

Collective Bargaining and Industrial Harmony in HIGER Institutions in Delta State: A Study of OZORO Polytechnic, OZORO Delta State, Nigeria.

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Abstract: The study examined collective bargaining and industrial harmony in higher institutions in Delta State, with a focus on Delta State Polytechnic, Ozoro. The study adopted the survey research design involving the administration of questionnaires to a sampled population. The results of the study showed that while collective bargaining is a veritable instrument for ensuring industrial harmony, the collective bargaining process as a tool for promoting industrial harmony has been inundated by problems such as corrupt practices, leadership tussle, political interest/affiliations of union leaders and weak legal framework for successful implementation of collective agreement. The study further revealed that collective bargaining in Ozoro polytechnic is seriously undermined by the activities of the management of Ozoro polytechnic, zero sum nature of governance, political interest of union leaders, poor negotiating skills and idiosyncratic behavior of labour union leaders in Ozoro polytechnic. Based on these findings, the study recommended the building of co-operative spirit in other to maintain a stable and sustainable economic, social and political development of the country. Although there has been records of misdirection and misplaced priority by some of the unionists, but with the recent socio-economic development in Nigeria, one can imagine the influence trade unionism could have in the country if proper guidance and support are given to them by the government or other superior authorities or agencies. On the other hand labour union should promote the principle of collective bargaining instead of embarking on incessant strike that would disrupt the economy and inadvertently affect productivity and by extension government capacity to meet their In addition, the integrity of labour union members needs to be examined critically, so that they do not compromise or betray the trust of union members. Union leaders should try as much as possible to separate their personal interest and ambition from the collective interest of union members. It is also recommended that union members should undergo training to sharpen their negotiating skills in order to ensure that they are able to wrestle positive from the collective bargaining process.

Keywords: *Collective Bargaining, Labour Union, Government, Industrial harmony, Higher Institutions*

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I. INTRODUCTION

Nigeria has recently witnessed a huge increase in the number of industrial actions. No day passes in Nigeria without strikes or threats of strikes in one form or another. What was once thought to be a 'British disease' seems to have become a Nigerian disease. In fact, strikes have become so endemic in Nigeria that even our courts would be prepared to take judicial notice of them. This development, however, is not very healthy. In the first place, it destroys the desired growth and development in the economy and secondly, Nigeria's desire to encourage foreign investment will be hindered as no serious foreign investor will be willing to put down investments in a country bedevilled by bitter industrial disputes and strikes over wages and conditions of service (Blain, 2007). The implication of withdrawal of foreign investments may appear as another indication of a nose-diving economy. There is a firm international consensus that the right to freedom of association enable the workers to aggregate, join and form trade unions for the protection of their economic and other interests.

Under Nigerian Labour Law, the most important step in the collective bargaining procedure is for the employer or the employers' association to recognise the trade union as a bargaining agent for the employees within the bargaining unit, in relation to terms and conditions of employment. Section 24 of the Trade Unions Act provides that for the purposes of collective bargaining all registered Unions in the employment of an employer shall constitute an electoral college to elect members who will represent them in negotiations with the employer. Similarly, for the purpose of representation at Tripartite Bodies or any other body the registered Federations of Trade Unions shall constitute an electoral college taking into account the size of each registered Federation, for the purpose of electing members who will represent them. Where a trade union is recognised,

the next step is for a recognition agreement to be drawn up to determine how the negotiations will be conducted, the composition of the machinery and other procedural matters (Adebo,2000). Once a trade union has been recognised and a recognition agreement is drawn up between the parties bargaining can then proceed as provided by the law. In this regard, the Wages Board and Industrial Councils Act 1990 provides for three bargaining fora in Nigeria. The three fora have appropriate wages and conditions of service as their main objective. Bargaining can be effected by Industrial Wages Boards, National Wages Board and Area Minimum Wages Committees or by Joint Industrial Councils.

From the foregoing, the principal purpose of collective bargaining is to settle and determine terms and conditions of employment. Improvements in the terms and conditions of workers employment is the chief task of trade unions and collective bargaining is the major means whereby trade unions can ensure that the terms and conditions of employment given to their members are adequate. It is because of the apparent imbalance of power between the employees and employer that has necessitated the desire of workers to come together. Workers appreciate that bargaining will give them near equal relationship with their employer. They realise that against the power of employers, the individual worker has almost no bargaining power and the chances of improving conditions of work is slim. Workers can best strengthen their negotiating position by uniting and bargaining collectively with employers. Workers have resorted to collective action because by banding together, they are able to consolidate their strength far more effectively than they could as individuals. However, despite the benefit of collective bargaining, industrial conflict has continued to pervade the work environment in Nigeria, making many to question the efficacy of collective bargaining as an instrument for ensuring industrial harmony.

In the tertiary institution, for instance, collective bargaining has not enthrone the culture of industrial harmony. In short, tertiary institutions in Nigeria have been known to embark on frequent industrial action. From the university level to the polytechnic and colleges of Education in Nigeria, industrial action have become a re-occurrence means to settling industrial dispute. In 2013, the university went on a six month long strike action to press home their demand claimed to have achieved through the principle of collective bargaining, the polytechnic also went on a ten month strike action to press home their demand while the colleges of education after four months of industrial action decided to call it off. Evidently, this trends in industrial relations calls into questioning the efficacy of the principle of collective bargaining in Nigeria. It is against this backdrop that this study will examine collective bargaining and industrial harmony in higher institutions in Nigeria, using the Ozor polytechnic in Delta State as a case study.

