TITLE PAGE

EVALUATION OF CONFLICT MANAGEMENT

IN THE NIGERIAN PUBLIC SECTOR

BY

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CERTIFICATION

This project entitled the Evaluation of Conflict Management in the Nigerian Public Sector by Ugba Msuur Carol meets the regulations governing the award of Masters in International Affairs and Diplomacy, Ahmad Bello University, Zaria and has been approved for its contribution to knowledge and literary presentation.

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DECLARATION

I hereby declare that this project is original and product of my research work. All materials used have been properly acknowledged accordingly in the Bibliography.

SIGNED:.....

DATE: 29-6-22.....

DEDICATION

This Project work is dedicated to God Almighty for his mercy and blessing and Professor and Mrs. I.I. Uvah for their love and care for me.

ABSTRACT

This study was designed to evaluate the industrial conflict in the Nigerian public sector. The study has identified various strategic that are used in managing conflict in the public sector which include dispute procedure, collective bargaining, management by Dbjective and unorthodox strategy.

It has been concluded from the study that though collective bargaining is the most effective way in resolving or managing conflict between management and workers in the public sector. It is rarely used as a conflict management strategy in the Nigerian public sector.

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CHAPTER ONE

1.1 INTRODUCTION:

Conflict is inevitable in human relations and organization. Conflict arise as a result of self perpetuation of interest and it has positive and negative side effect. Conflict however, can not be completely avoided or eliminated in human relations as a result of human nature, though, it can be managed.

The Nigerian public sector is characterised by the Government and it's organs. The Government and it's organs have objectives to achieve and utilize resources both human and non-human resouces in other to achieve their goals. In the cause of organising the reources for produtive purposes, organizations are formed and these ogranizations employ personnel and other resources. The interaction of the personnel in the organization inevitably cause conflict which could be as a result of leadership failure, stupidity, greed, failure to control, differences in personnel values, poor management etc.

The management of conflict entail minimizing side effects of conflict and bringing out the best of conflict for the benefit of the organizations and the society. The title of the study "Evaluation of conflict management in the Nigerian public sector" is thus thought appropriate.

1.2 STATEMENT OF THE PROBLEM

Human behaviour is complex to understand more so as it relates to the Nigerian public sector. Conflict is an aspect of such human behaviour involving at least parties who are in competition and are aware of the incompatibility of potential future position that is incompatible with the wishes of others.

There has been various expressions of conflicts in the Nigerian public sector right from the colonial era to date. Human conflicts and means of expressing it have taken a new dimension in recent times likewise its management. It can be recalled to mind of recent, the Academic Staff Union of Universities versus Federal Government of Nigeria in 1992 conflict and the manner and way, it was handled or managed. In the same vein the National union of petroleum and Natural Gas Workers verses, Federal Government of Nigeria 1993 conflict. The two unions were proscribed at the various times, threats of sack and intimidation were used to conjure the union to succumb to the wishes of the Federal Government. These means of managing the conflict did no one good as it aggravated the crises. But through dialogue, via collective bargaining, the conflicts were amicably resolved. It is the desire of this research work to identify the various conflict management tools or techniques that can be used to resolve conflict and then evaluate to see which actually has the potential to bring optimal result in resolving conflict in the public sector.

1.3 OBJECTIVES OF THE STUDY

The ways and manner conflict is managed in the Nigerian public sector and the success achieved by the stipulated conflict management process are the main concern of this study. The objectives of the study are to determine.

(1) The causes and possible solutions to the conflict in the Nigerian public sector particularly between the employers and employees.

(2) The adequate or relevance of the conflict management process in the Nigerian public sector.

(3) The workable and realistic long term policy for management of conflicts in the Nigerian public sector.

(4) The structure or procedures for resolving conflict in the Nigerian public sector would be recommended.

(5) The orthodox and unorthodox methods of managing conflict in the Nigerian public sector particularly, the nature and dimensions of conflict betweeen employers and employees in public sectors.

1.4 SIGNIFICANCE OF THE STUDY

This study will provide a way of taking an objective look at the persistent conflict between employers and employees in the public sector based on fact obtained through research rather than opinions that result from personal experiences.

Although complete answers do not exist to all employers and employees conflicts such should not be deterrent to workable towards realistic and workable means of managing conflict in public sector. The result of this will in no small way help in minimizing conflict in the Nigerian sector and its attendant consequences, the net effect will be greater productivity.

Also the study will result to greater attainment of Government objectives as the attendant consequences of conflict and its impidement on the effective achievement of Government objectives will be minimizes if not completely eliminated. It is hope that this study will add to the existing knowledge and practice of conflict management in the Nigerian public sector.

The findings of the research will enable the researcher identify and make necessary suggestions on how to manage conflict in the Nigerian public sector.

1.5 SCOPE OF THE STUDY

Conflict can be between employees and supervisors, between contending organizational units, between management and employees (unions) over power, status and resources.

The study is primarily concerned with the conflict that do arise as a result of the interrelationship between employers and employees in the Nigerian public sector. The study also evaluate the mechanisms for managing the employer and employees conflicts in the public sector.

1.6 RESEARCH METHODOLOGY

The study relies on documents such as books, seminar papers, reports, journals, reports of Government organs set up to enquire into a various causes of conflict between the employees (unions) and the Government. Documents for the various salary review commissions were also utilized.

During the research, the researcher conducted face to face interviews with employees, union executives and management. The researcher also interviewed the workers of various ministries, who are directly affected by the conflict in the public sector.

1.7 LIMITATION OF THE STUDY

The study is limited by lack of time which would not allow the researcher to be as detailed as she wish to be. There was also lack of co-operation from employees thus, employees labeling some information required as "classified" and so not to be made known to the public. The resources available to the researcher could not permit a nation wide coverage, so it was limited to ministries.

1.8 DEFINITION OF RELEVANT TERMS

1. Stress – A condition of strain on one's emotions through work processes and physical conditions.
2. Frustration – Behaviour resection from motivation being blocking to prevent one from reaching a desired goal.
3. Mediation – Is a process in which those involved in a dispute jointly explore and reconcile their differences.
4. Conciliation – The parties involve in the conflict invites the third party for settlement.
5. Arbitration – Where decision is impose on the conflicting parties from above.
6. Participants – Taking part in the dispute settlement.
7. Public Sector – Is made of the Government and it ogans like the judiciary, Executive, Legislature, the public services, Armed forces and the police.
8. Relevant – In the context of this study means assistance, value or benefit to be derived from applying a technique.
9. Adequacy – Appropriate tool that can be used to effectively achieve the set goal.
10. Organized Conflict – Is that which involves and is expressed by a group of employees.
11. Unorganized Conflict – Is essentially that which is perceived of and expressed by an individual employee.

