GOOD GOVERNANCE, PUBLIC POLICY AND INDUSTRIAL RELATIONS IN NIGERIA: AN OVERVIEW

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Abstract
The main postulation of social contract theorists is that State came into being as a result of a contractual agreement between the government and the governed. Consequently, all things being equal, government must derive its basis of activities from the social contract between the two parties. Therefore, the activities of government will be measured using the content of the contract as a parameter. When a regime measures up to expectation, it will be branded a ‘good government’. But when it performs below expectation by flagrantly violating the contract, it will be regarded as a ‘bad government’. One of the yardsticks often used in measuring the performance index of a government is its relationship with the work force in a State. Its policies that affect the welfare of workers over a period of time and how it resolves issues that affect them go a long way to determine the type of industrial relations that will prevail in a country at any point in time. The main objective of this study is to examine the synergy between good governance and industrial relations in Nigeria using public policy as a means to an end. The specific objectives of the study include; (i) to analyse how good governance can produce harmonious industrial relations between the State and its workforce; (ii) to demonstrate how public policy can serve as a vehicle of good governance and industrial relations in Nigeria; and (iii) examine the type of effect which an uncondusive industrial relations has on the political stability of a state. The research method adopted is comparative analysis where by effects of specific policy issues on industrial relations in successive governments in the country were discussed. Some of the findings of the study are: (i) good government is a product of cordial industrial relations between the Nigerian State and its workforce; (ii)articulated public policy is a sine qua non for good governance and industrial relations in Nigeria; (iii) successive governments in the Nigeria have formed the habit of flagrant disregard to policies put in place by it that can help enthrone conducive industrial relations in the country that will help guarantee political equilibrium in the long run; and (iv) workers in Nigeria seldom exhaust channels of seeking redress before resorting to industrial actions. The study recommends among other things that; (i) a State must always strive to achieve harmonious industrial relations between it and trade unions in the country because of its long term effect on the state of affairs in a country. This it can achieve by carrying the leadership of its workforce along in policy actions affecting them; (ii)government and trade unions must always abide by the ‘collective agreement’ arrived at during any trade dispute; (iii) workers must exhaust all avenue for seeking redress especially the industrial court before resorting to industrial actions; and (iv) there should be periodic review of industrial relations policies by way of ‘collective bargaining’, so as to forestall any act of industrial disharmony between the management, in this case the State and workers in Nigeria.

Key Words: Industrial Relations, Good Governance, Government, Trade Unions, Public Policy, Industrial Relations Policies, Management.
Introduction

Every organisation exists to achieve certain aims. Consequently, its manner of operation will be geared towards the achievement of its traditional goals. In any clime, although industrial relations is comprised of two main groups, namely, management and labour the government also performs a crucial role. Consequently, in the real sense, there are tripartite partners in industrial relations. But the type of relationship that exists between the management and labour go a long way in determining industrial harmony and the level of achievement an organisation will record in relation to its stated goals. However, as Damachi (1986:1) noted; “industrial harmony does not mean peace in the grave yard’. That is, absence of conflict in the work place. This is because, “interests of both employers and employees are not in all cases completely mutual and furthermore the desires and wants of these interest groups are generally insatiable” (Oladeji, 1994:303). For instance, while the desire of the employee is to ensure constant wage increase, the inordinate profit motive of management often pushes it to formulate policies that reflect parochial interests. The end result of this development is industrial acrimony which often masquerades itself in the following forms: ‘strikes’, ‘work-to-rule action’, ‘lock-outs’ and lack of dedication to work on the part of workers. On its part, the management usually reacts by suspending and sacking some workers some of who could be union leaders. However, to prevent the scenario from degenerating to this level, there was the institutionalisation of ‘collective bargaining’ and formal recognition of trade unions and employers’ association in Nigeria. Nwabueze (1988:243) posits that these “do not only reflect the end result of a long period of struggle between employers and employees since the emergence of wage labour, but also signify the signing in of conflict as a legitimate expectation in industry and in society”. The role of government in the management of industrial relations between the employers and employees is regulatory in nature. This is where the debate on good governance in relation to industrial relations comes in. No responsible government will watch its subjects being maligned or cheated under its watch and pretends as if nothing is happening. The foregoing explains why successive regimes in Nigeria had taken certain steps aimed at safe guarding industrial relations in the country. One of such policy actions was the entrenchment of the principle of collective bargaining in industrial relations environment. This was rightly captured by Oladeji (1994:204) who posited that successive governments in Nigeria “have expressly endorsed collective bargaining as a viable approach for ensuring industrial harmony”. Their efforts manifest in the forms of legislations. One of the most recent legislations in this respect is Trade Union (Amendment) Act 2005. The Act specifies some of the major issues in industrial relations including the definition of trade union, provision for its formation and registration, membership, constitution and activities. It also covers areas like the protection of workers in their trade unions and international affiliations (Trade Union (Amendment) Act, 2005). The Act represents the labour reform programme of President Olusegun Obasanjo administration.

