



## INDUSTRIAL UNREST: MANAGING THE PHENOMENON

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Article history:	Abstract:
<p><b>Received:</b> February 28<sup>th</sup> 2021 <b>Accepted:</b> March 11<sup>th</sup> 2021 <b>Published:</b> March 30<sup>th</sup> 2021</p>	<p>Industrial unrest in organizations is inevitable phenomenon arising from incompatible goals of different values, beliefs and attitudinal behaviour of both employers and employees. A harmonious workplace that guarantees satisfaction of employees and organizational needs is very necessary in achieving productivity. Where the interest of either management or employees is not protected industrial unrest is likely to occur. This study is aimed at enlightening organizations or government in Nigeria the need to improve workers welfare and implement collective agreement so that workers may not resort to industrial unrest. The findings of the study indicate that industrial unrest has negative effect on the level of economic activities and productivity of organizations in Nigeria. The researcher concluded that the causes of industrial unrest include low remuneration, breach of collective agreement, preventing workers from union and unlawful retrenchment and termination. The researcher also recommend that organizations should have proactive collective bargaining and functional collective agreement.</p>

**Keywords:** Industrial unrest. Proactive collective bargaining. Functional collective agreement

### INTRODUCTION

The disturbances from human and other unforeseen circumstances affecting several organizations or government have become worrisome in both developed and developing countries especially in Nigeria. Human element is the major assets of organizations that requires serious attention and motivational support to drive high job performance. Organizations are expected to provide the right labour force to perform specific tasks that enhance efficiency. Employer and employee peaceful relationship contributes to organizational success and progressive economic development of every nation. Workplace unrest is relatively significant in developing economies that requires remedy to create fairness in its economic growth policies without undermining social justice. Michael (1997) asserted that industrial unrest is the dispute between management and employees which emanate from economic depression in the country exposing workers to a high level of economic hardship. Indeed, industrial unrest is the cacophony that occurs when the goals, values of different individuals or groups are incompatible to each other (Ajewole, 2014). Industrial unrest entails discomfort, disagreement, conflict that affect employees and employers of labour within the organization. The rate of unrest or conflict among the workforce both in private and public organizations degenerate to petitions, antagonism, gossips, consulting several pastors and termination that hinder job performance. Workers are dissatisfied to work in violence prone or non-peaceful organization since it causes anxiety that may be transferred into employee turnover and low productivity. Although, conflict is inevitable and occurs on daily basis which forms part of human life and group activities, it is through the interference of labour unions, conciliation, and arbitration that organizations may manage industrial unrest effectively (Liu, Lv, Li & Tang, 2017). For instance, employees in government institutions especially the state government are not comfortable with the delay in payment of gratuity including the poor handling of workers welfare. Apparently, workers in most organizations have been lamenting over poor condition of service while they use industrial unrest as alternative to attract management or government for negotiation.

Government policies determine the achievement of employees but where it is not favourable to members of the organization it tends to cause industrial unrest such as strike, lockout and picketing. In 2020 the government of Nigeria experienced the famous industrial unrest involving Academic Staff Union of Universities (ASUU) regarding earned allowance, lecturer's welfare, adequate funding of universities and registration for Government's Integrated Payroll and Personnel Information System (IPPIS). Lecturers refused to register with IPPIS and insisted that the operation of IPPIS will short-change members' salaries. Also, the Judiciary Staff Union of Nigeria (JUSUN) embarked on strike demanding for the implementation of judiciary's financial autonomy which means the direct funding for

