Labour Unions and Conflict Management in Nigeria: 
A Case Study of Academic Staff Union of Nigerian Universities (ASUU)

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Abstract: Labour activities in Nigeria have been a thing of concern to people of Nigeria. The activities date back to the 1960s, with each event attempting to pull down the government in an extreme case. This paper deals with Labour Unions and conflict management in Nigeria: A Case Study of Academic Staff Union of Universities (ASUU). The work employed content analysis and survey as research design. ASUU was chosen as a case study because of the damaging effects ASUU strikes have had in the educational sector of this nation. This research work discovered that ASUU, in each of their activities, tried to pull down the government in order to ensure that the rights of their colleagues whom they represent are not trampled upon or denied by the government. This research work also discovered that they used meetings, dialogue and consultations, including lobbying to ensure that their demands are met. Another method applied in settling disputes was the use of “collective bargaining” which serves as a vital tool between government and labour. Recommendations and conclusions were drawn.

Key words: Trade union • ASUU • Labour • Conflict and Nigeria

INTRODUCTION

Labour/Trade Unions: There exist several definitions of the term “Labour” or “Trade Union”. Labour Union could be defined as an organization of workers formed to protect the rights and interests of its members’. It could also be defined as an organization of workers formed for the purpose of advancing its members; interests in respect to wages, benefits and working conditions. What the definitions imply is that a labour or trade union is an organization of workers who have come together to achieve common goals such as protecting the integrity of its trade, achieving higher pay and benefits, as well as good working conditions through collective bargaining. That means that they negotiate their pay and benefits and working conditions with the employer as a group, not as individuals [1].

Other issues being addressed by the Union in the interest of the members include health care and retirement, increasing the number of employees an employer assigns to complete the work, safety standards and better working conditions. The trade union, through its leadership, bargains with the employer on behalf of the union members (rank and file members), and negotiates labour contracts (collective bargaining) with employers. The most common purpose of these unions is “maintaining or improving the conditions of their employment”. This may include the negotiation of wages, work rules, complaint procedures, rules governing hiring, firing and promotion of workers, benefits, work place safety and policies. The agreements negotiated by a union are binding on the rank and file members and the employer, and in some cases, on other non-member workers [2, 3 and 4]. Trade/labour union traditionally have a constitution which details the governance of their bargaining unit and also have governance at various levels of government, depending on the industry that binds them legally to their negotiations and functioning. Finally, trade unions may be composed of individual workers, professionals, past workers, students, apprentices and/or the unemployed.

Statement of the Problem: Industrial disputes in Nigeria arise as a result of disagreements between Labour and government. In each case, no matter which party is right or wrong, there has always been a damaging effect to the people with regard to their needs, ideas, beliefs, goals or values. As the disputes continued to occur often, it
becomes pertinent that conflict management strategies need to be applied. In the case of Academic Staff Union of Universities, the rate at which the union declares strike seems to be frequent. A problem arises when government and ASUU fail to come to a compromise, making the educational sector of this nation to be at a stand-still.

**Objectives of the Study:** The followings form the objectives of this study:

- To identify the activities of Labour Unions in Nigeria, with the Academic Staff of Universities (ASUU) as a case study.
- To find out how the activities of Labour Union, especially ASUU, positively or negatively affect Nigeria.
- To proffer solutions on how Labour Unions and government can resolve industrial disputes in the country.

The word conflict may be defined as a struggle or contest between people with opposing needs, ideas, benefits, values or goals. Conflict between unions and government is inevitable. However, the results of conflicts are not predetermined. Conflicts may escalate and lead to non-productive results. Therefore, learning to manage conflict is integral to a high performance. Although very few people go looking for conflict, more often than not, conflict results because of miscommunication between people with regards to their needs, ideas, beliefs, goals or values. Conflict management has the principle that all conflicts cannot necessarily be resolved, but learning how to manage conflict can decrease the odds of nonproductive escalation. Conflict management involves acquiring skills related to conflict resolution, self-awareness about conflict modes, conflict communication skills, and establishing a structure for management of conflict in our environments [5, 6, 7, and 8].

