

Trade Union Responses to Precarious Work in the Nigerian Oil and Gas Industry

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In Memory of my beloved parents

Chief Solomon Couple Ogbe Amagada (SCO)
(The Arure of Emede Kingdom)

&

Chief (Mrs) Victoria Emuobouvie Amagada
(The Oni'roro of Emede Kingdom)

For the love, inspiration and belief

I Will forever miss you both

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List of Abbreviations

BC	Before Christ
BP	British Petroleum
CAQDAS	Computer Assisted Qualitative Data Analysis Software
CB	Collective Bargaining
CBA	Collective Bargaining Agreement
CIPD	Chartered Institute of Personnel Development
Co.	Company
CSR	Corporate Social Responsibility
DPR	Department Petroleum Resource
E&P	Exploration and Production
EU	European Union
FDI	Foreign Direct Investment
GDP	Gross Domestic Product
GFC	Global Financial Crisis
GMoU	Global Memorandum of Understanding
HDR	Human Development Report
HMO	Health Maintenance Organisations
HOD	Head of Department
HR	Human Resources
HSE	Health and Safety Environment
ICCSR	International Centre for Corporate Social Responsibility
IEA	International Energy Agency
IFIs	International Financial Institutions
ILO	International Labour Organisation
IMF	International Monetary Fund
IOCs	International Oil Companies
IOSR	International Organisation of Science Research
IT	Information Technology
JV	Joint Venture

JOAs	Joint Operating Agreements
KNOC	Korea National Oil Corporation
LCA	Local Content Act
MNCs	Multinational Corporations
NAPIMS	National Petroleum Investment Management Services
NBC	Nigerian Bitumen Company
NBS	National Bureau of Statistics
NCDMB	Nigerian Content Development Management Board
NDDC	Niger Delta Development Commission
NEEDS	National Economic Empowerment and Development Strategy
NGOs	Non-Governmental Organisations
NHS	National Health Services
NLC	Nigeria Labour Congress
NNPC	Nigeria National Petroleum Corporation
NOCs	National Oil Companies
NUPENG	Nigeria Union of Petroleum and Natural Gas Workers
OECD	Organisation for Economic Cooperation and Development
OPEC	Organisation of Petroleum Exporting Countries
PENGASSAN	Petroleum and Natural Gas Senior Staff Association of Nigeria
PIB	Petroleum Industry Bill
PIGB	Petroleum Industry Governance Bill
PSCs	Production Sharing Contracts
RBV	Resource-based View
SAP	Structural Adjustment Programme
SER	Standard Employment Relations
SPDC	Shell Petroleum Development Company
TU	Trade Union
TUC	Trade Union Congress
UK	United Kingdom
UKDCA	United Kingdom Drilling Contractors Association

UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
US or USA	United States of America
USGS	United States Geological Survey
VoC	Varieties of Capitalism

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Declaration

I declare that:

- This thesis is the result of my personal research.
- I have ensured the originality of this study.
- This study has not been submitted for a degree at another university.
- I have complied with the Guidelines for Examination for Higher Degrees by Research, established by the Kingston Business School at Kingston University.

Signature:

Date: 12 March 2021

Florence Efe Kode

Abstract

The literature on varieties of capitalism argues that liberal market economies encourage weaker unions and job insecurity for organisational profit maximisation. Multinational companies hold huge control over Nigeria's economy through a variety of resources such as capital, technology, knowledge, skills and a market share greater than that of the host country. Profit-seeking multinational companies transfer human resource practices from their home countries and so do not adhere to the rules of the host country. The drive to galvanise profits and satisfy stakeholder resolve to increase profitability motivates organisations to embark on precarious forms of job engagement that leave workers and trade unions in disarray.

The growth in precarious work in the Nigerian petroleum sector over the last three decades is a cause of concern for workers, trade unions and national and international labour organisations. Employment relations in organisations in the petroleum sector are on a downward trajectory with some categories of employees being completely cut off from affiliating with labour organisations due to their status of employment. Outsourcing and offshoring of labour are new trends, synonymous with low wages, lack of union affiliation, lack of benefits and job insecurity.

Evidence from this study shows that post-colonial Nigeria has not deviated from its history. The divide and rule strategy applied during British colonial rule is still evident in the employment offered by multinationals. The subservient style of engagement used during colonial rule is still applicable, with workers not allowed to engage in trade union activities and lacking any voice in an oppressive working environment.

A qualitative case study is conducted based on in-depth one-on-one interviews of thirty-four (34) participants focused on trade unions officials, managers/management staff, HR personnel, permanent employees and precarious workers in the petroleum sector. The data for this study were analysed through a qualitative data analysis method of thematic analysis. The findings demonstrate a strategic elimination of trade unions through various multinational company policies that potentially increase job insecurity, reduce pay, remove employee benefits and cause union avoidance.

The implications for these findings are that these policies facilitate the drive for profitability while weakening trade unionism. The findings reveal a weak legal framework in Nigeria, weak institutions and an inability of unions to respond to new trends in employment. The study, therefore, recommends an urgent re-evaluation of the rights of precarious workers, the enforcement of labour protection, rights to collective bargaining and improved standards governing contractual relations.

Keywords: Precarious work, Globalisation, Neoliberalism, Varieties of Capitalism, Multinationals, Trade Unions, ILO.

Chapter One: Introduction

Accumulation of wealth at one pole is, therefore, at the same time, accumulation of misery, agony of toil, slavery, mental degradation at the other

(Karl Marx, Capital, Vol 1)

1.1 Context of the Thesis

The literature on precarious work has been overwhelming in recent years (ILO, 2016; 2020). Trade unions have been obliterated in Nigeria due to the surge in precarious work (Erapu, 2011; Adewumi, 2012; Fapohunda, 2012). The growth of neoliberal policies in governance and its global impact on organisations and industries cannot be overstated. Globalisation, and its offshoot neoliberalism, dominate work economic policy and the management of employment in a way that has thrown labour and labour organisations into disarray (Bamber et al., 2004; Harvey, 2005; Gall et al., 2011). Neoliberalism encourages the curbing of state and labour powers and the deregulation of industries, channelling increased power to the private sector. The redeployment of capital from labour to employers and the decentralisation of collective bargaining are among the ideologies of neoliberalism (Ludlam et al., 2003; Brown et al., 2009; McIlroy, 2011; Aye, 2017).

Neoliberal ideology is reflected in the Nigerian petroleum sector. Despite the argument that neoliberalism encourages the appropriate sharing of profits which should promote human rights and grow the economy (Gall et al., 2011), the available evidence shows marginalised labour, decentralised collective bargaining and weakened unions that are ultimately unable to stand up for human rights (Eichhorst et al., 2019). The gains of neoliberalism are evidently in the hands of organisations that use various means, including precarious work arrangements, to destabilise trade unions in the quest for profit (Aye, 2017).

The petroleum sector in Nigeria is often seen as a model employer due to its past employment legacy and the position of the industry in the nation. Nigeria produces 2.5 million barrels of crude oil per day and is among the top global oil-producing countries (Evuleocha, 2005; Fajana, 2005; 2008; Falola and Oyeniya, 2015).

Over the last three decades, union membership in the Nigerian oil and gas industry has been on a downward trajectory. This trend is compounded by the reliance on precarious employment which has almost replaced the normative standard of employment, referred to as permanent employment. The surge in precarious work in almost all industries in Nigeria is a concern for job seekers as well as Nigerians in general (Akinwale, 2014; Kalejaiye, 2014). However, the precariousness of jobs in the oil and gas industry should be of major concern to all advocates of decent jobs around the globe.

As Evans and Gibbs (2009) and Onyeiwu et al. (2009) state, an overwhelming number of employees in the petroleum sector have become what is known as precarious workers, with such job titles as casual, temporary, fixed-term or contract staff. Despite this trend, workers are attracted to the industry due to the robust labour market, wherein the overqualified accept any available job just to make ends meet. Notwithstanding the assumption that precarious contracts are secure for the length of the contract (Noon et al., 2013; ILO, 2016), the evidence available to this research demonstrates that these contracts can be terminated easily at any point.

The challenges faced by employees in these precarious positions include a lack of union affiliation, job insecurity, and a lack of the entitlements and benefits which permanent employees are privileged to have. Similarly, trade unions are faced with challenges regarding the way employees in permanent as well as precarious positions are represented, with no unified system to support precarious employees who are not allowed to align with unions or those in permanent positions who are often also denied this opportunity. The International

Labour Organisation (ILO) states that precarious employment is among the most difficult challenges facing trade unions in recent times (ILO, 2007).

Globalisation encourages the drive towards neoliberalism and has opened up the cross-border movement of goods and capital. There are several drivers of precarious work including, but not limited to, the profitability of big multinationals the main goal of which is to serve the interests of stakeholders rather than the workers. The literature on varieties of capitalism (VoC) points out that liberal market economies (LMEs) encourage weaker trade unions and job insecurity (Cambell and Pederson, 2007; Dibben et al., 2011). The effects multinational corporations (MNCs) and foreign direct investment (FDI) have on employment and the implications for trade unions are evident in the actions of these corporations and their employment strategies.

Several of the books and articles on the social topic of precarious employment in developed as well as developing countries have very broad concepts, however, few authors link precarious employment in developing countries to colonialism. The essence of colonialism and its impact on current trends and patterns of employment in developing nations, specifically Nigeria, has a before-and-after historical undertone that needs to be properly investigated.

Therefore, the focus of this research is on the many influences and challenges of precarious jobs in the Nigerian oil and gas industry; the colonial historical journey; the neoliberal influence; how much impact international labour standards have on this form of employment; the various ways unions have responded to this system of employment; how difficult or effective these have been; and the other strategies that could be considered. This thesis, therefore, contributes to the growing number of investigations into precarious employment.

1.2 Scope of the Research

The oil and gas sector in Nigeria accounts for most of the foreign revenue flowing into the economy. Fajana (2005) places the figure at around ninety-five percent of the total external

revenue accrued to the nation. This almost total control of the Nigerian economy gives the petroleum industry the leverage to be at the helm of national affairs and contribute to the governing of the nation through proxies such as multinationals. Despite the strong position of the sector, workers in the Nigerian oil and gas industry have been dehumanised or even enslaved over the last three decades through precarious job offers while trade unions have been decentralised (Lebaron and Ayers, 2013).

The colonial past of the Nigerian state is examined in terms of the effect it has had on employment in the petroleum sector. The history of colonisation shows that the attitude of Nigerian leaders and the lessons learnt from the colonial era still linger into the present-day. Postcolonial Nigeria maintains the subservient attitude that leaders expect from subordinates, and this is reflected in the job offers of multinationals in the petroleum sector. The dehumanisation and enslavement of workers through precarious job offers cannot be challenged by the curtailed trade unions, the main resource of which (labour) has been cut off.

Globalisation and its offshoot neoliberalism have introduced new ways of doing business which has had a serious impact on employment and the employment relationship. According to Ludlam et al. (2003), the introduction of neoliberalism in the twentieth century countered the effects of permanent employment, collective bargaining and inflation on the global economy. The introduction of new employment ethics such as outsourcing in the petroleum sector in order to galvanise profits for multinationals had huge consequences for the Petroleum and Natural Gas Senior Staff Association of Nigeria (PENGASSAN) and the Nigeria Union of Petroleum and Natural Gas Workers (NUPENG), both unions in the industry.

The VoC literature supports the argument that various types of capitalism exist to remedy economic failures, locally and internationally (Dore, 2000; Hall and Soskice, 2001). The argument is that capitalism operates through comparative institutional advantages coordinated

by various strategies (Hall and Soskice, 2001). Political economic models, liberal market economies (LMEs) and coordinated market economies (CMEs) have basic distinctions that appeal to different political situations.

The scope of this investigation is the Nigerian petroleum industry through which foreign exchange enters the country. This industry is primarily controlled by MNCs which have capital and resources invested. The Nigerian government which partners with the MNCs in the sector and contributes to the inhumane treatment of workers is also covered, as is the response of the trade unions affiliated to the industry, PENGASSAN and NUPENG, which have been incapacitated, and therefore less formidable, in recent years against the backdrop of precarious job offers.

1.3 Aims of the Study

A growing body of literature points to the fact that employment relationship in the petroleum sector in Nigeria has left employees in a position of disadvantage (Fajana, 2006; Fapohunda, 2012; Kramar, 2014; Okafor, 2007). Most firms in the oil and gas industry have the lowest number of unionised workers compared to other industries despite the sector being the bedrock of the Nigerian economy. This trend is growing at an alarming rate and has created an individualistic environment whereby employees are deprived of affiliating with any organised body of representation (Erapi, 2011; Fapohunda, 2012). The main focus of trade union is the employee's welfare, and this can only be achieved where there is an even playing field where employees are allowed to speak in one voice.

Much discussion on precarious employments globally has focused on the depth of precariousness in the world of work due to the growing level of employers' reliance on flexible working arrangements (Arnold and Bongiovi, 2013; Fajana, 2006; Fapohunda, 2012). However, there is not much on the interconnections between SAP, unemployment and

precarious employment, especially in the African continent (Beladi et al. 2013; Geo-JaJa and Mangum, 2001; Kalleberg and Hewison 2013; Kalleberg et al., 2000; Paret, 2015). Similarly, much has not been written on trade unions' reactions to the surge of casual staffing in the Nigeria petroleum sector.

The purpose of the research is to address a particular issue by assisting in raising questions that would help in the selection of a clear design to understand and address that issue (Cameron and Price, 2009). Consequently, the highlights of this research are to understand how trade unions in the Nigeria petroleum sector have reacted to the surge of precarious employment and what other means they have devised to curb this surge. Evaluation of the impact of SAP on the Nigerian employment market and governments actions or inactions that have created an enabling environment for precarious work to thrive. This is done by focusing on the actions or inactions of trade unions toward the surge of precarious employment in the Nigeria oil and gas industry.

Thus, this investigation contributes to a strand of research on new ways for trade unions to tackle the endemic increase of precarious work, especially in the petroleum sector in a way of returning the industry to its past glory. Furthermore, the research assists in looking at ways of creating an environment of trust between employers, trade unions and workers in an industry where employment relationship currently lacks trust. In light of the issues before this study, this thesis attempts to address these by focusing on several research questions (RQ):

RQ1: What are the main drivers of precarious work in the petroleum industry?

RQ2: What are the latest trends in precarious work and what are the links between unemployment and precarious work in the Nigerian oil and gas industry?

RQ3: In what ways have trade unions responded to the surge in precarious work in MNCs in the petroleum industry, and what has the impact been?

RQ4: To what extent have ILO norms and international standards for MNCs had an impact on labour deployment strategies and forms of employment?

RQ5: What new approaches and strategies can the industry trade unions NUPENG and PENGASSAN adopt to combat the surge in precarious work while attracting and retaining prospective members?

1.4 Research Methods

To systematically investigate trade union responses to precarious work in the Nigerian petroleum industry, this study is carried out as qualitative research with the comparison of three case organisations including two multinationals and one indigenous company (Sekaran and Bougie, 2016; King and Brooks, 2018). The flexibility that qualitative research offers enables the researcher to carry out the investigate by looking at the neoliberal effects, postcolonialism, ILO norms while examining trade union responses to precarious work in the industry. The interactions between these concepts social phenomena may be better understood by applying a qualitative strategy to this study (Yin, 2014).

A multi-method data collection approach was adopted for this investigation (Berg and Lune, 2012; Creswell, 2013; Yin, 2014). A semi-structured one-on-one interview data collection method is applied to gather the primary data while supporting these with direct observation and secondary data in the form of documents and archival records for this study. A total of thirty-four (34) in-depth one-on-one interviews were conducted for this research. Participants included senior managers, managers, HR officials, trade union officials, permanent and non-permanent (precarious) workers. The data collected for this research was analysed through a qualitative data analysis method; a thematic analysis that relies on the coding of data was carried out (Bryman, 2012; Bryman and Bell, 2015; King and Brooks, 2018).

1.5 Contributions of this Study

This study made a substantive contribution by carrying out in-depth research in order to ascertain trade union responses to precarious work in the Nigerian petroleum sector, an important but under-researched area that contributes to the growth of the nation's economy. The investigation also makes a substantive contribution by adding to the neoliberal literature on precarious employment.

In addition to the empirical evidence presented by this research, the study also provides significant primary data to add to the theoretical debate on precarious work in the Nigerian oil and gas industry. Essentially, this study provides substantive empirical data on contemporary trends in employment in the dynamic and critical petroleum sector in Nigeria. Methodologically, this study contributes to the literature by providing multiple interview data from various actors.

