

**COLLECTIVE BARGAINING BETWEEN EMPLOYEES AND EMPLOYERS IN
NIGERIA: ISSUES AND BENEFITS**

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Abstract

Without some degree of harmony between the management and the employees, no organization can operate at its maximum production level. Collective bargaining has been recognized as a beneficial method for proactively addressing concerns and emergent matters in industrial groups, despite the consensus among researchers that conflict in social situations such as industries is inevitable. In contrast to the aforementioned, this study tries to investigate the problems and benefits in Nigerian collective bargaining between employees and employers. The particular goals were to determine what prevents efficient collective bargaining, evaluate what causes industrial strikes, and determine the necessity and benefits of collective negotiation. Thus, relying on the fundamental premises of the Chamberlain model of collective bargaining, the paper revealed that, concerns about a better pay package, among other terms and conditions of employment contracts, are the major topical issues of debate in collective bargaining but that governments' hostility towards trade unionism and failure or prolonged delay to implement collective agreements cause the employees to resort to strike actions to justify the cost of undermining them. Because it is believed that ongoing, fruitful engagement/discussion on important issues and benefits will be helpful to prevent industrial strike action, the paper recommended increased participation of more people in the collective bargaining process as well as effective communication of the outcome of collective bargaining to the union staff. Union members were also advised to follow through with the resolutions of collective bargaining agreements in order to avoid slip-ups and further damage to industrial harmony within organizations.

Keywords: Collective bargaining, Employers, Employees, Issues, Benefits, Nigeria.

1.0 Introduction

In collective bargaining, terms and conditions of employment are discussed and negotiated between employers and employees, typically through their representatives. In order to discuss and come to an agreement on the demands of the workers on specific improvements in the terms and circumstances of employment, the employer or representatives of the employer meet with the workers' union in a setting of mutual respect and cooperation. Collective bargaining is defined by Nigerian law's Section 91 of the Labour Act as the process of reaching or attempting to reach a collective agreement. The collective agreement is the result of the aforementioned process.

Okene (2011) asserted that there are conflicting interests in workplace relations, with the employer motivated by the need for profits and control and the employees motivated by the desire to increase pay, benefits, inclusion, and expression. To resolve a variety of topics of interest through voluntary agreements, however, employers, employees, and their unions have developed engagement strategies beyond the pursuit and receipt of fundamental freedoms and rights. Collective bargaining is a valuable cure-all and a real way to keep long-term peace in the workplace, according to all of the above points of view.

Since 1984, when the first complete international collective bargaining instrument was created, the meaning, purpose, and usefulness of collective bargaining have been heavily debated as a means of building harmonious labour relations. The collective bargaining process governs workplace relations. According to Ugbomhe and Osagie (2019), it is a social process that consistently converts arguments into agreements in a systematic way. Negotiation and discussion are the procedures used to come up with mutually acceptable rules and decisions on issues of importance to both the union and the employer, as well as to regulate the conditions and terms of employment. It is a type of worker participation because it enables workers to affect pay and working conditions through their union.

Collective bargaining is viewed by Abercrombie et al. (1980), as quoted by Nwadiro (2011), as the primary premise and technique on which the trade union structure is built. Although it establishes procedural rules for good faith negotiating, it does not need either side to consent to a

proposal to make a concession. Collective bargaining serves a number of purposes in work relations as one of the industrial relations processes. Both an industrial democracy and a mechanism of industrial jurisprudence may be seen in it. It is a way for employees and management to settle disagreements at work and figure out the terms and conditions of employment.

Nigeria's unusual collective bargaining procedure results from the country's unstable socioeconomic environment. The relatively high cost of living and the weak local currency, which have reduced the purchasing power of the typical person, serve as examples of this (Omodu, 2021). Therefore, it makes sense that the emphasis of many collective bargaining agreements in Nigeria is on raising pay and ensuring benefits and other perks. This approach contrasts with what is seen in developed regions, where other general needs like infrastructure improvement and capacity building are given the same priority. Leaving aside the ongoing problems with bread and butter. Abel (2014) says that one of the most important things about collective bargaining agreements in Nigeria is that they cover additional administrative and internal issues that can be handled through problem-solving or partnership models instead of necessarily through collective bargaining.

