



Public Perception on Labour Reforms in Minna -Niger State

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Abstract

This Study examines the perception of public on labour reforms in Minna Niger State. Nine labour unions were surveyed using structured questionnaire and in-depth interview. And a sample size of 339 responses was analyzed using Yamane statistical formula, in which the respondents were randomly selected. Descriptive statistics was used to analyze the data. Out of 397 questionnaires that were administered to public servants in minna, 339 were returned and analyzed. The research findings revealed that, the reform has impact on Niger State public sector, the labour reform is effective however, the problem of poor policy implementation affects service delivery, lack of adherence to the existing labour reform and compliance to international treaties by the government has a negative effect on service delivery in Niger State. Therefore, the study concludes that, the need for a review of the existing labour reform to meet the present socio-economic development of the State. The study recommends the inclusion of organized labour unions in formulating policy, periodic review in remuneration and other welfare packages should be initiated without waiting for the workers to agitate for them.

Keywords: Labour, Reform, Public Sector and perception.

JEL Codes: E13

1. Introduction

Labour reforms are part of the economic reforms that a nation could embark upon. In Nigeria, the democratic experience which passed through a transition period as well as consolidation phase brought the need for the government to initiate labour reforms. Such reforms were among other things, meant to correct certain lapses in the existing labour policies, improve upon the same aspects of the labour legislations on the gains attained in the labour policy over the years (Yusuf and Abdulbaqi, 2012).

Consequently, reactions to socio-economic crises constitute a foundation for reforms worldwide. The ultimate aim of reforms is to redefine the role of the state in the economy (Henisz, Zelner and Guillen, 2005). Different reforms have been implemented in Nigeria although the country is yet to make appreciable progress in the management of industrial conflicts.

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In light of these reforms, the Nigerian Labour Congress (NLC) contested several policies including deregulation and withdrawal of petroleum subsidies that have resulted in inflation and erosion of social welfare (Komolafe, 2007). The NLC successfully organised five general strikes between 2000 and 2013(Niger State NLC, 2018). Strikes remain the key element of industrial conflicts in Nigeria. Labour reform refers to amendments of aspects of the labour law. The Nigeria labour law consist of different Acts, such as Trade Disputes Act and the Trade Union Act. A typical model of labour reform is the 2005 Trade Union Act, which includes new orders. For instance, in the 2005 Trade Union Act, the Nigerian government ordered that in collective bargaining all registered trade unions must

constitute an electoral college to elect members who will represent them in negotiations. Thus, the Nigerian government has amended the most important step in the collective bargaining procedures, that is, the statutory recognition of trade union as a bargaining agent for the employees within the bargaining unit in relation to terms and conditions of employment. The 2005 Act seeks to promote industrial democracy and collective bargaining as crucial mechanisms in the determination of wages and other terms and conditions of employment in compliance with the International Labour Organization requirements (ILO, 2006).

This study seeks to improve and make the public perception on labour reforms towards agitating for more effective and efficient labour sector reform in Niger State. Since the study will bring to light any flaws in the labour reforms and its implementation in Niger State. The study will add to relevant literature and used by policy makers in decision-making and policy formulation.

Policies

This and strategies that deliver public services have an overriding goal of improving the well-being of the people by providing the basic needs of life (Okojie, 2009).

Given that majority of the papers reviewed are either centered on the effectiveness or implementation of labour reforms, this study is set to investigate public perception on labour reforms in Niger state with focus on its effects on public service.

2. Literature Review and theoretical framework

Labour reform refers to amendments of aspects of the labour law. The Nigeria labour law includes different Acts, Trade Disputes Act and the Trade Union Act. A typical model of labour reform is the 2005 Trade Union Act, which includes new orders. For instance, in the 2005 Trade Union Act, the Nigerian government ordered that in collective bargaining all registered trade unions must constitute an electoral college to elect members who will represent them in negotiations.