This thesis contributes to the socio-political and economic debate on issues facing workers and unions in the Nigerian oil and gas sector by tracing its colonial roots. Theoretically, the study contributes to employment degradation theories in the areas of precarious work, outsourcing, job offshoring and other policies adopted by firms in the petroleum industry for profit-making purposes.

1.6 Outline of the Thesis

The next chapter reviews the literature on precarious work, characterising precarious work and explaining in detail the concept of precarious work, the concept of standard employment relations (SER), its emergence and departure, trends in precarious work and the consequences for trade unions, workers and organisations. The chapter outlines the bilateral employment relationship and the actors in the relationship – the organisation representatives, unions and government. The chapter lays out the drivers of precarious work, the shift from Keynesian

economics to neoliberalism, the increasing dominance of finance as a business function, the changes in compositional economics and labour decline. The theoretical approaches to precarious work, the various responses to precarious work, multinationals and corporate social responsibility are also outlined in this chapter.

Chapter Three outlines the methodology used in carrying out the research. It discusses the philosophical viewpoint of the researcher, explaining the critical realist standpoint. It explains the reasons for embarking on qualitative rather than quantitative research. The research design, the case study design, applicability of the case study as a research design, the advantages and disadvantages of the case study design and the data collection strategy are discussed, along with the data transcription, analysis strategy and data triangulation methods.

Chapter Four outlines the institutional context of the study, giving an overview of Nigeria as a nation, its population, the history and evolution of modern-day Nigeria, the history of MNC involvement in Nigeria, and the political and economic trends since 1960. The chapter discusses the employment relation institutions, trade union structures and resources and trade union and regulatory authorities. The chapter outlines the trends in precarious work, MNC corporate responsibility and state and trade union responses to precarious work.

Chapter Five focuses on the industry context of the research by first outlining the international oil and gas industry, its core activities, the historical structures, recent global competitive trends and employment practices. The chapter describes the Nigerian oil and gas sector, its historical development, trends in firm ownership, levels of employment, trends in employment and employment practices. Some elements of the data collected for empirical research are presented in this chapter.

Chapters Six and Seven present the data collected for empirical research. Chapter Six gives an overview of the case organisations, along with their employment strategies and trends of

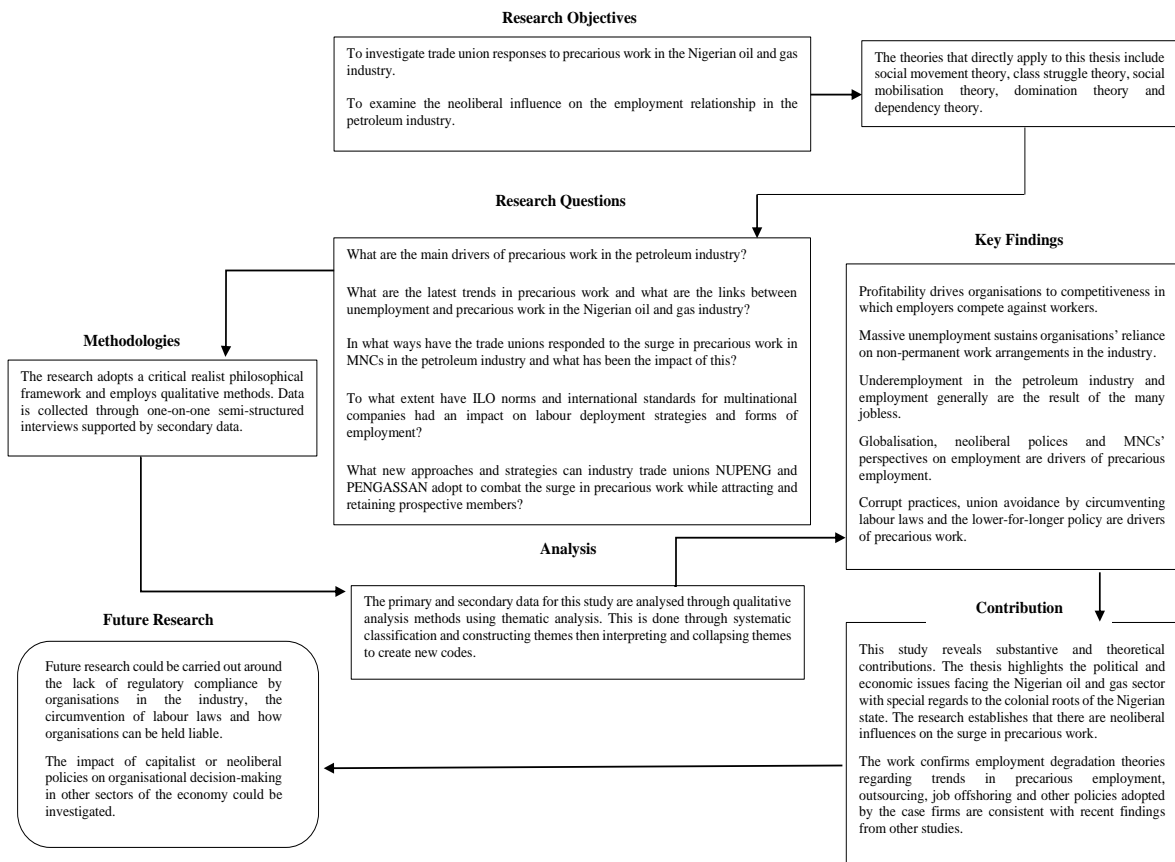
employment. The chapter discusses contemporary employment trends in the petroleum sector, the changing status of employment over the years, the circumventing of labour laws by organisations and the prospects for career development and progression in the industry. The chapter outlines the dominant drivers of precarious work, workers' perceptions of these trends and their advantages and disadvantages.

Chapter Seven covers the union organisations in the case study organisations, the level and scope of collective bargaining and the outsourcing agenda. It discusses the trends in union membership and representation, union responses to the growth in precarious work and the challenges facing the unions. It describes the government regulation and enforcement mechanisms and union views on precarious work.

Chapter Eight discusses the key finding of the study on precarious work and trade union responses. The chapter begins by answering the research questions raised during the investigation and analysing the main points of comparison between the three case organisations. It reviews trade unions and the challenges confronting them from contemporary employment trends.

Chapter Nine is the concluding chapter, which outlines some approaches to the challenges facing trade unions and the contribution of the research. The limitations of the study and suggestions for future studies are presented.

Figure 1.1: PhD Research Flowchart



Source: The Researcher

Chapter Two: Literature Review

2.1 Introduction

In recent years, most world economic policies have been framed around neoliberal ideologies. The birth of neoliberalism can be traced back to the 1930s (Peck, 2008; Birch and Mykhnenko, 2010), although 1945 saw the development of the ideology as a critique of Keynesianism (McIlroy, 2011). The 1970s saw economies leaning towards the neoliberal ideologies of privatisation, deregulation and curbing state powers (Harvey, 2005; Birch and Mykhnenko, 2010). This ideology is based on minimising the state's role while maximising the private sector market (Gall et al., 2011; Lebaron and Ayers, 2013). Gall et al. (2011) argue that advocates of neoliberal philosophy believe that the market guarantees individual liberty, effectual circulation of assets and benefits while growing the economy.

The twentieth century saw the growth of the state's role as the instigator, shaper and regulator of economic activity. This period also saw the growth in strength of trade unions, with the state engaging in pluralist practices (Crompton et al., 1996). However, Harvey (2005) points to the years between 1978 and 1980 as remarkable for neoliberalism and a strong indicator for the years to follow. World powers such as the United States of America, the United Kingdom and China, under Reagan, Thatcher and Deng Xiaoping respectively, introduced economic policies that were to curb the powers of the state and labour, and deregulate industries in line with the neoliberal ideology which had previously been minority arguments (Harvey, 2005).

The 1980s onwards saw world economic policy being framed around neoliberal ideologies. Neoliberalism encourages a reduced role of government (state) and an increased role of markets (private sector), suggesting that the market is at its most effective and impartial when entrepreneurs evenly share the incomes and rewards of growing the economy while preserving human rights (Aborisade, 2010; Gall et al., 2011). Harvey (2005:2) views neoliberalism as a

theory that advocates ‘individual entrepreneurial freedoms and skills... strong private property rights, free markets, and free trade’, while the role of the state is to ‘create and preserve the institutional framework’ for these practices.

Before the arrival of the Keynesian economic philosophy in the 1930s, a laissez-faire philosophy was generally in practice. The laissez-faire economic philosophy, often mistaken for liberalism, was in practice in the nineteenth century (Birch and Mykhnenko, 2010), coming into existence around 1870 during the Victorian era, and promoted economic self-interest while the state focused on securing borders and the welfare economy (Rodrigues, 2013; Kohlmann, 2016). However, the philosophy of economic self-interest and the common good of the welfare state could not be reconciled, and this led to a hunt for a new economic philosophy.

Peck (2008) identifies neoliberalism as a reactionary method of remaking laissez-faire economics in a twentieth-century context. Ludlam et al. (2003) argue that the emergence of neoliberalism is a result of the problems of collective bargaining, inflation, wage hostility and weak adjustment to permanent employment encountered through international competition. It empowers organisations in the dismantling of collective bargaining and union membership eradication by promoting individualism and the right to disorganise (Brown et al., 2009).

Neoliberalism, therefore, supports flexible market ideology and market efficiency whereby risk is shifted from the organisation and government to the individual. The methods employed in achieving the goals of neoliberal ideologies in a capitalist system are privatisation, liberalisation, deregulation, marketisation and a decrease in state expenses (Gall et al., 2011; McIlroy, 2011). Neoliberalism, therefore, emphasises the perceived overriding importance of market forces, with the state helping to sharpen, expand and protect the operation of markets through privatisation and laws reducing union power.

The surge in worker exploitation across the globe has been met with some displeasure from those concerned with employees' right to fair engagement. The institutions tasked with the responsibility of ensuring workers have the right to dignified working conditions are perplexed by the level of deterioration in the employment relationship and have tried several means to curb this trend. Nevertheless, the culture of precarious work has become embedded in most organisations and industries. Therefore, the strategies employed by the ILO, trade unions and other institutions to combat precarious employment may have to be re-examined.

This chapter examines some of the dominant models of employee relations in light of the industrial relations system. It looks at the main actors involved, the place of standard employment relations in this newfound employment structure and what changes have been observed with regards to the dominant model. The last subsection covers work and employment in a capitalist society with its related theories and the characterisation of, and trends in, precarious employment.

2.2 The Concept of Precarious Work

Much attention has been given to the surge in precarious work over the last three decades. The number of employees whose work has become precarious is overwhelming, and this has brought challenges to employment and the employment relationship. The notion of precariousness in the employment relationship has been used by researchers and academics to refer to various job statuses, depending on the context. Therefore, the application of a universal perception of precarious work may be controversial.

To conceptualise the employment relationship, a wide range of employee interests need to be examined. Kelly (1998) identifies some of these interests as career advancement, job protection and salary progression. The shift from full-time continuous employment to other forms of employment is generally referred to as precarity, casualisation, contingency employment or, in

some cases, atypical or non-standard employment. It has various characteristics, but one common attribute is a lack of job security (Kalleberg, 2009; Standing, 2012; Arnold and Bongiovi, 2013).

2.2.1 Emergence and Departure of SER

Standard employment relations (SER) are often regarded as the standard for international labour regulations, for their adequate wages and social benefits (Vosko, 2010). According to ILO (2015b), SER is full-time permanent and dependable employment that surpasses every other form of employment in the area of remuneration. The recognition of SER as the archetype of employment came after World War II when international labour regulations adopted it as the standardised form of employment. Bosch (2004) and Vosko (2010) trace the early stages of SER to the protection of labour and social benefits for the male worker. At the initial stage, SER did not have extensive coverage since women and migrant workers were not included in its social benefits; however, these omissions were later corrected (Vosko, 2010).

Standard employment grants individuals the opportunity to enter into an employment contract with an unspecified date of termination (George and Chattopadhyay, 2015). Vosko (2010:51) characterises the SER model as ‘a regulatory architecture built upon employment status (i.e., the bilateral employment relationship), standardised working time (normal daily, weekly, and annual hours), and continuous employment (permanent)’. The elements of this definition are job security attached to a permanent position, a strong bilateral relationship and a specified work arrangement. Although these are some of the main elements of SER, there is a need to point out that SER also encourages well-paying jobs (Bosch, 2004).

The essence of a contract of employment is generally to protect both parties in the event of a wage, resignation or termination dispute. The legal significance of a contract of employment is a statement of what the employee will do for the organisation and what they will get in return

for their time and labour. However, this is not always provided. Dibben et al. (2011) attribute this to a lack of specification in some contracts of employment that tend to create uncertainty, especially for the worker, since the employer has the power to amend the rules at any stage of the agreement.

Other than the names of both parties, the contract of employment must contain the position, length of contract, compensation, performance expectations and requirements, benefits and severance as well as conditions of termination of employment. The notice of termination depends on the length of time the employee has spent with the organisation. When an employee has a contract of employment and has continued with the organisation for five years or more the due notice of termination is usually one month; for a continuous service of two years but less than five years the notice is two weeks; for a continuous service of three months but less than one year the notice is one week; and for a continuous service of three months or less, the notice is one day.

i. Permanent Employment

Before the surge in precarious work, SER was based on the permanent employment relationship. By definition, permanent or continuous employment is based on a cordial relationship in which employers encourage open-ended employment. Bosch (2004: 617) refers to permanent employment as 'traditional full-time employment...and a model of SER'. According to Vokso (2010), the nature of permanent employment enables employers to build a reliable and efficient pool of employees that are dependable and contribute to the growth of the organisation.

Loyalty is highly rewarded in almost all businesses, be it customer loyalty, brand loyalty or worker loyalty; therefore, it can be used as a strategic tool by organisations to maintain corporate objectives. In this case, being a continuous employee with an organisation is regarded

as loyalty, and to be rewarded. Employees with permanent contracts are better equipped for an expanding organisation due to the amount of training and development they receive on the job. As Vosko (2010) points out, a permanent or open-ended form of contract is an investment in employees on the part of the organisation, as worker dependability gives stability to the organisation and, by extension, employment.

A major aspect of the permanent employment process is a rigorous selection process (Vosko, 2010). This gives an employer the ability to strategically recruit the best workers available. Having recruited the best, it is up to the organisation to retain the most viable resources to remain competitive. Continuous employment gives this very crucial aspect of organisational sustainability due to its open-ended nature while enabling the employee to build a career. The fundamental aspect of this process is that it reinforces the terms and conditions of employment in SER such as good remuneration, on-the-job training, career progression, employment rules and protection from arbitrary dismissal (Bosch, 2004; Marsden, 2004).

Similarly, permanent employment encourages reasonable payments and benefits for employees, including in retirement, and at the same time, better performance on the part of the employee (Marsden, 2004; Vosko, 2010). SER encourages permanent employment which enables firms to remain competitive through open-ended employment relationships. However, most contemporary employment in most industries replaces permanent employment with precarious employment contracts (Bosch, 2004). With the surge in precarious employment, retirement is no longer seen as a benefit of employment, as early retirement has become a favoured option for organisations, forcing employees out of their jobs.

SER has been referred to as the normative model of employment. While this is defined as a regulated collective work coalition characterised by permanent employment through a single employer with usual working hours and substantial welfare packages, there is an argument that

it was never a universal concept (Vosko, 2010). The initial coverage of SER, according to Vosko (2010), had a gendered undertone that excluded women and other vulnerable workers from the employment relationship. However, later updates by international organisations led to the adoption of a more inclusive SER.

Despite this later argument, the ascription of continuous work with a single employer and comprehensive welfare packages has generally been accepted as SER. The SER model of employment initially typified most work relations in the Nigerian oil and gas industry (Fajana, 2006; Okafor, 2007). However, this form of employment has been on a downward trajectory which has led to workplace insecurity. Several authors such as Deakin (2002) emphasise the importance of SER as it connects conventional social beliefs and the systems that govern and control the supply of labour, but this model of work has gradually been eroded.

It is worth noting that, although SER, as practised by most organisations, is a desired form of employment, there were types of employment that were not in this category before the surge in precariousness. As Vosko (2010) puts it, not all jobs were SER even at its apex. When most jobs were regarded as permanent employment, a minority of jobs were not permanent but were generally not regarded as precarious either.