The variation in the collective bargaining structure shows the relative ability of the government to manage resources, especially in light of the current national policy. In practice, there is a tendency to relate current economic policies, particularly in emerging nations, to the design of the workplace collective bargaining process. This perspective offers a pragmatic balance since it opens up a way to improve democratic possibilities, facilitates equitable income distribution, and lessens discrimination (Adebisi, 2014). Despite the difficulties posed by the industrial environment in Nigeria, collective bargaining must be maintained by stressing good management and control of the process for the best outcomes. To do this, it is necessary to comprehend the recurring contemporary issues.

There does not now appear to be agreement among experts on the topic of this study, and there is a dearth of theoretical and empirical support for it. Consequently, there is a gap in the body of literature on strategic problems crucial to long-term industrial interactions between employers and employees in Nigeria. In light of this, the purpose of this study is to broaden the field of inquiry by addressing issues that have recently come up in collective bargaining between employers and employees in Nigerian industrial contexts.

1.1 Statement of the Problem

The management of both public and private organizations has focused on the need for a supportive work environment, a cordial relationship between the three actors in industrial relations (labour, management, and the government), and the best ways to promote and maintain employees' job satisfaction and productivity. This is due to the fact that it is true that these factors are essential to every organization's sustainability. When these variables are closely examined, it becomes clear that labour-management interactions are a significant element that could affect the other variables. Diverse interests are a fundamental characteristic of an

organization's constituent parts. Each stakeholder in an organization has their own interests, which typically diverge from those of other stakeholders. How well these interests are aligned and met determines how well the organization is set up for collaboration and getting the most work done.

Collective bargaining, a tool in labour-management relations that enables both management and employees to debate concerns and make collaborative decisions that will ensure the existence of organizations, is frequently used to actualize these interests. The crises that result in collective agreements in labour relations between employees (unions) and employees' representatives are not always properly managed, according to Nwadiaro (2011), who studied industrial conflicts in Nigeria.

The aforementioned observation can be used to draw the conclusion that conflicts, walkouts, work-to-rule situations, deadlocks, and disregard of agreements achieved would occur instead of dispute resolution. Collective bargaining is viewed with apathy by the government. For example, it seems that when there are labour disputes in Nigeria, the government sometimes tries to use collective bargaining by talking from both sides.

Despite the widely acknowledged benefits of collective bargaining as a genuine instrument of industrial peace, no day goes by in Nigeria without some sort of industrial action taking place or posing a danger. So, the incessant strike action and protests have been the most common problem in Nigeria industrial space over the past few years (Uma et al., 2013). These scholars contend that other significant public sector unions, such as the National Union of Teachers (NUT), Academic Staff Union of Universities (ASUU), and Non-Academic Staff Union of Universities (NASUU), will take their place in their various struggles to better the terms and conditions of services for their members. As a result, the confidence of public sector employees in the use of collective bargaining is rapidly dwindling. This is due to the fact that the only defence offered for industrial action in this industry is the damage done to the method of collective bargaining.

The nature of collective bargaining is never definitive. It adjusts to the shifting social, political, and economic circumstances. It has significantly varied within organizations, within unions, and between organizations. For instance, while many unions in the construction industry have shelved or undercut these goals, a few industrial unions in the USA have successfully negotiated for increased bonuses and provident fund benefits.

But collective bargaining in some African countries, particularly Nigeria, is invariably characterized by relatively frequent strikes, lockouts, work-to-rule, deadlocks, and no work-to-pay policies, among other things, whereas there are long records of uninterrupted industrial peace in other organizations. So, the goal of this essay is to look at the problems with collective bargaining between employers and employees in Nigerian industrial settings. These problems include pay rate and structure, health benefits, incentive programs, job classification, performance evaluation procedures, vacation and sick leave, retirement plans, layoff procedures, seniority, training process, severance pay, and tools given to employees.

