

# Collective Bargaining and Organizational Performance; A Study of the Nigeria Union of Local Government Employees of Idemili North Local Government Council, Anambra State (2007 -2012).

OKPALIBEKWE, Uche Nora<sup>1</sup>, ONYEKWELU, Rose Ugonwa<sup>2</sup>, DIKE, Ego Evangeline<sup>3</sup>,  
Department of Public Administration  
Chukwuemeka Odumegwu Ojukwu University, Igbariam Campus,  
Anambra State, Nigeria  
[ru.onyekwelu@yahoo.com](mailto:ru.onyekwelu@yahoo.com), [okpalibekweuche@gmail.com](mailto:okpalibekweuche@gmail.com)

## ABSTRACT

The study examined Trade Union, collective Bargaining and Organizational Performance, a study of the Nigeria Union of Local Government Employees of Idemili North Local Government Council of Anambra State. Trade Unions have often been accused of pursuing their own selfish interests without due consideration of their role in enhancing organizational performance. Adequate and detailed exposition on the role trade unions can play in organizational performance therefore becomes very necessary, thus this study intends to examine trade Unions, Collective Bargaining and Organizational Performance. The survey research method was adopted for the study and the study relied much on primary and secondary data. Three hypotheses were formulated as guide to the study and simple random sampling technique was used to select the study sample. The data generated were analyzed using percentages and mean scores and the hypotheses were tested using one sample t-test. The findings from the study showed that the Nigeria Union of Local Government Employees has helped to ensure industrial peace, employee commitment to optimum job productivity as well as effectively using collective bargaining to enhance organizational performance. The researcher concludes that the Nigeria Union of Local Government Employees of Idemili North is a veritable instrument for improved employee productivity as well as organizational performance. The researcher recommends that continuous and adequate awareness should be created among the stakeholders (Trade Union, management and Government) on their role in not only developing but sustaining a rancor free work environment which is a prerequisite for organizational performance.

**Key words:** Collective Bargaining, Trade Union, Organizational Performance

## INTRODUCTION

A trade union according to Kirkpatrick (1985) is a group of workers, either of the same or of different trades, who join together to bargain with employers, using the principles of collective bargaining for fair wages and better working conditions. The Nigerian Trade Union Ordinance (1938) defines a trade Union as:- Any combination, whether temporary or permanent, the principal purposes of which are the regulation of the relations between workmen and masters, or between masters and masters, or for imposing restrictive conditions on the conduct of any trade or business (Ministry of Labour 1961).

The first definition of trade union suggests that generally, the emergence of trade union is a function of the workers effort to be part of the decision making process that impacts on their conditions, and collective bargaining is the principal vehicle for during so. The second definition covers both the workers organization and the employers' organization. This study however, is primarily concerned with the more popular understanding of the term trade union – the workers' organization.

Jones & George (2003) believe that trade unions exist to represent workers' interest in organizations, given the fact that managers have more powers than the rank and file workers and those organizations have multiple stakeholders. There is always the likelihood that management might take steps that benefit one set of stakeholders such as shareholders, while hurting another such as employees. Thus, employees unionize for a number of specific reasons, ranging from the need for job security or safe work environment. They may also be dissatisfied with some management policies, while finding it difficult to communicate their concerns to their bosses.

Therefore in unionizing, trade unions recognize the powers inherent in collective effort than in their individual efforts put together. In so doing, they seek to exert more influence in decision - making at the work place, without leaving anything to chance.

Historically, there has been organization of workers in Nigeria before the advent of modern trade unionism. The trade unions in the former British colonies, including Nigeria, were not natural developments as in the

metropolitan countries, but rather a creation of the then British colonial office. This fact notwithstanding, there is no evidence to show that the British government deliberately imported trade unionism into Nigeria. However, it could be said that the development of trade unions in Nigeria may have been influenced by events elsewhere.

To Yesufu (1982), the experience in Sierra Leone greatly influenced the development of trade unionism in Nigeria. According to him, the first union was not formed by a group of disaffected workers who wanted a platform on which to fight for amelioration of grievances or for the improvement of specific conditions of employment but rather, it was formed just to conform to what workers in Sierra Leone have done (Ubeku 1983).

Continuing, Yesufu (1982) maintained that it was after sometime that the union' aim was spelt out as "to promote the welfare and interests of native members of civil service". The function of other unions such as the Nigerian Railway Native Staff Union followed suit and with the 1938 trade union ordinance, trade unions were legalized and the growth of mushroom unions restricted. With the cost of living allowance and the 1942 successful general state trade union activities in Nigeria were brought to limelight.

Collective bargaining is thus seen as the ultimate in labour- management or even in industrial relations. It is one of the ways through which unions carry out their activities in handling industrial issues.

By its very nature, collective bargaining is democratic and as such introduces industrial democracy in the workplace. Through elected representations, workers make direct and significant count in the functioning of the organization, thus reducing employer's unilateral actions and at the same time managements still allowed its legitimate rights and privileges to control the organization. The democratic nature of collective bargaining is that people in work relations are left to manage their own affairs, provided no damage is done to important general interest while doing so. In the process, employee job productivity and organizational goal attainment is ensured.

The elaborate body of writings and research on organizations has valuable application on how to effectively utilize every component of an organization in the attainment of organizational goals in the public sector. One of the most important variables identified is the strategic role which trade unions can play in the realization of organizational goals especially in the public sector. Trade unions are an important element in the production process of any economy. They have been known all over the world to effect positive changes in the society.

For instance, the Nigerian Union of Local Government Employees, Anambra State is a typical trade union in Nigeria. Part of its functions that informed its formation is to promote the welfare of their members as well as to ensure optimal job productivity of members. However, it is not precisely known to what extent, it has ensured optimal job productivity of its members through the instrument of collective bargaining.

