

THE ROLE OF INDUSTRIAL UNION ORGANS AND STRUCTURES IN THE PROSECUTION OF STRIKE ACTIONS IN NIGERIA: EVIDENCE FROM NUBIFIE

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Abstract

The paper examined the roles of trade union organs and structures in the prosecution of strike actions, using the National Union of Banks, Insurance and Financial Institutions Employees as the unit of study. The paper relied on an extensive review of extant literature and personal experiences in trade union administration. As an industrial union, the National Union of Banks, Insurance and Financial Institutions Employees (NUBIFIE) cater for the welfare needs of junior workers in the financial services sector of the Nigerian economy. NUBIFIE as an industrial/sectoral union has organs and established structures for its internal administration, government and decision-making processes which enhance internal democracy. Trade union organs and structures are the various processes within the union leadership that make it to function effectively and efficiently without which the union as a body would be unable to carry out its roles successfully. However, the use of strike by unions depends on the condition of the economy. In a recessionary period, unions make use of the strike weapon with caution as opposed to the period of boom or prosperity. One of the most potent weapons at the disposal of trade unions globally is the strike; as trade unions deploy it to further their demands, and as a survival strategy in the face of hostile and unfair labour practices by employers. There is no gainsaying the fact that strikes have cost implications for relevant stakeholders. Strikes present both costs and benefits to workers' unions globally.

Keywords: Trade Union, Organs, Structures, Strike.

Introduction

Trade unions have emerged following the rise of the factory system occasioned by the first Industrial Revolution which began in Britain in the 18th century. In a nutshell, the emergence of trade unions is as old as industry. A trade union is “a continuous association of wage-earners for the purpose of maintaining or improving the conditions of their working lives” (Webb & Webb (1920, p.1).” Besides welfare or bread-and-butter issues, the role of trade unions in the political development of Nigeria is remarkable (Chidi & Onyekpe, 2019). Trade unions have been instrumental to the formation of labour parties in some countries such as in Britain and Nigeria. In the same vein, notable trade unionists in Nigeria have transitioned from trade union activism to politics in Nigeria such as Comrade Adams Oshiomhole and Comrade Dan Nwanyanwu to name a few. Adams was from the National Union of Textile, Garment and Tailoring Workers of Nigeria, and former President of the Nigeria Labour Congress, who later served as the Governor of Edo State. Dan was the former National President of the National Union of Banks, Insurance and Financial Institutions Employees (NUBIFIE) and former Chairman of the Labour Party. The NUBIFIE is one of the industrial unions formed sequel to the restructuring of the Nigerian labour movement in 1978. The restructuring exercise created industrial or sectoral employers' associations, which were 9 in number, industrial unions numbering 42, professional unions which were 4 in number, as well as 15 senior staff associations. The restructuring of trade unions in 1978

also created the payment of check-off dues by trade union members and gave legal or official status to the Nigeria Labour Congress (NLC) as a labour federation in Nigeria (Fajana, 2006). Over the years the number of industrial unions has risen to 59 (Chidi & Anih, 2025; NLC website, 2025).

The National Union of Banks, Insurance and Financial Institutions Employees (NUBIFIE) cater for the welfare needs of junior workers in the financial services sector of the Nigerian economy. NUBIFIE as an industrial or sectoral union has organs and established structures for its internal administration, government and decision-making processes which enhance internal democracy. Trade unions have deployed strike action as a strategy in furtherance of trade dispute. Universally, strike is one of the instruments or weapons at the disposal of trade unions used to achieve their objectives. This strategy is regarded as the most potent, though considered the last resort by NUBIFIE. Some of the strikes embarked upon by NUBIFIE relate to demand for national minimum wage, reversal of electricity tariff, protest against hike in the pump price of petrol occasioned by the removal of fuel subsidy by the Federal Government in 2023. Some of the strikes were occasioned by the demand for the review of collective bargaining agreement to name a few. Some of the strikes emanate from internal issues within the banking industry between NUBIFIE and the Nigerian Employers' Association of Banks, Insurance and Allied Institutions. As an affiliate of the Nigeria Labour Congress (NLC), whenever the NLC declares a strike action, the NUBIFIE must comply accordingly in solidarity with the NLC and other unions. This is the case in general strikes declared by the NLC. A strike action by the union is usually one activity that shows the capacity of the union to coordinate and harness men and resources to ensure successful strike actions. The planning of the action proper usually requires detailed information for all who will participate. A budget is made. Funds are raised and made available. Communication is made perfect. Duties are carefully defined and assigned. Instructions are made clear including update messages are quickly spread with clarity and the urgency they deserve. All the organs of the union have roles which are carried out without fail. No wonder most times, they come out successful in their strike action. The paper examined trade union organs and structures in the prosecution of strike actions, using the National Union of Banks, Insurance and Financial Institutions Employees as the unit of study. The paper relied on an extensive review of extant literature and authors' personal experiences in trade union administration in the banking industry.