1.2 Aim and Objectives of the Paper

While the general aim of this paper is to examine the issues in collective bargaining between employers and employees in Nigeria, the specific objectives include the following:

- i. To identify the challenges affecting collective bargaining between employers and employees in Nigeria.
- ii. To examine the factors prompting trade unions to embark on strike action in Nigeria.
- iii. To bring to light the need for and benefits of collective bargaining in managing industrial conflicts in Nigeria.

1.3 Methodology

Primary method of data collection for this paper was secondary sources. Since some of the collective bargaining concerns that could cause industrial unrest still exist today, the secondary source of data collection is deemed appropriate for this article. In this regard, information was gathered through academic journals, published books, seminar presentations, unpublished theses, and articles from the internet. As a result, written works relevant to the topic were used. Content analysis was used to examine the information acquired for this project.

1.4 Literature Reviews

The reviews of relevant and related literature were done in accordance with the aim and objectives of the paper under the following subheadings:

1.4.1 Collective Bargaining: Conceptual Clarifications

According to Rose (2008), referenced in Okpalibekwe et al. (2015), the word "collective bargaining" was initially used to refer to the process of negotiating terms and conditions of employment between representatives of employers (and presumably their association) and representatives of employees (as well as their labour unions). Rose (2008) says that collective bargaining is the process by which representatives of employers and employees work together to make decisions and set rules about both substantive and procedural issues in the employment relationship.

The concept of collective bargaining predates the modern job relationship by approximately a thousand years. The notion is defined in a variety of ways depending on its structure and content.

According to Okpalibekwe (2015), collective bargaining is a method of settling employment terms and conditions; it results in a final agreement that has a regulative attribute and restricts the employer's freedom of action to the issues covered by the collective agreement. This opinion is consistent with the aforementioned positions. The idea can also be thought of in terms of negotiating, interpreting, and managing a contract that comes out of a two-way or multi-way exchange.

The International Labour Organization (ILO) defined collective bargaining as discussions between an employer, a group of employers, or one or more employers' organizations and one or more representative workers' organizations with the goal of achieving an agreement in 1960. Collective bargaining is also defined as a voluntary, organized process that leads to a certain type of work relationship based on mutual respect, collaborative regulation, and employee participation (Uma et al., 2013).

On the other hand, according to Hayer (2011), collective bargaining is a negotiation process that is predicated on a clearly defined employment relationship and is characterized by the freedom of both employers and employees to associate with a group that defends their interests in order to have issues pertaining to the workplace resolved. According to the 1960 report of the International Labour Organization committee on freedom of association, collective bargaining is the right of the worker to obtain better terms of employment and living through strong representation. It further states that government agencies must avoid interfering in any way that may limit this liberty. Collective bargaining is the act of reaching or seeking to reach a collective agreement, according to Nigeria's enabling labour and employment law, the Labour Act (S. 91, 2004). According to Ogunniyi (2004), collective bargaining is the process of establishing a "modus operandi" between two parties (employers and employees) on topics relating to the terms, conditions, rights, and interests of the parties, which is consistent with the Labour Act.

In the context of this essay, collective bargaining is understood as a negotiation process in which the employer and employees (or their representatives) engage in communication with the goal of achieving certain demands and interests or reaching a compromise. In the Nigerian context, it is typically used as a process to settle points of contention or divergence in order to reach a compromise and restart productive engagement. Human actors influence and aid the collective bargaining process to achieve particular objectives. While taking into account the structure or context of the negotiation process, it executes tasks related to the terms and conditions that have been agreed upon by the opposing parties. It should be emphasized that the structure of the negotiating process differs between industries and that each industry's unique characteristics play a crucial role in determining the process's outcome, which in turn affects the type of influence that is exerted on the external economic environment.