Statement of the Problem

The experience of Nigeria in employment relations reveals a clear reluctance by successive government to adhere to the principle of collective bargaining. One major feature of government labour policies, is the absolute power given to the government to either restructure or merge and even sometimes proscribe the trade unions in the country. Akanji (2006) reports that the state has employed a wide range of actions in regulating employment relations, some were coercive, while some were through various legislations. He posits that the history of state intervention has been characterized by various strategies that has usually undermined efforts at collective bargaining and agreement. Consequently, the government has seriously infringed on the rights of the average Nigerian worker. Adebo (2000) noted that the machineries for collective bargaining in Nigeria is inundated by many problems. The implementation of agreements on wages reached through the machinery of collective bargaining has often been chaotic, attended by controversy, agitations and wide spread strikes that cost the country enormous resources. This crisis has been further undermine by weak legal remedy for addressing defaults to collective agreement in Nigeria. Moreso, collective bargaining has often been undermine by corrupt tendencies and infighting among labour union leaders in Nigeria. It is on record that many labour union leaders connive with the government to sabotage or compromise the collective interest of the workers for their personal interest. Many labour leaders have been co-opted into politics by many state government. This means that the individual political interest of labour leaders often undermine the principle of collective bargaining as an instrument for maintaining industrial harmony.

The reality however in Nigeria is such that the principle of collective bargaining is hardly followed nor implemented in trade negotiations. Fashoyin (2008) noted that the role of the government in the Nigerian industrial relations system and the functioning of the labour – management relationship can be better understood within the framework of its position as the simple largest employer which matches its power and control in industrial relations. In Nigeria, collective bargaining hardly comes to play as the government depended upon the philosophy of the doctrine of “sovereignty” that is, the absolute authority to the determinant of wages and other conditions of services, especially in the public sector. This situation according to Aiyede (2008), has resulted in a recurring battle between the various levels of Nigerian government on the one hand, and between these government and organized labour on the other, over the determination of wages and other conditions of services. Although this conflict became egregious with the adoption of decentralized bargaining by the national government in 1991, it reflects a critical industrial relations problems. It is against this backdrop

that this study will examine collective bargaining and industrial harmony in higher institutions, using Ozoro polytechnic as a case study.

Objective of the study

The main objective of the study is to examine collective bargaining and industrial harmony in higher institutions, using Ozoro polytechnic as a case study. The specific objective however includes:

- i. To examine the nature of collective bargaining in Ozoro Polytechnic.
- ii. To examine the effect of leadership tussle among labour leaders on the effectiveness of collective bargaining in Ozoro Polytechnic.
- iii. To examine whether political interest of labour leaders affects the efficacy of collective bargaining as an instrument of industrial harmony in Ozoro Polytechnic.
- iv. To examine the effect of weak legal framework for enforcing collective agreement on industrial harmony in Ozoro Polytechnic.

Research Hypotheses

The following research Hypotheses will be tested in the study

Ho¹: There is no significant relationship between leadership tussle among labour leaders and the efficacy of collective bargaining as instrument for ensuring industrial harmony in Ozoro Polytechnic.

Ho²: There is no significant relationship between political interest of labour leaders and the efficacy of collective bargaining as instrument for ensuring industrial harmony in Ozoro Polytechnic.

Ho³: There is no significant relationship between weak legal framework for enforcing collective agreement and industrial harmony in Ozoro Polytechnic.

Collective Bargaining

According to Diali (2007), the term collective bargaining was originated by Webb and Webb to describe the process of agreeing terms and conditions of employment through representatives of employers (and possibly their associations) and representatives of employees (and probably their unions). Diali (2007) further posits that collective bargaining is the process whereby representatives of employers and employees jointly determine and regulate decisions pertaining to both substantive and procedural matters within the employment relationship. The outcome of this process is the collective agreement. Collective bargaining as one of the processes of industrial relations performs a variety of functions in work relations. It could be viewed as a means of industrial jurisprudence as well as a form of industrial democracy. It is a means for resolving workplace conflict between labour and management as well as the determination of terms and conditions of employment. Davey (1972) views collective bargaining as “a continuing institutional relationship between an employer entity (government or private) and labour organization (union or association) representing exclusively a defined group of employees of said employer (appropriate bargaining unit) concerned with the negotiation, administration, interpretation and enforcement of written agreements covering joint understanding as to wages/salaries, rates of pay, hours of work and other conditions of employment”. International Labour Organisation (ILO) (1960) views “collective bargaining as negotiations about working conditions and terms of employment between an employer, a group of employers or one or more employers” organization, on the one hand and one or more representative workers organization on the other, with a view to reaching agreement.

Purposes of Collective Bargaining

The principal purpose of collective bargaining is to settle and determine terms and conditions of employment. Improvements in the terms and conditions of workers employment is the chief task of trade unions and collective bargaining is the major means whereby trade unions can ensure that the terms and conditions of employment given to their members are adequate. The primary aim of workers engaging in collective bargaining has been expressed Chidi,(2008) thus:

By bargaining collectively with management, organised labour seeks to give effect to its legitimate expectations that wages and other conditions of work should be such as to guarantee a stable and adequate form of existence and as to be compatible with the physical integrity and moral dignity of the individual, and also that jobs should be reasonably secure (Chidi,2008:98).

