Policy Assessment of Casualization of Labour in Industries: A Case Study of Niger Mills Company Calabar, Cross River State, Nigeria

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ABSTRACT

Casualization of labour traditionally connotes labour employment for a short period of time that is referred to as 'non-standard' or 'alternative work' arrangements. The study examined the practice of casualization of labour as a policy in Niger Mills Company, Calabar. A combination of qualitative and quantitative approaches were used to conduct the study. A total of 150 employees participated in the study. The participants for key informants' were managers and employers of the company and were sampled purposively. Participants for individual structured interviews were sampled using snowball sampling technique and were the senior staff members of the company. Participants for the close-ended questionnaire were sampled randomly. Data collected through close-ended questionnaires were analyzed using the Statistical Package for Social Sciences (SPSS) program. For qualitative data, matrices were created according to thematic content analyses. The responses were grouped in accordance with relevance to the themes.

Key findings were that Niger Mills Company observed labour standards only with rspect to permanent staff. The sectional heads of the company handled the employment of casual employees. Employers of the company decide which job positions to accord their employees. On the basis of the findings, the study arrived at the following conclusions; labour standards were applied to permanent employees only. The employer's decision on job placement for employees was because the Ministry of Labour and Productivity is yet to ratify employment for both categories. The practiced of casualization of labour in Niger Mills Company poses a challenge on socio-economic growth and development of employees. The push towards the practice of casualization in Nigeria industrial workforce is evidence of a continued effort by government and corporate elites to maximize profits at the expense of long-term job welfare policies, transparent governance, and shared economic development. For casual workers in Nigeria, the future depends on their capacity not just to stop the degradation of work, but to exert the strength necessary to promote developmental alternatives based on democracy, freedom of association, a clean environment, and broad-based access to higher wages, good paying jobs, education, and health care for every worker.

DECLARATION

I, ATU EKO hereby declare that the dissertation for the fulfilment of the requirement of Masters of Arts in Sociology at the University of Venda, hereby submitted by me, has not been submitted previously for a degree at this or any other university, that it is my own work in design and execution, and that all reference materials contained therein have been duly acknowledged.

Signature..... Date 25-07-2016

DEDICATION

This degree is dedicated to my wife Dr. Joy Atu and my children, Ginini and Nchewi.

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This study has been a motivating and stirring opportunity for me to learn as well as to expand my understanding of the issues of the practice of casualization of labour in industries. This would not have been possible without the contribution of countless people and my department. I thank the department for accepting my research proposal, and its support throughout my studies. I acknowledge the University of Venda for its research assistance which saw me through the process of this write up. I acknowledge further the precious lessons learnt from the participants of Niger Mills Company Calabar. To the respondents, I say thank you for your responses without which this research would not have been a success.

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LIST OF ACRONYMS

BA	-	Bachelor of Arts
CBN	-	Central Bank of Nigeria
EFCC	-	Economic and Financial Crimes Commission
EPZ	-	Export Processing Zones
FMLP	-	Federal Ministry of Labour and Productivity
FSLC	-	First School Leaving Certificate
FMN	-	Flour Mills of Nigeria
GTB	-	Guarantee Trust Bank
HIV/AIDS		Human Immunodeficiency Virus Infection and Acquired Immune Deficiency Syndrome
ILO	-	International Labour Organization
MD	-	Managing Director
MDA	-	Ministries, Departments and Agencies
NAFDAC		National Agency for Food and Drug Administration and Control
NIC	-	National Industrial Courts
NHO	-	Natural Head Orientation
NLC	-	Nigerian Labour Congress
NECA	-	Nigeria Employers Consultative Association
NSWA		Non Standard Work Arrangements'
PM	-	Personnel Manager
SSCE	-	Senior Secondary School Certificate Examination
SER	-	Standard Employment Relationship
SON	-	Standards Organization of Nigeria
SAP	-	Structural Adjustment Programmes
TUC	-	Trades Union Congress

CHAPTER 1
INTRODUCTION AND BACKGROUND OF THE STUDY

1.1 Introduction

The complexity and dynamics of the practice of casualization of labour around the world still persist. The evidence of the adoption of casual employment arrangements to gain labour flexibility is not only a third world strategy, as even developed nations use the strategy to reduce cost and maximize profit in industries. European countries such as Belgium, Spain, Portugal, France and Britain are all engaged in some non-standard, precarious and alternative-work arrangement (Arnold and Bongiovi, 2011; Bacchetta *et al.,* 2009; International Labour Organization [ILO] 2002). In Europe, casual workers are recognized by labour legislation; they are allowed to join labour unions as well as organize their own unions. The situational context of casual employment arrangement in the United States of America and Japan is similar to the European context (Kalleberg, 2009; ILO 2002). Africa and some countries in Asia such as South Korea, Australia, Taiwan and Hong Kong use the supposed non-standard, precarious, contingent and alternative work arrangement to fill in even permanent jobs (Arnold and Toh, 2002; Bacchetta *et al.,* 2009; Bodibe, 2006; Chisala, 2006; ILO 2002). In Africa, Trade unions are still battling to organize and represent casual workers' rights as well as Labour legislation's lack of willingness to recognize their rights.

Casualization of labour traditionally connotes labour employment for a short period of time. Employment on casual basis is a recognised part of employment arrangement that is collectively referred to as 'precarious and alternative work arrangements' (Animashaun, 2008). These employment arrangements adopted in recent decades by employers aim at gaining flexibility over workforce and also a means of reducing cost.

Most countries in Europe and the United State of America maintain the traditional idea of casual labour employment, whereas countries like Australia and African countries use the employment arrangement as a strategy to maximise profits and reduce cost in industries (Danesi, 2012). Casual employees are seen as employees who are not entitled to either annual leave or sick leave in their workplace and are also prohibited from joining labour organizations. Chisala (2006) notes that casualization of labour was indirectly applied in Zambia in line with

the corporate trend of hiring and keeping workers on temporary employment rather than permanent employment, even for years, as a cost reduction measure.

The complexities and dynamics revolving around the employment arrangements of casual workers, in various countries shows clearly the nature handling of these work arrangements in developed and developing nations. Developed countries employ casual job for its original notion in most instances and do not use this employment strategy to fill in for permanent jobs. The situation with developing nations, especially, African countries is that this employment arrangement becomes a strategy adopted to reduce cost hence employing casual workers for permanent jobs (Fapohunda, 2012). Organizations and companies want to remain competitive globally by reducing labour cost, therefore the desire for competitiveness in African nations has become a means for labour exploitation (Animashaun, 2008 and Bodibe, 2006).

These changing patterns of work (for example casual, contract, temporary, part-time employments, subcontracting) occasioned by Structural Adjustment Programmes (SAP), have created concerns for workers and trade unions alike. Job security, social security, terminal benefits and minimum working conditions are some of the issues of concern. These new forms of work arrangements have led to the prospects of a "race to the bottom" in labour standards, particularly in the developing nations (Fapohunda, 2012). Firms involved in casualization often compromise labour standards as this form of labour practice is the process by which employment shifts from a preponderance of full time and permanent positions to higher levels of casual positions. It involves employment of an irregular or intermittent nature. Casualization is gradually becoming a 'cankerworm' in the flesh of the workforce in both developed and developing economies (Fapohunda, 2012).

The following sections highlight the detailed background of the study and gives the problem statement with the study objectives.

1.2 Background of the study

In Nigeria the practice of casualization of employment continue to gain grounds from one sector to another. The increase in the spread and gradual acceptance of this labour practice in the Nigerian labour market has become an issue of great concern to stakeholders. Employers of labour are increasingly filling positions in their organisations that are supposed to be permanent in nature, with casual employees (Fapohunda, 2012). The trend has been largely attributed to the increasing desperation of employers to cut costs as such employment is seen as an appropriate strategy for cost reduction. Casualization may, on the periphery seem to be justifiable since reduced cost means higher profit, which is the ultimate goal of every organisation. However, casualization ultimately presents lots of challenges for the employees and organisations alike. In addition, behind this issue of casualization in Nigeria is the high level of unemployment and accompanying poverty (Olugboyega and Olayiwola, 2005). These two issues have bred a dangerous work environment and have given much aid to the prevalence of casualization, as many desperate job seekers in the labour force are willing to take any job no matter how degrading or unsatisfactory it is.

Danesi (2012) note that there are two forms of employment arrangement under casualization in Nigeria, which are casual and contract labour and there are no terms and conditions of employment for both categories of workers regulated in the Nigeria Labour Act. The lack of clear-cut definition of 'casualization' or provision for its regulation regarding the terms and reference of their employment have led to exploitation of labour in Nigerian workplaces (Animashaun, 2008). The loophole in the Nigerian Labour Act have availed employers the opportunity of using casualization as an effective means of reducing cost, maximizing profit and de-unionizing the workforce.

Casualization in the Nigerian context connotes work arrangement that is characterized by bad work conditions (Danesi, 2012). Employees in this form of work arrangement are subjected to dismissal at any given time, without prior notice and they are not entitled to redundancy pay. This is an unprotected form of employment because employees do not enjoy protection benefits available to permanent employees as provided for under the Nigeria Labour Act 2004, Cap. L1 L. F. N. 2004. Nonetheless, Fajana (2005) notes the difficulties in accounting for accurate statistics of casual and contract workers in Nigeria because there are no official statistics indicating the trends of casualization. These have led to some organizations with as many as

90 percent of their workers as casual/contract employees (Animashaun, 2007). The Nigeria Labour Act does not clearly define 'casualization of labour' and the legal framework for their engagement. So far, what has been provided by the Nigeria Labour Act 2004 Cap. L1 L. F. N. 2004 Part 1 7(1) is that: *"Not later than three months after the beginning of a worker's period of employment with an employer, the employer shall give to the worker a statement specifying- (a) the name of the employer or group of employers and where appropriate, of the undertaking by which the worker is employed; (b) the name and address of the worker and the place and date of his engagement; (c) the nature of the employment; (d) if the contract is for a fixed term, the date when the contract expires; (e) the appropriate period of notice to be given by the party wishing to terminate the contract, due regard being had to section 11 of this Act; (f) the rates of wages and methods of calculation thereof and the manner and periodicity of payment of wages; (g) any term and conditions relating to- (i) hours of work, or (ii) holidays and holiday pay, or incapacity for work due to sickness or injury, including any provisions for sick pay, and (h) any special conditions of the contract".*

This statement requiring employers to provide a worker with written terms of employment within three months of being employed was debated by the National Arbitration Court in the case of *Management of Harmony House Furniture Company Ltd. V. National Union of Furniture, Fixtures and Wood Workers in 1986,* and the decision was that, "the dismissal of the chairman of the worker's union for his union activities contravened the provisions of this section. It also declared that the two undertakings, issued by the employer to be signed by workers to scare them away from joining their trade union, were illegal" (Suit No. NIC/3/86, Digest of Judgments of National Industrial Courts (NIC) 1978-2006, p.187).

Furthermore, the Nigeria Trade Unions interpreted the Labour Act 2004 Cap. L1 L. F. N. 2004 Part 1 7(1) to mean that if workers are employed for three months they cease to be casual or contract workers and they are eligible to be permanent employees. Most scholars such as Animashaun (2008) and Danesi (2012) disagree with the interpretation of the Trade Unions and believe that section 7(1) states that a written statement should be given to the employee stating the terms and conditions of the employment contract regardless of it nature. Danesi (2012) indicates that the lack of clarity in the Nigeria Labour Act regarding legal categories of workers reinforces the adoption of casualization by employers. However, there is only one category of worker defined so far in the Nigeria Labour Act and that is a 'worker'. The Nigeria Labour Act 2004 Cap. L1 L. F. N. 2004 Part 1 91(1) (b) defines a 'worker' or 'contract of

employment' as: "any agreement, whether oral or written, expressed or implied, whereby one person agrees to employ another as a worker and that other person agrees to serve the employer as a worker".

It is clear that the above definition does not clearly categorize the different types of workers in employment arrangement. Other Labour legislation have similar definition to that of the Labour Act of the term 'worker' (Employees Compensation Act 2010 Cap. W6 20(1) and Trade Unions Act Cap. T14 L. F. N. 2004). Furthermore, the term 'employee' is not defined by the Labour Act, therefore common law definition is often applied to define an employee as a worker who has a contract of service. Consequently, industries in Nigeria workforce resort to carrying on their individual employment arrangement to suit their objectives which have perpetuated labour exploitation of the scene (Danesi, 2012).

Most of the casual and contract employees are highly skilled and usually perform the same task with permanent employees but get lower remuneration and poor employment conditions and are denied the right to organize and benefit from collective bargaining (Animashaun, 2008). However, this is contrary to section 17(3) (e) of the Nigerian Constitution 2011, which states that: *"the state shall direct its policy towards ensuring that there is equal pay for equal work without discrimination on account of sex, or on any other ground whatsoever". Section 40 of the same Constitution states that: "every person shall be entitled to assemble freely and associate with other persons, and in particular he may form or belong to any political party, trade union or any other association for the protection of his interest".*

There are cases whereby companies in Nigeria have workers working for them between six and ten years as casual or contract workers without being accorded permanent status (Animashaun, 2008). As a matter of strategy, some employers cultivate the habit of laying off their employees every three months and asking them to re-apply for re-engagement just to get round the law (Fapohunda, 2012). Consequently, long term serving casual workers are regarded or having become 'permanent casuals' (Orifowomo, 2007). Regardless of their long duration of service, they are not entitled to benefits like promotion, pension and sick leave with pay among others.

Nigerian workers are under pressure from corporate practices that seek to undercut their hard-fought victories at the bargaining table and replace 'good jobs' (that is, jobs with benefits, training, and security) with various forms of insecure and lower paid contract, short-term, and temporary work. This practice of casualization is following an alarming trend, considering that working was once a hope for raising working and living standards in the country (Fapohunda, 2012). In nearly every economic sector, good jobs are falling prey to corporate cost-cutting moves at the expense of working families. Too many jobs are being outsourced, contracted out, or reclassified under a barrage of legal definitions designed to keep pay down, benefits low, and unions out. Like workers all over the world, Nigerian workers are trying to fight this. They are countering casualization with activism and strength, pushing back against the degradation of their work and organizing casual workers into unions to fight for their rights (Alozie, 2009). Casualization however goes beyond just ignoring trade union rights; it is enabled by the widespread poverty, joblessness, and the devastated natural resources of the country. It is just one manifestation of the "degradation of work" from formal to informal employment and from permanent to temporary and precarious forms of work.

1.3 Statement of the problem

It is unclear if the practice of casualization of labour in Nigeria industrial sector is outlawed or not. Nigeria is a developing country striving to attain micro/macro-sociological development. It has been documented that the practice of casualization of labour impacts negatively on employees livelihood. Employers in Nigeria practicing casualization of labour however do not break the law of the federation and cannot be held liable for labour exploitation due to the gaps in the Nigeria Labour Act Cap. L1 L. F. N. 2004. Therefore, it is important to examine the nature of labour practices in relation to casualization in the context of Niger Mills Company, Calabar.

1.4 Purpose of the study

The purpose of this study was to examine the practice of casualization of labour as a policy in Niger Mills Company, Calabar.

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1.5 Objectives of the study

In order to achieve the purpose of this study, the following objectives were pursued:

- To examine the terms and reference for employment of workers issued by Ministry of Labour and Productivity to Niger Mills Company Limited.
- To examine the employment arrangement/ procedure of Niger Mills Company.
- To verify the statistics of casual employees and permanent employees in Niger Mills Company, Calabar.
- To assess the policies of Niger Mills Company towards employees' welfare for casual employees.

1.6 Research questions

In order to obtain answers that address the research objectives, the following research questions were formulated:

- What are the terms and reference of employment issued by the Ministry of Labour and Productivity to Niger Mills Company Limited?
- What is the procedures/arrangement used for employment in Niger Mills Company?
- How many casual and permanent employees are there in Niger Mills Company?
- What are the policies provided for employees' welfare?

1.7 Significance of the study

This study contributes significantly to the literature on casualization of labour practices in Nigeria. Existing studies on the practice of casualization of labour as a form of employment in Nigeria points to the fact that it is a strategy adopted by employers as a cost reduction measures. The study increases the understanding of the practice of casualization of labour as a form employment strategy gear towards cost reduction in Nigeria workforce, especially, Niger Mills Company, Calabar.

1.8 Definition of key terms

Casualization of labour is an important part of work arrangement that is collectively referred to as non-standard, contingent, precarious and alternative work arrangements in international labour law (Animashaun, 2008).

Exploitation of labour for the purpose of this study refers to the act of using a person's labour without offering him/ her an adequate compensation (Chisala, 2006).

Employment connotes a relationship between two parties normally based on contract, one being the employer and the other being the employee (ILO, 2002).

Policy is a principle or protocol to guide decisions and achieve rational outcomes (Constitution of the Federal Republic of Nigeria, 1999).

Assessment is an opinion or a judgement about something that has been thought about very carefully (Oxford Advanced Learner's Dictionary, 6th edition).

Labour Law is the body of rulings pertaining to working people and their organization, including trade unions and employee unions, enforced by government agencies (Business dictionary 2015).

Labour Market refers to the nominal market in which workers find paying work, employers find willing workers, and wage rates are determined (Business dictionary 2015).

Labour force refers to the number of individuals in an economy who either are employed or are seeking employment (Business Dictionary, 2015).

Labour hours are the unit of work that represents the productive effort of one person in one hour; also called 'man- hour' (Business Dictionary, 2015).

CHAPTER 2
LITERATURE REVIEW

2.1 Introduction

This chapter addressed selected issues and literature on the topic, such as the nature of casualization, casualization and labour utilization in selected countries, the effect of casualization of labour, casualization and labour in Nigeria, emergence of casualization of labour in Nigeria, the labour coverage and its gaps, labour's position in Nigeria and the theoretical framework guiding the study.

2.2 Nature of casualization

The nature of casualization in a labour market is problematic. Bhorat and Hinks (2006) note that issues of hours worked, type of employment contract, who pays the employee, non-pecuniary benefits and whether working in the formal or informal sector, give room for several definitions and interpretations. The traditional model of employment (permanent, full-time employment with one employer until retirement) is steadily giving way to less stable (and often vulnerable) forms of employment (Cheadle, 2006). In this regard a casual worker (employee) is classified as anybody that works in the informal sector or a formal sector with a casual, temporary or seasonal employment contract or a part-time formal sector employee. ILO (2007) describes casual employees as workers who have an explicit or implicit contract of employment that is not expected to continue for more than a short period, whose duration is to be determined by national circumstances. This unclear definition has led to varying definitions of casual and contract workers and their rights in different jurisdictions. Fapohunda (2012) indicates that casualization is referred to in Europe and the United States as 'Non Standard Work Arrangements' (NSWAs).

As an expression, 'casualization' captures the phenomenal growth of non-standard employment, globally. Additional terms have been deployed to define and account for the growth of this type of irregular employment arrangement. For example, Theron (2005) notes that the ILO has used terms like 'disguised employment' or 'triangular employment relationship' to define the emergence of sub-contractors, independent contractors, home-based workers, all manner of "informalized" work. Based on the literature on the subject the

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following are the distinctions within the whole rubric of casual employment. First, distinctions are made among the workers directly employed by a firm on a casual, season, fixed term, or temporary basis. Historically these contracts were used to supplement the work force during period of peak demand, like holidays and so forth. However in the current context, casual employment is steadily replacing permanent employment.

The second type of casual labour is of the triangular employment relationship in which a labour broker supplies labour to a firm. The definition of employer in this relationship is tenuous and demand new forms of regulation. For instance, if a firm contracts a labour broker to provide workers does it then assume the responsibility of employer or are these workers employed by the subcontractor or labour broker? Workers often identify with a firm in which they have been deployed even though they are employed by the labour broker, especially in cases where deployment is for an extended period of time. In this case, what constitutes a workplace is a vexed question for regulators and for workers (Theron, 2005).

The third type of casualized labour is one characterized by dependent economy relations disguised and treated as commercial contracts. Independent contractors and home-based workers fall into this category of workers. Earlier it was noted that casualization is not new. However, the utilization of workers on short term contract to avoid a Standard Employment Relationship (SER) is new (Theron, 2005). It is important to further distinguish between three types of casual labour, that is those employed directly by the firm or company, second, those that are supplied by a labour broker and third those that are apparently defined as 'independent contractors'. The notion of temporary employment may suggest intermittent contract, yet subjective evidence suggests that there are cases of people employed on a continuous temporary basis, in worse cases, for 20 years (Animashaun, 2008). It is obvious that in such a case labour is required but the employer is not willing to pay the cost of permanent employment which places the employee on permanent work servitude.

Furthermore, Basso (2003) observes that casualization may be linked to under-employment and has two main meanings. It is often used loosely in international literature to refer to the spread of bad conditions of work such as employment insecurity, irregular work hours, intermittent employment, low wages and absence of standard employment benefits. The term 'casual' is however, becoming a more usual and constant language in employment relations (Fapohunda, 2012). The meanings may vary, but there exist a common similarity in the

meanings as may be used in different occurrences. Bodibe (2006) affirms that traditionally, casual labour referred to work conducted for defined periods and during peak business periods when individuals are called to supplement full time workers in times of high business activity, particularly in retail, but the idea is different now. O'Donnell (2004) emphasizes that legally, a casual employee is seen as a worker engaged for a period of less than six months and who is paid at the end of each day. The expectation is that this category of worker includes those engaged, for example, in piecework or short- term construction work. This however, is not really the practice, currently casual jobs today are commonly understood as jobs that attract an hourly rate pay but with very few of the other rights and benefits, such as the right to notice, the right to severance pay and most forms of paid leave (annual leave, public holidays, sick leave among others). Similarly, Okafor (2007) explains that losses suffered by casual employees include: abysmal low wages, absence of medical care allowances, no job security or promotion at work, no gratuity and other severance benefits, no leave or leave allowance, freedom of association is often jeopardized, no death benefits or accident insurance at work, no negotiation or collective bargaining agreement.

This treatment extends to issues such as job allowances, canteen services, pension plans, health and life insurance schemes, transportation and leave entitlements. The trend now is that casual workers work for many years without promotion and necessary entitlements, and sometimes do what permanent employees should do, but are not compensated for such (Fapohunda, 2012). Danesi (2012) and Fapohunda (2012) indicate that the emerging pattern of employment in Nigeria indicates that casualization is fast becoming the dominant form of flexible work arrangement particularly in the banking, telecommunications, as well as the oil and gas industries. Under this employment practices, there are two forms of casualization, namely, casual and contract labour. The terms and conditions of employment of this category of workers are not regulated by the Nigerian Labour Laws in the sense that their status is not defined and no provisions are made for the regulation of the terms and conditions of their employment, hence the mass exploitation of these workers by employers (Animashaun, 2008).

Employers use casualization of the labour force as an effective means of reducing cost, maximizing profit and de-unionizing the work force. Fajana (2005) explains the difficulties in getting accurate statistics about the number of casual and contract employees in Nigeria because there are no official statistics. Animashaun (2008) asserts that some organizations have been reported to have up to 90 percent of their workers as casual and contract employees.

The most recent Nigerian Labour Act still has not defined casualization and does not provide a legal framework for the regulation of the terms and conditions of the engagement of casual workers. The lack of definition of the status of this category of workers as well as the legal framework regulating the terms and conditions of their employment and protection, probably explains the increasing use of casualization by employers and why this category of workers are exploited by employers who engage them (Danesi, 2012; Fapohunda, 2012). The prevailing arrangement in most organizations is a situation where people are employed as casual and contract workers for five years or more and are paid less than their permanent counterparts in terms of wages and benefits even though they possess the same skills, work the same hours and perform the same tasks as permanent employees (Animashaun, 2008 and Danesi, 2012). In addition, Fapohunda (2012) explains that there is also a common distinction between casuals that are employed directly by the company and those that are supplied through outsourcing and subcontracting arrangement. Typically, support services such as cleaning, catering and warehousing and in some cases transport, distribution and security are subcontracted (Fapohunda, 2012).