This study addresses good governance, public policy and industrial relations in Nigeria: why policies are formulated by the government to address industrial matters and the types of policies often formulated. The study further aims at advancing strategies that will help achieve industrial harmony in the country. The study is divided into a number of sections. They include, introduction, conceptual clarifications, industrial relations policies in Nigeria and conclusion.

Conceptual Clarifications
(a) Good Governance

The ‘social contract theory’ of the origin of the State enunciates that the institutionalization of a government at any point in time is a form of agreement between the State and the citizenry. The State has the duty or responsibility of addressing the welfare of the citizenry in addition to securing their lives and properties. On their part, the State demands absolute loyalty from its subjects by way of obligation, among other things. But more importantly, the performance of a State will be determined on the basis of the extent to which it was able to meet the social needs of its people. This is where the issue of ‘good government’ or ‘good governance’ comes in. The foregoing explains why McLean and McMillan (2009:226) explain (good) ‘governance’ as:
The process of collective decision-making and policy implementation, used distinctly from government to reflect broader concern with norms and processes relating to the delivery of public goods.

McLean and McMillan’s (2009) position appreciates the fact that the essence of governance is to enthrone a tradition of ‘government for the people’ where by all the efforts of public policy makers must be tailored towards addressing the needs of the citizenry of a State. The preface to the 1999, Constitution of the Federal Republic of Nigeria (as amended) appreciates the imperativeness of good governance when it states partly that: “We the people of the Federal Republic of Nigeria: Having firmly and solemnly resolved”.

AND TO PROVIDE for a constitution for the purpose of promoting the good governance and welfare of all persons in our country (Federal Republic of Nigeria, 1999:1).

In his own view, Bentham (cited in Chaturvedi, 2006:132) posits that “the basis of good government was the identity of interests between the government and governed. This is possible only when democracy rules”. He posits further that towards the desire to enthrone ‘good governance’, the government should have these qualities: (i) wisdom to discern the real interests of people, (ii) goodness to endeavour always to pursue them; and (iii) strength of power to carry this knowledge and intention into action (Chaturvedi, 2006:132). When these qualities are applied to industrial relations environment, it will be seen that stakeholders to any trade dispute, must be ready to transmute any agreement reached during collective bargaining process into action so as to prevent industrial disharmony.

(b) Public Policy

Human beings and organizations are characterized by inter-group relationship. This is in line with the main focus of the Social Sciences, which is an examination of different aspects of human behaviour. However, during the inter play, individuals are often confronted with various problems. Some of these problems may be private, while others may take public form. In either case, an individual has the sole responsibility of taking decisions (from time-to-time) to address issues that may be inimical to his own success or the progress of the society at large. Therefore, decision-making can be viewed as a natural phenomenon in relation to human action (Dahl, 1986:12).

As regards organizations, they exist to achieve certain aims. A public enterprise established by a government will have a clearly defined objective. Consequently, it must operate within that purview. On the other hand, private establishments (for example, an industry) equally exist to produce certain goods or render defined services. During production, a number of issues are always addressed. This may range from what to produce, how to produce, in what quantity and how to distribute the products. All these call for managerial skills to find solutions to the problems. However, apart from decisions affecting the means of production, other than labour (land, capital and entrepreneur), the management equally addresses issues affecting its workers. These include: the categories of workers to recruit, staff strength, remuneration, promotion, social welfare and discipline, all of which entail critical decision-making. However, the decisions of management on any of these factors are often informed by a number of domestic factors (such as available financial and material resources).

What then is decision-making? Decision-making analysis is distinguished both by its concern with decisions that are not themselves policies and by its concentration on the decision stage in the policy-making process. Nwachukwu (1992:47) defines the decision-making process thus: “A decision is the selection of alternative course of action from available alternatives in order to achieve a given objective”. In a similar vein, Chandler and Plano (1988:12) describe decision-making as “a major management function” by arguing that it is “a process in which events, circumstances and information precipitate a choice designed to achieve some desired result”. Perhaps, the foregoing explains why McLean and McMillan (2009:36) argue that ‘decision theory’ is all about “how rational individuals (should) behave under risk and uncertainty” with the view of achieving the desired result.

Chandler and Plano (1988:12) list the general steps of decision-making as including the following:
A careful analysis of objectives; 
(b) a search for possible alternative solutions; 
(c) an estimate of total costs for each alternative; 
(d) an estimate of the effectiveness of each alternative; and 
(e) a comparison and analysis of each alternative.

From the foregoing, it can be argued that decision-making only forms an aspect of ‘public policy’. It only focuses on the “policy formulation stage” of the conventional level of public policy making process whereas, public policy comprises of the formulation, implementation and feedback/evaluation stages. It also embraces the three stages of the unconventional level of public policy making process namely; identification of policy problem, goal setting and planning (Olaniyi, 2016).

The argument that has been advanced in this study is that ‘decision-making’ is not synonymous with ‘public policy’. Rather, it only forms an aspect of it. But this problem notwithstanding, decision-making (policy formulation) is very crucial to industrial relations.