## 1.2 Statement of the Problem

The need for a conducive work environment, cordial relationship between the three actors in industrial relations (labour, management and the government) and how best to promote and maintain employee job satisfaction and productivity has engaged the attention of the management of both public and private organizations. This is because; it is a fact that these variables are very crucial to the survival of every organization. A close look at these variables suggests that Labour - management relations is a crucial factor that may determine or influence the other variables. One basic feature of the components of an organization is varying interests. Every stakeholder in an organization has his/her interest which normally may differ from other stakeholder's interests. The extent to which these interests are harmonized and satisfied determines the extent to which the organizational climate/environment is conducive for team work and maximum production.

These interests are often realized through collective bargaining - an instrument in labour/management relations which allows both management and workers to discuss issues and take joint decisions that will ensure the survival of the organization.

The Nigeria local government system is the third tier of government and hierarchically found below the state government. It is a level of government established to bring government to the grassroots for mass mobilization of rural dwellers for rural development. However, there have been growing sensitivity and concern over the dismal performance of the Nigerian Local Government system, thus, the number of reforms aimed at repositioning it - giving it a greater capacity to perform. In spite of these reform measures, there has continued to be the unlikelihood of the attainment of the purposes for which the local government system was established. On the other hand, there is a strong conviction of the role the Nigeria Union of Local Government Employees can play in enhancing the performance and repositioning these local government systems. However by acts of commission or omission, the NULGE has not done much in enhancing organizational performance. Unions like NULGE should be ideally mobilizing their members toward higher productivity. While this condition holds in

the private sector, it hardly does in its public counterpart. Unions in the public sector generally ignore the productivity side of the equation in favour of workers welfare and remuneration. Consequently, the system gets repeatedly ruined.

Enormous research has been undertaken in regard to issues on trade union, collective bargaining and organizational performance but little attention has been dedicated to assessing and examining trade unions, collective bargaining and organizational performance – a study of The Nigerian Union of Local Government Employees of Idemili North Local Government Council. This study begins to fill this research gap by adopting a descriptive approach to examine trade unions, collective bargaining and organizational performance – a study of The Nigerian Union of Local Government Employees of Idemili North Local Government Council.

### **1.3 Objectives of the study**

The broad objective of this study is to examine trade union, collective bargaining and organizational performance in Idemili North Local Government of Anambra State. The specific objectives are;

1. To determine the extent to which the Nigerian Union of Local Government employees of Idemili North has helped to ensure organizational peace.
2. To find out the extent to which the Nigerian Union of local government employees of Idemili North Local Government has helped to ensure employee commitment to optimal job productivity?
3. To determine the extent to which the Nigerian Union of Local Government Employees of Idemili North has used collective bargaining to enhance organizational performance.
- 4.

### **1.4 Research Questions**

The study seeks to find answers to the following research questions.

1. To what extent has the Nigerian Union of local government employees of Idemili North Local Government helped to ensure organizational peace?
2. To what extent has the Nigerian Union of local government employees of Idemili North Local Government helped to ensure employee commitment to optimal job productivity?
3. To what extent has the Nigerian Union of Local Government employees of Idemili North Local Government used collective bargaining to enhance organizational performance?.

### **1.5 Hypotheses**

1.  $H_0$ : The Nigeria Union of Local Government Employees in Idemili North has not helped to ensure organizational peace.  
 $H_1$ : The Nigerian Union of Local Government Employees in North has helped to ensure organizational peace.
2.  $H_0$ : The Nigeria Union of Local Government employees of Idemili North has not helped to ensure employee commitment to optimal job productivity.  
 $H_1$ : The Nigerian Union of Local Government employees of Idemili North have helped to ensure employee commitment to optimal job productivity.
3.  $H_0$ : The Nigerian Union of Local government employees of Idemili North have not effectively used collective bargaining to enhance organizational performance.  
 $H_1$ : The Nigerian Union of Local government employees of Idemili North have effectively used collective bargaining to enhance organizational performance.

## **2.0 LITERATURE REVIEW**

### **2.1 Trade Union Movement in Nigeria: Historical Description**

The origin of trade union movement in Nigeria could be traced to the pre-colonial period. At this time, there existed guilds, mutual aid groups and professional or occupational craft unions all of which function to play the role of trade union. However, these associations are not in the modern sense of it full fledged trade union. Rather, most of them are merely workers association. (Otobo, 1987). The inception of modern trade union in Nigeria could be said to coincide with colonialism. Consequently, the first set of trade unions were modeled after British unions. Unlike the situation in most developed countries, trade union preceded industrialization in Nigeria. However, at the earliest period of colonialism, Nigerians were discouraged from belonging to unions as union membership was regarded as anti-colonial attitude (Otobo, 1987).

The first legalized union in Nigeria was the Civil Service Union (CSU) was limited to public servants. The unions took after similar ones in the West Africa sub region. At this period, trade union could not take the pattern of radical organization because of the paternalistic nature of colonial government which is the largest employer of public labour.

Other unions which emerged at this period were the Nigeria Union of Teacher (NUT) and Railway Workers Union (RWU). The latter broke away from the Civil Service Union (CSU) due to the non-militant nature of CSU.

While trade union emerged from 1912, it was not until 1930s that significant development emerged for the movement. First among these was the enactment of Trade Unions Ordinance in 1939 which provided legal backing of trade unions. The law gave recognition to the formation of trade union by at least five persons.

Several reasons have been giving to explain the apparent late arrival of trade unionism in Nigeria. These include the limited wage employment. Since the largest proportions of the citizens are engaged in the informal work sector the few wage earners are colonial employers and these are restricted to the colonial officers as well as related parastatals.

Other reasons include the low level of economic activities which limit the recruitment into the formal economy and hence membership of trade union. The repressive colonial labour policy also contributed to the late arrival of effective trade unionism in Nigeria. The colonial administration regarded trade unions as destabilizing activities. Consequently, it took measure to discourage its employees from membership of these groups.

Another important factor for the late emergence of trade union in Nigeria is the low consciousness of the workers as to the need of unionism. Most of the workers are employed either in the colonial office or other low-wage employment. These workers are not conscious of the need to employ trade union as a channel for group emancipation.