It is because of the apparent imbalance of power between the employees and employer that has necessitated the desire of workers to come together. Workers appreciate that bargaining will give them near equal relationship with their employer. They realise that against the power of employers, the individual worker has almost no bargaining power and the chances of improving conditions of work is slim. Workers can best strengthen their negotiating position by uniting and bargaining collectively with employers. Workers have resorted to collective action because by banding together, they are able to consolidate their strength far more effectively than they could as individuals. As the Miller Commission (1947) noted: Properly conducted,

collective bargaining is the most effective means of giving workers the right to representation in decisions affecting their working lives, a right which is or should be the prerogative of every worker in a democratic society. More specifically, we can identify four broad objectives or functions of collective bargaining to be the need for democracy in the workplace, redistribution, and the maintenance of efficiency.

Collective Bargaining Framework in Nigerian Law

As a former British colonial territory, Nigeria inherited certain socio-economic and political values and institutions. Nigeria's industrial relations system is one of such British colonial legacies. It was fashioned in line with the British industrial relations system whose main feature is the voluntary machinery which has grown up over a wide area of employment from industry-wide collective bargaining and discussion between employers' associations and trade unions over terms and conditions of employment (Emiola, 2008). It was this basic characteristic of the British industrial relations system that is, the doctrine of voluntarism that was entrenched in Nigeria's industrial relations. Okotie-Eboh, Nigeria's Minister of Labour in the First Republic, perhaps, puts the picture clearly when he stated:

We have followed in Nigeria the voluntary principle which was so important an element in industrial relations in United Kingdom... compulsory methods might occasionally produce a better economic or political result, but labour management must, I think, find greater possibilities, mutual harmony where results have been voluntarily arrived at by free discussion between two parties. We in Nigeria, at any rate, are pinning our faith on voluntary

Methods (Okotie-Eboh, 1963:9).

It was against this background that the principle of free and voluntary collective bargaining was pursued. Thus non-interventionism and voluntary collective bargaining prevailed to a great extent as the main method of regulating labour relations in Nigeria (Bember and Shelder, 2002). However it must be noted that statutory intervention has taken place principally to strengthen the process of collective bargaining and industrial relations or to serve as substitutes for non-existent or non-functioning collective bargaining (Ogunniyi, 2001). Under Nigerian Labour Law, the most important step in the collective bargaining procedure is for the employer or the employers' association to recognise the trade union as a bargaining agent for the employees within the bargaining unit, in relation to terms and conditions of employment. Section 24 of the Trade Unions Act provides that for the purposes of collective bargaining all registered Unions in the employment of an employer shall constitute an electoral college to elect members who will represent them in negotiations with the employer (Ogini, 2006). Similarly, for the purpose of representation at Tripartite Bodies or any other body the registered Federations of Trade Unions shall constitute an electoral college taking into account the size of each registered Federation, for the purpose of electing members who will represent them. Where a trade union is recognised, the next step is for a recognition agreement to be drawn up to determine how the negotiations will be conducted, the composition of the machinery and other procedural matters. Once a trade union has been recognised and a recognition agreement is drawn up between the parties bargaining can then proceed as provided by the law (Ogini, 2006). In this regard, the Wages Board and Industrial Councils Act 1990 provides for three bargaining fora in Nigeria. The three fora have appropriate wages and conditions of service as their main objective. Bargaining can be effected by Industrial Wages Boards, National Wages Board and Area Minimum Wages Committees or by Joint Industrial Councils (Adeogun, 1987).

Collective Bargaining in the Public Sector

The practice of industrial relations as a discipline and that of collective bargaining in particular emanated from the private sector the world over. Thus, much of the practices of public sector collective bargaining are modelled after the private sector collective bargaining. However, in Nigeria, the obverse is the case as collective bargaining gained its root in the public sector owing to the near absence of private sector at the turn of the century (Fashoyin, 1992). However, in Nigeria, the public sector pays lip-service to the collective bargaining machinery. Governments at all levels (Federal, State and Local) have continued to set aside collective bargaining and to give wage awards to score political points in spite of its commitment to the ILO Convention 98 to freely bargain with workers. The State or the government in the course of regulating wages and employment terms and conditions revert to the use of wage commissions. Thus, wage determination is by fiat (Adebo, 2000). This preference for wage commissions can at best be regarded as a unilateral system as collective bargaining is relegated to the background. Wage tribunals or commissions offer little opportunity for workers' contribution in the determination of terms and conditions of employment and can hardly be viewed as bilateral or tripartite. Thus, the State preference for wage commissions is anti-collective bargaining (Davey, 2002). In spite of Nigeria's commitment to conventions of the ILO with particular reference to such conventions as 87 of 1948 and 98 of 1949 which provide for freedom of association and the right of workers to organize and bargain collectively. This stance of the State has stifled effective collective bargaining in the public sector. The following wage commissions or committees of inquiry were instituted during the colonial and

post independence era for the purpose of wage determination and other conditions of service in the public sector. Chidi (2008) opines that the use of adhoc commissions in addressing workers' demands such as wage determination and other terms and conditions is unilateral and undemocratic as it negates good industrial democratic principles. Thus, it is antithetical to democratic values. The following wage commissions have been used in Nigeria for wage determination and for the setting of employment terms and conditions in the public sector.

II. METHOD OF STUDY

Research Design: The study is a survey in the form of a descriptive study in which data will be collected across a population through sampling. The research design of this study is a survey based on a structured questionnaire. The researcher in this type of research design has no control over the variables from which the opinions of the respondents are elicited. It enables hypotheses to be tested empirically and logical conclusions can be generalized from the entire sample used for the study. The questionnaires were administered personally by the researcher to the respondents to ascertain collective bargaining and industrial harmony in Nigerian higher institutions, focusing on the Delta State Polytechnic Ozoro.

