



UNIVERSITY OF BENIN

**NATIONAL INSTITUTE FOR LEGISLATIVE AND DEMOCRATIC STUDIES/
UNIVERSITY OF BENIN POST GRADUATE PROGRAMMES**

SEMESTER EXAMINATION

Programmes: MLL
Semester: 2nd

Session: 2021-2022
Course Code: GLC 805

Course Title: **Labour and Industrial Relations Law**

Instructions:

- i. Answer Four (4) Questions, questions **One and Six** are compulsory
- ii. Time allowed: **3hours**
- iii. Write your **Name and Registration Number Only**
- iv. Orderly arrangement and good presentation of materials will be considered.
- v. Cross out any unused sheet(s) in your answer booklet before you submit it.

Question One

There is no doubt that the 8-month long strike of the Academic Staff Union of Universities (ASUU) affected not only the Nigeria University students but also their parents and indeed social-economic fabric of the entire nation. Nigerians seems not to really understand the nature and magnitude of the scuffle. While some Nigerians think it is about the lecturers' salaries, others contemplate that it is about some unpaid allowances. In any case, the Federal Government of Nigeria (FGN) implemented the 'no work, no pay principle and the salaries of the lecturers were withheld. Nigerians were divided into two. While some Nigerians support ASUU, others support government's decision in fighting ASUU back.

In view of the above, and as a labour law expert, answer the following questions:

- (a) Trace the history of trade unionism and discuss the role of trade unions in shaping labour relations. **(10marks)**

- (b) What is the appropriateness of the action of the FGN in the light of the provisions of the Nigerian Labour Act and the Trade Dispute Act? **(5 marks)**
- (c) What methods do labour unions employ in exacting pressure on their employers and what strategy do they adopt as a union representing employees in their settlement with employers? **(5 marks)**

Question Two

In the context of contract of employment, discuss the concept of a "worker" and distinguish the implications of the terms "servant" and "independent contractor" in relation to rights and liabilities. **(15 marks)**

Question Three

There is no doubt that the history of our labour relations lies in the history of our colonial relations with the British but that does not in any way suggest that we did not have our native employment relationship before the advent of the colonial powers.

- a.* Trace the history of labour and industrial relations in Nigeria noting the legislative milestones that culminated to the current Labour Act. **(10marks)**
- b.* Discuss the sources of the Nigerian Labour Law **(5 marks)**

Question Four

Discuss international and domestic legal and policy framework for managing labour relations in Nigeria **(15 marks)**

Question Five

Discuss the legal and institutional framework for employee compensation in Nigeria and the possible challenges noting both the international and domestic perspectives. **(15 marks)**

Question Six

Covid 19 pandemic and the consequent lockdown seem to have impacted greatly on employment relations in Nigeria. Many people lost their jobs as a result of the measures taken by the government to curb the spread of the deadly virus. In view of the above fact, there is no doubt that employment relationship is not fixated but changes with the shifting paradigms in global and domestic socio-political conditions. As a student of labour law, discuss the various roles of Employer, Employee and Government in the tripartite structure of labour relations in Nigeria.

(20 marks)