

# PROLIFERATION OF TRADE UNIONS IN NIGERIA: IMPLICATION ON THE COLLECTIVE BARGAINING PROCESS IN NIGERIA'S PUBLIC SECTOR

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## Abstract

This paper examined the impact of multiple trade unions on the enforceability of collective bargaining agreements, particularly within public organisations in Nigeria. The proliferation of trade unions in Nigeria has become a significant cause for concern. The article observed that trade union fragmentation and proliferation are significant barriers to the successful implementation of collective bargaining agreements, especially in the Nigerian public sector. In due course, the paper observed fragmentation of bargaining, complexity in negotiation and potential for conflicting agreements as the fundamental effects of multiple trade unions on the collective bargaining process. The paper also examined the Nigerian Trade Union Law and other labour legislation, recognising the existence and role of trade unions in the public sector. This paper collects data from both primary and secondary doctrinal legal research methodologies, such as textbooks, case laws, statutes, journals, and online articles. The paper concluded by stating that the multiplicity of trade unions had reduced the union's bargaining power. By having two or more trade unions, they are consistently in competition with one another, and sometimes this has led to the misrepresentation of members' interests at meetings with management as well as conflicting demands capable of confusing the employer and the employees. The paper recommends that consolidating certain unions, especially those with interconnected operations, is necessary to reduce the number of trade unions as much as possible. This measure will significantly encourage and ease the implementation of collective bargaining agreements in the public sector.

**Keywords:** Government, Trade Unions, Collective Bargaining, Public Sectors.

## 1. INTRODUCTION

The industrial harmony and development tempo of any nation is contingent upon the existence of a robust, united, and recognised trade union. There is a significant and growing interest in and recognition of the individual's right to freely associate with groups or associations that align with their interests (Shatsari & Hassan, 2006). This privilege has also been acknowledged in industries, as workers are now able to freely elect or choose to join organisations, associate with unions, and engage in collective agreements with employers.

This privilege has also been granted by various countries in a variety of methods to promote national economic development and enduring industrial harmony. The

emergence of labour unions is a response to the excessive or anti-worker practices of management in the exercise of its decision-making power. According to Heneman, unions usually form as a result of members' frustrations with their inability to accomplish significant objectives; as a result, collective action serves as the only viable means of fulfilling these crucial individual aspirations (Onyebuchi & Lucky, 2019).

Following the first industrial revolutions, employers assume the role of authoritative figures who possess ultimate decision-making power over all matters about the workers in the workplace. The employers and managers possess significant authority, enabling them to determine the destiny of individuals who lack power and are unable to resist or question any arbitrary actions taken by the management. To acknowledge these factors, employees collaborate to establish their collective terms and conditions of employment, recognising that group efforts are more influential than individual actions when advocating for improved working circumstances in an industrial environment.

The proliferation of trade unions in Nigeria's public sector has the potential to lead to regular inter-union crises and inter-federation of union feuds in the industrial relations practice. The Industrial Relations System may encounter significant challenges as a result of the proliferation of unions. The Nigerian public sector especially the education, health, oil and aviation sectors witnessed multiple trade unions. In public universities alone there are about four different unions consisting of the Academic Staff Union of Universities (ASUU), Senior Staff Association of Nigerian Universities (SSANU), Nigerian Association of Academic Technologies (NAAT) and Non-Academic Staff of Universities (Uzoh et al., 2018).

The situation is also similar in the Oil industry as there are more unions which include the Petroleum and Natural Gas Senior Staff Association (PENGASSAN) and the National Union of Petroleum and Natural Gas (NUPENG). The position is the same in the aviation industry as there are a lot of workers unions comprises of National Union of Air Transport Employees (NUATE), Air Transport Services Senior Staff Association of Nigeria (ATSSSAN), Association of Nigerian Aviation Professionals (ANAP), and the National Association of Aircraft Pilots and Engineers (NAAPE). There is a tendency for a certain level of competition among these unions, this explains why, if any of the unions can secure a concession from the government, the other unions will also demand the same concessions for their members. This situation has been a major factor jeopardising the implementation of collective bargaining agreements in the public sector of Nigeria.

