

Collective Bargaining and the Incidence of Trade Disputes in Teaching Hospitals in the South East

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Abstract

Nigeria has suffered greatly from numerous healthcare workers trade disputes and strikes over the years. These have in no small measure affected the performance level of this sector and, has resulted in multiple avoidable mortalities and morbidities in Nigeria. This study examined how wage determination has influence these trade dispute in teaching hospitals in the south east. In addition to very limited research focus on teaching hospitals in the southeast of Nigeria, the success of solutions to salient wage related disputes in the health sector may lie in the ability to question emanating assumptions, and incorporate the understanding into meaningful health policies. The study employed cross sectional design and adopted convergent parallel mixed method research strategy. A total of 625 respondents were randomly drawn from the teaching hospitals. A structured questionnaire was used to obtain quantitative data while in-depth interview guide was used to acquire qualitative data from interviewees. Quantitative data was analyzed using the statistical package for the social sciences (SPSS) software while qualitative data was analyzed using thematic content analysis. The stated hypotheses were tested using chi- square (X^2) statistics and results were presented in frequency tables, percentages, and charts. The outcome of this study revealed that trade disputes persist due to absence of transparent commitment by authorities charged with the responsibility of implementation of collective bargaining, and dearth of budgetary provision to implement collective agreement. Also reluctance by government to review wage periodically has escalated agitations in the health sector. findings also indicate that fractionalization of unions whereby each profession wants to be recognized and given precedence by government has ridden the health sector with disputes. It is on this score that this study recommends that government should imbibe the democratic culture of collective bargaining by showing willingness and intensify cooperation to bargain in good faith in order to find common ground and resolve disputes amicably. Also government and health managers should introduce an evenly spread of financial and non-financial benefits to the health workforce in the form of career development, special skills acquisition and other varieties of human capacity development programs. This can possibly stem industrial disputes among health professionals.

Key words: collective bargaining, collective agreement, wage, trade dispute, health sector,

Introduction

An essential component of an ideal wage determination process is collective bargaining. Collective bargaining is a mechanism of creating working conditions, wages, and other aspects of employment by negotiation between employers and the labor unions (Nwadiro, 2011). Ikemefuna, (2011) states that the government as a state authority sets up machinery to negotiate wages/salaries and other conditions in the public sector, but unfolding events have shown that the government has taken over the system of wage determination in Nigeria by inaugurating wages tribunals and commissions for wage determination and reviews instead of allowing collective bargaining to undertake this vital function. Ayim, Elegbede, Gbamujo-Sheriff (2011) opine that the use of these commissions is unilateral and undemocratic as it disrupts industrial democratic principles. This development has undermined the importance of collective bargaining in Nigeria and consequently increased the spate of trade disputes and work stoppages in the Nigerian economy because the wage determination policy in Nigeria is not effective and definite (Kester, 2006). This aligns with the view of Adebisi (2013), who lamented the highhandedness of the Nigerian government; in respect of labour matters for making nonsense of these mechanisms or procedures for dispute settlement. More often than not, the Nigerian government fails to honour its agreement with labour. Elegbede, Okeke, and Abiodun (2020) opine that the non-implementation of collective agreements between employers and employees represented by trade unions has been the source of strikes and all forms of trade disputes in the workplace.

Otobo (2007) noted that the bargaining process is characterized by blatant disregard for an agreement reached and procedures dominated by conflicts, and low trust relations between the parties involved in collective bargaining. Omisore (2011) observed that government's poor attitude to workers' welfare and breaches to collective agreement signed with labour unions had created the general belief that the only language government understands on labour matters is industrial strike action. In this instance, Adebisi (2013) has cited the failure or reluctance of government to honour several agreements with the Academic Staff Union of Universities (ASUU), National Association of Resident Doctors (NARD), Joint Health Workers Union of Nigeria (JOHESU) and the Nigerian Labour Congress (NLC) over which

there had been disruptive strike actions which had occasioned security nightmares all over the country. Akinwale (2011) posits that state power has been used arbitrarily as the government has infringed on worker's rights to strike action through the 'No Work, No Pay' clause and their rights to freedom of association. This over-bearing influence of the government in public service wage determination has been variously blamed by industrial and labour relations scholars for the frequent wage crisis that leads to industrial unrest (Uzoh, 2015).

Statement of the Problem

Ultimately, peaceful co-existence between workers (Trade Union) and management, is supposed to showcase a give and take relationship that is mutually inclusive in nature and will in no small measure encourage high workers' morale, increase in performance and Productivity (Girigiri1, Badom, 2021). Put differently, cooperation between employees and management breeds an atmosphere of good industrial understanding, that could lead to stable socioeconomic and political environment which basically positions the development of local industries and as well serves as an attraction for foreign investments and employment for the populace (Girigiri, 2002; Girigiri, 2007). The foregoing depicts some essential ingredients for the socioeconomic and political developments which Nigeria so badly need for work organizations to thrive. Unfortunately, the state of our industrial relations lacks this harmonious value and has not been pleasant. Fajana and Elegbede (2021) noted that bargaining process is characterized by blatant disregard for agreement reached and procedures are dominated by disputes and low trust relations between the parties involved in collective bargaining. Akeem and Tunde (2017) noted that the government has consistently ignored collective bargaining process and has systematically employed adhoc wage commissions and tribunals for fixing of wages and salaries and other conditions of employment in the public sectors. Different salary structures recommended by these tribunals in the respective tiers of government and within ministries, ended up creating wage disparities across employees of different organizations, and within sectors of the economy. Thus this paper is set to examine how the application of collective bargaining influence trade dispute in teaching hospitals in the southeast.