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the components of the labour law requires major and detailed review, and thus singling out the Trade Union Act for patchy amendment is inadequate.

Labour Reforms emanate from the emergence of an ideology known as neoliberalism, which first gained acceptance in Chile and Britain in the 1970s. This ideology stipulates the need for reduction in the role of the state in the economy for promotion of entrepreneurship, investment, and socio-economic development through reductions in subsidies, tax reform, tax cuts and stabilization of money supply, free flow of trade and other market-oriented reforms (Henisz, Zelner and Guillen, 2005). These processes provide a background for the analysis of the Nigerian model of neoliberal reforms, which promote mismanagement of industrial conflicts. Dozens of countries adopted elements of market-oriented reform between 1980 and 1999. Harrowing experience of market failure in East Asia and economic doldrums in Latin America and the Community of Independent States (CIS) were adduced to political economy of reforms in the regions. It is apparent that politics of regulation and lack of transparency make reforms produce undesirable results.

Nigeria is among the countries with poor records of socio-economic development, despite various reforms. As reported by the World Bank (1998), the Nigerian industries remain underdeveloped despite implementation of reforms. Civil servants generally received low pay and benefits. Moreover, a weak incentive structure in the civil service, which did not foster good performance, resulted in a weak work ethic and poor service delivery by many government ministries, often characterized by hidden or outright corrupt behaviour on the part of many civil servants. Reforms were therefore needed to re-professionalize the civil service and increase its focus on service delivery (Okonjo-Iweala and Osafo-Kwaako, 2007).

Empirical Review

According to Yusuf and Abdulbaqi, (2012) in their study, "Democratization and Labour Reforms in Nigeria," assert that continuous marginalization of the labour force in the formulation and implementation of policies is a major factor that has made labour reforms an important issue in Nigeria. This situation has affected with grave implication for state labour relation. Nigeria governments and labour have been at loggerheads in the pursuit of

diametrically opposing goals. Evidently, the state reliance on top-bottom approach has proved defective. For example, Nigeria has signed and ratified treaties but lacked the needed capacities and willingness to comply fully with their provisions. The contemporary industrial labour situation in Nigeria can be said to be attributed to internal constraints on the government; such constraints include poor leadership and corruption. They recommended that, the emerging labour party in Nigeria introduce a systematic conflict management training programmes as a top priority in its manifestoes and Fundamentally, all the aspects that contradict the international standards in the Nigeria labour Law should be reversed and replaced with comprehensive social security policies that can facilitate rapid improvement to the reformation of labour in Nigerian economy.

Olanrenwaju, (2005b) in his work, "Ethics and National Rebirth: The role of Professional Association," posits that one of the strongest criticism against the Trade Union (Amendment) Act 2005 is the unilateral approach of Government to its enactment. To him the Amendment presents a mixed grill of opportunities and threats and might have the effect of bringing about an end to 'speculative trade unionism'. There will be now real challenges of forming and growing a trade union. Workers should be able to distinguish strong and vibrant union and identify with such. This could lead to the disappearing of non-vibrant ones and impose strong challenges on union leaders generally. He believed allowing multiple labour centres could create splintering and weaken the entire trade union system. However a high emphasis on networking among unions and their leaders could very well mitigate this. And suggested that, what the labour movement requires is making strategic adjustments.

Duru, (2012) in his study, "New Challenges for Industrial Policy in Nigeria," postulates that Industrial policy can be a powerful tool to promote rapid economic growth and development, however, Nigeria has not been able to make an appreciable progress in industrial development due to policy failure. The different governments since independent have been trying out different approaches based on the dictates of those in power and those who advise them. The result has been policy summersault and inconsistency favoring rent seeking. He ascribed that, Policy failures in Nigeria usually occur at two levels: first, at the level of

formulation, and secondly, at the level of implementation. The first level occurs when a policy at the stage of formulation fails to include optimally, the correct statement of problems and their solutions. Policy failure may also occur when policy makers are influenced by primordial sentiments such as vested interests by internal and external forces. A major flaw in Nigeria's industrial policy is the failure to get inputs from the relevant stakeholders. He recommended that, industrial policy requires more research to tackled how to ensure inclusiveness, how to relate incentives with penalties, how to ensure the accountability of governments, and to evolve the type of institutions and politics that could minimize information problems, and the risks of rent-seeking.