judiciary workers from federation account. Members of JUSUN express discontent on the manner in which state governors control the funds allocated to judiciary workers which is contrary to the principles of separation of power and independent judiciary. Aderibigbe (2014) revealed that industrial unrest or action has been a counter production device that causes economic setbacks in the country. Chen, Chen & Chen (2018) acknowledged that effective management of industrial unrest could help in reducing the unemployment situation in Nigeria by virtue of collective bargaining and arbitration. Collective bargaining refers to negotiations between employers and representative of workers on working conditions and staff welfare with the plan to reach an agreement. The relationship between management and employees is characterized by suspicion and uncertainty when the management feels the union is formed to expose its deficiencies while labour union assumed that management usually enslave the workers (Awe & Ayeni, 2013). This leads to frequent and severe industrial unrest in Nigeria. Unrest or conflict occurs in all levels of management which could be disruptive even when the organizational goals are inconsistent to the health of the employees. This paper tends to investigate the effect of industrial unrest on production capacity of organizations in Nigeria and the methods of managing the unrest.

### LITERATURE REVIEW

#### Industrial unrest

Okafor and Bode–Okunade (2005) described industrial unrest as a complaint or a grievance which is left unsettled or unattended to by the government or management that is charged with the responsibility for settling the grievance at the primary level. This assumption was consistent with Okougbo (2004) who demonstrated that industrial unrest is any dispute between employers and workers or between workers and workers which is connected with the employment or non-employment, or the terms of employment, and physical conditions of work of any person. Similarly, industrial unrest entails conflict arising from incompatible goals between employers and employees that are unresolved which affects working conditions, remuneration and workers safety. A disagreement or battle between management and representatives of workers union could lead to industrial unrest or dispute. The dream of an average employee is to have employment that may improve his life and not a job that creates hardship and debts to workers. When there is cooperation and growth opportunities industrial unrest among the workforce cease to exist. Ojielo (2002) asserted that industrial unrest happens when organizations neglect the demands of the workers.

#### Causes of industrial unrest.

Industrial unrest occurs when employers do not co-operate with their employees but are more concerned with their personal interests and pay no attention to the demands of the workers. The unwillingness of the organization to provide the needs of the workers may compel the employees to engage in industrial unrest. Thus, the causes of industrial unrest could be divided into three key areas namely economic forces, political forces, and managerial forces. (Tom & Shepherd, 2017).

**1. Economic forces:** These are factors that energize or motivate workers to have satisfaction and enhance their job performance. When the empowerment forces are not available in the workplace it aggravates industrial unrest. The main economic forces are:

##### (a) Low remuneration

Remuneration is defined as monetary earnings, compensation, and physical payments that employees receive as part of service rendered (Gurbuz, 2007; Singh & Jain, 2013). Apparently, Lai (2011) described remuneration as the pay and salary paid for the services of the employees. Remuneration refers to the salary which employee gets from his organization. Consequently, remunerations cover financial and non-financial rewards. The holder of salary has comfort and use the money to command variety in terms of making choice of his needs. High salary is fundamental for workers to have satisfaction and it encourages employees to join a particular organization. Employees should be paid competitive salary packages so that they derive job satisfactions and withdraw from frequent industrial unrest. Most employees have the perception that a competitive industry wage is a necessity for them to remain in their organization or move to a new employment. When employees perceive that the salary paid is not similar to what their counterparts receives in other organizations, they express dissatisfaction by transferring their anger into industrial unrest or turnover. Without favourable remuneration it becomes difficult for the employees to accomplish their minimum necessities. Demand for higher wage and payment of the new minimum wage in Nigeria has led to strike in some states such as Kaduna, Zamfara and Ekiti States.

##### (b) Working conditions

Working conditions represent physical surroundings that have attractive features such as buildings, lighting, sound quality, ventilation, temperature, humidity, privacy, furniture, comfort, resources and defined working hours (Kabir & Parvin, 2011). Similarly, working conditions denotes pollution free atmosphere which comprises necessary equipment that are conducive for employees to discharge their duties effectively. Work location and settings, technical and human are the strategic elements that influence workers happiness, employee's commitment, motivation, and low concern for industrial unrest (Wilton, 2016). This implies that if the working conditions are good, it become stress free for workers to be satisfied. However, a poorly equipped organization increases workers unrest and low commitment. Besides, noisy workplace is a distraction and counterproductive that leads to loss of hearing and industrial unrest. Employees demand for improved working conditions recreation time, discontentment. In situations where management refuses to provide well-equipped office with conducive working conditions, the employees are capable of intensifying industrial unrest.

