find a creative solution acceptable to everyone. Collaboration, though useful, calls for a significant time

commitment not appropriate to all conflicts. For example, a business owner should work collaboratively with the manager to establish policies, but collaborative decision-making regarding office supplies wastes time better spent on other activities. Use this approach when the goal is to meet as many current needs as possible by using mutual resources. This approach sometimes raises new mutual needs. Collaboration can also be used when the goal is to cultivate ownership and commitment

### **When to use Collaboration Strategy**

1. When there is need to find an integrative solution when both sets of concerns are too important to be compromised.
2. When the main objective is to learn – e.g., testing of assumptions, understanding the views of others.
3. To merge insights from people with different perspectives on a problem.
4. To gain commitment by incorporating other's concerns into a consensual decision.
5. To work through hard feelings which have been interfering with an interpersonal relationship.

### **b) Compromise**

This approach is also called mutual give and take, which means that management can engage in mutual give-and-take. This approach is used when the goal is to get past the issue and move on together. This strategy typically calls for both sides of a conflict to give up elements of their position in order to establish an acceptable, if not agreeable, solution. This strategy prevails most often in conflicts where the parties hold approximately equivalent power. Business owners frequently employ compromise during contract negotiations with other businesses when each party stands to lose something valuable, such as a customer or necessary service.

### **When to use Compromise Strategy**

1. When goals are moderately important, but not worth the effort or potential disruption of more assertive modes.
2. When two opponents with equal power are strongly committed to mutually exclusive goals – e.g., as in labour-management bargaining.
3. To achieve temporary settlements to complex issues.

4. To arrive at expedient solutions under time pressure.
5. As a backup mode when collaboration or competition fails to be successful.

### **c) Competition**

Competition operates as a zero-sum game, in which one side wins and other loses. Highly assertive personalities often fall back on competition as a conflict management strategy. The competitive strategy works best in a limited number of conflicts, such as emergency situations. In general, business owners benefit from holding the competitive strategy in reserve for crisis situations and decisions that generate ill-will, such as pay cuts or layoffs (Dontigney, 2013). This implies that you can compete with the others. You can work to get your way, rather than clarifying and addressing the issue. Competitors love accommodators. Use this approach when you have a very strong conviction about your position (McNamara, 2013).

*When to use Competition Strategy:*

1. When quick, decisive action is vital – e.g., emergencies.
2. On important issues where unpopular courses of action need to be implemented – e.g., cost cutting, enforcing unpopular rules, discipline.
3. On issues vital to company welfare when you know you're right.
4. To protect yourself against people who take advantage of non-competitive behaviour.

### **d) Accommodation**

This is a strategy that entails giving the opposing side what it wants. For example, a business that requires formal dress may institute a "casual Friday" policy as a low-stakes means of keeping the peace with the rank and file (Dontigney, 2013). You can accommodate it. You can give in to others, sometimes to the extent that you compromise yourself. Use this approach very sparingly and infrequently, for example, in situations when you know that you will have another more useful approach in the very near future. Usually this approach tends to worsen the conflict over time, and causes conflicts within you (McNamara Carter, 2013).

*When to use Accommodation Strategy*

1. When you realize that you are wrong (or less experienced or knowledgeable) – to allow a better position to be heard, to from others, and to show that you are reasonable.
2. When the issue is much more important to the other person than to yourself– to satisfy the needs of others, and as a goodwill gesture to help maintain a cooperative relationship.
3. To build up social credits for later issues which are important to you.
4. When continued competition would only damage your cause – when you are outmatched and losing.
5. When preserving harmony and avoiding disruption are especially important.
6. To aid in the managerial development of subordinates by allowing them to experiment and learn from their own mistake

**e) Avoidance.**

A strategy that seeks to put off conflict indefinitely. By delaying or ignoring the conflict, the avoider hopes the problem resolves itself without a confrontation. In some circumstances, avoiding can serve as a profitable conflict management strategy, such as after the dismissal of a popular but unproductive employee. Those who actively avoid conflict frequently have low esteem or hold a position of low power. The hiring of a more productive replacement for the position soothes much of the conflict (Dontigney, 2013). This strategy is generally used when the issue is trivial or other issues are more pressing. It is also used when confrontation has a high potential for damage or more information is needed. The drawbacks are that important decisions may be made by default (Hoban, 1992b).

