

Human Rights, Workers Rights and Equality in the Nigerian Workplace: An overview

Tinuoye Adekunle T
Department of Labour- Management Relations
Michael Imoudu National Institute For Labour Studies, PMB 1524, Ilorin, Nigeria

Abstract

The origin of work based rights was ascribed to the commencement of the Industrial Revolution in the 19th century and the realization of the need for conducive work environments and protecting workers from undue exploitation by the employers. This served as a springboard for the evolution of the International Human rights system. So in a way human rights can be said to be the source of workers' rights. The essence of employment is to improve the wellbeing of people with an attendant multiplier effect on national development. Therefore, the state should enact adequate laws to uphold workers and human rights, and ensure compliance by partners. This paper examined the concept and essence of human rights. It also outlined major provisions of the Nigerian constitution and Labour Act with respect to workers and human rights. In highlighting the nexus between workers rights and equality, the paper evaluated the implications of these provisions on Nigerian workers with special reference to women. The author concluded by analyzing the state of workers and human rights using five international reports and stressing the centrality of workers/human rights in engendering social stability, economic progress and lasting peace in Nigeria

Keywords: Human rights, workers rights, laws, Equality, United Nations

1. Introduction

Human beings have a dignity that elicits respect from laws and social institutions. The idea of human dignity is usually taken to involve an idea of equal worth; rich or poor; rural or urban, female or male, black or white, all are equally deserving of the same measure of respect by virtue of being human. But human dignity is frequently violated on grounds of sex, race, creed or political affiliation, hence the need to evolve certain basic rights to enhance human dignity. Infact, the current global order with emphasis on democracy and protection of rights worldwide has made the need to guarantee rights that are being threatened or eroded in several perspectives mandatory.

Sussman (2014) also noted that Disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people. To this end, the idea of enhancing the rights of individuals in developing countries, protecting personal rights against undue infringement in developed countries, protecting the rights of workers in the work environment and also enhancing the status and rights of women and other in the society and the workplace have become very important issues throughout the world. The rights of citizens to life, liberty and the pursuit of happiness require the government to ensure these rights

1.1 Definition and Essence of Human Rights

Human rights can be simply defined as legal statements of what human beings require to live fully human lives. The Longman dictionary of contemporary English – New edition (1995) defines right as something that is allowed, i.e if you have the right to do something, you are morally, legally or officially allowed to do it. While the Longman Active study Dictionary New edition (1999) defined it as the 'political and social freedom that everyone in a country should have'. Based on this definition we can say certain basic rights are guaranteed. According to Equitas (2008) rights are fundamental rights that belong to every person simply because he or she is a human being. Human rights are based on the principle that every human being is born equal in dignity and rights".

The Charter of the United Nations(1945) defined it in terms of encouraging universal respect for and observance of the human rights and fundamental freedoms of all human beings, without distinction as to race, sex, language or religion. The Universal Declaration of Human Rights(1948) proclaimed that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth in that Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

The Universal Declaration of Human Rights stated further that everyone has the right to recognition everywhere as a person before the law, that all are equal before the law and entitled without any discrimination to equal protection of the law, and that all are entitled to equal protection against any discrimination in violation of that Declaration and against any incitement to such discrimination. Human rights simply connotes the ability

or right of individuals to make choices or decisions on issues pertaining to or affecting them: For instance, people should have the inalienable right to speak their native language and dress in their national costumes anywhere or everywhere they are without recrimination or victimization.

Human rights are important because they defend the right of individuals to live in dignity, which encompasses the right to life, freedom and security. To live in dignity means that every person in the world should have access to basic necessities like a decent place to live and enough to eat. It means citizens should be able to participate freely in legitimate activities in their respective societies i.e. to receive an education, to speak their languages, to advance their interests, to seek elective offices, to form and join political parties of their choice, to practice their religion, to work or establish their businesses and to receive justice. However, Cook (2011) noted that the rights of citizens to life, liberty and the pursuit of happiness require the government to ensure these rights. Nickel (2014) pointed out that Human rights...address a variety of specific problems, such as unfair trials, severe restrictions on personal freedoms, suppression of political dissent, racial discrimination, and severe poverty

Human rights are very significant to promoting mutual respect, symbiotic relationships, peaceful coexistence and interaction between and among people irrespective of race, gender, religion, ethnicity, social status, political beliefs etc. They are also effective instruments in shielding people from violence, discrimination and abuse, especially(to empower and guarantee the rights of) vulnerable groups such as minorities, migrant workers, refugees, women and the physically challenged who need some form of protection in an ever hostile and competitive world. Recently, Buchanan (2013) declared that the “heart of human rights” is found in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (1966), and the International Covenant on Economic, Social and Cultural Rights (1966)’. On the other hand, Gilmore (2014) opined that since the Charter of the United Nations was signed in 1945, human rights have constituted one of its three pillars, along with peace and development.

