

# Disputes Resolution through Social Dialogue: Evidence from Nigerian Organizations

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*Social dialogue tries to create an objective process of bargaining in order to protect the interest of the organization which includes employers, employees and the environment. It would be useful to examine in depth the relevant components of the social dialogue and how they have imparted positively to the development of harmonious industrial relations in the country. This study takes data from a 280 sample size drawn from a population of 500 employees selected from 10 companies in Lagos state. It found out a significant relationship between collective process and success. It was recommended that employers and employees along with the government should consistently engage in a social dialogue process to improve the working conditions of labor and industrial harmony in the country.*

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## **Introduction**

In recent times, rafts of procedures that tend to emphasize the importance of industrial harmony at work places are being developed globally. The implication of this dynamic labor market process is that employers and employees in conjunction with the government should consistently engage or participate in consultations and negotiations designed to improve the employability and productivity of workers. Consultation and negotiation conditions are created to support significantly the social dialogue structures because of the need to establish commitment through collective bargaining and most importantly to resolve such issues as wage, welfare packages, hour of work, hiring costs etc that are important in employees productivity. Ghosal and Westney (2005) posit that organizational culture and harmonious industrial relations can help in ensuring order in the organizations and cohesion of organizational members.

Social dialogue is a broader framework necessitating the development of harmonious industrial relations. An effective

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tive social dialogue has been explained to include tripartism, tripartism “plus”, bipartism and civil dialogue. The system of social dialogue has been spelled out not as a description of the actual benefit process but show how the various objective processes of bargaining could be coordinated and pursued without interference with one another. The most striking evaluation of various objectives of social dialogue structure pertains to conditions enabling its success. These enabling conditions can be more effective in dealing with the issues that may be discussed or negotiated in the process.

In the context of this study we shall examine the impact of such conditions that are likely to prevail before effective social dialogue can take place. They are: existence of collective process, stable relationship, flexible attitude, participation of workers in management, mutual trust, continuous process, problem solving attitudes (Obisi, 2015; ILO, 2013a). These conditions do not control the process itself but are instrumental to actuate prevailing tendencies involved in consultations or negotiations process. Therefore the consultations or negotiations process must be controlled by the central focus of these conditions which can over the process period adjust the tempo and quality of consultations or negotiations to the needs of the parties involved (Bosch, 2002).

## **Literature Review**

The purpose of social dialogue within an organizational setting is to protect the interest of the organization which in this perspective includes the employers, employees and even the environments. The various social dialogue processes create buffers between the workers and their organizations and employment relationships which are designed to guarantee workers an income at least for a transitional period when they are not working because of illness, accident, welfare packages, reasonable hour of work, acceptable recruitment and firing conditions.

An effective social dialogue could help to improve productivity in the work places and restore general industrial harmony. It is defined as all types of negotiations, consultations and exchange of information between representatives of governments, employers and workers on issues of common interest relating to economic and social policy (ILO, 2013a). It has also been referred to as a collaborative relationship between the tripartite partners irrespective of whether consultations are formal or informal or whether the dialogue is institutionalized or informal (Obisi, 2015). In doing so, social dialogue arrangement would provide a focal point for new and harmonious employer-employee relations to emerge thereby making conflict and work disruption option a less realistic proposition (ILO, 2013a).

Social dialogue specific characteristic is its ability to identify variety of opin-

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ion and expectation. These circumstances pose considerable challenges for the creation of effective social dialogue structures that can provide a strong mechanism that employees need to voice their views. Improving the quality of social dialogue through the creation of enabling conditions will help the consultations or negotiations parties to reach consensus and it's important for organizational productivity as well as environmental well-being. However, it has been said that it will not prevent conflict or industrial dispute from growing exponentially or indefinitely so long as the parties to the dialogue continue to show divergent views (Norman, 2014). The issues of conflict that often affect the standard provisions of employment represent large opportunities to evolve a strong and effective social dialogue features which the organizations need to rely upon to eliminate or minimize industrial conflict (Barrientos, 2007).