The absence of legal backing also impeded the early realization of labour union in Nigeria. For long, the colonial government was reluctant to accord full legal status to trade union which it considered as anti-colonial movement. At this period, trade unions were regarded as illegal organizations.

However, with time these obstacles were overcome and this paved the way for the emergence of trade unionism in the country. For instance, the emergence of small indigenous and large multi-national companies broke the monopoly of public sector employment in the country. This factor boosted the tempo for trade union movement. The influence of neighboring countries like Sierra-Leone and Ghana also helped to boost the tempo of trade unionism in Nigeria. This factor for instance led to the enactment of Trade Union Ordinance in 1983 which gave legal backing to trade unions in the country. However, the law seems to give way to indiscriminate formation of trade unions which led to several unions until the 1970s.

The Second World War (1939) also played important role in the growth of trade union in Nigeria. The war brought untold hardship to the workers and the general public in form of acute shortage of essential commodities, rise in prices, stagnant wage structure (Otobo 1987). These problems pushed many workers into joining trade unions which was seen as the only forum for improving their bad economic condition. Union agitation during the period led to the introduction of Cost of Living Allowance (COLA) as well as the first general strike in the country in 1945 with the participation of about 42,000 workers (Fajana, 1995). The war heightened the socio-political consciousness of the workers. Ex-servicemen also joined in the nationalist struggle and also became local as union members and leaders.

Closely related to the above is the contribution of the nationalist movement towards the emergence and growth of trade unions in Nigeria. Formal political associations were declared illegal by the colonial administration. These people then found their ways into existing trade unions as members and leaders. This action accentuated the radical posture of the unions.

## **2.2 Concept and Nature of Trade Union**

Two of the earliest writers on trade unionism, Webb and Webb (1920) defined a trade union as “a continuous association on wage earners for the purpose of maintain or improving the condition of their working lives”. Webb's definition highlighted the permanent nature of unions, which suggests that any association that does exist on a continuous basis, for the purpose of regulating employment matters, does not qualify as trade union.

It is of the belief that unions are “associations of workers who by means of collective bargaining, endeavor to improve their working conditions as well as their economic and social position”. This definition suggests that

unions undertake negotiations on behalf of their members, rather than allow individual members bargain separately with the employers.

Typically, membership consists of employee which seek to organize and represent their interests both in the workplace and society, and in particular, seeks to regulate their employment relationship through the direct process of collective bargaining with management” (Salmon, 1992). Salmon’s definition also highlights the importance of collective bargaining as a principal tool for improving the well being of union members.

The British Trade Union Act (1875) sees a trade union as “an organization, whether permanent or temporary which consists wholly or mainly of workers of one or more descriptions and is an organization whose principal purposes include the regulation of relations between workers of that description and employers or employers association”. This definition brings out the rule making function of the unions as they participate in joint regulation of work relations between the workers and their employers in like manner. In Nigeria, the Nigeria Colonia Trade Union Ordinance of 1938 established the framework for the nature of trade unionists in Nigeria. It defines a trade union as:

Any combination, whether temporary or permanent, the principal purposes of which are the regulation of the relations between workmen and masters or between workers and workmen or between masters and masters or for imposing restrictive conditions on the conduct of any trade or business (Law of the Federation of Nigeria 1938 Ministry of Labour 1961 p5.8)

This definition implies that both the employers association and that of workers can qualify as a trade union. The Nigeria Trade Union Decree of 1973 offers this same perspective.

### **Role of Trade Union**

Many questions have been asked as to the role of trade unions. A number of such roles can be identified.

First, is to improve the bargaining strength of the workers vis a vis the employer. This is achievable through regular consultation with the employer and management on issues relating to the terms of employment and general working condition of the workers.

Secondly, is to protect workers from humiliating job especially with regards to the treatment of workers by the management. Trade unions achieve this goal through rising to the defense of the workers whenever management policy tends to degrade their condition.

Thirdly, the unions provide collective identify to workers while at the same time representing a forum representatives, trade union becomes a virile pressure group in advancing the interests of members both within the work place and in the larger society.

Lastly, trade union perform social objective in cooperating with other elements the society in promoting social and economic development and advancement of the community.

### **2.3 The Concept of Collective Bargaining**

According to Rose (2008), 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 association) and representatives of employees (and probably their unions). Rose (2008) 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 the above 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 mean 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 agreement covering joint understanding as to wages/salaries, rate of pay, hours of work and other conditions of employment.”

International Labour Organization (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 view to reaching agreement".

The term public sector comprises the government as employer at the federal, state and local government levels as well as the parastatals, the universities and the state-owned companies. The public sector constitutes the largest employer of labour in the country in spite of the recession in the economy. Modern trade unionism began in Nigeria in the public sector. As Damachi & Fashoyin (1986) observed that trade unionism and labour relations originated in the civil service in 1912; but it is in this sector that unions are weaker and labour relations marginally practiced. The weakness of the unions in this sector was attributed to a well documented problem of union factionalism, multiplicity and leadership squabbles which characterized Nigerian unions up to the mid-1970s.

Omole (1987) raises the issue of the interesting features of industrial relations in the developing countries when compared to the practice in the developed countries. In the developed countries, industrial relations practice in the public sector was modeled after the practice in the private sector. In the developing countries, the opposite was the case especially with Nigeria where industrial relations system in the private sector of the economy developed from the practice in the public service. The account for the trend, he states that the idea of bargaining for more by workers emerged first in the sector in developed countries and its law and procedures are well-established. In Nigeria, the origin of trade unionism can be traced to the public sector, which arose during the colonial rule when paid employment was first introduced into the country by the colonial administrators.

Relationship in any human set-up, (industrial or non-industrial organization), is either formal or informal. It is within the framework of an informal relationship that the activities of the grapevine are discussed. However, what is more important to organizations is formal relationship. There is a structure involving a mechanism to regulate behavior at work in which workers or their organization (union) and management interact.