The United Nations Declaration on Human Rights was adopted and proclaimed by the United Nations General Assembly Resolution 217 A (111) of 10 December 1948, in Paris. The declaration or UDHR is the founding document of Human rights and is the most widespread reference point for human rights in the world setting minimum benchmarks or standards for attaining human rights. According to the United Nations, most if not all of these rights have been codified in various legal regulations and frameworks at the international, national and local levels throughout the world.

This document is a basis for most of the rights that peoples of the world are currently enjoying whether civil, civic, women, workers, economic or political rights. Nickel (2014) noted that when we read the Universal Declaration today, however, we find that it still speaks to many if not all of our problems. It addresses torture; detention without trial; authoritarian regimes that restrict fundamental freedoms and punish political participation; discrimination on grounds of race, gender, and religion; and inadequate access to food, education, and economic opportunities

The Universal Declaration of Human Rights consists of a Preamble and 30 articles, setting out the human rights and fundamental freedoms to which all men and women are entitled, without distinction of any kind. The thirty articles are outlined below:

1. Right to equality
2. Freedom from discrimination
3. Right to life, freedom, personal security
4. **Freedom from slavery**
5. Freedom from torture and degrading treatment
6. Right to recognition as a person before the law
7. Right to equality before the law
8. Right to remedy by competent tribunal
9. Freedom from arbitrary arrest, exile
10. Right to a fair public hearing
11. Right to be considered innocent until proven guilty
12. Freedom from interference with privacy, family, home, and correspondence
13. Right to free movement in and out of any country
14. Right to asylum in other countries from persecution
15. Right to a nationality and freedom to change it
16. Right to marriage and family
17. Right to own property
18. Freedom of belief and religion
19. Freedom of opinion and information
20. Right of peaceful assembly and association
21. Right to participate in government and free elections

22. Right to social security
23. Right to desirable work and to join trade unions
24. Right to rest and leisure
25. Right to adequate living standards
26. Right to education
27. Right to participate in cultural life and community
28. Right to social order assuring human rights
29. Community duties essential to free and full development
30. Freedom from state and personal interference

2.HUMAN RIGHTS AS ENTRENCHED IN THE NIGERIAN CONSTITUTION

The 1999 Constitution of the Federal Republic of Nigeria actually covers most if not all the items detailed in the United Nations Declaration of Human Rights. It is a concise document that encompasses the enjoyment of socio-cultural, religious, political and economic rights by the generality of Nigerians. It contains provisions for Fundamental Rights in Chapter IV, Section 33 – 45 as enumerated below

33. (1) Every person has a right to life, and no one shall be deprived intentionally of his life, save in execution of the sentence of a court in respect of a criminal offence of which he has been found guilty in Nigeria.
34. (1) Every individual is entitled to respect for the dignity of his person, and accordingly –
 - (a) no person shall be subject to torture or to inhuman or degrading treatment
 - (b) no person shall be held in slavery or servitude; and
 - (c) no person shall be required to perform forced or compulsory labour
35. (1) Every person shall be entitled to his personal liberty and no person shall be deprived of such liberty save in the following cases and in accordance with a procedure permitted by law -
37. The privacy of citizens, their homes, correspondence, telephone conversations and telegraphic communications is hereby guaranteed and protected.
38. (1) Every person shall be entitled to freedom of thought, conscience and religion, including freedom to change his religion or belief, and freedom (either alone or in community with others, and in public or in private) to manifest and propagate his religion or belief in worship, teaching, practice and observance.
(3) No religious community or denomination shall be prevented from providing religious instruction for pupils of that community or denomination in any place of education maintained wholly by that community or denomination
39. (1) Every person shall be entitled to freedom of expression, including freedom to hold opinions and to receive and impart ideas and information without interference.
40. Every person shall be entitled to assemble freely and associate with other persons, and in particular he may form or belong to any political party, trade union or any other association for the protection of his interests:
41. (1) Every citizen of Nigeria is entitled to move freely throughout Nigeria and to reside in any part thereof, and no citizen of Nigeria shall be expelled from Nigeria or refused entry thereby or exit there from.
42. (2) No citizen of Nigeria shall be subjected to any disability or deprivation merely by reason of the circumstances of his birth.
43. Subject to the provisions of this Constitution, every citizen of Nigeria shall have the right to acquire and own immovable property anywhere in Nigeria.