Scholars always define the concept of public policy differently. For instance, Peters (1995:12) says public policy “provides an important point of access of understanding what governments actually do”. This definition sees only what a government puts into action as a public policy and excludes those policies that have been approved for action. However, contemporary efforts (for example, Roberts and Edwards, 1991, Prinnor, 2013) in the field of study have shown that public policy begins with problem identification, policy formulation and policy implementation. Based on this position, Chandler and Plano (1988:107) define public policy as “the strategic use of resources to alleviate national problems or governmental concerns”. In a similar vein, Dimock, Dimock and Douglas (1983:40) argue, “public policy is deciding at any time or place what objectives and substantive measures should be chosen in order to deal with a particular problem, issues or innovation”. Prinnor (2013:42) posits that “public policy is an effort of public officers in addressing social problems in line with the defined objectives of the state.”

An analysis of the definitions by Chandler and Plano (1988); Dimock, Dimock and Douglas (1983) and Prinnor (2013) reveal some agreements: they all appreciate the fact that policies are formulated to address certain problems. But in view of the fact that government or its agencies are always confronted with many demands competing for attention, they are not always in a position to approve all proposals for action. Even, when they do, the available resources (human and material) may not be enough to cope with the problem on a once-and-for-all basis. This imposes on the government the need for prudent management of the meager resources made available by the ‘political executives’. Perhaps, this was what informed the position of Olanlaiyi (2016:13) who defines public policy as “the management of human and material resources by policy actors to address a policy problem identified in a polity at any point in time”.

(c) Industrial Relations

So far, in this study, industrial relations has been seen as principally a management-labour affair. In democracies, the level of government involvement in industrial relations varies. For instance, the American system of industrial relations is characteristic of its free society. Under the system, the level of government involvement is at low ebb (Holley Jr. and Jennings, 1988). However, in Socialist States, governments are fully involved. In fact, labour unions remain the main instrument of operation/survival of their government. This was better expressed by Kapur (2012:187) in his analysis of the attributes of States that experienced ‘industrial revolution’. According to him, “the activities of the State were not only limited to protection, administration and dispensation of justice, but it became an organizer of economic life, an educator, an agent in practically every aspect of the collective existence”. Consequently, industrial relations in such States is more often than not autocratic in nature.

Braveman (1974) was one of the early proponents of industrial relations. He was mainly concerned with how work was routinized and how the “bosses” substituted unskilled labour for skilled labour to maximise management control in the later stages of “monopoly capitalism”. However, Michie (2001:799) notes that “Braveman’s work has had a wide impact on radical writers in the industrial relations and sociology literature amongst others since the late 1970”. They include Dunlop (1958), Strauss (1998), Fox (1974) and Clegg (1976). For instance, Dunlop (1958) helped to establish industrial relations as a discipline in its own right. This was through his work on dispute resolution as well as wage determination, among other topics. Strauss’ (1998) main contribution to industrial relations theory is in respect of collective bargaining.
He also contributed to the study of union government and leadership as well as worker participation. Strauss (1998) believes that “participation was not possible if unions opposed it”. In his own contribution, Fox (1974) emphasizes “trust” as a critical factor in good industrial relations.

Fashoyin (1992:101) posits that the introduction of wage labour by the colonialists into most African States, coupled with the recognition by the employers that they needed to provide a certain minimum standard and conditions, not only to recruit but retain labour, set the stage for formal industrial relations in the continent. A critical look at this account reveals the main tenets of industrial relations viz: how the management and the labour inter-relate.

Towards this end, Adams (1983) posits that:

Basically, industrial relations is concerned with how rules are made and administered to regulate the employment relationship the underlying rationale of which is to satisfy the functional need for order within the production process. (Quoted in Fashoyin, 1992: 101)

In their own contribution to the discourse on the concept of industrial relations, Holley and Jennings (1988:3) argue:

The Labour Relations process is one in which management and the exclusive bargaining agent for the employees (the union) jointly decide upon and enforce terms and conditions of employment (work rules).

In a similar vein, Bain and Clegg (1974) (cited in Prinnor, 2013) posit that industrial relations is concerned with all aspects of job regulation, the making and administering of the rules which regulate employment relations (such as tripartism in action) regardless of whether these are formal or informal, structured or unstructured.

Dunlop (1958:3) argues that ‘labour relations’ and Industrial relations’ are coterminous. He then suggests that the centre of attention in labour relations should be the work rules negotiated between management and union officials, while submitting that work rules could be placed in two general categories:

1. Rules governing compensation in all its forms — overtime payments, vacations, holidays, shift premiums, and so on.
2. Rules specifying the employees’ and employers’ job rights and obligations, such as performance standards, promotion qualifications and procedures, job specification and lay-off procedures.

One of the recent efforts at explaining ‘industrial relations’ as a political concept was that of McLean and McMillan (2009). They explained industrial relations as:

Interaction between employers, employees, and the government;
and the institutions and associations through which such interactions are mediated (McLean and McMillan, 2009).

McLean and Macmillan (2009) posited further that the role of the government in industrial relations usually takes indirect form through the regulation of the economy and the relationship between employers and trade unions. In another development, they also likened the role of the government in industrial relations to the principle of ‘corporatism’. According to the authors, the central core of corporatism is “the notion of a system of interest intermediation linking producer interests and the State, in which explicitly recognized interest organizations are incorporated unto the policy making process, both in terms of the negation of policy and of securing compliance from their members with the agreed policy” (McLean and McMillan, 2009:120).