12. Lock Out – When management lock out employees and thereby prevent them from working.
13. Strike – It is a complete temporary stoppage of work by the workers.
14. Sit In – This is a situation where workers embark on a strike. The report to work as normal but do not perform any duty.
15. Work to Rule – A situation where skeletal services are provided after a strike has been declared, in this case only essential skeletal services are being offered.
16. Go Slow – This strike is not total in the work place. Provision of services is done at the space of the workers.
17. Striker – Measures employees who take part in the conflict.
18. Confligere (conflict) meaning to strike together.

CHAPTER TWO

LITERATURE REVIEW AND THEORITICAL FRAME WORK

2.1 CONFLICT:

Conflict is an important element of social life. Conflict take place between individuals and organizations or groups, between distinct organization or groups, etc.

In the context of the current acute scarcity of peace confronting humanity, to suggest that conflicts are capable of playing any essential role in understanding our diversity and thereby, helping in laying a solid foundation for a culture of peace may sound simply naïve. To many, conflict is nothing but a negative thing to be avoided and perhaps, eliminated.

It is viewed as having only discruptive, dissociating and dysfunctional consequences. Children are brought up to imbibe the belief that conflicts is a defiant, pathological or abnormal behaviour.

Inspite of all efforts, humanity has, however, not succeeded in eliminating conflicts because it is not possible; after all, our diversity and differences are not what we can change at will as we do our clothes. It follows therefore, that the first step as being more

effective at harnessing our diversity for peace is to start to understand that the positive potential inherent in all situations discords is certainly greater than people think.

Everybody urges co-operation yet conflict has proved unavoidable in our every day interaction. The truth is that conflict has proved endemic because it is natural and inevitable in any interactive relationship, particularly of living beings. We, therefore, need to change our thinking about it by getting to know it more intimately and, thereby, demystify it of its enigmatic status.

In a general sense, conflict is usually though as war disguised under another name, where as war itself is a specie of conflict. In culturally diverse societies, conflict is most often conceived as incosistensies in motions, sentiments, purposes, or claims of entities, and sometimes to the process of revolving these inconsistencies. Other common connotations are, in the sense of violent collision, a struggle or contest, a battle, a mental struggle, a serious disagreement, an argument, a serious difference of opinions, wishes etc to be in opposition or to clash. The street fight of two small boys, the forensic contention in a Law court, the police suppression of mob violence in the state, the collision of two automobiles and a combat of two or more sovereign stales are different examples of manifestation of conflict.

Orginally, conflict which is from the Latin word confligere, meaning to strike together, had a physical rather than moral connotation but the English version had acquired both connotation over time. Different types of conflict in which two or more entities try to occupy the same space at the same time is distinguishable from political conflies by which a group tries to impose its policy on the other. These two can also be distinguished from ideological conflicts in which systems of thought or of value struggle with each other and from Legal conflicts in which controversies over claims or demands are adjusted by mutually recognised procedures. War is characterised by the union of all or some of these four types of conflict.

These are, however, distinguishable from the structure of conflict which consists of the source of differences among individuals or groups. Such sources could be interests, understanding, ideology or beliefs. Hence, we have conflict of interests which is a discrepancy in preferred outcomes to itself and others, and it often manifests in competition for tangible resources or rewards. The extreme case of this kind of conflict is when one person's gains are directly proportional to another's losses, this referred to as zero sum outcomes, where as the opposite where one's gains are equal to those of another is known as positive – sum out comes. While situations that lie between these extremes, where there are elements of both competition and co-operation are referred to as mixed – motive out comes.

Conflict of understanding involves disagreements between self and other over the best way to accomplish a share goal, this is often referred to as conflict of alternative cognition. Unlike that of interest, the disagreement is not on who should get more but on how both can get more". One conflict that has proved infractable is the conflict of ideology, since ideological differences add a competitive dimension to conflicts caused by differences of understanding. This shows why people are less willing to compromise while at the same time seeing the opponent as the one being less willing to compromise and being

Conflict, may be defined as a situation of competition in which the parties are aware of the incompartibility of potential future positions and in which each party wishes to occupy a position that is incompatible with wishes of others. Our definition of conflict includes two little words "aware" and "wishes" each of which is laden with philosophical dynamic.

Conflict is the term of many uses, according to Boulding (1962:5) He defines conflict:

> *As a situation of competition in which the parties are aware of the incompatibility of potential future position that is incompatible with the wishes of the others.*

He stress that conflict arise as a result of incompatible competition for the same interest by two or more parties. According to March and Simon (1958:122) ***"Conflict occurs when an individual or group experience a decision problem".*** It is implied by March and Simon's definition that conflict will not arise if there is no decision problem. What brings about conflict is problem with decision and not necessary the incompatibility of interest. Sandole (1984:279) sees the perception of incompatible interest as the essence of conflict; What one party wants, the other has and so on.

Sandole (1987:17) says conflict may be defined then,

> *As escalated, natural competition between two or more parties about scarce resources, power and prestige. Parties in conflict believe they have incompatible goals and their aim is to neutralize, gain advantage over, injure or destroy one another.*

From the foregoing definition, it can be agreed that what is conflict is the awareness or percetption of incompatible interest by two or more parties. Each party desiring the same thing at the same time.

It is believed by many that conflict often produces negative effect, it is now widely recognized that it can yield major benefits as well. For example conflict between individuals or group within an orgnization often help discover persistent problems so that they can undergo careful scrutining. In this manner, conflict sometimes has the effect of increasing communication between opposing sides. And communication of course is essential to enhanced co-ordination and related benefit. Samuel Deep (1978:207-211) agreed when he said that conflict can be constructive and destructive. He have this to say on constructive conflict.