2.2 WORKERS RIGHTS AS GUARANTEED BY NIGERIAN LABOUR LAWS

To Bamiwola (2011), there exists a nexus between human rights and employment opportunities; thus, rights to life, movement, peaceful assembly and association, privacy, and human dignity, liberty, property and other classes of human rights will only be functional per excellence when a person's source of livelihood is unhindered. From the foregoing, the significance and presence of work based rights is unquestionable. The practical implementation of these work-related rights are essential to reverse working conditions such as an unhealthy or dangerous working environment and conditions and poor terms of employment that maybe detrimental to workers , while also working to protect workers against unjustified mistreatment by employers. Most importantly, they play an essential part in preserving the link between human dignity, human job security and decent working conditions. Workers rights abuses, infringements and non implementation are both symptoms and causes of workplace conflicts.

Work based rights are expected to encompass all issues concerned with the protection and respect of human life in the workplace and the right to work itself. Some components of workers' rights include the rights to job safety, good terms and conditions of work, participation /consultation especially on matters that affect them directly, Freedom of association, non discrimination in employment, collective bargaining etc. With labor rights, come labour laws which are primarily meant to regulate, control and guide the activities of labour in the country. In doing these, they are expected to promote public interest, strengthen the rights of workplace parties,

safeguard people at work from all forms of dangers etc, regulate tendencies that may be injurious to public good and promote the creation and distribution of wealth. In Nigeria, most work based rights are guaranteed by the Labor Act Cap 198 Laws of the Federation of Nigeria 1990 now Labor Act Cap L1 Laws of The Federation of Nigeria 2004

1.1. (1) Subject to this section- (a) the wages of a worker shall in all contracts be made payable in legal tender and not otherwise; and

1.2. No employer shall impose in any contract for the employment of any worker any terms as to the place at which, or the manner in which, or the person with whom any wages paid to the worker are to be expended; and every contract between an employer and a worker containing any such terms shall be illegal, null and void.

1.5(2) An employer may with the consent of a worker make deductions from the wages of the worker and pay to the appropriate person any contributions to provident or pension funds or other schemes agreed to by the worker and approved by the State Authority.

1.7. (1) Not later than three months after the beginning of a worker's period of employment with an employer, the employer shall give to the worker a written statement specifying-

(a) the name of the employer or group of employers, and where appropriate, of the undertaking by which the worker is employed;

(b) the name and address of the worker and the place and date of his engagement;

(c) the nature of the employment;

(d) if the contract is for a fixed term, the date when the contract expires;

(e) the appropriate period of notice to be given by the party wishing to terminate the contract, due regard being had to section 11 of this Act;

(f) the rates of wages and method of calculation thereof and the manner and periodicity of payment of wages;

(g) any terms and conditions relating to-

(i) hours of work, or (ii) holidays and holiday pay, or (iii) incapacity for work due to sickness or injury, including any provisions for sick pay; and

(h) any special conditions of the contract.

1.8. (1) Every worker who enters into a contract shall be medically examined by a registered medical practitioner at the expense of the employer.

1.9. (2) An employer shall be responsible for the performance of any contract made by any person acting on his behalf.

(6) No contract shall-

(a) make it a condition of employment that a worker shall or shall not join a trade union or shall or shall not relinquish membership of a trade union; or

(b) cause the dismissal of, or otherwise prejudice, a worker-

(i) by reason of trade union membership, or (ii) because of trade union activities outside working hours or, with the consent of the employer, within working hours, or (iii) by reason of the fact that he has lost or been deprived of membership of a trade union or has refused or been unable to become, or for any other reason is not, a member of a trade union.

(7) A contract shall be terminated-

(a) by the expiry of the period for which it was made; or (b) by the death of the worker before the expiry of that period; or (c) by notice in accordance with section 11 of this Act or in any other way in which a contract is legally terminable or held to be terminated.