Many casual and contract workers are higher education institution graduates or skilled technicians, most of whom have spent several years in their respective organisations but are still referred to and treated as casual workers (Okafor, 2007). This type of situation can also arise in some cases as the entire or part of the business activity is often outsourced or casualized (Fapohunda, 2012). In such circumstances, it is always typical of employers to begin to create an invisible line between core and non-core activities as an excuse; while the 'slavery' continues (Danesi, 2012; Fapohunda, 2012). Subcontracted and casual workers earn fewer benefits compared to permanent workers and companies dismiss casuals and subcontracted workers more easily than permanent workers (Okafor, 2007). Employers find it easier to hire and dismiss such workers at their own wish making this a mechanism to evade the legal provisions relating to the hiring and dismissal of permanent employees. Bodibe (2006) notes that some casual workers work for seven days and get an hour break each day. Casual employees do not have any other working conditions except for the diminutive remuneration they receive at the end of the day or month (Fapohunda, 2012). Also labour laws concerning employment, minimum wages, conditions of employment and employment benefits hardly apply to causal employees (Animashaun, 2008).

Cheadle (2006) posits that the various contractual and institutional forms of this kind of new employment mean that many workers do not fall within the common law conception of contract of employment and accordingly are not subjected to the protective reach of labour legislations. Some do fall within the definition but such workers' employment is so precarious, indirect or informal that they become invisible for recruitment into trade unions or for protection through law enforcement. A casual employee is barely guaranteed legal minimum wage, any job security, and allowances for lunch, travel, and housing nor would they ordinarily receive benefits like paid vacation, paid sick leave, funeral assistance, or terminal benefits (for example, gratuity) (Fapohunda, 2012). Fapohunda indicates these workers are not positioned to receive pension benefits when their employment comes to an end.

2.3 Casualization and labour utilization in selected countries

Labour rearrangement takes different forms in different countries. One prominent aspect, in Australia, in the last two decades has been a process of casualization, in the sense of an increase in the proportion of employees classified as "casual" (Danesi, 2002). Casual jobs are Australians' fastest growing form of employment, with the country now having the second largest casual workforce in the world after Spain. This has triggered a talking point as to whether government intervention should be used to improve job security for the growing number of casual workers (Munn, 2004). The trend in casual employment in Australia has increased over the past 15 years from 18.9% of all wage and salary earners in 1988 to 27.6% in 2003 (Munn, 2004). Although the trend currently is slow compared to the period 1988-2003 in Australia, in recent years, the number of casual positions increased by 35.6%, although this increase in the number of casual positions is only 15.1 % (Munn, 2004).

This is because in Australia, most casual workers are part-time, with casual workers currently representing 13.8% of all full-time employees and 60.4% of all part-time employees (Munn, 2004). A significant 35% of casual employees are aged between 15 and 24 and this age group is typically studying and not looking for a long-term commitment to the labour market (Munn, 2004). Most casual workers in Australia are concentrated in just a few occupations, and tend to be relatively low skilled (Campbell, 2004). Retail trade is the main employer of casuals, with 44.2% of all employment in the industry being casual (Munn, 2004). Munn (2004) indicates that the growth in property and business services has seen this industry become the next most significant employer of casuals, with 30.3% of all employment in the industry being casual.

Furthermore, Munn (2004) posit that full-time casual employment in Australia has grown by 40% in the last decade. The Australian Labour Party recently announced its Casual Employment Policy, stating it would legislate to ensure that the Australian Industrial Relations Commission takes into account the need to prevent the misuse of casual employment (Campbell, 2004; Munn, 2004). Likewise, award provisions should be instated to allow casuals employed regularly for a set period of time (probably six months) to be entitled to convert to permanent employment, with employers unable to unreasonably refuse (Munn, 2004). Campbell (2004) note that in 2001, 57% of casuals had been in their current job for more than a year, and the average duration of employment was 2.6 years.

Under Australia Labour policy, if these casuals chose to convert to permanent employment, they would gain entitlements like sick leave and annual leave but would forego their casual status loading (Munn, 2004). Campbell (2004) explains that most industries in Australia, conversion rights already exist, but have rarely been used. For example, more than 98% of casual employees in the manufacturing industry have chosen to maintain their status as 'casual'. In this circumstance, it is understood that the casual employees want to remain in casual work. In fact in an October 2003 JOB Future/ Saulwick Employee Sentiment Survey, it was found that 83% of casual employees are either very or reasonably satisfied with their current job and 78% of casuals felt secure or very secure about their job (Munn, 2004).

The Extent and Effects of Casualization in Lesotho manifests itself in a number of forms and practices in pertaining to acceptable conditions of employment which run contrary to internationally recognized standards regarding protection of workers' right, both individually and collectively at the workplace (Chisala, 2006). Bodibe (2006) notes that numerous factors may be blamed for the prevalence of casualization of labour despite labour laws provisions intended to curb the incidence. Amongst the factors is high unemployment and underemployment rates which result in workers earning incomes below the internationally stipulated poverty level of at least one US dollar a day. Poor law enforcement by the Labour Administration due to under-resourced labour inspectorate in both human and material terms raises some concern. Weak and fragmented trade unions lacking capacity to engage government and employers in meaningful negotiations through social dialogue at both tripartite and bipartite levels contribute to the sustenance of casual labour utility. Another contributory factor is HIV and AIDS pandemic which causes spouses (especially, household bread winners) death is forcing the remaining family members to look for work and take any job at whatever

cost in order to survive, thus contributing to the prevalence of triangular employment relationship (Bodibe, 2006; Chisala, 2006).

Casual employment in Mozambique includes a type of employment whether regulated by written or verbal contract, in which the employment relationship is not durable but for a defined period of work (Bodibe, 2006). Typically, the arrangement is used to accomplish clear tasks for a defined period. The main signifier of casual work is the duration of the employment relationship and the type of tasks to be performed. Thus casual work can be defined as work for a fixed duration and defined tasks to be performed. The concept however should be understood in its wider context. For example, in Zambia, employment of a worker to load and offload ships has no lasting scope of service yet legislation allows a work contract to last a maximum period of 2 years, subject to one renewal (Bodibe, 2006).

There have been calls from the labour movement in Zambia that workers are being given a raw deal for services rendered (Lifuna, 2005). Low salaries is one important issue that has been a source of contention of late in casualization of labour, especially in the post-privatization era. This phenomenon is relatively new in the labour sector but the practice has been enhanced by an increase in the number of foreign investors coming to invest in Zambia and employ Zambian workers (Bodibe, 2006). Because of high unemployment levels and as a mere cost saving measure, most of these foreign investors have opted to employ some of the Zambian workers on casual basis, a situation that has displeased the Government (Lifuna, 2005). The Zambian government has constantly voiced out its concerns over the many foreign-owned factories and companies employing Zambian workers on casual basis (Lifuna, 2005). As the trend takes root in the Zambian labour sector, some labour movement leaders blame the government and accuse it of abetting casualization. It is acknowledged that, ending casualization in itself is not easy and needs the concerted efforts of all stakeholders.

The practice of casualization in the South African construction industry has experienced substantial increases in both output and employment (Bobibe, 2006). The increase was driven by construction of residential properties for the rich. The South Africa construction companies record improvement in total employment of 72% during early 2000 although the quality of employment in South Africa has rapidly declined. Construction's contribution to total GDP is around 2% and its share of total employment is 5% (Bhorat and Hinks, 2006). Permanent jobs have dropped substantially from 2001 to 2006 and these have been replaced by casual jobs,

making construction the only sector in South Africa to rely heavily on irregular employment. In recent years casual employment has replaced full time employment in construction companies, increasing to the magnitude of 93% (Bodibe, 2006). Permanent employment increased by 22% between 2001 and 2006 but the share of full time employment shrunk from 50% of total employment in construction to 38% in 2006 (Bhorat and Hinks, 2006).

Casual employment now constitutes the bulk of employment in construction at 62% of total employment in South Africa (Bobibe, 2006). This means that the sharp increase in employment in construction is driven by exponential growth of casual employment. Workers in construction are given a raw deal due to the poor conditions of employment. A vast majority of workers in the sector do not have written contracts paid leave or medical aid benefits (Bobibe, 2006). The drop in permanent employment is in part explained by union density, which decreased from 22% to 14% (Bhorat and Hinks, 2006). As a result, workers are at the mercy of the employers and the precarious and unstable nature of the job intensifies workers vulnerability and susceptibility to employer power (Bobibe, 2006).

2.4 Casualization and labour in Nigeria

According to a recent report by the Campaign for Democratic and Workers Rights in Nigeria, the number of casual workers in Nigeria is 45% of the entire working population (Fajana, 2010). This therefore means that in a factory of 100 workers, 45 of them are casual workers. With the ambition of the employer to reduce cost of production, this number will continue to increase, particularly in this period of economic recession (Rufus, 2008).

According to Owoseye and Onwe (2009) casualization is a working arrangement that is not permanent in nature and does not fall within the traditional standard employment relationship. Workers in this arrangement usually do not have a permanent job status, they do not get the same pay and benefits as their regular permanent counterparts doing the same job and working the same hours. Casualization became a feature of the Nigerian labour market in the late 1980s when the country adopted the Structural Adjustment Programme in line with the neo-liberal policies prescribed by the International Monetary Fund and World Bank (Alozie, 2009). One of the effects of this policy was the retrenchment of workers in the public sector which created large scale unemployment (Alozie, 2009). However, the private sector which was to be strengthened by government policies to absorb these workers could not absorb all the

retrenched workers from the public sector. Therefore, many of them were employed as casual workers with low remuneration, limited benefits and lack of right to organize collective bargaining.

Thus, Okafor (2007) reports that in 2001, the number of casual workers within the oil industry in Nigeria hit 14,559, which was about 38.7% of the workers in the industry. Similarly, Fapohunda (2012) notes that in Nigeria an average of 60% employees in the oil industry are contract employees supplied by contractors and employment agencies. At organizational level the number is much higher with some organisations such as Mobil having over 90%. Employers have continuously adopted this type of employment relationship, seeing it as an effective and efficient way of cutting down labour costs, which according to Armstrong (2009) constitute the larger percentage of the cost of running an organisation. The increasing percentages of casual employees are however shocking and call for urgent attention and intervention. Labour unions in the oil and gas sector argue that the shift away from permanent employment is an attempt to replace unionized employees with lower paid and less protected workers, as well as to transfer employment responsibilities to sub-contractors (Fapohunda, 2012). Okafor (2007) note that in the oil industries, casual workers perform the same tasks as permanent workers, but without any job security, are under never-ending probation, and are frequently laid off, particularly just before they would become entitled to permanent contracts.

The casual workers are not union members and they receive lower wages and fewer benefits. Fapohunda (2012) presents figures from the banking sector which is similar to those from the oil and gas sector regarding casual employment. On a sectorial level, the average rate is about 79% however some companies such as Guarantee Trust Bank (GTB) have as much as 85.95 contract staff. Kolawole (2008) observes that even the apex bank in the country, the Central Bank of Nigeria (CBN) is not left out of the practice as 600 victims of the temporary employment policy of the Central Bank of Nigeria (CBN) petitioned the Economic and Financial Crimes Commission (EFCC), the Nigerian Labour Congress (NLC) and the National Assembly over what they described as exploitation and inhuman treatment by the apex bank. For 5- 15 years, casual workers have been employed by the Central Bank of Nigeria and posted to various branches nation-wide as maintenance, treasury, security and sundry workers and rather than having their status changed to full time staff, their services were terminated by the bank without any benefits that would allow them start life afresh (Fapohunda, 2012).

Most of the banks employ mostly casual workers (Fapohunda, 2012). The Nigerian post banking reform requirement impelled most of the banks to open more branches nationwide and consequently more staff were required to meet the challenges posed by the expansion. Many of the banks then opted for contract staffing strategy whereby they contracted recruitment of staff to consulting firms and pay the staff peanuts in order to maximize profit at the detriment of the poor workers (Fapohunda, 2012 and Nordgren, 2008). The casual workers are usually not given any written contract and letter of employment; what they have are temporary identity cards not covered by regular conditions of service. In most cases over 80% of the workers seen on the banking floor are not permanent staff of the banks. Their salaries are paid to the contracting firms and the firms after various deductions, pay the workers grossly below the amount paid by the bank. This empowers the employers to lay them off after some time and hire another set of temporary workers that they grossly underpay (Fapohunda, 2012). Orifowomo (2007) indicates that most of the outsourcing firms are owned by proxies of the bank directors or retired officers of the banks who use the outfit to further rip-off the hapless workers who can be dispensed of at the slightest mistake or excuse.

In the telecommunication sector the situation seems worse (Fapohunda, 2012). All the sampled organizations in the sector have over 95% of their workers as contract staff. The latest crisis in contract staffing and outsourcing in the Telecommunications Sector is the recent case of Airtel Nigeria where the company reportedly laid off, in one-day, 3,000 people designated as casual workers in its service (Fapohunda, 2012). The Nigeria Labour Congress (NLC) picketed its offices to put pressure on the management to abandon its employment style which favours the engagement of staff as casual workers; the company lost millions of naira for those three or four days for poor network services as a result of the picketing (Fapohunda, 2012).

2.5 The labour coverage and its gaps in Nigeria

International Labour Organization (ILO) (1998) declares in Philadelphia that its members must "*respect, promote and realize in good faith*" the principles concerning the fundamental rights at work. This declaration on fundamental rights at workplace, although not binding in international law, underscores that all member countries have an obligation to respect, to promote and to realize, in good faith, the fundamental principles involved, whether or not they have ratified the relevant ILO Conventions. Nigeria has ratified the ILO Convention so it is obligatory on its part to uphold these Conventions.

The African Charter, which has been enacted as an Act of the National Assembly provides in Article 15 that, "*Every individual shall have the right to work under equitable and satisfactory conditions and shall receive equal pay for equal work.*" It is implied therefore that since the charter enjoins state parties to ensure that its citizens have the right to work, and be entitled to equal pay for equal work, that there should not be any form of discrimination in employment between standard workers and non-standard workers. Furthermore, Section 7 (1) of the Labour Act Cap. L1 L. F. N. 2004 provides that: "*Not later than three month after the beginning of a worker's period of employment with an employer, the employer shall give to the worker a written statement specifying- the terms and conditions of employment, which include the nature of the employment and if the contract is for a fixed term, the date when the contract expires*". Nonetheless, Owoseye and Onwe (2009), note that in spite of the provision in section 17 (e) of the Constitution, which guarantees "*equal pay for equal work without discrimination on account of sex, or any other ground whatsoever*", the discrimination in pay between permanent and casual employees still persists. They were of the opinion that the Act recognizes this form of employment like it did for standard employment. Many casual employees do not have letters of employment and many companies do not have records of their casual employees, in order to evade the law (Alozie, 2009).

Labour administration is within the purview of the Federal Ministry of Labour and Productivity which was created about 1954. The objective of the labour administration is to strengthen labour standards and practices in all sectors, especially in the weak sectors to ensure minimum forms of protection for vulnerable groups. However, all aspects of the Ministry's mandate are covered by labour administration, with the expectation that these functions will be manned by trained personnel with the right capacities. But, major gaps exist in the achievements of the espoused goals of labour administration. There is a visible relegating attitude of the government at the centre to the Ministry. In some cases, educated ideas from bureaucrats were regarded as too technical and inadmissible especially during the military regimes. Political elites visit the Ministry with unprecedented rate of leadership turnover as Ministers were changed rapidly, thus affecting the overall continuity and effectiveness of policies and programmes. Political unwillingness and selfishness manifested in inexplicable confusion over important state matters such as poverty reduction programmes owned or 'hijacked' by First Ladies; as well as inadequate funding and inappropriate application of existing policies are some of the challenges (Ezigbo, 2009).

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Until recently, factory and labour inspection continued to attract very low budgetary allocations, in spite of Nigeria's ratification of Convention 81 on labour inspection. It is observed that for budgetary allocation purposes, between 2001 and 2005, the Ministry of Labour and Productivity was usually subsumed under social and community services along with several other ministries with development agendas and given pittance, whereas education, health and defense had designated heads (Ezigbo, 2009). The effect of the lack of financial capacity by the Ministry leads the Police to take efforts for assignments that would have been more effectively handled by professionals in the ministry. Consequently, the country continues to record avoidable strike actions.

Furthermore, victimized groups, especially in the informal economy, on account of feared victimization by the employer do not often wish for State interventions (Fajana, 2010). More than ever before, labour administration today needs appropriate re-engineering to assist in the optimization of decent work services to its stakeholders. The Ministry of Labour lacks capacity to sanction offending businesses. By its structure and processes, the Federal Ministry of Labour and Productivity (FMLP) does not have the mandate and capacity to sanction business owners with substandard labour practices. The inspectors do not have the technical competence, for example to inspect factories with varied production processes (Fajana, 2010). Subject to the conduct of a labour audit, leadership of the FMLP is of the view that some collaborations with agencies of government such as National Agency for Food and Drug Administration and Control (NAFDAC) and Standards Organization of Nigeria (SON) that have 'the teeth to bite' and the personnel with the requisite technical firm-specific skills to inspect, may be adopted. In addition, labour market segmentation policy (protected or unprotected, privileged or unprivileged, unionised or not unionised) adversely affects labour governance through multiple labour standards. For instance, Export Processing Zones (EPZs) enjoy more flexible and preferential provisions in the labour laws. Furthermore, a survey by the National Bureau of Statistics (2008) reveals that industry and the people expect much more from the Ministry of Labour concerning the strategies government could adopt to encourage employment generation in Nigeria. Specifically mentioned are ways such as improvement in employment policy, strengthening employment, infrastructure for industry, security, and access to credit over which the Ministry of Labour has joint and several responsibilities, with others stakeholders, to accomplish (Rufus, 2008).

2.6 Labour's position in Nigeria

Although there have been minimum information on the struggle against casual staffing in the country, the Nigeria Labour Congress (NLC) declares it has not yet relented in its effort to solve the problem of the use of casual staff by companies and businesses in the country (Owoseye and Onwe, 2009). The campaign against casual labour was intensified by the Nigerian trade unions in 2000, when they embarked on foreclosing activities on companies believed to be guilty of the offence. But enclosing has not yielded the desired result, as the incidence of temporary staffing continues (Owoseye and Onwe, 2009).

Nigeria, a member of the ILO since 1960, has ratified a total of 38 ILO Conventions of which 34 are currently in force (Tripartite Consultation [International Labour Standards] Convention 1974 (No. 144) Ratified 03/05/1994). Included among the ratified conventions are all the eight core conventions that include those that enable social dialogue to take place, notably, Freedom of Association and Protection of the Right to Organize Convention, 1947 (No.87), Right to Organize and Collective Bargaining Convention, 1949 (No.98) and the Tripartite Consultation Convention, 1976 (No.144). Nigeria has not ratified a number of conventions which are crucial to addressing decent work deficits in the labour market and the critical challenge of poverty and social exclusion particularly within the context of the economic crisis. These include ILO Conventions C122, 129, 150, C187, & 188 that relate to labour market implementation of ratified conventions which have not always been effective owing to capacity challenges in ensuring compliance with such commitments, and lack of adequate awareness of the provisions of such conventions (Rufus, 2008).

Nigeria has continually been reprimanded by the ILO for violation of trade union rights (Fajana, 2010). Comments by the Committee of Experts on the Application of Conventions and Recommendation indicate a need for strengthening national capacity towards improved quality of reporting on ratified conventions and responding to comments of supervisory bodies (Fajana, 2010). Staff Reports by ILO 15 reveals that Nigeria has 25 reports due since September 2010; a number which indicates that Nigeria is encountering difficulties in fulfilling its constitutional periodic reporting obligations in accordance with Article 22 of ILO Constitution. Nigeria also has failed to provide the relevant information to the Committee of Experts on the submission to the National Assembly of the instruments adopted by the International Labour Conference at its 94th Session (Maritime Labour Convention; Promotional Framework for

Occupational Safety and Health Convention and Recommendation; Employment Relationship Recommendation) at the 96th Sessions (Work in Fishing Convention and Recommendation), as requested by Article 19 of ILO Constitution. On the status of instruments ratified it is observed that a certain number of conventions ratified, by Nigeria are now shelved (such as Conventions Nos. 50, 64, 65, and 104), or considered outdated (Conventions Nos. 32 or 123), or need to be revised (Conventions Nos. 8, 16, 134) or have currently an interim status (Conventions Nos. 11, 19, 26, 45, 88, 133, 137).

Furthermore, there are pending observations of ILO Committee on the Application of Conventions and Recommendations concerning Conventions No. 87 (Freedom of Association) 88, 98 (Collective Bargaining), 105 (Forced Labour), 111 (Discrimination), 123, 134 and 144 (Tripartite Consultation) and direct requests concerning the effective implementation of ratified ILO instruments which all have significant impact on labour practices.

Current deficits in Nigeria labour policies include:

- Respect of constitutional obligations (reporting + submission): need to clear the backlog and put in place a mechanism which will ensure regular communication of quality reports by Nigeria and regular submission of newly adopted ILO instruments to the legislative authorities;
- Need to clean the list of ILO instruments ratified by Nigeria and, particularly, look into the possibility of ratifying the Maritime Labour Convention mentioned by Nigeria some time ago, and;
- Enhance effective implementation of ratified instruments (particularly of instruments dealing with social dialogue, discrimination, child labour, and forced labour) by: (i) ensuring that Nigeria labour legislation conforms to provisions of ratified international labour standards; and ii. promoting ratified standards not only with the ILO tripartite constituents but also other key actors in the implementation of ILS, such as, judges, journalists, and labour law professors.

The ILO-inspired review of Nigerian labour laws continued to be pending at the national assembly after about 5 years. Yet, some of the deficits of decent work and pay can be minimized through effective labour laws. Nevertheless, the social dialogue picture in Nigeria is described by the networks of actors and the institutions they have established for the promotion of joint discussions, negotiation or determination of the issues that confront the

social partners either within the place of work and even outside it so far as the object of their interaction is the resolutions of identified conflicts. There are 29 trade unions, 22 senior staff associations, 22 employers associations, 4 professional unions organised along industry basis. Social dialogue forms in Nigeria include collective bargaining, which is bipartite. In its tripartite form, dialogue involves co-operation among government, employer's organizations and workers organizations in formulating or implementing labour, social or economic policies. In its tripartite-plus form, dialogue involves all stakeholders such as the host community, non-governmental agencies, civil society, and the three tiers of government (executive, legislature and the judiciary), workers organizations, employer's organizations, and the like. Other efforts at social dialogue involves Nigeria Employers Consultative Association (NECA) that has been working on seminars and training programmes on business development and growth, labour market dialogues, projects on Human Immunodeficiency Virus Infection and Acquired Immune Deficiency Syndrome HIV/AIDs, technical and vocational skills, self-employment especially for youths. NECA has collaborated with several national and international organisations such as International Labour Organization (ILO), Federal Ministry of Labour and Productivity (FMLP), Trades Union Congress (TUC), Natural Head Orientation (NHO), Swedish Labour Market Dialogue to drive its programmes.

Collective bargaining is quite effective in Nigeria especially in the private sector where trade unions and employers or employers' associations have shown visible commitment to the sanctity of collective agreements (Fajana, 2010). The system of collective bargaining in the public sector does not encourage appointed bargaining agents to commit the government by signing draft agreements on behalf of government (Federal Republic of Nigeria [National Action Plan on Employment Creation] (2009). This often leads to delays in the ratification process. Internal communications within organizations are adjudged as effective in all sectors. Community interaction on labour matters is still at its infancy because even the national assembly has not been faithful to community reviews in its legislative functions (Ikeanyibe, 2009).