> *It spotlights problems that require attention and it invigorates people to strive for permanent solutions, ... A related benefits of conflict is that it creates an awareness of problems, forces clarification of their nature and direct the efforts of the organization towards finding solutions. He has this to say on destructive conflict;*

> *Conflict often make difficult the achievement of organization goal ..... conflict creates stress in people ..... The principal destructive force at conflict in organization results from a distortion of goals ..... conflict at any level in the organization is more certain to be destructive when the parties in conflict see that the resolution is likely to be "win – lose" rather than "win – win".*

However, the way he presented his arguments seem to suggest that the two are in different compartments. However, I believe you can have construtive conflict and also destructive conflict or vice versal at the same time. The only thing is that, the presence of one can be greater, we can refer to that conflict by the name, then that is understandable.

2.2 **CAUSES OF CONFLICT IN THE PUBLIC SECTOR:**

There are many causes of conflict as shown by various Authors. While Deep (1978 – 144) identified four of them namely;

(a) Competition for scarce resources

(b) *Line/Staff disagreements*

(c) Differences in personnel values

(d) Lack of clearly defined responsibilities

March and Simon (1958 – 112) believed that difficulty in relating an action alternative is responsible for conflict. "Boulding (1962:5) identified awareness to the incompatibility of potential future position as cause of conflict. Sandole (1987:279), identified the perception of incompatible interest as the root cause of conflict. None of them

however, could identify *"greed"BS* a cause of almost all our problems in Nigeria every body simply has strong desire for more. Greed also cause conflict for the fact that because of the desire for many, jealously is born resulting ultimately in conflict. This occur because the greedy individual often reason that he has a rightful possession for what he believed would satisfy his greed. This *"greed"*seems to be root cause of conflict between employers and employees in the Nigerian public sector.

Conflict is usually thought of as war disguised under another name, where as war itself is a specie of conflict. In culturally diverse societies, conflict is most often concerned as inconsistencies in emotions, sentiments, purposes, or claims of entities, and sometime to the process of resolving those inconsistencies. Other common connotations are, in the sense of violent collision, a struggle or contest, a battle, a mental struggle, a serious differences of opinions, wishes, lack of industrial tradition, certain management practices such as bad communication with employees, improper supervisory practices etc. causes conflict in the public sector^^ ^ JTUBRAP^

I KASHm

In a paper presented by A.D. Braimol titled Industrial conflict; The need for organizational communication strategies on the occasion of the National conference on Industrial relations in Ibadan (1983) he outlined the causes of industrial conflict in Nigeria as:

1. *Demand for increase in salary*
2. Government policies/Legislation
3. Demand for better conditions of service
4. Non implementation of National awards for example recently the Federal Government of Nigeria has increased salary for the public servnats and instructed various states to implement accordingly. But some states are refusing on the reason of lack of adequate funds.
5. Miscellaneous factors – such as the pressure by unions for the release of union leaders arrested by the police and pressure for the removal of the branch manager.
6. Contagious factors such as sympathy strike as a show of solidarity and commitment to a group of workers or to object to any detrimental action taken by any Government in a political sphere.
7. Misunderstanding.

Differences in perception-system are important sources of conflict in the sector. There is at work in the system the dialectic of image and reality. The behaviour or the management and workers is a function of its image of the organization and of its value system.

Conflict in the public sector governed by what Boulding calls the threat system. The threat punishment, the threat of conquest and the threat of anihiliation. Conflict in which the super powers are

directly and competitively involved threatens humanity with extinction.

It is important to state that as the structure of the public sector changes, the patterns of conflict generation in the public sector level also changes.

In a more complex social setting conflict also arise from a (possible temporary) scarcity of goods which existing value system define work – while or desirable and over which competition occurs. Fred Hirsch has pointed out that circumstances of scarcity may arise both over material/goods (oil wells, motor cars,) and positional goods (roles as managers, permanent member of a Council etc.

2.3 **EXPRESSION OF CONFLICT:**

Conflict between employees (Unions) and employers known as industrial conflict exist and can be expressed in a variety of ways. There is organized and unorganized conflict. Organized conflict occur where the employees group themselves to express their grievances using the right channel. While unorganized conflict occur where the conflict is grieved or expressed by individuals without following the right channel.

Thus, stressing the persuasiveness and variety of industrial conflict, Kerr (1964:171) wrote:

Its means of expression are unlimited as the ingenuity of man. The strike is the most common and most visible expressions. But conflict with the employer may also take the form of peaceful bargaining, and grievance handling, of boycotts of political action, of restnction of outputs, of sabotage, of personal turnover.

Similarly Korn Hamser et at (1954:12-13) noted that industrial conflict includes:

.....the total range of behaviors and attitudes that express opposition and divergent orientation between industrial owners and manager on the one hand and working people and their orgnizations on the other.

^ W M I B K A H i r l ^ l

Although conflict can be expressed and indeed take a variety of forms, the commonest and most visible of these are;

1. Strike - a complete temporarily stoppage of work by a group of employees in order to express a grievance or impose a demand. If is done by a group, the strike is calculative, it is initialed by the employees.
2. Lock out is usually done by the employers preventing the employees from coming in. It out put restriction.
3. Overtime ban - prevent workers from doing extral work outside their normal working hours.
4. Work to rule - working strictly to the terms of the contract of the employment, management can not give terms outside what is stated on employment contract.

5. Go slow – workers simply produces below the normal efficiency.

Though often ignored, is the fact that employers like workers who can and do also perceive and express conflict in a number of ways.

Korn Hauser et al, (1954 :14-15) says of such ways is the adoption of an autocratic (Unitary) management style some time manifected in strike control systems and opposition to trade unionism and collective bargaining. When conflict by employers is expressed in a manner similar to a strike, this is called a lock out. Thus Ross (1948:106.107) wrote;

> *The only essential difference between a strike and a lockout is what the union takes the first overt step in one case and the employer in the other.*

It can be summarized therefore, that, conflict between employers and employees can be expressed in a variety of ways and not only by the employees but also by the employers.

2.4 **CONFLICT IN THE PUBLIC SECTOR:**

Conflict in the public sector occurs in many forms and setting ranging from dramatic electoral contest for high public office, great constructional struggle over fundamental principles and bitter clashes over constructional struggle over fundamental principles and bitter

clashes over constroversial policy issue to the more mundance problems that occur in the daily life of the polity. In the conduct of the public affairs, conflicts are inevitable between public Agencies officials and the clients they serve, between units within agenies and across Government jurisdictions and between public sector management and labour unions.