A general overview of all the positions on industrial relations considered above provides an insight into the boundary areas of the concept. These include ‘terms and conditions of employment’ (work rules); and the need to formalize the relationships between management and labour. This is necessary to guard against breach of agreement. Furthermore, they agree that it is when the binding agreement is honoured by both parties that the production process can thrive. The foregoing explains why ‘collective bargaining’ and ‘industrial relations’ are inseparable. Onyeonoru (2004:183) (cited in Olaniyi, 2000:77) explains collective bargaining as
The process by which union leaders representing groups of employees negotiate specific terms of employment with designated representatives of management with the aim of reaching an agreement. It involves in a continuous relationship between employers and designated labour organizations representing specific units of employees for the purpose of negotiating written terms of employment.

Aiyede (2000:66) corroborates the foregoing by asserting that “collective bargaining is a process involving several activities but characterized essentially by dialogue. It involves some form of politicking, interest accommodation, concessions and agreements. It is goal-oriented and directed towards agreements”.

(c) Industrial Relations Policies

Policies are not usually formulated in a vacuum. What this portends is that there must be a public problem which begs for attention before policy actor can swing into action and think of how it will be combated. In relation to industrial relations, there must have been an issue or set of issues that threaten(s) cordial relationship between the management and the labour on one hand or between the government management and trade unions on the other before policy makers can make legislation on industrial relations. The foregoing explains why Chaturvedi (2006:235) defines policy as “any course of action designed to promote, maintain or prevent some state of affairs”. What can be inferred from this position is that a policy may either aim at giving credence to a policy action or discouraging same. This therefore gives an insight into what industrial policies are all about.

According to Michie (2001:797), the term industrial policy refers to “a set of measures taken by a government and aimed at influencing a country’s industrial performance towards a desired objective. It aims at improving the welfare of citizens” However, to achieve this, government usually formulates policies, which are aimed at providing leverage for industrial relations in a country. Furthermore, the importance of industrial relations policies is seen, in the fact that they help to make both the management and the labour union to remain focused and not deviate from the organizational goal (Prinnor, 2013).

Following from the above, Dowse and Hughes (1979) explain the relationship between public policy and industrial relations as “a type of policy affecting wage levels, the types of goods and services available, the level of employment”.

In a similar vein, Fashoyin (1992: 103) opines:

An industrial relations policy that will respond to the challenge of economic recovery is one that promotes labour-employer government participation in decision-making through tripartism at the national level, collective bargaining and workers’ participation at the enterprise level.

From the above positions, industrial relations policies could be explained as those policies put in place by the government and representatives of management and unions to enhance harmonious industrial relations. Such policies are aimed at enforcing the terms and conditions of employment (work rules), which will address wage, pattern of production and level of employment. In Nigeria, successive governments have maintained a high level of involvement in the conduct of industrial relations. Their efforts had led to the promulgation or enactment of a number of industrial relations related policies. Examples include: Trade Disputes (Arbitration and Inquiry) Ordinance (1941)’ Trade Disputes (Emergency Provisions) Decree No. 21 (1968), Trade Union Act 1973 (now Trade Union Amendment Act 1989), Trade Disputes Decree No. 7 (1976), the Pension Act No. 102 of 1979, and the Pension Reform Act 2004. Other examples include National Minimum Wage Act, 1981, Factory Act 1987, Workmen’s Compensation Act 1989, Labour Act 1990, Trade Union (Amendment) Act 2005 and Minimum Wage Act 2011. However, what will dictate the type of Act to be enacted at any point in time are largely the political and economic exigencies of the time and labour-government relations. But, in either case, the labour union must be carried along in the public policy making process. However, whenever they are involved in such a dialogue, Perlman (1928) (cited in Prinnor, 2013:62)
expresses the view that “workers should look after their immediate economic interests rather than pursue wider political goals”.

In the public sector, government or its accredited representatives is expected to harvest the inputs of labour unions before making any legislation that would have a binding effect on them. But more often than not, government seldom reckons with the views of labour unions when it comes to making legislation that would affect them. A case in point was the opposition of the Nigeria Labour Congress (NLC) to the enactment of Trade Union (Amendment) Act, 2005. Olukunle (2004) captures this scenario when he posits that:

> When a thought is given to the Trade Union Act which The Presidency has sent to the National Assembly for amendment, one cannot but be very sorry about the kind of nation we have which can be likened to the Banana Island, where monkey works and baboon eats (Olukunle, 2004:13).

**Causes of Industrial Conflicts**

Some issues usually precipitate industrial conflicts. Most of these causes are inherent in the propositions of Parsons (1949) (cited in Nwabueze, 1988) on the causes of conflict in society. They are:

a) The exercise of authority which usually breeds opposition.

b) Abuse of authority and exploitation leading to alienation and conflict.

c) Co-existence of many cultures at times with distorted and antagonistic ideas and beliefs about one another.

d) Competition and rivalry which produces winners and losers, the latter of which sometimes question the fairness of such competitions.