1.4.2 Models of Collective Bargaining

There are various types of collective bargaining. Actually, there are several divisions of collective bargaining. The most typical forms of collective bargaining, as well as those by

Chamberlain and Kuhn (1996) that Ugbonmhe and Osagie (2019) emphasized, are given below for this essay:

1. Composite Negotiating: Compensation is unrelated to composite bargaining. Instead, it concentrates on different topics, including employment security, working conditions, and other company policies. Hiring and firing procedures as well as workplace rules may be among them. The goal of composite bargaining is to come to a fair agreement that will help employers and employees work together in a reliable and friendly way.

2. Concessionary Negotiation: As the name suggests, concessionary bargaining focuses on concessions made by union leaders in exchange for job security. This is typical during a recession or downturn in the economy. Union leaders may agree to give up some perks in order to keep their workers and, eventually, the company alive.

3. Distributive Bargaining: This method is described as monetarily benefiting one side at the expense of the other. This can be accomplished through raising salaries, bonuses, or any other financial rewards. Typically, distributive bargaining favours employees over companies. Distributive bargaining needs stronger unions for it to be effective. Power increases with membership. An employer may declare a strike if the union's demands are not met.

4. Integrative Negotiation: Integrative bargaining is frequently referred to as a sort of win-win bargaining because each party seeks to gain from it. Both parties make an effort to take into account one another's viewpoints and bring problems to the table that will be advantageous to both. Because of this, integrative bargaining has pros and cons for both companies and workers.

5. Productivity Bargaining: The focus of this style of bargaining is on employee productivity and remuneration. Better pay and benefits are frequently used by labour union leaders to increase employee productivity, which benefits the business by increasing revenues and value. Both sides must consent to the financial parameters for this type of negotiation to boost productivity.

1.4.3 Significant Problems with Collective Bargaining in Nigeria

Industrial relations and collective bargaining are practices that have spread around the world and the situation is not different in Nigeria. The truth is that the government (federal, state, and local) has continued to give collective bargaining mechanisms lip service (Robinson & Udeorah, 2018). In contrast to other nations where the idea of collective bargaining originated from the private industry sector, in Nigeria it was government involvement that gave rise to the practice.

Concerns affecting workers and the workplace are the focus of collective bargaining. Infrastructure, capacity building, quality assurance, pay, working conditions and environment, benefits, as well as company policies and procedures, are just a few of the conflicting concerns. Omodu (2021) states that when employee contracts are due for renewal or when employers make changes to the work environment or contracts that affect employees, that is when collective bargaining is started. These changes, according to this scholar, affect employment conditions,

working conditions and other workplace regulations; base pay, wages, and overtime pay; work hours and shift length; holidays, sick leave, and vacation time; as well as benefits pertaining to things like retirement and healthcare, among other things.

All parties involved in collective bargaining may experience stress and difficulty during this lengthy process. It frequently entails a lot of bids and counteroffers going back and forth. But coming to a consensus is the ultimate objective. There are several stages to the procedure. The following is a summary of these steps: After negotiations, a tentative agreement is made. This agreement must be accepted and ratified before it can be put into place (Okene, 2011).

However, there are situations where the parties concerned are unable to reach an agreement, as mentioned by Adebisi (2014). If the negotiation period ended without a collective bargaining agreement in place, union reps would advise workers to strike until their demands are met. On the other hand, employers may opt to lock out workers until a mutually agreeable solution is found. Employees are permitted to picket if they are locked out. These are extreme situations that are typically only employed as a last resort because neither party wants to get to them.