Population and Sampling of the Study: The target population for this study comprises of staff of Ozoro Polytechnic. The estimated population of staff (both academic and non-academic) was put at 812 by the official website/portal of Ozoro Polytechnic. From the population, a sample of 150 respondents will be used for the study. This figures represented approximately 5 percent of the total staff (both academic and non-academic). In selecting the sample size, the researcher adopts the purposive random sampling method. This method was used in order to get a representative opinion of staff of the institutions. For the purpose of this study, the simple percentage and the chi-square statistical instruments would be used to test the data and hypotheses. The chi-square (χ^2) is a statistical tool that enables the researcher to establish if there is any relationship between two variables in the total population. It does this by testing whether the row clarification of the dependent variables are related to or affected by the different level of column clarifications of the independent variables. The variables in question must have the structural characteristics of nominal and ordinal measures. The computation of the chi-square is based on the formula:

$$\chi^2 = \sum \frac{(fo - fe)^2}{fe}$$

Where: \sum = Summation

fo = Obtained frequency

fe = Expected frequency

III. DATA ANALYSIS, PRESENTATION AND DISCUSSION

Data Presentation

This chapter analysed the data collected in the field work for the study. Out of one hundred and fifty (150) questionnaires administered, one hundred and fifty (148) were duly completed and returned. This represented approximately 99.6% of the total questionnaires administered by the researcher. The remaining five questions constituting 0.4% were categorized as sampling error due to the fact that they were returned without complete details. The following tables shows the responses to the questions asked in section A of the questionnaire.

Table 4.1 Responses Based on Sex

| Sex | Number | Percentages |
|--------|--------|-------------|
| Male | 126 | 85.1% |
| Female | 22 | 14.9% |
| Total | 148 | 100 |

Sources: Field work 2017

From the results of the data collected, it reveals that out of the 148 respondents, one hundred and twenty six (126) constituting approximately 85.1% of the respondents were male, while twenty two (22) persons constituting 14.9% were female.

Table 4.2: Summary of Responses Based on Age

| Age | Number | Percentages |
|---------------|--------|-------------|
| 18- 25 years | - | - |
| 26 – 35 years | 2 | 1.4% |
| 36 – 45 years | 69 | 46.6% |
| 45 – Above | 77 | 52.0% |

| | | |
|-------|-----|-----|
| Total | 148 | 100 |
|-------|-----|-----|

Sources: Field work 2017

From the table above, it was discovered that 2 respondents, constituting approximately 1.4% of the sampled population falls within age bracket of 26 -35 years; 69 respondents constituting 46.6% falls within the age bracket of 36 – 45 years. And 77 persons constituting approximately 52.0% falls within the age bracket of 45years – above.

Table 4.3 Summary of Response Based on Academic Qualifications

| Qualifications | Number | Percentages |
|----------------|--------|-------------|
| SSCE/NECO | - | - |
| OND/NCE/DIP | - | - |
| HND/B.SC/B.ED | 65 | 43.9% |
| M.sc/M.P.A/PHD | 83 | 56.1% |
| TOTAL | 148 | 100% |

Sources: Field work 2017.

The table above reveals that 65 respondents constituting 43.9% of the sampled population possesses the first degree certificate and 83 persons constituting approximately 56.1% of the sample population possesses the post-graduate certificate.

Table 4.4 Summary of Responses to Question 6

For how long have been working in Ozoro Polytechnic.

| Responses | Number | Percentages |
|---------------|--------|-------------|
| 1-5years | 21 | 14.2% |
| 6-10years | 30 | 20.3% |
| 11-15years | 78 | 52.7% |
| 16-20years | 19 | 12.8% |
| Over 20 years | - | - |
| Total | 148 | 100 |

Source: Field work 2017

The presentation above reveals that 21 respondents constituting 14.2% of the sampled population have been working in Ozoro Polytechnic for a period of between 1-5years, 30 respondents constituting 20.3% have been working in Ozoro Polytechnic for a period between 6-10years, 78 respondents constituting 52.7% have been working in Ozoro Polytechnic 11-15years and 19 respondents constituting 12.8% have been working in Ozoro Polytechnic for a period between 16-20years.

Table 4.5 Summary of Responses to Question 7

Collective bargaining structure is a veritable means of promoting industrial harmony.

| Responses | Number | Percentages |
|--------------------|--------|-------------|
| Strongly agreed | 62 | 41.9% |
| Agree | 49 | 33.1% |
| Undecided | 7 | 4.7% |
| Strongly disagreed | 17 | 11.5% |
| Disagreed | 13 | 8.8% |
| Total | 148 | 100 |

Source: Field work 2017

The table above reveals that 62 respondents constituting approximately 41.9% of the sampled population strongly agreed with the assertion that Collective bargaining structure is a veritable means of promoting industrial harmony, another 49 respondents constituting approximately 33.1% equally agreed. While 7 respondents constituting 4.7% were undecided, 17 respondents constituting approximately 11.5% strongly disagreed with the assertion that Collective bargaining structure is a veritable means of promoting industrial harmony. The remaining 13 respondents constituting approximately 8.8% also disagreed.