**Industrial Dispute:** Like conflict, industrial disputes are disorders or unrest arising between workers and employers on any ground [9]. Such disputes finally result in strikes, lock-out and mass refusal of employers to work in the organization until the dispute is resolved. According to the Industrial Dispute Act – 1947, an industrial dispute is any dispute or difference between the employer and the employees, or between the employer and the workmen, or between workmen and workmen which is concerned with the employment or terms of employment, or with the conditions of labour of any person. From the fore-going therefore, it could be concluded that industrial disputes harm both parties, employees and employers, and are always against the interest of both the employees and the employers which may relate with the employment or the terms of employment or working conditions. For a dispute or conflict to become an industrial dispute, there must be a dispute between:

- Employers and Employees
- Employers and Workmen
- Workmen and Workmen

**Collective Bargaining:** [8], defined collective bargaining as machinery for discussion and negotiation, whether formal or informal, between employers and workers’ representatives, aimed at reaching mutual agreement or understanding on the employers and the workers. According to [9], collective bargaining implies the right, not only to disagree, but to express such disappointment over collective bargaining which refers to the joint negotiation of terms of employment of their representatives which is the life blood of trade union that constitute joint consultation that called for the forum for discussing issues of mutual interest between the workers and the employers. To establish the principle of collective bargaining as the basis of relationship between the employer and the employees require a strong and well organized trade union movement which involves the various levels of organizations, industries and national levels (including the Nigerian Labour Congress – NLC). In accordance with the Article 2 of the International Labour Organization (ILO), Convention No. 154, the principle of collective bargaining is the process of determining conditions or terms of employment regulating relations between employer and workers, regulating between the employer or the organization and workers’ organizations. The Federal Ministry of Employment, Labour and Productivity see the concept of bargaining as a negotiation about working conditions and terms of employment between an employer, a group of employers, or one or more employer, and one or more representatives of the workers in organization with a view to reaching agreement. Collective bargaining, on the other hand, is a machinery for discussion and negotiation, whether formal or informal, between employers and worker(s), and worker(s) and workers’ representatives aimed at reaching mutual agreement, or understanding on the general employment relationship between the employer(s) and the
workers. The conclusion and agreement are necessary determinants of collective bargaining, thus the Labour Act of 1974 defines it as the process of arriving at, or attempting to arrive at a collective agreement.

**Conditions for Effective Collective Bargaining:** [3], in his assertion, stated that the following are pre-requisites in any collective bargaining and so reflect the conditions for effective collective bargaining:

- The parties must attain a sufficient degree of organization.
- They must possess the necessary skills to manage the intricacies of bargaining process.
- They must be ready to enter into agreement with each other within the framework of machinery that established the purpose.
- Collective bargaining concluded must be observed by those to whom they apply.
- Deadlock should be recognized as an indication of failure on both sides.

**Labour Unions in Nigeria:** There are four major classifications/types of Trade Unions in Nigeria. They are:

- Craft Unions – This union represents workers with a particular skill.
- Industrial Unions -This union represents all workers in industries with different skills.
- General Union - This union represents workers with different skills.
- White collar Unions –This Union represents special skills like engineers and allied workers.

**Conflict Management Strategies:** Generally speaking, conflict management is all about collective bargaining. As earlier stated, collective bargaining is machinery for discussion and negotiation, whether formal or informal, between employers and the workers’ representatives, aimed at reaching mutual agreement or understanding. What this implies is that a managing conflict, the major strategy to apply is discussions and/or negotiation. Such discussions and negotiations can better be achieved in a formal meeting where the employer or employer’s representatives and the workers’ representatives (labour union) will sit down and dialogue. This presupposes that in every conflict management, meetings of the stakeholders are very necessary. During the ASUU and other labour strikes in Nigeria, this strategy was greatly applied by government in resolving the impasse. Several meetings were called in different occasions where the issues at stake were dialogue by both parties to find a solution.

Another important strategy used in managing conflict in Nigeria is the intervention of different individuals/or groups. Such individuals like the former Heads of State/Presidents, the Vice-President etc had at different occasions intervened in the ASUU crisis with the Federal Government calling on the Union leaders to consider suspending the strike actions in the interest of the nation. Sometimes, such individuals could even hold private meetings with the union leaders with a view to appealing to them to suspend actions. Other groups such as the traditional rulers, non-governmental organizations (NGO) etc also make an impact in the management of conflicts in Nigeria. They intervene by prevailing on the union leaders to put back their swords. Sometimes, in extreme cases, they hold private meetings with the union leaders and government, offering suggestions as per ways out of the crisis.

Also used by government in conflict management is the issuing of ultimatum to the union leaders and the affected workers to go back to work. This strategy usually is applied by government after a protracted bargaining and in a situation where all avenues necessary to resolve the matter have been exhausted by government and a deadlock is presented. This strategy, though not always the best, is usually applied by government as a last resort. For instance in the last ASUU strike, government, at a point was compelled to apply the strategy when it felt it has exhausted all avenues to resolving the crisis, and had to order the university lecturers back to classes or risk losing their jobs. However, that ultimatum or order could not work out for government as the university lecturers stood their ground and insisted on their demand until government had to show serious commitment in their agreement before they finally called off the strike.

