



## INDUSTRIAL DISPUTE IN THE MANAGEMENT OF TERTIARY INSTITUTIONS IN NIGERIA

BY

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### Abstract

*Industrial disputes remain a recurring and persistent challenge in the effective management of tertiary institutions in Nigeria, significantly impacting educational quality, institutional efficiency, and national development. These disputes, often triggered by inadequate funding, poor staff welfare, dilapidated infrastructure, and unfulfilled agreements, have led to frequent disruptions in academic activities. Staff unions such as the Academic Staff Union of Universities (ASUU) and Academic Staff Union of Polytechnics (ASUP) play a pivotal role in these conflicts, advocating for better conditions but often resorting to industrial actions. This paper examines the root causes, implications, and mitigation strategies for addressing industrial disputes within the sector. Using recent cases and scholarly insight, it highlights key factors such as inadequate funding, poor working conditions, non-implementation of agreements, and politicization of educational policies. The paper underscores the need for effective communication, equitable policy formulation, and a commitment to honouring agreements as critical steps to improving industrial harmony. Recommendations are being made for stakeholders to foster sustainable development in tertiary education management.*

**Keywords:** Industrial dispute, dispute, tertiary institution, management

### Introduction

Industrial disputes have become a significant challenge in the management of tertiary institutions in Nigeria, often leading to disruptions in academic calendars and declining educational quality. These disputes typically arise from issues such as the non-payment of salaries, inadequate infrastructure, lack of funding, and unresolved agreements between the government and staff unions, including the Academic Staff Union (ASUU), the Non-Academic Staff Union (NASU), and others (Eze & Umar, 2023). The recurrent strikes and protest by these unions have not only hampered the smooth administration of tertiary institutions but have also had long-term implications for students, parents, and the national economy. In



recent years, efforts by the government to address these challenges through negotiations and reforms have met with varying degrees of success, raising concerns about the need for a more proactive and inclusion approach to dispute resolution. In 2022, for instance, the ASUU strike lasted eight months, paralyzing academic activities in Federal universities and raising concerns about the sustainability of the system (Adebayo & Okon, 2022). Efforts by the government to address these challenges through negotiations and reforms have met with varying degrees of success. According to Johnson (2023), these efforts often fail due to a lack of trust between stakeholders and delays in implementing agreed terms. Consequently, the need for a proactive and inclusive approach to dispute resolution has become more urgent than ever.

### **Concept of Dispute**

The concept of dispute refers to conflicts or disagreements that arise between employers and employees, often related to wages, working conditions, or other terms of employment. These disputes can be individual, where one employee has a grievance, or collective, involving larger groups or unions (Acas, 2024).

### **Concept of Industrial Dispute**

According to Kirsty (2024). The concept of industrial dispute revolves around conflicts between employees, primarily concerning employment terms, working conditions, or other workplace-related issues. These disputes may arise due to grievances such as wage demands, working hours, job security, or unfair labour practices. Industrial disputes often lead to strikes, lockouts, or legal proceedings aimed at resolution. Industrial disputes refer to conflicts, disagreements, or differences between employers and employees, or between workers and management over employment terms, working conditions, or organizational policies (Fajana, 2000). In the context of tertiary education, industrial disputes commonly arise from demands for better working conditions, improved staff welfare, adequate funding, and policy disagreements between unions and the government. According to Adeyemi and Adeniji (2021), the education sector in Nigeria has witness recurrent industrial disputes, particularly in public tertiary institutions, which underscores the importance of addressing the root causes and improving management. Industrial disputes is defined as disagreements between employers and employees, or between employers and trade unions, which arise out of issues such as wage demands, working conditions, union recognition, or unfair labour practices. These disputes often disrupt normal industrial operations and are resolved through various mechanisms, including collective bargaining, mediation, or legal proceedings (Ali & Jahan, 2022; Kumar, 2023).