The introductory process of the state's economic reforms have not benefitted much from social dialogue as reforms were in most cases adopted while awaited reactions from labour are contained through state machineries (Federal Republic of Nigeria [National Action Plan on Employment Creation] (2009). This is exemplified in the various objection reactions that visited water privatization and other public enterprises, unbundling of electricity as part of the

power sector reforms, and the like. In summation, deficits exist persistently in the quantum and quality of social dialogue that has evolved in Nigeria. The following are noticeable:

- The low rate of unionization in the informal economy, even though 70% of the workforce are in this sector;
- Low union density in the formal sector;
- The anti-union stance of some employers in spite of the ratification of freedom of association and collective bargaining conventions;
- The preference of the State to introduce non-inclusive reforms (that is without reference to the inputs of other constituents), especially labour and host community, and;
- The absence of (and lack of commitment to) mutually/ commonly acceptable values that would inspire good faith dialogue.

Thus, the vision of the Nigerian Labour Congress (NLC) for Nigeria is that of a nation in which all workers, irrespective of gender, ethnicity or religion would be guaranteed a just and fair living wage, security of job and greater opportunities for career advancement and fulfillment (Worst Forms of Child Labour Convention, 1999 [No. 182] ratified 2002). Pursuant to this vision the key priorities suggested by organised labour are understandably job creation and social protection as response to the global financial crisis and various reform measures, which have adversely affected employment. Organised labour in Nigeria is well positioned to deliver on its core mandates (Animashaun, 2008). NECA is the umbrella organization of employers in the Organised Private Sector of Nigeria and provides a platform for private sector employers to interact with the government, labour, communities and other relevant institutions in and outside Nigeria for the purpose of promoting harmonious business environment that will engender productivity and prosperity for the benefit of all.

The Government of Nigeria by virtue of its adopted Constitution and development paths has clearly expressed a wish for a country where the people have the best that life could offer: protection from external economic and political aggression, and the like. Government and other Millennium Development Agendas (MDAs) are largely committed to the wish for poverty reduction through employment creation (Discrimination [employment and occupation] convention [No. 111] ratified 2002). Such actions have been articulated individually and collectively with the relevant audiences under the coordination of the Ministry of Labour. The Ministry of Labour, in particular, suggested a strategy for job creation that would also concurrently serve to improve on social protection and social security and gender

mainstreaming (Equality of treatment [Accident Compensation] convention, [No. 19]). The strategy being offered is to concentrate on skills acquisition, not only for the unemployed youths but also as pre-retirement skills acquisition for prospective retirees, long before they are due to exit. This strategy would create more than one million training jobs annually, and several million entrepreneurs as secondary job creation effects. It would reduce the uncertainties about the future which are largely faced by workers whose pre-retirement training usually came rather too close to actual retirement. This is hence, a strategy that should positively impact on all ages and gender profiles. The Ministry of Labour has canvassed capacity building for setting up labour market information system (database) for Nigeria, in collaboration with the National Bureau of Statistics, the Central Bank and other producers of relevant information, as well as an appropriate website.

2.7 The theoretical framework of the study

The focus of most assertions about the existence of exploitation towards human beings is the socio-economic phenomenon where people trade their labour or allegiance to an entity, such as the state, a corporation or any other private company. Some theories of exploitation such as Marxist theory, neo-liberal theory are structural, while others are organizational like neo-classical. In Marxian economics, exploitation refers to the subjection of producers (the proletariat) to work for passive owners (bourgeoisie) for less compensation than is equivalent to the actual amount of work done (Sample, 2003). The proletarian is forced to sell his or her labour power, rather than a set quantity of labour, in order to receive a wage, in order to survive, while the capitalist exploits the work performed by the proletarian by accumulating the surplus value of their labour. Therefore, the capitalist makes his/her living by passively owning a means of production and generating a profit, when instead the labour should be entitled to all it produces.

The kinds of exploitation described by other socio-economic theories are usually called 'super-exploitation,' as one that goes beyond the normal standards of exploitation prevalent in capitalist society (Sample, 2003). While other theories emphasize the exploitation of one individual by an organisation or vice versa, the Marxist theory is primarily concerned with the exploitation of an entire segment or class of society by another. This kind of exploitation is seen as being an inherent feature and key element of capitalism and free markets. In fact, in *Das Kapital*, Karl Marx typically assumed the existence of purely competitive markets. In

general, Sample (2003) argues that the greater the 'freedom' of the market, the greater the power of capital, and the greater the scale of exploitation. The perceived problem is with the structural context in which free markets operate beyond normal standards. The proposed solution to this kind of exploitation is the abolition of capitalism and its replacement by a better, non-exploitative, system of production and distribution like, first socialism, and then, after a certain period of time, communism (Sample, 2003).

In the Marxist view, normal exploitation is based on three structural characteristics of capitalist society:

- The ownership of the means of production by a small minority in society, the capitalists;
- The inability of non-property-owners (the workers, proletarians) to survive without selling their labour-power to the capitalists (in other words, without being employed as wage labourers); and
- The state, which uses its strength to protect the unequal distribution of power and property in society.

Thus, because of these human-made institutions, workers have little or no choice but to pay the capitalists surplus value (profits, interest, and rent) in exchange for their survival. They enter the realm of production, where they produce commodities, which allow their employers to realize that surplus value as profit. The reserve army of the unemployed always threatens them. In brief, the profit gained by the capitalist is the difference between the value of the product made by the worker and the actual wage that the worker receives; in other words, capitalism functions on the basis of paying workers less than the full value product of their labour.

Some Marxian theories of imperialism extend this kind of structural theory of exploitation further, positing exploitation of poor countries by rich capitalist ones or by transnational corporations. Some Marxist-feminist use a Marxian-style theory to understand relations of exploitation under patriarchy, while others see a kind of exploitation similar to the Marxian sort as existing under institutional racism (Sample, 2003).

In neoclassical economics, exploitation is organizational, which is explained using microeconomic theory. It is a kind of market failure; a deviation from the abstraction of perfect competition. The most common scenario is a monopsony or a monopoly. These exploiters have

bargaining power and this kind of exploitation is supposed to be abolished by the spread of competition and markets. Other neoclassical theories go beyond simple organizational exploitation. Another type of exploiter is a hired agent (employee) who takes advantage of the principal (employer) who hires him or her, under conditions of asymmetric information. This kind of exploitation is beyond the scope of markets, rather it is within corporate or governmental bureaucratic organizations. It is often extremely hard to solve using competition and markets but is instead addressed using methods like monitoring of employees and management, risk-sharing agreements, and bonding (Kiely, 1998).

In neo-liberal theory, exploitation naturally coexists with free markets. As in the Marxist theory, the problem is structural rather than organizational. Given its special position in society (controlling an important asset), a lobby group can shift the distribution of income in its direction, impoverishing the rest, even though their roles serve no reasonable purpose. While philosophers like Henry George point at landowners, John Maynard Keynes saw renters (non-working owners of financial wealth) as fitting this picture. The first receives land-rent while the second receives interest, even though, according to the proponents of this theory, they contribute nothing to society. They merely own a certain asset and have the ability to make money from that asset without actually doing any work. While George argues for a single tax on land-rent to solve this problem, Keynes hope that interest rates could be driven to zero (Sample, 2003)

In some ways, these theories are similar to the Marxist one discussed above. However, such theories deal with the power and influence of special interests in society (and within the capitalist class) rather than dealing with a structural difference in class position of the Marxian sort. Further, while Marx saw exploitation as raising the total amount of production in capitalist society, in these theories, exploitation represents a form of waste or inefficiency, hurting growth under capitalism. Therefore, according to this view, abolishing rent or interest would make everyone ultimately better off. This study is therefore guided by the Neo-liberal theory and the Social Action theory of doing research. The choice of these theories is informed by the fact that no one single theory can explain holistically the link between casualization and labour employment in industries (Kiely, 1998).

2.7.1 Neo-liberal theory

Neo-liberalism is a 'sticky' label for Economic Liberalism. The theory was invented in 1938, but became popular in the 1960s. The theory refers to a redefinition of classical liberalism, influenced by the Neo-classical theories of Economies as discussed above. Neo-liberalism is a very broad theory that usually refers to fewer government regulations and restrictions in the economy, in exchange for greater participation of private entities, and is therefore associated with economic liberalization. The point of view for economic liberation includes greater efficiency and effectiveness that would translate to a bigger benefit for everybody (Crotty, 2000). Nearly every country in the world, in order to remain globally competitive, has to pursue the path of Economic Liberalization characterised by partial or full privatization of government institutions and assets, greater labour-market flexibility, lower tax for businesses, less restriction on domestics and foreign capital, open market among others.

According to Blair (2007), it is beneficial to those companies and countries which are fast to adapt, slow to complain, open and willing to change. To the developing countries, Neo-liberalism refers more to economic liberalization or further opening up of their respective economics to foreign capital and investments. Neo-liberalism brought about a modern financial transformation which occurred in mid-century (Dumenil and Levy, 2002). When the new financial framework was developed, closely related to the economy, a huge wave of mergers followed, establishing a new framework of capitalist institutions. The term used to account for this transformation was "managerial revolution" which denotes the transformation of firms, now managed by staff of managerial and clerical personnel (Chandler, 1977).

These new procedures of Management were tightly related to the Taylorist and Fordist Organization on the shop floor. The distance between the workers and their means of production widened, with their tasks being defined by other Salaried Personnel, however, the managerial revolution was also responsible for new more favourable technological trends (Berle, 1960). In applying the Neo-liberal theory, it can be argued that employment policy, especially as expressed in metropolitan planning strategies, has taken a Neo-liberal turn (Crotty, 2002). Governments at both Federal and State levels have responded to what they have regarded as the twin imperatives of globalization: firstly, competitiveness in globalizing markets; and secondly, the need for greater flexibility in domestic commodity, financial and labour markets. Mc Guirk and O'Neill (2002), argues that as a result of Neo-liberalism,

suburban employment policy refracts through two lenses: firstly, little attempt is made to coordinate either urban infrastructure provision or commercial land development with employment target, secondly market forces have been allowed to locate major new business development. Also, attention has turned toward encouraging local entrepreneurship and attracting the right kinds of business investment to increase the stock of local jobs.

This emphasis on business investment has manifested itself in two ways. Firstly, there has been a commitment to continuous suburbanization of employment opportunities so that the stock of jobs not only keeps pace with rapid growth of the residential labour force but also improves relatively employment self-sufficiency. Secondly, there has been a commitment to reducing what is seen as over-dependence on jobs in manufacturing, construction and transport sectors vulnerable to long-term job shedding, instability and casualization (Fagan, 1994). An important point to note here is that neo-liberals believe that state intervention has been the main reason responsible for the retarding economic development in the Third World. Therefore, to avert these economic problems, there is the need to unleash market forces. In this sense, neo-liberalism is against state intervention and the entire notion of state regulation and state economy policy- making.

According to Isamah (2002) who cited Korten (1996) the following are the main elements of economic neo-liberalism:

- Economic globalization- This means moving towards a single integrated world Market in which goods and capital flow freely across natural bonders and brings about competition, increases economic efficiency and growth, and is generally beneficial to everyone; sustained economic growth as measured by Gross National Product is the foundation of human progress and is essential to alleviate poverty and improve the environment;
- Localities achieve economic success by abandoning goals of self-sufficiency and aspiring to become internationally competitive in providing conditions that attract outside investors; and,
- Free markets, which are free from governmental interference or regulation, resulting in the most efficient and socially optimal allocation of resources.

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2.7.2 The social action theory

This theory holds out great promise for seeking sociological approach and explanation to industrial casual workers attitude and behaviour. This is so because it takes into account both meaningful activity of the individual, the work environment and the society. In addition to the above, Watson (1980) notes that despite the early interest shown by industrialists in the societal moral order and overall division of labour, their interest have consequently proved to be largely confined to the group or occupational levels. Watson (1980) expresses the point that they have no successful related meaning at the micro levels. A concern with such relationship is basic to the theory of the German sociologist Max Weber in the 1920s.

Adams and Sydie (2001) cite Weber (1968) who defines 'sociology' as the study of social action. For Weber, the discipline, sociology, examines the ways in which people, through the attribution and influence of subjective meanings, would be influenced by each other and thereby become oriented in their action. He sees social meanings in the wider society through the concept of a legitimate order. Weber explain further that this is a pattern in social life which an individual actor believes to exist and to which such actor may confirm in his final submission. He added that he understands how the order becomes legitimate to actors; it has to be seen within the human meaning thereby creating processes which in turn, have to be related to the conflicts and power struggles which take place in a world, where there are a variety of material interests.

Motta *et al.* (2011) observe that through social interaction, people could modify and possibly transform social meanings, which those involved, assigned to other actions, that is, the meaning people read to situations presented before them determines their action. Burston, Dyer-Witheford and Hearn (2010) bring the focus of social action theory closer to casualization of labour and to what they considered as the structurally determined imperatives of managerial control, the dynamic and the imminent process of deskilling and reducing expectations. An implication from the creative essence of the notion from Weber's theory of social action, and those of Motta *et al.* (2011) and Burston *et al.* (2010) relative to this study is that social relations between super ordinates and subordinates, (that is casual workers and management staff), the work environment, organizational processes, individual personality, socio-economic background are likely to affect the workers' orientation, perception and this automatically transforms into attitude and behaviour of the worker in the place of work.

2.7.3 The relationship between the theories (neo-liberal theory and social action theory)

Neo-liberalism is not simply an economic structure; rather it is a philosophy (Martinez and Garcia, 2005). The philosophy is most visible in the approach to society, the individual and employment. Neo-liberals tend to see the world in terms of market descriptions or metaphors. Neo-liberalism has answers to stereotypical philosophical questions such as "*why are we here?*" the answer according to them is: *We are here for the market and we should compete.* Neo-liberals tend to believe that humans exist for the market, and not the other way round; undoubtedly this has validity in the sense that it proves good to participate in the market and that those who do not participate have failed to actualize their existence. In personal ethics, the general neo-liberal vision is that every human being is an entrepreneur managing their own life, and should act as such; individuals who choose their kind of job, to maximize their status with future employers are, ethically, neo-liberal.

The idea of employability is characteristically neo-liberal; it means that neo-liberals see it as a moral duty of human beings, to arrange their lives to maximize their advantage on the labour market. Many workfare neo-liberals also believe that there is a separate category of people, who cannot participate fully in the market. Workfare ideologies condemn this category of underclass to a service function, for those who are fully-market compatible. The idea that everyone should be an entrepreneur is definitely neo-liberal. The participation of the casual workers in a labour market is limited to accepting any work they were offered. In essence, relating factors that surround workers beyond the work are factors that afford the opportunity to understand the nuance meanings of casual workers' perception, socio-demographic status, attitude and behaviour, and why such casual workers still engage in the task. Thus, neo-liberalism emerged out of an "unholy alliance" between neo-classical economics, which provided most of the analytical tools, and what may be called the Austrian-Libertarian tradition, which provided the underlying political and moral philosophy (Schmidt, 2005). It is an "unholy alliance", because the gap between these two intellectual traditions is not a minor one, as those who are familiar with, for example, Hayek's scathing criticism of neo-classical economics would know (Chang, 2001).

CHAPTER 3
RESEARCH METHODOLOGY

3.1 Introduction

Research methodology provides a description of the precise techniques to be used, the precise measuring instruments to be utilised and the precise sequence of activities to be carried in making the measurement (De Vos *et al.,* 2011). This chapter describes the research methodology that was used to answer the research questions that help to achieve the objectives of the study. This is an explanatory/ descriptive study that goes beyond simple description to model empirically the social phenomena under study.

3.2 Research approach

This study employed both quantitative and qualitative research approaches. The qualitative approach was used to collect data through key informant interview, individual structured interview, literature search (extensive desk review and content analyses of published and unpublished data including policy documents, newspapers, and internet) and observations. Quantitative approach was used to collect and analysed quantifiable data that was obtained through questionnaires. Both approaches were chosen for the purposes of triangulation and complementary. The essence for the triangulation and complementarity was to validate qualitative data obtained from the employers and sectional heads in charge of the casual employees. Nonetheless, research questions such as: What are the terms and reference of employment issued by the Ministry of Labour and Productivity to Niger Mills Company Limited? And, what are the procedures/ arrangements used for employment in Niger Mills Company? Were approached with qualitative instruments such as: key informant interviews, individual structured interviews and literature search. While question like, how many casual and permanent employees are there in Niger Mills Company? And, what are the policies provided for employees' welfare? Were approached with quantitative instrument such as: close-ended questionnaire. Thus, the study focused on both primary and secondary data which were collected using quantitative and qualitative approaches. Th study used the Neo-liberal theory and the Social Action theory, as described in the literature review, as the theoretical framework to discuss the findings.

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3.3 Research design

This study adopted explanatory and descriptive research design. Research design is the overall strategy that a researcher choose to integrate the different components of a study in a coherent and logical way, thereby, ensuring the researcher to effectively address the study problem; it also constitutes the blueprint for the collection, measurement, and analysis of data (De Vaus, 2001). The design of this study first outlines the study area, followed by entry into the study area, then the population the study abide on, the sampling techniques the study adopts, the data collection and the instruments that was used in collecting the data, the data analysis as well as the ethical considerations. However, all the designed steps were followed in ensuring a scientific and logical flow. An explanatory design was used to address qualitative approach. The explanatory design was adopted in order to provide answers for questions such as: What are the terms and reference of employment issued by the Ministry of Labour and Productivity to Niger Mills Company Limited? What is the procedures/ arrangements used for employment in Niger Mills Company? The above questions were approached with qualitative instruments such as: key informant interviews, individual structured interviews, literature search and observations. While descriptive design was used to address the quantitative approach aspect of the study. A descriptive design was adopted to provide answers for questions such as: How many casual and permanent employees are there in Niger Mills Company? And, what are the policies provided for employees' welfare? These questions were approached with quantitative instruments such as: close-ended questionnaire.

3.4 Description of the study area

The field study was carried out in Niger Mills Company, Calabar, a division of Flour Mills of Nigeria Plc. Flour Mills of Nigeria (FMN) is one of the largest and most successful industrial conglomerates in Nigeria. The Company's activities span flour milling, pasta manufacturing, port operations, cement trade and manufacturing, fertilizer blending, bags and other packaging materials manufacturing and agricultural business.

FMN had its inception in 1960, and since then it has not only survived all macroeconomic challenges but also grown into a market leader with popular and highly recognizable brands, an extensive distribution network, substantial profitability, a healthy balance sheet and a highly skilled workforce. The company has been listed on the Nigerian Stock Exchange since 1978.

With a broad ownership base of approximately 67,000 shareholders, it is constantly ranked amongst the top 25 companies in terms of market capitalization. The company's profile on the Golden Penny Products (2005) indicate that FMN group employs approximately 5,200 staff with diverse ethnic, cultural and religious backgrounds who work harmoniously together to deliver superior value to Nigerian consumers, nationwide.

FMN has approximately 11 different branches located in the different states of Nigeria. Niger Mills Company, Calabar, Cross River State is one of the largest in the country. The field study was conducted in the Calabar branch, the capital of Cross River State. Calabar is located at the Southern part of Cross River State as seen in Fig.1.1, and is located between longitudes 8°17′00″ and 8°20′00″E and latitudes 4°50′00″ and 5°10′00″N. Calabar metropolis comprising of Calabar Municipality and Calabar South Local Government Area covers an area of about 1480 sqkms. It is bound to the north by Odukpani Local Government Area and to the East by Akpabuyo Local Government Area depicted in Fig.1.1. Calabar is sandwiched between the Great Kwa River to the East and the Calabar River to the west and its present urban area is on the eastern bank of the Calabar River. Its growth to the south is hindered by the mangrove swamps therefore the area that is presently available for expansion is eastwards up to the Great Kwa River and northwards towards Odukpani.

See Figure 1.1 below.



Fig 1.1: Cross River State Calabar

Source: Geographic Information System

3.5 Entry into the study area

Due to the fact that the study requires the participation of Niger Mills Company staff, a request letter was written to seek for permission from the Personnel Manager of Niger Mills Company to gain access to the workers. To achieve that, the request letter was sent to the Personnel Manager who then referred the researcher to consult with the labour union chairman for more

clearance and access to other categories of workers with the Niger Mills Company. Three research assistants and two interpreters assisted in the study. The interpreters helped in the translation of English to the local language spoken by a majority of the inhabitants of Calabar.

3.6 Population

Niger Mills Company, Calabar branch, is a large facility that employs a considerable number of locals and other immigrant workers. The population used for the study was drawn from employees of Niger Mills Company, Calabar. The actual statistics of casual employees working for Niger Mills Company Calabar is always unstable since the company employ and dismiss causal employees on weekly and monthly basis. But as at the period of the study, an estimated number of 430 employees were reported by the personnel manager of the company to be working on casual basis. However, a total number of 150 employees participated in the study. This number of participants is because some data were to be collected through qualitative instrument like individual structured interviews and literature search. Other categories of respondents other than the 150 employees were the key informants who are the Managing Director (MD) and Personnel Manager (PM) of Niger Mills Company.

3.7 Sampling techniques

Niger Mills Company Calabar branch was selected using purposive sampling because of the city's relative peace and convenience for the field study. The participants were drawn from different categories and class of employees of the company. The participants for the key informant interview were sampled purposively and were the Managing Director (MD) and Personnel Manager (PM). However, during the study, only the Personnel Manager participated. Participants for individual structured interview were selected using snowball sampling technique and were the senior staff members of Niger Mills Company. A snowball sampling technique uses a pool of informants to identify other participants based on their social networks who meet the same eligibility critaria and can contribute to a specific study. The snowball sampling technique helped in identifying other senior staff members once the first senior staff was identified with the help of key informant. The participants for the close-ended questionnaire were sampled with a stratified random technique and were administered to 150 casual employees of Niger Mills Company.

3.8 Data collection

This study used a range of data collection methods. The use of a combination of methods is intended to improve the reliability/validity of results and for triangulation purposes. Qualitative tools were used to collect and analyse data on the casual of employment arrangements, which assisted to trace certain aspects of these employees' work arrangements that lead to labour exploitation. The qualitative tool that was used to obtain data from the respondents was key informant interviews, individual structured interviews and literature search (extensive desk review and content analyses of published and unpublished data including policy documents, newspapers, and the internet). Observations were made during the field study. Quantitative tools were used to collect and analyse quantifiable data. The quantitative tool that was used to obtain data from the respondents was a close-ended questionnaire.

3.8.1 Key informant interviews

Key informant interview were used to obtain responses from the employers/managers of Niger Mills Company. Neuman (2011) indicates that key informant in field research is a participant with whom a field researcher develops a relationship and who tells about, or informs on the field. For this study, it was only the Personnel Manager that participated in the study and informed on the field. The first point of call was the Personnel Manager to seek out relevant information for the study. The interview was conducted in the office of his choosing and the exercise took several hours to accomplish.

3.8.2 Individual structured interviews

Individual unstructured interviews were conducted with the senior staff members other than the managers of Niger Mills Company who were selected through a non-probability snowball sampling. Neuman (2011) explains that individual structured interviews are those where the questions asked are precisely decided in advance. Furthermore, when used as an interviewing method, the questions are asked exactly as they are written, in the same sequence, using the same style, for all interviews. For this research, the formal interviews were helpful for comparative purposes in that all the respondents were asked the same set of questions, which supported the comparative analysis of some variables of significance to the study.

3.8.3 Literature search

Other qualitative data were generated from desk review, content analyses of published and unpublished works including policy documents. A literature search is a well thought out and organized search for literature published on a topic (Neuman, 2011). A well-structured literature search is the most effective and efficient way to locate sound data on the subject under study. In order to achieve the objectives, of examining the terms and reference of employment of workers issued by Federal Ministry of Labour and Productivity to Niger Mills Company and to examine the employment arrangement/procedure for Niger Mills Company, the literature search complement the data which were obtained from the employers.

3.8.4 Observations

Observations were made during the field study. The intention was necessary to complement the data obtained from the study events, activities and processes. Specifically, focus was put on observing the patterns of relations between the casual workers in the company. Above all, this observation helped in identifying the casual workers employed by brokers and those employed directly by the company.