1.4.4 Obstacles to Collective Bargaining Between Nigerian Employers and Employees.

A variety of obstacles prevent collective bargaining from being effective in Nigeria. According to Bello and Kinge (2014) and Olukayode (2015), the main things that made it hard for collective bargaining to happen in the atypical scenario were:

i. The government's interventionist approach:

The use of force or threat against employees during collective bargaining sessions, a lack of commitment to the process, the expulsion of a trade union, a government action taken unilaterally, and the ongoing issuance of circulars on wage awards without consulting with labour representatives are examples of such interventionist measures. The government still gives lip respect to collective bargaining by using the supremacy of wage commission as a method of awarding wage awards, which frequently have cosmic applicability in the public sector, rather than allowing it to flourish. This use of fiat in the Nigerian public sector makes a joke of collective bargaining and goes against ILO rules and standards (Ekwoaba et al., 2015). A very good example of this is the age long and incessant faceoff between Academic Staff Union of Universities (ASUU) and the Federal Government of Nigeria. ASUU embarked again on another industrial strike action indefinitely on the 14th February, 2022 because FGN reneges on the previous agreement reached and memorandum of understanding signed to increase funding of public universities since the year 2009.

ii. The Trade Union Amendment Act of 2005 was passed:

In addition to the government's (past and present) obtrusive behaviour, the Trade Union Amendment Act of 2005 was not entirely successful in promoting freedom of association within the confines of Nigerian labour law. The Nigerian constitution fully upholds the freedom of association idea. However, the Act restricts the creation of new industrial unions, which hinders the practice of collective bargaining and runs counter to the freedom of association principle as enshrined in the national constitution. In terms of industrial relations, the Trade Union Amendment Act of 2005 is seen as a bad invention (Ndifon et al., 2008). The ILO monitoring reports urged the Nigerian government to look at how it works and change the Trade Union Act of 2005 (Fajana & Shadare, 2012). This was done to make the unions and collective bargaining more democratic.

Even while the country's democratically elected government has brought some clear democratic benefits to public sector organizations, these gains do not yet include the ability to strike and power parity, which are the two main pillars of collective bargaining practice. Without the ability to strike, according to the trade unions, collective bargaining would amount to nothing more than collective begging (Weiss, 2005). When management has a clear advantage over the employees' representatives in bargaining, as is the case right now in Nigeria's public sector organizations, relationships are also more likely to become strained.

iii. Weak Organizational Structures in Nigeria's Public Sector:

The containment of industrial conflicts is the fundamental goal of collective bargaining in a developing country like Nigeria. However, because of the shoddy architecture in Nigeria's public sector institutions, the method has lost some of its manoeuvring latitude. According to Anyim et al. (2011), Nigerian public organizations have a corrupted and poorly designed collective bargaining mechanism. As a result, it is believed that the public service's current bargaining structure arrangement is weak. In addition, management's disregard for the sanctity of collective agreements and its refusal to engage in good faith are some of the drawbacks of collective bargaining in Nigeria's public sector companies. In general, how well collective bargaining works depends a lot on how agreements from the past were carried out.

iv. Negative government policies and hostility toward trade unionism:

According to Akhaukwa et al. (2013), in order for parties to establish a working relationship, the collective bargaining process must be fair, legitimate, and take place in a setting of trust. In Nigeria's public sector institutions, however, the opposite is true. The collective bargaining strategy is not just poorly implemented but also flawed and dishonest. As the largest employer of labour, the government has consistently failed to adequately execute the fundamental result of collective bargaining. For instance, Adibe (2009), for instance, posited that more than two years

after the 2009 FGN/ASUU agreement was signed, the federal government still failed to implement it. As a result, the government has disregarded the fundamental principle of industrial democracy, which is that agreements made voluntarily must be upheld (Ajayi, 2014). The consistent failure of the government to honour agreement reached in the Memorandum of Understanding is the major reason why Academic Staff Union of Universities incessantly go on strike action in Nigeria leading to solidarity strikes by other trade unions. The complicated web of political intrigue in Nigeria's public sector organizations has made it much harder for union executives to negotiate on behalf of the members.

v. Instead of negotiating interests, collective bargaining has become a court-mandated method for resolving rights disputes:

According to recent cases, collective bargaining is typically not conducted on the basis of new negotiations brought in good faith or mutual cooperation but rather primarily as a court-ordered dispute resolution mechanism where employers have broken the terms of prior collective bargaining agreements, as noted by Omodu (2021). Frequently, parties litigate to settle rights disputes rather than interest disputes (such as enforcing and registering the collective bargaining agreement) (which is the substantive terms of the agreement outlining the terms and conditions of employment).

