

COLLECTIVE BARGAINING AND CRISIS RESOLUTION IN NIGERIAN UNIVERSITIES

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ABSTRACT

Strike actions by the Academic Staff Union of Universities (ASUU) and other allied educational unions has taken such deplorable and impairing turn due to its incessant nature; this has left not only the students and others in the academic sphere but the entire citizenry of Nigeria greatly concerned. Worthy of note is the fact that these incessant strikes are just the aggrieved lecturers and non-academic staff way of showing their discontentment and disapproval of the prevalent state of deterioration and disrepair in higher education in Nigeria. Considering the diverse advantages of Collective Bargaining as a tool for crisis resolution to both Bargaining Parties (ASUU and Federal Government); this paper examines Collective Bargaining as a mechanism for crisis resolution in Nigerian Universities.

It will be discovered from this paper that Collective Bargaining if rightly and properly done has the potential to promote amicable dispute resolution, improve the working relationship, foster a feeling of mutual respect, enhance the sense of responsibility of bargaining parties and appeal to their morals; create and sustain peace which will lead to the stability and efficiency of academic programs of Nigerian Universities, create optimum man-power for the nation and by extension a better and stronger economy and nation in its entirety.

Keyword: Conflict, Dispute, Union, Bargaining, Commission.

1.0 INTRODUCTION

It is of general knowledge that the benefits of education both to the individual and the nation cannot be overemphasized, and also that job satisfaction to a very large extent determines the smooth running and achievement of the goals of any organization, hence to achieve quality education in Nigeria; the workforce of the educational sector needs to be kept motivated

(Abah, 2016). If Nigeria would not be left behind in the fourth industrial revolution already shaping things globally; it must make the appropriate investment in its educational sector (vanguard news 2020). However, this doesn't seem to be the case because Nigerian higher institutions have continued to suffer several strike actions by the Academic Staff Union of Universities (ASUU), Non-Academic Staff Union of Universities (NASU) and other allied educational unions due to the Federal Government's poor response to the demands of these unions. As such the Nigerian higher institutions have had their Academic calendar fraught with disruption.

ASUU was established in 1978 and since afterwards, counting from 1980, if there's anything that has been very constant in the Nigerian public university system, it is its distortion to cushion the effects of ASUU strikes, in other words, time lost. Consequently, it has almost become a norm that students in public universities in Nigeria do not expect to graduate at the expected time of graduation because there's probably going to be one strike or the other as when ASUU is not on strike then NASU will be on strike.

However, as Mary parker Follet of the administrative management thought explains; conflict within a system cannot be avoided but some conflict can be approached as a normal process by which socially valuable differences register themselves for the enrichment of all concerned (Sapru, 2013). In a bid for ASUU and Federal Government (FG) to attain a win-win situation and reposition the educational sector particularly tertiary institutions, there is a need to embrace efficient conflict management and/or resolution mechanism like collective bargaining. This forms the thrust of this paper.

Over the years the lack of adequate funding of the nation's higher institutions and its accompanying challenges has taken its toll on the physical environment of Nigerian universities. The students of the universities face different challenges due to inadequate equipping of the universities' libraries, research centres and practical learning centres. The output of products of the universities (graduates) especially those of the technical departments are often referred to as "unemployable" by employers and both the teaching and non-teaching staff suffer poor working conditions. Following this, the staff of the universities have responded under the aegis of the various unions by embarking on periodic strike actions to put pressure on the government to improve funding of the sector.

In the wake of this plague which is still ravaging the system to date, Government took steps to look into how this issue can be resolved hence in 1992 the Federal Government set up a commission to review higher education in Nigeria with Gray Longe named as the head of the commission. After the appraisal, the commission's findings pointed to the fact that the university is a fulcrum for national development; the commission was given terms of reference which were to examine the availability and adequacy of academic staff in the universities, to investigate the nature, sources and criteria for funding in higher educational institutions to improve the situation and guarantee a steady source of funds for optimal functioning of the universities, re-examine the developmental roles of universities in developing countries with particular reference to Nigeria. To determine the middle and higher-level manpower demand and supply of Nigeria and advice on over/underpopulation and the over/underutilization of the population. To review the general condition of staff in

higher educational institutions in respect of pension, retirement benefits, housing and particularly stemming the brain drain phenomenon; to review the criteria for appointment of administrative staff, their terms of service and renewal of appointment amongst others (Nwakobi, Chukwura & Uzor, 2020).