Kalleberg et al. (2000) assert that the working condition where labour is compensated monetarily for full-time, continuous service on the employer's business premises broadly typifies SER. Whether the employment relationship was generally standardised is not the issue here; rather it is the rapid surge of precarious work and the gradual erosion of SER that is in question. Despite the measures put in place, SER has lost its place as precarious work has surged, and its consequences are felt in almost all industries.

Ongoing threats to work and employment due to the shift in global economic policies have led to a new employment relationship. As the ILO (2015b) points out, changes to SER and the

disparity in remuneration between SER and precarious forms of employment are currently on the rise. It should be noted that not all precarious positions should be seen as negative, as some people opt to work in this way due to their lifestyles or a preference for working non-regular hours (Standing, 2012).

Currently, the labour market is saturated with levels of unemployment rising. This leads some to create their own employment, focusing on self-employment. Although self-employment is not always considered precarious, a few writers mention self-employment as one element of the changing face of employment in modern society (Dickens, 2004). Some forms of self-employment are so poor that they can easily be regarded as precarious since the future of such businesses is not viable. As is often pointed out, among the characteristics of precarious work are poor work and insecurity, and much self-employment fits these ascriptions.

Like the self-employed, who are often regarded as private entrepreneurs and as such do not require labour protection (Cranford et al., 2005), precarious workers are mostly deprived of legal employment protection (Vosko, 2010). Richardson and Allen (2001) argue that, in theory, the new trend for precarious work helps organisations reduce operational costs and increases the ease with which workers can be hired and fired.

ii. Standardised Working Hours

According to Noon et al. (2013), time is of the essence in every element of human livelihood. Therefore, for an organisation that places financial capital over human capital, the schedule is fundamental to its operation. Time is often measured by the number of tasks that need to be carried out. However, time in the workplace is often measured by the status of the contract of an employee. The issue of the length of time that people spend at work is, in essence, particular to the nature and requirements of their employment contract. Excessive time spent at work could indicate an abuse of employee rights. Similarly, non-standard work time could be

regarded as making work precarious. According to Noon et al. (2013), the issue of time is a major concern for employment and the employment relationship.

One of the benefits of SER is the specified amount of time that each employee has to give the organisation in exchange for wages and benefits. Willey et al. (2012) acknowledge that working time is crucial to the employment relationship due to its ability to help organisations determine how goods and services are managed. As an enabler of an organisational work plan, standardised working hours traditionally fall under the jurisdiction of collective bargaining. Therefore, the employment relationship, as traditionally recognised, enables the worker and the firm to collectively determine the times that make up the standard working hours.

A minimum number of working hours in a week has been referred to by several writers as obtainable in various countries (Dundon and Rollinson, 2011; Willey et al., 2012). Full-time employment with standardised working hours gives employees the stability and social benefits that are eagerly pursued in SER (Bosch, 2004). Advocates of the deregulation of global markets such as the IMF and World Bank point to the negative effects of a minimum wage and restrictions on working time on the economy (Weiss, 2013). The IMF and World Bank have, therefore, advocated for flexible working hours, thereby altering the position of standard employment.

Due to the decline of collective bargaining in recent years, standardised working hours have become unpopular, giving way to more flexible work arrangements. This decline in collective bargaining has given employers the freedom to undermine the regulations that protect workers' rights to standard working hours. With the arrival of flexible working, organisations are no longer constrained by legal standards, which are easily flouted without consequences.

2.2.2 Definition of Precarious Work

Various authors use the term ‘precarious’, from different perspectives. The varying definitions shift from one context to another and from one sub-context to another, depending on the level of risk involved. Agreeing on a universal definition of precarious employment may be one of the most difficult tasks for the social scientist because the concept is used by various writers to refer to contingent workers under various conditions. Therefore, understanding the meaning of precarious work requires an examination of the framework of its usage.

To characterise precarious work, there is a need to look at the concept from various points of view. A variety of contracts can be regarded as precarious; however, they are not all the same. For organisations that prioritise profit-making, precarious employment serves this interest, while, for some employees who seek a better life through employment, precarious work is the last option that conforms to the lifestyle they seek. Although precarious work is seen by some employees as a job that does not correspond to the needs of the individual, some view it as an option that serves their lifestyle better than standard employment (OECD, 2014).

Precarious employees, according to Gallagher (2008), are those hired directly on temporary contracts, supplied through an agency or any other intermediary and sometimes the self-employed. Similarly, Okafor (2012) characterises precarious employment as contracts that are usually outsourced, universally casual and with limited privileges attached. George and Chattopadhyay (2015) describe the contracts of employment of contingent workers as ‘limited to a specific time’, while some in this category are hired by one company but work for another. Kalleberg (2009:2) ascribes the terms ‘uncertainty, unpredictable and risky’ to precarious work and goes on to identify these terms as applicable from the worker’s perspective. The nature of the uncertainty associated with this form of work is alarming and detrimental to the wellbeing

of the employee. This raises a lot of questions as to why organisations adopt this type of work and why employees are comfortable accepting it.

Using the term ‘precarariat’ to describe the precarious worker, Standing (2011) sees this class of employee as those stuck in jobs with irregular or short-term characteristics. Similarly, short-term and irregular contracts are associated with flexible employment in research carried out by Eurofound (2013). Unlike SER, precarious jobs are insecure, but they vary in nature. Some have limited contract duration while others are limited contingent on the employer’s need, such as agency work (Koene et al., 2004). Although self-employment does not always feature precarious work in most literature, there is evidence that self-employment has the characteristics of precarious work in some cases due to its insecurity.

The Organisation for Economic Cooperation and Development (OECD) employment outlook (2014) describes precarious work as employment that does not hold the same protection rights as permanent employment, making it less expensive from the employer’s perspective and more flexible and less protective from the worker’s perspective. Some associate precarious work with substandard employment conditions which are non-attractive for the employee and have a host of adverse health effects (Quinlan et al., 2001; Benach and Muntaner, 2013; Benach et al., 2014; Quinlan, 2015). Job quality and the wellbeing of employees are at the centre of decisions about the employment relationship. This is evident in the works of the ILO (2012) and the OECD (2013).

For the purpose of this study, precarious employment is defined in the manner of Vosko (2010), Okafor (2012), Fapohunda (2012) and Wright (2013) as work that has shifted from full-time standard employment to a more casual level of employment characterised by intermittent contracts. Due to the irregularity involved, these jobs lack security, statutory benefits, good wages and a collective voice.

2.3 Trends in Precarious Work and its Consequences

Workplaces across the globe have seen a new trend in employment that most workers are yet to understand or become acclimatised to; a trend that is challenging in all aspects for employees and organisations. The new market economy allows a flow of employment from various areas of the globe, saturating a flexible labour market (Caldbick et al., 2014).

The category of workers regarded as precarious varies from nation to nation and industry to industry. However, they all have similarities, preeminent among which is job insecurity. Before the surge in precarious employment, SER was the norm in most nations and industries (Marin, 2013; Mosoetsa et al., 2016). However, the growth of the substandard employment relationship led to the abandonment of SER. Cappelli (1995) assert that, due to the downward trajectory in employment in recent decades, the nature of jobs has become precarious. A study carried out by the ILO puts the global precarious employment rate at almost sixty (60) percent, which suggests that six out of every ten employees are in a precarious form of employment (ILO, 2015b).

The industrial era saw 'controlled' employment relations in the early stages when labour was threatened with replacement as a disciplinary measure to manipulate employees (Edwards, 1979). This system of strategic control has gradually returned to the employment relations system with the growth in precarious employment. The late nineteenth century also saw a version of employment relations that was similar to the current trend when people were mostly employed through agents to lower cost (Clawson, 1980).

Although there is still a high level of full-time permanent employment in the European Union (above fifty percent), the current trend for precarious employment is on an upward trajectory, which does not bode well for employment and the employment relationship. A study carried out by the EU (2016) puts the figure for permanent employment contracts at fifty-nine (59)

percent. However, this figure is declining fast with a surge in precarious jobs. The study delineates precarious work in the EU based on the sector of employment. While some sectors are high for part-time contracts and agency work, others are less likely to employ people on those bases. Gender, age and education are likely influencing the choice of contract, as female or young adults are more likely to be in precarious positions.

Nolan (2004) attributes the rise in precarious employment in the UK to massive unemployment during the Thatcher years. It is obvious from the level of collapse in many jobs that the system was no longer able to sustain SER which was introduced after the Second World War. According to Nolan, jobs were mostly unregulated as a result of the collapse of manufacturing and the rise in service-related jobs which were mostly poorly-paid, temporary or part-time. Despite the rise in precarious jobs, the number of jobs regarded as part-time or temporary in the UK was still relatively small in the early 1970s compared to the present day. Nolan (2004) put this figure at around one in six employees.

Unlike the EU, precarious work in Nigeria is not limited to any age group, education level or gender. Most precarious workers are highly educated and there are no age limits or brackets that are targeted. Rather, almost all industries in the private sector embrace this newfound means of raising profit margins. Research conducted by the ILO suggests that standard employment in developing countries is no longer dominant (ILO, 2015b). This study puts the percentage of standard employees as low as twenty (20) percent in sub-Saharan Africa and South Asia. Only one in five workers can be regarded as having standard employment. This figure raises a great deal of concern for those with interests in the employment relationship.

Before the upsurge in globalisation and flexible job markets, most jobs were seen as standard employment with regular working hours, good wages and employment benefits. Most industries in Nigeria, where professionalism was the norm, hardly had any precarious jobs

before the implementation of the structural adjustment programme (SAP) in 1986 when privatisation of public properties was introduced. Fajana (2006) and Okafor (2007) assert that work relations in the petroleum sector were generally typified by SER before the introduction of precarious work. This is evident in the quality of available jobs and the fact that most graduates were immediately offered well-paying job opportunities right after graduation.

Table 2.1: Casual/ Contract Workers in the Nigerian Petroleum Sector

Company	No and % of Permanent Workers	No and % of Casual Workers	Total
NigAgip Oil	246 (12.8%)	1680 (87.2%)	1926
Chevron Petroleum	202 (25.8%)	582 (74.2%)	784
Shell Pet. Dev.	695 (7.8%)	8190 (92.2%)	8885
Connoil	387 (15.3%)	2150 (84.7%)	2537
Mobil Producing	35 (6.6%)	529 (93.8%)	564
NNPC	9000 (75.0%)	3000 (25.0%)	12000
Total	10565 (39.6%)	16131 (60.4%)	26696

Source: Fapohunda (2012)

Note: The number of employees in permanent positions in NNPC, which is the only government-run petroleum organisation on the list, make up ninety (90) percent of the total number of workers in permanent employment, while all others in the private sector make up about ten (10) percent of the total. Similarly, NNPC has fewer workers in precarious positions when the percentage of workers is taken into consideration.

2.4 The Bilateral Employment Relationship

The relationship between the organisation and the worker often referred to as the employment relationship, is typified by a labour contract that stipulates the rights and requirements of the employer and the employee. This bilateral agreement is seen as a legal precept that SER is built

upon (Vosko, 2010). Bilateral employment relations create an avenue through which labour or labour representatives can come together to discuss issues that are pertinent to both parties.

The status of employment of individual employees has become a captivating topic in the employment relationship, as it can determine the access allowed to labour protection through trade unions and other workers' collective associations. Vosko (2010) makes this argument, pointing to wages, working hours and the quality of work as some of the essential elements of the status of employment. The inequalities in these conditions of employment in contemporary workplaces may not be disparate if there is a good bilateral relationship, as in SER.

The view of social scientists, according to Bosch (2004), is that the field of employment relations is in confusion and disarray as the standard employment relationship bond is no longer binding on most employers. Bosch (2004) attributes these changes to the lack of a prevailing pattern of employment or employment relationship.

The field of industrial relations was introduced in the nineteenth century to preserve equity involving social welfare and social control struggles (Dibben et al., 2011). There is a lot of discussion about the current nature of employment globally, which has led to research in the field in recent years. Several literary works look at precarious employment from the perspective of control, either through the organisation or by association. According to Kelly (1998), the field of industrial relations is particularly concerned with interest, control and conflict and collaboration between employers, employees and their representatives.

The industrial relations field cannot be complete without mentioning trade unionism, a central subject in the area. However, the decline in trade unionism over the last four decades has raised a great deal of concern for the institution and the employment relationship (Verma and Kochan, 2004). According to Dibben et al. (2011), workers are more comfortable expressing their

concerns to management through trade unions, especially when unions have the legal right of representation.

Labour management relations are the root of human resource management which is a vital organ of every organisation. Therefore, the assumption that the decline of labour institutions in any industry or organisation would create a strong environment should not be made. Every organisation needs a strong employment force just as the workers need a strong organisation, and this can only be achieved where there is cooperation among all parties. Several writers support the notion that employee performance and commitment is a testament to the organisational leadership style or culture (Hughes and Rog, 2008; Willey et al., 2012).

2.4.1 Main Actors in the Employment Relationship

The employment relationship involves organisational representatives, employee representatives (trade unions and employee associations) and the government or government agencies. Arguably this tripartite arrangement has made the employment relationship very complex. Although the government is primarily the regulative arm of the employment relationship, its contribution is not always taken seriously, especially in developing countries.

i. Employers and Employer Organisations

Organisational representatives are either those who manage the affairs of an organisation or those nominated by the organisation as representatives. Sisson and Purcell (2010) and Dundon and Rollinson (2011) characterise management as the group of people responsible for the day-to-day management of the affairs of the company who are accountable to the owners of the organisation. Dundon and Collings (2011) argue that employer organisations have determined the direction of the model of employment relations since time immemorial, however, they became more formidable and coordinated in the last quarter of the last century.

Despite not being registered as employer associations, Dundon and Collings (2011) point out that there are managerial groups who have an influence over employment relations and promote human resource management agendas while lobbying governments on crucial employment relations matters. Such organisations provide a political voice for multinationals as well as small or medium enterprises in the Western world.

The balance of power in employment relations is tilted towards the employer or employer representative due to its advantageous position of capital, power and control. Sisson and Purcell (2010) see the managerial task of cost-cutting and boosting profits on the one hand and gaining employee commitment to the organisation on the other, a challenge that conflicts with employment relations concerns. The resource-based view of the firm places' emphasis on the developmental capability of the organisation through its employees, which is its competitive advantage (Boxall and Purcell, 2008). On the other hand, the firm as an entity is viewed as a profit-making contract by its owners. Sisson and Purcell (2010) see these contrasting views of the workplace as the dominant forces in the employment relationship.

ii. Trade Unions

The trade union, as the name denotes, is an assembly of employees with common skills (Hyman, 2001). Globally, trade unions differ in the way they emphasise the distinctiveness of the national system they work within. Phelan (2012) points out that their uniqueness is a result of adapting their functionality to their host nation's political and economic history. This is usually demonstrated in the structure unions adopt and the strategy with which they respond to developing issues. It is, therefore, this distinctiveness that separates the challenges faced by trade unions and brings about difficulties in understanding and proposing common solutions for all unions.

Hyman (2001) gives three perspectives of a trade union that can be obvious to the individual, organisation or society depending on the context in which they are examined. Unions can be seen as economic agents for collective bargaining, fighting societies struggling with employers, or components of social regulation. He argues that, depending on the circumstances, trade unions may symbolise one or all of these perceptions. In effect, Hyman (2001) sees the trade union as a consequence of the industrial revolution, although this may not always be the case.

On the other hand, Hollinshead and Leat (1995) identify three distinct forms of trade unionism: the business union, the social union and the welfare union. Business unions are occupational by design, and therefore their main focus is collective bargaining. Hyman (2001) refers to business unions as associations exploring economic interest by regulating the labour market through labour supply and acquiring substantial gains for workers. In contrast, social unions are expected to lead the class struggle and challenge political structures. As welfare organisations, trade unions adopt the position of collaborators, going into negotiations and cooperating with employers of labour and the state.

Trade unions in some organisations in the petroleum industry in Nigeria are not known to represent precarious workers. However, the Nigerian Trade Union Amendment Act (2005) clearly states that a trade union may be representative of both permanent and non-permanent workers. Excluding precarious workers from unions has become a general practice in most industries in the federation. Traditionally, trade unions have been about solidarity among employees, nationally or internationally. The era of globalisation has left unions weakened and unstable, meaning the struggle has become a battle of recognition between employees (Gall et al., 2011).

iii. The State and its Agencies

The State and its agencies are the third participants in employment relations and are equally important to the relationship. The interests of the government and its agencies in employment relations are not unconnected to stabilising the economy. Dundon and Rollinson (2011) attribute this interest to states' ability to achieve a robust economy including standards of employment.