The key contribution of this paper is to implore that a cohesive and proactive labour union is crucial for fostering a progressive and harmonious relationship between management and workers, which in turn promotes industrial harmony and growth. Additionally, the paper intends to show that the presence of multiple unions in the same organization or industry reduces the effectiveness of trade unions and complicates the process of negotiating better working conditions for employees due to the fragmented and weakened union authority

## **2. EVOLUTION OF TRADE UNIONISM & MULTIPLICITY OF TRADE UNIONS IN NIGERIA**

The emergence of trade unionism in Nigeria is closely linked to the 17th-century commerce between Europe and Africa (Omodu, 2021). This transaction launched the monetary economy, progressively supplanting the barter system and concurrently marked the inception of compensated employment. Aside from the increased need for employable labour that the trade produced, other commercial concerns and the emergence of the colonial administration gradually necessitated the construction of additional roads, bridges, rail lines, ports, and military bases. All of this expanded the pool of available workforce and enhanced their leverage over Nigerian labourers.

The first known trade union was the Southern Nigerian Civil Service Union, which was founded on August 19, 1912, and later changed its name to the Nigerian Civil Service Merging (N.C.S.U.) in 1914 after the amalgamation of the Northern and Southern Protectorates. The emergence of active trade unionism in Nigeria can be traced back to the early 1930s. During this time, there was a notable increase in workers' agitation and unrest, particularly among the radical railway workers. In 1931, these workers decided to break away from the NCSU (Nigeria Civil Service Union) and establish their union called the Railway Workers Union (R.W.U). The main criticism against the NCSU was that it lacked assertiveness and failed to address the economic hardships faced by workers (Sokoh, 2018).

The Trade Union Ordinance of 1938 was enacted in Nigeria, which formally legalised trade unionism and mandated the registration of unions. The law prohibited any union from engaging in collective bargaining or industrial action without registering by its provisions. The enactment of this law can be attributed to a series of riots, strikes, and rebellions that occurred in the British Colonies in the West Indies and Northern Rhodesia in 1933 and 1937. These events, along with the general restlessness of workers due to the hardships they faced, were the main reasons behind the law's implementation. The prevalence of multiple trade unions in the public sector of Nigeria is almost across all the sectors of education, energy, aviation as well as the health sector

## **3. LITERATURE REVIEW**

Authors have provided varying definitions of labour unions. Collins and Tokubvo define a labour union as an association of workers that is composed of representatives who serve as intermediaries between the workers and their employer (Onyebuchi & Lucky, 2019). The purpose of this arrangement is to prevent any unjust treatment that may be administered by the employer and, conversely, to guarantee the members' dedication to their work, thereby fostering a high level of productivity and organisational efficiency. It also denotes structured associations of employees that engage with employers on many matters concerning the employment status of its members. Hyman defines trade unionism as the ongoing collaboration of workers to maintain and improve their working circumstances.

According to the Trade Union Act of 1973, the trade union is defined as

“Any combination of workers or employees whether temporary or permanent, the purpose of which is to regulate the terms and conditions of employment of workers whether the combination by any reason of its purposes being in restraint of trade and whether its purpose does or does not include the provision of benefits to members”

According to Uvieghara, two important requirements in this definition determine whether an association qualifies as a trade union: first, it must consist entirely of employers or workers; second, it must have the appropriate goal, which is to regulate the terms and conditions of employment for workers. An organisation that represents wage workers and union leaders in the collective pursuit of their welfare and shared interests, as well as the regulation of terms and conditions of employment via collective bargaining and employer consultations, is known as a labour union (Uvieghara, 2001). According to Webb and Webb, trade unionism refers to the ongoing collaboration of workers to protect or enhance their working circumstances. Employees who are part of a union want to use the union as a means to safeguard and advance their working interests, mostly via the process of collective bargaining and engaging in discussions with employers (Alor & Udeorah, 2018). A labour union serves as a forum for workers in organisations to advocate for their rights and exert influence on management decisions that may go against the terms and conditions outlined in the workers' contract agreement.