Literature Review

This section of the paper delves into conceptual clarifications.

The Concept of Strike

Strikes or industrial actions have become a fact of organisational life in Nigeria. Strikes are temporary stoppages of work by groups of employees, usually for the purpose or object of enforcing their negotiating demands. The stoppages or cessations are temporary because employees are expected to return to their jobs after the strike action is over (Chidi, Badejo, & Ofuani, 2022). A strike is defined as "a temporary stoppage of work" (Hyman, 1989, p.17). "Temporary work stoppages are carried out in order to express a grievance or enforce a demand" (Onabanjo & Chidi, 2017, p. 171). According to Knowles (1952), strike is an extreme form of industrial dispute and refers to the collective refusal by workmen to work under oppressive and unacceptable work conditions. It is a situation in which the workers acting together choose to stop work. A strike is a collective work stoppage by part or all the workforce of an organisation with the approval of the Union head office concerned. It is the collective refusal of employees to work under the conditions stipulated by the employers. There are several ways by which workers can protest and show dissatisfaction, even though strike still remains the most effective form of protest and it varies in

nature. Some are called wild-cat strikes where no notice is given to the employers before commencing the strike actions.

For instance, in 1988, the Senior Association of the then national electricity power authority (NEPA) proceeded on strike actions without due process, consequently many of their leaders were imprisoned and some sacked without benefits. Other forms of strike include, (a) sympathy strike (b) constitutional strike actions and (c) official strike actions. These are strike actions that conform to the procedures of the collective agreement and therefore do not attract any penalties. When strike action has been declared, the effects on the organisation and other stakeholders are usually enormous. It means that the collective agreement process has broken down. And the parties in disagreement will begin to show strength. The employers may choose to lock out the members of the union in order to reduce or minimise their losses. As workers embark on strikes, the employer can use the lock-out as a countervailing measure against the strike action. A lock-out means that the employer prevents employees from working, at the same time refusing to pay their wages/salaries. Lock-out is a means of industrial action to counter balance the strike weapon as a form of industrial action. Lock-outs could take the following forms:

- i. Defensive lock-out: when a lock-out follows on the heels of a strike in a particular company; which is generally the case, it is termed a defensive lock-out.
- ii. Offensive lock-out: if a lock-out occurs in a company before strike action, this is referred to as an offensive lock-out (Chidi, 2010).

The Right to Strike in Nigeria

The right to strike in Nigeria is well documented in the literature. The right to strike is a basic right of workers. Some of the significant pieces of legislation in Nigeria relevant to the right to strike include: The 1973 Trade Unions Act, and the 2005 Trade Unions (Amendment) Act. The Trade disputes Act No. 7 of 1976, Cap. 432, Laws of the Federation of Nigeria (LFN), 1990. The Trade disputes (Essential Services) Act, CAP 433 as well as the Teaching, ETC (Essential Services) Decree (now Act No. 30) which amended CAP 433 and the Teaching, ETC (Essential Services) Amendment Decree (now Act No. 44). The 2005 amendment Trade Unions Act expressly stated that strikes and lock-outs are out-lawed. This provision is to be found in Section 30 Sub-section (6). However, for strikes or lock-outs to be embarked upon, the Act provided some conditions under which workers and employers can declare a strike action or embark on lock-out. The following four conditions are given by the law: strikes can be embarked upon by workers in non-essential services sectors but not in essential services, strikes over disputes of rights are permissible, strikes can be embarked upon after the provisions of the Trade Disputes Act have been complied with by workers, and for workers to embark on strike action, a simple majority of all registered union members should have balloted or voted to go on strike. "Disputes of rights" as defined by the Act connotes any dispute emanating from the negotiation, application, interpretation and implementation of a contract of employment or collective agreement or any other enactment or law governing terms and conditions of employment. As expressly stated in Section 30(6) of the Trade Unions Act, no individual or person, trade union or employer shall take part in a strike or lock-out or engage in any conduct in contemplation or furtherance of a strike or lock-out except:

- The individual or person, trade union or employer is not involved in providing essential services;
- The strike or lock-out relates to a dispute of right;

- The strike or lock-out pertains to a dispute emanating from collective and fundamental breach of employment contract or collective agreement on the part of the employees, trade union or employer;
- Compliance with the provisions for arbitration in the Trade Disputes Act Cap. 432, Laws of the Federation of Nigeria, 1990; and
- In the case of a trade union, a ballot or vote must have been carried out in line with the extant rules and constitution of the trade union provided a simple majority of all registered union members must have voted to go on strike (Aturu, 2005).

