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INFLUENCE OF COLLECTIVE BARGAINING ON INDUSTRIAL CONFLICT IN PUBLIC HEALTH SECTOR LAGOS STATE, NIGERIA

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ABSTRACT: The focus of the paper was on the influence of collective bargaining on industrial conflict using public health sector Lagos state, Nigeria as the unit of analysis. The study identified legal framework for enforcing collective agreement on industrial conflict and relationship between collective bargaining and industrial harmony. A sample size of 252 was obtained through Yamane sample size formula and structured questionnaire was used as the research instrument to elicit information from the respondents. It was found that there exists strong relationship between legal framework for enforcing collective agreement and industrial harmony where r = 0.921. and collective bargaining has significant effect on and industrial harmony ($p \ge 0.05$; t = 0.869). It was concluded that there exists a strong relationship between legal framework for enforcing collective agree of collective bargaining with respect to matters concerning employees' terms and conditions of employment should be regular and to be the first point of call at any time on labour matters.

KEYWORDS: collective bargaining, industrial conflict, public health sector, Lagos State, Nigeria

INTRODUCTION

Work organizations whether it is in the public or private sector of any nation's economy, organisations are predominantly made up of plurality of interest groups with diverse goals and aspirations (Oginni, Olaniyan, Ajibola & Ajakaye, 2021). These different goals and interests are perpetual sources for industrial conflict in work organisations and collective bargaining among other avenues or platforms for regulating and dealing with relational, substantive and procedural issues between labour and management in the work situation provides a process to accommodate

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these divergent interests among all the actors in the world of work (Ekwoba, Ideh & Ojikutu, 2015; Bendix, 2016). Collective bargaining is well pronounced in the public sector of Nigerian economy on account of different industries in the sector and agreement reached becomes a collective agreement without prejudice to any existing legislation and by extension guide the negotiation processes in the private sector of the economy although Imafidon (2016) opined that the machinery and process of collective bargaining are not given firm footing particularly in the Nigerian private sector because of deliberate refusal to honour collective agreements arrived at through the consensual process on the part of National government. However, Fajana and Shadarem, (2012) asserted that collective bargaining has experienced considerable elevation in the public sector when the issues in question falls under procedural issues and policy pronouncements are always favourable unlike when the issues are within the scope or coverage of substantive issues which is less in terms of seriousness and effectiveness in various industrial sectors in Nigeria.

Collective bargaining performs a variety of functions in workplace such as employee relations, settlement of dispute, better work environment, employee's right to negotiate contract salaries and benefits (Abel, 2014). These variety of activities are domiciled in procedural and substantive rules as postulated by Allan Flanders in Oginni and Faseyiku (2017), procedural rules have issues such as development of a grievance and dispute settlement procedure, information dealing with the declaration of redundancies, regulations on union membership and collection of check-off dues, representational arrangements, definition of subjects for substantive bargaining, timing of contract renewal and probationary period, employment processes, promotion and appointment criteria, offences and their penalties, right to organisational benefits, maternity leave and other leave periods arrangements etc. and substantive rules have issues such as payment for changes in working hours (overtime), employees' pension arrangements, salaries/wages of payment, holiday entitlements arrangement, productivity improvements starting from changing in working practice payments, bonus/incentive arrangements and sick pay entitlements arrangement as well as other leave arrangement (Damachi & Fasoyin, 2013). In a nutshell, it can be summarised that the former concentrate on periodicity issues while the latter concentrates on financial matters in the terms and conditions of employment.

A critical examination of these issues revealed that any breach on any of these can result into dissatisfaction either at individual or group levels which can invariably lead to industrial conflict i.e. expression of dissatisfaction or disagreement over an aspect or some aspects in the terms and conditions of employment. This expression of dissatisfaction or disagreement can be classified into two namely formal and informal. By formal, it is meant to be organised expression of dissatisfaction or disagreement articulated by through a trade union or other worker representatives which often manifest in form of strike and informal is the expression of dissatisfaction or disagreement rooted in behaviour that appears incomprehensible which often manifest sabotage, absenteeism, accident at work, negligence, frequent change of job, opposition to management during group discussions. However, whether it is formal or informal, it is at a cost to the

organisation with effect on profitability, goodwill and reputation, image as well as organisational human resource marketing and should be nip in the bud before it degenerated into state of economic losses.