1.4.5 What Causes Strike Action in Nigeria or Why Do Trade Unions Go on Strike?

Recent months have seen a sharp rise in the number of industrial actions in Nigeria. In Nigeria, there is never a day without strikes or threats of strikes in some fashion. At this point, it is important to stress the importance of the right to strike to the process of collective bargaining. It is the key to how collective bargaining functions. It is to the collective bargaining process what an engine is to a car. Although it has been said that the only man who wants a strike for amusement is the man who wants to spend his leisure time in hell.

In order to avoid any strike action, it is in the unions' primary interest to use collective bargaining to pressure the employer into making wage and other concessions. As a result, the following are the specific reasons for taking industrial action during collective bargaining:

i. Refusing to recognize a union or other group of workers as a party to collective bargaining:

The recognition problem is essential to the entire collective bargaining process. According to Raimi and Adias (2018), if employers had the right to refuse to recognize employees' unions for bargaining purposes, the workers' right to freedom of association would be useless. Workers go on strike to get recognition because if they didn't, trade unions wouldn't be able to do their job, which is to look out for the interests of their members.

ii. Refusing to give in to a union's demand or failing to negotiate:

Industrial action frequently results from unmet requests by unions or employees for increased pay, benefits, or other contract modifications. In a market economy like Nigeria's, employees and trade unionists have the right to constantly demand and bargain for better terms and circumstances of their work. Employees would consistently ask for raises in pay that were in line with inflation patterns. This is one of the main purposes of collective bargaining, as was previously mentioned. If the company doesn't meet the unions' demands or won't talk to them, the workers will have to take industrial action to get what they want.

iii. Failure to Implement Collective Bargaining:

There is no question that the failure to pay wages or the failure to enforce collective agreements that, among other things, require the payment of salaries is the underlying cause of the majority of strikes in Nigeria. Even though an agreement was made between the employer and the workers, the employer hasn't been keeping to the terms of the agreement. This could force the workers to take industrial action.

According to Ajayi (2014), when employees are unhappy with a company policy, they take to the streets to protest; issues with pay and incentives; Not enough of an increase Wrongful termination or dismissal of a worker; revocation of any concession or privilege; working hours and breaks; Holidays and PTO; bonuses; profit sharing; a provident fund; and gratuities worker layoffs, business closures, and disagreements over the minimum wage are just a few examples.

1.4.6 Nigeria's Industrial Conflicts and the benefits of Collective Bargaining

A worker with limited resources cannot negotiate with an employer with deep pockets; as a result, the employee may be persuaded to accept unfavourable terms, such as poor pay. The workers in this situation are afraid of losing their employment. This anxiety may result from problems including ignorance, illiteracy, and industry-specific skill limitations. Employers are sometimes able to get most of their workers to give up what they want, and they may use coordinated efforts to force workers to accept low pay.

According to Bello and Kinge (2014), collective bargaining enables employees to establish larger groupings, such as trade unions, and develop a unified, louder voice that can help achieve benefits for the employees with regard to the terms and circumstances of employment. Collective bargaining must be effective and enforced in order to enhance salaries and working conditions and to advance equality. This gives management and employees a chance to bargain on an equal footing. It is an important part of making sure that businesses and economies can deal with the current economic crisis.

In addition to the points made above by the scholars, Ekwoaba et al. (2015) assert that collective bargaining promotes mutual trust and respect between employers and employees and their organizations; it also increases the stability and productivity of labour relations. Collective bargaining is good for both employees and employers because it makes sure that employees are paid fairly for the work they do without hurting the ability of employers to make money.