In whatever perspective it may be viewed, social dialogue structures comprising tripartism, tripartism "plus", bipartism and civil dialogue stand and operate for industrial relations issues. This is so because people (employers, employees and government representatives) dialogue due to the existence of conflict in work places. According to a leading U.S. authority cited by Kochan (1998) industrial relations starts from an assumption that an enduring con-

flict of interest exists between workers and employers. In the light of all these developments, a review of the modalities to be followed to resolve the conflict must focus on the nature, characteristics and conditions impacting on the social dialogue and how they could be improved to solve the problem on hand to start with. Social dialogue structures comprising tripartism, tripartism "plus" bipartism and civil dialogue should be explained in a way that opts to reflect the intentions of the study. Tripartism is viewed as one of the main forms of social dialogue. It is a foundational principle and fundamental value of the international labor organization and has always been seen at the very heart of the organization's work.

ILO Thesaurus cited by ILO (2013b) defined tripartism as the interaction of government, employers and workers (through their representatives) as equal and independent partners to seek solutions to issues of common concern. Tripartism "plus" is described as an extension of tripartism by opening up dialogue to include civil society groups. This is perhaps done to gain a wider perspective and consensus on issues beyond world of work such as protection of the environment or the needs of specific or vulnerable groups (ILO, 2013b). Tripartism "plus" is regarded as the major ILO instrument for engaging civil society group such as NGOs Rehabilitation and Employment (Disabled persons) Convention 1983 (No. 159) and HIV and AIDs Recommendation 2010 (No. 200).

According to the ILO report (2013b) the purpose of involvement of other ad-

vocacy groups in the tripartism is to strengthen tripartism and not weaken or dilute it. Bipartism occurs when two parties, one or more employers and or one or more employers' organisations and one or more workers organizations, exchange information, consult each other or negotiate together without government intervention. This could take place in issues such as wages, working conditions or health and safety of work. It is important to explain that bipartite social dialogue is a particular form of collective bargaining. According to this perception, the ILO Collective Bargaining Convention, 1981 (No. 154) defines collective bargaining as: all negotiations which take place between an employer, a group of employers or one or more employers' organizations, on the one hand, and one or more workers' organizations on the other for one or more of the following purposes:

- determining working conditions and terms of employment
- regulating relations between employers and workers
- regulating relations between employers or their organizations and a worker's organisations or workers' organizations (Harvey, 1999).

Therefore, as a form of bipartite social dialogue collective bargaining has the potential strength to bring disputing individuals to the bargaining table with the intentions to dialogue over the terms and conditions of employment and employment relations. Another form of dialogue is termed civil dialogue. It is a mixture of

tripartism with another form of dialogue; civil dialogue involves representatives of workers and employers organizations along with a selection of civil and social interest groups (i.e. not with the government).

In countries where this form of dialogue is operated such as in the European Economic and Social Committee (EESC), consultative body of the European Union (EU), three membership groups make up the EESC such as employers, workers, various interests (such as associations representing the family, women's and gender equality issues, youth minority and underprivileged groups, persons with disabilities, farmers organizations, small businesses, the crafts sector, consumer organizations and environmental organizations (ILO, 2015).

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The success of the social dialogue structures largely depends on the conditions prevalent at the time of discussions or negotiations. This is to say that the success is a function of the quality of the framework that controls the process and also the quality of information that forms the basis of negotiations. The conditions that make these dialogue structures to work consist of the followings (Obisi, 2015, ILO 2013a).

- i. Collective process which permits representatives of both workers and

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- management to participate in bargaining process.
- ii. Continuous process enables the bargaining process to establish regular and stable relationship between the parties involved. It does not only encourage negotiation of contract but also the administration of the contract.
  - iii. Flexible and dynamic process assists the process to create flexible attitude which is devoid of rigidity which always breaks bargaining relations and agreements.
  - iv. Method of partnership of workers in management is aimed at establishing sense of belonging and commitment.
  - v. Mutual trust helps both parties to observe openness, confidence and strong belief in the bargaining process.
  - vi. Freedom of association aimed at guaranteeing the worker of their job security during and after the negotiation.
  - vii. Strong independent workers and employers organizations should possess the technical capacity to access information vital for the social dialogue.
  - viii. Political will and commitment to engage in social dialogue on the part of the parties.
  - ix. Respect for fundamental principles and rights of freedom of association and collective bargaining are aimed at promoting interest in the negotiations.
  - x. Appropriate institutional support for workers and employers engaged in the bargaining process.
 