Despite its importance, there is an argument that the state is mostly supportive of the organisations in employment relations, thereby making them bipartite rather than tripartite (Jeong, 2010). Edmund and Frege (2006) attribute this negligence to an attitude towards the state implicit in the employment relationship. Organisations take it for granted that the state's role in the employment relationship is less important than other members. There are many inconsistencies in the way regulations are implemented due to the tripartite nature of employment relations. The levels of government agencies involved in this function encourage this form of inconsistency in their performance.

2.5 Drivers of Trends in Precarious Work

Despite the argument that global financial crises have contributed to the precariousness in employment in recent years, the evidence against the SAP in Nigeria is still overwhelming. The mid-1980s saw a level of privatisation that led to a surge in graduate unemployment which created an unbalanced playing field for employers, employees and their representatives. Fapohunda (2012) supports this argument, attributing the surge in casualisation to the introduction of the SAP which led to massive unemployment through the privatisation of government-owned properties in Nigeria. This led to a lowering of standards of employment and resulted in insecure jobs. Like others in the Western world, Fapohunda (2012) and Paret (2016) attribute the global engagement of precarious workers to trade liberalisation and the

inflow of capital that has led to the deregulation of the job market and the surge in precarious work.

Notwithstanding the significance of this argument, the ILO (2015b) suggest that new technology and the invention of new methods of production in the industry play a major role in the shift from SER to precarious employment and new labour relations. Their report argues that these new policies make it difficult to attain SER in the majority of employment. Brown and Edwards (2009) point out that the decline in trade union activities in the United States started in the early 1950s, while in Britain unions were predominantly present in both the public and private sectors in the 1980s. However, this domineering influence was quickly eroded early in the twenty-first century.

2.5.1 Shift from Keynesianism/Pluralism to Neoliberalism

Global capitalism is founded on neoliberal policies that redirect power and wealth from the employee to the employer, leading writers such as Harvey (2005) and Gall et al. (2011) posit that capitalist powers use neoliberalism, by which the exploitation of the working class is maximised, so that the global ruling class can hold on to political and economic power. This thought is informed by the capitalist assumption that the economic boom of the 1970s was an advantage to workers, who were regarded as the benefactors of the profit generated in the periods immediately before and during (Gall et al., 2011).

The three decades immediately after World War II saw the implementation of full or permanent employment policies in the UK, and this period is often referred to as the Keynesian period because it was influenced by John Keynes' economic ideas. John Keynes is regarded as the founding father of the International Monetary Fund (IMF) and the World Bank at Bretton Woods (Jahan et al., 2017). Both these institutions play a major role in furthering the global neoliberal agenda.

Keynesianism supports the view that the capitalist system is a better option for the growth of the global economy. In John Keynes' version of economic order, employment is presumed to improve in a capitalist setting. Although the rates at which unemployment and underemployment have accelerated due to global capitalism may not have been envisaged in this view, global unemployment has remained a critical setback for the labour process. Gall et al. (2011) see neoliberalism as damaging to the labour process due to its promotion of wealth transfer from individuals to organisations and elites. Linde (2000) argues that the Western model has not been enforced in developing countries, but rather, governmental practice and the structures of these nations are fully acceptable to the model.

Keynesians argue that, if market forces are left unregulated, inequalities grow within and between countries (Linde, 2000). This assumption is supported by the structuralist movement. It is assumed that the application of the Keynesian model has left some states, such as France, with high inflation (Hall and Sockice, 2001). The Keynesian economic model, which promotes microeconomic intervention, is often linked to the dominance of trade unions (Harvey, 1990).

The inability of the Conservative government of Britain to accept a regulated market economy in 1979 led to a rejection of the Keynesian model for a more liberalised and radical market economy, thereby promoting labour market flexibility (Beatson, 1995). This new economic model of neoliberalism led to the deregulation, marketisation and privatisation of welfare protection and regulatory institutions in Britain (Crompton et al., 1996). Although these changes were made obvious between 1978 and 1980, Crompton et al. (1996) argue that the introduction of capitalist ideologies was gradual over time. McIlroy (2011) supports this argument, pointing to 1945 as the beginning of the neoliberal ideology as a critique of Keynesian policies.

However, Harvey (2005) argues that the restoration project for the global capitalist world power is neoliberalism. Gall et al. (2011) assert that this restoration was heightened in the 1960s and 1970s by the fear of the ruling elites who see the period as a long boom, with wealth transfer from employers to employees and efforts to reduce workers' share of profits through curbing bargaining power. The substantial changes that occurred in nations that embraced globalisation have had significant implications for labour unions globally (Bamber and Leggett, 2001; Bamber et al., 2004). These policies led to an increase in subcontracting and decentralisation of labour relations (Crompton et al., 1996). As Roberts et al. (2015) posit, neoliberalism is a dominant model of globalisation that has strong socio-economic consequences for individuals.

In modern industries and organisations, the labour process has been compromised. The arrival of flexible working in contemporary workplaces has made it difficult for employees and collective institutions to legislate on the welfare and wellbeing of employees, especially in the face of employer exploitation. Bargaining in the employment relationship is no longer a concession, as precarious working conditions invade organisations. Dundon and Rollinson (2011) point out that professionalism makes bargaining competitive, but this is no longer the case as bargaining institutions are rendered less significant. The terms and conditions of labour relations in a capitalist establishment are generally unilateral (Dundon and Rollinson, 2011).

2.5.2 Increasing Dominance of Finance as Business Function

Globalisation is increasingly debated as countries become linked through complex flows of capital and trade (Jones, 2005). The influence of finance on global business functions is the modern experience. For organisations to be regarded as multinational they need to invest across borders on a significant scale (Jones, 2005). The increase in international trade and global business requires organisations to be strategically placed financially leading to increasing

inflows of foreign direct investment (FDI) through multinationals which often leads to heightened competitiveness (Edwards and Walsh, 2009).

The ability to transfer resources and capital between nation-states and regions globally has enhanced the flexibility and growth of MNCs and global organisations (Crompton et al., 1996). For MNCs to remain relevant and own and control assets in foreign nations, there is a need to engage in FDI, as opposed to portfolio investment which does not give the same control access (Jones, 2005). Jones (2005) points out that one of the many ways that MNCs invest in foreign countries is through a joint venture (JV) agreement. Crompton et al. (1996) argue that the power multinationals hold in other nations through capital and resources grants them the ability to destabilise national economies and employment structures. Clegg et al. (2008) argue that MNCs often control a greater range of resources including capital, knowledge, skills and technology and hold market shares above those of the host nation.

The increase in FDI and competition to remain relevant and sustain global positions have led MNCs to introduce home country practice in their host nations (Clegg et al., 2008). Ferner (1997) argues that multinationals often transfer home country management practices, which are reflected in their host country companies' human resources. Branine (2011) argues that the forces driving internationalisation differ depending on location, business, sector and industry. Despite, the importance of financial resources in every sector and industry, Schuler et al. (2004) and Pfeffer (1994) argue that the competitive success or failure of global organisations rests on the quality of the workforce.

The increasing need for international investment has brought with it, 'unfair trade regulations and structural inequalities that have combined to reduce the potential for human development' (Branine, 2011:559). The Human Development Report (HDR) (2005) argues that trade policies emanating from the developed world continuously deny developing countries a reasonable

portion of global wealth (UNDP, 2005). The power that multinationals retain due to their financial capability is enormous.

Opponents of globalisation argue that global expansion of multinationals in third-world countries benefits Western nations in economic terms, due to the cheap labour and profits galvanised through this process (Gennard and Judge, 2010). Gennard and Judge (2010) argue that international finance has a huge impact on employment relations at the local level because of cultural issues and the location of employment opportunities. However, Linde (2000) points out that the 1980s onwards saw a changing role for the state in developing countries, due to pressure from international organisations such as the World Bank and IMF.

The VoC literature shows that various types of globalisation exist, but neoliberalism is currently dominant (Guillen, 2001; Gall et al., 2011). Writers on VoC argue that organisational decisions and actions are a result of a network of relationships (Dore, 2000; Hall and Soskice, 2001). The VoC framework distinguishes liberal market economies which promote the interests of shareholders from the coordinated market which encourages stakeholder interests in which labour and unions are included (Hall and Soskice, 2001). Kelly and Frege (2004) posit that national institutions can influence this relationship.

Hall and Soskice (2001) identify three perspectives on VoC: a modernisation approach to comparative capitalism; an approach developed by other analysts known as neo-corporatism; and the social systems of production. According to Hall and Soskice (2001), each of these approaches was developed as a response to the economic issues faced at various times. Political and economic institutions interact to produce economic growth depending on the challenges confronting the economy.

Several writers including Lincoln and Kalleberg (1999), Dore (2000), Hall and Soskice (2001) and Hamann and Kelly (2008) argue that VoC applies two models of capitalism, the Anglo-

Saxon model and a cooperative model of a welfare corporatist system (the continental European or Scandinavian model). Hall and Soskice (2001) assert that capitalism operates through coordinated efforts by comparatively reviewing institutional advantage and applying various strategies, namely interfirm relations, corporate governance, vocational training and industrial and employee relationships.

The distinctions between the two key political-economic models, liberal market economies (LMEs) and coordinated market economies (CMEs) make them appealing to different political leaders. LME firms rely on market forces to coordinate the relations between the economic actors and the institutions of a nation, while CMEs rely on non-market structures such as collective bargaining, government regulations, legislation etc. (Hall and Soskice, 2001; Hamann and Kelly, 2008). Distinctively, LMEs dominate Anglo-Saxon economies such as the UK, USA, Australia and New Zealand, while continental Europe and Scandinavian countries such as Germany, Italy and Sweden are predominantly CMEs.

2.5.3 Compositional Economic Changes

Globalisation is a means by which the socio-economic life of a nation is reorganised by external forces (Sklair, 2002; Bamber et al., 2004). This reorganisation is mainly in the form of interconnectivity among people, nations, economies and sometimes cultures (Caldbeck et al., 2014). Relatively new compared to other concepts in the academic field, Sklair (2002:1) refers to globalisation as a 'controversial idea' that has a wide effect on the international system. Despite its good intent, globalisation is viewed by some as a convergent force (Fligstein, 2001) while others see it as a divergent force that erodes the sovereignty of nation-states (Kobrin, 2000; Strange, 1996).

According to Sklair (2002), the capitalist class dominates the idea of globalisation. Palley (2004) posits that the effect of globalisation on the world economy is contrary to the initial

prediction that it would boost the world economy. The rate of financial crises and rising income inequalities in major economies across the globe lead critiques of globalisation to claim that the theory is ineffective. Hirst et al. (2009) point out that there is a general assumption that globalisation paralyses nation-states by wiping out all the progress made through reform, applying sanctions in its stead. Additionally, Hirst et al. (2009) see globalisation as not addressing the concerns of everyone but only the few who are regarded as world powers in an international system. Their concern is that globalisation may not be as wide as claimed, but rather just a few nations have internationalised economies.

Harvey (2010) asserts that the economic instability and crises that have plagued most nations are a consequence of globalisation. For instance, Hirst et al. (2009:26), referring to the chaos that engulfed the world economy as ‘uncontrollable market forces’, attribute this to globalisation being exported through profit-seeking MNCs which do not adhere to the rules of the countries where they operate. Hirst et al. (2009) see the possibility of the international system being administered as an imperial organ, with rules imposed on imperial territories and local agents organised to support the imperialists. Hirst et al. (2009) argue that globalisation is operated by world powers as a ‘hegemonic project’, and consequently there is a possibility that the world could return to imperialism of a sort, but without retaining the term.

Despite the issues raised, Sklair (2002) highlights isolated countries suffering economic setbacks, warning of the importance of the global system and why it cannot be ignored. Global capitalism is perceived to have deepened its roots by providing finance and managing the international system, through proxies, while maintaining a clear purpose. One focus of the socialist movement is economic human rights in the area of employment and employment relationships. Sympathisers with globalisation fail to see the lack of economic human rights that globalisation brings with it. Perhaps they should take into consideration phenomena such

as privatisation, which leads to massive unemployment over a short period and changes the course of employment and the employment relationship.

Barriers within industrial structures have been broken down through globalisation leading to a more integrated labour market structure, wherein workers are allowed to move in any direction across the globe in search of employment (Standing, 2012). Caldbick et al. (2014) argue that the transformation that comes with globalisation drives the restructuring of the labour force in the direction of a flexible labour market. Standing (2012) points out that globalisation has enabled liberal markets to promote individualism in employment, thereby curbing the collective representation of workers.

Over the last three decades, the composition of world economies has tilted toward neoliberalism, an ideology that favours market liberalisation. Neoliberalism, according to Gall et al. (2011) and McIlroy (2011), encourages flexibility in the labour market through the philosophy of liberalisation, privatisation, marketisation and deregulation of the economy. There is a notion that all these philosophical strands of neoliberalism can bring about the industrialisation of an economy, which leads to a higher standard of living through job creation and improved value of output for workers (Gall et al., 2011). However, the question that needs to be answered is: can the gains of industrialisation be beneficial and applied to all nations or societies? For instance, in Nigeria, trade liberalisation has not achieved its anticipated goals, especially in the area of job creation.

Gall et al. (2011) posit that the existing economic structures that pre-date neoliberalism have been gradually eradicated and, in their stead, the world economy has promoted neoliberal ideologies through international institutions such as the World Bank, World Trade Organisation, International Monetary Fund (IMF) and others. These institutions are known to

break the internal order of any nation-state and cause a new, and often vibrant, economic system that transcends all previously known political and socioeconomic compositions.

According to McIlroy (2011), neoliberal policies favour the redeployment of assets from labour to capital, thereby promoting inequality. McIlroy argues that neoliberalism comes in various forms, and therefore its application varies depending on the context. Capitalism and neoliberal policies are framed as conceptualising modern world economies. McIlroy (2011) posits that the falling membership of trade unions and workplace subordination of labour can only be combatted if national leadership focuses on educating members on the tenets of neoliberalism.

2.5.4 Decline in Labour Representation

The literature reveals that the introduction of the central themes of industrial relations can be traced back to the nineteenth century which was the point when concerns for social welfare and control became an issue for social scientists (Dibben et al., 2011). The industrial relations field has gradually become irrelevant in the face of diminishing collective institutions such as trade unions, collective bargaining and the resolution of industrial disputes, sometimes through strikes (Gennard and Judge, 2010; Dibben et al., 2011). Collective bargaining (CB) is the decision-making process in the employment relationship between employer representatives and workers' interests (unions) through negotiation and the application of agreed terms, according to the OECD (1994).

Trade unions and collective bargaining have been on the decline in recent years, especially in the US and UK, due to a negative view of trade unions (Branine, 2011). For employee relations to be relevant, there has to be an enabling environment in the workplace. Such an environment can only be achieved where there is full-employment, wherein the institutional capabilities of all agents or representatives are fully utilised. Gennard and Judge (2010) point out that, despite

the evolvement of employment relations, the basic tenets of the relationship, which are the ability to institute regulations, policies and agreements for employment, remain the same.

Employment relations have to do with the personal as well as the collective aspects of employee engagement. In Poole's (1986) view, employee relations are characterised by the methodical exploration of the main features of the employment relationship. There are several actors involved in employee relations who are either concerned with employee wellbeing (workers, trade unions and employee associations), organisational interests (employers and employer associations) or the economic interests of the state (state and government agencies). Each of these groups sees economic, socio-political or legal benefits from their involvement.

In Heery's (2016) opinion, critical writers see the employment relationship as an exploitative alliance that is predominantly degrading and contradictory due to the inconsistent interests of employers and employees. This is mostly an outcome of the differing stands of the parties; while employers are mainly concerned about the profit-making of the organisation, workers are more concerned with their welfare and paycheques. Gennard and Judge (2010) point out that employment relations were initially regarded as 'workplace adversary', due to trade unions' stands on employee wellbeing during collective bargaining. Heery (2016) suggests that unitary writers do not see the interests of employers and workers as conflicting, but rather that there are human resource practices that can be beneficial in creating high-performance roles by harmonising both sets of interests.

Dibben et al. (2011) see the employment relationship as the most crucial element in employee relations, because all other aspects involved in the relationship, such as trade unions, employer and government representatives and the process of collective bargaining, culminate in the employment relationship. The employment relationship involves collaboration and conflict. This does not necessarily mean employees are out for conflict every time there is no agreement,

but rather that employees have the ability to resist exploitation, which is sometimes called conflict. Kelly (1998) thinks that the employment relationship comes in various forms depending on the employees' orientation to their organisation.