Authorities have defined collective bargaining variously. It has been defined as negotiations about working conditions and terms of employment between an employer and a group of employers or one or more employers' organizations, on the one hand, and one or more representative of workers' organizations on the other, with a view to reaching agreement (ILO, 1960). From the perspective of NECA, collective bargaining should be defined in such a way that it goes beyond emphasizing wages and conditions of employment. Thus for NECA, collective bargaining is a process of decision-making, where overriding purpose is the negotiation of an agreed set of rules to govern the substantial and procedural terms of employment relationship as well as the relationship between the bargaining parties themselves (NECA, 1980). It has been defined as a mechanism whereby union and management are brought together in an interactive process and each is given an opportunity to contribute to the determination of matters which are mutually important to the parties and for the survival of the enterprise (Uchendu, 1998). Conceptually, collective bargaining is seen as the core of industrial relations system.

Collective bargaining or joint negotiation is essentially an autonomous system of making job rules between employers and trade unions. It is a process of a party in industrial relations making proposals or demands to the other, of discussing, criticizing, explaining, exploring the meaning and the effects of the proposals; of seeking to secure their acceptance. It includes making counter proposals or modifications for similar evaluation (Yoder, 1958). The essence of the process is to reach agreement. Briefly stated, collective bargaining is a process of negotiation, between workers and employers through their organization(s), of a contract of employment for the best possible working conditions and terms of employment (Flippo, 1984).

Yoder and others have said that the common practice has been for the employers to wait to see what proposals and demands the union would make. Thus, the employers are engaged in passive or negative bargaining. But in recent years, they said, employers are more generally coming up with positive bargaining; they take initiative just as the union and have been showing increasing tendency to advance their own proposals. This holds true in some situations in Nigeria where employers initiate changes and advance proposals for bargaining. Collective bargaining in which each party makes proposals to the other party seems to be the better, the more balanced and satisfactory system.

The idea of bargaining is not strange in Nigeria even in the remotest rural areas. The regular and common method of transacting business and of effecting exchange of even the most elementary objects continues to be through haggling and bargaining.

The rationale of collective bargaining is agreement, but if an agreement was not reached the action which took place is not less collective bargaining than if the process had ended in an agreement. Thus, collective bargaining

takes place once collective action is involved whether or not agreement is reached, so long as the parties have made genuine efforts to reach agreement.

Thus, collective bargaining according to I.C.F.T.U (1966) takes place when:

- (a) a single employer is a party negotiating with representatives of the workers. Bargaining of this kind is frequent, for example, in Nigeria and in Ghana during its early years of the first republic and other developing countries where there are few industrial undertakings and the employers are not organized;
- (b) a trade union negotiates with a group of employers, each of whom represent a separate undertaking, and the group has developed a joint policy for collective bargaining, even though in temporary collaboration and not a permanent organization. Bargaining with such a group of employers is collective on both sides while bargaining with one employer is collective only on the workers' side;
- (c) Bargaining takes place with the representatives of a single organization of employers or with representatives of a number of employers' organizations, each having its separate membership but all having a common interest in the discussion. Bargaining with a federation or confederation of employers' organizations comes under the concept of collective bargaining;
- (d) Bargaining on the workers' side is undertaken by an elected committee which can act as a contracting party representing the interests of all union members. This body is generally regarded as a trade union even if it has not acquired a permanent existence.

Thus it is sufficient if one party is a group for the process to qualify as collective bargaining and the temporary or permanent nature of the group or organization is not significant for the process to be accepted as collective bargaining.

### **2.3.1 The Structure of Collective Bargaining**

Collective bargaining has a number of levels and a structure. The levels can be independent of each other and may not be a hierarchy of a system as such. Otherwise the levels may take a hierarchical form such that collective bargaining at the national level, for instance, defines the general policy and principles, setting out the framework within which regional, industrial and local bargaining can take place. The choice of levels and structure depends on the strength of the parties, their organizations, the economic situation and perhaps the subject of bargaining (O.E.C.D, 1972).

Where the workers' and the employers' organizations are strong at the national level there would tend to develop a national level of collective bargaining. And where these organizations are on industrial bases, collective bargaining may tend to develop around the industry. It is possible to have industry-wide bargaining and also enterprise bargaining. These higher levels of bargaining could co-exist with those at the plant or workshop levels. Where these various levels co-exist in a hierarchical relationship, the subject matter of bargaining then becomes the basic factor of role allocation to the levels. The higher levels could also serve as appeal levels for the lower ones. Disputes which cannot be solved at one level pass the hierarchy to the next.

Thus, the organizational type of the unions, say craft, industry-wide, general union, etc., determines the structure of collective bargaining. But the level at which the main bargaining takes place is the level of the organization at which the power centre rests. If in an industrial union the power centre rests with the local units, collective bargaining would tend to gravitate towards the lower level. And bargaining at the industry level would be weak if it exists.

### **2.4 Collective Bargaining and the Influence of Government on Enforcement**

Collective bargaining is a term that has been used by Sydney and Beatrice Web to describe negotiations on conditions of service and terms of employment between employers and workers or between employers associations and trade unions (50). It covers all arrangements in which workers do not negotiate with employers by themselves but do so collectively through their representatives. The issues covered by such collective bargaining are always very extensive and they include wages hours of work, increments, promotions, job grading and classification, annual leave etc. In fact in the present dispensation, any matter which is capable of causing a trade dispute is negotiable; it has also been extended to socio-political matters like the election tribunal.

It has been argued that the terms which trade unions seek to get through collective bargaining, the process by which they are negotiated and the enforcement of the agreement, all depend on the size and strength of the bargaining unit. In the public sector, collective bargaining takes place at the national level. If the issues involved pertain to the whole nation, but if they concern a particular state only, the bargaining takes the procedure adopted in the private sector. More so issues affecting the whole country that is those which involve both the federal and state governments are discussed between representatives of the federal and state governments and those of the

Nigeria Labour Congress (NLC) or agency. Decisions reached at such negotiations are usually implemented by the parties involved.