The commission after its sessions noted that Nigerian universities had established standard comparable to the best in other parts of the world in terms of teaching, research and public service, however it frowned at the discovery that dilapidated workshop equipment in most of the universities, inadequate facilities such as libraries, lecture rooms, laboratories and work farms/research centres were still the trademark of the Nigerian universities. The commission pointed out that the universities have not achieved much in terms of the goals and objectives for which they were set up due to disruption in the academic flow chart caused by strike actions and political instability. Based on their findings the commission recommended that the university being the apex of higher education should play a leadership role in the nation, it should provide people of special qualification and motivation, it should equip the individual to the highest level of his/her ability with the intellectual and physical skills required to be an innovative, creative and self-reliant member of the society and the universities should provide a conducive atmosphere for learning and achievement of other positive goals and objectives; that government on its own part should render its lawful obligations by providing funds, research grants, the required infrastructure (roads, laboratories, electricity, telecommunication, etc) to foster conducive learning environment, allow universities to operate autonomously and ensure that it does not interfere with the universities' administration, and also encourage industrial harmony in the universities by passing laws that will preserve the rights of the various interest groups within the university system. To these recommendations, the federal government added that universities should embark on periodic review of their programs to meet with national priorities and manpower needs and the Federal government accepted these recommendations and signed an agreement with ASUU based on the above.

Despite this agreement, in 1993 there was an ASUU strike to persuade the federal government to live up to its expectations and winding from this ASUU, NASU and the Federal government has always conflicted funding of Nigerian universities, better working conditions amongst others. Each time the parties call for a meeting to settle their disagreements it usually ended with the Federal government promising the union that their demands would be met soon, this act of federal government failing to meet the demands of ASUU and NASU has resulted in these unions embarking on periodic strike actions almost on yearly basis to drive home their point (Bayo, 2018).

Below is the timeline of events that shaped the FG/ASUU dispute and strike actions since 1980. In 1980 ASUU embarked on strike to resist the termination of the appointment of six lecturers from the University of Lagos, the actual aim of this strike being to resist the assault on academic freedom. In 1980 – 1981, ASUU went on strike to demand to fund for the universities, the reversal of the problem of brain drain, poor salaries and conditions of service and the improvement of the entire university system; in 1983 there was a negotiation between FG and ASUU on the Elongated University Salary Structure. In 1984, ASUU went on strike to oppose deregulation of the economy and to resist military dictatorship. In 1985, ASUU

embarked on strike to resist the military regime and its authoritarian decree 16 of 1985, for allowing the National Universities Commission to take over the responsibilities of the senate and allowing external authorities to regulate programs in Nigerian universities. In 1986, there was an ASUU strike to protest against the introduction of the Structural Adjustment Programme (SAP) by General Ibrahim Babangida's administration. In 1987 and 1988 ASUU embarked on a strike to demand the implementation of the 1983 negotiation on the elongated university salary scale and the establishment of a joint negotiation committee between ASUU and FG.

In 1992 ASUU embarked on yet another strike due to the failure of negotiations between the union and FG over the working conditions in the Nigerian universities and eventually, an agreement was reached. In 1994 ASUU went on another strike to demand renegotiation of the 1992 agreement amongst others. In 1996 another strike action was carried out due to the dismissal of Dr Assisi Asobie the ASUU president at that time. After the end of the military era in 1999, a few months after the swearing-in of the Obasanjo-Atiku administration which promised to be people-oriented, ASUU had to embark on yet another nationwide strike which lasted for five months to drive home their point in demanding better funding of the universities, better salaries and working conditions among other demands. In 2001 there was a three months strike over the reinstatement of 49 lecturers sacked at the University of Ilorin. In 2002 there was a strike that lasted for two weeks, ASUU, has had an agreement with the federal government before the calling off of the previous strike was forced to embark on another strike action on December 29, 2002, because the Obasanjo administration failed to implement the agreement. In 2003 Nigerian university undergraduates had to stay at home again for another six months owing to ASUU strike action demanding implementation of previous agreements which covers poor university funding and disparity in salary and retirement age. In 2005 there were another two weeks of strike action by the lecturers. In April 2006 ASUU declared a 3day warning strike, which eventually launched into one week. The 2006 industrial action was followed by another in 2007 which lasted for three months and it was over same reason as that of 2006. In 2008 in a bid to drive home its demands, ASUU went on another one-week strike. In 2009, lecturers in public universities across the country went on strike for four months. The strike started in June and got called off in October, before the calling off of the strike; an agreement was reached which later became the reason for subsequent industrial actions.

