ASSESSMENT OF COLLECTIVE BARGAINING AND INDUSTRIAL CONFLICTMANAGEMENT IN NIGERIAN UNIVERSITIES: A STUDY OF FEDERALUNIVERSITY OF TECHNOLOGY, (FUT) MINNA

BY

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DECLARATION

I declare that the work in this thesis entitled ASSESSMENTOF COLLECTIVE BARGAINING AND INDUSTRIAL CONFLICT MANAGEMENT IN NIGERIA UNIVERSITIES: A STUDY OF FEDERAL UNIVERSITY OF TECHNOLOGY (FUT), MINNA has been carried out by me in the Department of Public Administration. The information derived from the literature has been duly acknowledge in the text and the list of references provided. No part of this thesis was previously presented for another degree or diploma at this or any other institution.

_____ _____

Mohammed UsmanKutigi Date

CERTIFICATION

This thesis is entitled "ASSESSMENT OF COLLECTIVE BARGAINING AND INDUSTRIAL CONFLICT MANAGEMENT: A STUDY OF FEDERAL UNIVERSITY OF TECHNOLOGY, (FUT) MINNA by MOHAMMED USMANKUTIGI meets the regulations governing the award of Masters of Science of Public Administration of Ahmadu Bello University, Zaria and is approved for its contribution to knowledge and literary presentation.

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DEDICATION

This research work is dedicated to my wife and children for their support and patience throughout my studies.

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First and foremost, i would like to express my profound gratitude to Almighty Allah for giving me the strength, wisdom and good health to carry out this research work. I also praise Almighty Allah for his grace, guidance and infinite mercy throughout the duration of my course.

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ABSTRACT

The major problem of the study is the poor management of Industrial Conflicts within the University in spite the mechanism (collective bargaining) at the disposal of the Actors (ASUU and Management) with which to curtail such menace. The main research question of the study: Does collective bargaining enhances effective industrial conflict management in PUT, Minna? The main objective of the study is the assessment of the effectiveness of collective bargaining as a strategy for industrial conflict management. The main hypothesis of the study is that, collective bargaining is not the most effective strategy for industrial conflict management in FUT, Minna. Survey and documentary methods of data gathering were employed and the data for the study was analyzed quantitatively with more emphasis on the latter. The study adopted conflict management Theory propounded by Mary Parker Follett, which suggested three methods of conflict management namely; domination compromise and integration. She approves integration as the best method of conflict management and this study agreed with her, because integration method is line with collective bargaining principle. The main findings of the study revealed that collective bargaining is the most effective strategy for industrial conflict management in Federal University of Technology, Minna. The delay in compliance to collective agreements contributed significantly to industrial conflict. This research work therefore, recommended that the management and ASUU of FUT, Minna should always endeavour to embrace collective bargaining for industrial conflict management in order to promote industrial harmony and enhance employee performances in the University. The actors should strictly adhere to agreement reached collectively in order to forestall work stoppage by the union or closure by the management.

TABLE OF CONTENTS

Title Page - - - - - - - - - i

Declaration - - - - - - - - - ii

Certification - - - - - - - - - iii

Dedication -- - - - - - - - iv

Acknowledgement - - - - - - - - - v

Abstract - - - - - - - - - - vi

Table of Contents - - - - - - - - - vii

CHAPTER ONE: INTRODUCTION

1.1 Background to the Study - - - - - - 1

1.2 Statement of the Problem - - - - - - 6

1.3 Research Questions - - - - - - - 7

1.4 Objective of the Study - - - - - - - 8

1.5 Statement of Hypotheses - - - - - - 8

1.6 Significance of the Study - - - - - - 9

1.7 Scope and Limitations - - - - - - - 10

1.8 Operational Definition of Terms - - - - - 10

1.9 Plan of the Study - - - - - - - 11

CHAPTER TWO: LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1 Introduction - - - - - - - - 13

2.2 Literature Review - - - - - - - - 13

2.2.1 The Concept of Industrial Conflict - - - - - 13

2.2.2 Causes of Industrial Conflict in Nigerian Universities - - - 17

2.2.3 Forms of Industrial Conflicts - - - - - - 23

2.2.4 Effects of Industrial Conflicts in Nigeria - - - - - 26

2.2.5 Mechanisms for Resolution of Industrial Conflicts - - - - 28

2.2.6 Concept of Collective Bargaining - - - - - - 33

2.2.7 Collective Bargaining Process and Industrial Relations Environment - 37

2.2.8 Functions of Collective Bargaining - - - - - 40

2.2.9 Appraisal of the Conflict Management Technique/Collective Bargaining Technique - - - - - - - 42
2.2.10 Critiques of Collective Bargaining - - - - - 44
2.2.11 Summary of the Literature Review - - - - - - 45
2.3 Theoretical Framework on Conflict Management Theory - - 46
2.3.1 The Relevance of the Theoretical Framework of Conflict Management Theory to the Study - - - - - - 48

CHAPTER THREE: RESEARCH METHODOLOGY

3.1 Introduction - - - - - - - - 50
3.2 Research Design - - - - - - - 50
3.3 Population of the Study - - - - - - 50
3.4 Sample Size - - - - - - - - 51
3.5 Sources of Data - - - - - - - - 52
3.6 Instrument for Data Collection - - - - - 54
3.7 Method of Data Col lection - - - - - - 54
3.8 Method of Data Analysis - - - - - - 54

CHAPTER FOUR: DATA PRESENTATION AND ANALYSIS ON RESULTS FOR QUESTIONNAIRE ADMINISTERED AND INTERVIEW

4.1 Introduction - - - - - - - - 56
4.2 Analysis of the results of the Questionnaire Administration - - 56
4.3 Test of Hypotheses - - - - - - - 64
4.4 Discussion of Findings- - - - - - - 71
4.5 Major Findings of the Study - - - - - - 76

CHAPTER FIVE: SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Summary - - - - - - - - 77
5.2 Conclusion - - - - - - - - 78
5.3 Recommendations - - - - - - - 78
Bibliography - - - - - - - - 80
Appendix - - - - - - - - 84

CHAPTER ONE

Introduction

1.1 Background to the study

The practice of Industrial relations as a discipline and that of collective bargaining in particular emanated from the private sector the world over. Thus much of the practices of public sector collective bargaining are modelled after the private sector collective bargaining. However, in Nigeria, the obverse is the case as collective bargaining gained its root in the public sector at the turn of the century (Fashoyin 1992).

However, in Nigeria, the public sector pays lips service to the collective bargaining machinery. Governments at all levels (federal, state and local) have continued to set aside collective bargaining and give wage awards to score political points in spite of its commitment to ILO convention 98 to freely bargain with workers. The state or the government in the course of regulatory wages and employment terms and conditions revert to the use of wage commissions. Thus, wage determination is by fiat. This preference for wage commission can at best be regarded as unilateral system as collective bargaining is relegated to the background. Wage tribunals or commissions offer little opportunity for workers' contribution in the determination of terms and conditions of employment can hardly be viewed as bilateral or tripartite. Thus, the state preference for wage commissions is anti-collective bargaining.

In spite of Nigeria's commitment to conventions of the ILO with particular reference to such conventions as 87 of 1948 and 98 of 1949 which provide for freedom of association and the right of workers to organize and bargain collectively. This stance of the state has stifled effective collective bargaining in the public sector. The use of ad hoc

commission inaddressing workers' demands such wage determination and other terms and conditions is unilateral and undemocratic principles. Thus, it is antithetical to democratic values.

It was only in 1981 under the Shagari civilian administration that a tripartite wage bargaining took place following the general workers strike of May, 1981 organized by the NLC accessioned by the demand of NLC for wage review. This led to the minimum wage of #125. Damachi led tripartite minimum wage committee inaugurated by the Babanbgida regime on January 30, 1990; which was manipulated by President Babangida who determined the minimum wage of #250. The constitutional government of Obasanjo like its military predecessor, the Abubakar regime also avoided any tripartite collective bargaining in the fixing of the 1999 national minimum wage of #7,500 and recently the fixing of #18,000 national minimum wage which was passed into law in 2011 was not based on collective bargaining. The government merely consulted with officials of the Nigerian Labour Congress without carrying out on board private sector employers and state governments who were to implement the wage awards at the state and local government levels. This exclusion generated serious conflicts at those levels as state governments expressed inability to pay, and consequently conceded to various shades of collective bargaining and agreements. It should be noted that the preference of state for wage commissions was inherited from colonial administrators.

Collective bargaining in the public sector is carried out at three complementary levels through the machinery known as National Public Service Negotiating Councils (NPSNCs). The National Public Service Negotiating Council is subdivided into three councils;

Council 1: Used by the management (official) side represented by the Establishment Departments of Federal and State Governments. On the workers (staff) side the Association ofSenior Civil Servants of Nigeria (ASCSN) whose members are drawn from grade levels 07-14 at the federal and State civil services. The ASCSN approximates the senior staff association in the private sector.

Council 11: Used by the management (official) side, this is made up as in council above, On the Staff side, two unions Nigerian Civil Service Union (NCSU) and Nigerian Union of Civil Service Typists, Stenographic and Allied Staff (NUCSTSS). Employees covered by this council are drawn from the clerical, secretariat, executive and non-industrial cadres usually on grade levels 01-06.

Council 111. Used by the management sides as in council 1 & 2 above. On the staff side are five unions namely:

i. The Civil service Technical Workers Union of Nigeria (CSTWUN).

ii. Printing and Publishing Workers Union (PPWU).

iii. National Association of Nigerian Nurses and Midwives (NANNM).

iv. Medical and Health Workers Union.

v. Customs Excise and Immigration Staff Union (proscribed in 1988).

It should be noted that bargaining issues (scope of bargaining) in the public sectors are spelt out in the constitution of the NPSNC .This constitution approximates the procedural agreement in the private sector and it is applicable to practically all employers in the public sector. It should be noted that the above applies to the pure civil service. The National Joint Industrial Council (NJIC) applies such as Power- Holding Company

ofNigeria Plc (formerly NEPA); Universities, NRC, Nigeria Ports Authority etc as well as NITEL to mention a few.

Thus, collective bargaining in the public sector is faced with practical difficulties; one of these difficulties concerns the issues of bargaining. Many of the substantive issues which are within the scope of the NPSNC are decreed either by legislative or executive acts or throughpolitical commission periodically set up$_0$by civil service rules. Thus, both methods of job regulation are quite distinct from collective bargaining in public employment. Thus, the role of NPSNC in Nigeria is virtually irrelevant owing to the decisive role and influence of othergovernment agencies. These developments have undermined the relevance of collective bargaining in the public sector (Kaufman, 1998).

Under Nigeria labour law, the most important step in the collective bargaining procedure is for the employer or employers' association to recognise the trade union as a bargaining agent for the employers within the bargaining unit in relation to terms and conditions of employment. Section 24 of the Trade Unions Act provides that for the purpose of collective bargaining all registered unions in the employment of an employer shall constitute an electoral college to elect members who will represent them in negotiations with the employer. Similarly, for the purpose of representation at Tripartite Bodies or any other body registered Federation of Trade Unions shall constitute an Electoral College taking into account the size of each registered federation for the purpose of electing members who will represent them. Where a trade union is recognised, the next step is for a recognition agreement to be drawn up to determine how the negotiations will be conducted, the composition of the machinery and other procedural matters.

Once a trade union has been recognised and a recognition agreement is drawn up between the parties, bargaining can then proceed as provided by the law. In this regard, the Wages Board and Industrial Councils Act 1990 provides for three bargaining fora in Nigeria. The three fora have appropriate wages and conditions of service as their main objective Bargaining can be effected by Industrial Wages and Area Minimum Wages Committee or Joint Industrial Councils.

The contract of employment by the employer is by nature imbalanced due to the fact that its content is largely determined by the employer by the virtue of him owning the means of production and this places him/her in a stronger bargaining position. As employees need work more than the employer needs the services of a particular employee, they tend to accept any terms and conditions offered to them, even if they turn out to be exploitative. This is especiallytrue of employees who enter the labour market without special skills. The high unemployment rate facing most countries also leaves employees with very little choice but to accept whatever is on offer.

As employees desire recognition, satisfaction, fair wages and salaries, job security and good working conditions, so also the employers seek to secure labour at the price that would allow a reasonable margin for investment and further expect an uninterrupted production and distribution of goods and supply of services which is planned on calculated cost and risk. Government on its parts desires a well regulated relationship between and among industrial relations actors for a strong economy .The process that have been used particularly in western developed countries for the attainment of these goals and aspirations of all the parties involvedis through collective bargaining .In Nigeria, like in most developing countries ,if collective bargaining as internal mechanism fails due to the

inability of the actors (ASUU and Management) to reach agreement other statutory mechanism follows, that is mediation, arbitration, conciliation and so on.(Adegun, 1998).