In Nigeria, the issue of collective bargaining as provided under the labour Act Cap 198 Laws of the Federation 1990. Collective bargaining was defined by the Act as the process of arriving or attempting to arrive at a collective agreement while collective agreement means, “an employment in writing regarding working conditions and terms of employment concluded between;

- a. an organization of workers or an organization representing workers (or an association of such organization) of the one part and
- b. An organization of employers or an organization representing workers (or an association of such organizations) of the other part (S.91, Labour Act 1990).

However S. 47 of the trade dispute Act 1990 provided a contrast definition. This notwithstanding both definitions refers to collective bargaining as negotiations between employers and their employees collectively, represented by unions, for the settlement of terms and conditions of employment. The end result is an agreement. As an aspect of labour relations, collective bargaining provide the forum for a bargain or negotiation and lead eventually to rule making or agreement between the parties, thus creating some form of social order in the relationship.

Collective bargaining requires patience by the parties bargaining because it is usually long and tortuous and results are normally unpredictable. Decisions are reached after discussions. Such decisions are arrived at by unanimity and parties usually agree that while negotiations are in progress, there should be no strike or lockouts and that participant on the union side should not be victimized for their part in the negotiations. The government rarely intervenes in collective bargaining and if voluntary negotiations break down, parties are expected to follow the requirement of the trade disputes Decree No 7 of 1990 that provides for a voluntary collective bargaining and parties are required by the decree to exhaust their grievance procedures where they exist before resorting to other methods of dispute resolution. From the above facts, collective bargaining to a certain degree does work in Nigeria. It is seen as a national alternative to strike and lockouts in the midst of collective bargaining.

As earlier stated, the government merely acts as a watch dog for the enforceability of any agreement reached. More often than not most negotiations are entered into by an agent of the government on its behalf as well as the employees of the government. The main aim is not to make the government a judge in their own case which will defeat the principle of public policy. The agents acting on the permission of the government can contract on her behalf and the government must be willing to be bound by such agreement and of course affect its enforceability. The government must maintain its status as a regulatory body and ensure that agreements entered on her behalf are carried out successfully.

## 2.5 Collective Bargaining: The Nigerian experience

In Nigeria, for a workers’ organization to be acceptable as a party to collective bargaining, it must have been registered as a trade union for the category of workers whose working conditions are being considered. It is said to be the most appropriate means of regulating union-management relations. In view of the developing nature of the economy, or especially the seminal nature of industrial relations system, it is advocated that the process of collective bargaining in Nigeria should be a tripartite arrangement, involving the union, management and the government. This is with a view to ensuring sustained economic growth.

There are two sectors-the public and the private sectors. Here, we intend to show, in each of the sectors, which machinery operates and how it operates.

**The public sector:** The machinery that operates or is supposed to operate in the public sector is called the Whitley Council. Other forms of collective bargaining include joint industrial councils and joint consultative councils (Fashoyin, 1980). The Whitley Councils system, which has been in use in the UK, was introduced in Nigeria in 1948. It was introduced to replace the provincial wages committees which were found grossly inadequate as they were meant to cater only for daily paid workers (who represented only on small portion of the public sector workforce) and leaving off the established staff. The Whitley Council System is different from the machinery for bargaining in the private sector. Unlike the bargaining in the private sector which could be on a house, industry or national basis, the Whitley system used to be an all-embracing mechanism of national scope, covering federal, state, and sometimes local government employees. However, following the creation of industrial trade unions, associations and management unions in 1978, whereby some unions were no longer part of the labour congress, the Whitley Council in Nigeria does not seem to have such a wide coverage if at all is in operation.



It has been shown that instead of the Nigerian government making use of the Whitley councils, it has preferred the use of wage review commission. Notable among such commission used in wage reviews Bridges committee (1941); the Tudor Davies Commission (1945); the Harragin commission (1946); the Miller committee (1947); the Gorsuch commission (1955); the Mbanefo commission (1959); the Morgan commission (1959); the Morgan commission (1964); the Morgan commission (1964); the Adebo commission (1971); and the Udoji commission (1974).

Following the apparent failure of the Whitley council in Nigeria, the Udoji commission of 1974 supported the establishment of the National Public service Negotiating council which was to concern itself in activities that included matters related to wages, arbitration and centralization of the machinery for negotiation (Main Report of the public service review commission (Udoji commission, 1974).

**The private sector:** It has been noted that the collective bargaining mechanism developed a little later in the private sector, and must have started in 1957 by the establishment of the joint industrial council by the Nigerian Tobacco company Ltd. And its house union. It seems that with the establishment of the then existing 42 industrial trade unions (restructured later to 29) there is more of collective bargaining in the organized private sector, especially within democratic dispensations.

Joint Industrial Councils (JICs) in the private sector were the equivalent of the Whitley councils in the public sector, and were originally conceived as union-management industrial relations panels by which wages, working conditions and other substantive industrial issues involving union and management would be discussed. There were also joint consultative councils (JCCs). The difference between JICs and JCCs was that the latter are informal while the former are formal. JCCs were informal for workers and employers to discuss mutual problems and to aid collective bargaining.

However, for the most part, JCCs remain a substitute for collective bargaining, because union and management parties never made any distinction between JICs and JCCs thus resulting in JCCs negotiating on wages and conditions of service (Federal Ministry of labour annual review, 1966/67:20). The problem with agreements reached by such informal panels was that neither party obliged to honour them. To this end, some employers preferred the use of the JCCs for collective bargaining because they could swing the so-called agreement to their advantage (Federal Ministry of labour quarterly review, 1964).

All these mechanisms were imported from Britain. Meanwhile, where there was inadequate machinery for voluntary collective bargaining, maybe as a result of the employees' weakness to bargain effectively, the minister for labour was empowered to establish a wages board whose function was to do what a properly constituted voluntary collective bargaining mechanism would have done.

It appears presently that a collective bargaining mechanism is in vogue, at least in the public sector. For instance, in most of the strikes which took place in 2001 and 2002, especially between ASUU and the federal government, the collective bargaining process was employed in resolving most of the strike actions.