Statement of the Problem

Collective bargaining being the nucleus of Industrial Relations activities which seek to ensure industrial peace and harmony in the workplace has been used as an instrument that brings employer or her representative(s) and employees or their representative together for a face to face interaction or discussion over issues in the terms and conditions of employment. The purpose is to create a conducive atmosphere where employee and employer can have trust and loyalty thus, enhancing productivity. However, collective agreement is often breached which has been a factor of many reasons/variables such as ability to pay, prevailing economic challenges, legislation, knowledge of the negotiating party, trade union's attitude and whenever there is breach in any of the elements that came under collective agreement, the result is the manifestation of desire of employees to down tools i.e. engaging in temporary stoppage of work to express their dissatisfaction which is known as strike.

The rationale behind the existence of every organisation is usually defeated wherever employees embarked on strike as a result of loss of earnings on the part of the two parties i.e. employee has salary and other benefits to lose while employer will also lose profit for that period of time that the strike will last as well as human resource marketing power. Can a situation of endless conflict environment in an organisation be ignored? The response should be affirmative NO. It is therefore imperative to examine how the relationship between employer and employees at work will not breakdown to the point of embarking on strike in order to prevent loss of earnings on the part of the two parties and one of the ways is collective bargaining hence, this study.

LITERATURE REVIEW

Concept of Collective Bargaining

In the sphere of industrial relations, collective bargaining refers to the process in which procedures are collectively agreed and conditions of employment and wages are settled by means of negotiation between association of employee or employers and works in organization (Chidi, 2010). In views expressed by Akume (2013), Collective bargaining is a political relationship whereby trade union shares industrial sovereignty or power over employees who are the governed. Management and union hold jointly the sovereignty in the process of bargaining i.e. it is a power relationship which takes the form of a measure of power-sharing between trade union and management. However, in Nigeria, it has been observed that the balanced of power has shifted apparently in the direction of management. To Miliband, (2011), the basis of collective bargaining is both political and economic because both sides of the negotiation are interested in the sharing of power between them as well as the distribution of income. In its strongest term and in reality,

the process of collective bargaining cannot be called workers participation in management. Collective bargaining is based on the concept of exercising power for the benefit of one party whilst workers participation in management on the other hand brings both the parties together and develops appropriate mutual understanding and brings about a mature responsible relationship (Oginni et al, 2021).

Consequently, Collective bargaining involves a process of consultation and negotiation of terms and conditions of employment between employers and workers, usually through their representatives. It involves a situation where the worker's union or representatives meet with the employer or representatives of the employer in an atmosphere of mutual cooperation and respect to deliberate and reach agreement on the demands of workers concerning certain improvements in the terms and conditions of employment (Ogundele, Alaka, Oginni & Ogunyomi, 2013). Flowing from this, is that collective bargaining covers all arrangements in which workers do not enter into negotiation with their employers by themselves but such negotiation is carried out collectively through their representatives. It is therefore obvious that for collective bargaining process to be effective, some conditions such as freedom of association, recognition of trade union, joint authorship of rules, willingness to give and take and avoidance of unfair labour practices on the part of both parties, power relationship, stability of workers' union, favourable political and economic conditions as well as the ability of the parties to negotiation will continue to be endless or recurring over the same issues from time to time (Ogundele et al, 2013).

Therefore, extensive and negotiable issues such as job grading and classification, wages, hours of work, promotions, increments, retirement, and annual leave etc. are covered by the process of collective bargaining. These negotiable issues can be situated among various forms of collective bargaining namely distributive, integrative, cooperative and concessionary bargaining and identify among the negotiable issues that which is capable of resulting in industrial disputes (Kester, 2016). Distributive bargaining was isolated by Chamberlain and Kuhn (2014) which was in agreement with the view earlier expressed by Fasoyin, (2010) that all issues in distributive bargaining are capable of degenerating into conflict in workplace because neither party (employee and employer) is willing to concede since such concession will represent a loss for one party and a gain to the other party. The rationale behind the unwillingness to yield ground has always been contingent on limited resources available to employers which is more or less fixed in supply (Ayim, Elegbede & Sherrif, 2011).

Concept of Industrial Conflict

Conflict is as old as mankind and it is multi-dimensional in nature. It is usually the sequence of interaction between groups within the society, between groups and government as well as between individuals. Conflict as universal phenomenon transcends boundaries without any exemption and workplace is inclusive which is enshrined in labour - management relationship, therefore, conflict exists in the workplace as it does in many other parts of life but expressed over terms and

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conditions of employment in the world of work and it is inevitable in labour-management relations since the objectives of different stakeholders in the workplace is divergent as employer want to maximise profit while employee want to maximise benefits (Ahmed, 2014).