3.8.5 Close-ended questionnaire

A close-ended questionnaire was administered to casual workers of Niger Mills Company and they were selected using stratify random sampling technique. According to Neuman (2011), close-ended questions are a type of survey research questions for which respondents choose answers from the list of answers provided in the questionnaire. These close-ended questions allowed the researcher to control the type of responses the participants gave in order to achieve the intended objective.

3.9 Validity and Reliability

The validity of an instrument connotes the extent to which it measures what it is supposed to measure (Babbie and Mouton, 2009). Reliability, in other words, is the extent to which a measuring instrument is repeatable and consistent (Babbie & Mouton, 2009). Qualitative and quantitative forms of research share some similarities and differences. According to Ragin

(1994) cited by Neuman (2011) a qualitative study examines patterns of similarities and differences across cases and tries to come to terms with the diversity whereas quantitative study examine differences among cases, but with different emphasis for purposes of co-variation of one variable with another. Furthermore, both qualitative and quantitative forms of data analysis will strive to avoid errors, false conclusions, and misleading inferences. This study was also alert for possible fallacies or illusions, therefore the study sort through various explanations, discussions, and descriptions, and evaluate merits of rival interpretations, seeking the more authentic, valid, true, or worthy among them.

3.10 Data analyses

Data editing, coding and cleaning was done before analyses. Data analysis is a process of bringing order, structure, and meaning to the mass of collected data (De Vos *et al.,* 2011). Data that was obtained by the use of close-ended questionnaires was analysed with the use of the Statistical Package for Social Sciences (SPSS) program. Tables and frequencies were created to categorize the demographic characteristics of the respondents. Afterward, multi-variant frequency tables were created to analyse responses accordingly. Cross tabulations were also generated to bring out certain distinctiveness of the nature of the work and employment arrangement in accordance with the workers skills/qualifications and also test performance on variables at a confidence level of 95%. For the qualitative analysis, data collected through interviews, literature search and observations, matrices were created according to content thematic analysis. The responses were grouped in accordance to their relevance with these themes. Above all, broad categories were generated to differentiate and explain the thoughts expressed by the respondents and policy documents.

3.11 Limitation of the study

This study examined casualization of labour policy in Niger Mills Company Calabar. While certain elements and findings can be applied across varying settings - as mentioned in the recommendations, the study cannot serve as a blueprint for improving labour substandard practices of any department, company or country. This investigation was limited to Niger Mills Company Calabar only; no other company was included in the primary research. Why the sampled population was limited to 150 participants is because the company hires and fires casual workers at will, making it difficult to account for accurate statistics of the employees at

any given time. Approaches include the series of the ratified research proposal made for the actual field works in the company's premises. People (participants) involved in the process were studied as employees and managers of the company. Since this work is an explanatory/ descriptive study, it relies heavily on previous studies to confirm that the situation encountered (and thus the remedies proposed) are not limited to the company under observation but are or can be generalizable.

While the study was limited to examining casualization of labour policy in Niger Mills Company Calabar, I believe that some findings allow a more general understanding of some underlying issues: like the need for exploitation theory to be culturally "responsive". Exploitation theories such as Neo-liberal and social action theory need to be understood within the context in which they are applied or they run the danger of promoting poverty or affecting the livelihood of the employees. In my opinion, casualization of labour in Niger Mills Company Calabar is an underappreciated strategy. It seems that Neo-liberal theory and social action theory are understood and taught alongside, not as it seems more truthfully, interweaved as applied by the Niger Mills Company employers. For that reason, future research could provide valuable insights to better understanding why most companies casualized core and main job positions. Additionally, while on the first view, the study offers insights only to examine the practice of casualization of labour as a policy in Niger Mills Company, it also proves valuable to understand why the practice of casualization of labour as a policy in Nigeria industries persist.

3.12 Ethical issues

For the purpose of approval, the proposal was presented to the School Higher Degrees Committee of the School of Human and Social Sciences prior to the execution of the research project. Once accepted after the presentation to the School, it was sent to the University Higher Degree Committee for approved and then to the University's research office for ethical clearance before the study was conducted. The researcher issued informed consent form to all the participants that explained what the research entailed and the importance of their participation in its success. Confidentiality and anonymity was maintained as part of the ethical consideration. All the information gathered during the field study was solely for academic purposes and cannot be used for any other purpose.

CHAPTER 4

DATA PRESENTATION AND ANALYSIS

4.1 Introduction

This chapter presented data collected from Niger Mills Company Calabar, Cross River State. The chapter presented and analysed demographic characteristics of the participants, and how the practice of casualization of labour in Inger Mills Company stayed fortified. It further present and analyses the terms and reference for employment of workers issued by the Ministry of Labour and Productivity to Niger Mills Company Limited the employment procedure for engagement of casual workers by Niger Mills Company, Calabar. A verification of the statistics of casual employees and permanent employees in Niger Mills Company Calabar was also presented in this chapter as well as the assessment of the company's policies towards employees' welfare.

For qualitative data collected through key informant interview and individual structured interview instruments, the results were presented in matrixes and analysis were based on themes. For quantitative data collected through close-ended questionnaire instruments, the results were presented in graphs, tables and cross tables and were based on percentages. The sections below present and analyse all the data collected from the field study.

4.2 Demographic characteristic of the respondents

This section presents the demographic details of all the respondents in the sample population. All the participants for the study were drawn from Niger Mills Company Calabar and they responded through close-ended questionnaire that was administered to them randomly. The participants were the employees of Niger Mills Company Calabar who were not classified under the management or senior staff members. The following graphs presents the key demographic details of the sample.

4.2.1 Gender

Figure 1.2 shows that 67 percent of the respondents were male and 33 percent were female. Majority of the casual employees who participated in the study were male.

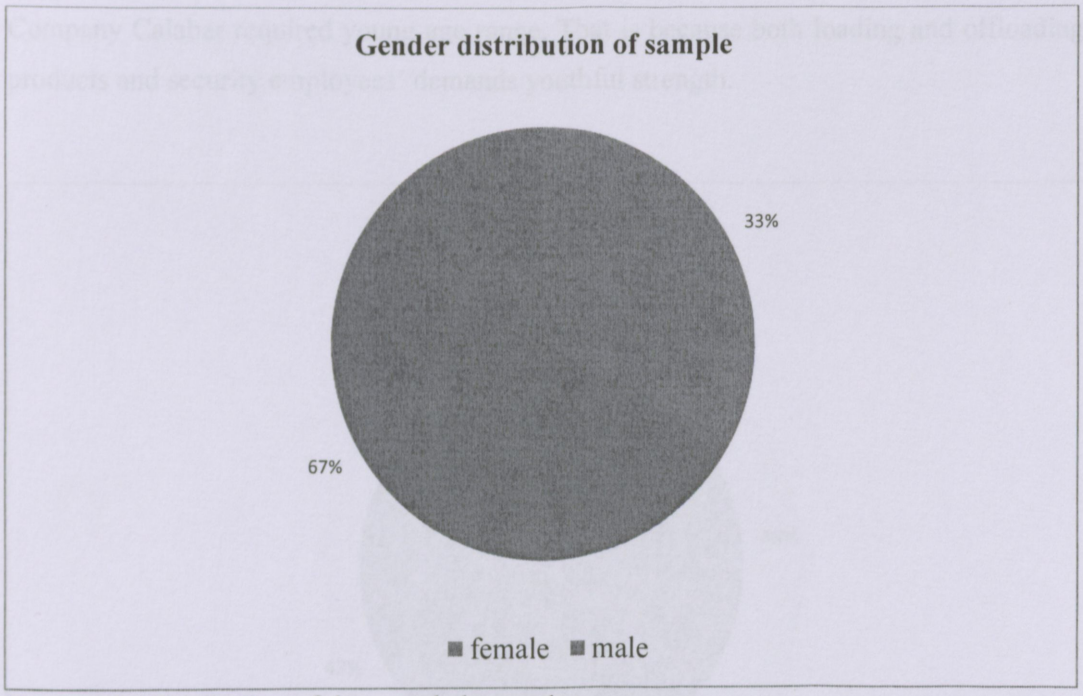

Figure 1.2. Distribution of the sample by gender

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4.2.2 Age

As shown in figure 1.3, majority of the sampled workers were in the age category of 16-35 years (89%), with 46% being in the age group 16-25 years and 43% in the age group 26-35 years. The proportion of the young employees indicates that the nature of work in Niger Mills Company Calabar required young age range. That is because both loading and offloading of products and security employees' demands youthful strength.

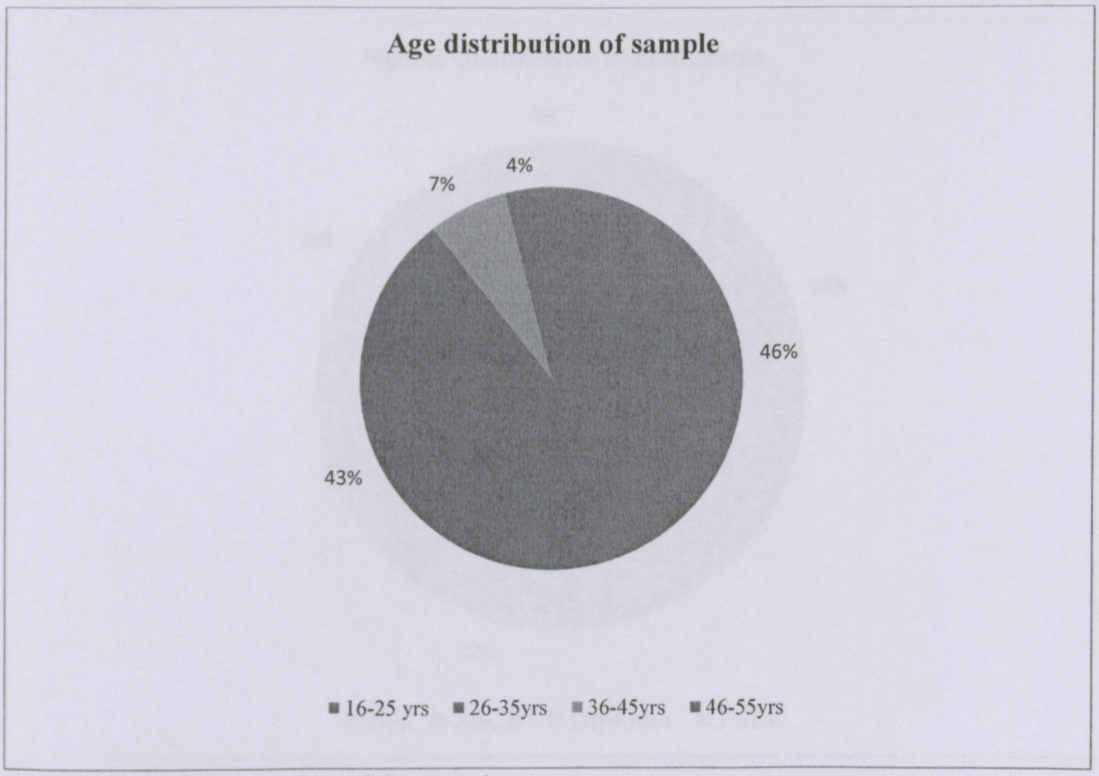

Figure 1.3. Age distribution of the sample

4.2.3 Academic qualification

The majority of workers in the sample survey had Bachelor of Arts (BA) as their highest qualification (38%). Thirty-two percent had Secondary School Certificate Examination (SSCE); 28% had Diplomas and only 2% had First School Leaving Certificate (FSLC). This is shown in Figure 1.4. Clearly, employment procedure in Niger Mills Company Calabar is based on academic qualification since all the sampled respondents had academic qualification.

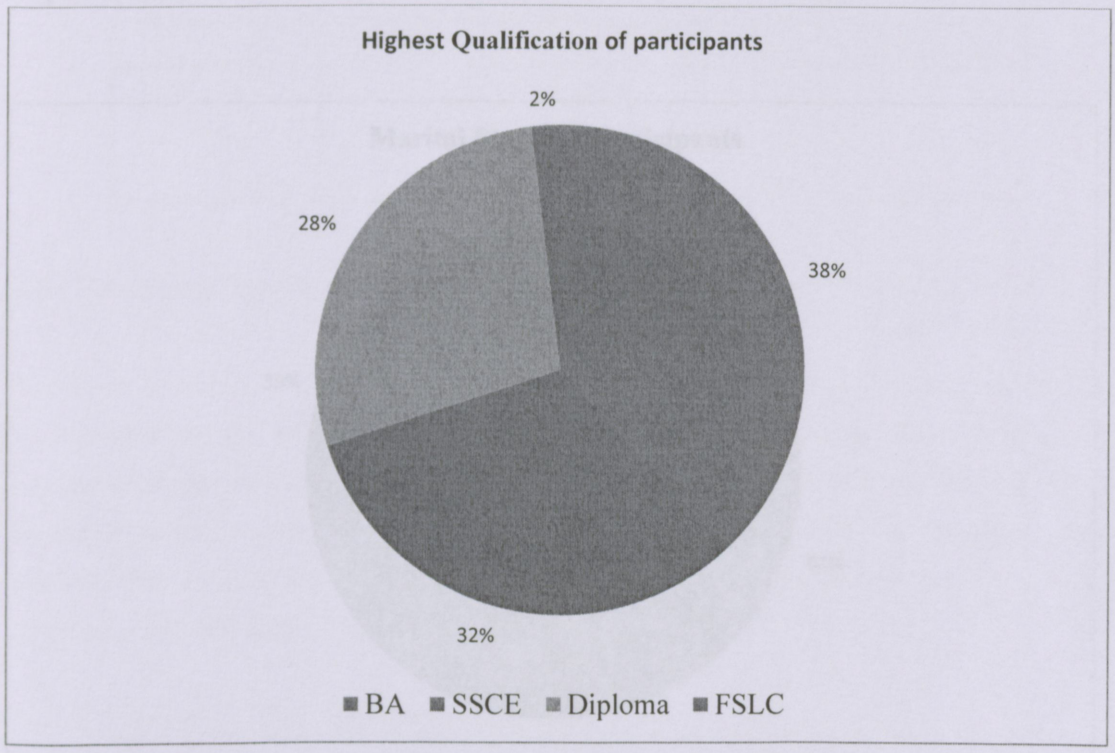

Figure 1.4. Highest qualification attained by participants

4.2.4 Marital status

As shown in figure 1.5, the sampled respondents consist of more married workers (61%), compared to 39% single worker. This indicates that Niger Mills Company Calabar places more priority on employing married staff compared to single. From the previous analysis, the company employs more males, 67% and females are 33%. Considering male dominance in the workplace of Niger Mills Company, there is a strong relationship with gender and marital status in this study. This indicates that majority of the male employees are married with family responsibilities.

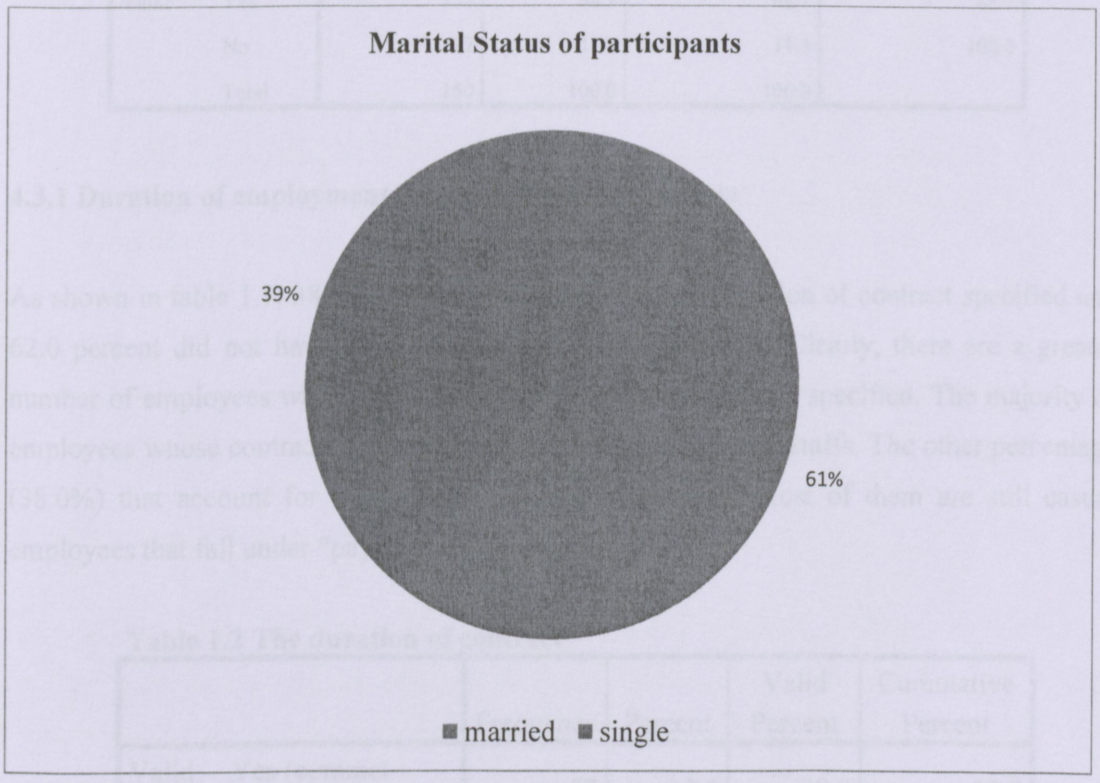

Figure 1.5. Distribution of sample by marital status

4.3 How many casual and permanent employees are there in Niger Mills Company?

This section presents information on type of employment contract the employees were given. Table 1.10 shows that 88.7% of the respondents were employed as casual employees and 11.3% were employed as permanent staff of the company. The majority of the employees were casual employees of the company and employed through various categories of employment type. The proportions that account for permanent job status are dominantly professional staff.

Table 1.1 Type/ nature of employment contracts

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	133	88.7	88.7	88.7
	No	17	11.3	11.3	100.0
	Total	150	100.0	100.0	

4.3.1 Duration of employment contract of the respondents

As shown in table 1.1, 38.0% of the participants had their duration of contract specified and 62.0 percent did not have their duration of contract specified. Clearly, there are a greater number of employees who did not have their duration of contract specified. The majority of employees whose contracts are not specified all fall under casual staffs. The other percentage (38.0%) that account for staff whose contract is specified, most of them are still casual employees that fall under "pay as you work" category.

Table 1.2 The duration of contract

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes (contract specified)	57	38.0	38.0	38.0
	No (contract not specified)	93	62.0	62.0	100.0
	Total	150	100.0	100.0	

4.3.2 Employees hours worked per day

As shown below (Table 1.2), 25.3% of the employees worked for 8 hours a day and 39.3% work for 10 hours while 35.3% of the employees work for 12 hours daily. The majority of the workers worked for 10 hours a day. The proportion of workers working for 12 hours clearly fall under casual employees who work overtime or beyond specified working hours for more benefits. Casual employees working in the category of "pay as you work" fall under this proportion of 12 hours a day since the more hours they work, the more benefits accrue to them. The next high proportion, are workers working for 10 hours a day. Workers who work 8 hours a day account for the least proportion in this category. Most of the workers in this category are permanent employees and security staff employed on casual basis with a rotational or shifting duties.

Table 1.3 Hours worked in a day

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	8 hours	38	25.3	25.3	25.3
	10 hours	59	39.3	39.3	64.7
	12 hours	53	35.3	35.3	100.0
	Total	150	100.0	100.0	

4.3.3 Verification on overtime duties benefits

As shown in table 1.3, 52.0% of the workers get paid for working overtime, while 48.0% do not get paid for working beyond allotted hours. The majority of the workers get paid for overtime. The workers who do not get paid for working beyond allotted hours are mostly permanent staff members and other casual workers employed directly by the company.

Table 1.4 Payment for overtime

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	78	52.0	52.0	52.0
	No	72	48.0	48.0	100.0
	Total	150	100.0	100.0	

4.3.4 Verification on employees entitled to leave

As shown in table 1.4, 80.7% of the respondent are entitled to leave and 19.3% are not entitled to leave. The majority of the respondents are entitled to leave in Niger Mills Company Calabar. But a large proportions, 48% of the workers do not get paid during the leave period. Workers who get paid during the leave period are only the permanent staff of the company. Casual staffs making up a proportion of 80.7% are not paid during their leave period and other employees can replace them easily where their services are needed in their absence. The other proportions (19.3%) of the respondents that are not entitled to leave are dominantly casual staff who for fear of losing their place of work do not take leave. It seems Niger Mills Company allow their staff to take leave but at the expense of their benefits.

Table 1.5 Entitlement to leave

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	121	80.7	80.7	80.7
	No	29	19.3	19.3	100.0
	Total	150	100.0	100.0	

4.3.5 Verification on employees employed with academic qualification

This section presents information on employees that are employed based on their academic qualification that participated in the study. Table 1.5 below shows that 23.3% of the employees were employed based on their qualification and 76.7% were not employed based on their qualification hence majority of the respondents were not employed because of their academic qualification. Although in the academic qualification assessment of the respondents, it was indicated that all the respondents had attained some level of education, that did not mean their employment was based on the qualification as indicated from the responses obtain from this question. The high proportion that account for employment based on qualification are dominantly permanent staff such as accountants, engineers and management staff of the company.

Table 1.6 Employment based on qualification

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	35	23.3	23.3	23.3
	No	115	76.7	76.7	100.0
	Total	150	100.0	100.0	

4.3.6 Employees opportunities for job promotion

This section presents information on opportunities for promotion of the respondents that participated in the study. Table 1.6 below shows that 25.3% had gotten promoted while 74.0% had not had any sort of promotion. The majority of the respondents did not get any form of promotion. The proportions that account for working without promotion are dominantly those of casual staff members of the company. They remain in the same status irrespective of the number of years they work with the company. The other proportion that had promotion are predominantly permanent staff and the casual staff in this category get promoted to supervisory positions in instances were a fellow employee is on leave or sacked.

Table 1.7 Opportunities for promotion

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	38	25.3	25.3	25.3
	No	111	74.0	74.0	99.3
	3.00	1	.7	.7	100.0
	Total	150	100.0	100.0	

4.3.7 Workers wage satisfaction

This section presents information on wage satisfaction of the respondents. Table 1.7 below shows that 0.7% of the employees indicate satisfaction with their wages and 99.3% are not satisfied with their wages. The majority of the respondents therefore are not satisfied with their earnings in the company. The proportion of employees (99.3 %) that indicate dissatisfaction with the current wages considering the task and duties they carried out dominate this category.

Table 1.8 Wages satisfaction

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	yes	1	.7	.7	.7
	no	149	99.3	99.3	100.0
	Total	150	100.0	100.0	

4.3.8 Verification on workers desire for more wages

This section presents information on desire for more wages as indicated by those who were in the study. Table 1.8 below shows that all the respondents want more earnings for the nature of the job they do for the company. Clearly nearly every participant wants more wages.

Table 1.9 Desire for more wages

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	150	100.0	100.0	100.0

4.3.9 Employees working days per a week

This section presents information on the number of days the respondents worked in a week. Table 1.9 shows that 28.0% of the respondents work 5 days in a week and 61.3 of them work 6 days a week while 10.7% work 7 days a week. The majority of the respondents work 6 days a week and this category of workers are not only casual employees, but permanent employees holding supervisory positions also fall under this category. The proportion that account for working 7 days in a week are dominantly casual staff and management staff who constitute a small proportion.

Table 1.10 Days worked in a week

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	5 days	42	28.0	28.0	28.0
	6 days	92	61.3	61.3	89.3
	7 days	16	10.7	10.7	100.0
	Total	150	100.0	100.0	

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4.4 What are the policies provided for employees' welfare?

This section present factors that are associated with employees welfare policies in Niger Mills Company, Calabar. The section examines the employees welfare policies through cross tabulation of the variables analyzed above.