As Orifowomo (2008) rightly observes employers especially in the public sector seldom invoke the no-work no-pay rule, possibly because the employers themselves are usually at fault by their failure to nip a looming strike in the bud. The government as a pacesetter and the largest employer of labour should lead other employers in its policy implementation. The government restructured the trade unions in both the public and private sectors to enhance the effectiveness of collective bargaining process but the government seldom uses the machinery in the public sector in comparison to what obtains in the private sector. This scenario gives the government room for unilateral determination of terms and conditions of employment which is a negation of the "partnership in progress" doctrine outlined in the National Labour Policy.

Adebisi, (2011) in a paper presented at the International Industrial Relations; African Regional Congress held at the University of Lagos, observed that the relationship between labour unions and government in the developing countries is somewhat akin to that of strange bed fellows given the frequency of disagreement between them. The lack of transparency and sincerity in their dealing with each other is the bane of any meaningful relationship between the two parties. According to Yesufu (1962), in Adebisi (2011) "the workers are extremely distrustful of government". While government has gained notoriety for reneging on its promises and statutory obligations based on signed agreements with the labour unions, the union leaders are sometimes guilty of complacency and militancy depending on the situation at hand. The absence of transparency and democracy in some union

organizations as identified by Otobo (2006) in Adebisi (2011) could exacerbate union government relationships. As a consequence, strains in relationship between the two parties, i.e. government and the labour unions, usually lead to constant industrial unrest with severe political and socio-economic repercussions. The paper recommended that, a high degree of openness, accountability, democracy and exemplary leadership will strengthen Government Labour relationship in Nigeria.

Theoretical Frame Work

The researcher anchored the study on Webber's theory of bureaucracy which was propounded by Max Weber on the assumptions the man is naturally lazy to work, yet he is materialistic in his approach. This assumption agrees with Douglas McGregor's theory X of motivation. In effect, Weber believed that man needs uniformity and "order" (Haralambos and Head, 1980) for him to do things right. It was in agreement with the above assertion that Arowolo (2012) posits that bureaucratic ethics are designed to regulate the behavior of employees in a work place. Weber believes that man pursues economic gain selfishly and competes, mostly in an unfair manner (Olatunji, 2013).

Max Weber inferred that man who naturally dislikes work but wants economic reward must be regulated by a set of rules in his work place hence he designed the ideal bureaucracy, suggesting that the use of coercive authority would enhance efficient performance in organizations. He opined that the increasing level of rationalization in the society necessitates legal rational domination. It is designed to accomplish large-scale administrative tasks by coordinating the work of large numbers of persons in a systematic manner, as in the public service (Salawu, 2000).

Weber (1952) argued that the effectiveness of an organization should be based on a system of Legal-rational rules that are impersonal. The above assertion implies that these rules are legally derived from the law of the land, and employees should obey the law and not individuals in the office. That is obeying the law regulating the office and not the office holder. This system of rules sets the standard operational procedure and norms that will be used to regulate the behaviour of the employees in an organization. In Nigeria public service, most employees tend to pay their loyalty to their boss and

not the job which is in most cases guided by primordial sentiment. Another Weber's postulation in his theory is that, the authority in an organization is derived from position of the office holder. Here Max Weber opined that the authority which an employee exercise is restricted to the level of the office such employee occupied.

Max Weber further argued that positions (recruitment, promotion, transfer and even retirement) in an organization should be based on merit – Qualification, competence and performance. Many social critics, scholars and public stakeholders have identified the Nigeria Public Service as not giving a total attention to the above Weber postulation due to the influence of social network, personal contact and connection on the public bureaucracy, "who you know and not what you know" has becomes the other of the day in the Nigeria public service.