Conflict in the public sector consists of sources of differences among individuals or groups. Such sources could be interests, understanding, ideology or beliefs. Hence, we have conflict of interest which is discrepancy in preferred out comes to itself and others. And it often manifests in a competition for tangible resources or rewards. The extreme case of this kind of conflict is when one person's gains are directly proportional to another's losses, this is referred to as zero-sum outcomes where as the opposite, where one' gains are equal to those of another's is known as positive – sum outcomes. While, situations that lie between these extremes, where there are elements of both competition and co-operation are referred to as mixed – motive outcomes.

Conflict of understanding invloves disagreements between self and others over the best way of accomplishing a set of goal. This is often referred to as conflict of alternative congnition. Unlike that of interest, the disagreement is not on who should get more but on how both can get more. One conflict that has proved intractable is the

conflict of ideology, since ideological differences add a competitive dimension to conflicts caused by differences of understanding. This is why people are less willing to compromise while at the same time seeing the opponent as the one being less willing to compromise and being less satisfied with the outcome.

Conflict has, however, undergone a much greater transformation in the public sector in recent time. The result of this is the realization that conflict is not necessarily a negative concept and that in fact, conflict if well managed leads to co-operation and the achievement of the set goal. Recent studies have show that conflict can be positive and a sense of creativity and change. It become negative and subsequently destructive only when it is allowed to degenerate into violence.

Conflict, is an outgrowth at the diversity which characterizes human thoughts, systems and structures; it is therefore, not to be seen as either positive or negative. Since it is part of our existence, it is within our power and influence to make it either to serve positive or negative ends. And these power and influence are inherent in the ways we deal with conflict.

Despite the ubiquity of conflict in the public arena untill recently, there has not been a systematic effort to study conflict management in the public sector. It may be that the very pervasiveness of conflict

has made it appear unnecessary or even impossible to isolate it for separate and specialized inquiry.

2.5 **CONFLICT MANAGEMENT:**

Conflict Management is a major task in the imperative search for peace in the public sector. The search for peace is undoubtedly informed by a thorough understanding of conflict theory and by a willingness to relate this understanding to the peculiar and specific characteristics of the system.

In organizations one of its functions is to avoid conflict by specifying in advance the relationship between the people who will do the work. The very existence of a formal organ almost insures that conflict will occur. These "build in" conflicts came about from the competition for scarce resources, line/staff disagreement, differences in personal values and lack of clearly defined responsibilities, (Deep 1978). All these point to the simple fact that instead of trying to avoid conflicts, energies should be focused on ways of managing them.

> *Sandole (1987:4) define conflict management:*
> *As synonymous with conflict regulation more comprehensive than conflict intervention which focuses on third party activities and more comprehensive than conflict resolution which may or not be the end result of conflict management.*

Sandole further states that conflict intervention occurs when an outside or semi-outside party self consciously enters into a conflict

situation with the objective of influencing the conflict as desirable. All intervention alters the power configuration among the parties. This all conflict intervention is advocacy. There are no Neutral (Sandole 1987:20).

The theory of conflict regulation and management is adopted because conflict in terms of "tension" and "frustration aggression" hypotheses has become less fashionable and has moved into a structural analysis of conflict situations. In short, the theory of conflict has been reoriented in the direction of the structural origin of conflict and also in the direction of the study of behavior in the conflict situations.

The basic role of peace keeping as a tool of conflict management, as pointed out by Hampson is to include mutual positive motivations for problem solving, improve the openness and accuracy of communication, help diagonise the processes and issue of conflict, and regulate the interaction among the participant when necessary is very useful to this study.

However, Rahim (1990:1) sees conflict management, as doing everything in our power to ensure that its (Conflict) positive effects are maximized while its negative and potentially disruptive effects are minimized.

The research strongly identifies and agreed with the definition by Rahim. Based on his definition anything that can be done to reduce the negative effect would be seen as managing of conflict. This means that conflict intervention, regulation and resolution are all part of managing conflict.

Conflict resolution and intervention most of the times encompass dispute procedure. Dispute procedure is meant the route, steps or processes for handling complaints, grievance or disputes involving an individual employee or group of employees. The purpose of a dispute procedure is to help resolve industrial conflict. Marsh (1966:vii) succinctly put it thus;

> *The main object of the machinery for reconciling differences are to make, apply and interpret collective agreements and to deal with grievances, expressed in the broadest possible terms. Procedures are treaties of peace and devices for avoiding war.*
>
> ..... *Mechanisms must be created for settling conflict, that is adjusting inconsistent behavior patterns among the organization members to an acceptable level of complementality.*

This mechanism he further stated could take the form of;

1. Entrusting conflict setting authorities to person's in the organization.
2. Use of some rule based upon the assumption that everyone involved has equal authority (such as majority rule).

3. Or Reference to some traditional set of behavioural rules considered binding.

When conflict resolution mechanisms are working smoothly, all the parties with a stake have adequate representation in the forum and can bargain towards a win-win out come that satisfies at least some of their needs. If a good resolution to the conflict is achieved, the outcome sticks and contributes to the ability of the system to resolve other conflict as they arise, rather than allowing them to foster.

Conflict resolution implies that there is joint participation of the parties in reaching the outcome. This also is an assumption that the outcome is atleast to some extent satisfactory for all the parties involved. They are willing to live with it, or with parts of it or live with the procedure established by the resolution process to resolve other conflicts.

2.1.1 **FORMAL STEPS IN GRIEVANCE PROCEDURE:**

It must be emphasized that, there is nothing wrong in aggrieved workers appealing against a settlement through the grievance machinery. Indeed grievance procedure is an important element of Labour relations in so far as its aims at conflict minimization. It does this by providing an effective channel for communication in industrial relations – if worker or employees feel they have been unjustly treated, they can appeal their case through the grievance system.

In Nigerian, unions/workers are allowed by law to declare a trade dispute provided they observe the laid down procedures and inform the ministry of labour accordingly, after which the due process of conciliation, mediation, arbitration and litigation can follow where necessary. In the event of an industrial dispute which may be detrimental to the nation's safety, the Minister of Labour, Employment and Productivity could set up a commission of enquire to by-pass the industrial Arbitration panel.

1. Mediation – Before a trade dispute, is reported, both parties to the dispute shall meet within seven days of the existence of the dispute with a view to resolving the dispute by making use of the collective bargainning machinery. If after seven days, the existing collective bargaining machinery fails to resolve the dispute, either party to the dispute wishing to pursue the matter forth shall declare a trade dispute and inform or notify the Minister of Labour, Employment and Productivity in writing the point of disagreement clearly.