There are different types of conflict namely interpersonal conflict, intragroup conflict, inter-group conflict and inter-organizational conflict. The one that concerns this study is inter-organizational conflict which also known as industrial conflict (Akhaukwa, Maru, & Byaruhanga, 2013). Industrial conflict has been described as a term which refers to all expressions of dissatisfaction within the employment relationship, especially those pertaining to the employment contract (Adeogun, 2016). To Fatile and Adejuwon, (2011) industrial conflict can be defined as any disagreement between management and workers on the terms of employment while Adewole, (2010) gave a more comprehensive definition of industrial conflict as all expressions of discontentment within the employment relationship especially those pertaining to the employment contract and effort bargain. The implication is that the expression of dissatisfaction can be over economic and non-economic issues. The economic issues will include issues relating to compensation like wages, bonus, allowances, and conditions of work, working hours, leave and holidays without pay, unjust layoffs and retrenchments etc. while the non-economic factors will include victimization of workers, ill treatment of staff members, indiscipline, promotion denial and others.

METHODOLOGY

The population of this study consisted of employees in Public Health Service Sector in the three Senatorial districts of Lagos State. Among various health cares in the Public Health Service Sector in Lagos, this study considered seven (7) general hospitals, 2 chosen from Lagos Senatorial West, 3 chosen from Lagos Senatorial Central and 2 chosen from Lagos Senatorial East with a population of 678 employees while Yamane's formula was used to calculate the sample size which was 252. The study adopted a descriptive survey as the research design and used both primary and secondary data as the sources of data collection. A well-structured questionnaire was used as the main research instrument while source of secondary data was also used to include journal materials, textbooks, gazette etc. The questionnaire was administered personally to the employees of the chosen general hospital as the respondents for this study.

Data analysis and interpretation

Table 1: Demographic information about the Respondents

Variables	Frequency Distribution	Percentage
Gender		
• Male	157	62
• Female	95	38
Total	252	100
Marital Status		
• Single	57	23
Married	175	69
Divorced	5	2
Widow	15	6
Total	252	100
Educational Qualifications		
• M.Sc./M.A./MBA	44	17
• MBBS	57	23
• B.Sc./ HND	108	43
• ND/NDE	33	13
Professional Qualifications	9	4
Total	252	100
Work Experience		
Less thatn2years	22	9
• 2years - 5years	41	16
 6years - 9years 	77	31
• 10years & above	112	44
Total	252	100
Age		
Less than 20years	11	4
 21 years - 30 years 	46	18
• 31 years - 40 years	67	27
 41 years - 50 years 	71	28
 50years & above 	57	23
Total	252	100
Category of Staff	+ +	
Management Staff	17	7
Senior Staff	106	42
Junior Staff	129	51
Total	252	100

Source: Field Survey, 2021

Table 1 has information about the demographic status of the respondents. In the gender cadre 157 respondents were male representing 62% of the respondents while 95 respondents were female with 38% which showed that male respondents were the majority. Also evident in the marital status was that married respondents dominated with 179 respondents representing 69% followed by single respondents with 57 respondents representing 23%, 5 respondents which represent 2% were divorced while 6% of the respondents were widow and there is no record of widower. The implication of this information is that the respondent's emotional crisis or trauma is minimal and

@ECRTD-UK <u>https://www.eajournals.org/</u> https://doi.org/10.37745/bjms.2013 relatively stable which means they were in best frame of mind to answer questions without prejudice.

From the educational qualification, is was found that the majority of the respondents were with first degree i.e. 108 respondents with 430% followed by respondents with degree in medical areas such as Medicine etc. with 57 respondents representing 23%, this degree was separated from the first degree in order to ascertain how many are with MBBSS qualification which qualified such respondents to practice as a medical doctors since the unit of analysis of this study is a hospital and this was followed by second degree qualification with 44 respondents representing 17%. It is crystal clear that the respondents have what it takes to understand the questions without undue influence and also know the confidentiality and essence of research hence would not hoard any information.