Specification of job responsibility is another factor in Weber idea type of bureaucracy. Weber believed that for a successful operation of an organization, there should be division of labour, clarifying job holders' responsibility and expectation. This in essence will help to eliminate conflict and overlapping of duties among employees in an organization.

Max Weber in his theory also posited that an organization should be structured and related hierarchically. Authority can only be exercise effectively if positions are arranged hierarchically so that employees can know whom to report to, and who should report to him in order to avoid conflict. However in the Nigeria public service we see cases where junior staff boycott their immediate senior to relate officially with their top management whom they have primordial relationship with, hence in the Nigeria public service, the syndrome of "oga say" abounds.

The Weber theory has been criticized for not been empirical rather was more of mental constructs and that it was postulated based on his environment without considering the practicability of its ideal type of bureaucracy in other political settings. However its application is still relevant in the life of public service in many political settings like Nigeria. The bureaucratic theory as put by Max Weber has been view as the best mechanism for effective performance in any organization. Weber's ideal was conceived in a society that adhered strictly to the

rule of law, least to say in a democratic society. To him any organization that should be effective in performance must have its structure graded, rules guiding the conduct of the staff, recruitment and promotion of staff based on merit, and staff specialization with proper division of labour.

The Weber's theory is relevant to this study on the ground that bureaucracy is the principle that guides the setting and operation of Nigeria public administration which has been affected by primordial factors in Nigeria.

3. Methodology

The study utilizes a survey research design because of the type of information required. This is because survey research focuses on people, the vital facts of the people and their beliefs, opinions, attitudes, motivations, and behaviours (Adekanye: 1993). This study aimed at ascertaining the perceptions of both the management and Niger State workers on labour reforms and how it affects service delivery with regards to a study of Niger State Public Sector. The study also explored the level of awareness of the impact of labour reforms in Niger State public sector.

Population of the Study

Public Sector, as an institution, is present in each state of the federation. Based on the research objectives, Niger State public sector formed the

Analyses of the distribution of Questionnaire

Questionnaire	Frequency	Percentage (%)
Returned	339	85.46%
Not- Returned	58	15 %
Total	397	100

Source: Field Survey, 2018.

From the above Table, 397 questionnaires were administered representing 100 % of the sample population, of which 339 returned which represent 85.46 % response rate and the remaining 58 with 15 % were not returned. This indicates a favourable response rate that permits reasonable deductions and inferences.

Limitations

This study is limited to the study of public perception of labour reforms in Niger State. It is limited to the study of nine selected labour unions within the State capital and some top government representatives. Although the researcher faces some challenges in the area of non-cooperation of some

target of the study, and as such, forms the population of the study.

The total population of Niger State Public Sector is estimated at about seventy eight thousand nine hundred and forty two (78,942). Thus represents workers in the state ministries and agencies, with a population of twenty eight thousand four hundred and seventy seven (28,477), while that of the Local Government workers stood at fifty thousand four hundred and sixty five (50,465) (Niger State Head of Service, 2018).

Sample size and Sample Techniques

Given that public sector exists in the State and local government, emphasis was placed on both the State and local government public sector. For the purpose of gathering adequate information the researcher therefore, selected nine (9) out of the forty five (45) labour unions for this study with a population of sixty two thousand three hundred and thirteen (62,313) members. And for the purpose of gathering firsthand information for the study the researcher also interviewed the state chairman Nigeria Labour Congress, and Trade Union Congress as well as the Secretary to the State Government and Head of Service. Yamane, (1967) formula was used to determine the sample size for the study.

$$n = \frac{N}{1 + N(e)^2} \quad 3.1$$

respondents and difficulties of having access to the union leaders and top government representative especially the chairman Nigeria labour congress, the chairman trade union congress, Secretary to the State government and the Head of service of Niger State.