### **Overview of Tertiary Institution in Nigeria**

Tertiary education in Nigeria encompasses universities, polytechnics, colleges of education, and other institutions that offer higher learning. These institutions aim



to provide skilled manpower, promote research, and foster national development. According to the National Universities Commission (NUC, 2023), there are currently over 200 tertiary institutions in Nigeria, divided between public and private ownership. Ndayeboun & Aregbesola (2024) defined tertiary institution in Nigeria as any institution that offers post-secondary education. These institutions include universities, polytechnics, Colleges of education, and specialized professional institutions such as health colleges and institutes of technology. They play a critical role.

### **Management of Tertiary Institutions in Nigeria**

The management of tertiary institutions in Nigeria involves multiple stakeholders, including the federal and state governments, governing councils, staff unions, and regulatory agencies such as the NUC and National Board for Technical Education (NBTE). Despite their critical role in national development, Nigerian tertiary institutions face numerous challenges, including inadequate funding, insufficient infrastructure, and frequent industrial disputes (Ogunyemi, 2019). The management of tertiary institutions in Nigeria faces numerous challenges that affect their growth and the quality of education. These challenges include inadequate funding, insufficient infrastructure, poor governance, and the failure to implement policies effectively. Government intervention through funding agencies like the Tertiary Education Trust Fund (TETfund) plays a crucial role in addressing infrastructural gaps and promoting research development (TETfund, 2022). Furthermore, the management of tertiary institutions often grapples with internal conflicts, including industrial disputes, which disrupt academic activities. These disputes are frequently rooted in issues such as salary arrears, poor working conditions, and unfulfilled agreements between staff unions and the management (Fashina, 2022). In addressing these challenges, effective leadership and administrative reforms are critical, alongside more substantial investments in infrastructure and staff welfare. Studies show that while some institutions have implemented successful reforms, including adopting digital learning platforms and strengthening governance frameworks, others still struggle with outdated practices and insufficient resources (Ogunode & Anene, 2024; Fashina, 2022). For sustainable growth, a more collaborative approach involving government, management, and stakeholders is essential for improving the quality of higher education in Nigeria.

### **Challenges of Management of Tertiary Institutions in Nigeria**

1. **Inadequate funding:** One of the most critical issues is the lack of sufficient government funding. This results in poor infrastructure, outdated teaching resources, and underpaid staff. While agencies like TETfund have made significant



contributions, they are often unable to fully meet the needs of all institutions (Ogunode & Anene, 2024).

2. Poor infrastructure: Many institutions still struggle with dilapidated buildings, limited access to modern technology, and inadequate learning facilities. This impacts both the learning environment for students and the effectiveness of teaching (Fashina, 2022).

3. Industrial Disputes: Frequent strikes, particularly by the Academic Staff Union of Universities (ASUU), disrupt academic schedules. These disputes often revolve around salary delays, poor working conditions, and unmet agreements between the unions and management (Fashina, 2022; Ogunbamero, 2011).

### **Industrial Disputes in the Management of Tertiary Institutions in Nigeria**

Industrial disputes in the management of tertiary institutions in Nigeria often arise due to issues such as salary discrepancies, poor working conditions, and lack of adequate infrastructure. These disputes are typically between staff unions (such as ASUU-Academic Staff Union of Universities) and the management of institutions, with widespread effects on students and academic programs. A key contributing factor is inadequate funding and poor policy implementation, which exacerbate tensions between the workforce and management. Research by Nwachukwu (2023) and Oni (2022) indicates that such disputes frequently lead to strikes and work stoppages, significantly disrupting academic activities. Furthermore, the legal frameworks in Nigeria such as the National Industrial Court (NIC) and Industrial Arbitration Panel (IAP), are tasked with managing and resolving these conflicts. The NIC has exclusive jurisdiction over labor disputes, and its role in managing industrial disputes is critical in maintaining industrial peace in the educational sector (Ige & Nwachukwu, 2023; Ogunode et al., 2024)

### **Causes/Factors Responsible for Industrial Dispute in the Management of Tertiary Institutions in Nigeria**

**Inadequate Funding:** The chronic underfunding of tertiary education by the government has been a significant source of conflict. According to UNESCO's recommendation, countries should allocate at least 26% of their annual budgets to education, however, Nigeria has consistently fallen short of this benchmark (Olayiwola, 2022). Insufficient funding affects salaries, infrastructure, and research opportunities, leading to dissatisfaction among academic and non-academic staff.