When to use Avoidance Strategy

1. When an issue is trivial, of only passing importance, or when other more important issues are pressing.
2. When you perceive no chance of satisfying your concerns – e.g., when you have low power or you are frustrated by something which would be very difficult to change (national policies, someone's personality structure, etc.)
3. When the potential damage of confronting a conflict outweighs the benefits of its resolution.
4. To let people cool down – to reduce tensions to a productive level and to regain perspective and composure

5. When gathering more information outweighs the advantages of an immediate decision.
6. When others can resolve the conflict more effectively.
7. When the issue seems tangential or symptomatic of another more basic issue.

Others include:

#### **i) Trade dispute strategy**

In the provision of the Trade Dispute Act CAP 18, 2004 and Trade Disputes Amendment Decree, 1988, No. 39 was another conflict management approach for resolving conflict. Under these acts and degree, the award and sanctions of the National Industrial Court is final and binding on the employees and employers from the date of the award. These acts and degree translated to a high level of comportment for all parties involved in dispute to personally resolve issues before it get out of control. Trade Dispute Act also provides five steps for legal management of conflicts in an organization. These includes voluntary settlements of conflict using internal mechanism of complaint resolving procedure and the external mechanism involving appointment of conciliator, mediator, reference of disputes to industrial arbitration panel, National Industrial Court and the constitution of a Board of Inquiry if such is considered essential.

#### **ii. Collective bargaining**

In the same vein, another approach to management of conflict is collective bargaining strategy. The strategy has been advocated as the approach for organizing union- management conflict in organizations. This approach is equally good for the conflicts resolution and management, depending on the situation. The approach is internationally applauded as the legal mechanism by which management and workers settle conflicts arising from employment contracts. In practice, negotiation between union and management is a process of meeting demands, discussing, presenting counter demands, bluffing and sometimes threatening all in a bid to reach collective agreement which involves collective approach to managing conflict by getting all parties involved. It was also observed that in the Nigeria context today, the faster rates of adoption of collective bargaining strategies have been encouraged even by the positive use of machinery for resolving conflict in some multination firms in the country has been adopted by the Nigeria Trade Union Amendment Act 2000.

### **iii. Integrative approach**

Integrative approach is often employed to inspire management to fulfill the needs of stakeholders in resolving conflict. Consequently, conflict management Integrative is a greatly disruptive process which can be affected in a number of separate ways in the organizations. Ford (2007) suggested a four-way process which includes assessment and inquiry, design, implementation and evaluation aimed at attaining valuable and objective conflict decision in the workplace. The use of integrative style of managing conflict is likely to create higher commitment in individuals and better result for the organization than teams using non-integrative conflict management. The integrative approach increases the understanding of how to resolve problem and increases resolution.

## **3.4 NEGOTIATION SKILLS**

Negotiation is an important skill for coming to an agreement when conflicts develop at work and in an organisation. Negotiation is the process whereby parties seek to settle or resolve their conflicts and the following negotiating methods listed below should be consider:

### **1. Separate People From the Problem.**

When negotiating, remember you are dealing with people who have their own unique needs, emotions and perceptions. Some conflicts are based on differences in thinking and perceptions. These conflicts may exist mainly in peoples' minds. It helps for each party to put themselves into the other's shoes so they can understand each other's point of view Identify and openly discuss differences in perceptions, being careful not to place blame. In addition, recognize and understand the other side's emotions as well as your own.

### **2. Focus on Interests, Not Positions.**

Focusing on interests, rather than positions, makes it possible to come up with better agreements. Even when people stand on opposite positions, they usually have a few shared interests. It takes time and effort to identify interests. Groups may not even be clear about their own interests. It helps to write down each group's interests as they are discovered. It helps to ask why others take the positions or make the decisions they do.