Since the federal government failed to honour the 2009 agreement to adequately fund public universities in the country and implement the 70-year retirement age limit for ASUU members, the year 2010 saw another ASUU strike which started on 22nd July 2010 and was called off in January 2011 and as such lasted for over five months. In 2012, a 59 days strike action was again carried out by ASUU to drive home their point; the strike started in December 2011 and was called off in 2012. In 2013 another ASUU strike took place from 1st July to 17th December, it was as usual meant to get the government to meet their demands which were to review the retirement age for professors from 65 to 70; approve funding to revitalize the university system and increase the allocation of fund to the education sector in the country's budget by 26%. Also, the Integrated Payroll and Personnel Information System (IPPIS) was brought up by the Federal Government for the first time in 2013 and the lecturers were opposed to it, the reason being that its workability in the university system is not

feasible because of the peculiar nature of the system. In 2014 ASUU started working on an alternative system called the University Transparency and Accountability Solution (UTAS) which they suggested will suit the university system and its peculiarities better; however, according to Professor Biodun Ogunyemi the ASUU national president they left off when the issue of registration for IPPIS did not come up anymore for five years after. On August 17th, 2017 ASUU declared an indefinite strike yet again over unresolved issues with the federal government (Aidelunuoghene, 2014; Bayo 2018). In 2018 after ASUU'S national executive council meeting held at the federal university of technology, Akure, the union announced the commencement of an indefinite strike from 4th November 2018, this time the national president, Professor Biodun Ogunyemi announced that the strike would be total, comprehensive and indefinite until government fully implement all outstanding issues as contained in the Memorandum of Understanding (MoU) of 2012, 2013 and the Memorandum of Action (MoA) of 2017 and concludes the renegotiation of the 2009 agreements (vanguard news, 2018).

ASUU and Federal Government representatives headed by Senator Chris Ngige (Minister of Labour and Employment) had a total of ten meetings and the tenth one which led to the suspension of the strike was held on Thursday, February 7th 2019 and it gave birth to yet another memorandum of Action of 2019 signed by ASUU and Federal government. In the said memorandum of action of 2019, the federal government had agreed to disburse the sum of twenty-five billion nairas to public universities for their revitalization in April/May 2019 after which government would resume full implementation of the MoU of 2013 and ASUU on its part says it will monitor the disbursement. Yet again, on May 24th, 2019, punch news had the headline "ASUU threatens strike, says FG reluctant over 2019 agreement" the content of the said news has it that the ASUU national president Professor Biodun Ogunyemi stated at a briefing in Abuja while clearing the air over the N25bn confirmed by the minister of education to have been approved for universities meant as part payment of the earned academic allowances, that the fund should have been released between February 16 and 28, 2019 as agreed but this wasn't done, he decried the then leadership of the government team Dr. Wale Babalakin saying with his current approach the future of Nigerian universities is in jeopardy, he also called on Nigerians to prevail on Babalakin and the federal government to change their lackadaisical attitude towards meeting the terms of the 2019 memorandum of action (Olaleye, 2019) and then on March 9, 2020 ASUU embarked on another two-weeks warning strike due to federal government's refusal to meet the memorandum of agreement signed in 2019, this spiraled into a nine month strike starting from March 24th, 2020 to December 23rd, 2020. (Lawal, 2020).