Nwabueze (1988:243) adds the fifth as the “conflict of class distinction which has its basis in the manner of appropriation of the material wealth of society”.

In relation to industrial relations, Aiyede (2000:63) posits that wages have the potential to bring about industrial conflict. This occurs when there is reduction in wages through retrenchment, retirement and reduction in fringe benefits. He (Aiyede) further argues that the lack of incentives for workers in the public sector, poor allowances and wages are identified as factors largely responsible for the pervasive corruption, prevalence of sideline activities, democratization and the consequent blatant inefficiency and ineffectiveness in public administration (Aiyede, 2000:63).

**Types of Industrial Relations Policies**

Regardless of forms public policies take, they are usually categorized into four, namely: ‘Distributive Policy’, ‘Redistributive Policy’, ‘Regulatory Policy’ (Lowi, 1964) and ‘Constituent Policy’ (Chandler and Plano, 1988) (cited in Olaniyi, 2016). This position is true of industrial policies. According to Lowi (1964), the categorization of policies can be based on the number of people affected by a policy and their relationships with one another, on the one hand, and the expected outputs, on the other hand. How each of these policies relates to industrial relations shall be examined next.

**(a) Distributive Industrial Relations Policy**

A distributive policy focuses on governmental concern for equal access to resources and it promotes private actions on the part of the beneficiaries. Chandler and Plano (1988:107) note that a distributive policy conveys real aid to people, groups and corporations. This explains why it often takes the form of ‘subsidy’. The import of distributive policy is to obey Pareto optimality which says “you distribute in such a way that you make people better off, making nobody worse off” (Quoted in Olaniyi, 2016). Consequently, it aims at the law of egalitarianism. However, as Olaniyi (2016:22) observes “the distinguishing feature of distributive policy, is that such benefits are distributed without taking them away from other people”. That is, there is no discrimination in respect of its beneficiaries. Furthermore, the zero-sum game is not applicable to distributive policy. That is, the failure of an individual to benefit from the policy does not cost the government anything.

With regard to industrial relations, distributive policies are often enacted by government to help provide cushioning effects on workers. The argument goes that, in as much as such policies are civil in nature, any member of the (civil) society has the opportunity to benefit from their provisions, provided he
belongs to the labour union or public service affected by the policy. Examples of such distributive policies were seen in the Pension Act No. 102 of 1979, Contributory Pension Act of 2004 (as amended in 2014) and the National Minimum Wage Acts of 1981, 2000 and 2011. The Pension Acts of 1979; and 2004 (as amended in 2014) defined government’s policies on pension as they affected public servants while Minimum Wage Acts stipulated the minimum salary a government worker would receive monthly. The opportunities of benefiting from these policies were thrown open, provided an individual joins the public service. For instance, the Pension Reform Act 2004 (As amended in 2014) defines the categories of employees who are entitled to benefit from the scheme. They are:

(a) all employees in the Public Service of the Federation; Federal Capital Territory and the private sector;

(b) in the case of the public sector, who are in employment; and

(c) in the case of the private sector, who are in employment in an organization in which there are 5 or more employees.

The above provisions confirm the earlier position of this study that distributive policy requires private action.

(b) Redistributive Industrial Relations Policy

The redistribute policy involves the transfer of resources or benefits from one segment of the society and giving them to another. Wade (1972) describes the policy as “inter-social transfer of material resources”. According to Olaniyi (2016:23) governments formulate redistributive policies to achieve equilibrium. In its practical sense therefore, the zero- sum game is applicable to redistributive policies. Another group is gaining what one group loses. When this is extrapolated to the industrial relations policy, it reveals a game of opposition. Government and the management alike usually formulate policies or evolve strategies which are aimed at bridging the gap between the senior and junior staff. Such actions usually take the form of taxation. An example is seen in a form of taxation known as ‘Pay As You Earn (P.A.Y.E.). The tax system provides that the more salary a public servant earns the more tax he pays. For instance, since September 1992, the academic Staff of Federal Universities in Nigeria have been paying ten percent (10%) of their taxable salaries monthly, as tax. What informed the policy of taxation was the review of the salaries of academic staff upward in September 1992, which gave them an edge over other categories of university staff.

Redistributive industrial relations policies are highly conflicting in implementation stage because the owner of the materials or resources being allocated will be out to challenge the management’s action, thus leading to industrial strikes. This accounts for why workers are always opposed to high taxation.

(c) Regulatory Industrial Relations Policy

According to Egonwan (1991), regulatory policies involve the setting of standards and rules to restrict the activities of some groups in the society in order to prevent undesired consequences of their action. According to Olaniyi (2016) the idea of a regulatory policy stems from the fact that no benevolent government can ‘give a blanket (absolute) freedom to its citizenry. Consequently, the excesses of citizens are curtailed by way of placing restrictions on their activities, so as to prevent undesired behaviours from them. However, when regulatory policies are formulated, they benefit some people and inhibit others. This explains why Chandler and Plano, (1988:107) posit that the primary tools of regulatory policies are rule-making (in which laws are clarified), law enforcement and adjudication.