Table 4.9: Summary of Response to Question 9

Collective bargaining is seriously undermine by corrupt practices in Ozoro polytechnic.

| Responses | Number | Percentages |
|-----------------|--------|-------------|
| Strongly agreed | 71 | 47.9% |
| Agree | 58 | 39.2% |
| Undecided | 3 | 2.0% |

| | | |
|--------------------|-----|------|
| Strongly disagreed | 9 | 6.1% |
| Disagreed | 7 | 4.7% |
| Total | 148 | 100 |

Source: Field work 2017

The table above reveals that 71 respondents constituting approximately 47.9% of the sampled population strongly agreed with the assertion that Collective bargaining is seriously undermine by corrupt practices in Ozoro polytechnic.. Another 58 respondents constituting approximately 32.9% equally agreed. On the other hand, 9 and 7 respondents constituting approximately 6.1% and 4.7% respectively strongly disagreed and disagreed. While 3 respondents constituting approximately 2.0% were undecided.

Table 4.10:Summary of Response to Question 10

In Ozoro Polytechnic, collective bargaining structure is undermine by leadership tussle.

| Responses | Number | Percentages |
|--------------------|---------------|--------------------|
| Strongly agreed | 63 | 42.6% |
| Agree | 52 | 35.1% |
| Undecided | 12 | 8.1% |
| Strongly disagreed | 7 | 4.7% |
| Disagreed | 10 | 6.8% |
| Total | 148 | 100 |

Source: Field work 2017

The table above reveals that 63 respondents constituting approximately 42.6% of the sampled population strongly agreed with the assertion, collective bargaining structure is undermine by leadership tussle that in Ozoro Polytechnic. Another 52 respondents constituting approximately 35.1% equally agreed. On the other hand, 12 respondents constituting approximately 8.1% were undecided. While 7 respondents constituting approximately 4.7% strongly disagreed with the assertion that collective bargaining structure is undermine by leadership tussle that in Ozoro Polytechnic, another 10 respondents constituting approximately 6.8% also disagreed.

Table: 4.11 Summary of Responses to Question 11

The political interest and affiliation of union leaders has undermine the collective bargaining structure in Ozoro Polytechnic.

| Responses | Number | Percentages |
|--------------------|---------------|--------------------|
| Strongly agreed | 78 | 52.7% |
| Agree | 59 | 39.9% |
| Undecided | 1 | 0.7% |
| Strongly disagreed | 6 | 4.1% |
| Disagreed | 4 | 2.7% |
| Total | 148 | 100 |

Source: Field work 2017

From the above table it was reveals that 78 respondents, constituting approximately 52.7% of the sampled population strongly agreed with the assertion that the political interest and affiliation of union leaders has undermine the collective bargaining structure in Ozoro Polytechnic. While another 59 respondents constituting approximately 39.9% also agreed. Yet, 1 respondents constituting approximately 0.7% were undecided. With another 6 respondents constituting approximately 4.1% strongly disagreeing with the assertion that the political interest and affiliation of union leaders has undermine the collective bargaining structure in Ozoro Polytechnic. This position was also supported by 4 respondents constituting approximately 2.7%.

Table: 4.12 Summary of Responses to Question 12

Weak legal framework is a major obstacle to the successful implementation of collective agreement in Ozoro Polytechnic.

| Responses | Number | Percentages |
|--------------------|---------------|--------------------|
| Strongly agreed | 66 | 44.6% |
| Agree | 49 | 33.1% |
| Undecided | 4 | 2.7% |
| Strongly disagreed | 19 | 12.8% |
| Disagreed | 10 | 6.8% |
| Total | 148 | 100 |

Source: Field work 2017

From the above table it was reveals that 66 respondents, constituting approximately 44.6% of the sampled population strongly agreed with the assertion that Weak legal framework is a major obstacle to the successful implementation of collective agreement in Ozoro Polytechnic. While another 49 respondents constituting approximately 33.1% also agreed. Yet, 4 respondents constituting approximately 2.7% were undecided. With another 19 respondents constituting approximately 12.8% strongly disagreeing with the assertion that Weak legal framework is a major obstacle to the successful implementation of collective agreement in Ozoro Polytechnic. This position was also supported by 10 respondents constituting approximately 6.8%.

Table: 4.13 Summary of Responses to Question 13

The undermining activities of the polytechnic management greatly affects collective bargaining systems in Ozoro Polytechnic.

| Responses | Number | Percentages |
|--------------------|---------------|--------------------|
| Strongly agreed | 72 | 48.6% |
| Agree | 65 | 43.9% |
| Undecided | 2 | 1.3% |
| Strongly disagreed | 7 | 4.7% |
| Disagreed | 2 | 1.3% |
| Total | 148 | 100 |

Source: Field work 2017

From the above table it was reveals that 72 respondents, constituting approximately 48.6% of the sampled population strongly agreed with the assertion that the undermining activities of the polytechnic management greatly affects collective bargaining systems in Ozoro Polytechnic. While another 65 respondents constituting approximately 43.9% also agreed. However, 2 respondents constituting approximately 1.3% were undecided. While another 7 respondents constituting approximately 4.7% strongly disagreed with the assertion that The undermining activities of the polytechnic management greatly affects collective bargaining systems in Ozoro Polytechnic. 2 respondents constituting approximately 1.3% also disagreed.

Table: 4.14 Summary of Responses to Question 14

Industrial harmony is seriously affected by lack of respect for collective agreement in Ozoro Polytechnic.

| Responses | Number | Percentages |
|--------------------|---------------|--------------------|
| Strongly agreed | 78 | 52.7% |
| Agree | 59 | 39.8% |
| Undecided | - | - |
| Strongly disagreed | 4 | 2.7% |
| Disagreed | 7 | 4.7% |
| Total | 148 | 100 |

Source: Field work 2017

From the above table it was reveals that 78 respondents, constituting approximately 52.7% of the sampled population strongly agreed with the assertion that Industrial harmony is seriously affected by lack of respect for collective agreement in Ozoro Polytechnic. While another 59 respondents constituting approximately 39.8% also agreed. Yet, 4 respondents constituting approximately 2.7% strongly disagreed. Another 7 respondents constituting approximately 4.7% also disagreed that Industrial harmony is seriously affected by lack of respect for collective agreement in Ozoro Polytechnic.