In any one period, the level of information may be insufficient to secure the required level of decisions, because labor (worker) variables for instance, employee welfare packages, salary/wages, work hour, hiring and firing costs and safety measures are severely dictated by economic conditions and other reasons such as industry performance and worker productivity. There is no ready mechanism by which such information could be generated without being distorted by the government or employers. Hence information sharing is significant and is important to employers, employees and government and must be designed to include the following (Obisi, 2015):

    - Right of workers to be informed about matters that affect them as is required by the labor laws.
    - Transmission of information must come from the employer to the employees representatives and should be done in such a way that it will contain relevant facts on specific matters.
    - Timing and means of communication must be appropriate and must provide room for thorough examination of the information in preparation perhaps for a bargaining process.
    - Clear information channels should be maintained and people should be informed more than once.

Failure of social dialogue in most cases has been attributed to poor han-

dling of information process and restrictive structuring conditions. A wide range of models may be constructed on the drawing board of social dialogue structures to effectively unveil palatable conditions that must exist throughout the consultation or negotiation process (Norman, 2009). If assumingly, uncontrollable environment ensued, discordant views may emerge to encourage convergence on issues that were to bring harmony and progress, another best term for good employment relations (Edwards, 2003).

**Absence of enabling conditions tends to produce unhealthy bargaining power which has always favored the strong and mighty party (employers).**

Absence of enabling conditions tends to produce unhealthy bargaining power which has always favored the strong and mighty party (employers). The development is not always favorable as well. Some which are explosively outrageous can be vehemently resisted because of unprecedented rigidity while others are characterized by exploitative tendencies or limited fulfillments by employers. In either case, enabling conditions assist the parties in the negotiations to evolve patterns and terms of employment relations defined as stable, socially protected, dependent, full time job.... the basic conditions of which (working time, pay, and social transfers) are regulated to a minimum level by collective agreement or by labor or social security law (Bosch, 2002). The full time nature of the job, its stabil-

ity and the social standards linked with permanent full time work are primarily part of the issues addressed by social dialogue structures (enabling conditions inclusively). Only full time employment guarantee a family wage and an adequate level of social protection while a stable job places the relations between employer and employee on a long term footing (Bosch, 2002).

Notwithstanding the contentious issues abounding in employment relations what is important is that the effectiveness of the social dialogue process consultation or negotiation instruments have contributed immensely as a tool for ensuring industrial harmony and organizational productivity. Researchers have found this perception validly responsible for growth of industrial relations. According to Hyman (2007) the study of industrial relations focuses on the rules which govern the employment relationship, the institutions involved in this process and the power dynamics among the main agents of regulation. Again he said, "researchers have been especially interested in the forms of regulation dominated by collective actors and institutions. Their (the researchers) central concern has typically been the collective and institutional regulation of work and employment" (Hyman, 2007).

Social dialogue process has suffered many setbacks over the years due to the erosion of the collective and institutionalized forms of regulation manifesting in diminishing levels of unionization among workers, falling levels of collective bargaining coverage, reduced access to high

political spheres and authorities among labor market parties and other similar trends indicating disorganization, deregulation, and deinstitutionalization of industrial relations (Edwards, 2003). Charlwood (2007) observed that deinstitutionalization has been observed in the U.K. and U.S. in relation to diminishing levels of trade union membership as well as in relation to diminishing levels of collective bargaining coverage. This is so because by extension every form of social dialogue whether it is tripartism, tripartism “plus”, bipartism or civil dialogue operates to create opportunities for decent work under certain institutional guidelines and regulations. Therefore, ‘social dialogue must be successful so that management (employers) and union (employees) can appreciate the reimbursements of decent work’.