From the work experience responses, majority of the respondents were found in the range of 10yrs and above with 112 respondents representing 44% followed by 77 respondents in the range between 6yrs – 9yrs representing 31%. It can then be deduced that the years of experience in adequate to know and identify the nature of collective bargaining and industrial conflict. From the age limit responses, the respondents in the age bracket of 41yrs – 50yrs were found to be the majority with 71 respondents representing 28%, followed by age bracket within 31yrs - 40yrs with 67 respondents representing 27%. The implication therefore was that the workforce was relatively young old since retirement age in the public sector was set at 60yrs. On the staff cadre, it was found that junior staff were more than the other two cadres of staff with 129 respondents representing 51%, followed by senior staff with 106 respondents representing 42% and the management staff cadre has 17 respondents which represent 7%. The implication of this was that work environment would be volatile because it was dominated by the junior staff. The overall implication of the demographic variables for the study were that the respondents were seen to be matured, educated, experienced and emotionally stable. Thus, made the information elicited to be authentic and reliable.

Cordial Relationship	SA	Α	U	D	SD	Ν	Mean	Rank	Remark
I have personal contact with my employer.	5	6	2	67	172	252	2.67	4	D
Terms and conditions of employment are									
communicated to the employees.	161	74	5	6	6	252	4.42	1	А
Wages and salaries are negotiated between the									
employer and employees.	21	15	25	69	122	252	2.86	3	D
My employer consults me on major employment									
issues.	18	24	34	74	102	252	3.12	2	А
Employment regulations and rules are made									
between the employer and employees.	11	24	48	83	86	252	2.77	5	D

Table 2: Descriptive statistics for Cordial Relationship

Source: Field Survey, 2021; where agreement (A) = \geq 3.0 and Disagreement (D) = \leq 3.0

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Table 2 shows ranking order of the cordial relationship through relevant questions and communication of terms and conditions of employment to the employees ranked first with mean score of 4.42 this was followed by a mean score of 3.12 i.e. the respondents are contacted by their employers on major issues. There is evidence of collective bargaining in negotiation of terms and conditions and this explains why it is communicated and consulted on major employment issues. Wages and salaries are negotiated between the employer and employees came third with a mean score of 2.86 which falls under disagreement thus, signifying that there is presence of third party in the negotiation of wages and salaries. After this was question on personal contact with employer which was ranked fourth with a mean of 2.67 and this falls under disagreement. This further ascertain the presence of collective bargaining which has prevented the respondents from having a personal contact with their employer. This was followed by employment regulations and rules are made between the employees with a mean score of 2.77 which falls under disagreement to mean employment regulations and rules were centralised which attested to collective bargaining process.

Legal Framework	SA	Α	U	D	SD	Ν	Mean	Rank	Remark
In my organization both representatives of									
employer and employees negotiate the									
working conditions	117	93	34	3	5	252	3.48	2	А
Employment contract is endorsed by the									
employer only	18	11	12	93	118	252	2.86	5	D
In the preparation for negotiations									
guidelines, employees are involved in my									
organization	59	129	32	12	20	252	3.54	1	D
My organization has a structure on ground to									
negotiate welfare of the employees	89	128	15	12	8	252	3.12	3	А
Employment regulations and rules are made									
between the employer and employees in my									
organization	24	23	72	122	11	252	2.88	4	D

Table 3 Descriptive statistics for Legal Framework

Source: Field Survey, 2021; where agreement (A) = \geq 3.0 and Disagreement (D) = \leq 3.0

Table 3 has information of relevant aspects of legal framework relating to collective bargaining. Employees were considered to be part of negotiation was ranked first with a mean score of 3.54 while representatives of employer and employees were involved in negotiation of working conditions was ranked second with a mean score of 3.48 and it was also evident that organisation has a structure in place for the negotiation of employees with a mean score of 3.12. Employment regulations and rules between employer and employees with a mean score of 2.88 and employment contract solely endorsed by employer has a mean score of 2.86 and was ranked fifth. All that were

ranked 1 -3 fell under agreement criterion while fourth and fifth fell under disagreement criterion, the implication is that the presence of collective bargaining was responsible.

Table 4 Descriptive statistics for Industrial Conflict

Industrial Conflict	SA	Α	U	D	SD	Ν	Mean	Rank	Remark
My union can call for strike for political								1	А
reasons	87	112	15	30	8	252	4.44		
Workers are consulted by the union								2	А
leaders before embarking strike	187	56	3	4	2	252	4.60		
There are instances where workers are								5	D
misled through union leader	91	22	19	20	100	252	2.81		
Political and management involvement is								4	А
a reason why my union fail to act on my									
behalf	124	95	20	3	10	252	3.74		
There is criticism that political connection								3	А
led to fragmentation of trade union	132	45	9	3	63	252	4.09		

Source: Field Survey, 2021; where agreement (A) = \geq 3.0 and Disagreement (D) = \leq 3.0

Test of Research Hypotheses

The results of the study were presented on the basis of the research hypotheses generated for the study.