2. Conciliation – Within 14 days of the receipt of the notification of the dispute, the Labour Minister is expected to take some steps to effect a settlement. The Minister will normally appoint a conciliator to inquire into the dispute. If the concilator succeeds in bringing settlement he signs a binding collective agreement.

Should he fails, he refers the dispute back to the Minister. This take seven days.

3. Arbitration – The Minister then refers the dispute to arbitration. The Laws, however, require only the Minister of Labour, Employment and Productivity to bring a case before the Industrial Arbitration Panel. The arbitration panel is expected by Law to make it awards within 21 days of its appointment. In rare cases does the tribunal complete its assignment on schedule, perhaps due to unco-operative attitudes of the disputants. However, the tribunal makes an award which if accepted by the parties, will be confirmed by the Minister.

4. Litigation – Finally, if either party to the dispute challenges the award, the Minister will refer it to the National Industrial Court. The award by the N.I.C. is both final and binding on the parties it relates.

Following Kenneth Boulding and K.J. Holste, some theoretical patterns of behavior of antagonists in a conflict situation can be identified as follows:

1. Avoidance – a method of preventing and controlling conflict through a deliberate policy of parties to the conflict simply

removing themselves from one another and increasing the distance between them to the point where the conflict ceases for lack of contact. This is unsatisfactory approach, most conflict resurface in another context some other time.

2. Conquest – Is an extreme from of avoidance. It is the case where one of the parties is removed completely or removed from the scene usually by the most powerful. This is similar to forcing methods as advocated by Samuel Deep (1978) where by a resolution to conflict if imposed by the individuals within the organization who have the authority to enforce decisions. This perhaps is just a short-run measure.

3. Procedural resolution on its part has three components namely reconciliation, compromise and award (Boulding 1962). This method of procedural resolution is often resorted to when both parties can neither conquer nor avoid each other.
4. Submission – which is usually included by the exercise of threats, the threats can come in the form of a symbolic show of weapons and threats of economic sanction.

5. Compromise – Require that both sides agree to a partial withdrawal from their initials positions. The major problem in resolving conflict through compromise is to have both sides

realise that the price of continued conflict is higher than the costs.

6. Award – Is perhaps the most objective involving as it is, the participation of a third party. The problem with award as a method of settling is not so much the need to persuade stage to extend willingness to submit their dispute for binding decision by the court of justice as the need to persuade them is to accept the decision of the court as authoritatively binding.

7. Passive Settlement – as a method of settling conflict, is when a conflict situation between two parties persists for a long time. The antagonist, may implicitly accept a new status-quo as partially legitimate.

2.1.2 **COLLECTIVE BARGAINING:**

Collective Bargaining – It is where employees joins with employers to devise joint rules or to detemine the terms of employment. It is collective because employees (worker) associate together, normally if not invariably in trade unionism in order to bargain with employers.

2.1.3 **CONCEPT OF COLLECTIVE BARGAINING:**

The concept of collective bargaining refers to that method of job regulation where workers unions and employers jointly determine the terms of employment.

In Dr. (Mrs.) Olufeagba's Articl (1983 p.10) She refers to the concept of collective bargaining as a process or collective agreement as reached between the employers and the workers.

2.1.4 **STRUCTURE OF COLLECTIVE BARGAINING:**

1. Bargaining level – place where bargaining is discussed.
2. Bargaining extent – refers to the number or proportion of employees or employers covered by collective bargainig or agreement.
3. Bargaining Institutionalization – refers to the degree which the bargaining process at each level is formalized.

Others are Bargaining scope – aspect of work for negotiation, union security – support by the employers to union efforts. Also there is bargaining path bargaining control respectively

2.1.5 **THE PROCESS OF COLLECTIVE BARGAINING:**

When Industrial harmony is threatened by a conflict between management and workers, collective bargaining plays a prominent

role. Collective Bargaining begins with the identification of the objectives of the respective parties to the conflict.

Collective Bargaining process goes into certain conversations, some of which can be briefly discussed here. Post Bargaining issue should not be allowed to resurface, secondly, what has been agreed upon in the bargaining process should be honoured by both parties. Also accommodation and compromise should be allowed to play a prominent role in the agreement to be reached so as to reach a point where both parties are satisfied.

Collective bargaining is thought to be a veritable tool for resolving conflict as the issues at stake are freely discussed and solutions arrived at, it also assist in everting conflict as it stipulate procedural or mechanisms for solving/or averting conflict. The short-coming of this method is that it does not treat the issues even though they are discussed in the open but to prevent them from causing further problems. Usually the parties are not completely satisfied. To some extent collective bargaining close the gap between employers and employees. It is actually a better method of avoiding/settling conflict in the public sector of the Nigeria economy, although in practice it does not work as imagined.

FOOTNOTES

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CHAPTER THREE

RESEARCH METHOLOGY

3.1 INTRODUCTION:

In any research work, after the problem or the topic has been identified, the next thing for the Researcher to do is to make plans of how the study can be conducted. It involves a proper definition of all the activities the researcher will perform and the techniques that will be used in the Research.

Research method or design constitutes the blue print for the collection, measurement and analysis of data [Bernard .S. Philips 1971:93]. It assist the sceintist to conduct a Research in the face of limited resources. Research method consist of problem formation and data collection methods. It also involved the method of data analysis. It is the opinion of research authorities that writing a research method is writing on the whole research process.

Measurement process in research method helps to make a research fulfil one of the major scientific properties which is verification [Okafor and Ogunika 1296:19].

The idea of measuring in science is always particular, definite and clearly mapped out. The purpose is that the researchers work is verifiable if others are interested in finding out what has been done

measurement at research design level include conceptual clarification or definitions in the consext used in the research. Concepts used in a specified way or sense and clarification will go a long way to help a researcher to proceed from generalization to concret.

3.2 METHODS OF DATA COLLECTION

For the purpose of this study, the method of data collection being adopted is the sample survey method. Sampling means taking a representative opinion of a given entity. We all know that a Researcher is constrianed by limited resources. The reseacher can not be able to sample the opinion of all repondents from the public sector, what the Researcher does is by selecting a representative fraction of his population of study. This involve collection of data from a sample of management, Labour union/Staff and Government bodies that are directly or indirectly involved in the management of conflict in the Nigerian public sector. The data obtained are analyzed to determine causes of conflict in the public sector and the optimal strategy employed in managing conflict in the Nigerian public sector.