1.5 Empirical Reviews

Okpalibekwe et al.'s study of the Nigeria Union of Local Government Employees of Idemili North Local Government Council in Anambra State in 2015 looked at collective bargaining, organizational performance, and labour relations. The study used a survey research method and heavily incorporated both primary and secondary data. One-sample t-tests were used to evaluate the hypotheses after the data was processed using percentages and mean scores. The study's results showed that the Nigeria Union of Local Government Employees has made a big difference in keeping the workplace peaceful, making sure that workers are committed to doing their best work, and using collective bargaining to improve organizational performance.

Raimi and Adias (2018) studied the relationship between collective bargaining and workplace harmony at the Shell Petroleum Development Company (SPDC), Port Harcourt, Rivers State, Nigeria. A sample of 350 respondents, drawn from various cadres of SPDC workers, was used. So, based on the analytical strengths of the descriptive models and Chi-Square (2) statistical techniques for data analysis, the study found, among other things, that even though respondents think that collective bargaining and industrial harmony are related in a positive way, organizational grievances have not been adequately addressed through these procedures, and even when they have, agreements have not been implemented in a significant way.

In Nigeria's public sector organizations, Longe (2015) assessed the effectiveness of collective bargaining as a method of conflict management. The federal capital city of Abuja's six (6) purposefully chosen public establishments, which had a checkered history of conflict in employee relations, provided a sample of 1425 respondents for the study. A questionnaire with a modified 5-point rating scale and a reliability coefficient of 0.796 was used to collect the data. Statistics like percentage count, mean, and standard deviation were used to describe the data that was collected.

The study discovered a weak, statistically significant relationship between collective bargaining and conflict resolution. The discovery specifically predicted that collective bargaining would be ineffectual, pointing to the snaking web of government intrigues as one of the major obstacles impeding the mechanism's efficiency. The blatant result has been a never-ending series of severe industrial activities in Nigeria's public sector enterprises. The study found that even though collective bargaining is a way for institutions to solve problems between workers and managers, it hasn't made a big difference in how Nigeria's public sector organizations handle industrial relations.

Looking closely at the conclusions from the empirical reviews above, it is clear that none of the researchers clearly highlighted the current problems that led to complaints in certain industries and conflicts between management, employers, and employees prior to the requirement for collective bargaining. This study fills the information gap by giving a critical analysis of the current problems with collective bargaining.

1.6 Theoretical Framework: Chamberlain Model of Collective Bargaining

There are numerous ideas that relate to how collective bargaining works and how it is explained, and each places focus on a different component of the process. This essay is based on the principles of the Chamberlain model of collective bargaining.

As a result, the Chamberlain (1951) model of collective bargaining is focused on the factors that determine or constitute bargaining power as well as how these factors interact and ultimately result in the resolution of collective conflicts. The ability to obtain the other parties' assent or acceptance to one's own terms is considered in this situation as having bargaining strength. Therefore, management's readiness to consent to or agree to the terms of the union, and vice versa, is viewed as a union's ability to bargain. According to Chamberlain's (1951) hypothesis, the desire or unwillingness of management/government to agree to the union's requests depends on how expensive disagreeing will be in comparison to how expensive agreeing will be. Therefore, the union won't agree to or reject management's offer if it thinks it will be more expensive to agree with management than to dispute it.

According to Professor Chamberlain, the collective bargaining agreement should be viewed as a management tool rather than as a legally binding contract. So, it should be subject to (1) all the flexibility it needs to reach its goal and (2) all the restrictions it needs to reach that goal.

The Chamberlain model is based on a few fundamental permutations that seem to be extremely relevant to the explanation of collective bargaining. These permutations are: (i) the belief that disagreement is more expensive than agreement; (ii) the relativity of bargaining power, which depends on the size of wage increase being proposed; (iii) the commitment of the parties to remain irreconcilable even in the face of mutually acceptable alternatives to settlement; and (iv) reciprocal o

Although this model is useful and justifiable in explaining collective bargaining, it has limitations, so Professor Chamberlain does not address the case where the parties do not want to rely on an arbitrator to decide whether "operational requirements" call for a deviation from the collective agreement. But the vast majority of collective bargaining agreements make it clear that arbitrators don't have full power in this area.