4.4.1 Factors associated with the duration of contract

The survey was intended to establish if the duration of employee's contract was associated with their age or qualification. Hence, a cross-table of age with duration of contract and also chi-square ($\chi 2$) test to associate age and qualification with duration of contract. Of those who indicated that they had the duration of their contract specified, 38.6% are in the age group 16-25, 36.8% are 26-35years, 15.8% are 36-45 years, 8.8% are 46-55 years and of those who do not have their duration of contract specified, 50.5% are in the age group 16-25yeras old, 47.3% are 26-35years, 1.1% are 36-45 years old and another 1.1% were 46- 55 years old (Table 1.11). Based on the proportion of those who do not have their duration of contract specified, it shows that there is significant relationship of employee's age and contract duration.

Table 1.11 Duration of contract * Age Cross tabulation

			Age				
			16-25	26-35	36-45	46-55	Total
Duration of contract	Yes	Count	22	21	9	5	57
		% within Duration of contract	38.6%	36.8%	15.8%	8.8%	100.0 %
		% within Age	31.9%	32.3%	90.0%	83.3%	38.0%
	No	Count	47	44	1	1	93
		% within Duration of contract	50.5%	47.3%	1.1%	1.1%	100.0 %
		% within Age	68.1%	67.7%	10.0%	16.7%	62.0%
Total		Count	69	65	10	6	150
		% within Duration of contract	46.0%	43.3%	6.7%	4.0%	100.0 %
		% within Age	100.0%	100.0%	100.0%	100.0%	100.0 %

4.4.2 Factors associated with duration of contract with qualification

Table 1.12 below shows that of those who have the duration of their contract specified, 3.5% have an FSLC, 28.1% have an SSCE, 35.1% have Diplomas while 33.3% have BA and of those who did not have their period of contract specified, 1.1% have FSLC, 34.4% have SSCE, 23.7% have Diplomas and 40.9% have BAs. Cross tabulation of duration of contract and workers academic qualification shows significant relationship.

Table 1.12. Duration of contract * Qualification Cross tabulation

			Qualification				
			FSLC	SSCE	Diploma	BA	Total
Duration of contract	Yes	Count	2	16	20	19	57
		% within Duration of contract	3.5%	28.1%	35.1%	33.3%	100.0%
		% within Qualification	66.7%	33.3%	47.6%	33.3%	38.0%
	No	Count	1	32	22	38	93
		% within Duration of contract	1.1%	34.4%	23.7%	40.9%	100.0%
		% within Qualification	33.3%	66.7%	52.4%	66.7%	62.0%
Total		Count	3	48	42	57	150
		% within Duration of contract	2.0%	32.0%	28.0%	38.0%	100.0%
		% within Qualification	100.0%	100.0%	100.0%	100.0%	100.0%

The chi-square ($\chi 2$) analyses revealed a significant association of age with having the duration of contract specified ($p<0.05$), while there was no significant association between qualification possessed ($p>0.05$) and having the duration of contract specified (see Table 1.13).

Table 1.13. Factors associated with having duration of contract specified

	Chi-square	df*	*p*-value
Age	18.700[a]	3	.000†
Qualification	3.666[a]	3	.300

*df=degrees of freedom, †statistically significant

4.4.3 Factors associated with hours worked in a day

The study aimed intended to establish if hours worked in a day was associated with the age, gender and qualification of the employee. Based on that the researcher cross-tabulated age, gender and qualification with hours worked in a day and also did Chi-square ($\chi 2$) test to associate age, gender and qualification with hours worked in a day. Of those who work 8 hours per day 89.5% are males while 10.5% are females and of those who work 10 hours per day 52.5% were males, 47.5% are females while of those who work 12 hours per day 66.0% are males, 34.0% are females (see table 1.14).

Table1.14. Work hours vs Gender Cross tabulation

			Gender		
			Male	Female	Total
Work hours	8	Count	34	4	38
		% within Work hours	89.5%	10.5%	100.0%
		% within Gender	34.0%	8.0%	25.3%
	10	Count	31	28	59
		% within Work hours	52.5%	47.5%	100.0%
		% within Gender	31.0%	56.0%	39.3%
	12	Count	35	18	53
		% within Work hours	66.0%	34.0%	100.0%
		% within Gender	35.0%	36.0%	35.3%
Total		Count	100	50	150
		% within Work hours	66.7%	33.3%	100.0%
		% within Gender	100.0%	100.0%	100.0%

4.4.4 Work hours with age cross tabulation

Of those who work for 8 hours per day, 36.8% are in the age group 16-25 years, 57.9% in the age group 26-35 years, 5.3% in the age group 36-45 years and 0.0% in the age group 46-55 years; of those who work for 10 hours per day 37.3% are 16- 25 years old, 50.8% are 26-35 years old, 11.9% are 46-55 years old, 0.0% are 46-55 years old and of those who work for 12 hours per day 62.3% are 16-25 years old, 24.5% are 26-35 years old, 1.9% are 36-45 years old, and 11.3% are 46-55 years old (Table 1.15).

Table 1.15. Work hours * Age Cross tabulation

			Age				Total
			16-25	26-35	36-45	46-55	
Work hours	8	Count	14	22	2	0	38
		% within Work hours	36.8%	57.9%	5.3%	0.0%	100.0%
		% within Age	20.3%	33.8%	20.0%	0.0%	25.3%
	10	Count	22	30	7	0	59
		% within Work hours	37.3%	50.8%	11.9%	0.0%	100.0%
		% within Age	31.9%	46.2%	70.0%	0.0%	39.3%
	12	Count	33	13	1	6	53
		% within Work hours	62.3%	24.5%	1.9%	11.3%	100.0%
		% within Age	47.8%	20.0%	10.0%	100.0%	35.3%
Total		Count	69	65	10	6	150
		% within Work hours	46.0%	43.3%	6.7%	4.0%	100.0%
		% within Age	100.0%	100.0%	100.0%	100.0%	100.0%

4.4.5 Work hours with qualification

Of those who work 8 hours per week, 0.0% has FSLC, 7.9% have SSCE, and 26.3% have Diplomas while 65.8% have BAs. Of those who work 10 hours per week, 0.0% have FSLC, 35.6% have SSCE, 33.9% have Diplomas while 30.5% have BAs and of those who work 12 hours per week 5.7% have FSLC, 45.3% have SSCE, 22.6% have Diplomas and 26.4% have BAs (Table 1.16).

Table 1.16. Work hours * Qualification Cross tabulation

			Qualification				Total
			FSLC	SSCE	Diploma	BA	
Work hours	8	Count	0	3	10	25	38
		% within Work hours	0.0%	7.9%	26.3%	65.8%	100.0%
		% within Qualification	0.0%	6.3%	23.8%	43.9%	25.3%
	10	Count	0	21	20	18	59
		% within Work hours	0.0%	35.6%	33.9%	30.5%	100.0%
		% within Qualification	0.0%	43.8%	47.6%	31.6%	39.3%
	12	Count	3	24	12	14	53
		% within Work hours	5.7%	45.3%	22.6%	26.4%	100.0%
		% within Qualification	100.0%	50.0%	28.6%	24.6%	35.3%
Total		Count	3	48	42	57	150
		% within Work hours	2.0%	32.0%	28.0%	38.0%	100.0%
		% within Qualification	100.0%	100.0%	100.0%	100.0%	100.0%

Chi-square ($\chi 2$) test was used to associate age, gender and qualification possessed with the number of hours worked in a day. A $p<0.05$ was considered significant. Chi-square ($\chi 2$) analyses revealed a significant association of age, gender and qualification with number of hours worked in a day ($p<0.05$) (Table 1.17).

Table 1.17. Factors associated with Hours worked in a day

	Chi-square	df*	*p*-value
Gender	14.201[a]	2	.001†
Age	26.968[a]	6	.000†
Qualification	27.332[a]	6	.000†

*df=degrees of freedom, †statistically significant

4.4.6 Factors associated with payment for overtime

Cross tabulation with Chi-square ($\chi 2$) test was done to check if the payment of overtime is associated with qualifications possessed. The survey shows that, of those who are paid overtime, 0.0% have FSLC, 28.2% have SSCE, 32.1% have Diplomas and 39.7% have BAs. While of those who do not get paid for overtime, 4.2% have FSLC, 36.1% have SSCE, 23.6% have Diplomas and 36.1% have BAs (Table 1.18).

Table 1.18. Overtime pay * Qualification Cross tabulation

			Qualification				
			FSLC	SSCE	Diploma	BA	Total
Overtime pay	yes	Count	0	22	25	31	78
		% within overtime pay	0.0%	28.2%	32.1%	39.7%	100.0%
		% within Qualification	0.0%	45.8%	59.5%	54.4%	52.0%
	no	Count	3	26	17	26	72
		% within overtime pay	4.2%	36.1%	23.6%	36.1%	100.0%
		% within Qualification	100.0%	54.2%	40.5%	45.6%	48.0%
Total		Count	3	48	42	57	150
		% within overtime pay	2.0%	32.0%	28.0%	38.0%	100.0%
		% within Qualification	100.0%	100.0%	100.0%	100.0%	100.0%

Chi-square ($\chi 2$) analyses revealed that there was no association between qualification possessed ($p>0.05$) with payment of overtime (Table 1.19).

Table 1.19. Factors associated with Payment for overtime

	Chi-square	df*	*p*-value
Qualification	5.064[a]	3	.167

*df=degrees of freedom, †statistically significant

4.4.7 Factors associated with entitlement to leave

Cross tabulation with Chi-square ($\chi 2$) test was done to check if workers entitlement to leave is associated with qualifications they have. The survey revealed that, of those who are entitled to leave, 1.7% have FSLC, 30.6% have SSCE, and 33.1% have Diplomas while 34.7% have BAs.

And of those who are not entitled to leave 3.4% have FSLC, 37.9% have SSCE, 6.9% have Diplomas while 51.7% have BAs (Table 1.20).

Table 1.20. Entitled to leave * Qualification Cross tabulation

			Qualification				
			FSLC	SSCE	Diploma	BA	Total
Entitle to leave	yes	Count	2	37	40	42	121
		% within Entitle to leave	1.7%	30.6%	33.1%	34.7%	100.0%
		% within Qualification	66.7%	77.1%	95.2%	73.7%	80.7%
	no	Count	1	11	2	15	29
		% within Entitle to leave	3.4%	37.9%	6.9%	51.7%	100.0%
		% within Qualification	33.3%	22.9%	4.8%	26.3%	19.3%
Total		Count	3	48	42	57	150
		% within Entitle to leave	2.0%	32.0%	28.0%	38.0%	100.0%
		% within Qualification	100.0%	100.0%	100.0%	100.0%	100.0%

Chi-square ($\chi 2$) analyses revealed that there was an association (even though it is weak) of qualification possessed ($p<0.05$) with being entitled to leave with pay (Table1.21).

Table 1.21. Factors associated with Entitlement to leave

	Chi-square	df*	*p*-value
Qualification	8.272[a]	3	.041†

*df=degrees of freedom, †statistically significant

4.4.8 Factors associated with employment based on qualification

Of those workers who indicated that they were employed based on their qualifications, 74.3% are males and 25.7% are females and of those who indicated that they were not employed based on their qualifications 64.3% are males and 35.7% are females (Table 12). It is clear that more males were employed based on their qualifications as compared to females (Table 1.22).

Table 1.22. Employment based on qualification vs. gender Cross tabulation

			Gender		
			Male	Female	Total
Employ base on qualification	yes	Count	26	9	35
		% within Employ base on qualification	74.3%	25.7%	100.0%
		% within Gender	26.0%	18.0%	23.3%
	no	Count	74	41	115
		% within Employ base on qualification	64.3%	35.7%	100.0%
		% within Gender	74.0%	82.0%	76.7%
Total		Count	100	50	150
		% within Employ base on qualification	66.7%	33.3%	100.0%
		% within Gender	100.0 %	100.0%	100.0%

Based on the Chi-square ($\chi 2$) analyses, because .275 > .05, this does not represent a statistically significant relationship between the two variables (gender and being employed based on qualifications) in the above cross table (Table 13). 74.3% of those who were employed based on their qualifications were males, which compares to 64.3% of those who were not employed based on their qualifications. This difference was not large enough to be statistically significant. The researcher also wanted to know if being employed based on one's qualification was a factor of one's age. See the analyses below.

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4.4.9 Employment based on qualification with age

Of those workers who indicated that they were employed based on qualifications, 11.4% are of the age 16-25 years, 54.3% are 26-35 years old, 17.1% are 36-45 years old and17.1% are 46-55years old and of those who indicated that they were not employed based on their qualifications, 56.5% are 16-25 years, 40.0% are 26-35 years, 3.5% are 36-45 years whilst 0.0% is 46-55 years (Table 14). It is clear that more elderly people are employed based on their qualifications compared to the younger generation.

Table 1.23. Employment based on qualification * Age Cross tabulation

			Age				
			16-25	26-35	36-45	46-55	Total
Employ base on qualification	yes	Count	4	19	6	6	35
		% within Employ base on qualification	11.4%	54.3%	17.1%	17.1%	100.0 %
		% within Age	5.8%	29.2%	60.0%	100.0%	23.3%
	no	Count	65	46	4	0	115
		% within Employ base on qualification	56.5%	40.0%	3.5%	0.0%	100.0 %
		% within Age	94.2%	70.8%	40.0%	0.0%	76.7%
Total		Count	69	65	10	6	150
		% within Employ base on qualification	46.0%	43.3%	6.7%	4.0%	100.0 %
		% within Age	100.0%	100.0%	100.0%	100.0%	100.0 %

This was also supported by the Chi-square ($\chi 2$) analyses, which revealed that there was an association of age of the respondent ($p<0.05$) with being employed based on qualification. (Table-1.24).

Table 1.24. Factors associated with Employment based on qualification

	Chi-square	df*	*p*-value
Gender	1.193[a]	1	.275
Age	40.355[a]	3	.000†

*df=degrees of freedom, †statistically significant

4.4.10 Factors associated with opportunities for promotion

The researcher also investigated if opportunities for promotions were based on one's qualifications. The Chi-square ($\chi 2$) analyses revealed that there was no association of qualification of the respondent ($p>0.05$) with opportunities for promotion (Table 1.25).

Table 1.25. Factors associated with Opportunities for promotion

	Chi-square	df*	*p*-value
Qualification	4.788[a]	6	.571

*df=degrees of freedom, †statistically significant

4.4.11 Factors associated with wages satisfaction

The researcher furthermore wanted to establish if wage satisfaction was a factor of age, gender or one's qualification. Results of the study show that wage satisfaction is not a factor of any of the hypotheses as almost all the respondents (99.3%) in the survey indicated they are not satisfied with their wages (see Table1.7 above on Frequency displays).

4.4.12 Factors associated with days worked in a week

The survey also intended to establish the factors associated with days worked in a week. Age, gender, qualifications and marital status of individuals were investigated as factors associated with number of working days in a week. Of all these factors only age was found to be associated with the number of working days in a week. The Chi-square ($\chi 2$) analyses, revealed that there was an association of age of the respondent ($p<0.05$) with number of days worked in a week whilst there was no association of one's qualifications, gender and marital status of the respondent ($p>0.05$) with number of days worked in a week (Table 1.27).

4.4.13 Working days with age

Of those who work for 5 days in a week, 28.6% are 16-25 years, 52.4% are 26-35 years, 16.7% are 36-45 years and only 2.4% are 46-55years. Of those who work 6 days in a week, the majority, 58.7% are 16-25 years, 34.8% are 26-35 years, and 2.2% are 36-45 years while only 4.3% are 46-55 years old. And of those who work 7 days a week, 18.8% are 16-25 years old, the majority, 68.8% are 26-35 years, only 6.3% are 36-45 years while another 6.3% are 46-55 years (Table 1.26).

Table 1.26. Working days * Age Cross tabulation

			Age				
			16-25	26-35	36-45	46-55	Total
Working days	5 days	Count	12	22	7	1	42
		% within Working days	28.6%	52.4%	16.7%	2.4%	100.0%
		% within Age	17.4%	33.8%	70.0%	16.7%	28.0%
	6 days	Count	54	32	2	4	92
		% within Working days	58.7%	34.8%	2.2%	4.3%	100.0%
		% within Age	78.3%	49.2%	20.0%	66.7%	61.3%
	7 days	Count	3	11	1	1	16
		% within Working days	18.8%	68.8%	6.3%	6.3%	100.0%
		% within Age	4.3%	16.9%	10.0%	16.7%	10.7%
Total		Count	69	65	10	6	150
		% within Working days	46.0%	43.3%	6.7%	4.0%	100.0%
		% within Age	100.0%	100.0%	100.0%	100.0%	100.0%

Based on the Chi-square ($\chi 2$) analyses, it was shown that there was an association of age of the respondent ($p<0.05$) with number of days worked in a week whilst there was no association of one's qualifications, gender and marital status of the respondent ($p>0.05$) with number of days worked in a week (Table 1.27).

Table 1.27. Factors associated with Days worked in a week

	Chi-square	df*	*p*-value
Age	22.906[a]	6	.001†
Gender	4.767[a]	2	.092
Qualification	16.076[a]	6	.013
Marital Status	5.531[a]	2	.063

*df=degrees of freedom, †statistically significant

4.4.14 Factors associated with type of employment

The researcher also wanted to know the factors associated with one being employed casually. The Chi-square ($\chi 2$) analysis, revealed that there was an association of age of the respondent ($p<0.05$) with being employed as casual staff, whilst there was no association of one's gender and one's qualification ($p>0.05$) with being employed as casual staff (Table-1.30).

4.4.15 Employment as casual staff with qualification

Of those who have FSLC, 100% indicated that they are employed as casual staff, of those who have SSCE, 81.3% indicated that they are employed as casual staff, while 83.3% of those who have Diplomas indicated that they are hired as casual staff and surprisingly 98.2% of those who have BA degrees also indicated that they are employed as casual staff (Table 22). It is clear that there are more less educated people employed as casual staff compared to the uneducated (Table 1.28).

Table 1.28. Employed as casual staff * Qualification Cross tabulation

			Qualification				
			FSLC	SSCE	Diploma	BA	Total
Employed as casual staff	yes	Count	3	39	35	56	133
		% within Employed as casual staff	2.3%	29.3%	26.3%	42.1%	100.0 %
		% within Qualification	100.0 %	81.3%	83.3%	98.2%	88.7%
	no	Count	0	9	7	1	17
		% within Employed as casual staff	0.0%	52.9%	41.2%	5.9%	100.0 %
		% within Qualification	0.0%	18.8%	16.7%	1.8%	11.3%
Total		Count	3	48	42	57	150
		% within Employed as casual staff	2.0%	32.0%	28.0%	38.0%	100.0%
		% within Qualification	100.0%	100.0%	100.0%	100.0%	100.0%

4.4.16 Employment as casual staff with age

Table 1.29 shows that there are more young people employed as casual staff compared to the elderly. Of those in 16-25 year age group, 95.7% are casually employed; of those 26-35 years old, 84.6% are casually employed; of those 36-45 years old, 90.0% are casual workers and all these three age categories can be compared to only 50% of those 46-55 years old who are casually employed. Within age categories of those casually employed, 95.7% (for those 16-25 years); 84.6% (of those 26- 35 years); 90.0% (of those 36-45 years old) all those are compared to only 50.0% who are employed casually in the 46-55 years age category. This difference was large enough to be statistically significant (Table-1.30).

Table 1.29. Employed as casual staff * Age Cross tabulation

			Age				Total
			16-25	26-35	36-45	46-55	
Employed as casual staff	yes	Count	66	55	9	3	133
		% within Employed as casual staff	49.6%	41.4%	6.8%	2.3%	100.0%
		% within Age	95.7%	84.6%	90.0%	50.0%	88.7%
	no	Count	3	10	1	3	17
		% within Employed as casual staff	17.6%	58.8%	5.9%	17.6%	100.0%
		% within Age	4.3%	15.4%	10.0%	50.0%	11.3%
Total		Count	69	65	10	6	150
		% within Employed as casual staff	46.0%	43.3%	6.7%	4.0%	100.0%
		% within Age	100.0%	100.0%	100.0%	100.0%	100.0%

As shown below (Table 1.30), gender and age are significant factors associated with employment. The age categories of those casually employed are in the majority at 95.7% for age group 16-25 years; 84.6% for age group 26- 35 years; 90.0% for age group 36-45 years old; all these age groups can be compared to only 50.0% of those who are employed casually in the age group 46-55 years category. This difference was large enough to be statistically significant, whereas qualification was also a significant factor associated with employment, since p. values is less than 0.5 (see table-1.30).

Table 1.30. Factors associated with Type of employment

	Chi-square	df*	*p*-value
Gender	.829[a]	1	.362
Age	13.357[a]	3	.004†
Qualification	9.404[a]	3	.024

*df=degrees of freedom, †statistically significant

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4.5 Terms and reference of employment and labour standard

This section presents data collected through the qualitative method. The key informants that participated were the employers/ managers of Niger Mills Company, Calabar. For every professional job vacancies in the company, vacancies are advertised for the public for a period of time. This period/ time frame is meant for the public to send in their applications, afterwards interviews are schedule for successful applicants. This employment process is only for full time or permanent employees of the company.

As shown in matrix 1.1, employment for casual employees were not handled by the company managers. Niger Mills Company, Calabar in its managerial structure consists of: managing director (MD); finance manager (FM); sales/ marketing manager (MM) and the personnel manager (PM). The managers together with other bodies (union's executives) set the employment process for permanent employees and contract casual job positions are set by labour brokers and sectional heads of the company. This is a clear indication that casual employees are not given due priority in the company even though they perform the bulk of the company task. According to an informant and observation made during the field study, casual employees dominate every department or section of Niger Mills Company with approximately 90% in each department.

The fact that job vacancies for casual workers are not advertised is enough for one to conclude that their status were not held in high esteem despite the fact that they constitute the largest number of the company employees and perform huge task. Permanent staff positions in the company are mainly supervisory positions and they are mainly professionals in their various field and positions. This implies that Niger Mills Company only employ professionals as the company's permanent staff. An informant (sectional head) said: *employment for casual staff are not handled by the managers.* The managers of the company delegate the employment of casual staff to sectional heads/ supervisors or contract to labour brokers because they are in better position to know the employee capacity every department requires to operate. It was revealed that employees with permanent job status worked up to their retirement.

As shown below in matrix 1.1, the Niger Mills Company employment of full time/ permanent staff is within Labour standards. There is a clear indication that casual employees in Niger Mills Company are not given much priority in the company. Workers working on casual basis are not issued employment contracts and their duration of work with the company in most cases were not specified. This automatically place casual staff in an inferior status at the place of work.

Matrix 1.1 Responses on employment of workers/ labour market policy

- *Advertisements are usually put through public notice before interviews for employment.*
- *Employment for casual staffs are not handled by the managers.*
- *Mostly subcontractors handle employment for casual employees because there are different types of casual staff in Niger Mills Company Calabar.*
- *Employees with permanent job status work to their retirement age.*
- *Company employment is within Labour and Productivity Policies.*
- *The majority of the company's permanent employees are professionals in their various field and positions.*
- *The company casual staffs employment is usually left to sectional heads and labour contractors.*
- *Casual employees are not always issued employment contract like permanent employees even if their work duration is specified.*

4.6 Employment procedure of permanent and casual employees

This section also present data collected through qualitative method. The qualitative instrument used to obtain responses was the individual structured interviews. The respondents in this category are sectional supervisors and departmental heads of Niger Mills Company, Calabar who responded on the employment arrangement/ procedure of the company, verified the statistics of casual and permanent employees of the company and the policies of the company towards employees' welfare. Matrix 1.2 shows that applications for vacant positions were sent to the company following a public advertisement. Applicants who were invited for job

interviews and successful candidates were appointed for the job. This is a clear confirmation that the Niger Mills Company Calabar maintain labour standards for the employment of their full time/ permanent employees. The findings on whether the company employment was within the labour standards requirements, desperation for employment makes labour standards requirements the least among the applicants' considerations. Results reveal that the applicants preferred fairness in wages and job descriptions. The desperation of the applicants gives the employers the opportunity to bend fair employment conditions. A respondent reported that out of fifty five successful applicants that were invited for the interviews, only five of the applicants were appointed for job positions because that was the required number. This fact explains the desperation of the applicants to accept any conditions that will be offered to them. Furthermore, the huge number of applicants also indicate the large reserve of labour army in the labour market.