Concept of Collective Bargaining

According to Onabanjo (2013) collective bargaining is a term used by Sydney and Beatrice Web to describe negotiations on conditions of service and terms of employment between employers and workers or between employers' associations and trade unions. It covers all activities in which workers do not negotiate with employers by themselves but do so collectively through their representatives (Onabanjo, 2013). For Olulu and Udeorah (2018) collective bargaining means group negotiations between the employer and the employee on issues relating to their work situation. Fashoyin, (1991), defines collective bargaining as machinery for discussion and negotiation, whether formal or informal, between employer(s) and worker's representatives, aimed at reaching mutual agreement. Under Nigerian law, Section 91 of the Labor Act (1974), collective bargaining is defined as the process of arriving or attempting to arrive at a collective agreement (Ebhoman, 2015). Onabanjo (2013) surmised that the major facts in these definitions are that it is an institutional relationship including negotiation, administration, dispute settlement procedure and implementation of contracts. Fajana (2006) in Nunung, Raden, Mohammad and Erna (2017) affirmed that collective bargaining plays certain roles for the workers, the employers and the state. To the workers, collective bargaining is the alternative to and a replacement of individual weak attempt at bargaining. The terms and conditions are encoded in a collective agreement and the provision fortify present as well as future employees, unless otherwise reviewed. It also affords the employees an opportunity to participate in the management functions of their organizations else managerial prerogatives would dominate most labor matters. To the employer, collective bargaining saves the cost of negotiating with each worker, simplifies the salary administration system, and provides a grievance procedure which prevents the deployment of multiple standards by management in treating indiscipline and tilts to general industrial harmony and this saves the cost of strikes. To the state, peaceful industrial relations between labor and management, portends industrial harmony. Thus, the state stands to benefit from orderly resolution of conflicts through collective labor-management relation.

Review of Theoretical Literature

The class conflict theory was used as the theoretical foundation for this study. The Marxist School of thought as expressed by Marx, (1975) states that the conflict between management and labour results from the fact that they have conflicting and contradicting interests. These interests are not only inherent in each group but are also irreconcilable and antagonistic, regardless of whether the two sides are aware of its presence. Hence conflict is inevitable and attributed to an enduring power struggle between workers and their employers over the control of various aspects of work, and trade unions are a natural response of workers to their exploitation by capitalists, since it is rather difficult and dangerous for workers to individually express their grievances to management. The theory illuminates the wage determination process, negotiation and struggle between government, management and their employees and the attendant industrial actions that marks the industrial relation system in Nigeria. More so, the habitual unilateral wage determination by adhoc commissions, non-adherence to negotiated wage and the lackadaisical attitude of government in wage related matters demonstrates government domineering power in industrial relations matters which usually generate some uneasy atmosphere in the labor circle. Observably, within the purview of public and private sector wage determination in Nigeria, industrial relation is largely imbalanced and antagonistic between the parties involved, often in favor of capital.

In Nigeria, the history of collective bargaining can be traced to the public sector, nonetheless the collective bargaining machinery has performed relatively below par in the sector. According to Kilby (1967) and Nunung, Raden, Mohammad and Erna (2017) the colonial legislative and administrative measures on industrial relations in Nigeria were a reproduction of the British voluntarist employment relations hinged on the priority accorded to collective bargaining over other methods of external job regulation. Akpan (2017) observed that in practice, voluntarism in Nigeria is very difficult as government actions in industrial relations have de-emphasized collective bargaining. Yesufu, (1984) observed that the government has consistently failed to make meaningful efforts at collective bargaining with its own employees, and that is why collective bargaining machinery has performed relatively below par in the sectors. Fashoyin, (1999) attributed

this relatively poor performance of the machinery and practice of collective bargaining to “...the uniqueness of the employer, the government”. Ojo (1998) asserts that government being the major employer of organized labor has impacted negatively on the practice of collective bargaining through its employment practices and actions. Essentially, collective bargaining and collective agreement has been the product of government interventionist actions since the 1960s. Olulu and Udeorah (2018) averred that the reality is that government (federal, state and local) has continued to pay lip service to mechanism of collective bargaining and has made use of adhoc commissions in the determination of wages and conditions of service of workers. Olulu and Udeorah (2018) posit that Nigeria has had a plethora of legislations and statutes bordering on collective bargaining which include Trade Dispute Act, 2004; Trade Dispute (Essential Services) Act, 2005; The Labor Act, 2004; Industrial Arbitration Act; Trade Unions Act National Public Service Negotiating Council (NPSNC) (Olulu and Udeorah 2018). Uvieghara (2001) in Ibietan (2013) observed that in spite of legislations, meaningful bargaining is rather far-fetched. He confirms that the appointment of commissions on a regular basis to review and recommend wages and other conditions of employment is a clear indicator of the absence of collective bargaining. Ibietan (2013) stated that government has not ceased to determine wages unilaterally. Olulu and Udeorah (2018) expatiated that all the aforementioned legislations give primacy of authority to the Minister of Labor who controls and influences collective bargaining and collective agreements. An instance is the Academic Staff Union of Universities (ASUU) and Federal Government of Nigeria collective agreement reached in 2009, 2013 and 2017 that is yet to be fully implemented. The requirement that all collective agreements need to be received and approved by the Minister of Labor Employment and Productivity, who has the power to order the enforceability of some or all of the sections, has whittled the efficacy of collective bargaining as a tool for resolution of matters in industrial relations (Olulu and Udeorah 2018). Available records and statistics show very disturbing trends and attitude on the part of employers towards effective implementation of collective agreements in Nigeria. Ogundeji, Adekunjo, Kadir and Taofiq, (2012) and Akpan (2017) affirm that the major problem militating against the issue of collective bargaining in Nigeria is that of weak institutional and regulatory framework, dearth of budgetary provision to implement terms of collective agreements, and dearth of political will studded with insincerity, and absence of