1.7 Discussions

In this paper, the problems with collective bargaining between workers and employers in Nigeria were looked at in depth. Based on the results of reviews of pertinent and related literature provided by authors including Bello and Kinge (2014) and cited in Longe (2015), Ekwoaba et al (2015), Fajana and Shadare (2012), and Ajayi (2014), among others, it was evidently noted that factors including government interventionist measures such as the use of force or threat on workers during collective bargaining sessions, lack of seriousness to engage in the collective bargaining process, proscription of trade unionism, and prohibition, among others, were significant. Other difficulties, such as management's disregard for the sanctity of collective agreements and a refusal to negotiate in good faith, have been identified by experts as the banes of collective bargaining in Nigeria's public sector organizations. Also, in Nigeria, collective

bargaining has become a court-mandated process for arguing about rights instead of a way to negotiate interests.

From the above reviews, we can conclude that Nigerian collective bargaining hasn't been very good at resolving labour disputes because it often leads to deadlocks. These deadlocks lead to ongoing industrial strike actions, which are caused by the refusal to value the union or workers group as a collective bargaining party, the refusal to give in to unions' demands/failure to negotiate, and the failure to implement collective bargaining agreements.

Effective collective bargaining is necessary for industrial harmony between employers and employees in Nigeria. As seen from academic submissions by authors like Bello and Kinge (2014) and EkwoabaI et al. (2015), collective bargaining's importance in preserving industrial peace cannot be understated because it fosters a unifying, louder voice that can support securing benefits for employees regarding the terms and conditions of employment. Collective bargaining has also been shown to be important because it makes workers more committed, makes it easier for them to share information, reduces differences in income, and shows how strong each side is.

1.8 Conclusions and Recommendations

This essay looks at the problems with labour negotiations between employer and employees in Nigeria. It is clear from the perspectives adopted by researchers and the conclusions drawn in this paper that collective bargaining is a crucial component of industrial harmony. The employer's omnipotent and pervasive nature, along with other difficulties plaguing the profession, have caused the apparatus to operate relatively badly. The Chamberlain model of collective bargaining, which was chosen for this article, is thereby well justified, particularly in light of the fact that both sides have equal bargaining power. Therefore, the union won't agree to or reject management's offer if it thinks it will be more expensive to agree with management than to dispute it. The opposite of harmonious labour-management relations is this juxtaposition.

The paper thus comes to the conclusion that effective collective bargaining processes and machinery hold the promise of achieving industrial stability and regularities through procedural and substantive rules with the objective of ensuring a credible mechanism for the peaceful resolution of labour/management conflicts, which would inevitably lead to harmony in Nigerian industrial relations.

The conclusion of this essay is that there can be little doubt that concerns with salary non-payment or lax implementation of collective bargaining agreements between employers and employees are the true causes of the majority of striking activities in Nigeria. Even if the unions and employers come to a good agreement through negotiations, if the employers don't follow the terms of the agreement, the employees may have to take industrial action.

Based on the findings and the conclusions reached in this paper, the following recommendations have been suggested:

1. It is suggested that more union members, especially executives, be urged to take part in negotiations for collective bargaining agreements. By bringing in more people, there would be a lot more ideas about how to solve the problems that stop collective bargaining from working and how to keep the workplace peaceful in Nigeria.
2. It is important that members of the various staff unions are effectively informed of the results of collective bargaining sessions. Constant and positive engagement and discussion on important issues and matters arising is thought to be useful. To avoid strikes and impasses in the collective bargaining process, the use of Alternative Dispute Resolution (ADR) mechanisms (which include mediation, arbitration, conciliation, negotiation, and transaction) is strongly advised. These mechanisms have the added benefit of promoting dialogue in conflict situations.
3. The report also suggests that the management of collective bargaining outcomes should improve democratic culture and practices. Management and employers should refrain from purposefully putting off the implementation of agreements agreed with labour unions. These cruel actions make it less important to keep bargaining, since they often lead to more complaints and trouble.

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