1.11. (1) Either party to a contract of employment may terminate the contract on the expiration of notice given by him to the other party of his intention to do so.

(2) The notice to be given for the purposes of subsection (1) of this section shall be-

(a) one day, where the contract has continued for a period of three months or less;

(b) one week, where the contract has continued for more than 3 months but less than two years;

(c) two weeks, where the contract has continued for a period of 2 years but less than five years;

and (d) one month, where the contract has continued for five years or more.

1.13. (1) Normal hours of work in any undertaking shall be those fixed-

(a) by mutual agreement; or (b) by collective bargaining within the organization or industry concerned;

(2) Hours which a worker is required to work in excess of the normal hours fixed under subsection (1) of this section shall constitute overtime

(3) Where a worker is at work for six hours or more a day, his work shall be interrupted (to the extent which is necessary having regard to its character and duration and to working conditions in general) by allowing one or more suitably spaced rest-intervals of not less than one hour on the aggregate:

(7) In every period of seven days a worker shall be entitled to one day of rest which shall not be less than twenty-four consecutive hours; if any reduction takes place in the weekly rest-period-

1.14. (1) Where a worker is required to travel sixteen kilometres or more from his normal place of work to

another worksite he shall be entitled to free transport or an allowance in lieu thereof.

(2) Where the employer provides a vehicle or vessel for the purposes of subsection (1) of this section, he shall ensure that the vehicle or vessel is suitable, is in good sanitary condition and is not overcrowded.

1.15. Wages shall become due and payable at the end of each period for which the contract is expressed to subsist, that is to say, daily, weekly or at such other period as may be agreed upon:

1.16. Subject to the Workmen's Compensation Act, a worker shall be entitled to be paid wages up to twelve working days in any one calendar year during absence from work caused by temporary illness certified by a registered medical practitioner:

18. (1) Every worker shall be entitled after twelve months continuous service to a holiday with full pay of

(2) The holiday mentioned in subsection (1) of this section may be deferred by agreement between the employer and the worker:

20. (1) In the event of redundancy-

(a) the employer shall inform the trade union or workers' representative concerned of the reasons for and the extent of the anticipated redundancy;

(b) the principle of "last in, first out" shall be adopted in the discharge of the particular category of workers affected, subject to all factors of relative merit, including skill, ability and reliability; and

(c) the employer shall use his best endeavours to negotiate redundancy payments to any discharged workers who are not protected by regulations made under subsection (2) of this section.

(2) The Minister may make regulations providing, generally or in particular cases, for the compulsory payment of redundancy allowances on the termination of a worker's employment because of his redundancy.

(3) In this section "redundancy" means an involuntary and permanent loss of employment caused by an excess of manpower.

3:54. (1) In any public or private industrial or commercial undertaking or any branch thereof, or in any agricultural undertaking or any branch thereof, a woman-

(a) shall have the right to leave her work if she produces a medical certificate given by a registered medical practitioner stating that her confinement will probably take place within six weeks;

(b) shall not be permitted to work during the six weeks following her confinement;

(d) shall in any case, if she is nursing her child, be allowed half an hour twice a day during her working hours for that purpose.

3:55. (1) Subject to this section, no woman shall be: employed on night work in a public or private industrial undertaking or in any branch thereof, or in any agricultural undertaking or any branch thereof.

(2) Subsection (1) of this section shall not apply to women employed as nurses, in any public or private industrial undertaking or in any agricultural undertaking, nor to women holding responsible positions of management who are not ordinarily engaged in manual labour;

(3) In this section, "night" means-

(a) as respects industrial undertakings, a period of at least eleven (or, where an order under subsection (4) below applies, ten) consecutive hours including the interval between ten o'clock in the evening and five o'clock in the morning; and

(b) as respect agricultural undertakings, a period of at least nine consecutive hours including the interval between nine o'clock in the evening and four o'clock in the morning.

3:56. (1) Subject to subsection (2) of this section, no woman shall be employed on underground work in any mine.

(2) Subsection (1) of this section shall not apply to-

(a) women holding positions of management who do not perform manual labour; or (b) women employed in health and welfare services; or (c) women who in course of their studies spend a period of training in underground parts of a mine; or (d) any other women who may occasionally have to enter the underground parts of a mine for the purposes of a non-manual occupation.