The claim by the managers that sectional heads, supervisors and labour contractors handle the employment of casual employees was confirmed during the individual interview section with the company senior staff members that were sample with snowball sampling technique. The actual responses show that all sectional heads like, head of production, procurement, marketing, and security recommend and carry out employment procedures for mini jobs. What they call 'jobs' are actually tasks carried out by casual employees, such as loading and off-loading of products, security, process of mills and others. Security jobs of Niger Mills Company Calabar are always contracted to security firm. It was also indicated that the heads of various departments of the company fix the man-power demands from each section and the number of casual staff needed for that period. This indicate that a casual employee can be employed for a short period as two weeks. One Head of Department in the company (Mr. A. Sam) gave an example of how some sections make recommendations for casual employment. As shown below (Table 1.31) department heads recommend casual staff employment details to the management for approvals. The task and project at hand would be detailed in the recommendation as well as the nature of job the casual employees will do. The duration for and the number of casuals required for the task would be specified. The rate the casual employees will earn per day would be recommended and the total amount for the period of the project would be estimated before approval from the management.

Respondents indicated that the category of casual employees who are employed on the basis of "pay as you work" fall under one category. This category of casual staff stand a chance of not being paid for some days if there is no task for them to perform even though those days were still within the duration of their contract. It was reported that the production department make use of this category of casual employee more as compared to other departments mostly at the peak period when the demand for company product is higher than the man-power. Casual employees who fall under this category also do not have expected hours of work per a day. The more they work, the more they get paid. This fact indicates that a casual worker can decide to work for as many as 12 to 14 hours a day, which necessarily might not be called overtime. For example, if the employee's rate of payment is calculated per one load or off-load bag of mill, this implies that the employee will want to load as many as possible to get more pay. Pay-as-you-work casual staff seems to be the most vulnerable employees of Niger Mills Company, Calabar, presently.

Table 1.31. An example of a required casual employee's recommendation

Dept./ category	Task/ project	Nature of job	Job duration	No. required	Rate per day	Total amount	HOD approval/ remarks	Job completion as required
Production	Processing Mills	Off-loading and loading of products	1 month	20 employees	N1,500	N900 000	Recommended	Completed within 1 month

Responses on actual statistics of casual and permanent employees of the company indicate significant details. For permanent employees, the indication was that it is very easy to get the actual number of all permanent staff, but for casuals it is difficult because the number changes almost every day according to each department's recommendation for their engagement. Other responses were that every department head submits all employees' details to the personnel manager weekly which implies that if there should be statistics for all employees in the company, it would be in the office of the Personnel Manager. However, it was difficult to get complete statistics at the office of the Personnel Manager since the submission of weekly employees details were not submitted at the same time. It was also found, in every department/ section of the company, approximately 90% of the employees are working on casual basis.

This was also confirmed through observation made during the field work (see matrix 1.3 below).

Thus, if the hiring of casual employees and firing of the same employees are done by different departments/ sections of the company, then the actual number of employees in the company will always be difficult to accurately ascertain. Findings on labour unionism of the company employees reveal that only permanent staff are allowed by the company to join labour unions. Although there was an indication that the casual staff organise their own union but these do not seem to be unions that organise collective bargaining and consultations with company managers. Casual employees have little or no say regarding their rights as workers in the company. Even if they do, their request and demands are not always taken into serious consideration.

Other findings with regards to benefits employees enjoyed are training benefits, leave with pay although this is only accorded to permanent employees. Permanent employees also enjoy long service contracts or appointments as it applies to Nigeria Labour Standards. The permanent employees in Niger Mills Company Calabar are the most favoured employees in the company.

Matrix 1.2 Responses of employed workers in relation to labour market policy

- *Applications were sent to Niger Mills following the company's public advertisement.*
- *Labour Acts requirements were the least among what we need to consider during the interviews, we only wanted fairness of salaries and job descriptions.*
- *All sectional heads like heads of production, procurement, marketing, security recommend and carry out employment for mini jobs.*
- *The only document that guides employment for mini jobs is the budget given to us from the management.*
- *Every sectional head submits all employees' details to the personnel manager weekly.*
- *Not all employees are casual workers, some are permanent staffs, the difference lies in who employs.*

- *Permanent staff work till retirement either through number of years in service or age.*
- *Only permanent employees are employed based on their academic qualification.*
- *All employees are entitled to leave, but for casuals it is without pay.*
- *Only permanent staff are allow by the company to join labour unions.*
- *Other benefits employees enjoy are training benefits, leave with pay (only permanent staff).*

4.7 Observation carried out during the field study

It was observed in the company's premises during the field study that the majority of the workers were in uniform. The uniforms they wore were of different colours ranging from security staff who dressed in navy blue colour uniform, production unit staff dressed in white colour uniform, engineers (both casual and permanent staff) dressed in yellow colour uniform, marketing unit workers dressed in pink colour uniform and procurement unit staff dressed in white and black colour uniform. This observation made it easier to identify casual workers at the premises of the company. The observation also reveal that there are more men employed as casuals workers than women in Niger Mills Company, Calabar.

Matrix 1.3 Observations on employed workers

- *The majority of casual employees working for Niger Mills Company Calabar dress in uniforms.*
- *Professional engineers also dress in uniform.*
- *The security workers dress in navy blue colour uniform, production unit workers dress on white colour uniform, engineers dress in yellow colour uniform, Marketing unit dress in pink colour uniform and procurement unit dress in white and black colour uniform.*

4.8 Summary of the findings

This section summarises the findings from the data analysis. The summary of the findings is presented separately according to quantitative and qualitative instruments used in the data collection.

Qualitative instruments results:

- Niger Mills Company Calabar employs the company's permanent staffs according to the terms and reference prescribed by Labour and Productivity Act.
- The Labour Act standards are only applied to professional job positions in the company.
- The Labour Standards are not applied to casual employees of Niger Mills Company Calabar.
- Most of the company's permanent employees are professionals.
- Permanent employees confirmed that their employment was within the regulations of the Labour Act.
- Applications were sent to Niger Mills following public advertisements.
- Labour Act requirements was the least among what applicants worried about during the employment process.
- Sectional heads of the company handle the employment of casual staff.
- The procedures for employment of casual employees is determined by the budget drawn up by the management of the company.
- Every sectional head submits details of the employees to the personnel manager on monthly basis.
- It is difficult to give actual statistics of the company's employees.
- The difference between casual and permanent employee's lies on who employs the workers.
- Permanent staff work to retirement either through the number of years in service or age.
- Only permanent employees are employed based on their academic qualification.
- The company employees are entitle to leave, but for casual's staff this is without pay.
- Permanent staff of the company are allowed to join labour unions.
- Permanent employees enjoy training benefits, and leave with pay.
- Employers for the company decides which job position should be accorded permanent or casual status.

Quantitative instrument results:

- There are more male employees than females as 67% of the respondents were males and 33% females.
- The majority of the company's employees are in the age category 16-35 years (89%), with 46% being in the age group of 16-25 years and 43% in the age group of 26-35 years.
- The majority of the employees in the company had Bachelor of Arts (BA) as their highest qualification (38%) and 33% had Secondary School Certificate Examination (SSCE).
- Married employees are in the majority in the company at 61% compared to 39% of single workers in the sample.
- Employees who did not have their contract specified are in the majority in the company at 62.0% and 38.0% had their duration of contract specified.
- The majority of the employees 39.3% work for 10 hours a day while 35.3% of the employees work for 12 hours daily and 25.3% employees worked for 8 hours a day for the company.
- The employees who do not get paid for working beyond allotted hours are mostly permanent staff of the company.
- All employees of the company are entitled to leave, but for casual employees they are not paid during their leave period.
- The majority of the employees in the company were not employed based on their academic qualification.
- Majority of the employees in the company do not get any sort of job promotion.
- Almost all the company employees are not satisfied with their wages and they all desire an addition to their current earnings.
- The majority of the employees work 6 days a week and they are not only casual employees, but permanent employees holding supervisory positions also work 6 days a week.
- Majority of the employees are casually employed in the company and they are employed through different sorts of employment process.
- There is significant relationship of age to having the duration of the work contract specified, while qualification possessed by the employees has no association with the duration of contract.

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- There is a significant association of age, gender and qualification with the number of hours worked in a day.
- There is no significant relationship of qualification possessed by the employees with the payment of overtime.
- There is an association of qualification possessed by the employees with being entitled to leave with pay.
- There is a significant association of age of the respondent with being employed based on academic qualification.
- There is an association of age of the respondent with number of days worked in a week whilst there was no relationship of one's qualifications, gender and marital status to the number of days worked in a week.
- There is an association of age of the respondent with being employed as casual staff, whilst there is no association of one's gender and one's qualification with being employed as casual staff.

CHAPTER 5

DISCUSSIONS, CONCLUSIONS AND RECCOMMENDATIONS

5.1 Introduction

This chapter discusses the issues that have emerged from the study findings. It discusses the findings in line with the objectives and research questions of the study and relates them to the literature reviewed, the theoretical framework and the broader social context. The chapter also consists of the study conclusion and recommendations that emanate from the findings. The study set out to consider the following objectives:

- To examine the terms and reference for employment of workers issued by Ministry of Labour and Productivity to Niger Mills Company Limited.
- To examine the employment arrangement/procedure for Niger Mills Company.
- To verify the statistics of casual employees and permanent employees in Niger Mills Company, Calabar.
- To assess the policies of Niger Mills Company towards employees' welfare.

In order to obtain answers to address the research objectives, the following research questions were formulated:

- What are the terms and reference of employment issued by the Ministry of Labour and Productivity to Niger Mills Company Limited?
- What is the procedure/ arrangement used for employment in Niger Mills Company?
- How many casual and permanent employees are there in Niger Mills Company?
- What are the policies providing for employees' welfare?

5.2 Discussion of findings

5.2.1 Terms and reference of employment of workers by Labour Act

With regards to the study objective which seek to examine the terms and reference for employment of workers issued by Ministry of Labour and Productivity to Niger Mills Company Limited, the results that emerge reveal that Niger Mills Company Calabar employ the company permanent staff within the terms and reference supplied by Labour and Productivity Act. The permanent staff of Niger Mills Company Calabar work on full-time basis and they are awarded contracts in line with the provision of the Labour Act of Nigeria. The permanent employees of Niger Mills Company working on full-time basis are professionals such as accountants, engineers, and marketers (matrix 1.1).

Other job positions that are not professional but whose services required on daily basis for the functionality of the company are not given permanent job status. Fapohunda (2012) remarks that firms involved in casualization of labour often compromise labour standards. Findings reveal that the company obviously need the services the casual employees carry out on daily basis yet the company is not willing to accord the casual staff permanent status. This findings coincide with Animashaun (2008) observations that there are cases whereby industries/ companies in Nigeria have workers working for them between six and ten years as casual or contract workers without being accorded permanent status. As a matter of strategy, Animashaun (2008); Danesi (2012) and Fapohunda (2012) indicate that some employers develop the habit of laying off their employees every three months and asking them to re-apply for re-engagement just to get round the law. This strategy employers adopt is reinforced by the theoretical framework guiding the study. Thus, theories of exploitation such as Marxist theory, Neo-liberal theory are structural, while others are organizational, like neo-classical.

The habit of laying off employees every three months and asking them to re-apply for re-engagement just to get round the law is labour exploitation according to labour practices. In Marxian and neo-liberal economics, exploitation refers to the subjection of producers (the proletariat) to work for passive owners (bourgeoisie) for less compensation than is equivalent to the actual amount of work done (Sample, 2003). Orifowomo (2007) notes that long term casual workers are regarded or have become 'permanent casuals' and regardless of their long duration of service, they are not entitled to benefits like promotion, pension and sick leave with

pay, among others. As noted by Animashaun (2008) the absence of clear-cut definition of casualization of labour or provision for its regulation regarding the terms and reference of their employment have motivated exploitation of labour in Nigerian workplaces. The findings that emerge reveal that the company's employers decide on which job positions in the company should be accorded permanent job status and which should be accorded casual job status. The situation of employers deciding on job status is permissible given the loophole in the Nigerian Labour Act that availed employers the opportunity of using casualization of labour as an effective means of reducing cost and maximizing profit for the companies (Danesi, 2012). Casualization of labour employment has been noted by several scholars to be employment strategy by employers for labour exploitation. Thus theories of economics exploitation as explained by the theoretical framework guiding this study are either structural or organizational. Structural theories which is the framework guiding this study are the Neo-liberal and Marxist theories.

Thus, in the Marxist view, normal exploitation is based on three structural characteristics such as; first, the ownership of the means of production by a small minority in society, the capitalists; second, the inability of non-property-owners (the workers, proletarians) to survive without selling their labour-power to the capitalists (in other words, without being employed as wage labourers); and thirdly, the state, uses its strength to protect the unequal distribution of power and property in society (Sample, 2003). Therefore, because of these human-made institutions, workers have little or no choice but to pay the capitalists surplus value in exchange for their survival. They enter the realm of production, where they produce commodities, which allow their employers to realize that surplus value as profit. The reserve army of the unemployed always make workers vulnerable. In brief, the profit gained by the capitalist is the difference between the value of the product made by the worker and the actual wage that the worker receives; in other words, capitalism functions on the basis of paying workers less than the full value product of their labour.

The fact that employers decide on job positions in the company to accord permanent or casual status allows employers to resort to casual employment which is profitable to the company because Labour Act Standards are not applied to casual employees of Niger Mills Company Calabar. Findings indicate that Labour Act standards are only applied to professional job positions in Niger Mills Company Calabar and most of the company permanent employees are professional staff of the company. Fapohunda (2012) notes that in Nigeria the scourge of

casualization of employment has gained an unprecedented proportion, intensity and scale. The increase in the spread and gradual acceptance of this labour practice in the Nigerian labour market has become a great concern to livelihood because employers of labour are filling positions in their organisations that are supposed to be permanent in nature with casual employees (Fapohunda, 2012). Other than the structural exploitation (Neo-liberal theory) which threatens the Nigeria labour force, the reserve army of the unemployed are always ready to take over any sort of job regardless of the job's conditions. However, the social action theory which is one of the theoretical framework guiding this study holds out great potential for seeking sociological approach and explanation to industrial casual workers attitude and behaviour. This is so because it takes into account both meaningful activity of the individual, the work environment and the large scale of society (Adams and Sydie, 2001) citing (Weber, 1968). Weber defines 'sociology' as the study of social action. For him, the discipline sociology, examines the ways in which people, through the attribution and influence of subjective meanings, would be influenced by each other and thereby become oriented in their action. He sees social meanings in the wider society through the concept of a legitimate order and explains further that this is a pattern in social life which the individual actor believes to exist and to which he (Weber) may confirm in his final submission.

Thus, behind the issue of casualization of labour in Nigeria workforce is the high level of unemployment and accompanying poverty (Olugboyega and Olayiwola, 2005). These issues have bred a dangerous work environment and have given much aid to the prevalence of casualization of labour by employers, as many desperate job seekers in the labour force are willing to take any job no matter how unsatisfactory it is. Nonetheless, Motta *et al.* (2011) review Weber's social action theory and observes that through social interaction, people could modify and possibly transform social meanings, which those involved assigned to their actions, that is, the meaning people read into situations presented before them determines their action. Similarly, Burston *et al.* (2010) brought the focus of social action theory closer to casualization of labour and to what he considered as the structurally determined imperatives of managerial control, the dynamic and the imminent process of deskilling and expectations. An implication from the creative essence of Weber (1968), Motta *et al.* (2011) and Burston *et al.* (2010) relevant to this study is that social relations between super ordinates and subordinates, (that is casual workers and management staff), the work environment, organizational processes, individual personality, and socio-economic background are likely to affect the workers'

orientation, perception and this automatically transform into attitude and behaviour of the worker in the work place.

5.2.2 Employment arrangement and procedure in Niger Mills Company Calabar

The findings concerning employment arrangement and procedure in Niger Mills Company Calabar reveal two remarkable observations. With clear indication, there are two types of employment arrangement and procedure in the Niger Mills Company Calabar. The employment arrangement and procedure for permanent employees and those for casual employees. With regards to permanent employment, Labour Act standards apply to the employment process whereas in the case of casual staff employment, Labour Act standards are not applied. Within legitimate employment framework, the employers of casual employees of the company are not outlawed since Labour Laws have not regularise which job position should be accorded permanent or casual status. Owoseye and Onwe (2009) explain that regardless of minimum information on the struggle against casual staffing in Nigeria, the Nigeria Labour Congress (NLC) declares it has not yet relented in its effort to solve the problem of the use of casual staffing by companies and businesses in the country. The campaign against casual labour was intensified by the Nigerian trade unions in 2000, when they embarked on foreclosing activities on companies believed to be guilty of the offence. But foreclosing has not yielded the desired result, as the incidence of temporary staffing continues constantly (Owoseye and Onwe, 2009).

One of the factors fuelling the continued use of casual staffing in Nigeria companies is the lack of clear cut regulations on employment practices because of the loopholes in the employment regulations, thus makes for exploitation of labour structured in the Labour institutions as indicated by the theoretical framework guiding this study. Thus, in neo-liberal theory, exploitation naturally coexists with free markets. As in the Marxist theory, the problem is more structural than organizational, given its special position in society (controlling an important asset), a lobby group can shift the distribution of income in its direction, impoverishing the rest. In some ways, these theories of exploitation are similar. They all deal with the power and influence of special interests in society and within the capitalist class rather than dealing with a structural difference in class position. Further, while Marx saw exploitation as raising the total amount of production in capitalist society, in these theories exploitation represents a form of waste or inefficiency, hurting growth under capitalism.

According to Isamah (2002) who cited Korten (1996) there are main elements of economic neo-liberalism: firstly, economic globalization that seek the move towards a single integrated world market in which goods and capital flow freely across natural borders and brings about competition, increases economic efficiency and growth, and is generally beneficiary to everyone sustained economic growth as measured by Gross National Product is the foundation of human progress and is essential to alleviate poverty and improve the environment. Second, localities achieve economic success by abandoning goals of self-sufficiency and aspiring to become internationally competitive in providing conditions that attract outside investors; and lastly, free markets, free from governmental interference or regulation, results in the most efficient and socially optimal allocation of resources. This elements of economic neo-liberalism has change the traditional model of employment (permanent, full-time employment with one employer until retirement) which has now given way to less stable (and often vulnerable) forms of employment (Cheadle, 2006). Many casual employees do not have letters of employment and many companies do not have records of their casual employees in order to evade the law (Alozie, 2009).

Other findings reveal that the company permanent employees are professionals and skilled staff of the company. Further results that emerge indicate permanent employees are employed within the regulations outlined by the Labour Act. Although it was revealed that applicants were not concerned about Labour Acts requirements during the employment process. Among the reasons for applicants not to give consideration to Labour standards requirements are the high level of unemployment and accompanying poverty (Olugboyega and Olayiwola, 2005). The reserve army of the unemployed are always ready to take on any job regardless of the conditions threatens the applicants and they place less consideration on Labour standards. In terms of the employment arrangement and procedure, applicants send their applications to Niger Mills following the company's public advertisement. But, as earlier indicated, this process is only applied to permanent employees. Regarding casual employees, sectional heads of the company handle the employment of casual staff. The procedures for employment of casual employees is that the budget drawn by the management of the company is based on the recommendations of the sectional heads. Fapohunda (2012) remarks that casualization as a form of labour practice is the process by which employment shifts from a preponderance of full time and permanent positions to higher levels of casual positions. This observations by Fapohunda is similar to this study's findings since the sectional heads of the company handle the employment of casual staff. Additionally, the procedures and arrangement for the employment of casual employees

totally shift from the company traditional model of employment. Fapohunda (2012) further explains that casualization is gradually becoming a 'cankerworm' in the flesh of the workforce in both developed and developing economies.

Additional findings relating to employment arrangements and procedures reveal that employers for the company decide which job position should be accorded permanent status or casual status. This findings also indicate that in Niger Mills Company, Calabar, the only job positions that are accorded permanent status are professional and highly skilled positions that require consistency and sequences. The implication of the above observation is the fact that, in absence of consistency and sequences of duties for the company, it implies that Niger Mills Company could employ all her staff on casual basis. Factors leading to this sort of employment in the company is the desire to cut production cost and maximize more profit by exploiting the labour sector. Animashaun (2008), Bodibe (2006), Chisala (2006) and Fapohunda (2012) note that organizations and companies want to remain competitive globally by reducing labour cost; therefore the desire for competitiveness has become a means for labour exploitation.

Several scholars involved in labour studies in Nigeria such as: Animashaun (2008), Alozie (2009) Bodibe (2006), Chisala (2006), Danesi (2012), Fapohunda (2012), Orifowomo (2007) have observed that Nigerian workers are under pressure from corporate practices seeking to undercut their hard-fought victories at the bargaining table and replace 'good' jobs (that is jobs with benefits, training, and security) with various forms of insecure and lower paid contract, short-term, and temporary work. The practice of casualization of labour is an alarming trend, considering that working was once a hope for raising living standards in any country (Fapohunda, 2012). Furthermore, Orifowomo (2007) explains that in nearly every economic sector, good jobs are falling prey to corporate cost-cutting moves at the expense of working families. This is in accordance with this study findings that employers of the company decides which job position to accord permanent status or casual status. The above observation is also similar to Danesi (2012) remarks that too many jobs are being outsourced, contracted out, or reclassified under a barrage of legal definitions designed to keep pay down, benefits low, and unions out.

Thus, like workers all over the world, Nigerian workers are trying to survive. They are countering casualization of labour with activism and strength, pushing back against the degradation of their work and organizing casual workers into unions to fight for their rights

(Alozie, 2009). Casualization of labour in Nigeria goes beyond trade union rights because it is enabled by widespread poverty, joblessness, and the devastated natural resources of the country. It is just one manifestation of the "degradation of work" from formal to informal employment and from permanent to temporary and precarious forms of work.

5.2.3 Verification of casual and permanent staff statistics in Niger Mills Company

Thus, findings relating to the statistics of casual and permanent employees indicate that the majority of the company staff are casual employees at 88.7% as compared to 11.3% of permanent employees. The qualitative instrument results reveal that sectional heads of the company submits details of all employees to the personnel manager on monthly basis. The details includes for both permanent and casual employees. However, some results reveal difficulties in accounting for accurate statistics of the company employees since some casual employees are employed on short term (two to three weeks) basis. Thus the findings match with the remarks by Fajana (2005) on the difficulties in accounting for accurate statistics of casual and contract workers in Nigeria because there are no official statistics indicating the trends of casualization. In Niger Mills Company Calabar, findings indicate that the difference between casual and permanent employee's lies in who employs them. Both categories of employees in Niger Mills Company have different procedure for their engagement as indicated from the study findings above (see matrix 1.1). The motives for differentiating the employment procedure and processes for permanent and casual employees is to enable the employers offer casual employees precarious working conditions in addition to low benefits thereby exploiting their labour.