Undoubtedly, the employment relationship has become more complex over the last three decades. This complexity is due to the nature of work and employment that has deviated from the norm as a result of changes in the global economy (Bamber and Leggett, 2001; Bamber et al., 2004). For there to be a relationship between employer and employee, there needs to, first and foremost, be a job. Fudge et al. (2002) see employment as fundamental to labour relations, without which there would be no discussion on the legal concepts of labour rights or protection. The employment contract gives the employee the right to be involved in any deliberation, group or otherwise, about labour welfare. The nature of the job and the limits of the tasks to which employees are assigned is the prerogative of the employer and, as such, could be problematic due to the divergent interests of employers and employees. Some studies explore the way certain obstacles, such as the control of labour through various management techniques, can deter employees from demonstrating their rights in the workplace (Kelly, 1998).

2.6 Theoretical Approaches

In modern establishments, the nature of work has deteriorated to an extent that employees no longer see themselves as part of the organisation, but as tools to achieve organisational goals. Advocates of labour management theory, such as Karl Marx and Max Weber, are generally concerned with employees' living conditions as well as the nature of employment (Dibben et al., 2011). According to Marx, the relationship between employer and employee is one of buying and selling products; the products being labour and monetary reward. However, workers do not regard themselves as products but rather exchange labour for capital, thereby giving the organisation leverage. Marx points out that this relationship can be regarded as a

‘financial tie’ in which employers evade offering job security and welfare to their staff by simply granting employees financial payments for job completion (Dibben et al., 2011).

Similarly, in Weber’s theory of domination, he argues that employees are driven by their needs to accept bureaucratic and dictatorial work ethics such as precarious employment (Dibben et al., 2011; Grint and Nixon, 2015). This can be argued from various standpoints. First and foremost, unemployment, which is seen as a major driver of precarious employment, compels job seekers to accept whatever job offer is available to them, including precarious offers, while fully recognising the fact that they may not be recognised as members of any team. Secondly, as Jones (2005) notes, multinational corporation remuneration is usually above the minimum wage even for precarious employees, and this applies to the Nigerian petroleum sector. Therefore, workers opt for jobs in the petroleum sector rather than accept permanent employment in the public or other government parastatals. This is done in the knowledge that they may be laid off at any time, but they would have more money in their pockets.

Unions are known to engage diverse strategies to pressure organisations to achieve their purposes (Rubiano, 2013). Social movement theory examines the association between economic agents (employers and employees) and social challenge. A wide range of literature questions the impact of social movements on the activities of firms. For instance, advocates of social movements such as Davis and Zald (2005) and Snow and Soule (2010) examine the impact of such movements on employment relationships such as capital, membership and skills, and how organisations take over the core interests of unions by promoting collaboration with challenging groups, as in the case of Shell Nigeria (Holzer, 2008), through lobbying (Davis and Thompson, 1994; Hansen and Mitchell, 2000) and funding external bodies to support their interests (Soule, 2012). Arguably, multinationals in Nigeria influence government agencies to lobby for regulations that favour their interests, thereby depriving unions and employees of a level playing field.

Different nations experience globalisation in different ways. However, there are significant consequences for employment and employment relations in nations that open their doors to globalisation in one form or another (Bamber et al., 2004). Neoliberalism as a dominant version of globalisation encourages its spread through the strong effects of its policies on the socio-economic life of the people. Dependency theorists argue that globalisation is encouraged for poorer nations in order to transfer wealth to advanced states through the process of world economic integration (Roberts et al., 2015).

Over the last half-century, writers have advocated the rise of trade unions to challenge capitalist ideology and profit-making machines, in which workers have become tools in the hands of their employers (Kelly, 1998). In trying to understand the plight of workers in the employment relationship, Kelly demonstrates mobilisation theory. The essence of mobilisation theory is explaining strikes embarked upon by organisations. Shorter and Tilly (1974) coined the term to analyse trends in strikes, and it was later developed by Kelly. It is in the interests of workers to collectively organise to defend themselves against their employers (Kelly, 1998). This, according to Kelly (1998), is the essence of collectivism, whereby the injustice meted out on one is felt by all. However, the concept of costs and benefits associated with this form of action may influence the decision of the workers about total commitment to collectivism.

Discussing power play in the social theory literature, Kelly (2011) asserts that Lukes' (2005) argument about power has three arenas: conflict, agenda and ideas. Two or more groups, in the form of the union and the organisation, can be in conflict, resulting in strike action, and the balance of power can tilt towards one or the other, depending on the outcome of the strike. As a power play for negotiation, the agenda can be controlled by the employer, leaving whatever pleases the organisation out of the negotiation process. The third power play, ideas, is more profound than the other two. According to Kelly (2011), organisations can justify wage reductions or other injustice to workers unchallenged, if union members see them as justifiable.

Lukes' (2005) power theory is separated into 'power to' and 'power over'. Workers have the 'power to' explore or pursue their interests, while the employer can exercise 'power over' the interest of others by pressuring workers to accept, for example, a pay freeze for continuous employment (Simms and Charlwood, 2010:128). This type of power play can coerce workers into accepting lower wages in order to remain employed.

The contention between employers and employees, sometimes represented by trade unions, is mostly a power tussle. In Marx' theory of class, he argues that there is a class struggle between employers and employees in the capitalist system in which the employer is the exploiter and employees are exploited (Dibben et al., 2011; Grint and Nixon, 2015). The reliance on precarious workers on a long-term basis in a situation where permanent employment would be appropriate may be seen as an exploitative work arrangement, especially in the Nigerian petroleum industry, an industry that dominates the nation's economy.

The middle class is the driver of every nation's economic growth. These are the individuals who have disposable income and sufficient purchasing power to promote a spending culture that keeps the nation's economy afloat. Where there is a vibrant middle class, the nation tends to have a strong economy. Similarly, curbing trade union power through the systematic support of precarious employment so that employees are not able to align themselves with organised labour, could be seen as a power or class struggle between employers of labour and workers' unions (Fajana, 2005).

2.6.1 Responses to Precarious Work Trends

The responses to precarious work across the globe have generally been judged 'inadequate and ineffectual' with regards to 'ideas and actions' (Gall et al., 2011:8). According to Gall et al. (2011), the level of the challenge confronting unions and those in positions to respond to precarious work arrangements is huge, given the neoliberal context.

i. National Union Responses

Labour unions have been deemed ineffective in action and content, in the face of the challenges posed by neoliberalism (Gall et al., 2011). Gall et al. (2011) argue that labour unions have been thrown into disarray by neoliberal policies and are yet to effectively counter this new employment strategy. The influence of workers and trade unions has diminished in most countries, both developed and developing. Gall et al. (2011) assert that organisational wealth is shared disproportionately among employers and shareholders while reinforcing management rights over workers.

Gall et al. (2011) categorise union responses into four simple groups; agreement and support, qualified and conditioned support, social democratic support and socialist resistance. By agreement and support, Gall et al. (2011) mean that neoliberalism is seen as progressive and unions and labour profit when organisations and economies compete effectively. Therefore, organisations need the support of workers and unions for all to succeed. By qualified and conditional support, Gall et al. (2011) suggest that unions advocate that labour looks to strategic compassionate state action to get protection for their organisation and themselves. In social democratic opposition, unions consider the power of policy and practice of a globalised corporation and proffer social democracy in order to socialise capitalist economies. Social resistance, the fourth response to union resistance suggested by Gall et al. (2011), applies to unions assuming the position of opposition and resistance in action and engaging in a dialogue with global capitalism, advocating socialism on the global and national stage as a better alternative.

The role played by trade unions in communication between employers and employees, whereby negotiation and deliberation aim to find common ground for better working practices and welfare packages help shape workers' interpretations of personal concerns and collective goals (Hyman, 1994). The ongoing debate about the effects of current political and socio-economic

changes on the decline of trade unionism has come to a climax. Several authors look at the strategies trade unions engage in to deal with this lingering conundrum (Frege and Kelly, 2003).

Korpi and Shalev (1979), in their power resource argument, suggest that strong unions do not have to go on strike against organisations, since they are able to influence supportive governments. However, this is not often the case, as large organisations such as MNCs have the resources (political and financial) to counter any influence that unions are able to leverage.

ii. ILO Responses

The ILO has been accused in the past of promoting America capitalism, especially during the cold war era, and disregarding the plight of marginalised workers (Cox, 1994; Vosko, 2000). However, in recent years, the ILO has become a beacon, promoting decent work globally. The introduction of the ILO's decent work programme was intended to strategically engage member states in regulating labour agreements, with social clauses introduced to international trade deals (ILO, 1999; ILO, 2002; Vosko, 2010; Van Eck, 2014).

Labour exploitation has gone on for centuries, drawing the attention of both local and international observers concerned about the welfare of employees. The ILO was established in 1919 with the goal of upholding labour standards, through international treaties in the form of conventions that bind the member states (ILO, 2002; ILO, 2008). Similarly, the International Trade Union Confederation (ITUC) is a comprehensive global voice for working people which collaborates with the ILO in the promotion of workers' rights and interests in the international arena.

The ILO, as a United Nations (UN) body, is charged with drawing up treaties in the form of conventions or recommendations which commit member states to uphold rules intended to protect minimum standards for workers' rights. Although this has been successful in some

ways, member states that ratify conventions may not be obliged to implement the recommendations, because, while conventions are international treaties, their recommendations are not (ILO, 2008).

Articles 23 and 24 of the United Nations Universal Declaration of Human Rights (1948) declares that every individual has the right to employment, a right to choose the form and conditions of employment, and a right to be protected against unemployment. The ILO decent work agenda specifies the fundamental human rights that need to be present to uphold labour standards. The first principle of the Philadelphia declaration by the ILO, 'labour is not a commodity', is an attestation that no matter what changes are made in the labour market, labour still needs to be protected.

Being the only UN body charged with the responsibility of bringing corporations, employees and state representatives together, the ILO is able to grant specific rights to workers which guarantee a robust work environment through its exclusive ternary structure (Adewumi and Adenugba, 2010). In order to deliberate and compromise on issues concerning all parties, the ILO draws on its tripartite composition. Nevertheless, the rights conferred on workers are sometimes undermined by employers and employer organisations, thereby creating an unsecured work environment for employees (Adewumi and Adenugba, 2010).

Worker marginalisation and the struggle to curtail the proliferation of substandard employment led the ILO to introduce the decent work agenda, a platform wherein member states, global capitalists, employee representatives and non-governmental organisations (NGOs) can mediate on the way forward. Vosko (2002) sees the increase in agitation for the representation of employees at varying levels, from the ILO to trade unions and labour-aligned NGOs, as an appeal for improvement in working conditions. This is not unconnected to the current change in the quality of jobs available in the labour market. Vosko (2002) describes global labour

rights and standards as ‘deteriorating’, which has led to a clamour for urgent action. Therefore, the function of the ILO and other international organisations is to look for alternative methods of dealing with the currently deteriorating labour process in which employee rights are being eroded.

Most of the concerns of the ILO are related to the issue of employees’ rights to decent work which include, but are not limited to, job security and employee welfare. As the ILO puts it, decent work helps to reduce and possibly eliminate poverty by focusing on the socio-economic and political programmes of individual nations and the global system (ILO, 2014). For the objective of the ILO, which is social justice, to be achieved, nation-states must be seen to abide by the international labour standards they put in place. The core labour standards stipulated by the ILO are freedom of association, effective recognition of the right to collective bargaining, elimination of all forms of forced or compulsory labour, the effective abolition of child labour and the elimination of discrimination in respect of employment and occupation (Palley, 2004: 23). Palley (2004) calls these fundamental principles and employee rights prohibitive and affirmative.

Despite numerous attempts by the ILO to contend with labour inequalities and injustices through its 184 conventions and 192 recommendations, labour rights are still at an all-time low across the globe. Douglas et al. (2004) argue that, despite the ability of the ILO to enact conventions and regulations to combat labour inequalities, the organisation does not have the power to implement these rules but rather relies on powerful nations to compel weaker ones to abide by the rules through threats of sanctions. Meanwhile, powerful nations are rarely held to the same standards.

There are critics of globalisation who argue that international labour standards do not go far enough in governing the global economy (Palley, 2004). Opponents of international labour

standards argue that the rules governing them are designed such that third world economies do not have competitive leverage against their Western counterparts. Writers such as Vosko (2000) and Palley (2004) argue that, due to the ILO's stand promoting American post-World War II capitalism, the organisation has not done enough to combat worker marginalisation globally. However, Palley (2004) asserts that this is not the case, as both developing and developed economies could improve living conditions if the rules were well applied.

Hepple (2001) emphasises the need for employees in disadvantaged positions to be empowered and engaged in the implementation of any model of regulation in order for it to achieve its purpose. Furthermore, Krugman (1993) argues that the principle of competitive advantage does not necessarily depend on the advantage of one country over another, but rather the application of techniques that lead to gains for one country over another.

ILO declarations on equity at work and the right to decent work have been widely debated all over the globe. Nation-states that are members of the ILO are obliged to implement these rules regardless of whether they are ratified. Despite this regulation, job discrimination is on the rise, and most member states (developed and developing) do not adhere to the rules and, as such, jobs are gradually turning precarious. The main issue arising is the ILO's role in the modern workplace and whether the decent work programme is able to challenge the capitalist platform on which organisations base their employment standards. Vosko (2002) asks this in a more precise manner when she challenges the sincerity of the ILO decent work agenda, questioning whether labour unions and labour-leaning NGOs can capitalise on the programme and penetrate the political barriers within the ILO to assess the organisational practices marginalising workers.

iii. National Governments

National governments have been known to be hijacked by powerful interest groups for their selfish interests (Harvey, 2005). The state plays the vital role of legislation in the tripartite (capital, labour and government) arrangement in the employment relationship (Kohl and Platzer, 2007). Therefore, as a legislator, the government constructs the legal framework that organisations and workers or their representatives build their relationships. For instance, the state intervenes in the employment relationship when working conditions such as the minimum wage or minimum working hours are of concern.

2.7 Precarious Work, Multinationals and Corporate Social Responsibility

Precarious work is on the rise in Europe and across the globe (Broughton et al., 2010; Riso, 2010). Although reference has been made to the mid to late 1970s as the time precarious employment emerged in America (Kalleberg, 2009), the global financial crisis (GFC) is often referred to as the onset of the growth of precarious employment in Europe and America (Burgess et al., 2013; Eurofound, 2013). However, this is not the case in Nigeria where the rise of precarious work, or casualisation, especially in the oil industry, can be traced back to the early 1990s after the nation adopted the structural adjustment programme (SAP) in 1986 (Fajana, 2006; Okafor, 2007).

It has been argued that globalisation is a major factor propelling precarious work to new heights in recent years. Several studies support this argument, that the liberal market economy, encouraged by globalisation, promotes the engagement of precarious workers (Standing, 2012; Munck, 2013). Standing (2012) sees the emergence and growth of the precariat, a flexible working-class, as being tied to the liberalised market economy.

Vosko et al. (2013), in a paper presented at the ILO conference on decent work, suggest that the deregulation introduced through legislative reform and declining union membership rates led to the surge in precarious work. Similarly, Caldbick et al. (2014) argue that the emergence

of precarious work aligned with the neo-liberal policies of deregulation and liberalisation of the labour market promoted over the last three decades. However, they emphasise that the GFC aggravated its condition.

The volatility and unpredictability that arose as a consequence of open trade between nations and increased financial interdependence are a global capitalist concern (Harvey, 2010; Stiglitz, 2002; OECD, 2007). Labour market regulations became more flexible and led to deregulation in most countries, thus creating a non-unified model of regulation (Vosko, 2010; Betcherman, 2014).

MNCs use global economic structures which cross local, national, regional and international boundaries to impact and influence regulation at every stage (Hollinshead, 2010). Hollinshead (2010) asserts that MNCs have a great deal of influence on the global stage. MNCs have been known to transfer human resource (HR) practices from the parent company (in the home country) to their host country, influencing employment strategy (Marchington and Wilkinson, 2008). Therefore, the precarious work practice encouraged by MNCs in the UK, Europe and the US is reflected in multinational operations in developing countries.