profound transparent commitment by authorities charged with the responsibility of implementing collective agreements. This situation, they noted, has become an endemic challenge in work environment. Hence, an emerging challenge after every collective agreement in Nigeria trade disputes, incessant strikes actions at national, state and local government levels not only ensue but have become endemic to the work environment and unsettling industrial harmony. This situation according to Akpan (2017) have contributed to low productivity and profitability in public and private sectors with negative multiplier effects on the ability of the Federal Government of Nigeria to exit the present economic recession confronting the country (Ogundeji, Adekunjo, Kadir and Taofiq (2012); Akpan 2017). Ajie, & Aladokiye (2019) posit that Collective agreement constitutes a very important source of the terms and conditions of employment. it is a product of collective bargaining. Relatedly, Anyim, Elegbede and Gbajumo-Sheriff (2011) noted that unwillingness to negotiate in good faith and non-observance of the sanctity of collective agreement by management are part of the banes of collective bargaining practice in the public sector organizations of Nigeria. Generally, the effectiveness of collective bargaining often depends largely on how previous agreements were implemented. Longe (2015) This creeping web of governments' intrigues has largely undermined collective bargaining practice in public sector organizations in Nigeria.

Research Hypothesis

1. There is significant relationship between inability of government to utilize collective bargaining in wage determination and trade dispute in teaching hospitals in the southeast Nigeria.
2. There is a significant relationship between non-implementation of collective agreement and trade dispute in teaching hospitals in the southeast Nigeria.

Methods

This study adopted a descriptive cross sectional survey and convergent parallel mixed method research design using a structured self-administered questionnaire and in-depth interview. The survey was conducted in four (4) different randomly selected teaching hospitals in the southeast Nigeria. They are Nnamdi Azikiwe University Teaching Hospital, Chukwuemeka Odumegwu Ojukwu University Teaching Hospital, University of Nigeria

Teaching Hospital and Enugu State University Teaching Hospital. All the teaching hospitals have had its fair share professional rivalry that has precipitated trade disputes and eventually a full blown strike over the years. The population of the study is 7,876 but the target population is 4912 which includes the medical staff of the selected teaching hospitals. Using Taro Yamane statistical formula, a sample of 625 respondents were selected from the teaching hospitals and constitute the study participant. The multi-stage random sampling method was utilized. Data were analyzed using SPSS software (version 20) and thematic content analysis. Results were presented in frequencies and percentages.

Results of Findings

Socio-demographic Characteristics of the Participants

Findings on socio-demographic characteristics revealed that 156 (25%) of the total respondents were male while 469 (75%) were female. The majority of the respondents (44.2%) fall within the age bracket of 18-28 years while the minority (2.1%) of the respondents fall within the age bracket of 51 and 61 years. Furthermore, most of the respondents (61.1%) were single (never married), while the minority (.3%) of the respondents were divorced and widowed respectively. Also, majority (78.4%) of the respondents indicated that they are Christians, while (.3%) minority of the respondents were Muslims. Similarly, most of the respondents (94.7%) had higher education while the minority (2.6%) of the respondents had primary school education. The majority of the respondents (20.3%) had an average monthly income of ₦180,000 and above while minority of the respondents (2.1%) had an average monthly income of ₦60,000 - ₦79,000. In addition, majority (45.6%) of the respondents reported that they are members of NANNM trade union while the minority (4.5%) of the respondents did not indicate their particular trade union.

Table 1: Responses on whether they think Nigeria government utilize collective bargaining machinery in industrial relations matters.

Responses	Frequency	Percentage (%)
Yes	135	21.6
No	361	57.8
I don't know	129	20.6
Total	625	100.0

Source: Field Survey, 2023.

Table 1 above showed the participants' views on whether Nigeria government is utilizing machinery in industrial relations matters. It was observed that the majority (57.8%) of the participants indicated that Nigeria government do not utilize collective bargaining machinery in industrial relations matters while the minority (20.6%) of them alleged that they do not know. The IDI respondent had this to say

You know it is whenever there is threat to strike or strike itself that's when you start hearing collective bargaining all the time. Once it seems the problem has piped low with government promises, the word disappears until another threat. For me I think government pretends to use it just so that it seems they are doing what is expected of them in industrial relations. But the truth of the matter is that they are not actually very sincere about the negotiation, insincerity is part of what happens because you cannot accept something you know you cannot do and then waiting for labour to threaten industrial action before you broach the matter again. Unfortunately, in the health sector it is the patients that bear the brunt of this apathetic attitude. If it is one that will be saved, the patient might end up dying because of strike. I think collective bargaining should be taken with every seriousness, health workers should never go on strike because they are dealing with lives (Male 50 years).