The social cost of conflict is so enormous that a serious manager would do all within his capacity to find out the best strategy /or conflict resolution. In case of tertiary education, like Nigerian Universities, unsettled conflict has serious implication on the number of years the students would spend in the Universities as well as the victim of retrenchment exercise accompanying the face-off between the labour union and the employer.

It is against this background that this research work sought to assess the effectiveness of collective bargaining as a strategy for industrial conflict management in Nigerian Universities using Federal University of Technology, (PUT) Minna as its case study.

1.2 Statement of the Problem

Universities are formal organizations with special goals of channeling and shaping the destiny of mankind. Through teaching, research and public service (obani, 1995). Theyproduce individuals who through their intellectual contributions to society better the lots of mankind (federal government of Nigeria, 2000). These goals are accomplished through human cooperation action (Onah, 2005) between management and labour union (academic and non-academic).Some shared and opposed interests are found when workers and management work together. Those shared enhance industrial harmony and peace, while those opposed generates industrial conflict (Crouch, 1977). Differences between employees and management in terms of goals, needs, talents, skills, status,

competencies, perception, aggressiveness and other diverse features of members of organization makes conflict inevitable (umoren, 2001,Jaja and umczuruike 2004).

The failure of the management of Federal University of Technology (PUT) Minna is attributable to poor management of industrial conflicts within the university; the conflicts have given rise distrust and hostility among professionals' academics thus contributing in hampering the smooth, effective and efficient administration in the university. It is also appeared that 'despite this situation the management of the university seemed to develop nonchalantattitude towards these conflicts. If this conflicts is not properly manage, it can be descriptiveand negative as people involved will see one another as enemies rather partners in progress. This is unwholesome for the University community and Nigeria Educational system as a whole. We are in ever-changing economic, technology, social, and political era in whichconflicts has become inevitable in a dynamic organization. Hence, there is need to employ effective strategy for industrial conflict management. Change and economic growth bringopportunity, but they also pose threat particularly by in an era of worldwide rivalry for market resources and influence.

In Federal University of Technology (PUT) Minna, the causes of industrial conflict are as a result of poor consultation in terms of decision making, poor working conditions and non -payment of salary as when due.

1.3 Research Questions

i. What are the causes of industrial conflicts between ASUU and Management inFederal University of Technology, Minna?

ii. How effective is collective bargaining as a strategy in managing industrial conflictsin Federal University of Technology, Minna?

iii. Do Management and ASUU members delay in compliance to collective agreementreached in FUT, Minna?

1.4 Objective of the Study

The main objective of this study is to assess the effectiveness of the collective bargaining as a strategy for industrial conflict management in Federal University Technology Minna. However, the intermediate objectives of the study include the following:

i. To find out the causes of industrial conflicts between ASUU and Management inFederal University of Technology, Minna.

ii. To determine how effective collective bargaining as a strategy is in managing industrial conflicts in FUT, Minna.

iii. To find out whether the delay in compliance to collective agreement reached contribute significantly to industrial conflicts in FUT, Minna.

1.5 Statement of Hypotheses

In order to achieve the objective of this study the following hypotheses was formulated.

Hypothesis I

H_0: Collective bargaining is not the most effective strategy for managing industrial conflicts in Federal University of Technology, (FUT) Minna.

H_1: Collective bargaining is the most effective strategy for industrial conflict management in Federal University of Technology, Minna.

Hypothesis II

H_0: Delay in compliance to collective agreement does not contribute significantly to industrial conflicts in FUT, Minna.

H_1: Delay in compliance to collective agreement contributes significantly to industrial conflicts in FUT, Minna.

1.6 Significance of the Study

This study is significant, in the sense that it focuses on the effectiveness of collective bargaining for industrial conflict management in FUT, Minna. This study is unique, because it focused on how collective bargaining can be use in achieving industrial harmony in our Universities. It is the beliefs of this study that if the problems that have been affecting industrial harmony in our Universities are discovered and the way to overcome it is improved, that is finding the effective strategy to curtail such problems. The efforts of the stakeholders to have a conducive learning environment would be attained.

Also, this study apart from adding to existing literatures in the management of industrial conflict in our educational sector, it would also serve as point of reference to actors in other sectors on how collective bargaining can be employed in managing industrial conflicts in their respective organizations.

Finally, this study would also be significant to Universities management who are now in vantage position to apply management of industrial conflicts by consultations in all issues involving labour.

1.7 Scope and Limitations of the Study

Our focus in this research work is concerned with how effective collective bargaining would be in ensuring harmonious working relationship between management and Academic Staff Union of Universities (ASUU) in Federal University of Technology, Minna. There are many in-house unions existing in FUT, Minna, but our scope is confined to the Academic Staff Union of Universities (ASUU) which is the one of the vibrant union in this country, because they don't compromise standard. The period covered by the study is 2001-2011. The justification for this period is the fact that we are in democracy in which our expectations about government are becoming high, that we expects much compliance to constitutional provision by the government and every agreements it enters into with the union.

Limitations

The limitation faced in the course of this study was lack of access to vital information that could have been of great help in this research work.

1.8 Operational definition of Terms

Conflict; This can be defined as a disagreement or clash between ideas, principles or people.

Industrial Conflict: This could be defined as the inability of employers and employees to reach agreement on any issue connected with the subject of employer-employees interaction.

Collective Bargaining: This is defined as a situation whereby the employees and the employers are free to negotiate their relationships about the terms and working conditions without government interference.

Trade Union: This is an association of employees for the purpose of promoting and protecting the interest of their members about terms and conditions of employment.

Employee: Is anyone who has agreed to be employed under a contract of service to work for some form of payment.

Employer: Is a legal entity that directs a servant employment and pay or is obligated to pay him or her salary or wages in compensation.

Lock-Out: This is the employer's action of closing a business for the purpose of enforcing a demand on employees by causing them to be thrown out of work.

1.9 Plan of the Study

This thesis consists of five chapters; Chapter one contains introduction in which we have the background to the study, statement of the problem, research questions , objectives of the study , hypotheses, significance of the study, scope and limitations of the study definitions terms and the plan of the study.

Chapter two has the review of some related literature and Theoretical framework. Chapter three consists of research methodology, sources of data, population size, and method data analysis.

Chapter four is made up of historical background and administration/management of trade unionism in Nigeria, brief history of Federal University Technology, Minna, brief history and struggle of ASUU in Nigeria and objectives of trade unions.

Chapter five contains presentation and analysis of data and major findings of the study.

Chapter six dealt with summary, conclusion and recommendations.

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1 Introduction

The literature review is the crucial aspects of research enterprise. Obasi (1999) opined that, it enables a writer to obtain the state of the art or knowledge about development in given subject matter.

Nwogu, (1991) in his own contribution, succinctly observes, "that literature review is critical aspect of any research which a researcher cannot ignore".

We can for a moment define literature review as a critical examination of the existing works in a field under study. The definition implies that the reviewer ought to be interested in discovering contributions made in the field as well as identifying the gap, which exist.

For clearly understanding of management of industrial conflict in Nigerian Universities, this review of literature is thematically organized under the following sub-headings;

- Concept of Industrial Conflict
- Causes of Industrial Conflict
- Effects of Industrial Conflict in Nigerian Universities
- Forms of Industrial Action
- Mechanisms for the Resolution of Industrial Conflicts
- Concept of Collective Bargaining
- Functions of Collective Bargaining
- Collective Bargaining Process and Industrial Relations Environment
- Appraisal of the Conflict Management/Collective Bargaining Technique.

- Critiques of the works on Collective Bargaining
- Summary of the Literature Review

Conflicts are not necessarily good or bad but an evitable feature of organizational life and should be judge in terms of its effects, despite great care to try and avoid conflicts, it will still occur. Conflict will continue to emerge despite attempts by management to suppress it.

In this section, attempt is made to review relevant works of experts and scholars in relation to Industrial Conflicts and Collective Bargaining in Nigerian Universities with PUT, Minna as the focus.

2.2 Literature Review

2.2.1 Concept of Industrial Conflicts

Many discussion s of industrial conflicts simply refers to strikes (Fashoyin, 1980).Strikes are the most overt and the most significant aspect of industrial conflicts, But they are unfortunately only part of the phenomenon of conflicts. An off-quoted definition of industrial conflict is the one provided by Kornhanser, Dubin and Rose (1954).

> *... the total range of behaviour and attitudes that express opposition and divergent orientations between industrial owners and managers on the hand and working people and their organization on the other".*

This definition suggests that industrial conflict occur between group that is at the collective level, personality and other structural variables come into play. But it tends to restrict the phenomenon to what transpires between two opposing groups, owners/managers versus working people and their organizations. As many studies have revealed and is a common place, there is intra-management conflict just as conflicts do occur between and

among groups of workers and their organization. Clearly then, there is also conflict at the levels of individuals often referred to as personality conflicts.

It is said that industrial conflicts may be organized or unorganized. Organized conflicts are likely to form part of conscious strategy to change the situation, which identified as the source of discontent. While unorganized conflicts, the worker respond to the situation in the only way open to him as individual that is by withdrawal from the source of discontent or individuals sabotage and rudeness. Such reaction, it has been argued, rarely derives from any calculative strategy; indeed unorganized expressions of conflicts are often not regarded as conflict by the persons in the situations (Otobo, 2000).

More often than not the attempt by management and employees to advance set objectives result in altercations which usually degenerate into strike action, demonstration, ill -feeling and general lack of requisite goodwill and commitment necessary in work situations. As a result, industrial conflict has become a common feature virtually every organization.

Admitting this universalism, Chandan, (1987), observes "the concept of conflict being an outcome of behaviour is an integral part of life" just like PUT, Minna and other Universities.

A study by Thomas and Schmidt, (1976) found that managers spend up to 20% of their time in dealing with conflict situation. In the intendment of this discourse, manager is not limited to the organizational heads but include all persons holding positions of trust in political system such as the members of the arms of government and others whom people are subordinate. As it concerns Nigeria, conflict, whether of ethnic, religious,

community or organizational colourations are fast becoming an entrenched way of life with particular emphasis on organizational conflicts.

Ezeani (2002) posited that:

> *For the average Nigerian it does not longer come as a surprise to hear that industrial conflict in the form of strike is taking place in any part of the Nigerian public organizations.*

The lesson derive from the above assertion appears obvious in PUT, Minna.

Conflict has been observed to be in existence in all human organizations including the universities system. It could be described as all forms of opposition, disagreement friction between two or more parties and it manifests in the form of argument, protests, demonstration, aggression, and other destructive behaviours. While conflict occurrence have been observed to be inevitable and ubiquitous in human organizations. The strategies for managing it have remained topical issues and matters of concerns to individuals, group, and scholars (National Open University, 2009).

Conflict management strategies refer to the internal mechanisms used by the various authorities in resolving conflict as a form of socialization. He stressed that people in organizations have both personal and role preferences about organizations' actions and policies. However, conflict exists whenever it is impossible for others to carry out their desired action. Hence, Bens (1997) reported that conflict is the tension that is experienced when a group of people feels that their needs or desires are likely to be denied. His argument was in consonance with the contention made by Owen(1995) who postulated that the conflict occur while Abdu (2004) argue that it could mean strife, controversy, discord of action and antagonism. Thus, in a related survey, Adeyemi (2010) found that in the Nigerian school system, conflict occurs from time to time. He argued that conflict is that

conflict is the art of coming into collision, clash or be in opposition with one another. His argument was in agreement with the argument made by Sessa(1996) and Canavan and Monachan(2001) who asserted that conflict situation is one in which the parties involved are unable to iron out their differences.

A number of research findings showed that various form of conflict also occur at varying degrees and proportions in universities. Amuseghan (2007), for instance, found that the level of occurrence of student-authority conflicts in the United Kingdom (UK) and Canadianuniversities was high while Oyebade (2000) and Awosusi (2005) reported that the level of occurrence of staff-authority conflicts in Nigerian tertiary institution was also high..

Oyebade (1994) in another study described conflict as inevitable. Conflict can therefore be described as a fact of life. It can be said to be a reality in any social system. In the Nigerian university system, there had been chains of disruption of academic activities. Many scholars have identified different conflict management strategies being used in organizations.

Ladipo (1997) identified conflict management strategies of forcing, structural changes, avoidance, compromise and smoothing. In a related study, Hodge and Anthony (1991) identified conflict management strategies as suppression, cooperation, smoothing, avoiding, compromise, third-party intervention, democratic process, job rotation as well as confrontation. The strategy identified by Meyer (1994) was effective communication which he described as the best because it would make the group aware of the kind of communication which lead problem solving.