73. (1) Any person who requires any other person, or permits any other person to be required, to perform forced labour contrary to section 31 (1) (c) of the Constitution of the Federal Republic of Nigeria shall be guilty of an offence and on conviction shall be liable to a fine not exceeding N1,000 or to imprisonment for a period not exceeding two years, or to both.

3. Workers and Human Rights and Equality

Work based rights are intended to ensure that all categories of employees regardless of social, sexual, age, racial, economic political, religious, cultural and ethnic status are treated equally, they are not discriminated against, have equal opportunities and access to these opportunities. In essence, nobody is excluded from optimizing or accessing any of these rights either in the work environment or in the outer society. This aside, they guarantee that no worker or individual is disqualified from enjoying social services, maltreated, denied justice, prevented from health care facilities or barred from a variety of activities on any basis of differences. Rights tend to

qualify people to access some opportunities, aspire to any office and have maximum political, economic and social freedom as stipulated by national constitutions. For example the Indian constitution clearly stresses the illegality of using caste or sex as basis or grounds for discrimination.

However, some employers often engage in activities that thwart workers' human rights, cripple the activities of trade unions and circumvent the provisions of the law pertaining to workers rights. The introduction of unwholesome human relations or personnel policies that stifle labour-management relations, minimize operating costs, muzzle and intimidate workers, hamper the freedom to organize, associate, bargain collectively, deny workers commensurate wages and compensation schemes has no doubt enervated trade unions resulting in fewer rights, appalling workplaces poor wages, deplorable work conditions and consequently the denial of workers a platform to challenge employer exploitation and unfair labour practices.. There are hidden and burdensome costs to restricting worker rights, costs that everyone pays and risks that everyone takes. Despite the Women have been

The subject of equality is a very important global issue, because inequality in the work place accentuates global poverty, injustice and inequality. It leads to despondency, frustration and the widening of social-economic gaps, classes and barriers which are antithetical to sustainable development. Against this context, Hepple (2001) noted that...national and local action are increasingly moving away from negative duties to avoid discrimination towards positive and inclusive duties to promote equality. In order to foster equality in the workplace, social partners should endeavor to ensure "the elimination of discrimination in respect of employment and occupation", which is an obligation of all member states that necessitated the International Labour Organization's declaration on "fundamental principles and rights at work". This declaration was adopted by the Conference at its 86th session at Geneva, on 18 June 1998 as a result of the growing awareness of the need for a social pillar in the global economy; consensus emerged around a set of principle and rights at work. The Declaration sets a decisive new benchmark, as it states that:

... all Members, even if they have not ratified the Conventions in question, have an obligation, arising from the very fact of membership in the Organization, to respect, to promote and to realize, in good faith and in accordance with the Constitution, the principles concerning the fundamental rights which are the subject of those Conventions, namely:

- (a) freedom of association and the effective recognition of the right to collective bargaining;
- (b) the elimination of all forms of forced or compulsory labour;
- (c) the effective abolition of child labour; and
- (d) the elimination of discrimination in respect of employment and occupation (ILO 2003:9)

In another framework, equality could be described in terms of equal opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and human dignity. Equitas (2008) refers to equality as "another fundamental principle of human rights. It affirms that all human beings are born free and equal. Equality presupposes that all individuals have the same rights and deserve the same level of respect. The issue of equality affects women more than men. Historically, Socio-cultural and religious beliefs, practices and perceptions promoted stereotypes and prejudices that women possess lower levels of intelligence and utility value and were inferior to men. This actually fuelled widespread socio-economic and political oppression and discrimination against women in the society, workplace and the family and their relegation to the background in the scheme of things in their respective communities.