**Decent work implies access to employment in conditions of freedom, the recognition of basic rights at work which guarantees the absence of discrimination.**

According to ILO (2006) decent work implies access to employment in conditions of freedom, the recognition of basic rights at work which guarantees the absence of discrimination or harassment, an income enabling one to satisfy basic economic, social and family needs and responsibilities, an adequate level of social protection for the worker and family members and the exercise of voice and participation at work, directly or indirectly through self-chosen representative organizations while building a social dialogue

structure a built-in-response mechanism should be incorporated to checkmate discretionary impulses that can undermine consultation or negotiation process for decent work. Barrientos (2007) posits that such a decent job should be permanent, regular and secure in order to guarantee continuous income for a worker.

In conclusion, parties in the bargaining process should endeavor to explore the mechanical link between the social dialogue process and organizational productivity. The paramount nature of this inclusion lies in the context that harmonious industrial relations climate depends eminently on the scope and quality of the social dialogue structure and process. The advantages have always been favorable investment opportunities, competitive market, high organizational productivity, favorable employee wellbeing, consumer patronage, entrepreneurship skills development, job creation and national economic growth.

### **The Problem**

The issue of social dialogue structures and process as a technique of resolving employment relation matters versus muscle flexing conflict poses interesting normative as well as empirical questions. Collective bargaining agreements are the immediate result of social dialogues which are aimed to shape the progress of many industrial organizations in the country. Social dialogue structures and processes contained in tripartism, tripartism “plus”, bipartism and civil dialogue are frequently ill adapted to meet the task of shaping industrial relations in

the country owing to the fact that trade unionism is becoming fragmented and weakened due to economic misfortune of the nation (Hyman, 2007).

Unemployment spillovers coupled with different forms of new non-standard employment types are presently threatening the success of bargaining process to a point where central measures often required to boost the instrumentality of collective bargaining are no longer securing a better balance between the need for social dialogue and industrial harmony. While it is important to keep this overall picture in mind we must now turn to the way in which social dialogue structures are designed to produce enabling conditions that can give predictable outcomes for worker employability and productivity. It should be noted that the role of social dialogue in employment relations dynamism can only be successful if the scope of various items that enter the bargaining process is well examined, structured and effectively explained to the parties involved.

Whereas the universal rule; economic competitiveness, harmonious labor-management relations and overall progress of the nation (ILO, 2013a) proved to be a generally sound reason for effective collective bargaining, the individual benefits of the worker are at the bottom of the success of the process. In spite of the good intentions of the universal rule it has been criticized for putting too much moral burden on the employees by making them accountable for numerous deadlocks often experienced during the consultations or negotiation process while negligence and non-inclu-

sion of specific guidelines for solving problems resulting from conflicting interests have been deliberating and discretionarily responsible for this failure.

In the context of this study therefore we will examine the relevance of social dialogue processes such as effective collective process, continuous process, flexible attitude, mutual trust, stable relationship and technique of workers participation in management and how they have been sharpened to produce effective employment relationships and high organizational productivity.

### **Hypothesis Formulation**

Among the various models needed to develop an information framework for a strong and effective bargaining process the model dealing on favorable conditions for consultations or negotiations seems to play more significant role. In this study the following hypotheses are formulated and would be tested to determine the applicability and reality of these conditions.

- H<sub>o1</sub>: There is no significant relationship between collective process and the success of the social dialogue structure.
- H<sub>o2</sub>: The introduction of stable relationship between the parties involved in the negotiation process will not bring about the required level of success in the social dialogue structure.
- H<sub>o3</sub>: The introduction of flexible attitude in the bargaining process will not impact positive result amongst the social dialogue structure components.

H<sub>04</sub>: The technique of worker participation in management will not significantly improve industrial harmony and organizational productivity.