The importance of regulatory policies in industrial relations cannot be over emphasized. What informs this assertion is that, when the supposedly excesses of labour unions, are not curbed, their activities can impede production. On the other hand, in the absence of a wage policy, management may cheat its employees by way of underpaying them their salaries. Therefore, the government usually makes laws which help to regulate management-workers relationships in industrial relations. One of the examples of such laws in Nigeria is the controversial Trade Union (Amendment) Act, 2005. According to Olukunle (2004:73), the aim of government in enacting the Trade Union Act “is to dismember the Nigeria Labour Congress”. The Act eventually broke the monopoly of the Nigeria Labour Congress (NLC) in trade unionism in Nigeria, with the eventual registration of a rival umbrella union, the Trade Union Congress (TUC) by the Federal Government on September 9, 2005. The government action was informed by the desire to weaken the NLC, which has the reputation of calling out workers frequently on strike.
Furthermore, in relation to industrial relations, regulatory policies may also take a ‘competitive form’. Competitive regulatory policies limit the number of people or groups that can supply or deliver certain goods and services. One of the most recent examples of competitive regularity policies is the Teachers’ Registration Council Act, 2004 which regulates and restricts those who can practice teaching profession in Nigeria.

However, because of its ‘watchdog policy’, regulatory policies usually suffer from clientele support and this explains why it is always problematic at the implementation stage (Olaniyi, 2016). For instance, NLC, TUC and the United Labour Congress (ULC) kicked against ‘No work, No pay’ policy of the Federal Government announced by the Minister of Labour and Employment in Nigeria, Dr. Chris Ngige, on 16th October, 2018.

(d) Constituent Industrial Relations Policy

Chandler and Plano (1988), the proponents of the constituent policy posit that the policy serves the nation as a whole. By protecting national security and meeting the operating needs of governmental agencies such as minting currencies and hiring personnel. The main attribute of the constituent policy is that it has a national outlook. Therefore, what often informs its enactment is ‘national interest’. But, unlike distributive, redistributive and regulatory, policies which provide room for ‘individual actions’, compliance is automatic in the constituent policy. That is, every individual would be bound by the policy.

As a result of the Nigeria’s federal structure, cases of constituent policies in relation to industrial relations are few. This became apparent in 1991 when “collective bargaining” became decentralized in the country. The 1991 budget affirms as follows “The Federal Government will cease to issue general circulars with the universal applicability with regard to wages, fringe benefits and conditions of employment of all agencies (Oladje, 1994:304). But this notwithstanding, the Minimum Wage Acts of 1981, 2000 and 2011 earlier mentioned, readily fall under ‘constituent industrial relations policy’ This is because, they were applicable to both federal and state public services, Again, the Trade Union Act of 2005 is another example of a constituent policy, because, it is applicable to trade unions in the country. Furthermore, Decree No. 24 of May 22, 1973 which established the National Youth Service Corps (N.Y.S.C.) readily falls under the category of a constituent policy. This is because, the Decree makes it mandatory for graduates of Universities and Polytechnics to do a one year compulsory youth service corps’ programme, before they could be employed into the public service in Nigeria.

From the foregoing, it can be observed that it is possible for an industrial relations policy to cut across a combination or all of the categorizations of public policy. For instance, the Trade Union Act, 2005 is both a regulatory industrial relations policy and a constituent industrial relations policy. This is because, it aims at checkmating the incidence of strikes and it is applicable to all trade unions in the country.

**Good Governance, Public Policy and Industrial Relations in Nigeria**

In an ideal situation, public policies are usually formulated to either address identified or envisaged problems in an organization or polity. But this is not always the case because according to Lindblom (1968:4)

> Sometimes policies spring from new opportunities, not from “problems” at all. And sometimes policies are not decided upon but nevertheless “happen.”

However, regardless of their sources, policies are aimed at preventing problems from degenerating to stages where there would be disintegration. But this assertion could only be true of a democratic organization or society which gives credence to good governance. The importance of “democracy” in the public policy-making process is seen in the fact that “policy actors” must always carry the people along in the decision-making process by holding consultations with the representatives of any constituency to be affected by a policy action or “option” (Olaniyi, 2013:89). Even when it is apparent that policy actors circumvent the “Standard Operating Procedure” (SOP) in the public policy-making process, they will still hold tenaciously to the claim that they have exhausted all procedures in the decision-making process before settling for an option (Olaniyi, 1995:26). Consequently, the emerging scenario in the public policy-making process vis-à-vis the democratic tenet is that, for the “output” of a policy action to be devoid of quantum criticisms, then the “target population” (the section of a population affected by a policy) must be carried
along in the scheme of things. Furthermore, the equilibrium of any organization depends largely on
democratic public policy-making process. When the target population’s view is reckoned with in the public
policy making process, they tend to cooperate with the “policy actors”. However, when they are considered
irrelevant by not holding consultations with them, they become agents of destabilization.

In industrial relations, as a way of guiding against a situation whereby the production process would
be impeded, both the management and labour union must be actively involved in drafting “work rules”. The
profit motive of management notwithstanding, it must see the labour union as that arm that provides the
leverage for the actualization of the organizational goal. On their part, when labour unions have occasions
to press home their demands, they must do this by following democratic procedures. Such procedures may
include holding consultations with the government or management through their union leaders making
representations, writing letters of appeal or petitions. These steps are preferable to strikes and civil
disturbances (disobedience) which would not only disrupt the production process but eventually cause
industrial relations disharmony. If continued unabated, it can snow ball into political crises which may
precipitate the disequilibrium of the entire political system.