According to Gangurde, the main obstacles facing trade unions in India include a lack of cohesion, low-priority policymakers, an unorganised industry, and the formalisation of labour relations. Internal party strife has resulted in a lack of competent leaders and a lack of internal democracy, which Okojie identified as important issues affecting trade unions in Nigeria. Union rivalry is an issue since there are many unions. In an attempt to acquire more clout among employees, unions aim to minimise one another. They end up doing more damage than good to the cause of unionism in general throughout this process. It is legal for employers to pit unions against one another because there isn't a real representative union, they are free to reject any negotiations. In addition, the unity of the workforce is gone (Onyebuchi & Lucky, 2019). As Nigeria moved closer to gaining independence, workers began to give various grounds for fragmentation within industrial unions and central labour organisations. This led to the emergence of different trade unions and central labour centres.(Uzoh et al., 2018)

Adewumi argues that the absence of unity within the movement has made it very difficult to attain the level of cohesion necessary to get concessions from the Nigerian government and capitalist industry. This lack of unity may be attributed to a combination of ideological, political, structural, and personal factors. He added that the Nigerian trade union movement has to come together and confront the present state of affairs as a united class given the current capitalist tendencies in both the local and global economies (Okolie & Akbefe, 2021).

Peter posited that the primary focal points of labour unions have revolved around enhancing the quality of life, promoting fairness, and ensuring justice for workers. The attainment of this goal and other aims of unionisation, however, relies on the cohesion and substantial impact that labour unions possess, as well as their perception by employers within the industrial context (Gahan et al., 2018). He further contended that the execution of the Trade Union Amendment Act was politically motivated by the Federal Government. The government perceived the NLC as transforming into an opposition party, which they believed needed to be suppressed. The absence of any provision for this in the 1999 Constitution further supported their decision. He asserts that the NLC consistently initiated strikes whenever there were unjustified hikes in fuel prices, implementation of the privatisation programme, and the selling of government properties to high-ranking government officials and important politicians (Okolie & Akbefe, 2021). Thus, under the pretext of its democratisation, deregulation, and liberalisation policy, the government chose to recognise the Trade Union Congress of Nigeria as an additional central labour organisation and to end the NLC's monopoly as the only central labour organisation. It also encouraged the establishment of other federated unions.

In Nigeria's industrial sector, it is disheartening to observe a significant lack of unity and excessive involvement in politics among labour unions. This has resulted in labour unions becoming ineffective and easily manipulated by politicians and managers. Consequently, many labour unions have failed to fulfil their responsibilities in promoting peaceful and harmonious industrial relations and facilitating development. This dissertation thus undertakes a theoretical exploration of the functions of labour unions in promoting industrial peace and growth in Nigeria.(Okolie & Akbefe, 2021)

#### **4. METHODOLOGY**

This paper employed the use of library-based legal research. The data was collected from legal sources of law relating to the study area such as the Constitution of the Federal Republic of Nigeria, 1999, The Trade Unions Act, international instruments, and journal articles among others. Analytical and critical analysis was used in arriving at the findings.

#### **5. RIGHT TO FORM AND JOIN TRADE UNIONS VERSUS REGULATING TRADE UNIONS IN NIGERIA RIGHT**

The right to form and join trade unions is one of the fundamental rights recognised both under international and municipal law. In Nigeria, the right to freedom of association has been encapsulated in the 1999 constitutions of the Federal Republic of Nigeria and other related legislation (Wodi, 2022). Freedom of association is widely recognised as a basic right in international law as it is grounded on various international conventions and treaties. For example, the Universal Declaration of Human Rights, adopted by the United Nations General Assembly in 1948, states that every person has the right to freedom of peaceful assembly and association (Okene, 2006) As per Article 23, paragraph 4, people have the right to form and join labour unions to protect their interests.