Although Modernism, opportunities, sensitization, determination, industry, performance, rational individualism etc have served to erase any doubts about the capabilities of women to compete favorably and equally in all spheres with men. So today when we look around us we see evidence of women advancing — women now constitute a sizeable percentage of the global labour market that have made great inroads in professions hitherto dominated by men. Infact, ILO (2009) noted that women constitute half of mankind and 50% of global workforce. More efforts are required to narrow this women-men gap. Ban Ki Moon (2011) puts it succinctly when he said "Achieving women's equality is a fundamental human right and a social and economic imperative. Justice is central to the effort to help women become equal partners in decision-making and development. Without justice, women are disenfranchised, disempowered and denied their rightful place"

Discrimination against women anywhere is a pernicious phenomenon which in law, intent and practice subjugates, shackles and stymies the potentials, capabilities and achievements of women who are usually at the end overt and covert discriminatory policies and actions by organizations and nations. Globally, social partners have worked together to formulate international, national and local plans, programmes and actions to curb discriminatory, inequalities and allied practices against women. Infact, in countries that women or men are disadvantaged, there have been statutory regulations which promote their empowerment or and engender their participation. Other groups that are also prone to discriminatory practices are ethnic minorities, indigenous people, migrant workers, the physically challenged and other vulnerable groups

3.1. Implications for Workers and Human Rights in Nigeria

Nigeria has signed most of the United Nations treaties, obligations, in addition to ratifying most of International Labor Organization conventions, recommendations.. Majorities of these provisions have either been domesticated in our various laws, policies or enshrined in the Nigerian constitution. But the poignant questions are has the socio-economic status of Nigerian workers, mostly especially women workers improved? What are the positive implications on or for workers and human rights in Nigeria? Are these provisions being practically implemented or observed?, what are the measures, sanctions or enforcement mechanisms against non implementation or infractions?.

The Current United Nations High Commissioner for Human Rights, Ms Navi Pillay shed considerable light on the above while wrapping up a historic visit to Nigeria last March noting that “Since Nigeria’s transition to democracy, much has been achieved on the human rights front, Nigeria has ratified all nine core international human rights treaties but “in order to have a real impact on the lives of ordinary people,” said the High Commissioner, “international treaties must also be fully reflected in national legislation, and the national legislation must then be fully observed and implemented by the authorities at all levels. For this reason, the main focus of my visit has been on filling gaps and addressing systemic malfunctions. Also UN WOMEN/ILO (2012) noted that “yet women’s economic and human rights, their contributions and priorities have been largely overlooked.... They...dominate the unprotected informal sector, are more likely than men to be in part-time formal employment in most high income regions,...have lower levels of productivity and earn less than men for work of equal value....”

Critically analyzing this issue, I would reiterate that human rights can only thrive in a conducive, peaceful and democratic atmosphere. In a situation where democratic beliefs are not well grounded, deep seated and pervasive, human rights can neither be fully enthroned nor protected. This could be a critical factor in analyzing or answering the above posers. Democracy as a form of Government is still finding its feet in Nigeria despite series of elections since 1998. In the same vein, UN(2013), noted that a functional democracy that accommodates diversity, promotes equality and protects individual freedoms is increasingly becoming the best bet against the concentration of power in the hands of a few and the abuse of human rights that inevitably results from it. The pervasiveness of unencumbered and unfettered human and workers rights is an indicator of the magnitude of and respect for fundamental rights, accountable government and also sustainable economic development.

I would utilize three or four recent Global reports as a basis to validate my claims that the workers and Human rights in Nigeria is far from meeting the aspirations of majorities of Nigerians. Firstly, the 2013 Global Gender Gap Report prepared by the World Economic Forum is based on four pillars and the Global Gender Gap Index examines the gap between men and women in four fundamental categories (sub indexes): Economic Participation and Opportunity, Educational Attainment, Health and Survival and Political Empowerment. Ranking Nigeria 106th out of 136 nations on the Index shows that women are seriously lagging behind and evinces the widening gap between men and women on the socio-economic and political terrain. One might be able to aver that measures in place to promote the status of women might not be working.

Secondly, the 2013 Human Development Report prepared by the United Nations Development Programme. The Human Development Index denotes achievements on the basis of income, health and educational dimensions Placing Nigeria 153 out of 186 countries and on the very low human development strata could be construed mean poor governance , inability to put the welfare of the citizenry first and consequently low respect for workers and women rights. Actually, Enhancing equity including on the gender dimension and enabling greater voice and participation of citizens including workers and youths were the two of the four specific areas that the Report identified for sustaining the development momentum,

Thirdly, the 2014 Social Progress Report 2014 published by the Social Progress Imperative. The Social Progress Imperative defined social progress as

“the capacity of a society to meet the basic human needs of its citizens, establish the building blocks that allow citizens and communities to enhance and sustain the quality of their lives, and create the conditions for all individuals to reach their full potential.”