The foregoing explains why contemporary scholars of industrial relations now advocate “industrial
democracies”. For instance, Peters (1995:69) states that:
Some organizations have replaced the leadership of the foreman with
joint decision - making by the work group... in an attempt to create
greater involvement of the workers in their jobs and improve the quantity
of the products.

Furthermore, to guarantee a harmonious industrial relations environment, the government has the
responsibility of formulating policies affecting the “modes of production” from time-to-time. The
importance of articulation of “modes of production” is seen in the view of Cohen (1982:11), who argues
that: “No clear social formation exists, or needs to exist in order to successfully serve the interests of
the external state”. When this position is related to the production process affecting an establishment, it could
be argued that an organisation would confine its “modes of production” to its traditional objective. When an
organization goes outside its purview during production, there may be industrial relations disharmony
occasioned by the activities of the labour union. Therefore, the advantage inherent in the definition of a mode
of production is seen in the fact that it stipulates control over production, exchange and distribution (Cohen,
1982:11).

The role of government and any of its institutions in industrial relations policies, always takes the form of determining work
rules or conditions of service. The intrinsic desire of any labour group is to achieve an improved condition
of service for its members. Consequently, it is always in the vanguard of demanding for an equitable share
of the profit accruing to the management. And any time obnoxious policies are made (for example on fuel
price as witnessed Nigeria in January, 2012), in Nigeria, the Nigeria Labour Congress (NLC), Trade Union
Congress (TUC) United Labour Congress (ULC) always rise to the defence
of their members and the society at large. Apparently stressing the importance of involving the labour union in the formation and execution
of industrial policies, Olukunle (2004) posits:
There is no opposition to government deregulation of its petroleum
industry and the other economic reforms it is embarking upon, but it has
been stubbornly executing the project without a consideration for the
people who are already poor, and are getting suffocated by the harsh side
effects of the economic reform (Olukunle, 2004:13).

The role of government and any of its institutions in industrial relations policies, always takes the form of legislation and regulatory action. It is the legislation that provides an enabling Act for both the management and the labour union to operate. Consequently, from time-to-time, policies formulated by the government (for example, National Minimum wage) help define how the management would relate with the labour union and vice-versa. In fact, “the aim of setting up” of the Nigerian Labour Congress and the rationalization of unions along industrial lines in Nigeria “was to reduce the incidence of industrial conflict.
It was supposed to prevent further conflict as much as it was to ensure that conflict whenever it occurs, its processing and consequences are regulated” (Nwabueze, 1988:243).

From the foregoing, it can be argued that government helps to stabilize labour-management relations by setting a minimum wage, wading into disputes involving the management and the workers, and defining the conditions governing workers’ welfare, such as gratuity and pensions (for instance, 2004 Contributory Pension Scheme Act). To further buttress the importance of wages in reducing industrial conflict, Aiyede (2000:65) argues that wage administration attempts to prevent rises in industrial relations crises. He added that “government ensures that wages are set at a reasonable level so that the worker is not exploited and at the same time the small scale enterprise is not put out of business’. The Minister of Labour and Employment under the administration of President Muhammad Buhari, Dr. Chris Ngige also corroborates the fact that wage administration often spearheaded by the government, helps reduce industrial relations conflicts. While receiving the Director General of the Nigeria Employers Consultative Association (NECA) who paid him a courtesy visit in Abuja, he justified the position of the Federal Government on the proposed new minimum wage by asserting that;

We need to arrive at a figure which the employers can afford to pay as an employee cannot fix a figure for the employer. Rather, it must be based on collective bargaining and mutual agreement by the tripartite partners. It is not a function of moving motions or voting at the National Tripartite Negotiation Committee to insist that the figure must be as Organised Labour appears to make it look. There is therefore, no need to heat up the polity. The government’s proposed new Minimum Wage figure is clearly based on critical facts and indices incapable of causing disequilibrium in the economy or upturning the national social order (Fagbemi, 2018:5).

When a government’s labour policy takes a regulatory form, the labour union would be at the receiving end. For instance, Dr. Hassan Lawal, the then Federal Minister of Labour and Productivity, while presenting a certificate of registration to the Trade Union Congress (TUC) on September 9, 2005, confirmed the insinuation that the labour union was registered to undermine the Nigeria Labour Congress (NLC). One of the reasons he gave for the registration of TUC was “the need to counter the monopoly of the Nigeria Labour Congress”. He was further quoted as saying:

Now, I want to assure you that this has happened because of your maturity, high sense of organization, understanding, ability to reason and ability to engage in the principle of collective bargaining. You may recall that, during the defence of the Trade Union Amendment Act draft at the National Assembly, the government’s position has always been that there was the need to kill monopoly and open up the arena so that other organizations can compete favourably. And if they are found to be capable and satisfied the requirements, they will be registered (New Age, September 12, 2005:3)

However, in apparent confirmation of the earlier position of this study that labour unions are always in the vanguard of negotiating better conditions of service for their members, TUC directed its members to join the mass protests of September 14, 2005 on fuel price hike, organised by the NLC (New Age, September 12, 2005:1 & 4). Similarly, in January 2012 both the NLC and TUC joined the vanguard of other pro-democracy groups in the country in street protests that lasted for nine days over the deregulation policy of the administration of President Jonathan in the oil sector. The action forced the government to reverse its earlier decision of increasing the pump price of petrol to #140. It was brought down to N95.00. Furthermore, both trade unions were actively involved in arriving at the Minimum Wage of N18,000.00 in the country in 2011.