Another IDI respondent exclaimed

Heeeeeeeey!!! Did you say whether I think government is using collective bargaining? You know it is very unfortunate that the rule of law is only taken seriously when it is convenient for the government. Sometimes the labour leaders will be fighting for hearing or audience with government and they will not be attended to you. when there is total shut down. Like the one that will happen on Friday. you will see the government calling labour, come let us discuss. So talking about collective bargaining is just government playing the gallery. Ok even when they eventually sit with us after negotiation the representative will tell you let him take it to the president. Whaaaat? This people are just toying with us and it is heart wrenching (Female 52 years).

Table 2: Responses on the likely reasons why Nigeria government is not utilising collective bargaining machinery in industrial relations matters.

Response	Frequency	Percentage (%)
Preference for wage commission	130	20.8
Penchant for unilateral decisions on wage	141	22.6
Government unwillingness to review wages regularly	135	21.6
Politicians use of wage increase to boost their chances at the polls	124	19.8
Government penchant for workers to agitate before any salary increase	26	4.2
Government penchant to show supremacy and use of coercion to prevent workers from going on strike ("No Work, No Pay")	22	3.5
Others	47	7.5
Total	625	100.0

Source: Field work 2023

Table 11 above showed the participants' views on the likely reasons why Nigeria government is not utilising collective bargaining machinery in industrial relations matters. It was observed that (20.8%) of the participants indicated Preference for wage commission, (22.6%) indicated penchant for Unilateral decisions on wage, (21.6%) government unwillingness to review wages regularly, (19.8%) indicated politicians use of wage increase to boost their chances at the polls, (4.2%) indicated government penchant for workers to agitate before any salary increase, While (3.5%) indicated government penchant to show supremacy and use of coercion to prevent workers from going on strike i.e. "No Work No Pay" clause. The IDI respondent had this to say

One of the problem with the wage commissions issue is that most often people that are determining this wage are very far from government. So they don't have the potentials to push, even if they recommend something nothing happens most times. And their wage recommendations do cause conflict in the health sector and public sector in general. These awards increased the overall incidence of trade dispute and strike.it does not promote stability in the labour force and most times politicians use it to win workers vote during election period. I see wage commission as an intermediary, a third party and should not be relied on as a means of determining wages and salaries and

other conditions of employment of public sector employee, direct negotiation with trade unions pays better(Male 40 years).

Another participant held that

On Irregular review: Salaries are not supposed to exceed five years without reviewing it. As the cost of living increases you review the salary. the minimum Wage that was reviewed during the time of President Buhari was by War. The last review was during the time of late president Yaradua now check how many years have gone by. Removal of subsidy has taken over the whole country. Today a bag of rice is ₦50,000. Tell me how do you reconcile our current salary and the current situation. Irregular review of Salary is the worst thing that can happen to a civil servant, growing up my parents as Civil servants enjoyed their lives. You know those days, you can have insurance to buy cars that was when Peugeot and the rest was on ground, but today those things are no more. A civil servant cannot even buy a car with current pay. The best he can get is a motor cycle and that is why you see civil servants indulging in illegalities just to survive (Female 45 years).

Another participant alleged that

There is politics in everything. Where somebody begin to say that You pay salary regularly that is politics. The bible says a labourer deserves his wage. Under normal circumstances even in advanced countries you can't come out and say it because you paid somebody even under Private setting when somebody works for you and you give him his money you won't come and say you have done something for that person because you have not done anything extra. That's the politics of it. Not paying peoples salary and if you pay you go and start shouting in the media. These things should not be politicked but I think it is so politicized in Nigeria. Some use it to take some political points, not paying salary and paying it at a time that you will be hoping for people to clap for you that you cleared 7-month salary. Haba!!! (Male 56 years).

Another participant said that

It is unfair because you can't punish somebody for being right. If the government accepts they will pay, they should pay it. If they are going on strike they are going on strike because You have failed to meet up with the agreement. I don't think they should be punished for it because the failure is from the part of government and not part of the workers. But if there is any kind of strike that is not justifiable, that person should not be paid (Male 50 years).

Similarly, another participant held that

On No Work No Pay clause. Like I said before government will agree to pay ₦20 but will not pay, then they evoke No Work No Pay which is not in accordance with trade union law. They do this because they don't want you to go on strike they want you to continue in agony. Bringing the clause of No Work No Pay is to stampede us not to cry just like

they do with the police and bankers today. There is nothing you do to a banker today that he will retaliate, he will even be pleading with you so as to retain his job. They are trying to do same to the health sector and every other sector in Nigeria. No Work No Pay Ngige introduced it in 2018, though they eventually paid- but the only thing they want from you is to stay where you are without crying and accept that everything is going on well when they have not done what they are supposed to do. If I don't pay my children's school fees, they don't go to school and I see them begging on the Street to make up for their school fee. Do I have the right to flog them when they are fighting for ends meet for their future? Accordingly, the labour Union is also fighting for their future and for their ends meet and you tell us No Work No Pay that is a political game for the politicians especially the Health minister (Female 54 years).

Table 12: Responses on whether they think the inability of government to utilize collective bargaining has been a source of trade dispute.

Responses	Frequency	Percentage (%)
Yes	479	76.6
No	60	9.6
I don't know	86	13.8
Total	625	100.0

Source: Field Survey, 2023.

Table 12 above showed the participants' views on whether they think the inability of Nigeria government to utilise collective bargaining has been a source of trade dispute. It was observed that the majority (76.6%) of the participants indicated that they think that the inability of government to utilize collective bargaining has been a source of trade dispute while few of them (9.6%) reported that the inability of government to utilize collective bargaining has not been a source of trade dispute. This is consistent with the findings from the IDI where almost all the participants affirmed that the inability of government to utilise collective bargaining has been a source of trade dispute.