Government and Administrative Organs of National Union of Banks, Insurance and Financial Institutions Employees (NUBIFIE): The Secretariat of the Union is headed by the General Secretary who is a seasoned professional staff appointed by the National Executive Council (NEC). The General Secretary runs the Secretariat of the union with other appointed staff. The following are the recognised organs of National Union of Banks, Insurance and Financial Institutions Employees (NUBIFIE):

The National Delegates' Conference (NDC): The delegate conference of the union is vested with the supreme authority of the union. It is held once in every four years. A special delegate conference may however be held in between, at the discretion of national executive council. The national delegate conference has the power to appoint any committee to facilitate its functions. The conference usually constitutes one constituency for the purpose of electing the national officers of the union, who will administer the union for the next four years. All accredited delegates attend the national delegates' conference (NUBIFIE, Constitution).

The National Executive Council (NEC): The National Executive Council (NEC) is the 2nd highest authority after the Delegate conference. It holds its meeting twice every year. Its functions include the execution of the policies and decisions of the delegate conference and to keep watch on industrial relations trends within the unions area of operation and where necessary to initiate and coordinate appropriate industrial action (NUBIFIE, Constitution). The NEC administers the union in between delegates conferences. It is a policy making body (Okougbo, 2004).

The Central Working Committee (CWC): The Central Working Committee meets once in three months. It oversees the administration of the union on behalf of the NEC, while the National Administrative council runs the union on daily basis on behalf of the CWC. The union established a domestic committee in the headquarters office of every establishment where its members serve as employees. (NUBIFIE, Constitution). The CWC is made up of all the leadership such as the chairman and secretary of the administrative organs of the union. Its main business is to ensure the implementation of the policies formulated at the National Executive Council (Okougbo, 2004).

National Administrative Council (NAC): The function of this organ involves the administration of the union in-between Central Working Committee meetings. The meeting of this organ takes place usually once every month. The responsibility of the organ is to make sure that the budget of the union is executed and attending to administrative issues. NAC meetings are presided over by the president of the union (NUBIFIE, Constitution). This organ consists of the president, deputy president, treasurer, trustee, general secretary, deputy general secretary deputy and the accountant of the union (Okougbo, 2004).

Zonal Delegate Conference (ZDC): The Zonal delegate conference is the highest organ of the union in the Zone. The union has six zones spread over the six geographical zones of the country as follows. South- South zone with its headquarters located at Asaba in Delta State. South-East Zone with headquarters located at Enugu, Enugu State. North- Central with its headquarters located at

Makurdi, Benue State. While North- West zone has its headquarters located at Kaduna, Kaduna State. The North- East zone has its head office at Maiduguri, Bornu State. The Zonal Executives of the union, oversees the activities of the union within the zone which usually comprises of six states except the South-east with five states (NUBIFIE, Constitution).

Zonal Executive Councils (ZEC): Chairmen and secretaries of the zonal executive councils are also members of the National Executive council of the union and are able to know when the National organs are discussing strike and will immediately start their mobilisation even before the official letter for strike arrives

Zonal Administrative Councils (ZAC): Zonal Administrative Councils acting on behalf of the Zonal delegate conference will mobilise other organs of the union within the Zone. The Zonal administrative councils monitors and ensures that all employers in the banking, insurance and financial institutions within their Zone do deduct and promptly remit such check off dues of members directly to the National secretariat of the union in accordance with their rule 4(11) of the union constitution (NUBIFIE, Constitution).

The Branch Committees (BC) and Local Committees (LC): The Branch committees and local committees within each zone reports to the Zonal Administrative Council in-between the meeting of the Zonal council and takes necessary measures that are in keeping with the policies of the union and shall report such measures to the Zonal executive councils (NUBIFIE, Constitution).

Roles of Trade Union Organs and Structures in Prosecuting Strike Actions

In preparation for strike actions, the Chairmen of branches and locals from all the states within the Zone will be invited for briefing by the Zonal executive council members. The broad logistics for action will be laid out state by state. Funding arrangement is fully discussed. Activities to be carried out by members in the sensitive duty posts will be clarified. For instance, what are those in the treasury holding keys supposed to do? What are cashiers/tellers supposed to do? What are those holding cheque instruments and other sensitive materials to do? To name a few. The Chairmen and secretaries of state chapters will return to their states one by one and invite the Chairmen of branches and locals within the state to iron out rough edges particularly the communication modalities for branches and locals in the villages. The Chairmen and secretaries of branch committees and local committees will then return to their bases to now brief their immediate membership. Membership of branch committees are usually drawn from the cluster of bank branches within a town or city while local committees are the smallest unit of the union based in branch office of each of the establishment in the finance industry. It is after all the organs of the union have been successfully mobilised before the union shall now be set to declare industrial action. And in its declaration, it must define the nature of the action. For example, it may choose to be holding rallies in front of their offices every Tuesday and Thursday at a given time, say between 8a.m to 10a.m just singing solidarity songs. They may also choose to dress shabbily to the office on given days or may choose to be in the office but do not do any work or declare full blown strike actions.