Conclusion

177
This study has examined the synergy between governance, public policy and industrial relations in Nigeria. It reviewed the concepts of ‘good governance’, ‘public policy’, ‘industrial relations’ and ‘industrial relations policies’. The paper went further to discuss why industrial policies are formulated, causes of industrial conflict, the major types of industrial policies and good governance, public policies and industrial relations in Nigeria. The following observations were made in this study.

1. That governance translates to addressing the needs of the citizenry in every respect, in this case, industrial relations;
2. That industrial relations policies always deal largely with ‘work rules’ and condition of service.
3. That the government or any of its institutions (for example, the legislature, National Assembly as in the case of Nigeria), being the only body that has power to make enabling Acts, usually formulates industrial policies;
4. That more often than not, the interest of the management and labour union is always contradictory. While the management has the profit motive, the labour union is being driven by its desire to improve the welfare of its members; and
5. That to guarantee a harmonious industrial relations environment, there is the need for the stakeholders in industrial relations; government, management and the labour union to imbibe the spirit of “industrial democracies” as enunciated by Peters (1995).

The assumption of this study is that the prevailing situation in industrial relations at any point in time has impact on the political system at large. That is, when the industrial relations environment is stable, the society at large will be at peace. Whenever a labour union organises a ‘strike’ or ‘mass protest’ the economy of the country will suffer the effects. For instance, Akintola (2004), bemoaning the losses of business operators in Nigeria during the four-day (October 11-14, 2004) NLC strike embarked upon to protest the increase in fuel price, posits:

It is however instructive to note that the strike, which has paralyzed socio-economic activities in Nigeria since Monday when it started, has also confirmed the relevance of the Nigerian nation to the global economy (Sunday Tribune, October 17, 2004:27).

Apart from economic losses, civil disturbances accentuated by labour unions in Nigeria could lead to loss of lives. For instance, it was reported that “no fewer than four people were killed in Lagos” and a “twelve-year old boy was felled by bullets in Kaduna while another protestor was killed by the police in Port Harcourt” during the October 11 to 14, 2004 NLC strike (Sunday Tribune, October 17, 2004:7). Similarly, not less than three lives were lost in Lagos during the protests over hike in fuel price in January 2012.

From the above findings, the following suggestions are offered to guarantee a harmonious industrial relations environment in Nigeria, among the ‘management’, ‘labour union’ and ‘government’.

(i) Government’s policies on labour issues should be governed by good governance and must be revised from time to time. While doing this, however both the union and management must be carried along.
(ii) Government should monitor the activities of employers of labour (both private and public) in relation to workers’ welfare/conditions of service.
(iii) Government should show more concern in arbitrating issues affecting labour and management.
(iv) On their part, employers of labour should endeavour to always respect the agreement between them and their workers.
(v) To instill a greater confidence in the minds of their workers, employers of labour should imbibe the philosophy of “industrial democracies” by involving workers on issues relating to their wages; conditions of service, reward system; and also consider having workers’ representatives on the board of directors. This method was adopted by the Federal Government of Nigeria in arriving at what is to be the new minimum wage in 2009, and 2011 respectively. It is equally currently being adopted in Nigeria where by the foremost trade unions in Nigeria, NLC and TUC, have representatives in the National Tripartite Negotiation Committee, inaugurated on November 27,

(vi) The labour should be diplomatic in its approach. For instance, the type of ‘consultation’ that took place between them and the Nigeria Police before the September 14, 2005 mass protests on fuel price hike which started in Lagos should be encouraged. The meeting afforded both hitherto “enemies” to agree on the modality of the mass protests. It was reported that, for the first time in Nigeria’s history of ‘mass protests’,

Policemen were civil in line with the directive from the Inspector-General of Police, Mr. Sunday Ehindero. They were not armed too. The protesters were taken aback by the unaccustomed civility of the police (News Age, September 15, 2005:4)

However, the above development is not unconnected with the Federal Court of Appeal, Abuja’s ruling of March 2005 which gave approval to strikes and mass protests in Nigeria.

Holding the management to ransom on every issue will cause intermittent disruption in the production process and may make government to temporarily lose focus on good governance. However, when there is no end in sight to an industrial conflict the government or the management might be forced to resort to measures that are aimed at checking the excesses of workers. In view of this, trade unions should forward their grievances to industrial/labour courts or panels instituted by the government to press home their demands. However this study has revealed that labour unions and management alike have not been taking the advantage of the various industrial courts across the country to settle their disputes.

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