Table 3: Responses on whether collective bargaining is a good prerequisite for industrial democracy and jurisprudence.

Responses	Frequency	Percentage (%)
Yes	280	44.8
No	235	37.6
I don't know	110	17.6
Total	625	100.0

Source: Field Survey, 2023.

Table 3 showed the respondents' views on whether collective bargaining is a good prerequisite for industrial democracy and jurisprudence. The majority (44.8%) of the respondents admitted that collective bargaining is a good prerequisite for industrial democracy and jurisprudence (37.6%) of them said No. The IDI participant affirms that collective bargaining is a good prerequisite for industrial democracy and jurisprudence if only the actors are sincerely committed towards solving wage problem. The implication of this is that the rule or law relating to collective bargaining must be followed to the letter to avoid anarchy.

Table 4: Responses on the attitude of government during collective bargaining process

Responses	Frequency	Percentage (%)
Excellent	36	5.8
Good	170	27.2
Fair	69	11.0
Poor	350	56.0
Total	625	100.0

Source: Field Survey, 2023.

Table 4 above showed the frequency distribution of respondents' views on the attitude of government during collective bargaining process. The majority (56%) of the respondents admitted that the attitude of government during collective bargaining process is poor while (11%) said it is fair and (5.8%) claimed that the attitude of government during collective bargaining process was excellent. Thus, it is obvious that this difference may be evidence of the discrepancy on the collective bargaining process. The majority of the IDI participant affirm that Nigeria government display some level of irresponsibility when it comes to implementation of collective agreement. One of them argue that

In every country, the leadership pattern will affect the performance of the workers either for better or worse. There is no government that afflicts injustices to her workers without experiencing stiff resistance from the workers. Doctors are currently on strike and this has affected the operations of most public health institutions. government attitude and non-implementation of collective agreement are problems faced by our associations after successful bargaining process. This has accounted for incessant

strikes because the only available remedy in such failure is resort to industrial action. That is the only language Nigeria governments understands (Male 40 years).

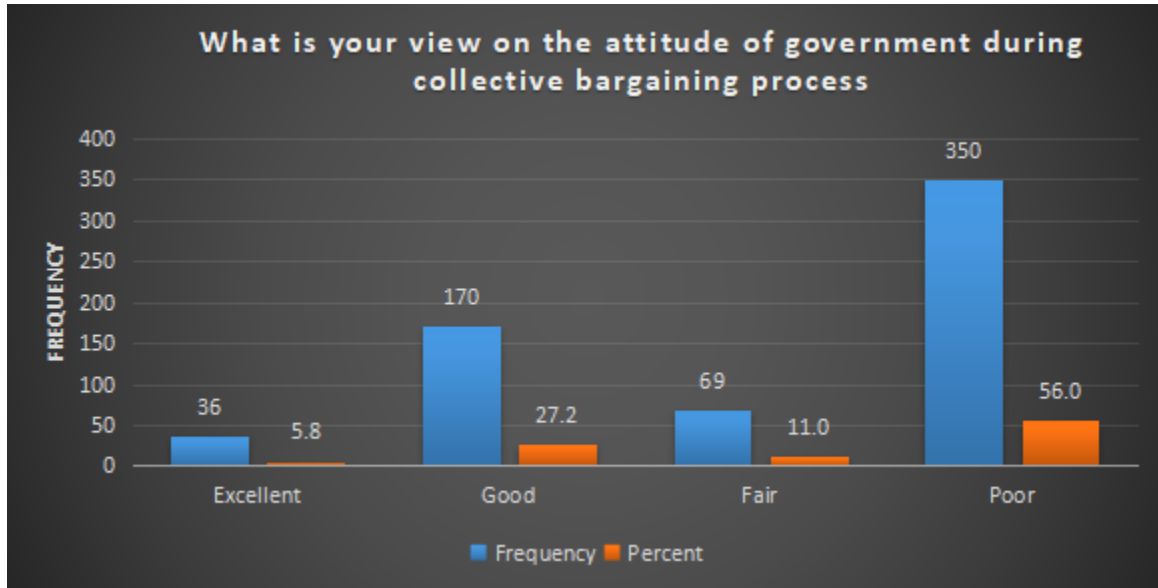


Figure 1: Respondents' views on the attitude of government during collective bargaining process.

Table 5: Responses on the major problems militating against collective bargaining in Nigeria.

Responses	Frequency	Percentage (%)
Weak institutional and regulatory bodies	93	14.9
Dearth of budgetary provision to implement collective agreement	195	31.2
Dearth of political will and insincerity	69	11.0
Absence of transparent commitment by authorities charged with the responsibility of implementation	228	36.5
None	28	4.5
Others	12	1.9
Total	625	100.0

Source: Field Survey, 2023.