3.3 STUDY POPULATION

Population is defined as the tool of all elements subject or member that posses a specified set of one or more common charasteristic. In this study the researcher population is made of the public sector, for conflict exist in all public sector.

3.4 **PRIMARY AND SECONDARY SOURCES OF DATA:**

The primary source of data are those obtained directly from the users of Government Services, Management, Labour unions and Staff Employed by Government or Government bodies.

Questionnaires would have been prefered for collecting primary data for this Research work, however, because of the unusually high level of non-response to Questionnaire on similar studies by other Researchers this has however discouraged the Researcher from making use of these technique. The reasons for poor response could be traced to classified nature of information in the public sector and the fear of employees that such studies will be used against them. This has made the Researcher to use Personal interview for collection of a sample population of the public sector (management, Labour Unions Employees, of Governmental Services etc. (The Interview is conducted in such a way as to get response as to what could have been the general or common cause for conflict in the public sector and the strategies used in resolving conflict in addition to identifying which is not most appropriate or optimal strategy for resolving or managing conflict in the public sector. However, as a result of the inhelent weakness of personal interview to elicit fair response and supply the necessary information, most of the data were sourced from secondary sources.

Secondary data obtained from documentary Research consists of information not obtained by direct contact between the Researcher and the subjects of the Research but rather from writing and publications about the subject from other people. The secondary data for this project have been obtained by intensive study of various write ups especially those of International Labour Organization, Nigerian Labour Handbook, Nigerian Labour Congress, and the Federal Ministry of Labour and Employment. These secondary sources in addition to other publication by Authors and writers on the subject have been used.

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CHAPTER FOUR

DATA PRESENTATION AND ANALYSIS

4.1 INTRODUCTION:

The aim of this chapter is to present and analyze the data collected in the course of the study. We shall begin with a dicussion that was held with those who are involved in the conflict that usually arise in the public sector.

4.2 DATA PRESENTATION:

4.2.1 CAUSES OF CONFLICT IN THE PUBLIC SECTOR:

With the interview conducted from the Staff of the public sector as to the causes of conflict at their various places of work, reason were given by respondents as follow:

(a) Demand for Increase in Salary

The salary paid to employees in the Nigerian public sector is generally poor in relation to the private sector and not in line with prevailing economic reality. It then means that the public sector employees are underpaid and this give rise to conflict with management as employees demand for higher salary and wages.

(b) Government Policies and Legislation

Government policies and legislation that are viewed by Labour/Employees not to be in their interest and overall interest of the nation also is a cause for conflict in the Nigerian public sector.

(c) Demand for Better Conditions of Service

The conditions of service for employees in the public sector is generally poor. The allowances and terms of employment are poor and the enabling environment, facilities and tools necessary for effective performance of duties by the public sector employees are grossly inadequate. The office are grossly overstreched, the tools and facilities needed for effective performance are non-existent and where available grossly inadequate to enable the employees perform their duties.

(d) Non-implementation of National Awards:

The Federal Government of Nigeria ar times do give financial benefits or awards to its employees and then leave it to the State and Local Government to negotiate and implement with their employees and they are denied of their benefits.

(e) Miscellaneous Factors

The Factor can be maltreatment or detention of Labour Union Excellence or representative detrimental action taken by Government in a political sphere etc, cause conflict in the public sector.

(f) Misunderstanding

There is always the potential factor of misunderstanding or misconstruing Government policies and utterances by employees, such policies are misunderstood not to be in the best interest of the employees and the economy generally thereby creating conflict in the Nigerian public sector.

(g) Union Stubborness

Union stubborness or unnecessary and unrealistic demand by unions is another cause for conflict in the Nigerian public sector.

4.2.2 MANAGEMENT OF CONFLICT IN THE NIGERIAN PUBLIC SECTOR:

The task of Managing conflict in the Nigerian public sector is complex and could be in form of conflict intervention, resolution and regulation. There are various strategies that can be used in managing conflict in the Nigerian public sector. Below are the strategies.

(a) Grievance Dispute Procedure

There exist a procedure or mechanism in the Nigerian public sector for resolving or Minimizing conflict and it is termed Grievance Procedure. Dispute procedure is meant the route, steps or processes for handling complaints, grievances or dispute involving individual employees or group of employees. The purpose of a dispute procedure is to help resolve industrial conflict. Indeed, it is the hope of the Government that these procedure is applied, potential conflict can be resolved before it result into real conflict.

The dispute procedure are conciliation, mediation, arbitration and litigation:

(i) Mediation:

This step involve the parties in the conflict inviting a neutral third party to assist them resolve the conflict. The third party is generally acceptable to both parties and help the conflicting parties to explore and reconcile their differences.

(ii) Conciliation:

Where the Mediator is not able to help resolve the conflict the Minister of Labour, Productivity and Employment will normally appoint a conciliator to

inquire into the dispute and help the parties resolve the conflict.

(iii) Arbitration:

This is established for Nigeria and Industrial Arbitration Panel which arbitrate on issues brought before it. The panel is appointed by the Government and only the Minister of Labour and Productivity can bring a case before the panel. So where the conflict is not resolved through conciliation, the Minister refer it to the Arbitration panel. The panel after listening to the conflicting parties arguments makes it awards.

An award confirmed by the minister is binding if accepted by the parties to the dispute.

(iv) Litigation:

This is the last step in the dispute procedure and where the conflicting parties are not satisfied with the awards of the Arbitration panel, the dispute is refered to the industrial court. The award of the National Industrial Court is final and binding on the conflicting parties.

Other procedures of resolving conflicts are:

1. Avoidance
2. Conquest
3. Submission
4. Compromise
5. Award
6. Passive Settlement etc.

(b) Collective Bargaining:

Collective Bargaining is the method whereby the job regulation are jointly determined by worker/unions and employees/management. This process is bargaining because it often requires and involves some compromised (of demands views and position) from both sides to the negotiation and because each side is prepared, whenever pertained necessary, to apply pressure of various kinds including induptial action on the other.

Collective Bargaining is thought to be a variable tool for resolving conflict as the issues at State are freely discussed and solution arrived at. This strategy entail all the parties with a stake adequate representation from and can bargain towards a win-win outcome that satisfies at least some of their needs. If a good resolution to the conflict is achieved, the out come sticks and contributes to the ability

of the system to resolve other conflict as they arise rather than allowing them to faster.