## 2.6 Organizational Performance

Organizations are consciously created at one point in time to accomplish certain objectives. In order to accomplish the objectives which they have set, organizations formulate appropriate strategies which give rise to the development of organizational structure through which the set objectives will be achieved. One of the reasons why organizations assess themselves or why external bodies assess them is to find out to what extent organizations have achieved their objectives or in what direction they are performing (i.e either negatively or positive). This process of determining the extent of an organization's performance level is called organizational effectiveness in the literature of organization theory.

In the views of Socott (1981), to inquire into effectiveness is to ask how well an organization is doing relative to some set standards. According to Georgepoulous and Tennenbaum (1957), the concept of organizational effectiveness (sometimes called organizational success or organizational worth) is ordinarily used to refer to goal attainment. In this sense, it is a functional rather than a structural concept. In continuation, Georgepoulous and Tennenbaum define organization effectiveness as: "the extent to which an organization as a social system, given certain resources and means, fulfils its objectives without incapacitating its means and resources and without placing undue strain upon its members."

Organizations have objectives to accomplish. Hence from time to time they assess themselves in order to know the degree of the performance in relationship to set objectives. The assessment of organization is of great importance to their owners, the worker and to the other elements of the task environment who have business relationship with them.

Each adopts an assessment situation that relates to their respective interests. There are three types of assessment of organizations can be assessed for purpose of understanding their degree of economic performance, the degree of their effectiveness or structural instrumentally in achieving objectives, and by comparing their performance with related organizations. Each of these types of organizational assessment approaches have situation which are conducive for them in relationship to what extent the goals are explicit or ambiguous and knowledge of technology complete or incomplete.

Thompson (1967) suggested that the best approach to be adopted in the assessment of organizations is to evaluate them as institutions and their capability to survive in the society over a long period. An institutional assessment will include: efficiency, effectiveness and social references (comparisons) assessment of organizations. Some authors refer to institutional assessment approaches of organization as a survival model of organizational assessment.

## 2.7 Factors Necessary for Organizational Performance

There are factors that cannot be ignored by any organization in attaining or towards achieving organizational performance. These factors are as follow:

**a. Effective communication:-** A negligent attitude by management to proper channel communication will bring about negative reaction to the management and its teams and this will in turn, frustrate all their plans to increase organization performance. Not keeping others informed of what is happening with regard to policies, plans, programmes and problems of organization will affect organizations performance. This is because, it is through effective communication that the worker will know the goals and understand what is happening in different units and also be able to make suggestion for possible improvement.

This is to say that communication is an indispensable factor in attainment of organizational performance.

**b. Effective Co-ordination:-** This is the adjustment of the parts to each other and of the movement and operation of parts in time so that each can make its maximum contribution to the progress of the whole. (Gulick & Urwick, 1948). To achieve organizational performance in any complex organization, the parts have to work in co-ordination with each other. Poor co-ordination leads to reduced efficiency and productivity. Effective co-ordination is absolutely essential to good administration.

**c. Effective Leadership:** Leadership according to Stogdill (1978), is defined as the process of influencing group activities towards goal setting and goal achievement. It is a strategy for accomplishing organizational objective through effective and efficient application of the resources of the organization. It injects and infuses life into an organization thus resulting in oriented action. An organization without leadership is an assemblage of people without direction and in consequence without clear purpose and mission to accomplish. If organization lacks effective control of its employees, it can result in low productivity.

**d. Morale:** - This is the willingness of employees to participate in a truly active way to devote their full energies to the organization task. Employee tends to assumed not just passive but active attitude towards the furtherance of the organizational goal when morale is high. In the absence such morale, the organization will be burdened with the almost hopeless task of supplying initiative as well as direction.

**e. Training of Employees:** - This is a process by which the aptitude, skills and abilities of employees to perform specific job are increased. If the organization, formulate appropriate comprehensive training programme, conduct training research, ensure effective training of employee organizational performance is enhanced.

## 2.8 Theoretical Framework

This study takes its bearing from the tenets of the Group Theory. According to Chikendu (2002) & Nwokoye (2008), group theory is believed to have originated from Arthur Bentley and elaborated by David Truman. It originated as a reaction against the institutional approach, which emphasizes the formal description of the institution, structures of government and the formal rules that govern the pattern of interaction and normative relationship among government institutions. The theory seeks to explain social phenomena with reference to groups. In the words of Bentley (1949), a group means "a certain pattern of the men of a society taken, however, not as a physical mass cut off from other masses of men but as a mass of activity which does not preclude the man who participates in it from participating likewise in many other group activities".

### **The Tenets of Group Theory**

Group theory rests on the contention that interaction and struggle among groups is the central fact of political life. The group theory emphasized on the group, rather than the individual or the society, as the basic unit in the study of politics. Bentley (1949), writing on the group theory was against the formalism and static quality of the institutional approach to political analysis and emphasized in his writings on the dynamics and process as characteristic of the activity of the state. Society, according to him, comprises of dynamic processes (actions) rather than specific institutions (structures) or substantive contents (values). There is no idea, which is not a reflection of social activity. He believes that if one is to study politics scientifically, one should look for significant measurable qualities in action. Action according to him is "always and invariably" a group process - never found in one man himself, it cannot be stated by adding men to men..(Bentley, 1949).

What is emphasized is not the structural composition of a group but its activities. Thus the distinguishing mark in any group is the activity - why are they congregating? A group is not a mere collection of individuals and does not emerge unless the interactions among the individual members are both frequent and sufficiently patterned to produce directional activity. A genuine group, therefore, was different from a co-incidental collection or a catoric group. The fact that the same individual can belong to various group also makes it clear that the activity particular to the group was more important than its structural composition. The group being a mass of activity, the question was as to what gave direction to this activity. Here Bentley stated that group as a mass of activity is directed by interest. Interest is a shared attitude concerning a claim or claims to be made by one group upon certain other groups in a social system. It is the interest, which leads to the organization of groups.