**(c) Bonus and overtime pay:** This relates to additional wage given to employees for their hard work and good job performance. For instance, employees may demand for Christmas bonus when they discover that the company made high profits yearly. Demand for bonus is essential for workers to feel recognized and appreciated by the organization. Nevertheless, organization that does not give approval to bonus payments may suffer industrial unrest. Overtime arises when the employees work beyond the normal working hours, and they are entitled to receive extra wage for doing additional work. Most organizations do not pay for overtime, but they force their workers to stay overtime in order to meet excessive demand. The denial of workers overtime pay also leads to industrial unrest.

**(d) Non-Safety work environment:** Prasad (2006) described safety work environment as a healthy workplace that set employees free from health hazard. It promotes good mental health, individual safety, and well-being. Ordinarily, safety work environment signifies the safety and psychological condition of an individual in a work setting that does not experience disease attack and unnecessary stress or anxiety. According to World Health Organization (WHO), it is the fundamental right of every person to enjoy the highest attainable standard of health and government shall be responsible for the health of people and take appropriate measures that may guarantee social welfare and healthy work environment. Empirical evidence suggest that non- safety work environment has direct influence on workers' health, commitment and industrial unrest (Sev, 2014). Higher job demand causes tension and stress in work environment that harmfully affect the health and well – being of salary earners. Safety work environment delivers the reassurance of good health and psychological conditions to the workforce which allow them to perform their duty effectively. Apparently, some workers have developed health problems because of workplace hazard especially those that work in the factory which eventually resulted in industrial unrest. Haj & Jubran (2016) remarked that employee health and safety measures are capable of reducing industrial unrest and preserve the physical and mental health of salary earners.

**(e) Non-payment of gratuity:** Gratuity entails the final financial settlement which the employer pays to the employee at end of service year. It is the total emolument covering the period of service given to an employee after retirement. Employees express displeasure when the organizations or government failed to pay gratuity to retired workers. Indeed, several state governors in Nigeria are owing arrears of gratuity to their workers. The governors deliberately delayed the payment by introducing difficult conditions for assessment of the fund. This misrule affected employees and their beneficiaries such that their annoyance was demonstrated in industrial unrest through protest or strike.

**2. Management forces:** The inappropriate policies and decisions of organization that cause industrial unrest. Management manipulates these factors for its own benefit which hinder the satisfaction of the employees. Managerial forces include preventing workers from unions, non-implementation of agreement, inhuman treatment, defective recruitment system, unlawful retrenchment, demotion and termination and corruption (Tom & Shepherd, 2017).

**(a) Preventing workers from unions:** Employers of labour are not comfortable with the formation of trade unions they perceive union as anti-government pressure group that uses confrontational approach or consistent ultimatum and Propaganda through the use of mass media in clamouring for the workers welfare. Most organizations do not want the employees to join unions to avoid workers threat and industrial unrest. The protest or demand of workers influences the exploitative behaviour of management to ensure that both parties have harmonious work environment. Furthermore, organizations that disallowed members from participating in union activities are likely to jeopardize the unity of workforce. It is without doubt that the misnomer may generate unrest between the employers and the workers.