A study conducted by Basso (2003) observes that casualization may be linked to under-employment and has two main factors. It is often used loosely in international literature to refer to the spread of bad conditions of work such as employment insecurity, irregular work hours, intermittent employment, low wages and absence of standard employment benefits. This observation is similar to the study findings, indicated above. According to the theoretical framework guiding this study, the existence of exploitation towards human beings is a socio-economic phenomenon where people trade their labour or allegiance to an entity, such as the state, a corporation or any other private company. Neo-liberal theory as a socio-economic exploitation scheme is not simply an economic structure; rather it is a philosophy (Martinez and Garcia, 2005). This philosophy is most visible in the approach to society, the individual

and employment. Neo-liberals tend to see the world in terms of market descriptions or metaphors. Neo-liberalism has answers to stereotypical philosophical questions, such as "why are we here?" The answer according to the question is: We are here for the market and we should compete. Neo-liberals tend to believe that humans exist for the market, and not the other way round. Undoubtedly this has some validity in the sense that it is good to participate in the market and that those who do not participate have failed to actualize their existence. In personal ethics, the general neo-liberal vision is that every human being is a businessperson managing his/ her own life, and should act as such; individuals who choose their kind of job, to maximize their status with future employers are ethically, neo-liberal.

The idea of employability is characteristically neo-liberal; it means that neo-liberals see it as a moral duty of human beings, to arrange their lives to maximize their advantage on the labour market. The impression that everyone should be an entrepreneur is definitely neo-liberal. The participation of the casual workers in the labour market was characterised by workers to accepting any work they were offered. In essence, relating factors that surround workers beyond the work are factors that afford the opportunity to understand the nuance meanings of casual workers perception, socio-demographic status, attitude and behaviour, and why they still engage in a task. Thus, undoubtedly neo-liberalism emerged out of an 'unholy' alliance between neoclassical economics, which provided most of the analytical tools, and what may be called the Austrian-Libertarian tradition, which provided the underlying political and moral philosophy (Schmidt, 2005). It is an "unholy alliance", because the gap between these two intellectual traditions is not a minor one, as those who are familiar with, for example, Hayek's scathing criticism of neoclassical economics would know (Chan 2001).

The findings indicate that there are more male employees than females with 67% of the respondents being males and 33% being females. This findings corroborates Risman (2004) study that the nature and extent to which gender difference is viewed in the society promotes the social order of gender relations which serves to justify gender inequality, and the positioning of women in lesser positions. Historically men have leadership roles and positions in the community and direct access to institutional authority (Lobber, 1994). The lower status of women in society has made women vulnerable in negotiating such positions. Under this patriarchal context, roles and responsibilities are assign to men and women on the basis of their masculinity and femininity that continually entrench women statuses lesser to men and constantly tied their subordination (Risman, 2004). The majority of the company employees

are in the age category of 16-35 years (89%), with 46% being in the age group 16-25 years and 43% in the age group 26-35 years. The majority of the employees in the company had Bachelor of Arts (BA) as their highest qualification (38%) and 33% have Secondary School Certificate Examination (SSCE). Married employees are the majority in the company with for 61% compared to 39% of single workers in the sample. As indicated in previous findings, Niger Mills Company employees are predominantly working on casual basis. This working class (casual workers) are easily exploited. The rationale or motives behind the engagement of the age group 16-35 years old as the company majority employees (89%) is a deliberate act by the employers to exploit their labour. Evidently, the age limit 16-35 portrays age group with strength and energy required to perform physical task which the company requires. Task performed by casual employees in Niger Mills Company include loading and off-loading of products, processing of maize into the machines that requires strength and energy that the ages limit of 16-35 years can conveniently provide.

One obvious observations from the results of this study, is that employers of casual employees are very sensitive to the process of engaging casual employees in that they place priorities on engaging workers that are desperate for jobs for labour flexibility. For instance, employees without contract letters or without contract specification are the majority in the company at 62.0% while 38.0% had the duration of their contract specified. The majority of the employees work for 10 and 12 hours a day for the company and permanent staff of the company do not get paid for working beyond allocated hours. All employees of the company are entitled to leave, but casual employees are not paid during their leave period. Thus, the findings of this study collaborates Alozie (2009) study that many casual employees in Nigeria do not have letters of employment and many companies do not have records of their casual employees in order to evade the law. In Nigeria, labour administration is within the purview of the Federal Ministry of Labour and Productivity. The objective of labour administration is to strengthen labour standards and practices in all sectors especially in the weak sectors to ensure minimum form of protection for vulnerable groups (casual employees).

Apparently, all aspects of the Ministry's mandate are covered in labour administration, with the expectation that these functions will be manned by trained personnel with the right capacities. But, major gaps still exist in the achievements of the adopted goals of labour administration. There is a visible relegating attitude of the government at the centre to the Ministry. In most cases, educated ideas from bureaucrats were regarded as too technical and

inadmissible especially during the military regimes, Political elites visit the Ministry with unprecedented rate of leadership turnover as Ministers are changed rapidly hence affecting the overall continuity and effectiveness of policies and programmes, Political unwillingness and selfishness is manifested in inexplicable confusion over important state matters such as poverty reduction programmes owned or hijacked by wrong sectors; as well as inadequate funding and inappropriate application of existing policies (Ezigbo, 2009).

It was noticed that even recently, factory and labour inspection continued to attract very low budgetary allocations, in spite of Nigeria's ratification of several Conventions particularly Convention 81 on labour inspection. Thus, between 2001 and 2005, the budgetary allocation of Ministry of Labour and Productivity was usually included under Social and Community Services (SCS) along with several other ministry on development agendas and given pittance, whereas education, health and defense had designated heads (Ezigbo, 2009). The effect of the lack of financial capacity by the Ministry leads the Police to take kudos for assignments that would have been more effectively handled by professionals in the Ministry of Labour and Productivity. Consequently, the country continues to record avoidable strike actions. This situation is not limited to Nigeria only. There have been cries from the labour movement in Zambia that workers have been given a raw deal for their services rendered (Lifuna, 2005). Low salaries is one important issue that has been a source of contention of late in casualization of labour, especially in the post-privatization era in Zambia. This phenomenon is relatively new in the labour sector; the practice is enhanced by an increase in the number of foreign investors coming to invest in Zambia and employing Zambian workers (Bodibe, 2006).

Because of high unemployment levels and as a cost saving measure, most of these foreign investors have opted to employ some of the Zambian workers on casual basis, a situation that has displeased Government (Lifuna, 2005). The Zambia government has consistently voiced out its concerns over the many foreign owned factories and companies employing Zambian workers on casual basis (Lifuna, 2005). As the trend takes root in the Zambian labour sector, some labour movement leaders blamed the government and accused it of abetting casualization of labour. It is acknowledged that, ending casualization in itself is not easy and needs the concerted efforts of all stakeholders thereof.

Thus, casualization of labour is an important labour force that still lack due recognition from the government. The nature of casualization in a labour market is problematic in itself. A study

conducted by Bhorat and Hinks (2006) note that issues of hours worked, type of employment contract, who pays the employee, non-pecuniary benefits and whether working in the formal or informal sector give room for several definitions and interpretations. From other findings that emerge, the majority of the company employees were not employed based on their academic qualification. In addition, the majority of the employees work 6 days a week and these are not only casual employees, permanent employees holding supervisory positions also work 6 days a week and some work 7 days in a week. Casual jobs are Australia's fastest growing form of employment, with Australia now having the second largest casual workforce in the world after Spain (Munn, 2004). This has triggered a talking point as to whether government intervention should be used to improve job security for the growing number of casual workers (Munn, 2004). A casual employee is barely guaranteed legal minimum wage, any job security, and allowances for lunch, travel, and housing nor would they ordinarily receive benefits like paid vacation, paid sick leave, funeral assistance, or terminal benefits (Fapohunda, 2012).

Findings relating to factors that are associated with casualization of labour in Niger Mills Company reveals significant relationship through cross tabulation of the variables analysed that are associated with casual employment. Thus, cross tabulation shows that there is significant relationship of age with having the duration of a contract specified, while qualification possessed by the employees has no relationship with the duration of contract. There is also a significant association between age, gender and qualification with number of hours worked in a day. It is observed that there is no significant relationship between qualifications possessed by the employees with payment of overtime. An association between qualifications possessed by the employees with being entitled to leave with pay was indicated. There is also significant association of age of the respondent with being employed based on academic qualification. There is an association of age of the respondent with number of days worked in a week whilst there was no relationship of one's qualifications, gender and marital status with number of days worked in a week. There is an association of age of the respondent with being employed as casual staff, whilst there is no association of one's gender and one's qualification with being employed as casual staff.

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5.2.4 Employees welfare policies in Niger Mills Company

With regards to employee's welfare in the company, the results that emerge indicate that only permanent employee's benefit from welfare policies and also work to retirement either through the number of years in service or age. Other findings indicate that permanent employees are employed based on their academic qualification and previous results indicate that the majority of the permanent employees are professional and skilled staff of the company. Such employment procedure and arrangement indicate the labour standard expectations from employers. The provision of Nigeria Labour Act 2004 Cap. L1 L. F. N. 2004 Part 1 7(1) *says that, "Not later than three months after the beginning of a worker's period of employment with an employer, the employer shall give to the worker a statement specifying- (a) the name of the employer or group of employers and where appropriate, of the undertaking by which the worker is employed; (b) the name and address of the worker and the place and date of his engagement; (c) the nature of the employment; (d) if the contract is for a fixed term, the date when the contract expires; (e) the appropriate period of notice to be given by the party wishing to terminate the contract, due regard being had to section 11 of this Act; (f) the rates of wages and methods of calculation thereof and the manner and periodicity of payment of wages; (g) any term and conditions relating to- (i) hours of work, or (ii) holidays and holiday pay, or incapacity for work due to sickness or injury, including any provisions for sick pay, and (h) any special conditions of the contract".*

However, Danesi (2012) argues that the lack of clarity in the Nigeria Labour Act regarding legal categories of workers reinforces the adoption of casual employment with poor welfare conditions from employers. Till date, there is only one category of worker defined so far in the Nigeria Labour Act and that is a 'worker'. The Nigeria Labour Act 2004 Cap. L1 L. F. N. 2004 Part 1 91(1) (b) defines a worker or contract of employment as: "*any agreement, whether oral or written, express or implied, whereby one person agrees to employ another as a worker and that other person agrees to serve the employer as a worker".* Employers in Niger Mills Company including other organizations have been capitalizing on the lack of clarity of a 'worker' to shape welfare policies for their companies. For instance, the above definition does not clearly categories the different types of workers in employment arrangement. Other Labour legislation have similar definition to that of the Labour Act of the term 'worker' (Employees Compensation Act 2010 Cap. W6 20(1) and Trade Unions Act Cap. T14 L. F. N. 2004). Furthermore, the term 'employee' is not defined by the Labour Act, therefore common law

definition is often applied to define an employee as a worker who has a contract of service. Consequently, industries and companies in Nigeria workforce resort to carrying on their individual employment arrangement to suit their objectives which have perpetuated labour exploitation of the sector and place employee welfare at the least (Animashaun, 2008 and Danesi, 2012).

The empirical evidence support the theoretical framework guiding this study, where the kind of exploitation discuss above, described by socio-economic theories are usually called super-exploitation, exploitation that goes beyond the normal standards of exploitation prevalent in capitalist society (Sample, 2003). While other theories emphasize the exploitation of one individual by an organisation or vice versa, the Marxist theory is primarily concerned with the exploitation of an entire segment or class of society by another. This kind of exploitation is seen as being an inherent feature and key element of capitalism and free markets. Marxist theory typically assumes the existence of purely competitive markets. Accordingly, organizations want to remain competitive globally by reducing labour cost with poor welfare policies; as a result, the desire for competitiveness has turn out to be a means for labour exploitation (Bodibe, 2006; Chisala, 2006; Fapohunda, 2012). In general, Sample (2003) argues that the greater the freedom of the market, the greater the power of capital, and the greater the scale of exploitation. The perceived problem is with the structural context in which free markets operate beyond normal standards thereby creating opportunity for employers to offer poor working conditions for employees. Hence, the proposed solution to this kind of exploitation is the abolition of capitalism and its replacement by a better, non-exploitative, system of production and distribution like, first socialism, and then, after a certain period of time, communism.

According to Marxist view, normal exploitation is based on three structural characteristics of capitalist society: (i) the ownership of the means of production by a small minority in society, (the capitalists); (ii) the inability of non-property-owners (the workers, proletarians) to survive without selling their labour-power to the capitalists (in other words, without being employed as wage labourers); and (iii) the state, which uses its strength to protect the unequal distribution of power and property in society. Thus, based on these institutions, workers have little or no choice but to pay the capitalists surplus value of their labour in exchange for their survival. They enter the realm of production, where they produce commodities, which allow their employers to realize that surplus value as profit. A study conducted by Olugboyega and

Olayiwola (2005) identified that the high level of unemployment and poverty in Nigeria are the two factors behind casualization of labour. These two factors have raised a dangerous work environment and have given much aid to the prevalence of casualization, as many desperate job seekers in the labour force are willing to take any job no matter how unsatisfactory the conditions. In brief, the profit gained by the capitalist is the difference between the value of the product made by the worker and the actual wage that the worker receives; in other words, capitalism functions on the basis of paying workers less than the full value product of their labour.

Marxian theories of imperialism extend this kind of structural theory of exploitation further, positing exploitation of poor countries by rich capitalist ones or by transnational corporations. Some Marxist-feminist use a Marxian-style theory to understand relations of exploitation under patriarchy (see Risman, 2004 and Lobber, 1994), while others see a kind of exploitation similar to the Marxian sort as existing under institutional racism.

Other findings indicates that the Niger Mills Company employees are all entitled to leave, but for casual employees leave is without pay. This findings contravene the constitutional requirement of the Federal Republic of Nigeria section 17(3) (e) 2011, which states that: "*The state shall direct its policy towards ensuring that there is equal pay for equal work without discrimination on account of sex, or on any other ground whatsoever*". Section 40 of the same Constitution states that: "*every person shall be entitled to assemble freely and associate with other persons, and in particular he may form or belong to any political party, trade union or any other association for the protection of his interest*". However in Niger Mills Company, only permanent staff of the company are allowed to join trade labour unions, although it was reveal that casual employees organise their own unions but such unions do not go beyond the company and have very little power or influence in bargaining process.

Additional results indicate that Niger Mills Company's permanent employees enjoy training benefits with pay. Certainly welfare policies with good conditions from the company only apply to permanent employees. A study conducted by Danesi (2012) notes that casual employees are classified as employees who are not entitled to work benefits other than their wages in their workplace and are also prohibited from joining labour organization. As observed in the study findings, employees who enjoy good welfare benefits are permanent employees basically professionals in their various field. A study conducted by Okafor (2007) indicates

that many casual and contract workers are educational higher institution graduates or skilled technicians, most of whom have spent several years in their respective organisations but are still referred to and treated as casual workers. Based on the study results, it is indicated that the difference between permanent and casual employee lies on two factors; first, the status the employers decides to accord to them; secondly, the sort of employment deal offer to the employees. Fapohunda (2012) explains that this type of situation does arise in most organizations where in some cases an entire or part of the organizations activity is often outsourced or casualized. In such circumstances, it is always typical of employers to begin to create an invisible line between core and non-core activities as an excuse; while the 'slavery' continues (Danesi, 2012).

Thus, subcontracted and casual workers earn fewer benefits compared to permanent workers (Fapohunda, 2012). Companies dismiss casuals and subcontracted workers more easily than permanent workers and they work without benefits (Okafor, 2007). Employers find it easy to hire and dismiss them during and at their own wish. This is a mechanism to evade the legal provisions relating to the hiring and dismissing of permanent employees. Bodibe (2007) notes that some casual workers work for seven days and get an hours break daily. Casual employees do not have any other working conditions except for the diminutive remuneration they receive at the end of the day or month (Fapohunda, 2012). A study conducted by Animashaun (2008) posits that labour laws concerning employment, minimum wages, conditions of employment and employment benefits hardly apply to causal employees. Cheadle (2006) explains that the various contractual and institutional forms of this kind of employment mean that many workers do not fall within the common law conception of contract of employment and accordingly are not subject to protective reach of labour legislations. Fapohunda (2012) argues that some fall within the definition but their employment is so precarious, indirect or informal that they become invisible for recruitment into trade unions or for protection through law enforcement. Fapohunda (2012) Indicates that they are not positioned to receive pension benefits when their employment comes to an end.

Labour unions in the oil and gas sector in Nigeria argue that the shift away from permanent employment is an attempt to replace unionized employees with lower paid and less protected workers, as well as to transfer employment responsibilities to sub-contractors (Fapohunda, 2012). Okafor (2007) notes that in the oil industries, casual workers perform the same tasks as permanent workers, but without any job security, are under never-ending probation, and

frequently laid off, particularly just before they would become entitled to permanent contracts. Fapohunda (2012) presents figures from the banking sector which is similar to those from the oil and gas sector regarding casual employment. At the banks sectorial level, the average rate is about 79% however some companies such as Guarantee Trust Bank (GTB) have as much as 85.95 contract staff. Kolawole (2008) observes that even the apex bank in the country, the Central Bank of Nigeria (CBN) is not left out of the practice as 600 victims of the temporary employment policy of the Central Bank of Nigeria (CBN) petitioned the Economic and Financial Crimes Commission (EFCC), the Nigerian Labour Congress (NLC) and the National Assembly over what they described as exploitation and inhuman treatment by the apex bank. It is discovered that over 5- 15 years casual workers have been employed by the Central Bank of Nigeria and posted to various branches nation-wide as maintenance, treasury, security and sundry workers and rather than having their status changed to full time staff, their services were terminated by the bank without any benefits that would allow them start life afresh (Fapohunda, 2012).

In the telecommunication sector the situation seems worse, in that all the selected organizations in the sector have over 95% of their workers as contract staff (Fapohunda, 2012). The latest crisis in contract staffing and outsourcing in the Telecommunications Sector is the recent case of Airtel Nigeria where the company reportedly laid off in one-day 3,000 people designated as casual workers in its service (Fapohunda, 2012). Labour coverage and its legislation gaps in Nigeria has been an endless struggle by labour unions. In 1998 International Labour Organization (ILO) declared in Philadelphia that its members must "respect, promote and realize in good faith" the principles concerning the fundamental rights at work. This declaration on fundamental rights at workplace, although still not binding in international law, underscores that all member countries have an obligation to respect, to promote and to realize, in good faith, the fundamental principles involved, whether or not they have ratified the relevant ILO Conventions. Nigeria has ratified the ILO Convention so it is obligatory on its part to uphold these Conventions.

Furthermore, the African Charter, which has been enacted as an Act of the National Assembly provides in Article 15 that, "*Every individual shall have the right to work under equitable and satisfactory conditions and shall receive equal pay for equal work.*" It is implied therefore that since it enjoins the state parties to ensure that its citizens have the right to work, and entitled to equal pay for equal work, that there should not be any form of discrimination in employment

between standard workers and non-standard workers. Besides, Section 7 (1) of the Labour Act Cap. L1 L. F. N. 2004 provides that: "*Not later than three month after the beginning of a worker's period of employment with an employer, the employer shall give to the worker a written statement specifying- the terms and conditions of employment, which include the nature of the employment and if the contract is for a fixed term, the date when the contract expires*". Nonetheless, Owoseye and Onwe (2009), note that in spite of the provision in section 17 (e) of the Constitution, which guarantees "*equal pay for equal work without discrimination on account of sex, or any other ground whatsoever, the discrimination in pay between permanent and casual employees still persists.*" They were of the opinion that the Act recognizes this form of employment like it did for standard employment. Many casual employees do not have letters of employment and many companies do not have records of their casual employees in order to evade the law (Alozie, 2009). The nature of casualization of labour is awkward globally and thus requires restructuring.

5.3 Conclusions

On the basis of the findings, the study came to the following conclusions:

- That Labour standards are applied to permanent employees because permanent employees account for a small proportion of Niger Mills Company employees and to afford their benefits would not cost much as compared to benefits of casual employees.
- That the employers decides which job position to be given permanent or casual status because the Ministry of Labour and Productivity is yet to ratify employment for both categories.
- That casualization of labour as perpetuated in Niger Mills Company is a threat to the desired level of socio-economic growth and development of the employees. In addition, the casualization of labour model enables employers to ignore workplace standards and workers social needs and to create a strong hurdle against workplace uniting.
- That Nigeria is trying to provide economic development and social advancement, hence what she needs now is not such practice of casualization of labour, but rather, rapid economic development.
- That the push towards casualization in Nigeria industrial workforce is evidence of a continued effort by government and corporate elites to maximize profits at the expense of long-term job welfare policies, transparent governance, and shared economic development.

- That for Nigerian workers, the future depends on their capacity not just to stop the degradation of work, but to exert the strength necessary to promote developmental alternatives based on democracy, freedom of association, a clean environment, and broad-based access to higher wages, good paying jobs, education, and health care for every worker. In addition, there is a need for concerted efforts among stakeholders to ally with the government to stamp out all forms of exploitation of Nigerian workers through genuine advocacy work and information sharing. The workers themselves must open up so that bad practices can be exposed and expunged.

5.4 Recommendations

In view of the study discussion and conclusions, a host of recommendations were proposed. The study recommended that while there may sometimes be need for casual employees for services that are not considered core to the main business of the company, their remuneration should be fair and comparable to the task. In order to achieve that, the Ministry of Labour and Productivity should stress on the ministry task team to monitor organizations to stop giving permanent job positions casual status. Most of the casual and contract workers are highly skilled and usually perform the same tasks as permanent employees but get lower remuneration and poor terms and conditions of employment generally. That amounts to unfair and violates the principle of equal pay for equal work without discrimination on any ground whatsoever. Therefore, policy makers must make legislations to protect these workers from exploitation by their employers.

The practice of casualization of labour is against the campaign for full employment and decent work for all and an infringement on workers' rights. In the face of increasing practices of casualization of labour, unions have a significant role to play. On the part of government there must be political will to address the loopholes in labour laws and stop employment practices that encourage casualization of labour. Government policies must be geared towards stopping or curtailing the practice of casualization of workers. This becomes necessary given the increasing unemployment in Nigeria which makes job seekers to be vulnerable. Finally, this study recommend that casual workers should be entitled to the same rights and privileges as permanent employees irrespective of the duration of the employment.

References

Adams, B. & Sydie, R. A. (2001). *Sociological Theory.* Thousand Oaks, California: Pine Forge Press. pp. 612.

Alozie, C. (2009). *Recession: Temporary Employment the New Toast for Employers.* NEXT, Lagos.

Animashaun, O. (2008). 'Casualization and Casual Employment in Nigeriea: Beyond Contract'. *Labour Law Review*, Vol. 1. No. 4. pp 14-34.

Armstrong, M. (2009). *Handbook of Human Resource Management Practice*. 11th Edition: Kogan Page Limited, London.

Arnold, D. & Bongiovi, J. R. (2011). *Precarious, Informalizing and Casualizing Labour: Concepts and Definitions.* A paper prepared for the workshop: precarious work in Asia, Chung-Ang University, Seoul, South Korea.

Arnold, D. & Toh, H. S. (2002). "A Fair Model of Globalisation? Labour and Global Production in Cambodia." *Journal of contemporary Asia.* Vol. 40. No. 3: pp 401-424.

Bacchetta, M., Ekkehard, E. & Bustamante, J. P. (2009). *Globalization and Informal Jobs in Developing Countries:* A Joint Study of the International Labour Office and the Secretariat of the World Trade Organization. *International Labour Organization and World Trade Organization.* Geneva.

Babbie, E. & Mouton, J, (2001). *The Practice of Social Research.* Cape Town: Oxford University Press.

Basso, K. P., (2003). Modern Times, Ancient Hours: *Working in the Twenty-First Century.* London: Verso.

Berle, A. A. (1960). *Power without Property.* London, Sidgwick.

Bhorat, H. & Hinks, T. J. (2006). '*Changing Patterns of Employment and Employer-Employee Relations in Post-Apartheid South Africa.* "Research Report for the Danish Federation Workers". National Labour and Economic Development Institute.

Blair, T. (2007). *Europe is Falling Behind.* Newsweek, (HTML).

Bodibe, O. (2006). *The extent and Effects of Casualization in Southern Africa: Analysis of Lesotho, Mozambique, South Africa, Swaziland, Zambia and Zimbabwe.* Research Report for the Danish Federation of Workers. National Labour and Economic Development Institute.