The crisis in Nigerian universities is playing out as can be seen from the above analysis as recurrent and frequent industrial actions by ASUU to demand the comprehensive transformation of the higher institutions for the better and these incessant strike actions are affecting both students and their sponsors (parents/guardians) adversely as it disrupts academic activities and elongates years of study. Even the nation is adversely affected in more ways than one; the reports of strike after strike doles out a poor image of the nation and its government, at most times crash academic programs are resorted to after long periods of strike and this may lead to graduates being half baked which will, in turn, lead to a not formidable workforce for the nation (Ochogwu, 2021). The outcry of Nigerian students and

the Nigerian society at large points inevitably to the fact that there is a dire need for ASUU, the other allied unions and the federal government to resort to a dispute resolution system which will have little or no devastating effect on university education and yet produce results that are in furtherance of the good of the sector and the nation at large. This forms the basis of this paper which seeks to explore the import of collective bargaining as a tool for resolving the current educational crisis between the Federal government of Nigeria and ASUU.

2.0 LITERATURE REVIEW

2.1 Collective Bargaining

Vernon (1956) noted that before the emergence of the collective bargaining system, union-employer relations existed and were not necessarily characterized by intense conflict. Negotiations engaged in by employers and unions before the coining of the phrase "collective bargaining", was called "arbitration" or sometimes "conciliation" whatever the process and the term used both parties desire an arrangement for open and friendly bargaining.

However, before the enactment of the National Railway Act and the National Labour Relations Act of 1935 and in the year 1962 when president John F. Kennedy of America issued the executive order 1988 granting federal employees the right to unionize, union activities faced great hostility. The right to bargain collectively became recognized afterwards through international human rights conventions, for instance, Article 23 of the Universal Declaration of Human Rights identifies the ability to organize trade unions as a fundamental human right, item 2(a) of the international labour organization's declaration of fundamental principles and rights at work defines the freedom of association and the effective recognition of the right to collective bargaining as an essential right while several other conventions protect collective bargaining through the creation of International Labour Standards which discourage countries from violating workers' rights to associate and collectively bargain. In Nigeria also, the early days of ASUU were met with an anti-union response from the Federal Government; the union was proscribed and all its property seized on August 7, 1988, afterwards, it was allowed to resume in 1990 and banned again on August 1992 before an agreement between the two parties was reached on September 3, 1992 (Ajayi, 2013). This being said, it should however be noted that collective bargaining is influenced internationally by the laws of the country (Encyclopedia Britannica, 2020).

In Britain, Collective bargaining had been in existence before the 18th century while in Europe and the United States it developed in the later parts of the 18th Century due to Samuel Gompers' application of it during his leadership of the American Federation of Labour (Encyclopedia Britannica 2020). Collective bargaining developed with the rise of trade unionism in the 18th century especially from 1890 onwards.

Virginia and Chiara (2020) noted that the term collective bargaining was precisely first used in 1891 by Beatrice Webb an economic theorist and co-founder of the industrial relations field in the United Kingdom. She and her partner Sydney Webb opined that collective bargaining is a process through which workers come together and send representatives to negotiate over their terms and conditions of employment. However scholars argue that her

definition places emphasis only on its favorability on the part of workers and their collective action in establishing and negotiating formal agreements; hence they came up with a broader definition of collective bargaining in saying that it is a process of negotiation, joint decision making or joint regulation between groups who represent both employer and employee interests and which implies the negotiation and continues application of an agreed set of rules to govern the substantive and procedural terms of the employment relationship.

Manrai and Manrai (2010) described collective bargaining as a competitive spirit where the objective of the two parties is to maximize their individual gains. A bargainer thus has a win-lose orientation or a distributive interest. Pitts and kamery (2009) opined that collective bargaining is the only determinant of working condition that brings up two parties (union and management) for interaction and it has been proven to be a peaceful dispute resolution channel. Takupiwa and Christian (2019) explains that CB is a valuable dispute resolution device that gives an opportunity to both bargaining parties to discuss their concerns about issues of work thereby preventing and resolving disputes amicably. It creates a platform for effective communication, negotiations in good faith; impart knowledge of rights of both parties as outlined in the Nigerian Labour Act chapter 28: 01 and make organizations follow through the collective bargaining agreement process.