**The Academic Staff Union of Universities (ASUU):**

**Brief History/Activities:** The Academic Staff Union of Universities (ASUU) is a Nigerian Union of University Academic Staff formed in 1978 with a history of militant actions. The ASUU was formed in 1978 being a successor to the Nigerian Association of University Teachers, formed in 1965 and covering academic staff in all of the Federal and State Universities in the country. The union was active in struggle against the military regimes during
the 1980(s). In 1988, the union organized a national strike to obtain fair wages and university autonomy. As a result, the ASUU was proscribed on 7th August, 1988, and all its property seized. However, it was allowed to resume in 1990, but after another strike, was again banned on 23 August, 1992. However, an agreement was reached on 3rd September, 1992 that met several of the union’s demands, including the right of workers to collective bargaining. The ASUU organized further strikes in 1994 and 1996, protesting against the dismissal of staff by Sani Abacha’s military regime.

ASUU During the Fourth Republic: After the return to democracy in 1999, with the Nigerian Fourth Republic, the union continued to be militant in demanding the rights of university workers against opposition by the government of former President Olusegun Obasanjo. According to [4] (the then National President of the Union), ASUU petitioned Justice Mustapha Akanbi of the Independent corrupt Practices Commission (ICPC) to investigate the authority of the University of Ilorin for financial mismanagement and corruption. In 2007, the ASUU went on strike for three months. In May 2008, it held one-week “warning strike” to press a range of demands, including an improved salary scheme and reinstatement of 49 lecturers who were dismissed many years earlier. In June 2009, ASUU ordered its members in federal and state universities nation-wide to proceed on an indefinite strike over disagreements with the federal government on an agreement it reached with the union about two and a half years earlier. After three months of strike, in October 2009, the union and other staff unions signed a memorandum of understanding with the government, and thereafter, called off the industrial action. The most current ASUU strike commenced on 1st of July, 2013 and lasted for six months. Perhaps, this may be seen as the longest strike in the history of Labour movement in Nigeria. Claims made by ASUU in regard to the strike are centered largely on government, one cannot, but say, that the union has been able to ensure that government observes strict compliance to the principle of collective bargaining in labour related matters between the government and the workers.

Consequences of ASUU Strikes: Various ASUU strikes may have come and gone, but the effects on the economy and all the stakeholders in the education sector will linger on for a very long time. Economically speaking, many business activities within and around the nation universities were left paralyzed during the periods of

Impact of ASUU Strikes on Labour Relations in Nigeria: According to [9], the strike by the ASUU was the labour headline for 2013 in Nigeria. He stated that though some may feel aggrieved about how long it took, but in the long run, it is actually what the universities in the country needed to be able to build capacity for our manpower development. They have also demonstrated that they can do anything legally possible to defend whatever agreement reached with their employers (government). There is a general consensus that something needs to be done about the state of our universities. The relationship between the union and the government would not be affected due to the fact that their goals are similar, i.e. an educational system that we can all be proud of.

Again, ASUU’s struggle is about the sanctity of collective bargaining. It should be recalled that Nigeria ratified the convention 98 of the International Labour Organization (ILO); tripartism and the principle of collective bargaining and once earned, the international organization’s respect during former President Obasanjo’s tenure when his government negotiated and implemented a new national minimum wage with the Nigerian Labour Congress under the leadership of Adams Oshiomhole (now Governor of Edo State), as the NLC President, told journalists that the N5000 national minimum wage announced by Obasanjo “was what we agreed”. The ASUU’s struggle therefore was to maintain, among other things, the sanctity of collective bargaining which is a vital instrument in addressing labour issues. In view of the achievements of ASUU in labour-related matters with government, one cannot, but say, that the union has been able to ensure that government observes strict compliance to the principle of collective bargaining in labour related matters between the government and the workers.
strike, thus aggravating the already saturated labour market. According to [7], “the strike will not only affect the students and the lecturers, but also the country’s economy, in the long run. The man hours lost these periods would have to be paid for. Considering the duration of the strike, the total sum in salary for the lecturers may run into billions of naira”.

Most of the problems Nigeria is currently facing would have been better solved if the issues are properly addressed and the priorities set right. The academic calendar of the students has already been disrupted. This will mean the adjustment of their time table and a delay in their year of graduation. What this means is that while the dreams of many students in their final year has invariably been put on hold, the delay in the university academic calendar will also increase the competition among candidates willing to gain admission into the universities. These factors will also cause an increase in the number of fresh graduates in the labour market at the end of each academic year.