The International Covenant on Economic, Social and Cultural Rights (ICESCR)<sup>1</sup> and the International Covenant on Civil and Political Rights (ICCPR), both established in 1966, reflect the same notion. The International Labour Organisation (ILO) acknowledges freedom of association as a fundamental principle in various significant instruments, including the Freedom of Association and Protection of the Right to Organise Convention 1948 (No. 87) and the Right to Organise and Collective Bargaining Convention 1949 (No. 98). The right to freely associate is protected by several international conventions and charters, including the European Convention on Human Rights (ECHR) 1950, the European Social Charter (ESC) 1996, the American Convention on Human Rights (ACHR) 1969, the Community Charter of Fundamental Social Rights of Worker (CCFSRW) 1989, the EU Charter of Fundamental Rights (EUCFR) 2000, and the African Charter on Human and Peoples' Rights (ACHPR) 1981. Undoubtedly, international law unequivocally acknowledges the entitlement to freedom of association and the ability to organise (Okene, 2006).

From the Nigerian context, the 1999 Constitution of the Federal Republic of Nigeria (as amended) guarantees the right to establish and join a Trade Union. This right serves as a means for individuals or groups to create and become members of a Trade Union. Trade union existence and activity are governed by the legal framework and provisions established by statutes and laws (Ikeije et al., 2021). One of the fundamental human rights protected by both domestic and international law is the freedom of association. One practical way to use the freedom of association for worker protection is to establish trade unions. The following are some of the laws regulating the Trade Unions in Nigeria (Okolie & Akbefe, 2021). The constitutional guarantee of the freedom of association has been in place since the nation achieved independence in 1960. The Nigerian constitution appropriately mandates that every individual has the entitlement to engage in peaceful assembly and form alliances with others. Specifically, individuals are at liberty to establish or join a political party, trade union, or any other group to safeguard their interests.

Consequently, anyone who believes that their right to form, join, or participate in a trade union of their choosing has been infringed upon has the option to submit a plea for redress to the court<sup>1</sup>. The clauses ensuring the right to gather and form groups are a consolidation of two international labour organisation treaties, specifically Convention 87 of 1948 and Convention 98 of 1949, which Nigeria ratified within a fortnight of gaining independence (O V C Okene, 2012). Nigeria adopted two treaties that provide for a variety of rights essential for the growth and development of industrial relations by trade unions. These rights encompass the freedom to establish an organisation without needing permission, the ability to create regulations and elect their representatives, the capacity to plan and carry out their activities without interference from public authorities, the protection against dissolution or suspension by the administrative authority, the entitlement to form alliances with other organisations and join international associations of workers and employers (Abd Razak & Nik Mahmud, 2019).

It is to be noted however, that in the case of *Nigeria Civil Service Union v. Association of Senior Civil Servants of Nigeria*, the National Industrial Court determined that the right to

freedom of association provided by the constitution is not absolute, but rather a qualified one. Therefore, the right to join with others to establish a trade union must comply with the restrictions outlined in the Trade Union Act. In addition to the Nigerian Constitution, various laws such as the Labour Act govern the protection of earnings, employment contracts, and terms and conditions of Nigerian workers. These laws also reaffirm the right of workers to associate and participate in trade union activities.

According to the Labour Act, it is prohibited for a contract of employment to require a worker to not join a trade union, give up their membership in a trade union, or be fired based on their involvement in trade union activities. Nigeria has ratified and signed several additional international treaties, including the African Charter on Human and Peoples' Rights, which is integrated into the majority of our legal framework. The right to free association and the freedom to gather with others are guaranteed by the Charter and are only subject to the minimal restrictions stipulated by legislation (Wodi, 2022).

The primary reason for establishing or joining unions and engaging in collective bargaining is to address and minimise the power imbalance between employers and workers. Unions can promote equality, fairness, and respect for human and workers' rights, as well as social and economic justice, both inside the workplace and in society as a whole. This is predicated on the acknowledgement that workers when acting alone, lack the strength and ingenuity necessary to assert their rights in the workplace. Furthermore, it is acknowledged that the unity and collectivism of workers have inherent power.

### **5.1 Trade Union Act**

This law was expressly passed to control how trade unions behave and carry out their activities in Nigeria. The Trade Unions Act is now contained in the Laws of the Federation of Nigeria. The law spelt out the steps involved in registering a union and the benefits that follow, union rules, names of unions that are not allowed to be used, trade union dissolution, membership, recognition, union merger, union association creation, accounts and returns, and immunity from civil or criminal liability.