Finally the researcher was able to distribute three hundred and ninety seven questionnaires to the respondents and interviewed the two umbrella union leaders and government representative as mentioned earlier.

The study will contribute immensely to the body of knowledge particularly in the area of industrial conflict management and industrial sociology.

4. Data Presentation

From the data gathered on the perception of public servants in Niger state, the result

Analysis of the Data

The table below, is the analysis of the responses from the questionnaires distributed to the respondents

Do you agree that the labour reforms have impact in Niger State	Responses	Percentage (%)
Strongly agree	24	7.1
Agree	242	71.4
Strongly disagree	24	7.1
Disagree	49	14.5
Total	339	100.0
Effective and Efficiency of Labour Reforms in Niger State	Responses	Percentage (%)
Yes	233	69
No	106	31.3
Total	339	100.0
Nigeria labour laws and the International labour standard	Responses	Percentage (%)
Yes	267	78.8
No	72	21.2
Total	339	100.0
Adhere to labour reforms in Niger state	Responses	Percentage (%)
Yes	146	43.1
No	195	56.9
Total	339	100.0
Do you agree with the enactment of the trade union act of 2005 as best for Nigeria industrial relation	Responses	Percentage (%)
Yes	97	28.6
No	247	71.4
Total	339	100.0
Need for new labour reform in Niger State	Responses	Percentage (%)
Yes	40	12.0
No	32	9.2
No response	267	78.8
Total	339	100.0

Source: field survey 2018

shows that majority of the respondents agreed that the reform has impact on conflict management in Niger State public sector for the development of socio-economic activities. It was found out that, the labour reform is effective for conflict management. However, the problem of poor policy implementation affects conflict management in Niger State public sectors. This finding therefore, corroborates Duru (2012) assertion that, *industrial* policy can be a powerful tool to promote rapid economic growth and development. Nigeria has not made an appreciable progress due to policy failure.

The data equally revealed that, lack of adherence to the existing labour reform is the hindrance for

effective resolution of industrial disputes in Niger State public sectors. In a related view, Yusuf and Abdulbaqi (2012) assert that, Nigeria has signed and ratified treaties but lack the needed capacities and willingness to comply fully with their provisions. The situation can be said to be attributed to internal constraints on the government which he include; poor leadership and corruption by the leaders. The result revealed that the reform are not actually bad even though there is the need to review the reform to meet up with the modern socio-economic realities of Nigeria, lack of implementation of the reform is the fundamental problem in Niger State.

On the issue of Trade Act of 2005 the result also shows that, is not the best for industrial peace in Niger State. This also corroborates with the opinions of the union leaders from the interview conducted for the study asserting that, the Trade Act of 2005 was built on the bases of selfish interest by the government, aim at desterilizing the strength and unity of the unions, since they see labour union as an opposition to the policies of the government.

Finally, the analysis of the data shows that, there is a failure in the side of the government and there is the need for both the government and the unions to be proactive and committed to the implementation of the reform and work toward reviewing the reform that will bring the desire socio-economic need of the workers in Niger State. This was equally iterated from the interview conducted with the top management of the government representatives, NLC and TUC leaders.

5. Conclusion and Recommendation

Conclusions

Reform is a necessity for growth and development of any human society. Its imperativeness is born out of the reality that as human society continue to exist, there will always be new hopes and aspiration which the generality of people living in the society would want to attain.

As demonstrated in this study, issues of implementation of the reforms have generated numerous industrial conflicts and the state has been controlling the machineries for conflicts management in Niger State. Furthermore, all the aspects that contradict the international standards in the Nigerian Labour Law should be amended.

Recommendations

1. The government should always include organized labour when drawing up policies that affect the industrial relations system.
2. Government should strictly adhere to the existing labour reform for a more robust public service delivery in Niger State.
3. A comprehensive implementation of the reform should be a fundamental agenda to the government.
4. Periodic review in remuneration and other welfare packages should be initiated without the workers agitating for them.

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