According to [5], “the impact of the regular strike actions embarked upon by ASUU will be mostly felt, not only in the quality of graduates being turned out by the country’s public universities, but also by the labour market and employers of labour”. The country has a “greedy and rapidly impatient employment system”. Skill labour is the most important component of rapid economic growth and development at the heart of East Asian Success stories, which was made possible by massive educational investments of these countries over the years. Thus, there is a direct connection between economic development and educational growth. The monetary loss of any working day to the ASUU strike is huge as it runs into billions of naira, both in terms of salaries and wages, as well as lost productivity.

Despite the poor research and innovation capability of our present set of universities, incessant strike will continue to jeopardize the little research they are undertaking. This kind of research and development activities that can put Nigeria in the league of developed nations cannot take place in a disruptive environment like the one we are currently witnessing in our universities. It is therefore clear that the ASUU strikes have definitely caused negative effect on our industries, and from there, our gross domestic products.

Another consequence of ASUU strike is the impact it has on the parties involved. At the end of each strike action by ASUU, it is obvious that many people must have felt relieved of the tensions created by the industrial action which usually paralyzed the education sector. The public university students are usually classified as half-baked, and are thus told by government to be entrepreneurial in their outlook, after years of strike have sapped their productive sharpness. Some of them start getting pregnant as a result of long term ASUU strike; others get on to uninspiring schemes, to keep body and soul together, all in the name of ASUU strike. The spillover becomes a burden of government especially against the backdrop of the fact that we are a “youthful” nation.

Another negative result of ASUU strike is the production of more thugs to help the opposition/politicians in their fight to seize power from the incumbent government. The students becomes a ready-made cheap market for hire of thugs for their political ambitions. Speaking in one of the conferences organized by the federal government, Dr. Oby Ezekwesili, former Minister of Education, stated that “youth must know that his competitor is not his local youth, but that you outside there who is a citizen of the world”. There is an international sphere that does not recognize strike as an excuse for failures. In the western world, a 22 year old young man is already applying for his masters, and by 24, he is writing his Ph.D thesis. That is not the reality in this part of the world, and when you even find such, the ratio is not substantial, considering the human resources at our disposal.

The female students are not also left out as many of them have given themselves to prostitution. There have been various reports of female students of universities who have resorted to prostitution during strike, since the strike left the universities almost empty. These girls will usually earn their living by offering sex to various men. From the above discussions therefore, one could say that looking at it from economic or moral angle, it is clear that the ASUU strike actions have left Nigeria and Nigerians bleeding.

Recommendations: Having exhaustively discussed the issue of Labour Unions and Conflict Management in Nigeria: A Case Study of ASUU, the researcher puts forward the following recommendations:

It is necessary that government must respect whatever agreement signed with the labour after each negotiation. This will mean that whatever decision taken by government and labour on any conflict matter should be regarded as ended. This will no doubt create confidence among labour leaders, and consequently generate respect for government.
Second, government has to ensure that knowledgeable people are sent to represent it in every meeting with labour. A situation where government feels it was short-changed in a meeting with the labour is unacceptable.

Third, the union should also continue to give ample time in issuing of ultimatum to government about intending strike, bearing in mind that the whole thing is all about “lets talk before something happens”.

Again, and equally very important is that the laws of the land must be respected, irrespective of how uncomfortable it may be to our reasoning. Failure to do so will only result in chaos, which will do both parties no favours. The Ministry of Labour should be given powers to ensure that best labour friendly practices are encouraged. If any one is found wanting, appropriate sanction should be meted out. This ministry deserves not only to bark, but also to bite.

Another step that will help to improve the relationship is for both labour centres and NECA to draw up a plan or rules of engagement. This will be a foundation for having a clearing house for all labour related issues before it escalates. Finally, for Nigerian universities’ certificates to be worth the paper on which they are written, government, lecturers and even parents should live up to their roles. It is true that the strike is over for now, but ASUU no doubt needs to do some internal cleansing.

CONCLUSION

From the foregoing findings, one could make out that the labour union activities in Nigeria, with particular reference to ASUU strikes, had been a very heated one. In some cases, it entails long period of bargaining and dialogue, running into months to resolve, as was the case in the last ASUU strike. In other cases, it could even lead to public demonstrations/riots, as well as destruction of lives and property, as in the case of NLC strike against the increase in prices of petroleum products by the Federal Government of Nigeria in January, 2011. Private employers who are anti-union occasionally victimizes or intimidates their union leaders who show displeasure with the ways their welfare are being handled by their employers, instead of applying the principle of collective bargaining. All these fights generally do not do the parties involved and indeed the entire nation any good. Therefore, it becomes imperative that a way forward in government-labour relations should be sort, to avoid constant strikes by ASUU and other labour unions in Nigeria.

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