Nevertheless, Ibukun (1997) identified problem solving appeal to superior organizational goals, prevention and avoidance, expression of opportunities and resource use of authority and command, changing the structure of the organization and compromise as management strategies for resolving conflicts in organizations. Likewise, Oyebade(1995) identified certain strategies as important in resolving conflict. These strategies include dialogue, automatic, emergency and delaying approaches. The effort of all stakeholders in the university management is required in ensuring amicable resolution of conflict. In this regard, Adebayo (2009) postulated that the first strategy of conflict resolution is commitment to management of productive conflict such that conflict does not become destructive. He advocated for these strategies by enjoying the leaders and management in all positions of authority to promote the rule of law, protect the fundamental human rights, promote humanfreedom, fair allocation of values and equity of justice. These values are very essential in order to reduce friction in organization.

However, the foregoing situations implied that conflicts have become part and parcel of parcel of organizations including universities and all other levels of educational institutions. It also implies that much as these conflicts continued to carry out surveys and researches in multifarious dimensions with a view to exploring the best strategies for managing conflicts effectively in the workplace.

2.2.2 Causes of Industrial Conflict in Nigerian Universities

Potential for conflicts are multifarious within the university system. Some of these are indicated below:

Continuous competition for scarce resource: Research, teaching, student amenities, staff pay, other welfare services all have their claims on the limited resources at the disposal

of the university. Hence there is deprivation (relative or absolute) of the needs of the groups within the system. The consequences of inadequate provision of financial resources to the system are the decay of structures and the decline in service and functions. According to Sanda(1992), there is direct connection between deprivation which leads to frustration and aggression. The conflicts which result from the frustrated are often directed against the defined aggressors or perpetrators of the undesirable state of affairs. Gross mismanagement of available resources could also result in conflicts. These conflicts could take the form of strikes, demonstration, boycott of lectures and violent riots.

Perceived goal incompatibility: The potential for conflict is likely to be high where groups or individuals perceive and interpret the same phenomenon differently. In the university system attention needs to be focused on the critical point of contact between the teacher and the learner.

The psychology of learning suggests that student will not learn well unless they are actively involved in the process and so accept responsibility for learning activities. So, if students do really feel that they are learning, much else will be forgive. If not, they need to be listened to; otherwise, they might engage themselves in other activities that another they consider worthwhile

Autonomy and academic freedom: Autonomy drives are those when one group either seeks to exercise control over some activity that another party regards as its own domain or seeks to insulate itself from such control (Idowu, 1985). Academic freedom, according to Sanda (1992) connotes freedom to organize the university, design and teach course, imbibe, exchange and hold ideas without any fear of harassment or victimization and challenge established orthodoxies without any fear of contradiction, all in the pursuit of truth.

However, events such as outright ban of university staff and students' associations fear of premature retirement or rationalization of programmes as a result of government over regulation all result in decreasing autonomy, decline in morale, goal displacement and ultimately conflicts.

Management style of Universities: Though a university is an academic enterprise, a lot of academic effectiveness rests on administrative support machinery. Hence, the management competencies of university managers determines to a large extent, the severity of conflicts within the university, irrespective of the origin of the conflict (internal and external). Managers who have tendencies to aauthorianism and dogmatism are particularly prone conflict In university administration, eight spheres are identified for the goal of quality education to be attained (Sanda, 1991). These spheres are finances, students' academic programme, committee system, personal, welfare, reward system and physical facilities. Any significant lapse(s) in any of this area might lead to a revolt. Role ambiguity / Role Dissatisfaction, conflicts occur when the role prescriptions are vague and uncertain.

Difference in values and life styles: Probably because of the concentration of young adolescents, possibly experiencing freedom and independence for the first time, the university campuses are filled with and threatened by noise, aggressive styles of dress, sexual behaviours, aesthetics and secret peer associations (e.g. cultism). The older members- academic and administrators impose rules and regulations. The young may answer back by demanding for and claiming their democratic rights, culminating in minor conflicts or even ghastly skirmishes between the student and university authority.

Political and national issues: In addition to conflicts arising from situations intrinsic to the university. Some arise due to political objectives outside the university. Political

control of education in terms financial and administrative policies bring about conflicts between the university and government. The Federal Government through the Federal Ministry of Education and National Universities Commission (NUC), controls the structure, curriculum, budget and calendar of the universities. Also through Joint Admissions Matriculation Board (JAMB), all admissions to the universities are controlled and manipulated (quota system). Moreover, national issues, especially with political undertones do bring about conflict. Policies such as privatization, university autonomy and democratization of university management usually spark off controversies. Politics especially on campus relating to appointment of key officers such as vice chancellor also result into conflicts. These conflicts often lead to disruptions of academic activities and university calendars.

Similarly, causes of role conflict in the university includes work interdependence, differences in performances criteria and reward systems, differences in units and sub-units orientation and goals and differences in status and jurisdictional ambiguities. Personal or behavioural, such as differences in background, personal traits, values, communication, perceptions, attitudes and emotions.

Broulding (1972) enumerated the causes of industrial conflict by saying that many factors can lead to industrial conflicts. Conflicts or disagreement in organization be it inter-group or interpersonal could be developed from the following:

i. Over concrete issues such as differences over policy issues, resources allocation andso on. Conflict arising from these issues normally affects inter-group relationship. For instance, the employees as whole or a section in an organization

may misunderstand management policies over promotion. They may hence develop a feeling that management does not provide promotional opportunities.

ii. Over intangible, psychological issues of a more personal and emotional nature. For example, when there are no motivational devices in an organization, the employee may be frustrated which in turn will generate conflict. Similarly, worker that feels that his superior has failed to understand his plight may result to anger, flair, hate, resentment, rejection and so on of the superior and colleagues. This is known as interpersonal conflict.

iii. Conflict may also arise when job boundaries are not clearly defined. When this happens there is role conflict, characterised by overlapping responsibility and gaps in responsibility. In such a situation, one person or group can explicit the situations by unilaterally assuming more control over jobs, taking full responsibility for achievement and avoiding blame for any failure in group efforts.

iv. Incompatibility of the needs of persons or groups in the work place can cause conflict. For instance, if a person has a strong need for autonomy and superior also has autocratic leadership style, emphasizing strict and close supervision, conflict will emerge.

v. Improper placement of employees is also a source of conflict. When an employee is place on wrong job or he is not well trained or not properly oriented, he can betransferred as he may not be able to meet the demands made by the job or gain satisfaction from doing it.

vi. Disciplinary measure by the management with a union as well as watchdog of employees right considered to be unjustifiable can lead to collective conflict.

According to Hikes and Gullett, (1987) "Conflicts arises when interdependent resources sharing units perceives that their goals are incompatible." Continuing they said that conflict is bound to arise on the individual objectives, which generally include fat pay package, numerous fringe benefits, short working hours and the organizational objectives such as increase level of production, increase sales and profits, increased returned earnings and a stable wage and salary policy.

Ukandu, (1986) enumerates the causes of industrial disputes as:

i. Dissatisfaction with working condition
ii. Delay in payment of wages
iii. Unlawful dismissal of employees
iv. Claim for bonus and transfers of expatriates
v. Union over protection or over-indulgence of workers and
vi. Administrative and political problems in the union leadership.

He maintained, "Some of the claims of the workers, for instance bonus which lead to conflict or dispute if not met are extravagant if not outrageous."

Management often complains of its inability to discipline workers misbehaving on the job for fear that the union would intervene by threatening a job action. As a result, the pattern in Nigerian public service is for workers to sleep on the job and even sabotage the production process. Management continues to insist that although the union do represent the job interest oftheir workers, it is necessary for them to be cooperative at times in order to promote accommodative labour-management relations.

2.2.3 Forms of Industrial Conflicts

Both labour and management have various ways of expressing a conflict situation which according to Fashoyin (1991), includes strike, work-to-rule, over time ban, lock in /out, intimidation, sit down, demonstration or picketing.

i. Strike

When tension between a work group and an employer reaches some limit of toleration, conflict break out, usually in the form of a strike. They tend to suggest that a strike is an ultimate end of conflict. The strike is an open with holding of labour on the whole work force. It can say then that a strike is sometimes the only apparent answer to an inferable situation in rising tension. The strike may even be agency for conflict resolution, in that it releases previously accumulated tensions and enables the parties to start afresh. Strike is of many varieties, which may involve all the workers or only key men. The following are some of the commonest forms- wildcat strike is so called because no reason or notice is given to the employer before embarking on it. Thus, it is in violation of the contract and is often times not authorised by the union secretariat. Sympathy strike is a solidarity action embarked upon by workers who are not directly involved in the dispute. Sympathy strike merely express moral and fraternal support amid at bringing pressure on the employer involved in the trade disputes. Constitutional and unconstitutional strikes refer to actions that conform to the due procedure laid out in the collective agreement. The agreement usually specifies the time at which the workers may call strike and the conduct of a strike ballot may be a requirement. While constitutional strikes do not conform to the provisions of the collective agreements or the relevantpublic policies.

Official strike is usually authored by the leadership of union while unofficial strikes are without the authority of the union leadership.

ii. Work-to-rule

This aims at the restriction of output through deliberate reduction in the place of work. Work-to-rule popularly referred to as 'go slow' actions have feature prominently in labour-management relation for a long time, although they became a regular instrument of union bargaining strategy following the no-strike provision of the wartime legislation. It is by far the most common form of industrial action in Nigeria.

iii. The Overtime Ban

The overtime ban is a union strategy which seeks to impose additional costs on the employer if more production is needed. It is an effective means of securing the employers concession. This strategy is frequently used in the banking industry where normal work usually continues for several hours after the close of banking services to the public. By not doing overtime, the employees of course loose in terms of take home pay by their gain in term of more work available.

iv. Lock-in/out

It is an action in which employees physically "take over" the organization premises, either by locking-in or locking- out the management staff, thus, denying them access to or exit from the premises. This action is often an indication of extremely unhealthy labour relations which sometimes suggests excessive use of union power.

v. Intimidation

This aims at putting the employer in a bad plight by doing things which are embracing or antithetical to normal work behaviour. This form of industrial actionis amore recentphenomenon and now commonly used in public-oriented organization.

vi. The Lock Out

This is the employers' counterpart of the strike. The organization gates are locked, thereby preventing workers from entering the organization premises. Lock outs are not common occurrence in labour -management relationships in Nigeria. Of times, when workers embark on an action and the management or the third party intervention has failed to resolve it, the employer might find it expedient to lock out the workers, either to reduce overhead costs or safeguard life and property.

vii. Sit down Strike

The workers do not walkout of the factory, but remain inside the organization building for duration of strike without working.

viii. Demonstration or Picketing

This is a refusal to do business with a organization. If a union is on strike against organization, the union officers will likely urge the union members, their families, friends, neighbours to boycott the organization the organization. By the use of placards or other means of advertising, the union members may appeal to the general public to stop patronizing the organization. If other unions participate in the boycott the business of the company will be seriously affected.

2.2.4 Effects of Industrial Conflicts in Nigeria

Conflicts can besaid to have both positive and negative implications for anorganization. The following can be said to be the negative consequences of conflicts:

i. Conflicts take a lot of time, commitment and energy flow. Hence, the timecommitment and energy that should have been devoted to productive organizational work are spent on the conflict.

ii. Conflicts when they persist in an organization can deliberate and paralyze theorganization, making it very difficult to realize organizational objective.

iii. Conflicts have implications for the psychological climate of the individuals involved in the conflict. For example the individuals inevitably experience anxiety, frustration, stress and a host of other problems that are psychologically and physically harmful. People who suffer such things cannot invest themselves productively in their job.

iv. It leads people to disserted perception. People may not understand the source of conflict very well. Every person sees it in different way. (Hyman, 1975).

Conflict especially those resulting in to strikes in a developing countries like Nigeria always have a dramatic effect on the public. This is particularly in the case of certain essential industries. In 1978, for example, a strike by tanker drivers who deliver fuel and diesel oil from the port and the refinery at port- Harcourt to all parts of the country virtually paralyzed the nation. Passenger transport was grounded and industries could not function. The same happened in 1994, during the political crisis in the country, similar conflict that resulted in strike by a large section of the banking industry and electricity workers have paralyzed the nation's economic activities

However, it is not always that conflicts are undesirable; they may produce consequences for the parties involved in the conflict. Such positive aspects include the following:

i. Conflicts can serve as catalyst motivating staff and releasing their energy for the accomplishment of organizational task, hence conflict is a tension reduction device.

ii. Following the above, interpersonal conflict can serve as an avenue for the individual to cope with his own internal problems, because it provides a means of letting off steam.

iii. Conflicts can lead to critical re-examination of self and group which can foster deeper insight into one's ability or attitude.

iv. Conflict can also enhance the individual or groups understanding of the issue central to the conflict. Through that, such issues can be articulated properly, particularly when conflicts enter the negotiation phase in the process of resulting the parties intensify their position but also to counter the arguments of the opposing side.

It follows from the above that not all conflicts are bad or destructive. Some experiences of conflict and tension can be healthy for an organization. The challenge for the managers therefore is to be able to develop capacities for managing conflicts and to harness the productive aspect of conflicts.