**(b) Breach of collective agreement:** Breach of collective agreement describes a situation whereby agreements reached between employers and employees are not completely implemented by the organization. Employers breach the collective agreement by selecting few terms of agreement for immediate consideration which is against the plan of the union in implementing the entire agreement. Ordinarily, if decisions are made through the process of negotiation, collective bargaining, or agreement either management or members of the union are expected to abide by the terms and conditions of the agreement. Employers and government appear to be liable for this unethical behaviour which requires strong force like industrial unrest to stop organizations from delaying the implementation of collective agreement. For example, the famous dispute in the university of Ilorin where lecturers were sacked for active participation in ASUU strike and the supreme court ruled that the university of Ilorin should reinstate the lecturers. The management of the university refused to obey court judgement of reinstating the lecturers for several years until ASUU use strike as a means of industrial unrest to bring the lectures back to job (Dahida & Adekeye, 2013).

**(c) Inhuman treatment:** Managers and supervisors use their positions to intimidate the subordinates in giving instructions and tasks within the workplace. They feel very superior or busy before the subordinates by applying abusive supervision which attracts anger and dissatisfaction to the workers. The managers deny disloyal employees good posting and redeploy those that are in their good book to juicy areas. Promotions of some workers are not usually on merit but through sentiment, nepotism, loyalty and religious affiliation whereas the promotion and training of result oriented employees are not possible as a result of malice or organizational politics. Junior employees experience unfair treatment from the managers in terms of communication, advancement, and responsibilities. This maltreatment of workers may cease to exist through the efforts of the trade unions.

**(d) Defective recruitment system:** This arises when there is abuse of employment process such that the right person is not put in the right position. Most managers or top officials use their position to offer direct employment to

different persons without due process of passing through written and oral interview. Majority of low performing workers got employment through this opportunity while the talented employees are rejected because of no God father or position connection. Defective recruitment system also gives rise to industrial unrest. Several individuals were employed by agents who collected bribe from them. Organizations that have defective development policies such as prejudiced transfer, partialities in promotion and inadequate training facilities also contribute to industrial unrest.

**(e) Unlawful retrenchment and termination:** Organizations are involved in reducing staff strength when government imposes high taxes and low productivity. The job of some law-abiding employees could easily be terminated because of active involvement in trade unionism. Managers may put the names of their perceive enemies in redundancy without cogent reason. Therefore, it is imperative for organizations to know that termination of confirmed staff must be within the provisions of the law, where the law does not recognize the termination of employment the court may set aside the termination. All these provocative actions of the organization are undoubtedly opposed by the trade unions which eventually lead to industrial unrest.

### 3. Political forces

Political causes arise when the government in power tries to polarize the trade unions by causing confusion or distrust among the members and the union representatives. A trade union that is very strong may be destabilized through bribe, political party influence and other government machineries which mislead the unions and instigate industrial unrest. For example, government of Nigeria through the aid of few Vice-Chancellors made reasonable attempt to divide ASUU for the purpose of forming Congress of University Academics (CONUA) but the division was unsuccessful. Countries with high unemployment, insecurity and political instability are usually criticized by trade unions which may be addressed through industrial unrest.

### Forms of industrial unrest

These are strategies or industrial actions utilized by the employees to influence employers to accept their demand. It is the protective weapons employed by the workers to bring management or government for negotiation. Industrial actions comprise of strike, work- to- rule, picketing, lock-out, boycott and overtime ban.