UNORTHODOX STRATEGY

This is to make use of show of power by the Government in resolving conflict in the public. This methods used under this strategy are:

(i) Outright ban of strikes:
Government at the heat of protraction strike by employment been the strike thereby compelling the striking workers to resume work. This is assumes that the conflict is resolved. However, is reality. The conflict resurface in some other form, some other time.

(ii) Proscription of Unions:
Government proscribe union that represent workers interest in conflict the proscribed union ceases to exist and so can championed the casuse or interest of workers in the conflict. The conflict is thus assumed resolved as the employees so not to have a body to champion their demands.

(iii) Wages Commissions:
Government makes use of wages commission to determine wage rates for its workers. The workers are not represented in the commission and the wages thus determined are not satisfactory to the workers. The use

of wages commissions is used as a strategy in resolving conflict in the Nigerian public sector.

4.3 DATA ANALYSIS:

4.3.1 CAUSES OF CONFLICT IN THE PUBLIC SECTOR:

(a) Demand for increase in Salary:

With the discussions held with the respondents majority of the resepondent are of the belief that this is the singular reason for most conflict in the Nigerian public sector. They recount the 1945 general strike which pressed for lighten salary and wages and which indeed compelled the Federal Government to set up the Tudor Advise Commission for review of salaries in the public sector in 1945. Also in 1963, workers in the Nigerian public sector went on strike demanding for higher salaries. As recent as 1992 Academic Staff Union of University went on strike for months demanding for higher salaries for University Lectures Non-Academic Staff Union of Universities (NASU) also went on strike in recent time pressing for higher wages. There are endless instance where conflict in the public sector is caused by demand for salary increase by workers in the Nigerian public sector.

(b) Government Policies Legislation:

Government policies and legislation that are viewed by Labour/Employees nor to by in their interest and over all interest of the nation also is cause for conflict in the Nigerian public sector.

In analysis it was agreed from the discussion held with the respondents and on available statistics or records that unpopular Government Policies and Legislation do create conflict in the public sector several times labour had gone on strikes as a result of increase in fuel pump prices and of recent National Union of Petroleum and National Gas workers (NUPENG) 1993 followed by Academic Union of universities (ASUU) in 1996 pressing for the deannulment and actualization of the peoples mandate of June 12, 1993 presidential elections.

(c) Demand for Better Conditions of Service:

It was agreed from the discussion with the public sector respondents that conflict arise in the public sector at times as a result of demand for enabling facilities for workers to perform. Teachers in both Primary and Secondary Schools did at a time went on strike in Nigeria demanding for provision of chalks which is a teaching aid.

Hitherto chalks were not available in the public schools thereby hampering effective Teaching. Academic Staff Union of Universities also did press for provision of research tools or implements to enable University Lecturers embark on research work which is an integral part of Lecturers duties.

(d) Non-implementation of National Awards:

It is also agreed that this cause conflicts in the public sector as most of the times the States and the Local Government delay or are indeed not willing to negotiate and implement the National Awards at their levels. This result in employees embarking on strike to press for payment of the National Awards at the various levels. It can be recalled of recent the 1993. Babangida 45% increase which led to many State Government experiencing bitter conflict with their employees over non-payment of the award.

(e) Miscellanceous Factor:

It is agreed among the respondents that these factor also cause conflict in the Nigerian public sector. There are several instances of conflict in the Nigerian public sector as a result of Maltreatment or harassment of Union executives and on several occasions the union have insisted on Government dropping charge against the union executives and also apologizing before the conflict were resolved. Also there are instances of conflict

in the Local Government over unstatutory deduction of Local Government allocation by the State Governments.

(f) Misunderstanding:

The respondents were of the opinion that misunderstanding of Government policies create conflict as employees miscontruesue such policies to be retrogressive. There are instance where there were conflicts in the public sector on issues such as promotion, retirement age and benefits, Federal Character Criteria in employment, rationalisation or retrentchment in the public sector etc that are not in the best interests of the employees and the economy generally. This led to conflict in the public sector at various times of this factor – misunderstanding.

(g) Union Stubborness:

It is agreed by the respondents that this factor also cause conflicts in the public sector. The Unions in order to justify and retain members partronage and goodwill engage in conflict. That is, the desire to prove that it is worthwile a Union, some Unions engage Management in unrealistic and unimportant demands which most of the times cannot be satisfied or fulfilled by management there by causing conflict.

4.3.2 **MANAGEMENT OF CONFLICT IN THE NIGERIAN PUBLIC SECTOR:**

(a) Grievance Procedure:

It Is agreed among the respondents that this strategy is rarely used in managing conflict in the Nigerian public sector. This is because of the time wasting involved in the procedure. Days notice has to be given and only after the expiration of a stipulated number of days will the parties be able to move to the next process. Also the concent of the minister of Labour and Employment has to be sought before the conflicting parties can move to some of the steps. Meanwhile, as the parties are in the process of reconcilation the conflict still persists.

It has been agreed that in all instances that the conflicting parties had embarked on this dispute procedure rarely has the conflict been resolved without Government in other forms besides the steps laid down in the procedure intervened to resolved the conflict. In recent times, (ASSU) 1996 conflict with the Federal Government, dispute procedure was used by the parties but along the line Government withdrew and then used other strategies to resolve the conflict.

Grievance Procedure:

In addition to the grievance procedure of Reconciliation, Mediation, Arbitration and Litigation, conflict can also be resolved through these:

1. Avoidance – conflict can be prevented and controlled through policy of parties by simply removing themselves from one another. Although thus is unsatisfactory approach.
2. Conquest – Here one of the parties is removed by the most powerful. This is similar to forcing method as advocated by Samuel Deep (1978).
3. Submission – This is a resolution through the use of weapons and threats of economic sanction.
4. Compromise – Where both parties agree to a partial withdrawal from the initial position. Resolution through compromise help both parties that price for continued conflict is higher than the cost.
5. Award where the parties accept the discission of the court as authoritatively dinning.

(b) Collective Bargaining:

It is agreed among the respondents that Nigerian Government advocate the benefits of this strategy in resolving conflict. Most of the respondents are of the view that the method has the potential of amicably resolving or managing conflict in the Nigerian public sector as it enable the parties to the conflict to

explore the reconcile their differences through dialogue and comprise. It is hoped that through this strategy or method the outcome of the bargain will to some extent alleast be satisfactory to all parties involved.