On the other hand, Industrial Conflicts impacts negatively on our Universities by disrupting academic calendars and programmes, causing brain drain among professional

staff, poor relationship between management and union. Others are student unrest and low morale among staff (Ojogb and Ogunu, 2003).

Brain drain is a serious problem that is yet to be solved. International organization for migration reported that Africa lost one third of its human capital and is continuing to lose its skilled personnel at an increase rate with an estimated 20,000 doctors, university lecturers,engineers and other professionals leaving the continent annually since 1990. There are currently over 300,000 highly qualified Africans in the Diaspora, 30,000 of which have Ph.Ds(Brain Drain in Africa: Facts and Figures;htpp://web.ncf.ca/cpl29).

Partly, the increase in armed robbery is attributed to frequent strikes in Nigeria. For example, between 1987 and 2000, a number of students were arrested in armed robbery. They were pushed into robbery by idleness, caused by frequent strike in Nigeria higher institutions. Academic session were missed by virtually all Nigerian tertiary institutions, expect private owned schools.(Fajana,2006).

Furthermore, lecturers are sometimes pushed into unethical practices when their demands for salary increase and better conditions of services are given deft ears by government. Denga and Denga (1998), captured this point when they wrote, teachers/lecturers are battered by economic austerity due to their low wages. Consequently, out of frustration, some lecturers engage themselves in the sale of handouts and textbooks. In some cases, students are compelled to pay in advance for books yet to be written or supplied by publishers.

2.2.5 Mechanisms for Resolution of Industrial Conflicts

Industrial Conflicts expressed in whatever form pose costs to all industrial relations actors. Certain mechanisms have therefore emerged overtime and new approaches are being

worked out to reduce the effects of conflicts in industry and to prevent the deployment of all forms of costly expressing of industrial discontent.

There are two sequential approaches to the settlement of trade disputes in Nigeria. The first is the grievance procedure usually incorporated into the procedural or collective agreements and the second is the statutory procedure embodied in the Trade Dispute Act of 1976.

2.2.5.1 The Grievance Procedure

This often referred to as the internal machinery, because it is a pre-agreed and self-imposed undertaking by the parties to resolve all grievances through specified machinery and without resorting to external procedure must first be settled under internal machinery and only when this fails can the statutory (external) procedure be restored to.

According to Flippo, (1976) "a grievance is any discontent or dissatisfaction whether expressed or not, whether valid or not arising out of anything connected with the organizational and its rules that an employee thinks, believes or even feels is unfair, unjust or inequitable.

It is said sometimes, that it is an individual grievance that manifests into collective grievance and thus into industrial dispute or conflict. Not all bargaining in an organization end up in agreement. Some end up in grievances, disputes or conflicts.

A grievance according to Fashoyin,(1991) may be defined as "the dissatisfaction of any employee or a group of employees over a denial of perceived right or interest to which the individual or the groups feels entitled."

Grievance are of two types-individual grievance is exemplified by a worker protest against a disciplinary measure, non-promotion, termination of appointment, maltreatment

by the superior, improper grading or wrongful change in job classification or title and so forth. Collective grievance refers to the dissatisfaction of a group of employees or the entire members of the union. Such grievances involve interest issues such as dissatisfaction with working condition or failure of management to concede a demand at the bargaining table or to accede to the inclusion of certain issues on the negotiable list.

2.2.5.2The Procedure

In seeking redress for a grievance, the aggrieved worker or party is required to follow a step-by-step procedure without resorting to industrial action (Fashoyin, 1991). Almost all theindividual concerns, in Nigeria today we have type of grievance procedure or another. The grievance procedure may be use for settlement of both individual and collective grievances.

According to Ubeku, (1983) in the case of an individual grievance, the worker is expected to take his grievance directly to his immediate supervisor and if there is no satisfaction, the worker is expected to take the matter further to his manager. However, if the worker does not receive satisfaction from the manager, the matter is referred to the personnel manager and at this stage the local union secretary will be involved. Therefore, a grievance started as an individual grievance becomes a union matter. If badly handled, it may become a collective grievance involving all the workers in the organization and may result in strike. Most grievances are settled at the level of the personnel manager and local union secretary. If however, a satisfactory solution is not found, the matter becomes a national issue involving the whole organization and national officials of the union. At this stage, the joint machinery starts to function and should efforts at settlement fail, the matter is referred to the ministry of labourand the statutory machinery takes over.

With regard to collective disputes, attempts are also made to settle the matter at the level of the two parties. If the situation becomes difficult, the parties may call in a mediator. The mediator is anybody considered to have experience of industrial relations matter and who is acceptable to both parties. Should there be a breakdown of these negotiations, the matter would be referred to the minister of labour who may apply any of the steps of statutory machinery or procedure which comprises five methods, the first of which does not in any way involve the state. The methods are mediation, inquiry, conciliation, arbitration and industrial court.

i. Mediation

Section 3 of the Trade Dispute Act of 1976 makes it obligatory for disputing parties to meet within seven days of the existence of the dispute either together by themselves or theirrepresentatives under the chairmanship of a mediator mutually agreed upon and appointed by one or both parties with a view to an amicable settlement of the dispute. Where this fails, any of the parties intending to pursue the matter further is required to declare and notify in writing, the federal ministry of employment, labour and productivity (FMELP) within fourteen days of the failure to resolve the dispute(Fajana,2006).

ii. Board of Inquiry

A board of inquiry is primarily fact-finding machinery provided for under section 23 and 24 of the Trade Dispute Act. A board need not feature in the dispute settlement machinery, nor is it required to precede conciliation. The task of a board of inquiry is to trace the history of the particular dispute, the immediate and remote cause(s), the issue and position of the parties and what factors influence the parties' position. The board may proffer solutions, for instance by aiding negotiation but it does not in principle serve as a

settlement machinery. Precisely because of this fundamental disability of the board of inquiry, unions typically do not have interest in its use. They record it as a delay mechanism used in favour of the employer who, for the most part is the government.

In 1978, the Nigeria Union of Teachers (NUT) declared a trade dispute over a proposed layoff of teachers in Lagos State. The dispute was referred to the board of inquiry, but the NUT rejected the idea for the reason that the board would merely investigate the cause of the dispute which was already known. Basically, since the board of inquiry is for use in the public sector, the questions remain whether government as the employer would see the need for any further negotiation after inquiry. For these reasons, the method has been used in only four cases since 1972 (Fashoyinl991).

iii. Conciliation

According to Fajana(2006), when mediation fails, the minister of Labour may appoint conciliator from among a group of professional labour offices in the ministry for the purpose of effecting a settlement of the dispute (section 6 of the Act). The conciliator is expected to inquire in to the causes and circumstances of the dispute and by negotiating with the parties endeavour to effect a settlement. If settlement of the dispute is reached within fourteen days of his appointment, the conciliator shall forward a memorandum signed or such date as may be specified therein, the employers and workers to whom those terms apply.

iv. Arbitration

In the opinion of Fajana (2006), if the conciliator fails to reach settlement within fourteen days of his appointment, he shall report the situation to the minister. Unlike the previous machinery, arbitration marks the beginning of the judicial processes for settling disputes. The minister refers dispute within fourteen days of the failure of conciliation to the

Industrial Arbitration Panel (IAP). Unlike other civil courts, litigation can go directly Proceedings are expected to be relatively informal in terms of the tribunal procedure and the learning. The decision or award of the tribunal must be in writing, certain in meaning, final, possible and reasonable and must settle all the points referred to it. Such awards are not communicated to the minister, who may ask for further reconsiderations on grounds of public policy. But the minister has no legal authority to set aside the IAP award in his announcement.

The tribunal is expected to complete its work in 42 days or within such an extension of time as may be allowed by the minister. The award is then released to the parties. If the parties raise no notice of objection, the award is confirmed (by default) and well be published in a public gazette and shall be binding on the parties as from the date of the award or such other date of the award or such other date as may be specified in the award.

v. Industrial Court

Continuing, he says if the disputing parties do give a notice of objection to theminister within 21 days of the release of the arbitration award; the minister shall forthwith refer the dispute to National Industrial Court (NIC). The NIC re-hears the dispute, call evidence as may be deemed necessary and gives a ruling that is final and binding on the employers and employees to whom it relates.

2.2.6 Concept of Collective Bargaining

Collective bargaining has been variously defined as there are many writers on the subject matter. Collective bargaining presupposes the willingness of employer to settle terms and conditions of employment by negotiation with trade unions.

Fashoyin, (1991) defines collective bargaining as "a machinery for discussion and negotiation, whether formal or informal between employer(s) and worker's representatives aimed at reaching mutual agreement or understanding on the general employment relationship between employer(s) and workers".

It can also be defined as negotiation of working conditions and terms of employment between employers, a group of employers or one more employer's organization on the other with view to reaching agreement. (ILO, 1963). Reaching agreement is perhaps what makes negotiations equal to bargaining. Otherwise, when negotiations go on endlessly without concrete agreement, no meaningful bargaining could possibly have been struck.

Flanders, (1969) sees collective bargaining as one of the several methods used by trade unions to further their basic purpose of maintaining or improving the conditions of their members working lives. That is trade unions bargain with employers for their members as a collective entity. They press for legislations which favour their interests. In unorganized trades, the individual work man applying for a job accepts or refuses the terms offered by theemployer without communication with his fellowmen and without any further consideration than the exigencies of his own position for the sale of his labour he makes with the employer a strictly individual bargain But if a group of workmen concert together and send representatives to conduct the bargaining on behalf of the whole body, the position is at once changed.

Instead of the employer making a series of separate contracts with isolated individuals, he meets with a collective will and settles in single agreement, the principles upon which for the time being, all workmen of a particular group will be engaged. Flanders

further defines bargaining as the process by which the antithetical interests of supply and demand of buyer and seller are finally adjusted so as to end in the act of exchange".

There are two types of bargaining according to Flanders viz; collective and individual bargaining.

Collective bargaining is a situation where a trade union or an organization of workers negotiates with the employer or its organization the terms of employment and conditions of work generally. He sees collective bargaining as a rule- making process otherwise known as 'common rule'. This means that, workers through collective efforts fix a minimum prize for labour or setting standard terms of employment.

Flanders refers to this as restriction of numbers. What this means is direct regulation of competition by restricting the supply of labour.While individual bargaining is where employee negotiates directlythe terms of employment and working conditions before or after accepting the job. Any agreement reached between an individual employee and employer is legally binding between them and has no legal implication on other employees.

Abudu, (1987) writes "collective bargaining describes the process whereby trade unions deal with employers to negotiate, administer and interpret agreement governing the conditionsof employment.”What he (Abudu) means is that the process of collective bargaining is a pioneering process since it sets the pace for labour policies .For instance, in the determination of minimum wage, trade union may not set it but pave way for it through negotiation with employers.

In view of Falade, (1997) "collective bargaining is a process of decision making and it function has been recognized as a rule- making process". It also seeks to regulate economic behaviour in the labour market .Decisions are made through regular collective agreement,

which also serves as an effective method of industrial conflict resolutions. Collective bargaining serves as rule-making because its central aim is to lead to a set of procedural rules or norms governing the terms of employment and conditions of service.

Olaniyan, (1985) sees collective bargaining as "a process for resolving issues in the work-place". In his contribution to the theory, he added "deputation and consultation'.'

He says deputation takes the form of petition or appeal to the management, which may be considered or not .It involves issues of wider coverage. In the case of consultation, both union officials and employer(s) meet to consider issues like safety, health and welfare, productivity and efficiency promotion etc.

Adegun (1987) viewed collective bargaining as a form of job regulation with the representative of employers and employees jointly sharing the responsibility for the content of the rule and their observance thereof. According to him, any agreement resulting from collective bargaining process is termed legally as collective agreement .This covers many issues affecting employees such as rates of wages, hours of work, holiday sick pay, overtime conditions, and employment of apprentices, redundancy and procedure for settlement of grievance.

Another contribution by Adegun, (1987) is the economic explanation he gives to bargaining. That an individual applies for a job of his choice and an employer calls him \her forinterview during which both bargain the term of employment. It is this that provides for an exchange of work for wages. The interest of buyer and seller of labour adjust and re-adjust before terms of employment can be agreed upon. He says, "The antithetical interest of supply and demand of buyer and seller are finally adjusted so as to end in the act of

exchange." Collective bargaining as a process also not sells the labour of its members to the employer, instead is rather a rule-making process.

Collective bargaining is central to any industrial relations system since it is a tool through which regulated flexibility is achieved (Godfrey et al, 2007). A number of studies show that where workers had their terms and conditions of employment determined through collective bargaining and management supported unions, there was an improved industrial relations environment.(Edwards, 2002); Beardwell et a!2007).