Partners will have multiple interests. Interests involving important human needs (such as security, economic well-being, a sense of belonging, recognition and control over one's life) are difficult to negotiate.

### **3. Develop Optional Solutions.**

When developing optional solutions that meet the interests of all sides, it is advisable to meet as many of each side's interests as possible. Start by inviting all sides to brainstorm ideas (before reaching a decision). Brainstorming is discussed in the Leading and Communicating guide. Some obstacles to developing innovative options are:

- i. Judging and rejecting prematurely
- ii. Searching for a single best answer
- iii. Putting limits on scope or vision
- iv. Considering only your own interests

To overcome these obstacles, view the situation through the eyes of different partners. Focus on shared interests to make the process smoother for all involved. Look for meaningful opportunities, not simple solutions.

### **4. Developing Objective Criteria.**

When developing criteria for selecting or combining possible alternatives, it is advisable to revisit the conflicting interests. These can't be ignored or "wished" away. Instead discuss them as you begin developing criteria for judging alternatives. Also keep in mind principles such as fairness, efficiency and scientific merit.

Strive for criteria that are legitimate, practical and unbiased. You may also find it helps to explore the criteria used in making past decisions and discuss criteria with your partners or outside experts.

## **3.5 COMMUNICATION AND CONFLICT MANAGEMENT**

When people are upset, the words they use rarely convey the issues and needs at the heart of the problem. When we listen for what is felt as well as said, we connect more deeply to our own needs and emotions, and to those of other people. Listening in this way also strengthens us, informs us, and makes it easier for others to hear us.

Research has shown that team satisfaction correlates with a collaborative method of solving conflicts (Liu, Magjuka, & Lee, 2008) and poor communication is usually the cause of conflicts (Johnson, 2004).

We must always remember that when we communicate, it is usually:

- 7% VERBAL: What you said (the message itself)
- 38% VOCAL: How you said it (the intonation, projection and resonance of the voice)
- 55% VISUAL: body language / non verbal

The percentages above shows how much, and more importantly, what people remember after you have spoken

### **WHY IS COMMUNICATION SO IMPORTANT?**

Misunderstandings and conflict have existed since time began. As individuals it is critical that our communication is clear and effective if we are indeed hoping to provide a ministry. We need to recognize that while sin continues on earth, conflict is inevitable. Communication

This refers to the way we interact with fellow humans, the way we get our message across. We communicate with our eyes, faces and bodies as well as our words and voices. Sometimes poor communication is the cause of feuds and fights. Good communication and the ability to manage conflict effectively is a skill—one that all of us can learn. The ability to interact successfully and get along with people is a critical ingredient to excellence in people skills.

### **Section (3)**

#### **Outline**

**\*Trade union**

**\*Characteristics of trade union**

**\*The need, nature, purpose and functions of trade union**

### **TRADE UNION**



The trade union is an association, either of employees or employers or of independent workers. It is a relatively permanent combination of workers and is not temporary or casual. It is an association of workers engaged in securing economic benefits for its members.

A trade union is any combination of persons, whether temporary or permanent, primarily for the purpose of regulating the relations between workers and employers, or between workers and workers and for imposing restrictive conditions on the conduct on the conduct of any trade or business, and includes the federation of two or more trade unions.

Sydney and Beatrice Web have defined Trade Union as a —Continuous association of wage earners for the purpose of maintaining or improving the conditions of their working lives.

G.D.H. Cole defines Trade Union as an association of workers in one or more occupations – an association carried on mainly for the purpose of protecting and advancing the member’s economic interests in connection with their daily work.

Laster defines Trade Union as an association of employees designed primarily to maintain or improve the condition of employment of its members.

According to Cunnison, Trade Union is a monopolistic combination of wage earners who stand to the employers in a relation of dependence for the sale of their labour and even for the production, and that the general purpose of the association in view of that dependence is to strengthen their power to bargain with the employers.