The Act serves as the foundational standard that governs trade unions' operations in Nigeria. Generally speaking, Nigerians who are sixteen years of age or older and older than twenty-one are qualified to join a trade union. Membership in the relevant union cannot be refused to any worker who applies. Any attempt by anyone to stop a worker from joining a trade union, through which only his interests can be fully realised, is a clear violation of Section 12(2) of the Trade Union Act (Paul et al., 2013).

Furthermore, the President has the authority to ban a trade union if he determines that the union, which is involved in delivering vital public services, is involved in actions intended to damage the economy or the efficient operation of any critical services. The Trade Union Act underwent modification in 2005, and as a result, certain consequential amendments have weakened the functioning of trade unions. It limits the worker's ability to use strikes as a means of accomplishing their goals and objectives in the workplace. (Adebayo, 2021)

## 5.2 Trade Dispute Act

The Trade Disputes Act<sup>1</sup>, which is now incorporated into the laws of the Federation of Nigeria, grants the parties the autonomy to engage in negotiations either independently or with the assistance of a mediator (Adebayo & Toyosi, 2021) In the event of a failure to reach an agreement, the minister of labour is authorised to intervene in an industrial dispute to facilitate a resolution through reconciliation. The lack of capacity to compel any of the parties to reach a resolution with their opponents or enforce compliance with the decision of a peace matter has resulted in a gap in the industrial relations process.(Otohinoyi et al., 2017)

## 6. MEMBERSHIP OF TRADE UNIONS

The Constitution of the Federal Republic of Nigeria safeguards the basic right of Freedom of Association. According to the Trade Union Act, Cap T14 Laws of the Federation of Nigeria 2004, a person who fulfils the criteria for membership in a particular trade union cannot be refused entry merely on the grounds of their community, tribe, place of origin, religion, or political beliefs. Individuals who are at least 16 years old are entitled to become members of a trade union. To qualify as a union official, a person must be a minimum of 21 years of age. However, a person between the ages of 16 and 21 may be disallowed from joining a trade union if the organisation's rules dictate it (Otuturu, 2024). Employees who are recognised as management representatives are prohibited from joining a trade union or holding a position within a trade union if their membership or position would result in a conflict of interests between the union and the management. The Constitution<sup>1</sup> grants individuals the ability to join and establish unions. Every individual has the right to freely gather and establish an affiliation with a political party, labour union, or any other organisation aimed at safeguarding their rights. The exemption includes employees of the military, law enforcement, customs, immigration, and prison service. Individuals who are less than sixteen years old are prohibited from becoming members of a labour union.

## 7. RECOGNITION OF TRADE UNIONS BY EMPLOYERS

The concept of trade union recognition refers to the formal acknowledgement or recognition granted by an employer to a trade union, recognising it as the legitimate representative of a group of workers for collective bargaining agreements. The occurrence of collective bargaining is contingent upon the mutual acknowledgement of the interested parties for the specific intention of engaging in such negotiations. Voluntary acceptance of such nature can be observed in certain countries, where it is predicated upon agreements or firmly established customary norms (Otuturu, 2024). On this note, it is impossible to engage in collective bargaining without mutual recognition between the parties. Such recognition may be given voluntarily or based on agreements or established practices, as is the situation in many other countries. However, to ensure against the refusal by some employers to deal with trade unions representing the employees involved, several nations have enacted legislation mandating employers to recognise a trade union for collective bargaining purposes, subject to specific



requirements. The prevailing premise entails the acknowledgement of the most representative union, however, the specific criteria employed to determine this and the entities responsible for such determinations may differ among nations. Undoubtedly, the matter of recognition holds significant importance within the broader context of collective bargaining. Where the trade union represents the majority of the workers, it enjoys the right to be the exclusive bargaining agent on behalf of all the workers in the bargaining unit. However, as noted by the Committee on Freedom of Association, a provision in national law which stipulates that a collective agreement may be negotiated only by a trade union representing an absolute majority of the workers in an enterprise 'does not promote collective bargaining in the strict sense of Article 4 of Convention (No. 98)'. In Nigeria, an employer has a legal obligation to recognize a trade union that has more than one of its members in the employment of that employer as the sole bargaining agent for the employees within the bargaining unit in relation to the terms and conditions of employment.