**Poor Staff Welfare and Remuneration:** Delayed salaries, unpaid allowances, and discrepancies in remuneration packages have led to widespread grievances among employees. Staff unions, particularly the Academic Staff Union of Universities (ASUU), frequently demand better pay and improved welfare to match the increasing workload and inflationary pressure (Eze, 2021).



**Dilapidated Infrastructure:** The deterioration of facilities, including lecture hall, laboratories, and hostels, hampers effective teaching and learning. Staff and students often protest the deplorable state of infrastructure, which reflects the neglect of tertiary institutions by relevant authorities. **Government Policy and Unfulfilled Agreement:** Failure of the government to honor agreements made with staff unions. For instance, the 2009 agreement between ASUU and the Federal Government, which included provision for improved funding and better working conditions, remains largely unimplemented (Ogunyemi, 2019). Such breaches erode trust and lead to repeated strike actions.

**Leadership and Management Challenges:** Weak institutional governance, mismanagement of funds, and poor communication between management and staff exacerbate conflicts. Leadership conflicts, such as disagreements over appointments and promotions, also contribute to workplace dissatisfaction (Adeyemi & Adeniji, 2021). **Political Interference:** Political interference in the management of tertiary institutions often results in inefficiency and conflicts. The appointment of unqualified leaders due to political connections undermines institutional autonomy and professionalism, creating tension between management and employees. **Union Activities:** The active presence of staff unions, such as ASUU, ASUP, and NASU, has led to frequent industrial actions, while unions play a critical role in advocating for the rights of their members, their confrontational approach often results in prolonged disputes and institutional paralysis.

### **Effects of Industrial Disputes on the Management of Tertiary Institutions in Nigeria**

**Disruption of Academic Activities:** Industrial disputes often lead to prolonged strikes, which disrupt academic calendars and delay the graduation of students. For instance, the 2020 ASUU strike lasted for over nine months, causing significant disruptions to be teaching, research, and other academic activities (Olayiwola, 2022). **Decline in quality of education:** Frequent industrial actions negatively affect the quality of education. Students lose valuable contact hours, while academic staff are unable to conduct research or attend professional development. This decline in quality is reflected in the low global rankings of Nigerian universities (Eze, 2021). **Psychological and financial burden on students and parents:** The uncertainty caused by industrial disputes creates anxiety and frustration among students and their families. Parents bear additional financial burdens, as prolonged strikes often lead to extended academic years, increasing tuition and living expenses. **Negative impact on research and innovation:** Industrial actions disrupt research activities, limiting innovation and knowledge production. Nigeria's tertiary institutions struggle to compete globally due to the frequent interruptions in academic work and inadequate funding for research (Olayiwola, 2022).



Brain drains and staff demotivation: Recurrent disputes and poor working conditions contribute to brain drain, as qualified academic staff seek opportunities abroad. Those who remain are often demotivated, which affects their productivity and commitment to the institution (Ogunyemi, 2019). Economic and developmental consequences: The cumulative impact of industrial disputes on tertiary education ultimately affects national development. Poorly trained graduates contribute to a weak labor market, while the underutilization of human resources hampers economic growth (Eze, 2021). Institutional reputational damage: Frequent industrial disputes tarnish the reputation of Nigerian tertiary institutions, both locally and internationally. This reputational damage discourages foreign partners, funding opportunities, and enrolment by international students (Adeyemi & Adeniji, 2021).

### **Solution to the causes of industrial dispute in the management of tertiary institution in Nigeria**

Effective communication and dialogue: Encouraging regular and effective communication between management, government, and unions is essential. This can reduce misunderstanding and build trust, leading to fewer conflicts and more collaborative problem-solving (Jega, 2023).

Alternative Dispute Resolution (ADR): Emphasizing ADR mechanisms such as mediation, negotiation, and arbitration has been suggested as a more efficient way to resolve conflicts than prolonged strikes.