Based on available records and literature on the subject and the respondent views it is agreed that this method of resolving conflict is hardly used in the Nigerian public sector.

(c) Unorthodox Strategy:

(c.1) Outright Ban of Strike:

The respondents are of the belief that this method is most often used in managing conflict in the public sector. There are several instances where the Government had come out to ban strike is a weapon of expressing conflict by the workers. With that weapon taken away from the workers, they become helpless and not in a position to press for their demands and so conflict is assumed to be resolved or managed. It is also agreed that this method does not really resolve or manage conflict in the long run as the issues resurface in another form some other time.

(c. 2) Proscription of Unions:

The respondence are of the belief that this method is often used in the public sector in resolving conflict. There are a lot of

instance where trade unions have been banned or proscribed by the Government as means of resolving conflict in public sector. The case of ASUU proscribtion in 1996 readily comes to mind.

(c.3) Wages Commission:

Most of the respondents are of the view that Government often result to use of wages commission in determining wage rate in the Nigerian public sector. There are from available literature instances where the Government in response to workers demand for wage increases had used Wages Commission which had no workers representation. The end result is that the demand for review of salary persists.

(d) Management by Objective:

This is a situation where employers and employees jointly meet to discuss things. Where this method is practice, conflict will be easily resolve and manage since workers would be given an open opportunity to express their problems.

4.4 **SUMMARY OF DATA ANALYSIS:**

The analysis of data revealed that there are various causes of conflict in the Nigerian public sector but the dorminant cause if demand for salary increases which is believed to be relatively low at all times

Data analysis on the strategy for managing conflict in the public sector has revealed that collective bargaining and management by objective are the best methods of managing conflict. However, it has also revealed that uses is often if not always made of unorthodox strategy in managing or resolving conflict in the public sector.

CHAPTER FIVE

SUMMARY. CONCLUSIONS AND RECOMMENDATION

5.1 SUMMARY:

Conflict between management and employees, in the Nigerian public sector is inevitable and so it can only be managed not avoided. There are negative and positive effects to any conflict and it can be expressed in many forms including strikes sit in, Lockout, overtime ban etc. The causes of conflict are varied but often in the public sector it is with respect to Salary or Wages demand. There are other causes of conflict in the public sector like Government policies and Legislation, conditions of service, non-implementation of financial awards, miscellaneous factors, misunderstanding ofGoyernment intention etc.

Although, it is true that our polity may require political reform to make it into a structure more capable of ensuring justice and peace, it is also a fact worth knowing that such restructuring does not belong exclusively to the sphere of the political leadership. Attempts to understanding and managing our diversity for justice and peace must involve all of us as individuals and groups.

Management of conflict in the public sector entail minimising the negative effect and maximising the positive effect of conflict in the

public sector and the Nigerian seociety in general. There are various strategies that can be used in Managing or resolving conflict in the public sector and the strategies include dispute procedure which list the procedure that should be followed in resolving conflict when there is conflict. Collective Bargaining which enables the parties in the conflict to dialogue and reach a common consesus on the conflicting issues. Management by objective is another good method of resolving conflict in the public sector. Another strategy employed is the unorthodox method which seems to be so much used in managing conflict in the Nigerian public sector.

5.2 **CONCLUSION**:

Conflict in the public sector occur in many forms and ranges from dramatic eletoral contest for high public offices, great constitutional struggles over fundamental principles and bitter clashes over controversial policy issues to the more mundane problems that occur in the daily life of the polity. In the conduct of public affairs conflict are inevitable public agencies, officials and the clients they serve, between units within agencies and across Government jurisdiction and between public sector management and Workers/Labour Unions. The domain of this study is with respect to conflict that do arise between management and workers in the public sector.

It can be concluded from this study carried out on industrial conflict in the Nigerian public sector that there are many causes or reasons for conflict. However, the most dominant and prevalent reason for endless conflicts in the public sector is the demand for higher wages by Employees/Labour Union to meet the prevailing standard of living. Workers because of economic realities demand for higher Salary packages while Government in its characteristics mannner is not desirous of paying. This causes conflict between the workers and Government. Other important for conflict in the public sector as identified from the study include Government Legislation's and policies condition of service, Miscellaneous factors, misunderstanding.

The study has identified various strategies that are used in Managing conflict in the public sector which include dispute procedure, collective bargaining, Management by objective and unorthodox strategy. It has been concluded from the study that though collective bargaining is most effective in resolving or managing conflict between management and workers in the public sector, it is rarely used as a conflict management strategy in the Nigerian public sector. The study have also concluded that dispute procedure strategy is too combersome and time wasting and so not an effective tool for managing conflict. It has also been concluded from the study that the unorthodox stratgegy is the most preferred strategy in managing conflict in the public sector though it is not an effective and efficient tool for managing conflict in the long run. Perhaps only

in the short run is the unorthodox strategy effective in Managing conflict in the public sector.

One major attitudinal obstacle to the acceptance of conflict as having a positive role to play in managing our social diversity is, perhaps, the belief that conflict usually involves the struggle of the absolutes. Such as right and wrong, and good and evil. In an attempt to move societies far beyond the negative concept of conflict, there is need for a new orientation, an orientation to make people learn that conflict is not always a disruption of order, a negative experience, an error or mistake in a relationship. We need to learn that all conflict partners are not necessarily enemies or non-believers, there is no position in any conflict situation that should be seen as beyond question, to explore the possibility that when conflict are over subjective preferences rather than value, there will always be other aspects of relationship on which we can build positively.

5.3 **RECOMMENDATIONS:**

1. It is recommended that collective bargaining should be used in all instances in resolving conflict in the public sector. Through this strategy all issues whether salary increase or any other issue will be resolved to the satisfaction of all the parties.

2. It recmmended that unorthodox strategy should not be employed in resolving conflict as it is not effective in the long run.
3. There should be participative management and good communication between management and employees in the public sector. This will minimize conflict and create a better forum for quick and speedy grievance settlement.
4. Based on the inflationary trend in the economy, an inflationary index should be used in reviewing salaries of workers in the public sector on a yearly basis.
5. Management by objectives (MBO) should be used in the public sector in order to increase productivity as well as meet the earnings of the staff.
6. It requires us to work together and explore the limitless possibilities inherent in dialogue and co-operation to strengthen our newly regained freedom and openness so that democracy, which we are demanding for, could flourish.

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