The relationship between multinational organisations and key stakeholders such as local communities and, in some cases, NGOs have drawn much attention in recent years (Bowen et al., 2010). In the 2018 Chevron corporate responsibility report, the chief executive officer of the organisation calls it the responsibility of the organisation to help improve the quality of people's lives. This sentiment is echoed by multinationals globally. In the Shell sustainable report of 2017, the organisation points to its respect for human rights, including for its employees and contractors.

Corporate social responsibility (CSR), as a concept, has been broadly adopted by businesses, NGOs and civic policymakers as private corporate responsibility have become a core public

concern (Brammer et al., 2012; Preuss et al., 2015). McWilliams and Siegel (2001:117) point out that CSR often means organisations engaging in ‘actions that appear to further some social good, beyond the interest of the firm and that which is required by law’. Activities such as education, social security, public health, and human rights protection, which are often regarded as governmental responsibilities, are taken over by organisations when state agencies fail to ensure peace or stability (Fort and Schipani, 2004; Matten and Crane, 2005; Scherer and Palazzo, 2008).

In defining CSR, Bradley et al. (1999) argue that if it is properly applied, CSR should accomplish value creation and value transference among stakeholders. In this light, MNCs take on the responsibility for carrying out a role that would ordinarily be governmental. Nevertheless, Preuss et al. (2015) argue that major actors in the relationship such as trade unions are often absent from the process, despite being the employees’ representative in business-stakeholder relations. Despite some strides, Hutton (2000) and Joseph (2002) point out that MNC investment has made very little impact over the years.

2.7.1 MNCs as Model Employers and Internal Labour Markets

Multinational corporations are firms that function in multiple countries, including a home nation (Jones, 2005). Multinationals are key contributors to global business, in terms of trade and employment (Branine, 2011). In the past, multinational organisations have often been regarded as model employers, setting the pace for others to follow in terms of remuneration and welfare of employees (Jones, 2005). However, this assumption has gradually become more controversial due to the nature of the jobs offered by multinationals, especially in the petroleum sector.

Strategic management literature sees a firm’s competitive advantage in its workforce. The resource-based view (RBV) of firms sees the human capital of an organisation as its

competitive advantage (Boxall and Purcell, 2008). Multinational organisations have, in the past, take pride in how much employees are valued. According to the Shell code of conduct, global organisations lead by setting standards for achievement and conduct for which other firms aim. Marchington and Wilkinson (2008) point out that the RBV concentrates at the organisational level. Boxall and Purcell (2008) argue that international firms such as MNCs produce immediate benefit, at the international level, due to the advantages of international competition.

The leverage MNCs gain through their international locations and ability to access labour with an international reputation in terms of education and technical infrastructure gives them an advantage over their local competitors (Marchington and Wilkinson, 2008). MNCs often claim to abide by national policies in terms of recruitment, although not at the managerial level (Hollinshead, 2010). The balancing of pay on an international basis gives MNCs the model employer image, and attractiveness and leverage over local firms which cannot compete at that level (Hollinshead, 2010).

Multinational corporations are known for their people-oriented policies that put employees at the centre of decision making. However, in recent years, MNCs have moved towards isolating employees in favour of profit-oriented policies (Inkpen and Moffett, 2011). According to Clegg et al. (2008), MNCs have greater access to capital which gives them the ability to explore more options and the flexibility to grow beyond any particular continent. The expectations of shareholders guide the public policies of MNCs (Inkpen and Moffett, 2011).

The growth of MNCs has seen jobs being outsourced across continents; not just information technology (IT) jobs but also blue-collar jobs (Jones, 2005). It is a well-known argument that economic and social councils intervene in trade union and organisational collective processes in some countries by advising unions on social and economic issues (ILO, 2015a). However,

there is also an argument that public authorities are not very successful in promoting collective bargaining (CB) when social partners do not utilise the institutions put in place for the collective process.

2.8 Chapter Summary and Research Gap

This chapter examines various topics by reviewing the existing literature. First and foremost, the chapter introduces precarious work by defining the concept of precarious work, the standard employment relationship and the prevailing contracts of employment that are typical in this type of work. Standard employment relations (SER) have gradually been replaced by precarious work arrangements characterised by low pay, no union affiliation and a lack of job security for workers.

The chapter discusses the bilateral employment relationship and the actors in it, the employer, trade unions and government agencies. It covers trends in precarious work, particularly the downwards trajectory of SER towards a ‘master/slave’ relationship and the consequences, drawing on the ILO report on developed and developing countries. The drivers of precarious work identified by empirical research are discussed along with the increasing dominance of FDI in business and its influence on the petroleum industry.

The chapter goes on to discuss work and employment in a capitalist society, the nature of jobs and the challenges to employment, work orientation and the labour relations process. The historically dominant models of employee relations and employment are also discussed, along with theoretical suggestions for these employment relations in the industry.

Globalisation and its effects, and the composition of economies in a global environment, are discussed, and there is a focus on Keynesianism and the effects of neoliberal policies on employment in the industry and the dependence of poorer nations on the wealthy nations of the

world. This is followed by a discussion of precarious work, multinationals and corporate social responsibility.

Despite the growing interest and vast literature on precarious work, there has been limited recent empirical research on neoliberalism and colonialism and their relationship to the recent precarious employment trend in the petroleum industry. Therefore, the research sort to fill the gap in the literature on the effects of neoliberal policies and postcolonialism on the recent employment trend in the sector.

2.8.1 Research Objective and Questions

The objective of this study is to investigate trade union responses to the surge in precarious work in the Nigerian petroleum industry and to examine the neoliberal influence on the employment relationship in the industry. Several themes reoccur throughout the literature review. While some are generalised, there is a need to investigate some themes in a Nigerian context, especially those that are discussed with the Western world in mind. The main consideration of this investigation is union responses to precarious work in the petroleum industry. However, this is broken down into several subcategories in order to understand the causes and effects of these responses. The research questions are:

1. What are the main drivers of precarious work in the petroleum industry?
2. What are the latest trends in precarious work and what are the links between unemployment and precarious work in the Nigerian oil and gas industry?
3. In what ways have the trade unions responded to the surge in precarious work in MNCs in the petroleum industry, and what has the impact been?
4. To what extent have ILO norms and international standards for MNCs had an impact on labour deployment strategies and forms of employment?
5. What new approaches and strategies can the industry trade unions NUPENG and

PENGASSAN adopt to combat the surge in precarious work while attracting and retaining prospective members?

Chapter Three is the methodology chapter. Chapter Four deals with the institutional context of the research and Chapter Five deals with the industry context. Both chapters are strategically placed after the methodology, despite being a continuation of the literature review, as Chapter Five contains empirical evidence. Chapters Six and Seven contain the analysis while Chapters Eight and Nine contain the findings and conclusion.

Chapter Three: Research Methodology

3.1 Introduction

The study of organisations in social science research has become very prominent due to their significance in our daily lives (Ackroyd and Fleetwood, 2000). Sekaran and Bougie (2016) point out that the essence of business research is systematically investigating explicit workplace issues that require solutions in their natural setting. The role of trade unions in modern-day employment is the guiding research topic of this study. The evolution in employment over recent years contributes to this overarching investigation. Jobs have become more precarious, leading to a rise in job insecurity. Therefore, to ascertain the situation, this chapter looks at the various methods used in this research to gather and analyse data.

The first section explores the philosophical stance of this research by examining the ontological and epistemological reasoning behind it. The second section examines the research approach, data collection methods and process of analysing the data. The strengths and limitations of the case study approach as well as the advantages of conducting this research as a case study are highlighted in this section. The chapter concludes with a summary of the content of the chapter.

3.2 The Philosophical Viewpoint

In business and management studies, there is a dichotomy between objectivism and subjectivism, and these are separated into positivist, deductive and empirical approaches grouped under objectivism, while interpretive, social constructionist and inductive approaches are viewed as subjective (Vincent and O'Maloney, 2018). While this is the norm for all research as it helps simplify the investigation, Vincent and O'Mahoney (2018) regard it as a flawed argument given the history of complete disregard for data that does not fit in the general alignment of the study.

To help us construct our thoughts, Parker (1992: 3) points out that what we assume is ‘out there’ is constructed by our discursive construction of it and such conceptions are collectively sustained and continually re-negotiated in the process of sense-making. Whatever sense we make of our investigation can be construed to mean something else when re-examined.

According to Su (2018), positivism is a fundamental paradigm of academic research that symbolises a global belief held by a group of people. Therefore, from the positivist viewpoint, the world may be understood through the idea that phenomena are discernible through objective truth; whatever truth stands for (Sekaran and Bougie, 2016). Despite the inductive and deductive approach components of positivist research, it does not seem the most appropriate strategy here due to some limitations, including the depth of the investigation.

Understanding through the inductive construct can be very rigorous and challenging. Unlike deductive reasoning which is a scientific method of theory testing, going from a general to a more specific conclusion, an inductive approach is concerned with the observation of specific phenomena in order to arrive at a general assumption (Sekaran and Bougie, 2016). Nonetheless, Rheinhardt et al. (2018) reiterate that flexibility and the ability of the researcher to understand significant dynamics and to follow them up are among the hallmarks of the inductive method. Despite their scientific ethos and procedures, some social science studies are associated with epistemological positions, such as positivism.

3.2.1 Critical Realism

Examining the issues from a critical realist perspective gives the researcher the ability to critically analyse the actions of those at the helm of affairs. The philosophies and values of critical realism discussed in this section give a valuable methodological position for this research. The research, therefore, focuses on the critical realist perspective, viewing ontological assumptions relating to our belief about existence against our epistemological view of how this

existence is researched (O'Mahoney and Vincent, 2014). Moreover, Vincent and O'Mahoney (2018) argue that researchers studying labour, or the exploitation of labour, often rely on critical realism.

Critical realism maintains that there is a neutral world in which people's perceptions, in the form of language or imagination, exist independently, and part of this encompasses the subjective interpretation that determines people's perceptions and experiences (O'Mahoney and Vincent, 2014). In other words, people experience what they see around them in their own words based on their own interpretations. The critical realist point of view is, therefore, a relevant perspective for this study. Sekaran and Bougie (2016) point out that the goal of the critical realist is to advance the truth, despite this being impossible, rather than uncover the truth as the positivist would argue.

The essence of this research is to seek answers relating to what, why and how questions about trade unions' responses to precarious work which are relevant to the critical realist. The field of industrial relations has, in recent years, embraced critical realism as a framework for understanding certain phenomena. Issues relating to the causes and consequences of globalisation and internationalisation, which are the forte of multinationals, have become, fundamentally, concerns for the critical realist (Piekkari and Welch, 2011). Consequently, critical realism seems to be an appropriate philosophical paradigm for this investigation.

The ability of a critical realist ontology to apply a systematic mode of distinguishing between the perceptions of the researcher, the real occurrence and the interpretation and understanding of the occurrence (Vincent and O'Mahoney, 2018) make this strategy viable for this study. By applying critical realism to the ontological concept of the social world, and in this context, the relative struggle between organisations, trade unions and workers, and the constraints on workers and employee organisations become obvious in the epistemological dimension. To

examine the existence of phenomena in social science research, ontological views are drawn upon in order to examine our beliefs concerning global entities (Sekaran and Bougie, 2016).

Methodologically, the critical realist applies a 'gold standard' (Pawson and Tilley, 2001:323). In this case, in order to maximise the amount of data gathered, the critical realist utilises every method available; interviews (unstructured, semi-structured, one-on-one, group focused), documentation, observation, and so on. Piekkari and Welch (2018:353) argue that critical realism is a quest for 'how case studies can produce meaningful evaluation without laws, for which context is an essential component'.

3.3 Qualitative Research

Much importance is placed on quantitative over qualitative social research (Berg, 2001). Qualitative research is often designed involving human elements, especially when topics relating to how individuals view and experience the world are examined (Given, 2008). According to Strauss and Corbin (1998), qualitative research is any study that does not rely on statistical or quantifiable means to arrive at its conclusions. Bryman (2012) and Saunders et al. (2016) describe this difference between qualitative and quantitative research as one using words while the other uses numbers. However, qualitative research is more confusing and challenging to embark on. As Denzin and Lincoln (2018:46) rightly argue, 'qualitative research is difficult to define clearly. It has no theory or paradigm that are distinctively its own... nor does qualitative research have a distinct set of methods or practices that are entirely its own'.

Chen (2016) points out the challenges of teaching qualitative research in China and argues that it is often seen as a biased, subjective and unrepresentative method of research. However, Knoblauch et al. (2005) suggest that some cultural influences mitigate qualitative studies such as the epistemic, institutional, political, economic or traditional background. In light of these arguments, qualitative research is often avoided by those who regard the challenges and rigours

involved in such studies as biased or subjective. Despite these opinions, this investigation is a qualitative study, given the many positive outcomes expected from such research.

One such positive is the ability of qualitative studies to allow the researcher to have a progressive focus during the fieldwork, by systematically contracting and refining the focus of the study through interacting with the data (Sinkovics and Alfoldi, 2012). Given (2008) points out that a qualitative study presents the researcher with an exceptional recognition of the inspirations behind individual needs and conduct. As this is the case, the ability of the researcher to adjust the interview questions in order to gain a better understanding of human conduct during the investigation is an added benefit and accounts for why this study is conducted qualitatively not quantitatively.

Another feature of qualitative research is its ability to celebrate anomalies. Outliers are often disregarded in a quantitative study but not in a qualitative investigation, where outliers are carefully examined as an added perspective (Aharoni, 2011; Morse, 2017). This ability to investigate outliers gives the qualitative study a richer and fuller understanding of the subject matter. The researcher is able to critically examine the data gathered and understand their place in the theoretical structure by observing comparable cases and integrating them into developing themes.

Qualitative research has the ability to be flexible and this makes the approach attractive to researchers as they have the ability to constantly interact with the data, looking for alternative interpretations and emerging themes until the data is fully exhausted (King and Brooks, 2018). Qualitative researchers often adopt methods that give the rigour and clarity needed to retain the flexibility to frame and apply the study.

Given the critical realist philosophical stance of this research, a qualitative research strategy is employed in order to understand the complex social phenomena of the surge in precarious work

in the oil and gas sector in Nigeria, along with the effects of neoliberalism, postcolonialism, ILO norms and trade union responses to this nemesis (Yin, 2014). The interactions between these concepts may not be easily quantified, hence the decision to carry out a qualitative study. Although quantitative research, such as a survey, could be used to gather information in an investigation of this nature, the depth of information may not necessarily achieve the aims of the research.

To understand the phenomena, examinations of both the internal and external factors and their contributions to the surge in precarious work have to be central to the research. The ambiguous nature of these factors requires an interactive and interwoven examination of the interplay between them (Yin, 2014). While quantitative research is commonly used in the social science field, it is arguably limited in its ability to carry out a comprehensive investigation of this nature. Quantifying the interactions between the various factors is not feasible, hence the more in-depth and informed qualitative research method.

3.4 Research Design

This section of the research outlines the design employed in the investigation. A case comparison of three organisations in the petroleum industry gives the investigation several settings on which to base the theoretical consideration of its findings (Bryman and Bell, 2015). Given the investigation's primary concern, which is trade union responses to precarious work, this section argues that case study research and comparison within the industry is appropriate to explore real-life events relating to the subject. The capacity to investigate issues in their context gives the case study a distinguishing methodological advantage and makes it a viable option (Yin, 2014).

There are several reasons why the Nigerian petroleum industry is selected for the study and the specific cases selected for investigation:

- a. The industry is the pillar of the Nigerian economy, generating about ninety-five (95) percent of the nation's foreign reserve (Fajana, 2005) and therefore, attracting foreign investment and MNC interest from the discovery of oil in Nigeria (as early as 1914) to date.
- b. MNCs have a stronghold on the oil and gas industry in Nigeria and have control of most of the facilities in the country while bringing in foreign investment to boost the Nigerian economy.
- c. Despite the strong position of the industry in the Nigerian economy, there have been multiple reports of workers in the sector experiencing injustice at the hands of organisations in the industry in terms of the standard of jobs offered in recent years and the gradual elimination of any bargaining powers for workers.
- d. The position of the trade unions in the Nigerian petroleum sector (PENGASSAN and NUPENG) has been weakened, at a time when they face a new injustice for workers who bring much to the Nigerian economy.

The methods engaged in this research comprise a critical review of the literature on employment and the employment relationship, capitalist ideologies, profit-making machines and trade union responses to these issues.