Table 5 above showed the frequency distribution of respondents' views on the major problems militating against collective bargaining in Nigeria. It was observed that the

majority (36.5%) of the respondents reported that the major problem militating against collective bargaining in Nigeria is the absence of transparent commitment by authorities charged with the responsibility of implementation, (31,2%) indicated Dearth of budgetary provision to implement collective agreement,(14.9%) indicated Weak institutional and regulatory bodies while (11.0%) indicated dearth of political will and insincerity as problems militating against collective bargaining in Nigeria. All the IDI participant concur that political Will is zero

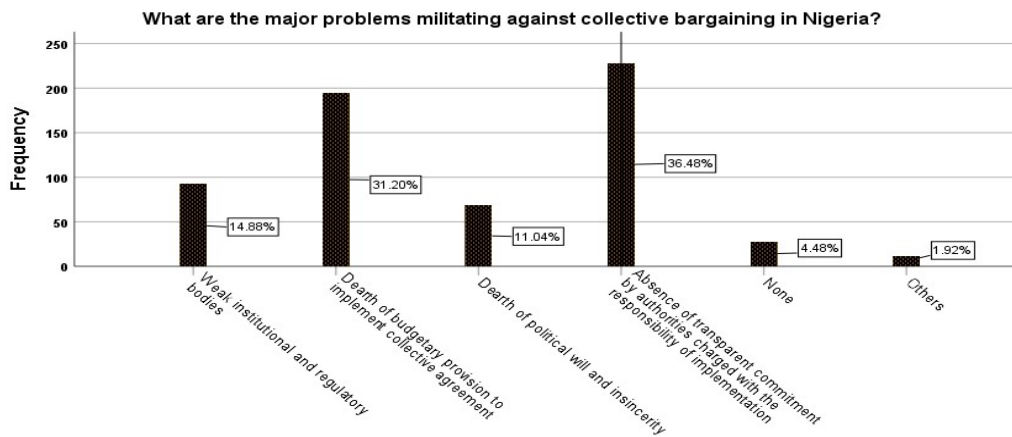


Figure 2: Respondents’ views on the major problems militating against collective bargaining in Nigeria.

Test of Hypotheses

In this section, the researcher tested two hypotheses formulated for this study using Chi-square (X^2) statistics.

. Hypothesis One

H₁: There is significant relationship between inability of government to utilize collective bargaining in wage determination and trade dispute in teaching hospitals in the southeast Nigeria. Testing of this hypothesis is shown in table 39

Table 39: Cross Tabulation between inability of government to utilize collective bargaining in wage determination as the source of trade disputes.

	Wage determination is source of trade disputes			Total	χ^2
	Yes	No	I don't know		

Inability of government to utilize collective bargaining	Yes	435	39	5	479	127.660
	No	47	7	6	60	
	I don't know	42	20	24	86	
Total		524	66	35	625	

Source: Field Survey, 2023

$\chi^2 = 127.660$, $df = 4$, $N = 625$, $P < 0.000$.

The computed value of chi-square was 127.660 while the value of chi-square at 0.05 level of significance with a degree of freedom (df) of 4 was 9.488. Since the computed value of the chi-square is greater than the critical value, the alternative hypothesis was accepted. This indicates that the inability of government to utilize collective bargaining in wage determination significantly contributes to trade disputes in the teaching hospitals in Nigeria. Thus, there is a significant positive relationship between inability of government to utilize collective bargaining in wage determination and trade disputes in the health sector in Nigeria. This may be the reason for the continuous dispute between the government and the trade unions.

Hypothesis Two

H₂: There is a significant relationship between non-implementation of collective agreement and trade dispute in teaching hospitals in the southeast Nigeria. Testing of this hypothesis is shown in table 40.

Table 40: Cross Tabulation between government inadequacies to honour collective agreement with unions and the likelihood of wage determination as the source of trade disputes.

		Wage determination is source of trade disputes			Total	χ^2
		Yes	No	I don't know		
Government inadequacies to honour collective agreement	Yes	316	10	15	341	209.331
	No	164	7	1	172	
	I don't know	44	49	19	112	
Total		524	66	35	625	

Source: Field Survey, 2023

$\chi^2 = 209.331$, $df = 4$, $N = 625$, $P < 0.000$.

The computed value of chi-square was **209.331** while the value of chi-square at 0.05 level of significance with a degree of freedom (df) of 4 was 9.488. Since the computed value of the chi-square is greater than the critical value, the alternative hypothesis was hereby accepted. This means that government inadequacies to honour collective agreement with unions is a significant factor that may precipitate trade disputes in the teaching hospitals in Nigeria. Thus, there is a significant positive relationship between government inadequacies to honour collective agreement and trade disputes in the health sector in Nigeria.

Discussion of findings

In terms of the application of collective bargaining and influence in trade dispute in teaching hospitals in the southeast. The study found that Collective bargaining is very appropriate and important in industrial relations matter. The findings affirm that collective bargaining will benefit both employers and employees, in terms of fair remuneration for workers and productivity for the employer and overall can strengthen and maintain cordial and harmonious relations between government and trade unions. This is consistent with the findings of Nunung, Raden, Mohammad and Erna (2017), Olulu and Udeorah (2018), Mohammed, (2014) who argued that that collective bargaining is the most effective strategy for trade dispute management. The study also found out that that Nigeria government do not utilize collective bargaining machinery in industrial relations matters. This accounts for most of the disputes that occur in health sector especially as it concerns collective agreement implementation. This is in line with the findings of Akinwale and Elegbede (2017), Onabanjo, (2013), Olulu and Udeorah (2018) who had earlier stressed that government continues to embrace collective bargaining in principle but prefers in practice, to using wage commission approach in determining wages. This necessitates the use of strike, as an economic weapon by workers. The study looked at the likely reasons why Nigeria government is not utilizing collective bargaining machinery in industrial relations matters, findings revealed that most times government make use of wage commission and have penchant for unilateral decisions on wage They also tend to show supremacy and use of coercion to prevent workers from going on strike i.e. "No Work No Pay" clause. This finding is corroborated by Akinwale and Elegbede (2017), Akinwale (2011) who stressed that state power has been used arbitrary leading to industrial unrest. Likewise, government