Ebhoman (2015) opined that it is a general presumption in industrial relations that for an issue of collective bargaining to arise at all there must be grievance on the side of the workers union or on the side of the employers union to consider its settlement, she also said conflicts of interest are inevitable in the labour relations given that management aims to maximize profit while employees will always demand better working conditions in terms of wage rate, wage systems, hours of work, discipline, overtime, workload, holidays, etc as such one of the means for regulating such relationship and the disputes that may likely arise is collective bargaining. Ugbohmeh and Osagie (2019) defined collective bargaining as a social process that continually turns disagreements into agreements in an orderly fashion. This points us to the distinctive features of the collective bargaining system.

2.2 Features of Collective Bargaining

Collective bargaining is a process: it is not just some random negotiation because it is done by following organized steps; the first step is the presentation of demands put in written form, then the negotiation/bargaining with both parties laying their cards on the table and employing their bargaining strategies while the final step is the stage where parties reach an agreement or a contract which will serve as the basic law regulating labour-management relations over a period of time in the business concern.

It is a group action: Unlike individual action, both parties to be settled are represented, employers by their delegates and employees by their union.

It is a continuous process: it is not a one-off negotiation and agreement system but it is an advanced form of human relations, an art and a mechanism for continuing and organizing the relationship between employer and employee, it goes on for 365 days the year and its operations also put into consideration current trend of affairs/situation of settlement parties

hence the application of the agreement is governed by weighing the provisions of the agreement with the needs and ethics of the particular case (Dahl, 2007).

It is flexible and mobile and not fixed or static: the practice of giving and take works in the negotiation process until a final agreement that is mutually beneficial and accepted by both parties is attained, it has fluidity and there is room for compromise. It is a demonstration of the practice of democracy in the work environment.

It is dynamic: it is changing to conform to the times, formerly it was emotional, turbulent and sentimental but presently it is scientific and systematic.

Complementary in nature: It is a process where the parties complement each other rather than compete for who will have an upper hand in the negotiations; each party compromises with the other to meet mutual needs. In this sense, labour can put in greater productivity while management has the ability to organize, guide and pay for that effort in order to achieve its objectives (Hemant, 2019).

The behavioural scientists in explaining the complementary nature of collective bargaining points to the fact that it can be either distributive or integrative, in the former if the collective bargaining agreement favours one party as a result of higher bargaining power, then the other takes it in good faith while the case of the latter is one of equal bargaining power which leads to a win-win situation as such each negotiator contributes something for the benefit of the other (Boyce, 2021).

2.3 Constituents of Collective Bargaining

As mentioned above the collective bargaining process is in three steps, the creation of the trade agreement, the interpretation of the agreement which has to do with both parties looking into the achievability of the agreement with respect to available resources, looking into the pros and cons of the agreement from the perspectives of how both parties will be affected by the negotiations, and finally, the reaching of a mutual agreement in the form of an MoU (Memorandum of Understanding) otherwise called a Collective Bargaining Agreement (CBA). Every collective bargaining agreement is written as a matter of necessity, the reason being that, this helps avoid problems, makes terms and conditions clear, provides security against wrong claims. That is, it commits members of both teams to one version of the agreement arrived at and serves as a tool to facilitate the enforcement of agreed benefits under national law. The enforceability by the national laws of the collective bargaining agreement in itself can be an alternative to strike actions. The most important constituent of collective bargaining is the enforcement of the collective bargaining agreement hence employers should try to meet their legal obligations in full to foster its effectiveness.

Also, effective collective bargaining practice because of its continuity feature can bring about enforcement as a function of self-interest. This means that because the negotiating parties know that they are coming back for negotiations in the medium term and they will have their own agenda to put up for negotiation over time, they have no choice but to comply and to observe the collective agreement. (International Labour Organization, 2009)

2.4 Types of Collective Bargaining

This can either be traditional or non-traditional and the onus lies on the bargainers to adopt either one of the strategies depending on their goal and the intended collaborative relationship.