Adewole et al, (2006) asserted that frequent eruption of industrials between employers and employees in general can be effectively managed through collective negotiation and consultation with the workers' representatives.

Collective bargaining has been noted to help promote cooperation and mutual understanding between workers and management by providing a framework for dealing with industrial relations issues without resort to strike and lockouts. Therefore, fair and legal process will result in successful collective bargaining, hence maintenance of industrial discipline and vice-versa (Gomez et al, 2003).

Universities all over the world are considered as centres of excellence which immensely contribute to national development. From theory and practice, it is evident that higher education is critical to political, social, economic and technological growth of a country. The absence of good industrial relations environment can therefore seriously affect the stability and training programs in Universities and hence the overall national development.

2.2.7 Collective Bargaining Process and Industrial Relations Environment

According to Cole,(2002) Collective bargaining process begins with the claim which is followed by an initial counter from management. Once management's initial response has

been made, then the negotiation can commence in earnest. Cole further points out that in most cases, a settlement is reached without undue delay and acrimony and the agreed terms of the settlement are published, implemented and subsequently monitored. Each side has therefore to decide its overall objectives or strategy, asses its relative bargaining strength and the light of that assessment, decide on the tactics to be employed to achieve an optimum result

According to Aluchio (1998), the process is that the union submits its problem to management in writing within a reasonable time. Hence, collective bargaining is a union initiated process and that if employees did not form collectives and demand that employers bargain with them, bargaining might never occur (Bendix, 2001). The process therefore, preclude the employer from taking any unilateral action by changing the condition of which bargaining is first required (Hunter, 1999).

A study Trif, (2005) revealed that, collective bargaining takes place between a negotiation team consisting of top managers and company trade union representatives. The study points out that on the employer side, respondents reported that shop stewards initially have meetings with members to discuss their demands. Subsequently, union representatives gather to decide the collective bargaining proposal and the negotiation team. Thus, evidence suggests that unions make an effort to find out members demands, but the procedure used to decide the negotiation teams on both sides is generally top-down.

Gomez et al. (2003), explain that parties are said to be showing good faith in bargaining when, they are willing to meet and confer with each other at a reasonable time and place; theyare willing to negotiate over wages, hours and conditions of employment; they sign a written contract that formalizes their agreement and binds them to it; and each

party gives the other adequate notice of termination or modification of the labour agreement before it expires. Similarly, there should also be genuine willingness on the part of the parties to 'give and take' at the bargaining table, cooperation and consideration of fairness under the process.

Cole, (2002) explains that, the process of negotiating collective agreement does not occur in a vacuum. The aim of the process, so far as employees' representatives are concerned, is to achieve a workable relationship with management found on mutual respect in which tangible benefits are realized on agreed and not just on management's whim. On their part, management representatives see collective bargaining as one method of attaining corporate objectives relating to pay and conduct of employee relations. Collective bargaining is therefore a rational process in which appeal to facts and to logic reconciles conflicting interest in the light of common interest of both parties (Bendix, 2001). Hence, the application of the agree set of rules to govern the substantive and procedural terms of employment relationship between the employer and employee will influence industrial relations environment. The amount of trust built up between management and the trade union representatives in particular and management and workforce generally during the process is a major factor in the quality of industrial relations. Where the trust is high, it is less likely that one side or the other will resort to sanctions (Cole, 2002).

Johnstone et al. (2004) revealed that lack of feedback, trust and accountability created tensions between the union representative and employees, hence denting the credibility of the process. This can also happen when the employer refuses to engage in meaningful bargaining by making the first offers and impose changes in terms and conditions rather than negotiate over them as reported in the study by Gall, (2007) on bad faith bargaining.

The study further pointed out that, alternatively, the reluctant employer could engage in "hard-nosed"bargaining where any concessions to the union are self-financing whereby pay rises are only granted if workforce productivity is increased through redundancies, not filing vacant posts or longer working hours. Gatchalian, (1998) suggest that the negotiations should end up without anyone "losing face", feeling humiliated or being personally aggrieved. Otherwise the process can develop into a personal confrontation with each side forgetting the real issues and the main objective.

Collective bargaining process is thus expected to be fair and legal and should take place in an environment of trust in order for parties to achieve a workable relationship. Collective bargaining process is therefore expected to affect industrial relations environment.

2.2.8 Functions of collective bargaining

Bargaining is of valve of jointly and severally to each of the actor in industry. Fajana, (2006) enumerates the functions of collective bargaining to the workers, to the employers and to the state.

i. To the workers-collective bargaining is the alternative to and a replacement ofindividual weak attempt to at bargaining .The terms and conditions are encoded in a collective agreement and the provision bind present as well as future employees, unless otherwise reviewed.

   Collective bargaining affords the employees an opportunity to participate in the management functions of their organizations. The absence of collective bargaining implies that managerial prerogatives would dominate most labour matters.

Furthermore, collective bargaining is the process of making rules that govern the work place. Such substantive and procedural are jointly determined by union and management and sometimes with government. Substantive rules pertain to financial issues. Procedural rulesrefer to the process for reviews of collective agreements, periodicity of meetings and methods of disputes settlement.

ii. To the employer-collective bargaining is of the following important values to the employer;

- It saves the cost of negotiating with each worker
- It simplifies the salary administration system
- It tends to general industrial harmony and this saves the cost of strikes as enumerated previously.
- Jointly authored rules tend to be complied with easily
- It provides a grievance procedure which prevents the deployment of multiple standards by management in treating indiscipline and
- Avoidance of compatibility issues which many be raised by workers if individual bargaining had been used.

iii. To the state the valve of collective bargaining to the state derives in part from its valve to the other two actors to the extent that they are directly connected with the tempo of industrial relations. Peaceful industrial relations can therefore be attributed to labour and management, since they can be expected to work out arrangements that will be mutually acceptable to them. Thus, the state stands to benefit from orderly resolution of conflicts through collective labour-management relation. Notwithstanding, the following additional advantages accrue directly to the state.

- The avoidance of political instability which overt expression of unresolved conflict canbring about.
- The avoidance of the negative effects of visible expression of conflicts.
- The removal of the need for state intervention which may be mutually perceived asbiased towards labour management, and therefore, unsatisfactory, and
- Less efforts and resources of the state will be expanded by the state in attempting to help labour and management resolve their differences.

2.2.9 Appraisal of the Conflict Management Technique/Collective Bargaining Technique

The appraisal of the conflict management technique of Academic Staff Union of Universities (ASUU)is an attempt to evaluate the union laid down procedures for conflict resolution and how the unions bargains issues relating to industrial conflicts or disputes with the employers at the federal and state levels.

Otobo, (1988) agreed that conflict resolution and collective bargaining are exercises in which the workers through their unions try to reach agreements with their employers on issues that hinge on potential industrial in disputes that tantamount to hampering the much cherished industrial peace and harmony which is a hairs prerequisite for increased efficiency , effectiveness and productivity within a given economy.

Such issues as conditions of employment include wages and other benefits payable to the workers which they enjoy in exchange. Conflict resolution and collective bargaining differ from country to country and from industry to industry for example the issues of poor funding of the universities and education in general is considered to be one of the major causes of industrial disharmony. The level of funding of education in Nigeria has steadily

declined since 1999 and is much lower than average in the in 1994-may 1999 of military regime , in spite of huge increase in the number of intakes in primary, secondary and higher levels of educational sector. For instance, the percentage of federal government expenditure on education as share or the total federal expenditure between 1994 to 2004 shows 1994-7.83%, 1995-12.96%, 1996-12.32, 1997-11.59%, 1998-70.27%, 1999-11.12%, 2000-8.36%, 2001-7.00%, 2002-6.1%, 2003-4.75%, 2004-4.54% (ASUU, National Executive Council 2005).The uncompromisingstand of federal and state governments breeds gross disagreement with Academic Staff Union of Universities system (Buker, 1999).

Therefore, conflict management and collective bargaining becomes imperative, because the workers realize that individual workers cannot resolve their conflict or bargain with their employers, because they do not posses such power for obvious reasons.

Otobo, (1988) argues that at a micro level or in the content of the individual economic organization, conflict/collective bargaining is usually taken to describe collective attempts on the part of both employees and management to sort out specific issues arising from work situation, this though commonly accepted as simplistic as it is partial, since social existence and other development outside the work situation impinge on the content of conflict management/collective bargaining and the conduct of the parties generally.

Conflict management as a means of resolving industrial conflicts presumes mutual recognition by each representative interest. This in turn assumes a measure of autonomy and the right of such encroachment.

Collective bargaining as a process of conflict resolution is more than a process or method for resolving conflict, it is also conflict. As noted by Otobo, (1988) conflict management involves third party intervention as in conciliation and arbitration since these

processes are activated by disputes or strikes over new demands or development on the shop, floor and divergent interpretation of classes or in the manner of implementation previously negotiated collective agreements which are potential sources of industrial conflict.

Therefore, an appraisal of the conflict management/ collective bargaining technique of the Academic Staff Union of Universities (ASUU) as one of the registered union by the Trade Unions Amendments Decree 4 and 26 of 1996, the unions set up certain procedures and conditions favourable for conflict management and collective bargaining.

Organizational strength to resolve or bargaining conflict prone issues such as wage increments, Workers welfare being that is to say, it has members in various Universities, and this strength is an advantage to any well meaning conflict.

2.2.10 Critiques of Collective Bargaining

Despite its acclaimed effectiveness, the institution of collective bargaining has been criticised for various reasons. Critical labour law theorists regard collective bargaining as a tool by which capital continues to dominate labour. The lion continues to take the lion share. According to them:

> *Collective bargaining law articulates an ideology that aims to legitimateand justify unnecessary and destructive hierarchy and domination in the Workplace—(and) has evolved an institutional architecture, a set of Managerial and legal arrangements that reinforces this hierarch and domination.*

Another criticism against collective bargaining often advocated by developing countries like Nigeria is that freedom of association for trade union purposes is a hindrance to economic development. Such argument is usually put forward to justify restrictions on the right to organise and the right to collective bargaining .However, this view may not be

entirely correct. In fact, an ILO sponsored study on the issue reveals that there is no contradiction between the demands of economic development on the one hand and freedom of association for trade union purpose on the other.

However, notwithstanding these misgivings, collective bargaining seems to the best mechanism for attaining peace in the relationship between employers and employees and is particularly an effective forum for adjustments and agreement on terms and conditions of employment. Collective bargaining provides a measure to check the concentrated power of capital and thus help to ensure equilibrium of forces in labour management relationship toavoid exploitation. Collective bargaining is the most consolidating and powerful institution contributing to bringing some equilibrium to unbalanced economic situations.

Collective bargaining is crucial in a very practical way. It makes real difference to the experience of workers and is recognised as an instrument for social justice. On the whole, it seems that the benefits of collective bargaining far outweigh the shortcomings. Indeed a strong body of evidence suggests that freedom of association and the right to collective bargaining contribute to improving economic and trade performance and do not have negative effects predicted by some economic theorists.

2.2.11 Summary of the Literature Review

Summarily, Industrial Conflicts when managed properly could help in curbing the excesses of government at federal, state and local. For example, industrial conflicts between the federal government and the Nigerian Labour Congress (NLC) compelled the government to increase federal servants' salary 12 per cent in 2003, 15 per cent in 2007. The faceoff between NLC and federal government during Obasanjo administration compelled

the later to speed up the implementation of the monetization of fringe benefits for federal civil servants.

Strikes organized by Unions-Academic Staff Union of Universities (ASUU), Academic Staff Union of Polytechnics (ASUP) etc informed the Obasanjo administration (1999-2007) to reconsider its position of withdrawing totally all government subsidies/subventions from public schools (Onyeonoru and Bankole, 2001).

Since most industrial crisis emanate from partial or unimplemented labour and government agreements, it apposite to build trust between these actors of industrial relations by ensuring that government implements agreements to the latter. This will reduce strike actions and ensure good harmonious working relationship between staff of Universities and government.

Thus, it is researcher's observation that most authors reviewed dwell so much on the causes, effects, and resolution of industrial conflict. However, it has been identified from discourse that more contributions need to be made by authors and researchers on the issue of preventive solution to the problems of industrial conflicts in FUT, Minna. It this gap in literature that this work has come to address.

2.3 Theoretical Framework on Conflict Management

In a research, the essence of theoretical framework as a guide can never be over emphasised. Thus, theoretical framework of this research is the Conflict Management Theory Propounded by Mary Parker Follett (1868-1933) as cited in Ngu, (1994).

She holds the view that conflict is inevitable in all organizations or societies where two or more people are brought together to achieve a pre-determined end. She explains that

conflict is simply an exhibition of differences in ideas or opinions on given situations. Conflict could also be a display of different methodology of interpreting phenomena. Conflict to her arises as a result of different approaches to issues or different approaches to existing conflict resolutions. She opined that conflict could be good or bad or neither good or nor bad depending on the situation. Conflict also provides good or bad results or outcome depending on the manners it is interpreted, understand and resolved by the affected parties. In an article entitled "Constructive Conflict" she noted that three different ways or methods of conflict resolution; domination, compromise, and integration.