- 1. Strike:** Strike refers to employees confrontational method of stopping work until the organization gives serious attention to workers needs. Sharma (2007) reported that strike constitutes disordered system, militant and organized protest against existing industrial relations. Similarly, strikes are symptoms of industrial unrest or conflict that are counter-productive affecting both the workers and employers. It is also cessation or temporary withdrawal of workers from any part of the duties connected with their employment.
- 2. Work-to-rule:** This is a deliberate action of the workers to work less or put in little effort that leads to low output. It is a common form of industrial action also known as "Go slow". Work-to-rule involves loss of job interest, consistent telling of stories on duty, visiting colleagues from office to office without working and eye service in pretending to work.
- 3. Picketing:** This entails revealing to members of the union the significance of the strike and persuading the workers not to work until the strike is suspended. Ordinarily, picketing must be peaceful it does not require intimidation or obstructing the entrance and exit of employees from the premise of the organization. Employees directly affected by the unrest are allowed to participate in picketing and the union representatives may also be available during the picketing. Although, picketing could be carried out within the lunchtime or before and after working hours. It may take the form of discouraging workers from work in various departments, displaying banner, placards, with derogatory comments about employer and publicize the dispute through social media.
- 4. Lock-out:** Lock-out represents strategic weapon available to the employer to shut-down the organization pending when the workers agree to resume work on the conditions laid down by the employer. It signifies the closing of company gate against the workers until the unrest is resolved by the management and the employees.
- 5. Boycotts:** Boycott is a technique used by employees to influence management to accept their needs. It is a call by members of the union to abandon organizational activities and ceremonies. For example, ASUU may give directives to lecturers not to attend classes or university events until federal government fulfils a particular promise. Boycott connotes employee's refusal of delegation of authority which exerts economic pressure on the employer to give attention to workers' demands.
- 6. Overtime Ban:** This relates to an instruction or order from the union stopping workers from doing overtime. It means when employees are not permitted to work extra time or beyond official hours. This type of industrial action imposes pressure and addition costs on the organization when demand of product is high. For instance, a labour union may direct its members not to work beyond eight hours per day.

### NEGATIVE IMPACT OF INDUSTRIAL UNREST

**(a)** Badekale, Ngige and Hamman (2016) stated that industrial unrest has negative effect on the employees. During the period of strikes most employees loose prestige by virtue of their conduct. Some persons experience depression and fear of job insecurity especially the workers that have few years to remain in service. The strike makes the workers to lose their employment. If the strike lingers for a long period it may

end within the retirement age of some employees. Furthermore, employees lose their salary within the strike period which compel them to borrow and become debtors in order to settle their daily expenses. Tenacious strike also causes brain riot and trouble in family life. Dysfunctional aspect of protest and strike may lead to victimization of employees such that the workers are prosecuted, assaulted by the police.

- (b)** Industrial unrest results in disruption in production and service delivery. This occurs when organizations suffer from huge wastage of labour hours and dislocation of job performance. Thus, strike in public amenities such as road, water, electricity, security agencies, railways, posts office, sanitation, hospitals, education and transportation hinder productivity, economic development of a country and the living standard of the people. The encumbrances in strike action are dangerous to the extent where producers or companies that use the raw materials of a production company cannot function effectively because of stoppage of work. Lock-out of employees from company premise means that there is no work which eventually affects the distribution and price of goods. During strike organizations incur heavy loss in sales, profitability, and market share because of low supply of products.
- (c)** The industrial unrest or disputes also affect the national economy adversely when employees are redundant and production apparatus of the company are abandoned by strike or lock-out which touches national dividend or income. Awe and Ayeni (2013) disclosed that industrial unrest resulted in loss of national productivity, loss of revenue, decline in national income and unemployment. Industrial unrest has both micro and macro implications. On the part of microeconomic level, the members of the unions lose their pay and their market purchasing power reduces. Organizations where the employees are on strike loses the services of the members of the union which contributes to low customers' patronage and profitability. At the macroeconomic level, it causes loss of output or goods and services in the event of shortage of raw materials the companies that use a firm product as input are affected and their production capacity declines (Osabuohien, 2005). Consequently, in the long run the members of the society bear the burden. Nevertheless, the consequences of industrial unrest are usually more severe on the higher institutions. For example, protracted industrial unrest between the federal government and Academic Staff Union of Universities (ASUU) that lasted for 10 months in 2020 affected the academic calendar, students' knowledge acquisitions, investment, parents' budget, teaching and non-teaching staff. It also affected academic performance and standard of education in the country. During the strike, lecturers and the students think less about their books or research and search for money to accomplish basic needs. Indeed, it is imperatives for all the parties to avoid industrial unrest and adopt collective bargaining and voluntary alternative dispute resolution.