unwillingness to review wages regularly has been a source of trade dispute and this is supported by Eme. Alo and idike (2017), Nwude (2013) who argued that The demand for wage increases has always come from the aggrieved workers because of the adverse effects of the cost of living on them. This has led to frequent strike actions by workers aimed at getting government to agree to negotiate a new minimum wage and a general upward review of wages. The data in Table 12, show that (76.6%) of the respondents indicated that they think that the inability of government to utilize collective bargaining has been a source of trade dispute. This is understood within the context of the fact that there is limited appreciation of the role of collective bargaining, and this hampers its efficacy in labour conflict resolution in Nigeria's public sector. This is consistent with the findings of Ibietan (2013), Onabanjo, (2013), Olulu and Udeorah (2018). Table 13 showed The majority (44.8%) of the respondents admitted that collective bargaining is a good prerequisite for industrial democracy and jurisprudence. This affirms with Olulu and Udeorah 2018). Uvieghara (2001) in Ibietan (2013) who maintained that Nigeria has had a plethora of legislations and statutes bordering on collective bargaining which include Trade Dispute Act, 2004; Trade Dispute (Essential Services) Act, 2005; The Labor Act, 2004; Industrial Arbitration Act; Trade Unions Act National Public Service Negotiating Council (NPSNC). however, in spite of legislations, meaningful bargaining is rather far-fetched. They confirm that the appointment of commissions on a regular basis to review and recommend wages and other conditions of employment is a clear indicator of the absence of collective bargaining. The study found that the government poor attitude during collective bargaining process has contributed to the spate of trade dispute that invaded the polity. This is supported by the findings of Olulu and Udeorah (2018), Ewepu (2010), Ebong and Ndum (2020) who stressed that The problem in Nigeria is basically inched on insincerity and politics on the part of government, also impatience on the part of the workers. They added that Collective bargaining has become an instrument of political manipulation, from point of appointing and consulting government representative to the bargain, deceit or insincerity is manifested. Contrary to expectations most times after unions reaches agreement with government, the terms and conditions of agreement are not implemented, but rather thrown to the trash. This finding have grave consequences and serious implication to the patients in the teaching hospitals. This study found that absence of transparent commitment

by authorities charged with the responsibility of implementation, dearth of budgetary provision to implement collective agreement, weak institutional and regulatory bodies and dearth of political will and insincerity as problems militating against collective bargaining in Nigeria. This is consistent with Onabanjo, (2013), Dawodu, George, Akaighe and Afolabi (2017), Ogundeji, Adekunjo, Kadir and Taofiq, (2012) and Akpan (2017) Fajana, and Elegbede (2021) where they stressed the challenges facing collective bargaining posed some threats to effectiveness of public sector administration because workers in that sector tends to have increasing negative reactions and covert expression of grievances in response to poor conditions of work, pay and remuneration. More so collective bargaining machinery lacks rigorous effectiveness in Nigeria health sector because of government regulations and interventions.

A significant relationship was found between inability of government to utilize collective bargaining in wage determination and trade disputes in the health sector in Nigeria. It follows that government inability to make meaningful efforts at collective bargaining with its own employees, may be the reason why collective bargaining machinery has performed relatively below par and the source of trade disputes in the sector. This agrees with the class conflict theory which states that there is a fundamental division of interest between capital and labour at the workplace. As described earlier, government being the major employer of organized labour has impacted negatively on the practice of collective bargaining through its employment practices and actions. The implication is this may well be an indication that collective bargaining machinery is not properly established and entrenched in the public service in Nigeria. The researcher accepted the alternative hypothesis which there is significant relationship between inability of government to utilize collective bargaining in wage determination and trade dispute in teaching hospitals in the southeast Nigeria.

A significant positive relationship was found between government inadequacies to honour collective agreement and trade disputes in the health sector in Nigeria. This implies that collective agreements provide a means for employer and employee to reach a consensus through bargaining process and ensures among other things, industrial harmony. This agrees with the class conflict theory which states that the conflict between management and

labour results from the fact that they have conflicting and contradicting interests. These interests are not only inherent in each group but are also irreconcilable and antagonistic, regardless of whether the two sides are aware of its presence. The implication of this finding echo that collective bargaining, honoring collective agreement appear to be important links to reducing the incessant trade dispute that have invaded the health sector. In other words, the relevance of wage determination process depends not only on the government but also on the unions as well, to create enabling environment for industrial peace and overall development of the health sector in Nigeria. The researcher accepted the alternative hypothesis there is a significant relationship between non-implementation of collective agreement and trade dispute in teaching hospitals in the southeast Nigeria.

Conclusion and Recommendations

Collective bargaining is very appropriate and important in industrial relations matter because it will benefit both employers and employees. Unfortunately, Nigeria government do not utilize collective bargaining machinery in industrial relations matters and this accounts for most of the disputes that occur in health sector especially as it concerns collective agreement implementation. This is understood within the context of the fact that there is limited appreciation of the role of collective bargaining, and this hampers its efficacy in labour conflict resolution and serious implication to the patients in the teaching hospitals in Nigeria's health sector. In light of the findings and conclusions, the following are offered as recommendation for possible actions

1. Effective collective bargaining should be given better prominence in the determination of employment conditions in the Nigerian public sector organizations.
2. Government should imbibe the democratic culture of collective bargaining by showing willingness and intensify cooperation to bargain in good faith in order to find common ground and resolve conflicts amicably.
3. Government should set up committees that includes trade union leaders to review all past collective agreements and come out with a new memorandum of understanding in order to avert future disputes and strike.
4. The courts should always ensure compliance with the existing requirements of the Act on collective bargaining and agreements.