Group theory exponents argue that the form of politics of any society is ultimately determined by the interaction among groups within the society and the competition among such groups to influence government in the allocation of societal resources and exercise of power. Therefore each group attempts to gain access to decision points within the government and its success in this regard is usually affected by factors as group cohesion and organization, status, quality of leadership and wealth. In group approach, the entire social system is made up of several groups and each group endeavours to maximize its own interest. There is a group or class of bourgeoisie, mediocre (petty compradors) and the proliferates. Groups gain their full meaning in relation to the other groups. The resources of money, skill, power influence and organization available to the various groups vary from one group, to another, and these differences in skill of resources help to determine the extent a group is able to achieve its goals and interests.

The crucial issue here is that groups within a setting will employ every weapon at its disposal to determine and project its image and interests over others, thus determining what happens to other groups in the scheme of things. This being the case, groups clamour for equal representation so as to have a level playing ground in the struggle with other groups. The implication is that any group in the negotiating team that have more weapons will use it to lord it over others, thus determining what happens to others and in negotiation, ones interest comes before others. Any class or group that has the upper hand defines the fate of others and use their weapon to attract more social weight than others.

### **The Relevance of the Theory to the Study**

The relevance of the group theory to the study is that it offers enough provisions in explaining the behaviour of the various groups that make up an organization, their motivation and orientation as well as their role in ensuring and enhancing the performance of the organization together with other elements in the organisation. We can thus deduce from the theory that the Nigerian Union of Local Government Employee is not a mere collection of individuals who share one or more features and do not interact with any degree of frequency, but rather, it is a group that frequently interacts with other stake holders with a clear sense of direction in furtherance of organizational goal.

The implication of this is that the union, in the course of carrying out its activities, must not act in any way that is incompatible with the interest of management.

### **3.0 RESEARCH METHODOLOGY**

The survey research method was adopted for the study. It was chosen because it is the best method that would create an understanding on the issues involved without loss of facts. There are also some descriptive and explanatory analyses.

The population of study comprises all the employees of Idemili North Local Government Area. (All employees are compulsorily members of NULGE). The staff strength is 493; 401 are senior staff while 92 are Junior staff. Grade level 01 – 06 - Junior staff

Grade level 07 - 16 - Senior staff

The study relied heavily on primary and secondary data. The questionnaire was the major instrument used in gathering data for the study. The questionnaire was divided into two sections. Section A sought information relating to the demographic characteristics of the respondents. Section B sought information on the subject of the study. In addition to the questionnaire, relevant information was obtained from oral interview to supplement questionnaire responses especially from key officers of NULGE.

The responses from the 218 copies of the completed questionnaire were coded and analyzed using descriptive statistics such as tables, frequency count, mean and standard deviation.

Theoretical mean value of 3.0 was determined as a criterion to judge the means of the items in the questionnaire. This is because the subsections I to IV of the questionnaire had five response ratings, of SA, A, UD, D and SD. Therefore any item in subsection I to IV of the instrument which had a mean equal to or higher than 3.0 was regarded as agree while items with less than 3.0 was regarded as disagree.

The hypotheses formulated were tested at 0.05 level of significance, using descriptive statistics of frequency count and mean. T-statistics was also obtained to ascertain the significance of variations in the responses.

#### **4.0 Data Presentation and Analysis (See Appendix)**

##### **Summary of the findings**

In summary, the findings are:

That NULGE Idemili North Local Government has helped to ensure organizational peace. The respondents agreed that NULGE has used its machinery to see that there is harmony among the tripartite bodies in industrial relations, that cordial relationship between labour and management has been guaranteed by the activities of NULGE, that NULGE has always peacefully ensured the settlement of labour management problems and that NULGE has always intervened to ensure peaceful settlement of organizational problems. These activities according to the respondents have helped to enhance and ensure organizational peace.

The respondents agreed that to a very reasonable extent, NULGE has enhanced workers commitment to optimum job productivity. Such measures adopted to ensure this includes sanctions, seminars and use of other disciplinary measures.

In response to research question three, the respondents indicated that NULGE Idemili North has used collective bargaining effectively to enhance organizational performance. For instance, measures on how to enhance job productivity are adopted through collective bargaining and key decisions affecting labour management relations are adopted through collective bargaining.

#### **RECOMMENDATIONS**

Continuous and adequate awareness need to be created among the stakeholders in industrial relations – trade unions, management and government of their role in developing and sustaining a rancor free work environment. Organizational performance is enhanced in an atmosphere of cooperation and collaboration.

Trade Unions should develop appropriate strategies/measures that will help enlighten members on the need to be seriously committed to the furtherance of organizational goals. Labour can only fulfil their individual and collective interests when the organization thrive and accomplish its goal.

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## Appendix

### Section A

**Table 4.I: Demographic Characteristics of Respondents**

Department	Frequency	Percentage
Health	109	50
Agriculture	9	4.1
Education/Community Development	12	5
Administration	45	21
Planning and Statistics	8	4
Works	21	10
Finance	14	6
N	218	100
<b>Sex</b>		
Male	106	49
Female	112	51
N	218	100
<b>Rank</b>		
01-06	60	28
07-10	86	39
12-16	72	33
N	218	100
<b>Educational Qualification</b>		
FSLC/GCE/WASC O/L	58	27
OND/NCE	56	26
BSC	91	41
MSC	13	6
N	218	100
<b>Years of Experience</b>		
1 - 10 yrs	53	24
11 - 20 yrs	93	43
21 - 35 yrs	72	33
N	218	100%

Source: Field Survey 2015



## TEST OF HYPOTHESIS

### HYPOTHESIS ONE

H<sub>0</sub>: NULGE IDNLG HAS NOT HELPED TO ENSURE ORGANISATIONAL PEACE

H<sub>1</sub>: NULGE IDNLG HAS HELPED TO ENSURE ORGANISATIONAL PEACE

**TABLE 4.5: Showing t-test on the extent to which NULGE, Idemili North local government has helped to ensure organisational peace.**