### **4.3.1 CHARACTERISTICS OF A TRADE UNION**

#### **1. Association of employees**

A trade union is essentially an association of employees belonging to a particular class of employment, profession, trade or industry. For example, there are unions for teachers, doctors, film, artistes, weavers, mine workers and so on.

#### **2. Voluntary Association**

An employee joins the trade union out of his free will. A person cannot be compelled to join a union.

#### **3. Permanent Body**

A trade union is usually a permanent body. Members may come and go but the trade union remains.

#### **4. Common Interest**

The member of a trade union have certain matters of common interest-job security, better pay and working conditions and so on, which bring them together.

#### **5. Collective Action:**

Even when an individual employee has any grievance over certain management decisions, the matter is sorted out by the intervention of the trade union Employees are able to initiate collective action to solve any problem concerning any particular employee or all the employees.

#### **6) Rapport with the Management:**

The trade union seeks to improve relations between the employees and employers. The officials of the trade union hold talks with the members of the management concerning the problems of the employees in order to find an amicable solution. It is thus possible for the employees to have better rapport with the management.

### **4.3.2 NEEDS FOR TRADE UNION**

Workers join trade unions to achieve certain objectives that they may not be able to achieve in their personal capacity. Trade unions are necessary.

## **1. To ensure job security and right pay for the members**

One of the basic needs of any employee is security of service. The main reason why an employee joins a union is to get him secured. Apart from job security and employees need to get pay commensurate with their qualifications and skills. Trade unions strive to get both job security and correct pay for all employees.

## **2. To ventilate the grievances of employees to the management:**

When the employees in general or some in particular have any grievance, they may not be able to convey the same to the management in their personal capacity. Such grievances may be brought to the knowledge of the management through the trade union. The members of the management may be indifferent to the demands of the individual employees but they cannot be so when it comes to union demands.

### **4.4 Nature and Scope of a Trade Union**

The employer's association or professional bodies were not included in any of the above definitions. The employee's unions are different from that of the employers or professional bodies. The employee's unions are primarily concerned with the terms and conditions of employment of their members. The employer's associations on the other hand are concerned among other things with influencing the terms of purchase of services in favour of their members. Hence, the two should not be placed in one category. The associations of professional members also differ fundamentally from employees unions.

Professional associations include self-employed as well as the employees whereas trade unions consist only of the people who are employed by others. In Nigeria, the term Trade Union refers besides employee's organizations to employers association also. Similarly in Britain, even the associations of professional people such as Artists Federation or Musicians Unions are also recognized as Trade Unions.

Thus trade unions are a major component of the modern industrial relation system. A trade union of workers is an organization formed by workers to protect their interests. i.e. improve their working conditions etc. All trade unions have objectives or goals to achieve, which are contained in their constitution and each has its own strategy to reach those goals. Trade Unions are now

considered a sub-system which seeks to serve the specific sub-groups interest and also considers itself a part of the organization, in terms of the latter's viability and contribution to the growth of the community of which it is a part.

#### **4.5 PURPOSE OF TRADE UNION**

Trade Union came into being for a variety of purposes. Individual workers found it more advantageous to band together and seek to establish their terms and conditions of employments. They realized that if they bargained as individuals, the employer would have a better leverage, for an individual would not matter as much as a group in terms of the running of the enterprise. A group's contribution is much larger than an individual's so are the effects of its withdrawal. An individual may not be able to organize and defend his interests as well as a group can. Therefore workers saw the advantages of organizing themselves into groups to improve their terms and conditions of employment. Employers also found it advantageous to deal with a group or a representative of a group rather than go through the process of dealing with each individual over a length of time.

With the changed political, social and equational environment in terms of awareness of rights the right to organize, the right to bargain and settle terms and conditions of employment – labour or worker unions sprang up in order to protect and further worker in acquiring a foot hold in the labour movement also provided the impetus for the formation of labour unions.