2.5 Traditional Collective Bargaining

Collective Bargaining is said to be traditional when the bargaining is done in phases, with each party having a committee consisting of about five to seven members with one person playing the role of the group's spokesman and the role of the secretary or recorder. The first phase of the bargain culminates in the exchange of proposals with both sides attempting to emphasize the legitimacy and righteousness of their position, serious discussions begin during the middle session when most attention is given to secondary issues than in the third phase which is the crisis phase and the one that deals with the period when the deadline is close the primary issues are addressed. At this point the intensity and tension of bargaining will increase and the process more chaotic, throughout the process each side gives constant attention to developing and presenting solid arguments to drive home their point and justify their position on the issues negotiated upon; logic, argument and persuasion techniques are employed in other to attain power and gain acquiescence to demands. This type of bargaining could lead to strained relations between parties of the bargain even after a party may have accomplished the desired agreement because it may be difficult to still have cordial relations after all the table-pounding, bluffing and gamesmanship displayed during the negotiation sessions.

2.6 Non-Traditional collective bargaining

The non-traditional type of collective bargaining on the other hand is a more collaborative method, it is also referred to as interest-based bargaining, it intends to jointly proffer ways to solve problems to achieve the interest of both sides instead of assuming bottom-line positions which clearly send across the message "This is Our Right". This strategy involves brainstorming and information sharing, development of ideas and options which are evaluated in terms of their effectiveness in solving the problem and their acceptability to both parties to reach an agreement by consensus. This method requires negotiating teams to be trained on how to identify each side's interests, how to create options for meeting those interests and how to find ways to satisfy the mutual interest.

2.7 Collective Bargaining Strategies

Management and union representatives adopt different strategies in collective bargaining. This means both bargaining parties have to approach the process armed with all vital information and with a clear picture of their priorities. The representatives of both sides have to be well trained, psychologically prepared and well-grounded in business ideas. It is important therefore that (either the company or in this case Government) negotiator be tactful, adroit and diplomatic but with a clear understanding of the policies of the body being represented, its true financial status, the condition of those represented by the union and

labour market conditions. The negotiators of both parties should be provided with appropriate facts about the labour agreement concerning their security. In this case, the government negotiation team should comprise people from several educational levels who have in-depth knowledge of the educational sector and the labour contract. For organizations to avoid strike actions by unions they must take preventative actions, in other words for the avoidance of any further strike actions by ASUU and other academic unions government needs to take such actions as will lead to the provision of a desirable and equitable workplace for the staff and student of the universities, good working and schooling conditions, fair and reasonable wages, effective two-way communication system that clearly states government's expectation and short term and long term objectives, also security at the university environments should be paramount etc. Collective bargaining strategies should be flexible and geared towards fostering mutual understanding between both parties in the negotiations, Pitts and Kammery (2009) suggested that "where management finds that the negotiation will be in favour of the union they should increase already existing benefits in the contract to avert prolonged battle with the union; toeing the line from this, the government should keep to the agreements reached with the academic unions, as it is supposed that if the government agreed with the unions it did because it is within its means, as such the honourable thing to do will be to keep its own end of whatever memorandum of understanding that it entered into with the academic unions.

However, according to Dahl (2007) going by the labour Act 28:01 provisions, employers in collective bargaining are to make full disclosure of current financial status in cases where the employer insists that the organization has no financial capacity to furnish the agreement because this essential information will help to resolve the dispute since both bargaining parties will have to base their arguments on the correct financial status quo of the organization. Following from the aforesaid a declaration of the true financial capacity of the Nigerian government is necessary for the facilitation of the resolution of the dispute between ASUU and the federal government.

The Federal Government of Nigeria and the Academic Staff Union of Universities Face-Off
The incessant face-off between the federal government of Nigeria and ASUU has not only paralyzed the educational sector, but it has also caused students and even their parents to bear the brunt as they hope to meet their set targets for the future are destroyed. Courses are extended beyond normal duration thus damaging the positive mental attitude that is needed by a student to stay focused. Also, these undergraduates are being made to stay idle at home causing some to venture into all forms of immoral acts, crimes and social vices. It is also worthy of note that the strike actions embarked on by ASUU have paralyzed economic activities in most communities where these universities are located. Businesses have to be shut down for lack of patronage as students have continued to stay at home; landlords who rely on rents from students are experiencing insolvency because the students are not in a hurry to renew their expired rents. Banks within these localities have continued to experience a decline in their patronage and deposit. The resultant effect of all these is that the country's Gross Domestic Product (GDP) is negatively affected.