Table: 4.15 Summary of Responses to Question 15

Zero sum nature of governance is a critical factor affecting the effectiveness of the principle of collective bargaining in Ozoro Polytechnic.

| Responses | Number | Percentages |
|--------------------|---------------|--------------------|
| Strongly agreed | 58 | 39.2% |
| Agree | 42 | 28.4% |
| Undecided | 5 | 3.8% |
| Strongly disagreed | 19 | 12.8% |
| Disagreed | 24 | 16.2% |
| Total | 148 | 100 |

Source: Field work 2017

From the above table it was reveals that 58 respondents, constituting approximately 39.2% of the sampled population strongly agreed with the assertion that Zero sum nature of governance is a critical factor affecting the effectiveness of the principle of collective bargaining in Ozoro Polytechnic. This position was supported by

another 42 respondents constituting approximately 28.4%. On the other hand, 5 respondents constituting approximately 3.8% were undecided. However, 19 respondents constituting approximately 12.8% strongly disagreed that Zero sum nature of governance is a critical factor affecting the effectiveness of the principle of collective bargaining in Ozoro Polytechnic. 24 respondents constituting approximately 16.2% also disagreed.

Table 4.16 Summary of Responses to Question 16

The political interest of labour leaders has often undermine the collective bargaining process in Ozoro Polytechnic.

| Responses | Number | Percentages |
|--------------------|---------------|--------------------|
| Strongly agreed | 81 | 54.7% |
| Agree | 59 | 39.9% |
| Undecided | - | - |
| Strongly disagreed | 2 | 1.4% |
| Disagreed | 6 | 4.0% |
| Total | 148 | 100 |

Source: Field work 2015

The presentation above reveals that 81 respondents constituting 54.7% of the sampled population strongly agreed with the assertion that The political interest of labour leaders has often undermine the collective bargaining process in Ozoro Polytechnic. While 59 respondents constituting approximately 39.9%, also agreed with the assertion that The political interest of labour leaders has often undermine the collective bargaining process in Ozoro Polytechnic. 2 respondents constituting approximately 1.4% strongly disagreed, while the remaining 6 respondents constituting approximately 4.0% also disagreed.

Table 4.17 Summary of Responses to Question 17

Poor negotiating skills is a problem affecting collective agreement process in Ozoro Polytechnic.

| Responses | Number | Percentages |
|--------------------|---------------|--------------------|
| Strongly agreed | 52 | 35.1% |
| Agree | 47 | 31.8% |
| Undecided | 9 | 6.1% |
| Strongly disagreed | 18 | 12.2% |
| Disagreed | 22 | 19.9% |
| Total | 148 | 100 |

Source: Field work 2017

The presentation above reveals that 52 respondents constituting 35.1% of the sampled population strongly agreed that Poor negotiating skills is a problem affecting collective agreement process in Ozoro Polytechnic. While 47 respondents constituting approximately 31.8%, also agreed with the assertion that Poor negotiating skills is a problem affecting collective agreement process in Ozoro Polytechnic. 9 respondents constituting approximately 6.1% were undecided. However, 18 respondents constituting approximately 12.2% strongly disagreed, while the remaining 22 respondents constituting approximately 19.9% also disagreed that Poor negotiating skills is a problem affecting collective agreement process in Ozoro Polytechnic

Table 4.18 Summary of Responses to Question 18

Collective bargaining system in Ozoro Polytechnic is often dominated by the idiosyncrasies of key labour leaders.

| Responses | Number | Percentages |
|--------------------|---------------|--------------------|
| Strongly agreed | 73 | 49.3% |
| Agree | 47 | 31.7% |
| Undecided | 4 | 2.7% |
| Strongly disagreed | 21 | 14.2% |
| Disagreed | 3 | 2.0% |
| Total | 148 | 100 |

Source: Field work 2017

The presentation above reveals that 73 respondents constituting 49.3% of the sampled population strongly agreed that collective bargaining system in Ozoro Polytechnic is often dominated by the idiosyncrasies of key labour leaders. While 47 respondents constituting approximately 31.7%, also agreed with the assertion that Collective bargaining system in Ozoro Polytechnic is often dominated by the idiosyncrasies of key labour leaders. On the other hand, 4 respondents constituting approximately 2.7% were undecided. Yet, 21 respondents

constituting approximately 14.2% strongly disagreed, while the remaining 3 respondents constituting approximately 2.0% also disagreed.