Precisely, the major objectives of trade union are the following:

1. Better wages
2. Better working conditions
3. Protection against exploitation
4. Protection against victimization
5. Provide welfare measures
6. Promote industrial peace
7. Take up Collective Bargaining

8. Look after the interest of trade

#### **4.5.1 Functions of Trade Unions in Nigeria**

The primary function of a trade union is to protect and promote the interests of the workers and the conditions of their employment. They can also have other objectives, which are not inconsistent with this primary purpose or opposed to any law. In Nigeria, trade unions generally undertake the following functions:

- (i) To achieve higher wages and better working and living conditions for the members.
- (ii) To acquire control over running of the industry by workers.
- (iii) To minimize the helplessness of the individual workers by making them stand-up unitedly and increasing their resistance power through collective bargaining; protecting the members against victimization and injustice by employers.
- (iv) To raise the status of the workers as partners in industry and citizens of society by demanding an increasing share for them in the management of industrial enterprises.
- (v) To generate self-confidence among the workers.
- (vi) To encourage sincerity and discipline among workers.
- (vii) To take up welfare measures for improving the morale of the workers.
- viii) To safeguard the security of tenure and improve conditions of service.
- (ix) To enlarge opportunities for promotion and training.
- (x) To improve working and living conditions.
- (xi) To promote identity of interests of the workers with their industry.
- (xii) To offer responsive cooperation in improving levels of production and productivity, discipline and high standards of quality.

## Section (4):

### ❖ Collective Bargaining

### ❖ Nigerian Labour laws

#### 5.1 Definitions of Collective Bargaining

Collective Bargaining is a process in which representatives of two groups (employers and employees) meet and try to negotiate an agreement which specifies the nature of future relationship (pertaining to employment) between the two.

According to Beach, Collective Bargaining is concerned with the relations between unions representing employees and employers (or their representatives). It involves the process of union organization of employees;

negotiation, administration and interpretation of collective agreements covering wages, hours of work and other conditions of employment; engaging in concerted economic action; and dispute settlement procedures.

According to Dale Yoder, Collective Bargaining is the term used to describe a situation in which the essential conditions of employment are determined by bargaining process undertaken by representatives of a group of workers on the one hand and of one or more employers on the other.

In the words of Flippo, Collective Bargaining is a process in which the representatives of a labour organization and the representatives of business organization meet and attempt to negotiate a contract or agreement, which specifies the nature of employee employer-union relationship.

#### 5.2 Features of Collective Bargaining

The essential features of collective bargaining are as follows:

**(i) It is joint or collective process.** The representatives of both the management and the employees participate in it.

**(ii) It is a continuous process.** It establishes regular and stable relationship between the parties involved. It involves not only the negotiation of the contract, but also the administration of contract, but also the administration of contract. When we say that collective bargain includes the administration or application of the contract also, it means that bargaining is a day-to-day process.

In this context, Summer Slitcher has rightly observed, —It would be a mistake to assume that collective bargaining begins and ends with the writing of the contract. Actually that is only the beginning of collective bargaining.

**(iii) It is a dynamic process.** The parties have to adopt a flexible attitude throughout the process of bargaining.

(iv) It is a form of industrial democracy.

(v) It is an adjustment formula based on give and take approach of both sides.

(vi) It is an attempt to achieve and maintain discipline in industry

### **5.3 Importance of Collective Bargaining**

Collective Bargaining not only includes negotiation, administration and enforcement of the written contracts between the employees and the employers, but also includes the process of resolving labour-management conflicts. Thus, collective bargaining is a legally and socially sanctioned way of regulating in the public interest the forces of power and influence inherent in organized labour and management groups.

Importance of Employees

#### **A) Collective Bargaining helps the employees:**

(i) To develop a sense of self-respect and responsibility among the employees.

(ii) To increase the strength of the workers. Their bargaining capacity as a group increases.

(iii) To increase the morale and productivity of employees.