### ONE SAMPLE T TEST

TEST VALUE = 3.0				
S/N	ITEMS	T	DF	SIG(2 tail)
1	THERE IS FUNCTIONAL AND VERY ACTIVE NULGE IN IDEMILI NORTH L.G.A	1.879	217	0.0133
2	NULGE, IDNLG ACTIVELY PARTICIPATE IN DECISION MAKING IN MATTERS AFFECTING LABOUR	1.899	217	0.0130
3	NULGE HAS USED ITS MACHINARY TO SEE THAT THERE IS HARMONY AMONG THE TRIPERTITE BODIES IN INDUSTRIAL RELATIONS.	1.786	217	0.0149
4	NULGE HAS ALWAYS PEACEFULLY ENSURED THE SETTLEMENT OF LABOUR MANAGEMENT PROBLEMS	1.783	217	0.0149
5	CORDIAL RELATIONSHIP BETWEEN LABOUR AND MANAGEMENT HAS BEEN GAURANTEED BY THE ACTIVITIES OF NULGE, IDNLG	1.817	217	0.0143
6	NULGE HAS ALWAYS INTERVENED TO ENSURE PEACEFUL SETTLEMENT OF ORGANISATIONAL PROBLEM			

Source: survey data 2015

By using one sample t-test and scale average of (3.0) as test value, it was found that all the variable that defined NULGE's involvement in ensuring organizational peace were significant at the conventional 0.05 level. We therefore, reject the null hypothesis and accept the alternative hypothesis – that the Nigeria Union of Local Government Employees Idemili North has helped to ensure organizational peace.

### HYPOTHESIS TWO

H<sub>0</sub>: NULGE IDEMILI NORTH LOCAL GOVERNMENT HAS NOT HELPED TO ENHANCE EMPLOYEE COMMITMENT TO OPTIMAL JOB PRODUCTIVITY

H<sub>1</sub>: NULGE IDEMILI NORTH LOCAL GOVERNMENT HAS HELPED TO ENHANCE EMPLOYEE COMMITMENT TO OPTIMAL JOB PRODUCTIVITY

**TABLE 4.6: Showing t-test on the extent to which NULGE, Idemili North local government has helped to enhance employee commitment to optimal job productivity.**

**ONE SAMPLE T-TEST**

TEST VALUE = 3.0				
S/N	ITEMS	T	DF	SIG(2 TAILED)
1	SEMINARS ON WORK ETHICS ARE ORGANISED BY NULGE INTERMITENTLY FOR MEMBERS	2.699	217	0.034
2	SANCTIONS ARE EXECUTED BY NULGE ON MEMBERS WHO FAILED TO PERFORM THEIR DUTIES.	2.711	217	0.033
3	NULGE MONITORS EMPLOYEES ATTENDANCE TO WORK	2.692	217	0.044
4	DISEQUILIBRIUM MEASURES ARE USED BY NULGE TO ENSURE EMPLOYEE COMMITMENT TO WORK	2.412	217	0.023

Source: survey data 2015

The sample t-test results in table 4.6 shows that the effort of NULGE Idemili North local government in ensuring employee commitment to optimal job productivity is significant at 5% level of significance. This shows that NULGE has helped to secure workers commitment to optimum job productivity. So we reject the null hypothesis and accept the alternative that says that NULGE Idemili North local government has helped to enhance employee commitment to optimal job productivity.

**HYPOTHESIS THREE**

H<sub>0</sub>: NULGE IDNLG HAS NOT USED CO5LLECTIVE BARGAINING TO ENHANCE ORGANISATIONAL PERFORMANCE

H<sub>1</sub>: NULGE IDNLG HAS USED COLLECTIVE BARGAINING TO ENHANCE ORGANISATIONAL PERFORMANCE

**TABLE 4.7: Showing the t-test on the extent to which NULGE Idemili North local government has used collective bargaining to enhance organisational performance.**

**ONE SAMPLE T-TEST**

<b>TEST VALUE 3.0</b>				
<b>S/N</b>	<b>ITEMS</b>	<b>T</b>	<b>DF</b>	<b>SIG(2 tail)</b>
1	MOST KEY DECISIONS ON MANAGEMENT LABOUR MATTERS IN THE L.G COUNCIL ARE MADE THROUGH COLLECTIVE BARGAINING.	1.544	217	0.047
2	THROUGH COLLECTIVE BARGAINING PROGRAMMES MEASURES THAT BEEP UP THE ABILITY OF EMPLOYEE TO WORK HAVE BEEN EXECUTED.	1.576	217	0.030
3	THROUGH COLLECTIVE BARGAINING, PRODUCTIVITY MEASURES TO ENHANCE JOB PRODUCTIVITY AND EMPLOYEE PERFORMANCE HAS BEEN ESTABLISHED	1.575	217	0.020
4	ISSUES THAT HAVE ENHANCED THE PERFORMANCE OF IDNLG ARE ARE ADOPTED THROUGH COLLECTIVE NEGOTIATION BY NULGE AND MANAGEMENT.	2.084	217	0.010
5	THROUGH COLLECTIVE BARGAINING,NULGE HAS HELPED TO ENSURE ORGANISATIONAL PEACE.	1.783	217	0.049
6	NULGE HAS THROUGH COLLECTIVE BARGAINING ESTABLISHED PROCEDURE FOR SETTLEMENT OF COMPLAINT AND GRIEVANCES	1.351	217	0.0248
7	NULGE HAS THROUGH COLLECTIVE BARGAINING ENHANCED JOB PRODUCTIVITY AND ORGANISATIONAL PERFORMANCE.	1.728	217	0.0001
			217	

Source: survey data 2015

In testing hypothesis three, which states that NULGE Idemili North local government does not use collective bargaining to enhance organisational performance, the information in table 4.7 above indicates that all the variables used to measure member responses were significant at 0.05 level. We therefore reject the null hypothesis and accept the alternative, which states that NULGE, Idemili North local government uses collective bargaining to enhance organisational performance.

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