IV. TESTING OF HYPOTHESES

The statement of hypotheses takes two forms: null (Ho) and research (Hi). While the null hypotheses indicates no relationship between variable under study, the research/alternate hypotheses indicates a relationship between the variables of study. Thus, by implication, if the research hypotheses is confirm, it invariably means that the null hypotheses is rejected whether stated or not (Ogbeide,1997:256)

HYPOTHESES 1:

Ho¹: There is no significant relationship between leadership tussle among labour leaders and the efficacy of collective bargaining as instrument for ensuring industrial harmony in Ozoro Polytechnic. To test the above hypothesis, the responses to question 10 will be analysed using the one tailed chi-square statistical tools.

| Responses | Number | Percentages |
|--------------------|--------|-------------|
| Strongly agreed | 63 | 42.6% |
| Agree | 52 | 35.1% |
| Undecided | 12 | 8.1% |
| Strongly disagreed | 7 | 4.7% |
| Disagreed | 10 | 6.8% |
| Total | 148 | 100 |

Table 4.19.1: Computation of X² for hypotheses 1

| Reponses | Obtained Frequencies | Expected Frequencies | (O - E) | (O-E) ² | $\frac{(O-E)^2}{E}$ |
|--------------------|----------------------|----------------------|---------|--------------------|---------------------|
| Strongly Agreed | 63 | 148 | -85 | 7225 | 48.8 |
| Agreed | 52 | 148 | -96 | 19216 | 129.3 |
| Undecided | 10 | 148 | -138 | 19044 | 128.7 |
| Strongly disagreed | 7 | 148 | -141 | 19881 | 134.3 |
| Disagreed | 10 | 148 | -138 | 19044 | 128.7 |
| Total | | | | | 569.8 |

Sources, Field Work, 2017

From the result above, critical table value of X²= 3.841 is less than calculated value of 569.8, therefore, we reject the null hypotheses (Ho) and accept the alternate (Hi) which stated that there is a significant relationship between leadership tussle among labour leaders and the efficacy of collective bargaining as instrument for ensuring industrial harmony in Ozoro Polytechnic

HYPOTHESIS 2: Ho²: There is no significant relationship between political interest of labour leaders and the efficacy of collective bargaining as instrument for ensuring industrial harmony in Ozoro Polytechnic. To test this hypothesis, questions to hypothesis 11 was analysed

| Responses | Number | Percentages |
|--------------------|--------|-------------|
| Strongly agreed | 78 | 52.7% |
| Agree | 59 | 39.9% |
| Undecided | 1 | 0.7% |
| Strongly disagreed | 6 | 4.1% |
| Disagreed | 4 | 2.7% |
| Total | 148 | 100 |

Source: Field work 2017

Table 4.20.1: Computation of X² for hypotheses 1I

| Reponses | Obtained Frequencies | Expected Frequencies | (O - E) | (O-E) ² | $\frac{(O-E)^2}{E}$ |
|-----------------|----------------------|----------------------|---------|--------------------|---------------------|
| Strongly Agreed | 78 | 148 | -70 | 4900 | 33.1 |
| Agreed | 59 | 148 | -89 | 7921 | 53.5 |
| Undecided | 1 | 148 | -147 | 21609 | 146.0 |

| | | | | | |
|---------------------------|---|-----|------|-------|--------------|
| Strongly disagreed | 6 | 148 | -142 | 20164 | 136.2 |
| Disagreed | 4 | 148 | -144 | 20736 | 140.1 |
| Total | | | | | 508.9 |

Sources, Field Work: 2017

From the result above, critical table value of $X^2= 3.841$ is less than calculated value of 509.9, therefore, we reject the null hypotheses (Ho) and accept the alternate (Hi) which stated that there is a significant relationship between political interest of labour leaders and the efficacy of collective bargaining as instrument for ensuring industrial harmony in Ozoro Polytechnic.

HYPOTHESIS 3: Ho³: There is no significant relationship between weak legal framework for enforcing collective agreement and industrial harmony in Ozoro Polytechnic. To test the hypothesis, responses to questions 12 was used

| Responses | Number | Percentages |
|--------------------|---------------|--------------------|
| Strongly agreed | 66 | 44.6% |
| Agree | 49 | 33.1% |
| Undecided | 4 | 2.7% |
| Strongly disagreed | 19 | 12.8% |
| Disagreed | 10 | 6.8% |
| Total | 148 | 100 |

Table 4.21.1: Computation of X^2 for hypotheses III

| Reponses | Obtained Frequencies | Expected Frequencies | (O - E) | (O-E)² | $\frac{(O-E)^2}{E}$ |
|---------------------------|-----------------------------|-----------------------------|----------------|--------------------------|---------------------------------------|
| Strongly Agreed | 66 | 148 | -82 | 6724 | 45.4 |
| Agreed | 49 | 148 | -99 | 9801 | 66.2 |
| Undecided | 4 | 148 | -144 | 20736 | 140.1 |
| Strongly disagreed | 19 | 148 | -129 | 16641 | 112.4 |
| Disagreed | 10 | 148 | -138 | 19044 | 128.7 |
| Total | | | | | 492.8 |

Sources, Field Work: 2017

From the result above, critical table value of $X^2= 3.841$ is less than calculated value of 492.8, therefore, we reject the null hypotheses (Ho) and accept the alternate (Hi) which stated that there is a significant relationship between weak legal framework for enforcing collective agreement and industrial harmony in Ozoro Polytechnic

V. DISCUSSION OF FINDINGS

The study has examined collective bargaining and industrial harmony in Ozoro Polytechnic. From the analysis carried out, it was established that collective bargaining process in Ozoro polytechnic, is undermine by many factors, while many of the respondents assert that collective bargaining process is a veritable means of ensuring industrial harmony, many of the respondents contends that in Ozoro polytechnics, collective bargaining is seriously undermine corrupt practices, leadership tussle, political interest/affiliations of union leaders and weak legal framework for successful implementation of collective agreement. The study further revealed that collective bargaining in Ozoro polytechnic is seriously undermined by the activities of the management of Ozoro polytechnic, zero sum nature of governance, political interest of union leaders, poor negotiating skills and idiosyncratic behavior of labour union leaders in Ozoro polytechnic.