## **8. ROLE OF TRADE UNIONS IN COLLECTIVE BARGAINING**

Traditionally, collective bargaining means negotiation between employer or employers association and trade union or representatives of workers on the conditions and terms of employment (Shatsari & Hassan, 2006). These terms and conditions of employment consist of salary, wages, allowances, leave, appointments, promotions, discipline, termination of employment, dismissal from service, retirement, pension, gratuity etc. The right to collective bargaining is essential. The concept is well established in the ILO Constitution and reiterated in the 1998 ILO Declaration on Fundamental Principles and Rights at Work. Collective bargaining is a fundamental method by which employers, their organisations, and trade unions may negotiate equitable remuneration and working conditions.(Emuobo Emudainohwo, n.d.) Furthermore, it establishes the foundation for robust labour relations. Common issues on the negotiation agenda include remuneration, working hours, training, occupational health and safety regulation, and equitable treatment. Reaching a collective agreement that governs terms and conditions of employment is the aim of these negotiations. In order to ensure peaceful and productive workplaces and industries, collective agreements may also address the rights and duties of the parties. One of the most important ways to decrease inequality and increase labour protection is to make collective bargaining and agreements more inclusive.

The primary function of trade unions is to advocate for the interests of their members. Although often seen in the media as mostly focused on salary and working conditions, they have effectively engaged in many other significant aspects of corporate existence, including environmental issues, health and safety measures, redundancy initiatives, and welfare benefits. When a trade union initiates the negotiation process, it informs the employer and requests their involvement in the collective bargaining process (Onyebuchi & Lucky, 2019). Nevertheless, in certain instances of strike or lockout, the employer will commence the procedure to settle the disagreement. The trade union will compile a charter of demand that specifies all justifiable claims made by the workers and deliver it to the employer and its representatives.

## **9. THE PROLIFERATION OF TRADE UNIONS ON THE COLLECTIVE BARGAINING PROCESS IN NIGERIA**

The proliferation of trade unions has negatively affected the collective bargaining process and implementation of the agreements reached by the parties in the following manner

### **9.1 Fragmentation of Bargaining**

The fragmentation of negotiating power is a consequence of the efforts of numerous unions to optimise their respective welfare. Every union's primary objective is to secure the most favourable terms and conditions for its members. This is logical, as the union is responsible for the well-being of its members and they rely on the union to enhance their status in life. It is beyond dispute that the most effective method for employees to enhance their power resources in this regard is through trade unions. In Nigeria, where several trade unions lack strength, many of these unions engage in individual negotiations with employers to get more advantageous conditions for their members. Consequently, the basic agreement's provisions will be altered.

The existence of many agreements will create confusion over the allocation of conditions to specific workers. Furthermore, when employers negotiate with unions that were not included in the first agreement, they will attempt to modify unfavourable clauses in a similar way (Sánchez-Mira et al., 2021). A consensus-based settlement will be an enduring resolution that will benefit the general public and all parties involved. One substantial disadvantage of a pluralistic system is that it diminishes the probability of achieving consensus.

A consensus may be achieved through a negotiation process that is characterised by a willingness to make concessions to reach a resolution that is deemed equitable, as well as reciprocal respect for the rights of all parties to pursue their interests. An agreement will probably be reached when the negotiation process is centralised and all parties involved have the opportunity to assess the advantages and disadvantages.

### **9.2 Increase Complexity in Negotiations**

The objective of any trade union in the negotiating process is to get specific modifications in legislative provisions and the terms and conditions of employment for the workers they represent. It has been noted that this indicates that unions are not only striving to have a say in policy formation but are also endeavouring to modify the current legislation and agreements. Given the extensive implications of both legislative changes and modifications to employment terms and circumstances, it is easy to understand how the more trade unions participate in the negotiating process, the more difficult the discussions become.