### Research Methods

The study is concentrated on assessing the applicability and reliability of the conditions under which social dialogue structure components can operate unhindered in the organization. It is designed to cover some selected company and public sector organizations in Lagos State. This study is a descriptive survey research aimed at generating information from these employees. The structure of the questionnaire consists of conditions that are likely to prevail before the bar-

gaining process can exist. These include the existence of collective process, stable relationship, flexible attitude, participation of workers in management, mutual trust, continuous process, problem solving attributes.

The population of this study comprises workers chosen from ten (10) organizations in Lagos State. These include banks, general hospitals, breweries, local government, universities and food specialists. A total of 500 workers were included in the population. Out of this a total of 280 employees were selected as respondents through the stratified random sampling technique of forty (40) percent. Table 1 indicates the sample distribution for the study.

**Table 1 The Sample Size According to the Organizations Involved in the Study**

S/No	Organisations	Number of employees	Sample 40%
1	Chevron Petroleum	50	28
2	Shell Petroleum Development	50	28
3	United Bank	50	28
4	First Bank	50	28
5	Cadbury	50	28
6	Nestle	50	28
7	Guinness	50	28
8	Nigeria Breweries	50	28
9	Mainland General Hospital	50	28
10	Igando General Hospital	50	28
<b>Total</b>		<b>500</b>	<b>280</b>

Source: Field Study, 2016

The instrument adopted to gather information for the study is a checklist titled "Enabling conditions for social dialogue structure operations" (ECSDSO). The original instrument was developed by ILO (2013). The instrument was based on a 2 point scale weighted on degree of agreement or

disagreement with the statements or questions on the checklist Yes = 1, No = 0. Furthermore, there is, thus, the need to build on the progress made by the above model and create a statistical framework sufficient to address the conditions incumbent to a favorable social dialogue structure in an organi-

zation. To this effect, we have adopted a Likert 5-point scale of strongly disagree to strongly agree with chi-square test statistics as our test model.

**Table 2 No Significant Relationship between Collective Process and Success of the Social Dialogue Structure**

Response	SA	A	IND	DA	SD	Total	X <sup>2</sup> cal	X <sup>2</sup> crit	Df	P	Rem
	100	80	20	40	40	280	77.143	9.49	4	0.05	Accepted

Source: Field Study, 2016 SA: Strongly Agree, A: Agree, IND: Indifferent, DA: Disagree, SD: Strongly Disagree, X<sup>2</sup>Cal: Chi-square calculated value: X<sup>2</sup>Critt: Chi-square tabulated value, DF: Degree of Freedom, P: Level of Significance, REM: Remarks

The chi-square value is 77.143 while the tabulated value is 9.49. Since calculated value is greater than the tabulated value at 0.05 (representing the level of significance) it implies that we

should accept H<sub>1</sub> which means that there is a statistically significant relationship between workers collective process and social dialogue structure success.

**Table 3 Stable Relationship between the Parties Will Not Bring about Success in Social Dialogue Structure**

Response	SA	A	IND	DA	SD	Total	X <sup>2</sup> cal	X <sup>2</sup> crit	Df	P	Rem
	180	60	20	5	15	280	374.464	9.49	4	0.05	Accepted

Source: Field Study, 2016.SA: Strongly Agree, A: Agree, IND: Indifferent, DA: Disagree, SD: Strongly Disagree, X<sup>2</sup>Cal: Chi-square calculated value: X<sup>2</sup>Critt: Chi-square tabulated value, DF: Degree of Freedom, P: Level of Significance, REM: Remarks

The chi-square value is 374.143 while the tabulated value is 9.49. Since calculated value is greater than the tabulated value at 0.05 (representing the level of

significance) it implies that we should accept H<sub>2</sub>. Accepting H<sub>2</sub> means that stable relationship between the parties will bring about success in social dialogue structure.