3.4.1 Case Study

According to Piekkari and Welch (2018) and Welch et al. (2013), the case study is the most prominent research strategy used by qualitative management researchers. Ritchie and Lewis (2003) argue that the case study has become synonymous with qualitative research in most cases. Eisenhardt (1989) is of the view that case study is a research approach that has the capability of focusing on the dynamics of a single setting. Yin (2014) and Eisenhardt (1989) define a case study as an empirical enquiry and an investigative approach, respectively.

Meanwhile, Piekkari and Welch (2018) support Hartley's (2004) definition, argues that a case study is more than the method it applies, rather it is a study of a phenomenon in its natural context using multiple data methods and sources. Despite these definitions, case study can be the most confusing and challenging research to embark on.

Piekkari and Welch (2018) see the case study as a means rather than an end, given its ability to generalise. Generalisation, according to Sekaran and Bougie (2016), is the ability of findings from one environment to be applicable to another setting. Yin's (2014) argument for the acceptable scientific worth of the case study culminates from the rigorous step by which researchers demonstrate the standards of the method and how these show internal and external validity, construct validity and reliability; the same standards by which quantitative research is measured.

Yin (2014) postulates that the argument for a case study is made when the phenomenon under investigation is not distinct from its context. In contrast to other research methods, such as experiment, the major preoccupation of which is to manipulate variables, or survey, which engages standardised questions, the case study observes its characters in an individualised setting (Blaxter et al., 2006). Despite the general argument about the lack of generalisation of case study data, a comparative study design drawing on three cases distinguishes this study and allows the researcher to reflect on the theoretical implications of the findings (Bryman, 2012).

3.4.2 The Applicability of Case Study as a Research Design

The field of organisational behaviour and, indeed, business and management rely increasingly heavily on case study research due to its ability to be flexible and in-depth in its examination of its subject (Piekkari and Welch, 2011; Savin-Baden and Major, 2013; Bryman and Bell, 2015). In order to understand the complexity of the social phenomena of the surge of precarious work in the petroleum sector in Nigeria, the effects of neoliberalism, post-colonialism, ILO

norms and trade union responses, an in-depth case study investigation of the subject matter is required. The exploratory nature of the research questions also informs the choice of case study (Thomas, 2016; Bryman and Bell, 2015; Saunders et al., 2016). However, to achieve various dimensions of study, an explanatory case study is carried out.

Case study research allows the researcher to present a holistic description of multiple data collected (Easton, 2010; Thomas, 2016). This informs the researcher's decision to carry out a case study, given that a holistic understanding of multiple types of data from three organisations is required. Additionally, a case study enables the researcher to focus on a specific industry as an individual unit, studying the phenomenon in context (Flyvbjerg, 2011; Creswell, 2014). Consequently, organisations in the Nigerian petroleum industry are used as case studies and data from three organisations are applied in the investigation.

Yin (2014:16) calls case study 'an empirical inquiry that investigates a contemporary phenomenon in depth and within its real-world context, especially when the boundaries between phenomenon and context may not be clearly evident'. Yin's argument for the case study as an in-depth investigation applies the research method of conducting an in-depth enquiry in order to gain a philosophical understanding of the phenomena. A qualitative study is able to take a holistic view of the phenomena and consider outliers, unlike a quantitative study in which outliers are disregarded (Aharoni, 2011). Despite fieldwork being a core part of the case study, its essence and method of inquiry are the axes of the case study and it is generally guided by the interpretation of the research questions (Hartley, 2004).

Considering Hartley's (2004) argument, the predominant topic of this investigation is union responses to precarious work in the petroleum industry, broken down into several subcategories in order to understand the causes and effects of these responses. The questions are:

- What are the main drivers of precarious work in the petroleum industry?

- What are the latest trends in precarious work and what are the links between unemployment and precarious work in the Nigerian oil and gas industry?
- In what ways have trade unions responded to the surge in precarious work in MNCs in the petroleum industry, and what has the impact been?
- To what extent have ILO norms and international standards for MNCs had an impact on labour deployment strategies and forms of employment?
- What new approaches and strategies can the industry trade unions NUPENG and PENGASSAN adopt to combat the surge in precarious work while attracting and retaining prospective members?

Given the research questions raised in this investigation, a qualitative data collection method is applicable in order to gain an in-depth understanding of the sub-issues identified.

The multiple data collection methods adopted characterise case study research (Berg and Lune, 2012; Creswell, 2013). Yin (2014) adds that a case study is capable of using data from multiple sources and triangulating the results. Hence this research relies on qualitative data in the form of interviews, documents, archival records and direct observation for a comprehensive view of the subject matter.

The ability of a case study to generate comprehensive and contextualised data through the integration of various perspectives on the context and explaining the issues involved in the investigation makes it a viable option for this research (Ritchie et al., 2014). The triangulation of data from multiple sources gives a holistic view of the cases studied.

Trade unions in the oil and gas industry in Nigeria operate within various categories and at national and state levels. The issue of precarious work, therefore, does not necessarily apply at the same level for every organisation in the industry. Consequently, the intricate nature of the research requires a multi-case design. Data contraction is carried out to understand the various

cases that make up the core unit of analysis (Bryman and Bell, 2015). This process allows the sub-groups (trade unions, ILO norms, neoliberalism and post-colonialism) to receive adequate attention in the analysis.

With reference to Table 2.1 in Chapter Two, some organisations in the industry, especially multinationals, have large numbers of precarious workers, while there are indigenous organisations with fewer workers in the precarious category; although this is disputed, partly because of a lack of transparency in the industry. To understand the level of precarity in the industry, both multinationals and indigenous organisations are chosen for this study. Hence, the organisations participating in this research are two multinationals and one indigenous organisation. Since the Niger Delta region of Nigeria is the hub of the oil and gas industry, this research is carried out in this area.

The appropriateness of the researcher's awareness of the boundaries of the investigation cannot be overemphasised. However, this does not restrict the investigation, as one of the purposes of a case study is to enable the researcher to investigate, in wider terms, the relationship between an individual unit and its environment (Flyvbjerg, 2011; Creswell, 2014). Consequently, to achieve the aim of the study and answer the research questions, the investigation is carried out in the petroleum industry, which is considered the empirical unit; specifically, three locations in the industry, Helechem International (Helechem) and Sudocom International (Sudocom), both multinationals, and Precedom Consolidate (Precedom), an indigenous organisation. Ragin (1992) identifies the empirical unit of observation as the unit from which data is collected. In this case, Helechem, Sudocom and Precedom are the empirical units of observation.

The fundamental question confronting researchers carrying out investigations of this nature is identifying the case to study. The research questions, ultimately, inform the researcher's decision about the unit of analysis (Yin, 2014; Sekaran and Bougie, 2016). The unit of analysis

of this research is the precarious workers in the three organisations in the petroleum sector in Nigeria. The unit of analysis, according to Fletcher and Plakoyiannaki (2011), is the fundamental entity analysed in the investigation.

This research is carried out in a non-contrived setting in three sites in the petroleum sector (Sekaran and Bougie, 2016). Due to this uncontrolled situation, several interruptions occurred during the interviews, but this did not affect the quality of the interviews conducted. The selection of these sites for the investigation is informed by their status in the petroleum sector, the nature of jobs offered to employees and the challenges unions face in dealing with the nature of the job offers. Three types of criteria are considered in making these choices: political, economic and industrial. The Nigerian political and economic system reflects the neo-liberal economic model of their former colonial rulers, and this has informed the move towards a decentralised form of unionism practised in Britain since the 1970s (Benson and Gospel, 2008).

According to Denzin and Lincoln (2018), qualitative studies carry out their investigations in the natural settings of the research. Therefore, this study is carried out in organisations where precarious jobs are offered. Three major organisations are studied in order to gain a holistic view of the subject matter. Helechem is studied for its strategic position as one of the largest MNCs in the industry with the highest number and percentage of precarious workers. Sudocom is also a multinational with a high number of non-standard workers. Finally, Precedom is studied for its role as an indigenous oil company in the petroleum industry with a low percentage of precarious workers (see Table 2.1 in Chapter Two). Data from the three organisations are triangulated to get a comprehensive view of the subject matter and for comparison.

3.4.3 Advantages and Disadvantages of Case Study

The uniqueness of case study research makes it a viable option for this investigation, as it places the issue of precarious work in the context of the petroleum industry in Nigeria. The ability of a case study to focus on either one case or multiple cases, as in this research, is one of its particularities. Arguably, collecting data from three organisations, especially MNCs in the petroleum sector, is intensive. However, the ability of the case study method to triangulate multiple sources of data to achieve a comprehensive picture of the subject matter is an advantage of this design.

Case study research has the capacity to examine phenomena utilising various procedures, such as single or multiple cases, several stages of analysis (Yin, 2016) and several data collection methods. Eisenhardt (1989) points out case study's capacity to collect data from multiple sources such as interviews, archives, documents and questionnaires. Creswell (2013; 2014) and Creswell and Plano Clark (2007) support this argument, considering the case study a viable technique for mixed-method and multi-method research designs.

Some disadvantages are associated with the case study. It is generally assumed that case studies are time-consuming and resource-intensive due to the in-depth nature of the research and the difficulties and challenges it poses. Also, there are challenges in generalising the findings (Yin, 2014, Thomas, 2016). Despite the time-consuming nature of the case study, it is worth taking the time to understand the intricate nature of precarious work in the Nigerian petroleum industry. Negotiating access is often a major challenge, especially as organisations have been known to withdraw consent previously given by gatekeepers (Land and Taylor, 2018).

According to Sekaran and Bougie (2016), the hallmark of scientific research is its ability to be objective, replicable and generalisable. The general advantage of the survey is that the findings can be generalised to the population. Although case studies do not have this ability, Yin (2014)

makes the argument for case studies that generalisation is possible, but only to theory rather than populations. This is referred to as ‘analytic’ generalisation. Bryman (2012) supports this argument but goes further to suggest that cases are often chosen for qualitative studies based on their suitability for answering research questions. Given that conditions vary in case study research, it would be inappropriate to claim the generalisability of the findings of this research (Thomas, 2016). Therefore, the particularisation of the information is one goal of this study.

3.4.4 Data Collection Strategy

According to Blaxter et al. (2006), all research includes some form of data collection and analysis, which may be numerical, written or pictorial, and original or secondary. Data collection, according to Molina-Azorin (2018), is the method the researcher applies to acquiring both qualitative and quantitative data. In this case, the resources necessary for a proper evaluation of the study are gathered through a specific data collection strategy. Proverbs and Gameson (2008) reiterate that the data collection method of all research is determined by the subject of the investigation.

To examine trade union responses to precarious work in the petroleum sector, this investigation uses four categories of data collection: interviews, direct observation, documentation and archival records. Adopting a multi-method approach to collecting the data is expected to minimise the weaknesses of each approach given the critical realist stand of the investigation. Furthermore, case studies are suitable for data triangulation (Easterby-Smith et al., 2015; Yin, 2014) made possible by applying multiple sources of data.

As evident from Yin’s (2014) six sources of evidence (see Table 3.1 below), there are strengths and weaknesses to each strategy. However, the weaknesses of one can be complemented by the strengths of another in a multi-method data collection approach. Table 3.1 gives a detailed

explanation of the strengths and weaknesses of each collection strategy available for qualitative research.

Table 3.1: Six Sources of Evidence: Strengths and Weaknesses

Source of Evidence	Strengths	Weaknesses
Documentation	<ul style="list-style-type: none"> • Stable - can be reviewed repeatedly • Unobtrusive - not created because of the case study • Specific - can contain the exact names, references, and details of an event • Broad - can cover a long span of time, many events and many settings 	<ul style="list-style-type: none"> • Retrievability - can be difficult to find • Biased selectivity if collection is incomplete • Reporting bias - reflects the (unknown) bias of any given document's author • Access may be deliberately withheld
Archival records	<ul style="list-style-type: none"> • [As for documentation] • Precise and usually quantitative 	<ul style="list-style-type: none"> • [As for documentation] • Accessibility due to privacy reasons
Interview	<ul style="list-style-type: none"> • Targeted - focuses directly on case study topics • Insightful - provides explanations as well as personal views (e.g., perceptions, attitudes, and meanings) 	<ul style="list-style-type: none"> • Bias due to poorly articulated questions • Response bias • Inaccuracies due to poor recall • Reflexivity - interviewee gives what interviewer wants to hear
Direct observation	<ul style="list-style-type: none"> • Immediacy - covers actions in real-time • Contextual - can cover the case context 	<ul style="list-style-type: none"> • Time-consuming • Selectivity - broad coverage is difficult without a team of observers • Reflexivity - actions may proceed differently because they are being observed • Cost - hours invested by human observers
Participant observation	<ul style="list-style-type: none"> • [As for direct observation] • Insightful into interpersonal behaviour and motives 	<ul style="list-style-type: none"> • [As for direct observation] • Bias due to participant or observer manipulation of events
Physical artefacts	<ul style="list-style-type: none"> • Insightful into cultural features • Insightful into technical operations 	<ul style="list-style-type: none"> • Selectivity • Availability

Source: Yin (2014:106)

As diverse strategies for data collection, the researcher uses four of the strategies listed in Table 3.1 (interview, documents, archival records and direct observation) to give a holistic view. Piekkari and Welsh (2011) suggest that combining several strategies of data collection allows the researcher to attain richness of data. This richness, according to Johanson (2011), comes from the eagerness of individuals to share their knowledge and assumptions in interviews through the trust established between the participant and researcher. Yin (2014) supports the use of different data collection approaches for different purposes. Piekkari and Welsh (2011) attribute deeper and more reliable material to multi-strategic data collection.

i. Semi-structured Interviews

Semi-structured interviews offer a strategic approach to answering qualitative research questions. Unlike structured interviews using questionnaires which are mostly relied on by quantitative researchers, semi-structured interviews enable the researcher to probe the participant for in-depth answers that give meaning to the investigation. Cassell (2015) sees the semi-structured interview as an exploratory method that focuses on a developing subject from a variety of diverse viewpoints. Fundamentally, semi-structured in-depth interviews are carried out to achieve a comprehensive understanding of the subject matter. The use of semi-structured interviews in research of this nature is particularly important due to the qualitative nature of the research questions. Pre-set questions and probing questions can reveal unexpected themes, depending on the participants' responses (Savin-Badin and Major, 2013).

While the research topic and questions are used as a guide to the selection of participants (Ritchie et al., 2014; Thomas, 2016), the selection is also based on socio-demographic characteristics relevant to the study. The samples for this study are drawn from the Nigerian petroleum industry; specifically, three organisations within the industry, one indigenous and two multinationals.

ii. Sampling Technique

There are several sampling techniques used in investigations, mostly grouped under probability and non-probability strategies. A probability technique is one in which every part of the sample has an equal opportunity of being selected; for example, for a survey (Hoxley, 2008). While probability sampling is often used, in most social science research the chance of selecting participants who may not be relevant to the investigation makes the technique unsuitable. A non-probability sampling technique is used in this study. This enables the researcher to select those most important to the study (Saunders and Townsend, 2018). Purposive sampling and snowballing are both used (Blaxter et al., 2006). Purposive sampling enables the researcher to handpick which cases and interviewees would best explain the issue under investigation (Blaxter et al., 2006; Creswell, 2014; Guess et al., 2006). Meanwhile, snowballing gives the researcher the opportunity to be introduced to other people of interest through the initial informants (Blaxter et al., 2006). Through snowballing, the researcher can identify new people of interest who are willing to take part in the study.

Gatekeepers are a major means of accessing participants for qualitative research. According to Given (2008), gatekeepers are individuals who have inside knowledge that can be used to access organisations or communities to gain information. Gatekeepers can introduce the researcher to participants who could provide knowledge in a casual atmosphere. Hence, gatekeepers are used in this research to gain access to multiple participants in all three organisations.

A total of thirty-four participants were interviewed for this research, all selected based on their demographic characteristics and relevance to the investigation. One-on-one semi-structured interviews were carried out with open-ended questions to allow for expansive responses (Lee and Aslam, 2018). Despite Morse's (1995) assertion that the means to exceptional qualitative

research is data saturation, there are no written rules for ascertaining the sample size needed to achieve this saturation.

Senior managers, managers or management staff members were interviewed in all three organisations, as shown in Table 3.2, below. A total of three human resource representatives were interviewed, one from each organisation. Seven union executives were interviewed, three each from Precedom and Sudocom, and only one from Helechem. It is worth noting that the three union executives from Sudocom were all on non-permanent (precarious) contracts, while those from Helechem and Precedom were permanent, full-time employees of the organisations. However, no union executive was representing NUPENG at Helechem, since that branch of the union was eliminated from the system.