Timely implementation of Agreement: Government and institutional management should honor agreements made with unions, especially regarding salary adjustments, working conditions, and other welfare issues. This ensures that grievances do not escalate into strikes (Fashina, 2022).

Enhanced Funding and Resource Allocation: Adequate and timely funding for universities can address issues like poor infrastructure and staff remuneration, reducing the likelihood of disputes (Ogunode & Anene 2024).

### **Mechanism for Managing Industrial Disputes**

Policy framework and legal provisions: The Nigerian government has established legal frameworks and policies to regulate industrial relations, such as the Trade Disputes Act of 1976. These laws provide mechanisms for mediation, conciliation, and arbitration to resolve disputes (Adeyemi & Adeniji, 2021).

Prompt fulfilment of agreement: Ensuring timely implementation of agreements such as those involving funding and staff welfare, can prevent unnecessary conflicts (Eze, 2021).





Regular and open dialogue: Effective communication between management, staff unions, and government agencies is essential for resolving disputes. Regular dialogue and negotiation platforms, such as the National Labour Advisory Council (NLAC), foster mutual understanding and trust among stakeholders (Ogunyemi, 2020).

Improved funding and resource allocation: Adequate funding of tertiary education is critical for minimizing disputes. The government should increase budgetary allocations to education to meet international benchmarks, such as the 26% recommended by UNESCO (Adeyemi & Adeniji, 2021). Additionally, funds should be allocated transparently to avoid mismanagement.

Capacity building for institutional leaders: leaders of tertiary institutions, including vice-chancellors and rectors, should be trained in conflict management and negotiation skills. This training can help them address issues proactively and maintain a harmonious working environment (Ogunyemi, 2020).

Strengthening institutional autonomy: Reducing political interference and granting autonomy to tertiary institutions can improve their management and governance. Autonomous institutions are better positioned to address staff grievances promptly and manage their resources efficiently (Olayiwola, 2022).

Establishment of conflict resolution committees: Tertiary institutions can create internal conflict resolution committees comprising representatives from management, staff, and students. These committees can address grievances at the institutional level before they escalate into full-scale disputes (Olayiwola, 2022).

Role of mediation and arbitration: Neutral third-party mediators, such as the Industrial Arbitration Panel (IAP) or the National Industrial Court (NIC), can be instrumental in resolving disputes. These bodies provide impartial solutions that are binding on all parties, reducing the likelihood of prolonged conflicts (Eze, 2021).

## **Conclusion**

Industrial disputes in the management of tertiary institutions in Nigeria present significant challenges to the education system and national development. These disputes, driven by inadequate funding, poor staff welfare, unfulfilled agreements, and weak governance, have led to the disruption of academic activities, a decline in education quality, and reputational damage to institutions. The frequent strikes and conflicts between staff unions, management, and the government highlight the critical need for improved communication, accountability, and proactive measures to address underlying issues.



### Suggestions

1. The Federal and state governments should increase funding for education by allocating at least 26% of the national and state budget to education, as recommended by UNESCO. The funding should prioritize staff welfare, infrastructure development, and research activities to reduce grievances among employees.
2. Government and institutional management should honour agreements made with staff unions promptly. This will build trust and prevent recurring conflicts.
3. Government should train vice-chancellors, provost, rectors and other administrators of higher learning in conflict resolution, negotiation and effective leadership to address grievances proactively.
4. Government should strengthen institutional autonomy by reducing political interference and empowering institutions to manage their resources and operations will enhance efficiency and minimize disputes.
5. Government should enhance regular communication and collaboration dialogue between staff unions, management, and they should be institutionalized to foster mutual understanding and transparency in decision-making processes.
6. Government should establish a dedicated conflict resolution frameworks in education and arbitration bodies within institutions to address grievances before they escalate into full-scale dispute.
7. Government should provide a monitoring and evaluation mechanism by regular assessment of the implementation of policies and agreements should be conducted to ensure compliance and identify areas requiring improvement.

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