Domination: According to her, resolving conflict through domination is not the best option for any organization; because this would entails victory of one over the other .It would require the use offeree and suppression of the weaker party by the strong. Using this approach in conflict resolution does not mean victory has gone to the right party or that has marked the end of the conflict. As far as Mary Parker Follett is concerned, this method of conflictresolution is like sweeping the dust under the carpet, which is a common feature of political, economic and sub-systems in Africa states and other developing nations.

Compromise: The second major method of conflict resolution as identified by Mary Parker Follett is compromise. Under this method, each party is the conflict situation surrenders certain values in order to allow peace to reign, she warns however, that a conflict resolved through this method is not the best, because it may simply suspend yet a greater magnitude of the problem which is likely to resurface in either the same form or in an entirely different manner.

Integration: This is the third method of conflict resolution in organization as recommended by Mary Parker Follett. She approved integration as the best method for conflict resolution in organizations. To resolve a conflict through integration requires each party to recognize the importance of ex-raying all the various aspects of the conflict to be put forward for discussion, usually in a roundtable conference which is in line with the principle of collective bargaining.

2.3.1 The Relevance of Conflict Management to the Study

The relevance of this theory (conflict management) is the fact that our Universities consists of people who come together with the aim of achieving a given objective, as such conflict is inevitable in such a situation. As suggested by Mary Parker Follett, conflict can be resolved through any of the following methods namely domination, compromise and integration.

Furthermore, our Universities are made up of actors (lecturers and management) which must interact together for the purpose of achieving the organizational goals and objectives. I n the course of interaction, differences in ideas or opinion on given situation may arise which if not properly handled might result to industrial conflict. However, the need for the survival andcontinuity of Universities mean that conflicts need to be handled/managed in such a way that parties do not necessarily bring about severe and damaging consequences to the system.

Using the integration approach by the management will bring about the expected industrial harmony to the Nigerian Universities system. This is because, the divergent interest or demands of these actors are critically analyzed put forward for discussion, usually in a roundtable conference with the aim coming out with lasting solution to the

cause(s) of conflicts. Conflict resolved in this fashion (integration approach) is constructive because each side is fully satisfied win-win situation. If the actors in our University's system can integrate their demands with the intention of proffering solutions to crises that has characterised our Universities for quite sometimes now, the industrial harmony will be restored again. This integration method is in line with collective bargaining principle, which is the process of negotiations between employers and the representatives of a unit of employees aimed at reaching agreements that regulate working conditions. This by will create room for progress and sustainability in our educational system.

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

In this chapter, the method and procedure used in conducting this research is explained. The chapter describes the research design, area of study, population of the study, sample size and sample techniques, sources of data; strengths and its weakness, instrument of data collection, method of data collection and method of data analysis.

3.2 Research Design

Survey research design was considered appropriate for this study. The study sought opinion of a sample of management staff and ASUU members of PUT, Minna in their perception or appraisal on the Effectiveness of Collective Bargaining and Industrial Conflict Management. Survey instrument was deemed the most appropriate for gathering the data required for the study, since survey centres on people, their beliefs, opinion, attitude, motivation and behaviours (Ali 1996).

3.3 Population of the Study

This study took particular interest in the Academic Staff Union of Universities (ASUU) members of the Federal University Technology, Minna. The total number of ASUU members (lecturers) is 1,038 and Management Staff (vice- chancellor, deputy vice-chancellor administration, deputy vice-chancellor academic, registrar, librarian and bursar) is 6.On the whole, a total of 1,044 constituted the total population of this study.

3.4 Sample Size

In determining the sample size for the respondents, a stratified sampling technique was employed. This technique is considered appropriate for this study, because the researcher dealtwith two sub-groups, that is the Management and ASUU members who have different opinions about the variables situation investigated. The sample size was drawn from Steely Yamane, (1967) as expressed by Israel (1993), popularly known as Yamane's formula denoted by:

$$n = \frac{N}{1 + N(e)^2}$$

Where; n= Samplesize

N=Population

e= Significancelevel (0.05)

1 =Constant

$$n = \frac{1,044}{1,044(0.05)^2}$$

$$n = \frac{1,044}{1 + 1,044x0.0025}$$

$$n = \frac{1,044}{1 + 2.61}$$

$$n = \frac{1,044}{3.61}$$

n =289

Based on the Yamane's formula computed above, the sample size drawn for the study stood at two-hundred and eighty-nine (289).The questionnaires were administered using

simple random sampling technique to ASUU members and Management staff of PUT, Minna.

The distribution was thus;

283 questionnaires to ASUU members

6 questionnaires to Management Staff

Interview Scheduled:

3 Management Staff of PUT, Minna

24 ASUU Members of PUT, Minna

The total number of people interviewed was twenty-seven (27).

3.5 Sources of Data

The data used in this study were collected from both primary and secondary data. The primary data were collected through the use of questionnaire and personal interview administered to the respondents. The secondary data were obtained from the already existing information/materials that were found relevant to the research. They were generally collected from textbooks, periodical, journals, internet materials and were duly acknowledged in the like manner.

Strengths of questionnaire as sources of my Data

- Quick method of research
- No danger of interview bias (the person doesn't feel pressurised with responses). For example someone may not like admitting to a crime they have committed or feel they should say something just to impress the interviewer.
- Large amount of data can be processed and analyzed quickly.

- Quantitative data (e.g. interview summaries) data as all respondents are responding tothe same stimuli they are not interviewed by different people, effected by differentreactions etc.

Weakness of questionnaire as my sources my Data

- Respondents can interpret the data differently, no matter how carefully worded the questions may be. People who choose the response may not mean the same thing.
- Respondents may not understand a question and so leave the answer blank making it invalid or jus fill any answer.
- Questionnaires have a very low reply rate normally less than 50% sometimes less than 50%.
- People can lie

Honey (1976) observes that questionnaire surveys alone in research are limited, less reliable and less able to aggregate insights than are commonly believed. He added that unless careful appraisal precedes, drawing up a questionnaire, the survey may embody the category of outsiders rather than those of the targeted people.

A general observation has been made by Chambers (1991), that in using any method to obtain data from people, for many reasons; fear, prudence, ignorance etcetera, they tend give information which may be slanted or false. For these reasons, the use of conventional questionnaire surveys alone has many drawbacks as highlighted above.

In view of the above therefore, this study employed the use of questionnaire and interview surveys as the most commonly used methods of formal research on one hand and the use of documentary method on the other.

3.6 Instrument for Data Collection

The instrument used in gathering the data was questionnaire and personal interview. The questionnaire was made up of two sections; Section A contained items which were designed to elicit personal information about the respondents such as present position of staff,years of work experience and educational qualification. While section B was designed to carefully assess the effectiveness of collective bargaining and industrial conflict management in Nigeria Universities with PUT, Minna as the study area.

The questionnaire contained items which required the respondent to give information as regard to the data that would provide solutions the research hypothesis to guide data collection for the study.

3.7 Method of Collection

The researcher administered 289 questionnaires personally and by some friends in PUT, Minna, used for the study. The research personally went back to the University used for the study and collected the questionnaire. Only 232 questionnaires were collected representing (80%), by the researcher and 57 (20%) copies were not returned.

3.8 Method of Data Analysis

The data collected were analyzed using descriptive statistical techniques. Calculation of percentages in tabular form and the application of highest mean score distribution was used in analyzing the data obtained from the field to test the formulated hypothesis. These techniques were deemed imperative in assessing the Effectiveness of Collective Bargaining

as a Strategy for Industrial Conflict Management in Nigeria Universities using PUT, Minna as its case study.

Thus,

$$x = \frac{\sum fp}{N}$$

x= mean score

Where$\sum fp$= sum of frequency percentage

N= Number of Variables

In highest mean score testing of hypothesis, the decision rule is to accept null hypothesis if any value is less than 60% and reject alternate hypothesis. While if the value is greater than 60% accept the alternate hypothesis and reject the null hypothesis.

CHAPTER FOUR

DATA PRESENTATION AND ANALYSIS OF RESULTS FOR QUESTIONNAIRE ADMINISTERED AND INTERVIEW

4.1 Introduction

The essence of data gathering in research is to amongst other things enable the researcher to present and analyze the data with a view of testing the formulated hypotheses based on the responses of the respondents. This therefore, justifies the fact that this chapter is central to every research endeavour.

Odoh (1995) submit that it transforms data collected from the field among each other on the basis of initial hypothetical position. Using the primary data collection instruments, both structure and unstructured questionnaires were design and administered .Similarly, an interview schedule was also designed and conducted to Management and ASUU members of PUT, Minna in the area of study for this study.

However, the responses were subjected to highest mean score statistical technique in an attempt to test the two hypotheses for this study. This facilitates the discussion of findings which also provide yet a sound basis for drawing up conclusions and recommendations in the subsequent, which is concluding chapter.

4.2 Analysis of the Results of Questionnaire Administration

The representative sample population of this study as determined using the Steely Yamane's formula stood at two-hundred and eighty-nine (289), out of which two-hundred and eighty-three (283) questionnaires were administered using simple random sampling to the ASUU members and Management Staff of PUT, Minna. While twenty-seven (27) people

wereselected for interview (three form management staff and twenty-four from ASUU members) and these made up of twenty-seven interviewees.

Thus; the breakdown of questionnaire administration is as follows; 283 questionnaires to ASUU members 6 questionnaires to Management staff

The analytical tools used in this analysis includes tables, simple percentages and highest mean score statistical tool.

Table 4.1 Questionnaire Distribution and Collection

Nature of Respondents	Number of Questionnaire Administer	Number of Questionnaire Returned	Number of questionnaire Not Returned	Percentage of Questionnaire Returned
Management	6	6	0	2
Staff				
ASUU Members	283	226	57	98
Total	**289**	**232**	**57**	**100**

Source: Questionnaire Administered 2012.

The table above reveals that out the 226 returned questionnaires, 98% are Academic Staff while 6(2%) are the management staff of PUT, Minna.

Table 4.2 Positions of Staff

Responses	Frequency	Percentage %
Management staff	6	3
Lecturer	226	97
Total	**232**	**100**

Source: Questionnaire administered 2012.

The above table indicate that 6(3%) or the respondent were management staff of Federal University of Technology, Minna while 226 (97%) of the respondents were ASUU members in Federal University of Technology, Minna. This implies that the larger percentage of the respondents were ASUU members in PUT, Minna who are directly affected by industrial conflict.

Table 4.3 Years in Service

Responses	**Frequency**	**Percentage %**
1-5 years	74	32
6years above	158	68
Total	**232**	**100**

Source: Questionnaire administered 2012.

Table4.3 above indicated that, 74(32%) of the respondents were employed into this university during the period under study while 158(68%) of the respondents were already in the system before the scope of the study. This means that they would have full understanding of what the researcher is investigating about their university.

Table 4.4 Causes of Industrial conflicts.

Responses	**Frequency**	**Percentage %**
Poor consultation	169	73
Inadequate fund	17	7
Poor workers welfare	46	20
Total	**232**	**100**

Source: Questionnaire administered 2012.

Table4.4 above showed respondents' perception on the cause of industrial conflict at work place. A cursory look at the table reveals that the issue of poor consultation is the major causes of industrial conflict as rated by 169(73%) of the respondents, while inadequate fund , poor workers welfare were considered as the causes of industrial conflicts by 17 (7%) and 46 (20%) of the respondents respectively. This implies that poor consultation is the major cause of industrial conflicts between ASUU and Management in PUT, Minna.

Table 4.5 The best way to handle industrial conflicts.

Responses	**Frequency**	**Percentage %**
Confrontation	66	28
Collective bargaining	158	68
Treats to live and job	0	0
Intimidation	6	3
Others specify	2	1
Total	**232**	**100**

Source: Questionnaire administered 2012.

Table 4.5 above showed that 158 respondents' representing 68% were of the opinion that the best way to handle industrial conflicts is through collective bargaining, 66 respondents representing 28% supported using confrontational as the best way in handling conflicts. 6 respondents representing 3% were of the view that the best way is the use of intimidation by the management. Indeed, on responses above, it is glaring that the best way to handle industrial conflicts is through collective bargaining.

Tables 4.6 Avenue for improving industrial harmony

Responses	**Frequency**	**Percentage %**
Yes	219	90
No	13	10
Total	**232**	**100**

Source: Questionnaire administered 2012.

It can be seen from able 4.6 above that 219 (90%) of the respondents believed that collective bargaining serve as avenue through which ASUU and Management can improve and maintain working conditions and increase and increase industrial harmony, while 13 (10%) of the respondents said no, Therefore, it is accepted that collective bargaining will serve as an avenue through which ASUU and Management can maintain industrial harmony.