This is because there needs to be some sort of coordination of aims to prevent conflicts of interest amongst unions representing workers in the same industry, given that each union has distinct goals and represents people in either the same or other areas of employment. This is challenging in and of itself since there is no motivation for one trade union to collaborate with another if doing so would require giving up its goals in favour of

another union's objectives. There is no assurance as to what each union would "take" from the collaboration; cooperation is fundamentally a "give and take" situation. It frequently results in trade unions having contradicting agreements with one another, or worse, antagonism between and within the unions(Olakitan, 2014).

The statutory obligations of consultation between the employer and the unions about changes to terms and conditions of employment and changes to laws complicate this coordination of aims. The employer must first provide the unions with information on the proposed changes, followed by a consultation procedure regarding any potential ramifications. The goal of this consultation process is to come to a consensus on the modifications and, if at all feasible, to agree that the changes won't go into effect until after a trial period has passed to evaluate their impact (Zhang et al., 2021).

The unions may use their industrial power to force the matter to the negotiating table if consultation fails to result in an agreement and the changes would negatively impact the workers This entails advancing the negotiation of a new collective agreement to supplant the current agreement, specifically addressing the modifications in legislation and employment terms and circumstances, all to enhance the employer's original intentions(Addison, 2014).

Considering the existing legislation, it is extremely probable that this will lead to several trade unions engaging in negotiations to modify legislation and terms and conditions of employment, often to undo the employer's original intentions (Zhang et al., 2021). The outcome frequently entails contradictory agreements between the trade unions, perhaps leading to agreements that clash with the employer's agreement. This is unfavourable as the contemplated alterations are frequently of significant significance, and it is optimal to establish a distinct consensus regarding their impacts.

### **9.3 Potential for Conflicting Agreements**

There is a potential for conflict between the agreements of multiple unions in a given workplace. This is particularly accurate when concurrently negotiating employment terms with an employer. Employers frequently implement a strategy of "divide and conquer" by offering distinct terms and conditions to each labour organisation. This frequently leads to a decrease in support for multi-unionism as one union perceives that it has gained a comparative advantage over the others (Obadara, 2016).

Contrary to positive conflicts, negative conflicts often result in the cancellation of the less advantageous agreement and a reassessment of the negotiating process. In order to get the most advantageous agreement for their members, unions may find it necessary to engage in a strike. Advocates often suggest centralising multi-union bargaining as the optimal strategy to avert conflicts, since such scenarios may have severe consequences for both labour unions and businesses. While the employer may face adverse outcomes, such as a degradation in their relationship with a specific union, the most significant conflict emerges when agreements clash. Positive conflicts may arise when a particular union negotiates more advantageous terms for its members in comparison to an existing agreement (Olakitan, 2014).

This phenomenon explains why subsequent demands by other labour unions for comparable concessions for their members arise after one union secures a concession from the government. This has been a major driving force behind the strikes in the Nigerian public sector. The recent, more than three-and-a-half-month-long strike by the non-teaching staff unions at Nigerian public institutions is an obvious example.

## 10. CONCLUSION AND RECOMMENDATIONS

The paper revealed that the widespread growth of trade unions has the disadvantage of promoting conflict, which ultimately weakens labour unions' negotiations for collective bargaining agreements and other responsibilities in industrial relations. Furthermore, the existence of several trade unions discourages the government from engaging in collective bargaining agreements with each union individually to address their respective problems.

As a result, this reduces the efficiency of collective bargaining and impairs the government's capacity to utilise collective bargaining processes for determining employees' working conditions. The administration favours negotiations with a singular group rather than dealing with many unions. Even when the government engaged in negotiations with these unions, the resulting accord would not be implemented.

The Trade Union Act, which governs trade unions in Nigeria, has to be amended to address the issue of the growing number of unions in the country. To minimise excessive and unhealthy competition among unions and organisations for successful Collective Bargaining Agreements (CBAs) in Nigeria, this amendment would assist in restricting the establishment of many unions and associations

### Ethical consideration

Not applicable because the paper is doctrinally grounded

### Conflict of interest

Authors declare no conflicts of interest

### Funding

The research did not receive any financial support

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