The Social Progress Index uses social progress as a measure of the success of countries utilizing incorporating three dimensions of the Social Progress Index Framework which were further disaggregated into four components: Basic Human Needs(**Nutrition and Basic Medical Care , Water and Sanitation , Shelter and Personal Safety**) : Foundations of Wellbeing (**Access to Basic Knowledge ,Access to Information and Communications , Health and Wellness and Ecosystem Sustainability**) and Opportunity. (**Personal Rights , Personal Freedom and Choice , Tolerance and Inclusion and Access to Advanced Education**)

Nigeria was rated 123 out of 132 nations which may connote difficulties in meeting needs, difficulties in guaranteeing rights, difficulty in providing the appropriate climate for actualizing potentials.

Fourthly, the 2014 World Justice Project Rule of Law Index published by the World Justice Project an independent, multidisciplinary organization working to advance the rule of law around the world utilizes eight

factors. Nigeria ranked a very dismal 93rd overall out of about 100 nations and near the bottom half in most dimensions.

The country ranks 69th for checks on the executive branch and 76th for open government. Corruption is widespread (ranking third to last in the world), the criminal justice system has deficiencies ranking 91st overall and second to last in the region), fundamental rights are poorly protected (ranking 88th overall), and a deteriorating security situation continues to raise significant concern (ranking second to last overall) Nigeria's best performance is in the area of civil justice, where it ranks 52nd globally and 7th among its income peers

Lastly, 2014 Human Rights Risk Atlas prepared by Maplecroft. On Evaluating 197 countries on various human rights violations, Maplecroft classified 34 countries as having an extreme human rights risk in 2014 and listed Nigeria as the 10th worst offender of Human Rights in the world. Elizabeth Campbell, Maplecroft's head of Societal Risk and Human Rights, said in a statement. "In these economies, worker's [sic] rights continue to be compromised, rural and indigenous communities face land grabs and forced displacement and repressive or corrupt governments clamp down on freedom of expression to maintain their grip on power and economic control."

Conclusion

The UN Declaration on human rights and the ILO Declaration on fundamental principles and rights at work contain provisions to engender and advance human rights and workers rights, enhance equality between both male and female gender and guarantee equality for disadvantaged groups like women, disabled and minorities. But in Nigeria, despite being inculcated in the constitution and labour laws, Nigerians and Nigerian workers most especially women are yet to deserve optimal benefits and still face an array of deprivation of work rights and discrimination. . The onus lies on the stakeholders to collaborate on ensuring the review of the archaic provisions of the laws to be in sync with emerging global dictates and the government and its relevant agencies for the prompt implementation and enforcement of these provisions. Respect for Human rights for all can only be accomplished if individually and collectively, Nigerians can join forces to advance its cause and make the fight against human rights abuses anywhere it occurs and in any form in the nation our own.

But these things cannot just occur like that The struggle for equality for all, the struggles against second class citizenry, struggles against undue exploitation by the employers and political class and workers' struggles for a more dignified existence, including the demands for commensurate wages, salaries, allowances, stoppage of unfair labour practices and protections against inhumane working conditions are all hinged on the entrenchment and entronement of real democracy Nickel (2014) expatiated further when he declared that Success in realizing human rights requires hard-to-achieve success in other areas, including building more capable, responsive, efficient, and uncorrupt governments, dealing with failed states, increasing economic productivity (to pay for the protections and services that human rights require), improving the power and status of women, improving education, and managing international tensions and conflicts. We need human rights, in sum, to permit ourselves the possibility of being human.