REFERENCES

- Adebisi, M. A. (2013). History and Development of Industrial Relations in Nigeria: Hybridity of Western Models Versus Military Interventionism Culture. *Mediterranean Journal of Social Sciences* 4(14),23-38.
- Ajie, C. and Aladokiye, E.G. (2019) Collective Agreements in Nigeria: A Comparative Analysis. *University of Port Harcourt Journal of Private Law* (4)
- Akpan, M.J. (2017). Nature of Collective Agreements in Nigeria: A Panoramic Analysis of Inherent Implementation Challenges. *Global Journal of Politics and Law Research* 5(6),19-28.
- Akinwale, A. (2011). *Labor reform and industrial conflict management in Nigeria*. Paper presented at the sixth IIRA African regional congress of Industrial Relations. Lagos: University of Lagos.
- Akinwale, A.A., & Elegbede S. T. (2017). Trade Unions' Reactions to Wage Determination Processes in the Public Sector of Lagos State, Nigeria. *Journal of Innovative Research in Business & Economics* 1(1),1-49.
- Anyim, F., Elegbede, E., & Gbajumo-Sheriff, M. (2011). Collective Bargaining Dynamics in the Nigerian public and Private sectors. *Australian Journal of Business and Management Research* 1(5), 63 – 70.
- Dawodu, A., George,O., Akaiqhe, G.. & Bashiru, T. (2017). Collective Bargaining Challenges in Nigeria Public Universities, Ilorin *Journal of Human Resource Management*, 1 (1) 42-60.
- Ebhoman, S. O. (2015, November). *A critical examination of collective bargaining and its role in labour relations in Nigeria*. A project presented in the Faculty of Law, Ahmadu bello University, Zaria in partial fulfillment for the award of master of arts in law.
- Elegbede, S. T., Okeke, S.C., & Abiodun, J.S. (2020). Trade Unions' Reactions to Non-implementation of Collective Agreements in the Lagos State Public Sector. *Journal of Contemporary Research in Business, Economics and Finance*, 2 (4), 83-94.
- Fajana, S. (2006) *Industrial Relations in Nigeria: Theory and Features* (3rd eds.) Lagos: Labofin and Company.
- Fajana, & Elegbede, T. (2021). A Critique of Collective Bargaining Policy in Nigeria from Colonial Era till date. *International Journal of Business & Management Studies*, 2(3), 27-36.
- Fashoyin, T. (1991). *Unpublished Notes*. Department of Industrial Relations and Personnel Management, University of Lagos, Nigeria.
- Ibietan, J. (2013). Collective Bargaining and Conflict Resolution in Nigeria's Public Sector. *Ife Psychologia*, 21(2).
- Kilby, P. (1967). Industrial Relations and Wage Determination: Failure of the Anglo-Saxon Model. *The Journal of Developing Areas*, 1(4), 489-520.
- Longe, O. (2015) Assessment of the Efficacy of Collective Bargaining as a Pathway to Conflict Management in Nigeria's Public Sector Organizations. *Ife Social Sciences Review*, (24) 2,184-199.
- Muhammad, A. C. (2014). Examine Conflicts in Industrial Relations & Collective Bargaining

- context and its impact on Workers & Organization Performance. *Academy of Contemporary Research Journal*. 8 (1), 14-25.
- Nwadiro, E. C. C. (2011). *Collective bargaining and conflict resolution: the federal government of Nigeria and the Nigeria Labour congress impasse*. Retrieved 9th September, 2018 from <http://moreciteseerx.ist.psu.edu>.
- Nunung, N., Raden, M., Mohammad, B., & Erna, M. (2017). Industrial Relation: A Comparative Study in Nigeria and Indonesia, Historical Perspective. *Mediterranean Journal of Social Sciences* 8(5), 19-28.
- Olulu, R., & Udeorah, S. (2018). The Principle of Collective Bargaining in Nigeria and the International Labour Organization (ILO) Standards. *International Journal of Research and Innovation in Social Science* 2(4), 63-67.
- Omisore, B. O. (2011). Breached agreements: Threat to management-union relationship. *Medwell Journals of Social Sciences*, 6(4), 299-306.
- Onabanjo, I. (2013). Collective Bargaining: Received Orthodoxy Discarded in Public Sector Wage Determination. *European Journal of Business and Management*, 5(12), 1-11.
- Otobo, D. (2007). *Contemporary industrial relations in Nigeria*. Hampshire: Palgrave Macmillan
- Uzoh, B. C. (2015). The Use of Wage Commissions to Determine Wages of Public Service Employees and Wage-Related Industrial Unrest: The Nigerian Experience. *The International Journal of Social Sciences and Humanities Invention*, 2(5), 1244-1256.
- Uvieghara, E.E. (2001). *Labour law in Nigeria*. Lagos: Malthouse, Press Limited.
- Yesufu, T.M. (1984). *The Dynamics of Industrial Relations: The Nigerian Experience*. Ibadan: University Press Ltd.