Generally speaking, National Union of Banks, Insurance and Financial Institutions Employees (NUBIFIE) has two major types of strike actions it manages and controls. Strike actions called by National Executive Council (CWC/NEC), acting on behalf of the National delegate conference. In this type of strike actions, all the organs of the union, both the dormant organs and the active ones are activated while also strengthening the active ones. The whole banking industry is enveloped and there will be no banking activity anywhere in the country until a resolution is consummated by the parties in disagreement. The second major strike actions are the ones usually

called by the domestic committees of the union. The union has domestic committees in the headquarters of head offices of every establishment where its members serve as employees.

Every bank in Nigeria has a domestic committee of the union. Each committee is made up of fifteen (15) members and the executives within them are the Chairmen, the vice chairman, the secretary, the assistant secretary, the treasurer, two Auditors, and not more than five ex-officio members and not more than five officers from area or zone. The domestic committees have direct relationship with the head of Human resources department of their organisation, who reports directly to the board. Where any disagreement not resolvable occurs the domestic committees seek the support and the approval of the National secretariat of the union who acts on behalf of CWC/NEC to mobilise for strike actions. In this situation, it is not the whole of the banking industry that will be on strike but only the affected bank/or organisation. The domestic committees after obtaining the approval of their national union will commence mobilisation.

All the Chairmen and secretaries of the branches and locals within the area of the headquarters office of the bank will be invited for briefing and after which they will go back to their branches and locals to brief their members. The area working committees located within the six geographical areas of the country will be invited for briefing and after which they will return to their areas and invite the state executives for briefing and after which the state executives will return to their states to brief the Chairmen of locals within their individual states and the local executives will now brief their members. The cost and the planning/logistics are borne by the domestic committees. The media houses are contacted to seek their support and cooperation; members of the board of directors of other banks are contacted to show understanding. The ministry officials are also contacted to give support to the union by tacitly speaking on their behalf. Information about the reasons for the strike is released to the public through a cooperating media house. The union will pay for jingles and buy air time to present its side of the matter. Strike actions costs money to execute.

Consequences of Strikes

There is no gainsaying the fact that strikes have cost implications for relevant stakeholders (Fajana, 2000). According to Imberman (1979), strikes cost more than you think. The consequences of strikes are costly. Some of the effects on the employees, employers and their organisations as well as to the State or society are enormous. Striking workers are likely to lose their salaries especially when the policy of “no work no pay” is applied by the employer. In some cases, they may lose their jobs as a result of their involvement in strike action. There is also the issue of victimization of union officials or leaders as a result of their involvement in the strike. Of course, there could be strain in labour-management relationship arising from the strike. However, many strikes embarked upon by workers’ unions have been beneficial in the long-run arising from getting a better deal and welfare conditions for their members. For the employer and organisation, there is the possibility of low patronage and business transactions resulting in low profitability as a result of strike action. In some cases, the organisation has to pay for the recruitment of strike breakers or blacklegs to cushion the effect of the strike (Anyim, 2020). The effect on the general public and society in most cases are unpalatable such that economic activities are paralysed, with adverse implications for free movement especially when transportation is disrupted and free movement of persons and goods are adversely curtailed.

Conclusion

As Kester, Samuel and Bankole (2006) posit, strike is the most observable and most impressive manifestation of industrial conflict. The strike weapon has been deployed by trade unions to

achieve their demands from the employer the world over, making it the most potent trade unions' strategy adopted in their quest to improve the working conditions of their members. According to Chidi (2010), strikes could take a variety of forms such as wildcat, sympathy or solidarity strikes, general strikes, official/unofficial strikes, constitutional/unconstitutional strikes, warning strikes, local/national strikes, indefinite strikes to name a few. However, the use of strike by unions depends on the condition of the economy. In a recessionary period, unions make use of the strike weapon with caution as opposed to the period of boom or prosperity. One of the most potent weapons at the disposal of trade unions globally is the strike; as trade unions deploy it to further their demands, and as a survival strategy in the face of hostile and unfair labour practices by employers. Strikes present both costs and benefits to workers' unions globally.

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