Causes of Failure of Collective Bargaining

Lack of mutual understanding of both parties, insincerity of purpose by management and ASUU while negotiating and the unwillingness of the management to shift ground while negotiating, are some of the reasons majority of the respondents opined to contribute largely o f the failure of collective bargaining in Federal University of Technology, Minna.

Table 4.7 **Effectiveness of Collective Bargaining and Conflict Management.**

Responses	**Frequency**	**Percentage %**
Collective bargaining	224	97
Confrontation	3	1
Demonstration	O	0
Strike	4	2
Total	**232**	**100**

Source: Questionnaire administered 2012.

Table 4.7 showed respondents perception on the most effective approach to conflict management as it relates to labour management relation. It could be deduced from the table that 97% of the respondents viewed collective bargaining as the best conflict management approach at the workplace while 1%, 0% and 2% are of the opinion that the most effective approach to industrial conflict management are confrontation, demonstration and strike respectively.

Table 4.8 Effects of Industrial Conflict on Organizational Productivity.

Responses	**Frequency**	**Percentage %**
Low productivity	120	52
Labour turn over	84	36
Lack of cooperation	28	12
Total	**232**	**100**

Source: Questionnaire administered 2012.

Table 4.8 indicated that 120 (52%) of the respondents are of the view that low productivity is the effect of conflict on the organizational productivity while 84 (36%) of the

respondents are of the view that labour turnover is the effect of the organizational productivity and lack of cooperation between employers and employees as been identified by 28(12%) as the effect of industrial conflict on organizational productivity.

Table 4. 9Managemcnt consultation with ASUU

Responses	**Frequency**	**Percentage %**
Very often	15	6
Often	33	14
Occasionally	181	78
I do not know	3	1
Total	**232**	**100**

Source: Questionnaire administered 2012.

Table 4.9 above revealed that 15 of the respondents representing 6% said that the level consultations is very often, 33 respondents representing 14% were of the opinion that management consultation with ASUU is often, 181 respondents representing 78% responded that the management occasionally consult with ASUU, while 3 respondents representing 1% said they do not know. This reveals that management rarely consult ASUU before taking decision affecting them.

Table 4.10 Industrial Harmony at the Work place.

Responses	**Frequency**	**Percentage %**
Collective bargaining	173	75
Strike action	39	17
Petition/criticisms	20	8
Total	**232**	**100**

Source: Questionnaire administered 2012.

Table 4.10 indicated that!73 (75%) of the respondents believed that industrial harmony can best be achieved through collective bargaining between employers and unionsrepresentatives at the work place, while 39(17%) and 20(8%) of the respondents are of the contrary view that strike and petition are best way to achieve industrial harmony at workplace

Table 4.11 Grievance Procedure at the Work place

Responses	**Frequency**	**Percentage %**
Consultation	201	87
Demonstration	9	4
Strike action	22	9
Riot	0	0
Total	**232**	**100**

Source: Questionnaire administered 2012

Table 4.11 showed respondents opinion on how grievance should be made known to the employer. A careful look at the table revealed that majority of the respondents 201 (87%) considered consultation between employers and employees as the best method of making grievance known at the workplace. On the contrary, 9 (4%), and 0(0%) considered demonstration and strike action as the best approach of making grievance know to the employers.

4.3 Test of Hypotheses Decision Rule

Accept the null hypothesis (Ho) if the mean score is less than sixty per cent (60%) and reject the alternative hypothesis (HI). However, if the mean score is greater than sixty (60%) reject the null hypothesis (HO) and accept the alternative hypothesis (HI).

Test of Hypothesis of Hypothesis (I)

It would be recalled that the first hypothesis to be tested is "Collective bargaining is not the most effective strategy for industrial conflict management in Federal University of Technology, Minna." This in effect, is to see the relationship between Collective Bargaining and Industrial Conflict Management. Collective bargaining is the independent variable, while conflict management is the dependent variable.

Table4.12: Highest Mean Score

Variable	Highest Mean Score
1	73% of the respondents said the major cause of industrial conflict is poor consultation.
2	68% of the respondents agreed that collective bargaining is the best way to handle industrial conflict.
3	90% of the respondents said that collective bargaining is an avenue for improving industrial harmony.
5	97% of the respondents opined that collective bargaining is the most effective strategy for industrial conflict management.
6	52% of the respondents were of the opinion that the effect of industrial conflict on organizational productivity is low productivity.
7	78% of the respondents opined that the management rarely consult ASUU in terms of taking decision affecting them.
8	75% of the respondents said the best way to ensure industrial harmony at workplace is through collective bargaining.
9	87% of the respondents opined that grievance at workplace should be made know to employers through consultation.
N=8	**Ifp=77.5**

Source: Questionnaire administered 2012.

As stated earlier, the percentage and mean score were used in testing the hypothesis. The following formula was adopted for the calculation.

The highest means score

$$\bar{x} = \frac{\sum fp}{N}$$

x = Mean score

Where ∑fp= Sum of frequency percentage N=Number of variables Thus;

N = Number of variables

$$\bar{x} = \frac{73 + 68 + 90 + 97 + 52 + 78 + 75 + 87}{8}$$

$$\bar{x} = \frac{620}{8}$$

$$\bar{x} = 77.5\%$$

$$\bar{x} = 77\%$$

Based on the decision rule which stipulated that for any value less than 60%, the null hypothesis must be accepted and vice-versa, the judgement of the highest mean score of the result of77% of all variables responded by the respondents, the hypothesis which states that collective bargaining is not the most effective strategy for industrial conflict management in FUT, Minna is therefore rejected as it has been proved beyond reasonable doubt by the eight (8) variables. This shows that collective bargaining is the most effective strategy for industrial conflict management in FUT, Minna.

Table 4.13 Collective Agreements between ASUU **and Management.**

Responses	**Frequency**	**Percentage %**
Yes	214	92
No	18	8
Total	**232**	**100**

Source: Questionnaire administered 2012.

Table4.13 above, 21 4(92%) of the respondents agreed that collective agreement has ever been reached between the management and ASUU in Federal University of Technology, FUT, Mina while 18(8%) of the respondents are of the contrary opinion that collective agreement has never been reached between management and ASUU chapter of the FUT, Minna.

Table 4.14 Adherence to Collective Agreement by ASUU **and Management**

Responses	**Frequency**	**Percentage %**
Partial adherence	207	89
Strict adherence	19	8
Non-Adherence	6	3
Total	**232**	**100**

Source: Questionnaire administered 2012.

Table 4.14 above 207(89%) of the respondents agreed that management and ASUU partially adhered to collective agreement reached in FUT, Minna, while 19(8%) of the respondents believed that management and ASUU strictly adhered to collective agreement reached in their University while only 6(3%) are of the contrary view that there is no adherence to collective agreement reached between management and ASUU in FUT, Minna.

Table 4.15 Urgent Compliance to Collective Agreement

Responses	**Frequency**	**Percentage %**
Promptly	33	14
Not promptly	199	86
Total	**232**	**100**

Source: Questionnaire administered 2012.

From the table 4.15 .above, it can be deduced that 199(86%) of the respondents believed that management and ASUU do not promptly complied with collective agreement reached in Federal University of Technology, Minna while 33(14%) of the respondents are of the contrary view that management and ASUU compiled promptly with collective agreement in their University.

Table 4.16 Delay in compliance to collective agreement and Industrial Conflict

Responses	**Frequency**	**Percentage %**
Yes	225	97
No	7	3
Total	**232**	**100**

Source: Questionnaire administered 2012.

From table 4.16 above 225 (97%) of the respondents opined that the delay in compliance to collective agreement contributes significantly to industrial conflict while 7(3%) of the respondents are of the contrary opinion that the delay in compliance to collective agreement do not contributes to industrial conflict.

Table 4.17 Breach of Collective Agreement and Industrial Conflict

Responses	**Frequency**	**Percentage %**
Yes	216	93
No	16	7
Total	**232**	**100**

Source: Questionnaire administered 2012.

From table 4.17 above, 216(93%) of the respondents opined that the breach of collective agreement by either management or ASUU contributes significantly to industrial

conflict. While 16(7%) are of the contrary opinion that the breach of collective agreement does not contributes significantly to industrial conflict..

Table 4.18 Full Compliance to Collective Agreement and Conflict Management

Responses	**Frequency**	**Percentage %**
Yes	216	93
No	16	7
Total	**232**	**100**

Source: Questionnaire administered 2012.

From table 4.18 above, 216(93%) of the respondents agreed that full compliance to collective agreement by management can contribute significantly to the management of conflict in their University, while 16(7%) of the respondents opined that full compliance to collective agreement cannot contribute significantly for conflict management.

Difficulty in Compliance to Collective Agreement

The respondents are of the opinion that lack of funds, lack of transparency, selfishness self-centre chess on the part of management and leadership style were some of the reasons that they felt make it difficult for either management or ASU1J to comply with agreement reached in their University.

Test of Hypothesis two (11)

The hypothesis to be tested here is "Breach of collective agreements by either party does not contribute significantly to industrial conflict in FUT, Minna."

Table 5.19: Highest Mean Score

Variable	Highest Mean Score
2	92% of the respondents opined that management and ASUU members partially adhered to collective agreement reached.
3	86% of the respondents said management and ASUU members do not always complied promptly to collective agreement reached in FUT, Minna.
4	97% of respondents said that the delay in compliance to collective agreement contribute significantly to industrial conflict.
5	93% of the respondents said the breach of collective agreement reached contributes significantly to industrial conflicts.
6	93% of the respondents are of the opinion that the full compliance to collective agreement by the management and ASUU members can contributes significantly to the management of industrial conflicts.
N=5	**Sfp=92**

The highest mean score

$$\bar{x} = \frac{\sum fp}{N}$$

x = Mean score

Where ∑fp= Sum of frequency percentage

N=Number of variables Thus;

N = Number of variables

$$\bar{x} = \frac{92 + 86 + 97 + 93 + 93}{5}$$

$$\bar{x} = \frac{461}{5}$$

$$\bar{x} = 92.2\%$$

$$\bar{x} = 92\%$$

Based on the decision rule which stipulate that for any value less than 60%, the null hypothesis must be accepted and vice-versa, the judgement of the highest mean score of the result of 92% of all the variable responded by the respondents, the hypothesis which stated that breach of collective agreement does not contribute significantly to industrial conflict in FUT, Minna is therefore rejected as it has been proved beyond reasonable doubt by the five (5) variables. This shows that breach of collective agreement contributes significantly to industrial conflict in FUT, Minna.

4.4 Discussions of findings

In this section, the researcher attempted to discuss some of the major variables used in testing the formulated hypotheses so as to validate the responses obtained from the questionnaires and also to highlight the interviews held with Management Staff and ASUUmembers of FUT, Minna. Jn effect, this is to assess the effectiveness of collective bargaining as a strategy for industrial conflict management in Nigerian Universities using Federal University of Technology, Minna for the period of 2001-2010.

Discussion in research work is seen as the process of rationalization based on the analysis and interpretation of data (Idisi and Oshionebo, 2003). In this section the results of the data analyses are discussed for general understanding of the study.

This study was carried out at Federal University of Technology,(FUT) Minna on the assessment of collective bargaining and industrial conflict management. The hypotheses

formulated earlier were geared towards proffering solution to this problem. The major variables for testing the hypothesis as contained in the analyses and interpretation section above formed the point of the discussion. These variables are not just industrial relations mechanism strategy for Nigerian Universities but which must be adhered to in managing industrial conflict in any organization.

4.4. 1 Best way to handle Industrial Conflict

The researcher interviewed ASUU members and Management staff on the best way to handle industrial conflicts between ASUU and Management in FUT, Minna and we gathered that, the collective bargaining is the best way to handle industrial conflict. This is also in conformity with the questionnaire administered as depicted in table 4.5 by the majority of respondents 158(68%), this shows that collective bargaining is the most effective strategy for conflict management.

This is also supported by literatures as Adewole (2010) asserted frequent eruption of industrial conflict between employers and employees in general can be effectively managed through collective negotiation and consultation with the workers representatives.

4.4.2 Avenue for Improving Industrial Harmony

Section 4(1) of Trade Dispute Act provides that "if there exists agreed means for settlement of the dispute from this Act, whether by virtue of provisions of any agreement between organization as representing the interest of employers and organization of workers or any other agreement, the parties to the disputes shall first attempt to settle it by this means". This implies that, parties in industrial conflict must first of all utilize the collective bargaining mechanism in managing conflict.