References

- Bamiwola, K.H.(2011). Human Rights and Employment Discrimination: A Comparative Examination of Equal Job Opportunities, Paper presented at the 6th International Industrial Relations Association, African Regional Congress of Industrial Relations, Lagos, Nigeria, January 24-28.
- Buchanan,A.(2013). *The Heart of Human Rights*. New York: Oxford University Press.
- Cook, W.A,(2011). "A World United for Human Rights." Available at <http://www.veteranstoday.com/2011/10/22/a-world-united-for-human-rights/>
- Equitas (2008) Play it fair: *Human rights education tool kit for children*, Equitas – International Centre for Human Rights Education Publication, Canada
- Federal Republic of Nigeria.(1990). Labour Act Cap 198 Laws of the Federation of Nigeria, Federal Ministry of Information, Lagos
- Federal Republic of Nigeria.(2001).Constitution of the Federal Republic of Nigeria 1999, Federal Ministry of Information, Lagos.
- Republic of Kenya.(2010). *Constitution of Kenya 2010*. Available at: <https://www.kenyaembassy.com/pdfs/The%20Constitution%20of%20Kenya.pdf> [20 Apr 2014].
- Gilmor, A.(2014). "The Future of Human Rights: *A View from the United Nations.*' *Ethics & International Affairs* 28 (2):239-250
- Hepple B. (2001). "Equality and empowerment for decent work." *International Labour Review*, 140(1):5- 18
- International Labour Organization.(2003).*Fundamental Rights at work and International Labour Standards*. Geneva:ILO.
- International Labour Organization.(2009) *Global Employment Trends for Women*. Geneva:ILO.
- Moon B.K.(2011). Foreword, Progress of the World's women : *In pursuit of Justice*. United Nations.

- <http://progress.unwomen.org/pdfs/EN-Report.pdf>
- Nickel, J.Y. (2014). "What future for human rights." *Ethics & International Affairs*, 28(2): 213- 223,
- Porter, M.E, Stern, S. and Green, M. (2014). *Social Progress Report*. Washington: *Social Progress Imperative*
- Pillay, N.(2014). "Opening Remarks at Press Conference by UN High Commissioner for Human Rights during her mission to Nigeria." Available online at <http://reliefweb.int/report/nigeria/opening-remarks-un-high-commissioner-human-rights-navi-pillay-press-conference-during>*(accessed May 20, 2014)
- Sussman, A.(2014). "Why Human rights are called Human rights." This essay is available at <http://www.ethicsandinternationalaffairs.org/2014/why-human-rights-are-called-human-rights> (accessed June 20, 2014)
- The Huffington Post. (2013). "Ten worst countries for Human rights".
http://www.huffingtonpost.com/2013/12/03/human-rights-risk-atlas-2014-violations-maplecroft_n_4374133.html (accessed July 14, 2014)
- United Nations,(1945). *Charter of the United Nations*. San Francisco: *United Nations*. Available at <http://treaties.un.org/doc/Publication/CTC/uncharter.pdf>
- United Nations. (2013). *Democracy and Human Rights: The Role of the UN*. Discussion Paper (New York: International IDEA/UN/UNDPA/OHCHR). Available at <http://www.idea.int/publications/democracy-and-humanrights/loader.cfm?csModule=security/getfile&pageid=59125>
- United Nations Development Programme. (2013). *Human Development Report: The Rise of the South: Human Progress in a Diverse World*. New York: UNDP.
- United Nations, Women. (2012). *Decent Work and Women's Economic Empowerment: Good Policy and Practice: Policy Brief*. New York: *United Nations and Geneva:ILO*. Available at <http://www.unwomen.org/en/digital-library/publications/2012/8/decent-work-and-women-s-economic-empowerment-good-policy-and-practice>.
- Universal Declaration of Human Rights (UDHR), available at <http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/043/88/IMG/NR004388.pdf?OpenElement>.
- World Justice Project.(2014). *World Justice Project Rule of Law Index*. Washington: WJP.
- World Economic Forum. (2013). *Global Gender Gap report*. Geneva: WEF.

The IISTE is a pioneer in the Open-Access hosting service and academic event management. The aim of the firm is Accelerating Global Knowledge Sharing.

More information about the firm can be found on the homepage:

<http://www.iiste.org>

CALL FOR JOURNAL PAPERS

There are more than 30 peer-reviewed academic journals hosted under the hosting platform.

Prospective authors of journals can find the submission instruction on the following page: <http://www.iiste.org/journals/> All the journals articles are available online to the readers all over the world without financial, legal, or technical barriers other than those inseparable from gaining access to the internet itself. Paper version of the journals is also available upon request of readers and authors.

MORE RESOURCES

Book publication information: <http://www.iiste.org/book/>

Academic conference: <http://www.iiste.org/conference/upcoming-conferences-call-for-paper/>

IISTE Knowledge Sharing Partners

EBSCO, Index Copernicus, Ulrich's Periodicals Directory, JournalTOCS, PKP Open Archives Harvester, Bielefeld Academic Search Engine, Elektronische Zeitschriftenbibliothek EZB, Open J-Gate, OCLC WorldCat, Universe Digital Library, NewJour, Google Scholar