Burston, J. Dyer-Witheford N. & Hearn, A. (2010). Digital labour: Workers, authors, citizens. *Theory and politics in organization.* Ephemera, Vol. 10. No. 3. pp 4.

Business Dictionary (2015). http://www.businessdictionary.com/definition/labor-laws.html#ixzz3S0DiKXz2 Retrieved: 17 February 2015.

Campbell, I. (2004). Casual *Work and Casualization: How Does Australia Compare:* Labour and Industry Centre for Workplace Culture Change Sydney.

Chandler, A. D. (1977). *The Visible Hand: The Managerial Revolution in American Business.* Harvard University Press, Cambridge, Massachusetts, London, England.

Chang, H. (2001). *Breaking the Mould. An Institutionalist Political Economy Alternative to the Neoliberal Theory of the Market and the State*, Social Policy and Development Programme Paper Number 6 May 2001, United Nations Research Institute for Social Development, Geneva.

Cheadle, H. (2006). *Regulated Flexibility: Revisiting the LRA and BCEA Concept.* Paper Unpublished Mimeo: University of Cape Town.

Chisala, C. (2006). Casualization of Labour. http://www.zambia.co.zm/artticles/labour casualization.html [Assessed 05-06-13].

Constitution of the Federal Republic of Nigeria, 2011 (As Amended).

Crotty, J. (2000). Neo-Liberal Regime Has Failed, Need To Change Course. *Third World Economics*. Vol. 249: pp. 11-16.

Danesi, R.A., (2002). '*Casualisation Practices in Nigeria and International Labour Standards'* (LLM Dissertation, University of Lagos, Nigeria) P 8.

Danesi, R. A. (2012). *Labour Standard and the Flexible Workforce: Casualization of Labour under the Nigeria Labour Laws.* (PhD Dissertation, University of Essex, United Kingdom).

De Vaus, D. A. (2001). *Research Design in Social Research.* SAGE: Trochim, William M.K. Research Methods Knowledge Base: London.

De Vos, A.S, Strydom, H, Fouche, C.B & Delport, C.S.L. (2011). *Research at grassroots: for the social sciences and human service profession.* (4th ed). Pretoria: Van Schaik Publishers.

Dumenil, G. and Levy, D. (2002). *"The Nature and Contradictions of Neo-liberalism"*, A Paraitre Clans Socialist Register, pp. 165-195.

Employee's Compensation Act, 2010 Cap. W6 Law of the Federation of Nigeria. Explanatory Memorandum

Ezigbo Onyebuchi, (2009). Nigeria: *Federal Government to Set Employment Target for All Sectors*, This day, 22 April.

Fagan, R. (1994). Working Nation and the outer suburbs: the example of Western Sydney. *Australia Geographer*, Vol. 25 No. 2: 115-121.

Fajana, S. (2005). *Industrial Relations in the Oil Industry in Nigeria. Sectoral Activities Programme.* Working Paper No. 237. International Labour Office Geneva.

Fajana S. (2010). *Strengthening Social Dialogue in Utilities in Nigeria 2008*, ILO Working papers 273, Geneva.

Fapohunda, T. M. (2012). Employment Casualization and Degradation of Work in Nigeria. *International Journal of Business and Social Science*. Vol. 3 No. 9.

Federal Republic of Nigeria (2009). *National Action Plan on Employment Creation 2009 – 2020. Federal Ministry of Labour and Productivity*: Abuja, Nigeria.

Ikeanyibe, O. M. (2009). Development Planning in Nigeria: Reflections on the National Economic Empowerment and Development Strategy (NEEDS) 2003-2007. *Kamla-Raj 2009 J SocSci,* Vol. 20. No. 3: pp 197-210.

International Labour Organization (ILO) (2002). *Women and Men in the Informal Economy: A statistical Picture.* International Labour Office. Employment sector: Geneva.

International Labour Organization ILO (2007). *Equality at Work: Tackling the Challenges.* Report of the Director- General. Geneva.

Isamah, A.N. (2007) New Directions in Sociology of Development in *Current and Perspective in Sociology* (eds) Abanihe, U., Isamah, A.N., and Adesina, J.O. Malthouse Press.

Kalleberg, A. L. (2009). "Precarious Work, Insecure Workers: Employment Relations in Transition" *American Sociology Review*. Vol. 74: pp 1-22.

Kiely, R (1998) *Industrialization and Development: A comparative analysis*, UCL Press: London.

Kolawole, S. 2008. *Casualization and Contract Employment in Nigerian Oil Industry*. P. 3. A Paper Presented at a Seminar of Stakeholders in the Oil and Gas Industry on November 5, 2001 in Abuja, Nigeria Nigerian

Lifuna, M. (2005). *Casualisation: Which Way Forward?* Times Zambia.times@Zamtel.zm

Lorber, J. (1994). *The Social Construction of Gender*. Yale University Press, Phillip Hamilton McMillan.

Martinez, E. and Garcia, A. (2005). *Neo-liberalism: Origins, Theory and Definition.* Web.inter, nl.net

Mc Guirk, P. and O"Neill, P. (2002). *Planning a Prosperous Sydney: The challenges of Planning Urban Context.* Australian Geographer Vol. 7, pp 301-316.

Motta, S., Fominaya, C. F., Eschle C. and Cox, L. (2011). Feminism, women's movements and women in movement. Interface: *A journal for and about social movements*. Volume 3. No. 2: pp. 1-32.

Munn, C. (2004). Casualization of the Workforce: *ANZ Economic update*. Munnc1@anz.com.

Neuman, W. L. (2011). *Social Research Methodology: Qualitative and Quantitative Approaches (6th Edition).* Pearson International Edition, Allyn and Bacon, 75 Arlington Street, Baston, USA.

Nigeria Labour Act 2004, Cap. L1 Law of the Federation of Nigeria 2004.

Nigeria Labour Act 2004 Cap. L1 Law of the Federation of Nigeria 2004 Part 1 91(1) (b).

Nordgren, Keny (2008). *SEB Merchant Banking – Country Risk Analysis - Nigeria.* February 18, 2008.

O'Donnell, A. 2004. Non-Standard Workers in Australia: Counts and Controversies. *Australian Journal of labour Law* Vol. 17: pp. 1-28

Okafor, E.E., 2007. Globalizations, Casualization and Capitalist Business Ethics: A Critical Overview of Situation in the Oil and Gas Sector in Nigeria. *Journal of Social Science*, Vol. 15, pp. 169-179

Olugboyega, O. & olayiwola, K. (2005). *Policies and Programmes for Poverty Reduction in Rural Nigeria.* An Interim Research Report Submitted to the African Economic Research Consortium (AERC) Nairobi for the Second Phase Collaborative Poverty Research Project.

Orifowomo, O. A. (2007). Perspectives on the Casualization of Workers under Nigeria Labour Laws. *East African Journal of Peace and Human Rights*. Vol. 13. No. 1.

Owoseye, A. and Onwe, C. (2009). *Recession: Temporary Employment the Toast for Employer.* 234 NEXT, Lagos.

Risman B. J. (2004). Gender as a Social Structure. Theory Wrestling With Activism. Gender & Society. *Sociologist for Women in Society*, Vol. 18. No. 4: pp 429-450.

Rufus, A. I. (2008). Reducing Unemployment through the Informal Sector: A Case Study of Nigeria, *European Journal of Economics, Finance and Administrative Sciences*, ISSN 1450-2275 Issue 11, © EuroJournals, Inc.

Sample, R. J. (2003). *Exploitation: What it is and why it is wrong*: *The badness of exploitation: a reformative account*. Lanham, Maryland: Rowman & Littlefield Publishers.

Schmidt, H. D. (2005). *Flexicurity, Casualisation and Informalisation of Global Labour Markets.* Research Center on Development and International Relations (DIR), Working Paper No. 133. Aalborg, Denmark.

Suit No. NIC/3/86, *Digest of Judgments of National Industrial Courts* (NIC) 1978-2006, p.187.

Theron, J. (2005). *"Employment is not what it used to be: The Nature and Impact of Work Restructuring* in *South Africa"*. In: Webster, E. and Von Holdt, K. (eds). Beyond the Apartheid Workplace: Studies in Transition, University of Kwa Zulu Natal: Durban.

Watson, T. J. (1980). *Sociology, Work and Industry*. Routledge and Kegan Paul: London.

Appendix 1

RATIFICATION OF ILO CONVENTIONS

Nigeria Member since 1960 **38 Conventions ratified (34 in force)**

C. 8	Unemployment Indemnity (shipwreck) Convention, 1920 (No. 8)	16/06/1961
C. 11	Right of Association (agriculture) Convention, 1921 (No. 11)	16/06/1961
C. 16	Medical Examination of Young Person (Sea) Convention, (No. 16)	17/10/1960
C. 19	Equality of Treatment (Accident Compensation) Convention, (No. 19)	17/10/1960
C. 26	Minimum Wage-Fixing Machinery Convention 1928 (No. 26)	16/06/1961
C. 29	Forced Labour Convention, 1930 (No. 26)	17/10/1960
C. 32	Protection against Accidents (Dockers) Convention (Revised), (No. 32)	16/06/1961
C. 45	Underground Work (Women) Convention, 1935 (No. 45)	17/10/1960
C. 50	Recruiting of Indigenous Workers Convention, 1936 (No. 50)	17/10/1960
C. 64	Contracts of Employment (Indigenous Workers) Convention (No. 64)	17/10/1960
C. 65	Penal Sanction (Indigenous workers) Convention, 1939 (No. 65)	17/10/1960
C. 81	Labour Inspection Convention, 1947 (No. 81) *Excluding Part 11*	17/10/1960
C. 87	Freedom of Association and Protection of the Right to Organization Convention, 1948 (No. 87)	17/10/1960
C. 88	Employment Service Convention, 1948 (No. 88)	16/06/1961
C. 94	Labour Clauses (Public Contracts Convention, 1949 (No. 94)	17/10/1960
C. 95	Protection of Wages Convention, 1954 (No. 95)	17/10/1960
C. 97	Migration for Employment (Revised), 1949 (No. 97) *Has excluded the provision of Annexes 1 to 11*	17/10/1960
C. 98	Right to Organize and Collective Bargaining Convention, (No. 98)	17/10/1960
C. 100	Equal Remuneration Convention, 1960 (No. 100)	
C. 104	Abolition of Penal Sanction (Indigenous Workers) Convention, (No. 104)	25/10/1962
C. 105	Abolition of Forced Labour Convention, 1957 (No. 105)	17/10/1960
C. 111	Discrimination (Employment and Occupation) Convention, (No.	

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	111)	
C. 116	Final Article Revision Convention, 1961 (No. 116)	27/06/1962
C. 126	Minimum Age (Underground Work) Convention, 1965 (No. 126) *Minimum age specified: 16 years*	14/05/1974
C. 133	Accommodation of Crews (Supplementary Provisions) Convention 1970 (No. 133)	12/06/1973
C. 134	Prevention of Accidents (Seafarers) Convention, 1970 (No. 134	12/06/1973
C. 137	Dock Work Convention, 1973 (No. 137)	22/03/2004
C. 138	Minimum Age Convention, 1973 (No. 138). *Minimum age specified 15b years*	02/10/2002
C. 144	Tripartite Consultation (International Labour Standards) Convention 1976 (No. 144)	03/05/1994
C. 155	Occupational Safety and Health Convention, 1981 (No. 155)	03/05/1994
C. 178	Labour Inspection (Seafarers) Convention, 1996 (No. 178)	19/08/2004
C. 179	Recruitment and Placement of Seafarer Convention, 1996 (No. 179)	22/03/2002
C. 182	Worst Forms of Child Labour Convention, 1999 (182)	02/10/2002
C. 183	Seafarer Identity Documents Convention (Revised), 2003 (No. 183). Denunciation (as a result of the ratification of Convention No. 138)	19/08/2004
C. 15	Minimum Age (Trimmers and Stockers) Convention, 1921 (No. 15). *Denounced on 02/10/2002*	17/10/1960
C. 58	Minimum Age (Sea) Convention (Revised), 1936 (No. 58). *Denounced on 02/10/2002*	16/06/1961
C. 59	Minimum Age (Industry) Convention (Revised), 1937 (No. 59). Denounced on 02/10/2002. *Denunciation (as a result of the ratification of Convention No. 179)*	16/06/1961
C. 9	Placing of Seamen convention, 1920 (No. 9). *Denounced on 22/03/2004*	04/03/2004

APPENDIX 2

QUESTIONNAIRE GUIDE

NAME OF COMPANY.....

NAME OF STATE.....

NAMES OF INTERVIEWERS.....

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DATE / /

APPENDIX 3

KEY INFORMANT INTERVIEWS, STRUCTURED INTERVIEWS, OBSERVATIONS AND CLOSE-ENDED QUESTIONNAIRES

KEY INFORMANT INTERVIEW: GUIDE I

Respondent: Employers/ managers of Niger Mills Company, Calabar Branch, Cross River State

Theme: What are the terms and reference of employment issued by the Ministry of Labour and Productivity to Niger Mills Company Limited?

STRUCTURED INTERVIEWS

Respondents: Senior staff members of Niger Mills Company, Calabar Branch, Cross River State

Theme: What are the terms and reference of employment issued by the Ministry of Labour and Productivity to Niger Mills Company Limited?

What is the procedure/ arrangement used for employment in Niger Mills Company?

How many casual and permanent employees are there in Niger Mills Company?

What are the policies provided for employee's welfare?

OBSERVATIONS

Observations were made during the field study. The intention was necessitated to complement the data obtained from the study events, activities and processes. Specifically, focus was put on observing the patterns of relations between the casual workers in the company. Above all, this observation helped in identifying the casual workers employed by brokers and those employed directly by company.

CLOSE-ENDED QUESTIONNAIRES

Respondents: Employees of Niger Mills Company, Calabar Branch, Cross River State

Theme: What is the procedure/ arrangement used for employment in Niger Mills Company?

How many casual and permanent employees are there in Niger Mills Company?

What are the policies provided for employee's welfare?

APPENDIX 4

KEY INFORMANT

Respondent: Employers/ managers of Niger Mills Company, Calabar Branch, Cross River State

Theme: What are the terms and reference of employment issued by the Ministry of Labour and Productivity to Niger Mills Company Limited?

Position/capacity.....

Date: .....

Question asked

What are the terms and reference of employment issued by the Ministry of Labour and Productivity to Niger Mills Company?

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General comments

APPENDIX 5

INDIVIDUAL STRUCTURED INTERVIEWS

Respondents: Senior staff members of Niger Mills Company, Calabar Branch, Cross River State

Theme: What are the terms and reference of employment issued by the Ministry of Labour and Productivity to Niger Mills Company Limited?

What is the procedure/ arrangement used for employment in Niger Mills Company?

How many casual and permanent employees are there in Niger Mills Company?

What are the policies provided for employee's welfare?

Position/capacity.....

Date: .....

Questions asked

1. How were you employed to join Niger Mills Company Calabar?

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2. Is the employment arrangement in consonant with the Labour Act requirement?

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3. Are you responsible for the employment of staff members?

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4. If yes, do you have any document that guide you when recruiting employees?

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5. Do you have a record of all your employees?

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6. Are all your employees employed on casual basis?

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7. What is the duration for each employee's contract?

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8. Are employees employed based on their qualification?

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9. Are all the employees in this company entitled to leave?

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10. Are the employees allowed to join labour unions?

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11. What are other benefits the employees enjoy other than their salaries?

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APPENDIX 6

OBSERVATIONS

Observations were made during the field study. The intention was necessitated to complement the data obtained from the study events, activities and processes. Specifically, focus was put on observing the patterns of relations between the casual workers in the company. Above all, this observation helped in identifying the casual workers employed by brokers and those employed directly by company.

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APPENDIX 7

QUESTIONNAIRE

Tool: Close-ended questionnaire

Respondents: Employees of Niger Mills Company, Calabar Branch, Cross River State

Theme: What is the procedure/ arrangement used for employment in Niger Mills Company?

How many casual and permanent employees are there in Niger Mills Company?

What are the policies provided for employee's welfare?

Date: .....

1. Gender: (A) Male (B) Female

2. Age (A) 16-25 (B) 26-35 (C) 36-45 (D) 46-55 (E) 56 & above

3. Highest qualification (A) FSLC (B) SSCE (C) Diploma/BA (D) Hons. (E) Others

4. Marital status (A) Single (B) Married

5. Is the duration of your contract specified? (A) Yes (B) No

6. How many hours do you work in a day? (A) 8 (B) 10 (C) 12

7. Do you get paid for overtime duties? (A) Yes (B) No

8. Are you entitle to any leave? (A) Yes (B) No

9. Were you employed based on your qualification? (1) Yes (2) No

10. Do you get any sort of promotion? (A) Yes (B) No

11. Are you satisfied with your earnings? (A) Yes (B) No

12. Do you think you deserve more earnings for the job done? (A) Yes (B) No

13. How many days in a week do you work? (A) 5 days (B) 6 days (C) 7 days

14. Are you employed as a casual staff? (A) Yes (B) No

APPENDIX 8

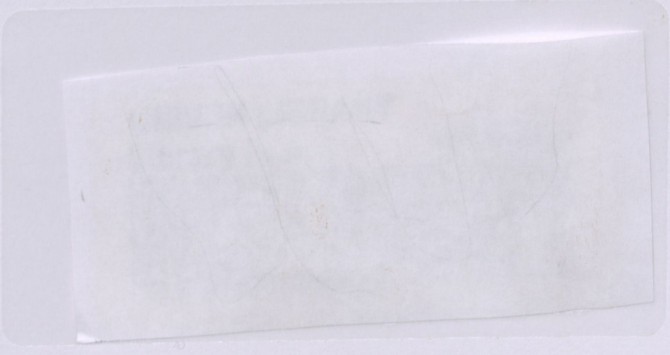
CONSENT FORM

My name is Eko Atu. A research student at the University of Venda registered for the Master of Arts (MA) in Sociology Department, School of Human and Social Sciences. The research I am conducting focuses on ***Policy assessment of casualization of labour in Nigeria industries: a case study of the Flour Mills of Nigeria Plc, Calabar, Cross River State, Nigeria.*** I am requesting for your participation in this study. Any information you provide will be very helpful to the study and treated as confidential. Please note that your participation is strictly voluntary, which therefore implies that you can choose to pull out for any reason personal to you.

Signature of Researcher _____ **Date**_____

I.....have read and understood the contents of this invitation to participate in this study. I hereby confirm my voluntary consent to participate in the study.

Respondent signature _____ **Date**_____



SCHOOL OF HUMAN AND SOCIAL SCIENCES

TO : PERSONNEL MANAGEMENT
FLOUR MILLS OF NIGERIA Plc
CALABAR BRANCH, NIGERIA
17/10/2013

Dear sir/madam

REQUEST FOR STUDY PERMISSION

I write to request for your permission for the bearer Mr. Atu Eko (student no. 11640846) to carry out a study in your company. The bearer is a registered master's student in the School of Human and Social Sciences, Sociology Department, University of Venda, South Africa. The study title is ***Policy Assessment of Casualization of Labour in Industries: A case study of Flour Mills Company Plc, Calabar Branch, Cross River State, Nigeria.***

Kindly give the student all necessary assistance and any information obtained would be treated in strict confidentiality and for academic purpose only.

Dr. Zikhali, SPT
Supervisor

Prof. Makgopa M.
Dean (SHSS)

Niger Mills Co. Ltd.

(RC 5480)

Our Ref: NMC/MM/MAR/607/2013

Your Ref: 24TH OCTOBER,2013

79 MURTALA MOHAMMED HIGHWAY
P. O. BOX 339, CALABAR, NIGERIA
TELEPHONE: 232845, 231496
FAX: 231496
E-mail: nigermills@yahoo.com

Mr. Eko Atu (Student no. 11640846)
Sociology Department,
School of Human and Social Sciences,
University of Venda, Thohoyandou
Limpopo. South Africa.

RE: REQUEST FOR STUDY PERMISSION

I write in respect of your request to conduct a study on "**Policy Assessment of Casualization of Labour in Industries: A case Study of Niger Mills Company (a division of Flour Mills of Nigeria Plc), Calabar Cross River State, Nigeria**" and convey our consent to you.

You will however, be required to work in close contact with management and to treat all information in strict confidence in line with management practice.

Management wishes you a rewarding academic research.

Thanks

Yours faithfully
For: Niger Mills Company Ltd

24/10/2013

Okpa, S. E.

DIRECTORS: Dr. (Chief) E. A. Ukpabi KJW (Chairman), Alh. Y. O. A. Saliu, Chief O. Debayo-Doherty, Elder O. E. Ogban (Finance), S. U. Obichukwu, Ja Van der Molen (south African) (General Manager), Christ Hughes (British)

FOOD, BEVERAGE & TOBACCO SENIOR STAFF ASSOCIATION, NIGER MILLS BRANCH

[FOBTOB]

Towards better living

Niger Mills Company Ltd.,

79Multala Mohammed Highway,
Calabar.

GSM No: 07030988713, 08184560680

Date: **22.08.2014**

Mr. Eko Atu (Student no. 11640846),
Sociology Department,
School of Human and Social Sciences,
University of Venda, Thohoyandou,
Limpopo, South Africa.

RE: REQUEST FOR STUDY PERMISSION

I refer to your letter dated 8th August 2014 seeking our approval for you to conduct a study on "Policy Assessment of Casualization of labour in Industries: A case study of Niger mills Company Calabar, Cross River State, Nigeria" and convey our consent to you.

You will however, be required to work in close contact with management and to treat all information in strict confidence in line with management practice.

Wishing you a reward studying.

Thanks.

Josiah 22.08.2014

Josiah Izevbizua
General Secretary

RESEARCH AND INNOVATION
OFFICE OF THE DIRECTOR

NAME OF RESEARCHER/INVESTIGATOR:
Mr A Eko

Student No:
11640846

PROJECT TITLE: Policy assessment of casualization of labour in industries: A case study of Niger Mills Company Calabar, cross River State, Nigeria.

PROJECT NO: SHSS/14/SOC/03/1411

SUPERVISORS/ CO-RESEARCHERS/ CO-INVESTIGATORS

NAME	INSTITUTION & DEPARTMENT	ROLE
Dr SPT Zikhali	University of Venda	Supervisor
Dr M Makatu	University of Venda	Co-Supervisor
Prof AO Nwafor	University of Venda	Co-Supervisor
Mr A Eko	University of Venda	Investigator - Student

ISSUED BY:
UNIVERSITY OF VENDA, RESEARCH ETHICS COMMITTEE

Date Considered: November 2014
Decision by Ethical Clearance Committee Granted
Signature of Chairperson of the Committee: .....
Name of the Chairperson of the Committee: Prof. G.E. Ekosse

University of Venda
PRIVATE BAG X5050, THOHOYANDOU, 0950, LIMPOPO PROVINCE, SOUTH AFRICA
TELEPHONE (015) 962 8818/8313 FAX (015) 962 9060
"A quality driven financially sustainable, rural-based Comprehensive University"

UNIVERSITY OF VENDA

OFFICE OF THE DEPUTY VICE-CHANCELLOR: ACADEMIC

TO : MR/MS A. EKO

SCHOOL OF HUMAN AND SOCIAL SCIENCES

FROM: PROF J.E. CRAFFORD

DEPUTY VICE-CHANCELLOR: ACADEMIC

DATE : 13 AUGUST 2014

DECISIONS TAKEN BY UHDC OF 01ST AUGUST 2014

Application for approval of Master's research proposal in Human and Social Sciences: **A. Eko 11640846**

Topic: "Policy assessment of casualization of labour in industries: A case study of Niger Mills Company Calabar, cross River State, Nigeria."

Supervisor:	UNIVEN	Dr. S.P.T Zikhali
Co-supervisor:	UNIVEN	Dr. M. Makatu

UHDC approved Master's proposal

Prof J.E. CRAFFORD
DEPUTY VICE-CHANCELLOR: ACADEMIC