(iv) To restrict management's freedom for arbitrary action against the employees. Unilateral actions by the management are discouraged.

(v) To strengthen the trade union movement.

#### **B) Importance to Employers**

(i) The workers feel motivated as they can talk to the employers on various matters and bargain for higher benefits. As a result, their productivity increases.

(ii) It is easier for the management to resolve issues at the bargaining table rather than taking up complaints of employees individually.

(iii) Collective bargaining promotes a sense of job security among the employees and thereby tends to reduce cost of labour turnover to management, employees as well as the society at large.

(iv) Collective bargaining opens up the channels of communications between the top and bottom levels of organization which may be difficult otherwise.

### **C) Importance to society**

Collective Bargaining helps the society:

(i) To attain industrial peace in the country.

(ii) To establish a harmonious industrial climate which supports the pace of a nation's efforts towards economic and social development since the obstacles to such development can be largely eliminated or reduced. As a vehicle of industrial peace or harmony, collective bargaining has no equal.

(iii) To extend the democratic principle from the political to the industrial field. It builds up a system of industrial jurisprudence by introducing civil rights in industry and ensures that management is conducted by rules rather than by arbitrary decisions.

(iv) To check the exploitation of workers by the management.

(v) To distribute equitably the benefits derived from industry among all the participants including the employees, the unions, the management, the customers, the suppliers and the public

## **5.4 Nigerian Labour laws**

Labour laws are regulations that mediate the relationship between workers, employer/employers' associations, trade unions, and the government. A basic feature of the labour law is that the rights and obligations of workers are assumed from the contract of employment.

Labour laws have the uniform purpose of protecting employees' rights and setting forth employers' obligations and responsibilities. Other non-core functions are the provision of equal opportunity and pay, employee safety, workplace diversity, and inclusion.



The Nigerian labour laws embody individual and collective labour laws. The individual labour law covers categories of employees, individual contracts of employment, rights and duties, remuneration, work hours, etc. While collective labour law deals with freedom to form or join trade unions, the relationship between trade unions and employer/employers' associations, collective bargaining, industrial actions, etc.

The Nigerian labour laws came to be due to industrial conflicts arising from the inability of employers and employees to have proper dialogues concerning terms and conditions of employment. The government had to take responsibility for curbing the incessant conflicts between workers and management or trade unions and employers or employers' associations.

### **5.5 Sources of Nigerian Labour laws:**

The source of any law refers to 'the fountain of laws defining or reflecting the general outlook of the legal system. Sources of labour laws related to certain ultimate labour principles from which all other labour relations are derived. The sources of Nigerian Labour law are as follows:

**1. The Received English Law:** This comprises of Common Law, Doctrines of Equity and Statutes in force in England on or before January 1, 1960

**2. Nigerian Labour Legislations:** These are various laws made by the Nigeria legislatures. It comprises Decrees, Acts of Parliament, and other Subsidiary Legislations. Examples are the Labour Act, Trade Dispute Act, National Industrial Court Act, the Employees Compensation Act, Trade Union Act, and the Pension Reform Act

**3. Judicial Precedents:** Decisions reached by the established courts form precedents for lower courts to follow. Several decided cases of the Supreme Court and Court of Appeal have binding effects on lower courts that have jurisdiction over labour matters. The National Industrial Court of Nigeria has also held that it will be bound by its previous decision unless such adherence will lead to a miscarriage of justice

**4. International Treaties and Conventions:** Primarily, there are Customary International Laws and International Treaties (Convention) relating to labour and employment. The ILO Declaration of Fundamental Principles and Rights at Work 2000 is a good example.

**5. Collective Agreements:** Collective agreements also regulate industrial and labour relations. A plethora of judicial authorities attest to this principle of collective bargaining

It is important to note that the Ministry of Labour and Productivity is directly responsible for issues relating to labour and employment while the National Industrial Court (NIC) has exclusive jurisdiction in civil and criminal matters connected with labour, employment, trade unions, industrial relations, etc. in Nigeria.

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