Research Hypothesis 1: The cordial relationship on collective bargaining has no significant effect on industrial harmony.

Table 5 Paired Samples Test

			Pai	red Differe	nces		t	Df	Sig. (2-
		Mean	Std.	Std.	95% Confidence				tailed)
			Deviation	Error	Interval of the				
				Mean	Difference				
					Lower	Upper			
Pair 1	Cordial relationship - employers and employee (union) relationship	.16304	1.79913	.18757	20955	.53563	.869	251	.387

Source: authors' SPSS Calculation.

Table 5 above revealed that the t-statistic was 0.869 along with degree of freedom (N-1=251) and Sig. value of .387. The decision rule is that if the p-value is less than the 5% significant level (i.e.

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0.05), null hypothesis should be rejected and accept alternative hypothesis. If the p-value is equal or exceeds the significant level (i.e. 0.05), null hypothesis should be rejected, rather accept alternative hypothesis. Since the p-value obtained (.387) exceeds 0.05, therefore, the null hypothesis was rejected by the result of the study, and it is subsequently accepted the alternate hypothesis i.e. collective bargaining has no significant effect industrial harmony.

Research Hypothesis 2: There is no significant relationship between legal framework for enforcing collective agreement and industrial harmony.

		Weak legal framework	Industrial conflict
Weak legal framework	Pearson Correlation	1	.921
	Sig. (2-tailed)		.031
	Ν	252	252
Industrial conflict	Pearson Correlation	.921	1
	Sig. (2-tailed)	.031	
	Ν	252	252

 Table 6: A Summary Table of correlation analysis showing the relationship between legal framework for enforcing collective agreement and industrial conflict.

Source: authors' SPSS Calculation.

Table 6 present the result of Pearson Correlation coefficient to be 0.921, Sig, value to be .031 and population equalling 252. Thus, there is a strong positive correlation between the dependent and independent variables used in the study. This is revealed by a correlation (R) coefficient of 0.921. This implies that there is a strong relationship between legal framework for enforcing collective agreement and industrial conflict. That is, an increase in legal framework for enforcing collective agreement will bring about increase in industrial harmony

DISCUSSION OF FINDINGS

Form the demographic analysis, it was found that among the respondents, there more male respondents than female, so also was married respondents and majority were degree holders as well as work experience and age which were found to be adequate. In all, demographic variables for the study showed that the respondents were matured, educated, experienced and emotionally stable. Thus, made the information elicited to be authentic and reliable.

From the first hypothesis shows that the cordial relationship on collective bargaining has significant effect on employers and employees (union) relationship in Lagos State Public Health Sector. This result is in line with the findings of Bamiduro (2012) cordial relationship on collective bargaining and relationship with parties in industrial Relations. It is proven from correlation

analysis that all the independent variables have strong positive relationship with the dependent variable.

The result of the second hypothesis revealed that there is significant relationship between legal framework for enforcing collective agreement and industrial conflict in Lagos State Public Health Sector. This is in line with the study of Adeogun (2011) in his study about the legal framework of collective bargaining, in this study. This piece of legislation has many laudable provisions to deal with the mirage of trade disputes arising from failed collective agreements.

CONCLUSION

This study analysed the influence of collective bargaining on industrial conflict: using Lagos State Public Health Sector as unit of analysis. Based on the finding, the study concluded that there is significant relationship between legal framework for enforcing collective agreement and industrial harmony in Lagos State Public Health Sector and collective bargaining has brought about industrial peace and harmony. Therefore, it can be said that collective bargaining is always an efficient mechanism for resolving conflict in Lagos State Public Health Sector.

Recommendations

On the basis of the conclusion, it was recommended that

- 1. collective bargaining processes should be made known and used frequently with respect to matters concerning employee on terms and conditions of employment.
- 2. there should be a conscious and deliberate efforts on the part of the unions and the Management to strengthen the machinery and process of collective bargaining in order to facilitate its use in conflict resolution.
- 3. there should be a deepening of democratic culture and practices as a framework upon which the processes and provisions of collective bargaining can be built and sustained.

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