**Table 4 Flexible Attitude in the Bargaining Process will not Impact Positive Result amongst the Social Dialogue Structure Components**

Response	SA	A	IND	DA	SD	Total	X <sup>2</sup> cal	X <sup>2</sup> crit	Df	P	Rem
	90	80	10	20	80	280	102.143	9.49	4	0.05	Accepted

Source: Field Study, 2016SA: Strongly Agree, A: Agree, IND: Indifferent, DA: Disagree, SD: Strongly Disagree, X<sup>2</sup>Cal: Chi-square calculated value: X<sup>2</sup>Critt: Chi-square tabulated value, DF: Degree of Freedom, P: Level of Significance, REM: Remarks

The chi-square value is 102.143 while the tabulated value is 9.49. Calculated value being greater than the tabulated value at 0.05 (representing the level of significance) implies that

we should accept H<sub>3</sub> which means that flexible attitude in the bargaining process will impact positive result amongst the social dialogue structure components.

**Table 5** Technique of Worker Participation in Management will not Improve Industrial Harmony and Organizational Productivity

Response	SA	A	IND	DA	SD	Total	X <sup>2</sup> cal	X <sup>2</sup> crit	Df	P	Rem
	50	30	20	120	60	280	109.286	9.49	4	0.05	Accepted

Source: Field Study, 2016. SA: Strongly Agree, A: Agree, IND: Indifferent, DA: Disagree, SD: Strongly Disagree, X<sup>2</sup>Cal: Chi-square calculated value: X<sup>2</sup>Critt: Chi-square tabulated value, DF: Degree of Freedom, P: Level of Significance, REM: Remarks

The chi-square value is 109.286 while the tabulated value is 9.49. Since calculated value is greater than the tabulated value at 0.05 (representing the level of significance) it implies that we should accept H<sub>4</sub> which means that worker participation procedure in management will enhance industrial peace/harmony and organizational productivity.

### Discussion

The essence of social dialogue is its focus on the significant relationship between the collective process and social dialogue. This is confirmed by the acceptance of the alternative hypothesis which says that there is a significant relationship between coactive process and social dialogue (chi-square value 77.143; table value 9.49). Thus, social dialogue arrangement would provide a focal point for new and harmonious employer-employee relations to emerge thereby making conflict and work disruption a less realistic proposition (Singh, 2013).

For strategy purposes, it will be essential to example the impact of stable relationship between the parties and how it will bring about success in social dialogue structure. The statistical test outcome indicated a chi-square value of 374.143 which is greater than the table

**Worker participation in management will improve industrial harmony and organizational productivity.**

value of 9.49. This implies that alternative hypothesis is accepted which says that stable relationships between the parties will bring about success in social dialogue structure (Armstrong, 2013). Furthermore, in the analysis of flexibility in bargaining process, the chi-square value of 102.143 which is greater than the table value of 9.49 confirms the acceptance of the alternative hypothesis which says that flexible attitude in the bargaining process will impact positive result amongst the social dialogue structure components (Obisi, 2015; ILO, 2013a). Finally it was revealed that the technique of worker participation in management will improve industrial harmony and organizational productivity. The chi-square value of 109.286 > 9.49 stands to confirm the acceptance of the alternative hypothesis.

### Conclusion

It can be concluded from the study that social dialogue is an acceptable broader framework essential for the development of harmonious industrial rela-

tions in the country. Although the concept is widely accepted as a useful addition to the general development of employer-employee relationship and organizational productivity there is a problem. Social dialogue has little meaning unless it is deeply rooted in tripartism-plus and made to remain open to include civil society groups (ILO, 2013a).

### Recommendations

The study therefore recommends that social dialogue is a veritable structure upon which work place relationship should be built. It is imperative also to suggest that parties to the negotiations and consultations should try to operate within the successful social dialogue structure. Again, social dialogue should be enlarged to include tripartism. Furthermore tripartism which is a major component of social dialogue should be made a key competitive advantage underpinning economic competitiveness and harmonious labor-management relations in the country.

It has been said that the three Ds (Denial, Deceit and Delay) are the bone of slow working of social dialogue in Nigeria. It is therefore suggested that social dialogue framework should be strengthened to recognize the negative impact of these three Ds and work hard to eliminate it for the interest of the social perturb and the economy.

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