### **METHOD OF MANAGING INDUSTRIAL UNREST**

**(a) Collective bargaining:** Okene (2000) posited that collective bargaining is a process of negotiation and conclusion of collective agreements on the demands of workers concerning certain improvements in the terms and conditions of employment. Meanwhile, section 91 of Labour Act defined collective bargaining as the process of arriving or attempting to arrive at a collective agreement. Collective bargaining refers to the discussion, negotiation where representatives of organized labour meet with the employer or its representatives in an atmosphere of mutual cooperation to deliberate and reach agreement on working conditions and terms of employment. It is a dispute settlement procedure in which the representatives of a workers union and the representatives of organization or government meet to negotiate a contract of workers demand which specifies the nature of employer and employee relationship (Akinbode & Ebeloku, 2017). Principles of collective bargaining ensure that employers and employees have equal voice in negotiations, the outcome must be fair and equitable to the parties in dispute. The primary purpose or end point of collective bargaining is to have collective agreement. However, the terms of the agreement must be guided by the provisions of the law to enable the interests of the employer and the employee to be protected. The concept of collective bargaining as a means of managing industrial unrest has gained acceptance at the domestic level and international recognition in both private and public sector in different countries of the world (Aderibigbe, 2014).

**(b) Conciliation:** Conciliation is the process of settling the unrest between parties to a dispute by using a neutral person who will deliver his opinion as to the merit of the unrest. The Minister of Employment, Labour and Productivity upon the declaration of industrial unrest may appoint a suitable person as a conciliator to settle industrial unrest. The conciliator has the responsibility to find out the causes and nature of the unrest or dispute and gather facts that are useful in settling the unrest through coordinating negotiations between the disputants. Apparently, it is expected that the responsibility given to the conciliator shall be concluded within 7days and where agreement is reached, it must be forwarded to the Minister of Employment, Labour and Productivity. The agreement must contain a memorandum starting the terms of the settlement reached, duly signed by the disputants so that the agreed terms shall be binding on parties to the unrest. However, where the conciliator is unable to settle the unrest within 7days, report should be made available stating the reasons for the bottleneck.

**(c) Arbitration:** Arbitration occurs when the conciliator is unable to settle the industrial unrest. When this happens, the Minister of Employment, Labour and Productivity shall constitute an Industrial Arbitration Panel (IAP) responsible for possible settlement of unrest within 14days of the receipt of the contrary report. This IAP shall include a chairman, vice-chairman and minimum of ten members, two of whom shall represent the employers and another two

representing the employees with the obligation to settle any industrial unrest before the panel. The panel is obliged to make an award within twenty one days or such longer period for the purpose of settling a dispute. The award of the Panel shall be transmitted to the Minister. Where the Minister is not satisfied with the award, he may refer it to the panel for reconsideration. The panel shall complete the reconsideration within 42days or as directed by the Minister. Where the Minister of Employment, Labour and Productivity is satisfied with the award, copies of the award shall be forwarded to the disputants indicating that the award be published in government gazette, including that the award shall be confirmed if no objection is received from either of the disputants within 7days of the notice, where no notice of objection is received within the stipulated period, a notice confirming the award shall be in government gazette. Similarly, with this confirmation, the award shall be binding on the disputants and any default shall attract penalty.

### CONCLUSION

Employee demands and remuneration have significant effect on industrial unrest. Organizations are capable of changing the frequent industrial unrest coming from workers grievances through collective bargaining and implementation of collective agreement. Peaceful labour-management relations are essential to drive high productivity, profitability, and job satisfaction within the organization. Industrial unrest has attracted a lot of interest not only for the employers and employees but government and the public as it affects productivity and economic activities. There are ample evidence to show that industrial unrest has negative effect on the level of economic activities in Nigeria and productivity of organizations. The researcher therefore recommended that organizations should have proactive collective bargaining and functional collective agreement, and use conciliation and arbitration in managing industrial unrest.

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