The findings above is further buttress by Adebo (2000) who noted that the machineries for collective bargaining in Nigeria is inundated by many problems. The implementation of agreements on wages reached through the machinery of collective bargaining has often been chaotic, attended by controversy, agitations and wide spread strikes that cost the country enormous resources. This crisis has been further undermine by weak legal remedy for addressing defaults to collective agreement in Nigeria. Moreso, collective bargaining has often been undermine by corrupt tendencies and infighting among labour union leaders in Nigeria. It is on record that many labour union leaders connive with the government to sabotage or compromise the collective interest of the workers for their personal interest. Many labour leaders have been co-opted into politics by many state

government. This means that the individual political interest of labour leaders often undermine the principle of collective bargaining as an instrument for maintaining industrial harmony. The reality however in Nigeria is such that the principle of collective bargaining. is hardly followed nor implemented in trade negotiations. Fashoyin (2008) noted that the role of the government in the Nigerian industrial relations system and the functioning of the labour – management relationship can be better understood within the framework of its position as the simple largest employer which matches its power and control in industrial relations. In Nigeria, collective bargaining hardly comes to play as the government depended upon the philosophy of the doctrine of “sovereignty” that is, the absolute authority to the determinant of wages and other conditions of services, especially in the public sector. This situation according to Aiyede (2008), has resulted in a recurring battle between the various levels of Nigerian government on the one hand, and between these government and organized labour on the other, over the determination of wages and other conditions of services.

VI. SUMMARY

Perhaps the most important justification for collective bargaining lies in its democratic attributes. Collective bargaining is intended to be a mutual give and take between representative of two organizations for mutual benefits of both in collective bargaining negotiation about the working conditions and term of employment between an employer or one more employer association on the one hand and one or more representative of works organizations on the other hand. The reality in Nigeria however is that the principle of collective bargaining is hardly adhere to due to a plethora of factors. In the case of Ozoro polytechnic, while it was agreed that collective bargaining is a veritable instrument for ensuring industrial harmony, the collective bargaining process as a tool for promoting industrial harmony has been inundated by problems such as corrupt practices, leadership tussle, political interest/affiliations of union leaders and weak legal framework for successful implementation of collective agreement. The study further revealed that collective bargaining in Ozoro polytechnic is seriously undermined by the activities of the management of Ozoro polytechnic, zero sum nature of governance, political interest of union leaders, poor negotiating skills and idiosyncratic behavior of labour union leaders in Ozoro polytechnic.

VII. CONCLUSION

Over the years, it has been discovered that in any human relationship organisation that there is bound to be conflict, arguments and mis-understanding which is inevitable, but the manner in which it is handed to find solution can either reconcile the conflicting parties or permanently damage the relationship. The working environment is not left out, since conflicts are prevalent in all human arrangement but our focus shall be on labour management relations and how conflict that occur between employer(s) and employee(s) can be managed and regulated through collective bargaining since it forms the basis for industrial relationship. Given that public policy provide the basis for the labour and management relationship, it is the responsibility of the union and management to organise themselves on how to relate to one another under the broad framework of objectives which each party seeks to achieve. The machinery through which this relationship is regulated is referred to as Collective Bargaining and Industrial Relations. However evidence from our study and other studies carried out revealed that the collective bargaining process in higher institutions in Nigeria and Ozoro polytechnic in particular is bedeviled by many factors that act as a cog in making the collective bargaining process a veritable instrument for promoting industrial harmony. It is against this backdrop that the following recommendations were outlined

VIII. RECOMMENDATIONS

Generally, we have examined the challenges of collective bargaining at the local government level. The study posits that there is no alternative to industrial harmony order than ensuring the principle of collective bargaining.

- i. The study therefore recommend the building of co-operative spirit in other to maintain a stable and sustainable economic, social and political development of the country. Although there has been records of misdirection and misplaced priority by some of the unionists, but with the recent socio-economic development in Nigeria, one can imagine the influence trade unionism could have in the country if proper guidance and support are given to them by the government or other superior authorities or agencies.
- ii. This not withstanding, there is still some degree of restructuring needed in the various trade unions operating in the country. Of great importance is the level of agreements that is usually entered into between the workers union and the government or an other agency. Collective bargaining we have stated becomes the best measure in the process of disputeresolution that if not checked could lead to a drop in national productivity and national development in general. Thus, apart from the ugly pursuit and non implementation or certain agreements reached during collective bargaining, the government should equally make the welfare of the worker a priority. In this regard, government should promote good governance

with emphasis on rule of rule, equity, social justice especially as it concern the distribution and allocation of resources. In addition government should strive to diversify the economy so as to generate enough revenue that could be re-injected into the economy to promote growth and development and generally the standard of living.

- iii. On the other hand labour union should promote the principle of collective bargaining instead of embarking on incessant strike that would disrupt the economy and inadvertently affect productivity and by extension government capacity to meet their
- iv. In addition, the integrity of labour union members needs to be examined critically, so that they do not compromise or betray the trust of union members.
- v. Union leaders should try as much as possible to separate their personal interest and ambition from the collective interest of union members.
- vi. It is also recommended that union members should undergo training to sharpen their negotiating skills in order to ensure that they are able to wrestle positive positive from the collective bargaining process.
- vii. The need to develop a good mortaring procedure or machinery that will ensure the active and actual practice of collective bargaining in all organizations.
- viii. Government should also learn to respect and honour collective agreement in order to build trust and confidence in industrial relations process.

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