The strike actions by ASUU have made private universities in the country flourish; well-to-do parents have pulled their wards to these universities that charge exorbitant fees that are not

within the reach of the common man. Considering the consequences of the incessant face-off between these disputing parties to the Nigerian state as a whole, it is pertinent that both parties reappraise their position on the issue and resort to a workable plan that will be perceived as a win-win situation. The conclusion of this paper provides such a workable plan that is considered by both parties will bring these incessant strike actions to an end.

3.0 CONCLUSION AND RECOMMENDATIONS

Disputes generally are viewed as having negative consequences, however not all disputes are bad. Some disputes are necessary evils that force management or employers to adjust and/or amend employment and work conditions. Pitts and Kamery (2009) opined that while employers have the sole power to manage employees, they do not have the sole responsibility to determine conditions of work. Collective bargaining is one dispute resolution strategy through which parties in a dispute interact to reach an amicable resolution. The incessant face-off between the Federal government of Nigeria and ASUU and even the other allied unions such as SSANU, NASU etc. does not only border on improved condition of employment for the lecturers and non-academic staff but also on addressing the deterioration in infrastructural facilities in public universities; rather than addressing the literacy challenges of the country the universities have continued to produce what many have chosen to call "educated illiterates".

Even the few good private universities have pitched their fees so high that only a handful of the citizenry of the nation can afford to resort to them. Therefore, both the Federal Government of Nigeria and ASUU through collective bargaining must enter into a workable agreement with a realistic implementation strategy that must be acknowledged by both parties. Through collective bargaining, the Federal Government should point out to ASUU possible necessary changes in the 2009 agreement making them understand with facts to prove that this is informed by the evolving realities in the country's present treasury. ASUU on its part should be willing to renegotiate. ASUU insisting on the implementation of the 2009 agreement may not mean well for the country as the economy has not recorded any appreciable improvement since 2009. Both ASUU and the federal government should explore this strategy to arrive at a compromise and see how the funds already provided and/or disbursed to the sector can be utilized for the interest of the student and the nation at large. ASUU should embrace the fact that if the desire is not available, the available becomes their able (Ikenna, 2013).

If ASUU and Government shift their swords and arrive at a midpoint, public universities in Nigeria will be able to produce students who are worthy in character, grounded in their disciplines, excellent in learning and committed in their service to humanity. There is no gainsaying the fact that proper and continuous funding of the Nigerian educational sector, creation of laboratories and functional research centres, provision of well-equipped libraries, adequate lecture theatres and other needed facilities will produce quality graduates that will bring about the needed economic transformation and development; however, rather than assuming an irreversible position on this issue, ASUU should embrace the strategy of collective bargaining by devising better ways of negotiation and continuous dialogue with the government with a view to fine-tuning the 2009 agreement amidst the current realities on the

ground, they should consider the overall interest of the students who are the ultimate victims of these recurrent strike actions.

The government on its part should be concerned with the serious diminution and decrepitude of public education in the country which is why Aidelunuoghene (2014) noted that Nigerian universities have never attained any remarkable position in world global ranking. Even though the government has made a strong case for its lack of fund to carry out the required comprehensive transformation of the nation's educational system as is being demanded by ASUU it can through the practice of effective collective bargaining reach an amicable resolution of the recurring face-off with ASUU such that the future of Nigerian students will not be further compromised. Collective bargaining is a potent and effective tool through which the federal government of Nigeria and ASUU can improve their working relationship. It is a strategy that brings about a feeling of mutual respect amongst disputants. It can foster a feeling of respect amongst ASUU members, empower ASUU to provide high quality and intellectual service to students, provide control of available resources in tertiary institutions, eradicate the current feeling of frustration and disillusion, reduce the high brain drain currently experienced in the nation and serve as a solution to the infrastructural disrepair in Nigerian public universities (Budd, Warino & Patton, 2004). The government through collective bargaining should be made to enhance its sense of responsibility and fulfilment because Collective Bargaining is a dispute resolution strategy that does not place any of the disputants as superior in the negotiation process. The rights and privileges of all parties are well protected. Achieving this will cause Government to command the respect of Nigerian students, parents, ASUU members and Nigerians at large.

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