The researcher interviewed some management staff and ASUU members of FUT, Minna, on how conflicts are been managed in their University and we gathered that almost all the industrial conflicts between the parties are always resolved through collective bargaining. They added that at the beginning the mechanism may not have achieved the purpose of resolving but when other mechanisms failed, like mediation, they will resort to negotiation again in resolving their differences. This is the rationale behind 219 (90%) of the respondents in table4.6 of the analysis section who opined that collective bargaining has help in enhancing industrial harmony in Federal University of Technology, Minna. Gomez et al(2003) was also in agreement with the above findings as they says collective bargaining has been noted to help promote cooperation and mutual understanding between workers and management by providing a framework for dealing with industrial relations issues without resort to strike and lockouts.

4.4.3 Effectiveness of collective Bargaining and Conflict Management.

The researcher also gathered from the interview conducted that the collective bargaining is the most effective strategy for managing industrial conflict and this is also in conformity with the responses of the majority of the respondents 224(97%) as indicated in table 4.7. This also agreed with Taylor (1986) suggestion that the best way to resolve conflictsin labour relations is through collective bargaining and joint consultation between the management and representatives of labour.

Eze (2008) observed that labour and management can get rid of the industrial conflict through roundtable dialogue (collective bargaining) taking time to look at policy formulated and the way to implement the policies in the university. He went further to argue that chaos, anarchy and clandestine meetings cannot precipitate industrial peace.

Ezedienu (2009) opines that streamlined effective dispute settlement is a sine-qua-non for efficient and effective administration in the university, just like other tertiary institution in the country.

4.4.4 Adherence to Collective Agreement and conflict management.

Section 48 of the Trade Dispute Act defines "collective agreement as any agreement in writing for the settlement of disputes and relating to terms of employment and physical condition of work concluded between an employer, a group of employers or organizations representing workers, or the duly appointed representative of any body of works, on the one hand and one or more trade unions or organizations representing works, or the duly appointed representative of workers, on the other hand".

The outcome of collective bargaining is referred to as collective agreement. Therefore, the parties involved in collective bargaining supposed to adhere strictly to the agreement reached.

Table 4.14 of the Analysis section revealed that the management and ASUU in Federal University of Technology, Minna partially adhered to collective agreement reached as 207(89%) of the respondents massively supported the opinion. Our discussions with some management and ASUU executives in the University show that these actors hardly adhere strictly to collective agreement reached. We also gathered from the principal officers that thecollective agreement reached with ASUU by the Federal government of Nigeria at the national level cannot be strictly adhere to in their university without the government making necessary provision for the implementation.

4.4.5 Urgent Compliance to Collective Agreement

The parties to collective agreement are supposed to comply promptly without any delay as it is the outcome of their negotiation. Table 5.15of the analysis sections revealed that the management and ASUU in Federal University of Technology do not promptly complied with collective agreement reached as 199(86%) of the respondents attested to this fact.

The researcher gathered from the interview held with some management officers and ASUU executives in Federal University of Technology, FUT, Minna that the major cause of discrepancy in responses from the University has to do with transparency, sincerity and accountability of principal actors in this University.

The researcher also gathered information from ASUU executive that the principal officers are not transparent in their dealings with the ASUU when it comes to compliance to collective agreement. While some principals officers we interviewed were of the view that whenever resources are available to comply with collective agreement reached with ASUU either at the national level by the Federal Government or not, the University will promptly respond to that agreement. This contention shows that there is a communication gap between the principal officers and ASUU executives in Federal University of Technology,Minna on the ability of the University to meet the collective agreement reached any by extension both parties lack a mutual trust.

4.5 Major Findings of the Study

Findings from this study have revealed the following:

i. Collective bargaining is the most effective approach for industrial conflict management and promotion of harmonious labour-management relations in FUT, Minna. This goes in line with Taylor (1986) suggestion, that the best way to resolve conflict in labour-relations is through collective bargaining and joint consultation between the management and representative of labour.

ii. The delay in compliance to collective agreement contributed significantly to industrial conflicts between ASUU and Management of the Federal University of Technology, Minna.

iii. The causes of industrial conflicts between ASUU and Management of the Federal University of Technology, Minna were poor consultation, poor working condition.

iv. The management and ASUU of the Federal university of Technology, Minna partially adhered to agreement reached between them, which usually resulted in to industrial act.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Summary

Ultimately, research study is all about to discover the underlying cause(s) or principle(s) behind a phenomenon. For instance, the central focus of this study was to assess the effectiveness of the collective bargaining as a strategy for Industrial Conflict Management in Nigerian Universities. To achieve this Federal University of Technology (FUT), Minna was chose as a case study. The time frame for this study was from 2001-2010, this period was characterised by series of industrial actions in our Universities. Data for this study was collected from both primary and secondary sources. Yamane's sampling technique was used in arriving at the sample size of this study. The study used Mary Parker Follett Conflict Management Theory as its theoretical framework.

On the whole, this study has established that collective bargaining is the most effective strategy for industrial conflict management in Federal University of Technology, Minna. It further argued in this study that for any meaningful socio-economic development to occur governments must ensure stability in educational sector at levels. It is also the submission of this study that, collective bargaining as a conflict management strategy is central to any government and stakeholders in industrial relations that is set to ensure industrial harmony and stability in our educational system and extension the national development.

5.2 Conclusions

An attempt has been made in this study through a case study research to assess how collective bargaining can be employed as a strategy for industrial conflict management relations at the workplace generally. A critical look at the respondents' views has amplydemonstrated that collective bargaining has gained prominent degree of recognition as an effective approach to conflict management and industrial harmony not only in the literature but also in practice. This agrees with Ubeku (1985) and Fashoyin (1992) findings that strike is destructive both to the employers, employees and the society at large, leading to decrease in productivity, loss of contract year, loss of profit resulting from loss of revenue, net earnings and idle equipment.

As such, every university could employ collective bargaining in managing industrial conflict as it create room for divergent interest of the actors to be put forward for discussion in a round table conference with the aim of integrating them or coming out with lasting solution to the conflict(s).

Also, this study revealed that the breach of collective agreement contributes significantly to industrial conflict in Federal University of Technology, Minna. This was because the majority of the respondents in the six (6) variables confirmed to this assertion.

5.3 Recommendations

It is in the light of above findings that this research study strongly recommends the following for implementation.

i. The government, business organizations, employers of labour, employees, non-profit organizations and all stakeholders in industrial relations should endeavour to

embrace collective bargaining, consultation with union representatives and negotiation between employers and employees as the machinery to manage industrial conflicts in their effort to promote industrial harmony, enhance employees performance, increase productivity and improve the living standard of the generality of the people.

ii. The management and employers of labour should always avoid delay in compliance to collective agreement reached with the union representatives.

iii. The management of the Federal University of Technology, Minna should ensure that they adequately consult their lecturers on any issues that affect them and also to try as much as possible to improve the welfare their employees by given them their entitlement as at when due.

iv. The management in order to maintain industrial harmony should ensure that they implement collective agreement reached to the latter.

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APPENDIX 1

DEPARTMENT OF PUBLIC ADMINISTRATION,

FACULTY OF ADMINISTRATION,

AHMADU BELLO UNIVERSITY,

ZARIA - NIGERIA.

Dear Respondent,

Questionnaire

The researcher is a postgraduate student of the above named institution conducting aresearch entitled: "Assessment of Collective Bargaining and Industrial Conflict Management in Nigerian Universities; A Study of Federal University of Technology, Minna.

This questionnaire is an integral part of the study and it is design to seek your opinion on the subject under investigation as one of the requirements for the award of Master of Science Degree (Public Administration) of Ahmadu Bello University, Zaria.

The researcher assures you that the information you will give is purely for academicpurpose and will be treated as confidential. Your kind cooperation and honesty is greatlyappreciated.

Thank you for your anticipated cooperation and kind consideration.

Researcher,

Mohammmed, UsmanKutigi.

APPENDIX 11

QUESTIONNAIRES

Part A: Personal Data Please tick the option that is applicable to you.

1. Gender: a. male ( ) b. female ( ).

2. Age: a. under 30 ( ) b.31-40 ( ) c. 41-50 ( ) d. 50-60 ( ) e. above( ).

3. Educational qualification: a. B.A/B.Tech( ) b. Masters ( ) c. PhD ( )
d. Associate( )Prof. ( )e. Prof. ( ).

4. Years in service: a. 1-10 years ( ) b. 11-20 years ( ) c. above 30years ( )

Part B: Collective bargaining and its effectiveness for industrial conflict management(as related to hypothesis one).

1. What do you think is the major cause of industrial in your University?
a. Poor consultation ( ) b. Inadequate fund ( )
c. poor workers welfare ( ).

2. Do you agree that collective bargaining has helped in enhancing industrial conflict management in your University?
a. Agreed ( ) b. strongly agreed ( ) c. Disagreed ( )
d. strongly disagreed ( ) E. undecided ( ).

3. Do think most industrial conflicts were resolved through collective bargaining in your University? a. Yes ( ) b. No ( )

4. What do you think are the causes of failure of collective bargaining in your university?

i. _____

ii. _____

iii. _____

5. What do you consider to be the most effective approach to industrial conflict management in your university? a. collective bargaining ( )
b. confrontation ( ) c. Demonstration ( )d. Strike ( ).

6. What do you think are the effects of industrial conflict in your university?
a. Lowproductivity ( ) b. Labourturnover ( )
c. Lack of cooperation ( )

7. What do you consider to be the best way to minimize/reduce conflict in your university? a. Improve employees welfare ( )
b .Regular review of labour agreements ( )
c.Retrenchment/layoff ( )
d. bribing union leaders ( ).

8. How best do you think industrial harmony can be achieved in your university? a. collectivebargaining ( ) b. strike action ( ) c. petition/criticism ( ).

9. To what extent do you think industrial harmony has helped to promotes cordial relationship through collective bargaining between management and ASUU in your university? a. High( ) b. Very high ( ) c. Low ( )
d. very low ( ).

10. What best way do you think grievance should be made known to employers?
a. Consultation ( ) b. Demonstration ( ) c. Strike action d. Riot ( )

Part C: Delay in compliance to collective Agreement and Industrial conflict (as related to hypothesis Two (11).

11. Do you know whether collective agreements have ever been reached in your university?
a. Yes ( ) b. No ( )

12. Do you think whether management and ASUU adhered to collective agreement reached between them in your university? a. Partial adherence ( )
b. Strict adherence ( ) c. Non- adherence ( )

13. How prompt do you think management and ASUU in your university complied withcollective agreement reached them? a. promptly ( ) b. Not promptly ( )

14. Do you think delay in compliance to collective agreement has contributed significantly to industrial conflict in your university? a. Yes ( ) b. No ( )

15. Do you think whether the breach of collective agreement can contribute significantly toindustrial conflict in you university? a. Yes ( ) b. No ( )

16. Do you think full compliance to collective agreement by management and ASUU cancontribute significantly to the management of conflict in your university? a. Yes ( ) b. No ( )

Appendix II

DEPARTMENT OF PUBLIC ADMINISTRATEFACULTY OF ADMINISTRA

AHMMADU BELLO UNIVERSITY, ZARIA- NIGERIA.

Interview Schedule

This interview is designed to obtain from you relevant data in an attempt to assessing theEffectiveness of Collective Bargaining as a strategy for Industrial Conflict Management in Nigerian Universities using PUT, Minna as its case study, covering the period of 2001-2010.

The researcher assures you that the information you will give, will remain strictly confidential and it will be use only for research purpose.

Thank you.

Researcher,

Mohammed UsmanKutigi.

PART A: For Management Staff

Position _____

Were industrial conflicts mostly in your university resolved through collective bargaining? What strategy do you think is the most effective strategy for industrial conflict management?

Does management do strictly adhered to agreement reached between ASUU in your University?

What makes collective agreement reached to be difficult to comply with?

Do you think delay in compliance to collective agreement can contribute significantly to industrial conflict?

PART B: For ASUU Members

Position _____

Does management always adhered to collective agreement reached in your University?

What strategy do you think is the most effective strategy for industrial conflict management?

What are major causes of industrial conflicts?

Were industrial conflicts mostly resolved through collective bargaining?

What other ways do you think industrial harmony can be ensuring in your University?

Appendix IV

TABLE SHOWING THE VARIOUS WAGES COMMISIONS IN NIGERIA PUBLIC SECTOR

Wage Commission	Year Instituted
Hunt commission	1934
Bridge commission	1941
Tudor commission	1945
Harragn commission	1946
Miller commission	1947
Whitley commission	1948
Gorsuch commission	1955
Mbanefo commission	1959/1960
Morggan Commission	1964
Adebo Commission	1971
Udoji Commission	1974
Onosode Commission (for parastatals)	1981
Cookey Commission (for varsities)	1981
Adamolekun Commission (for polytechnics TT&TC)	1981
UkandiDamachi commission	1990
Minimum Wage Commission	1999
UfotEkaette Presidential Committee on Monetization of Fringe Benefits in the Public	2002

Service	
Pension Reform Commission	2004
Onosode Commission (for universities)	2009