Although only two participants were permanent employees, the management staff were also regarded as employees in this case. Meanwhile, sixteen non-permanent (precarious) workers were interviewed, two at Precedom, eight at Helechem and six at Sudocom. As noted, all three union executives at Sudocom were non-permanent (precarious) workers.

Table 3.2: Composition of Participants

PARTICIPANTS	ORGANISATIONS			TOTAL
	Precedom	Helechem	Sudocom	
Senior Manager	1	1	0	2
Manager	0	1	0	1
Management Staff (Permanent)	0	2	1	3
HR Representative	1	1	1	3
Labour Representative	3	1	3	7
Permanent Employee	1	0	1	2
Non-permanent Worker	2	8	6	16
TOTAL	8	14	12	34

Source: The Researcher

The number of participants originally anticipated for the research was thirty-nine (39). However, due to unforeseen circumstances, the researcher was only able to conduct thirty-four (34) interviews. Particular care was taken for the researcher's views not to influence the data collection (Denzin and Lincoln, 2018). Interview questions were open-ended, based on the research questions and relevant to the category of the interviewee. A broad summary of some of the major issues discussed with each category of the participant is shown in Table 3.3, below.

Table 3.3: Category of Participants and Issues Discussed

Participant	Issues Discussed
Senior Manager/ Management staff	<ul style="list-style-type: none"> • Organisational strategy on employment • Category of workers • Key employment trend • Compliance with labour laws • Opportunities/challenges of the current employment trend
HR Representative	<ul style="list-style-type: none"> • Number of employees • Organisational strategy on employment • Key employment trend • Category of workforce • Opportunities/challenges of the current employment trend
Labour Representative	<ul style="list-style-type: none"> • Work category of members • Key employment trend • Labour laws on precarious work • Union membership • Engagement with international institutions/NGOs, e.g. ILO • Opportunities/challenges of the current employment trend
Permanent Staff	<ul style="list-style-type: none"> • Employer • Length of service/educational qualifications • Terms of contract/union membership/representation • Benefits/job security • Drivers of precarious work
Non-permanent (Precarious) Worker	<ul style="list-style-type: none"> • Employer • Length of service/educational qualification • Terms of contract/union membership/representation • Benefits/job security • Drivers of precarious work

Source: The Researcher

Saunders et al. (2016) point out that the participants chosen should help answer the research questions. As stated, the questions posed to the participants were based on their demographic characteristics.

Triangulation of the data from the research was carried out in order to give precision and a deeper understanding of the points raised in the research, rather than for validity (Ritchie et al., 2014). Triangulation, according to Easterby-Smith et al. (2015) and Given (2008), is the act of collecting data from multiple sources, over time. Despite the strengths and weaknesses of each method of research, the use of multiple methods enables the researcher to triangulate data and eliminate possible limitations (Gray, 2014).

iii. Documentation and Archival Records

Social research, as well as all other studies, often rely on documents, be they policy documents, empirical research or the work of practitioners (Blaxter et al., 2006). According to Proverbs and Gameson (2008), one fundamental element of case study research is the ability to rely on existing material originating from the unit of investigation. It is also often the case that researchers need to familiarise themselves with a given topic. Documents are used in this case study to corroborate other sources of evidence such as in-depth interviews. While this is vital to the study, the documents and archival records are meant to support the information gathered from the interviews.

Documents in the form of newspapers, magazines, annual reports and memoranda were collected to gain an understanding of the case organisations and trade unions (Mills and Mills, 2018). Stan (2010:29) states that ‘archival records are an invaluable tool of data gathering... focused on the past and its impact on the present. The careful analysis of archival records can provide valuable information on the life, concerns, and aspirations of individuals and groups’.

iv. Direct Observation

Direct observation, as the name implies, is the observation of workers in their natural, non-contrived work environment and holding short conversations in order to understand the issues raised in the investigation (Johanson, 2011). Although direct observation is a strategy of this research, intended to understand how union meetings are conducted and the agenda for such meetings, the researcher was not given full access to these meetings, despite an initial agreement. The reason given for this was to maintain the privacy policy of the union which only allows members to attend meetings. Therefore, the researcher had the privilege of waiting outside the meeting doors. Nevertheless, the verbatim minutes of the meeting were later shared.

3.5 Data Transcription and Analysis

Data analysis in a qualitative study is often seen as cumbersome, due to the large amount collected in the form of text (Bryman, 2012; Yin, 2016). Therefore, the process of analysing qualitative data is making plausible interpretations from huge amounts of data collected (Sekaran and Bougie, 2016; Thomas, 2016). Blaxter et al. (2006) posit that data analysis is an ongoing process that could exist throughout an investigation and inform the data collection. Analysing the data from an organisational qualitative study requires several methods, and thematic analysis is no different.

Although computer-assisted qualitative data analysis software (CAQDAS) is increasingly used for processing qualitative data as it provides an easier way to understand and interpret multimodal data (Davidson and di Gregorio, 2011; Spencer et al., 2014) the traditional analytical method of thematic analysis is used for this investigation. Thematic analysis relies on coding, which is the first step in analysing qualitative data (Bryman, 2012). It is a more straightforward and less rigorous approach for the researcher, hence the choice.

This investigation applies a qualitative case study design to understand trade union responses to precarious work in the petroleum industry in Nigeria, and the interview data and documents gathered in the process are analysed using emerging arguments relevant to the theoretical viewpoint of the investigation (Weston and Imas, 2018). The researcher applies the thematic data analysis technique of systematically classifying and construing themes from a large amount of data gathered and interpreting the same by collapsing themes and creating new codes in the process (Bryman and Bell, 2015).

Themes were generated during the formal analysis stage by applying a substantive approach of devising concepts and themes from the data as they occur (Ritchie et al., 2014). According to Seale (1999), coding is the process of assigning meaning and construing possible viewpoints. To arrive at the appropriate codes, the researcher went through the data generated during the investigation by indexing and sorting and developing categories in a more interpretative manner (Richie et al., 2014). This process is to enable the researcher to address the central tenets of the study which culminated in the research questions.

Unlike quantitative data analysis that has well-established guidelines, analysing qualitative data is not as easy or straightforward (Gray, 2014; Sekaran and Bougie, 2016). Creswell (2014) asserts that analysing qualitative data is a process of drawing meaning out of the textual data or imagery. Case study research often applies coding to make meaning out of data. Due to its ability to apply numerous forms of classification, systematising and construing themes in word-based data (King and Brooks, 2018), thematic analysis is, therefore, a suitable choice for transcribing and analysing the data generated by this investigation.

The primary data for this research were collected through semi-structured interviews with open-ended questions. The interviews were followed by a detailed summary of the day's findings, duly tape-recorded, and field notes were taken where voice recording was not possible

(Gray, 2014). All the interviews conducted and recorded including those recorded orally were fully transcribed and the tapes kept as a backup for when needed to get an understanding of the codes or quotes drawn from the data.

Secondary data in the form of documents and archival material were also gathered during the investigation. Most of the secondary materials gathered were official magazines and notes from the unions and organisations. These materials were also transcribed and included in the findings (Bryman, 2012). According to Haigh (2008), the transcription and analysis phase of qualitative research can cause much stress for the researcher. Despite this, the data were transcribed using qualitative data transcription and coding techniques (Rheinhardt et al., 2018).

3.5.1 Data Triangulation

As mentioned, data triangulation is an important aspect of multi-method data gathering. Triangulation ensures a level of trustworthiness of the data retrieved from the multi-method collection process (Easterby-Smith et al., 2015; Given, 2008; Yin, 2016). Data triangulation was undertaken by collecting data through in-depth interviews, observation, documentation, and archival sources. This enabled the researcher to collate the information gathered through the various data collection process.

To achieve reliability, triangulation is an important step in the data collection process that enables the researcher to combine several techniques (Gray, 2014; Proverbs and Gameson, 2008). However, triangulation was carried out in this research to give greater meaning and understanding to the issues raised rather than for validity. The large volume of high-quality data gathered in the process of the investigation from in-depth interviews, observation and archival documentation gives credence as well as an understanding of the problems. This balances out any probable limitations in any of the methods utilised (Gray, 2014).

Data triangulation was carried out at two levels. Three organisations were used as case studies, and the first level of triangulation is at the organisational level, where multiple data sources including secondary data in the form of company documents and press briefings, in addition to the interviews were collected at multiple levels of the organisations. Secondly, secondary data from trade unions alongside the in-depth one-on-one interviews with union leaders and observations were carried out. Nevertheless, Easterby-Smith et al. (2015) warn of the difficulties the researcher can face in triangulating data.

3.6 Ethical Issues

As with all research, case study research is concerned with consent, confidentiality, privacy, sincerity and the avoidance of harm to participants (Denzin and Lincoln, 2018). Ethical issues must be considered in research of this nature, including the process of gaining entry to organisations and access to individuals within organisations. According to Sekaran and Bougie (2016), ethical issues are relevant to the organisation sponsoring the research and the behaviour of the researcher carrying out the study as well as how participants are treated and the confidentiality of the information gathered. Therefore, ethical consent was sought by the researcher from the institutions (see Appendix 7), and approval was obtained before embarking on the study.

Ethical issues were considered at every step of the research, from data collection to analysis, writing and publishing (Sekaran and Bougie, 2016). The research took all ethical issues seriously, ensuring that the participants were duly informed of the reasons for carrying out the study. Consent was obtained from every participant (see Appendices, 2, 3 and 4) and steps were taken to ensure their anonymity. Consent was requested and granted before recording interviews (Easterby-Smith et al., 2015; Whittle, 2018). While most participants were not bothered about the recording, a few did not consent and therefore the interviews were not

recorded. In order to ensure anonymity, pseudonyms are used to identify the participants and, in line with general data protection regulations, every effort was made to safeguard the information gathered during the study and treat it with confidentiality (Gray, 2014; Yin 2014).

3.7 Limitations of the Study

No research is without limitations or weaknesses (Gray, 2014), and this study is no exception. A common limitation of case study research is its inability to be generalised. However, Yin (2014) argues that case study research can be generalised to theory. Roche (1997) is of the opinion that researchers can generalise to populations, despite not being able to carry out a statistical generalisation. This research is somewhat different, as it is partly at the level of the sector, but this issue is mitigated by the multiple case design and use of secondary data. While statistical generalisation is not possible, the research explores issues and dynamics likely to be evident elsewhere, and it adds to or extends similar research in other Nigerian, African and developing country contexts.

Despite the ability of the researcher to physically be on the ground to carry out the study, the unavailability of some of the individuals who could have added robustness to the study is a constraint. The complexity of the fieldwork, which is a factor of oil and gas facilities being placed across several locations, contributes to the absence of possibly vital participants. Available interview time is also a constraint on the research since the study was carried out during working hours (Gray, 2014). Although most participants were very willing to give their personal opinions on the issues raised, there were a few who were not so forthcoming with information, probably because of the sensitivity of what they had to offer, which is a major concern when researching an organisation (Fachin and Langley, 2018). Despite these challenges mentioned, the outcome of this study was not in any way affected by these constraints due to the quality and amount of data generated during this investigation.

3.8 Chapter Summary

This chapter examines the methods applied in the conducting of this study. It begins with the philosophical stance of critical realism which is identified as most appropriate for the study because the researcher subscribes to the tenets of critical realism which states that an objective reality exists in the social world. Therefore, the realist pursuit of this phenomenon through constructive instruments that generate outcomes in the social world and the aim of this study to investigate union responses to precarious work in the petroleum sector are correlated.

The chapter presents the most appropriate approach to gathering high quality, meaningful data relevant to the subject of study, and the data collection and analysis strategy used. The case study is most appropriate due to its emphasis on in-depth, holistic data collection and its ability to investigate issues in their natural settings. In order to get the perspectives of trade union leaders, managers, HR representatives, permanent employees and non-permanent (precarious) workers, especially in their natural settings, it is imperative that the study is carried out as a case study. The case study approach adopted in this investigation enables the researcher to apply various qualitative methods in the collection and analysis of the data.

The later chapters of this study will discuss in details the institutional and industry context of this study. Chapter four will consider the institutional context of this research which deals with Nigerian history, its political and economic trends, its economic institutions, employment relations institutions and trade union structure. While chapter five will deal with the industry context of the study; the international oil and gas industry – historical structures and competitive trends and the Nigerian petroleum sector – historical development and trends of employment. This is to give a vivid background and understanding of the issues leading to this investigation.

Chapter Four: The Institutional Context

4.1 Introduction

This chapter provides important information on the political history of Nigeria as a nation. It considers the institutional and socio-economic trends in the country; its colonial past, postcolonialism and the legal framework for employment relations in the country. The chapter examines multinationals, corporate social responsibility, precarious work and trade unions, and considers the challenges confronting employment and the employment relationship as a result of current trends in the Nigerian context.

4.2 Overview of the Nigerian Population and Economy

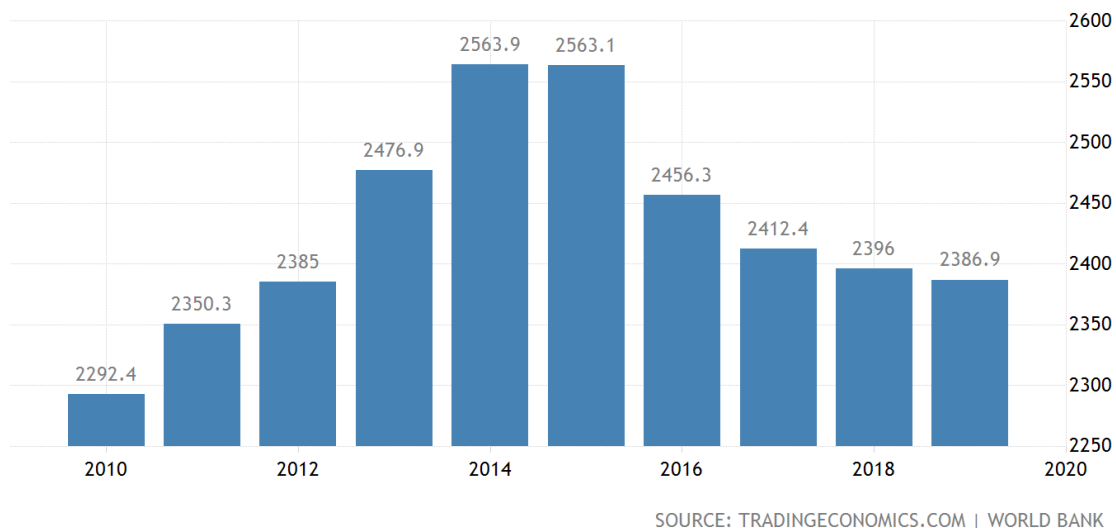
Nigeria is known as the giant of Africa due to its strategic position as the most populous nation in Africa, endowed with vast natural and human resources. Nigeria is the largest oil-producing country in Africa with the capacity to produce 2.53 million barrels per day (Evuleocha, 2005; Fajana, 2005, 2008; Falola and Oyeniya, 2015). There are conflicting reports as to the population of Nigeria, with some suggesting it has over a hundred and seventy (170) million people (Falola and Oyeniya, 2015; Ojo, 2014), while others put it at one hundred and eighty (180) million. The most recent figures from the World Bank peg the current population of Nigeria at two hundred and one (201) million (World Bank, 2020).

At the time of independence in 1960, the total population was a little over forty-five (45) million. One consistent fact is that it is the most populous black nation and the seventh most populous country globally, with enormous human and mineral wealth (Paul, 2014). Nigeria's population is an advantage in many ways; however, it has also become a burden on its citizens in the economic sphere, especially with regards to levels of employment and unemployment (Falola and Oyeniya, 2015; Fapohunda, 2012). From a historical perspective, the political and

socio-economic environment in Nigeria has evolved over the years, and this can be attributed to several factors including the effects of colonialism on the structure of society.

Despite its strategic position and human and natural endowment, Nigeria is one of the poorest countries in the world due to its legacy of corruption, poor economic management and weak institutions (Olasupo et al., 2017). Data from the World Bank (2019) puts the rate of Nigerians below the poverty line at thirty-nine (39) percent. Meanwhile, the gross domestic product (GDP) per capita for the year 2019, according to the World Bank and Trading Economics, is \$2,386.9.

Figure 4.1: Nigerian GDP Per Capita



Nigeria, a nation once regarded as a beacon of hope for the black race due to its huge concentration of blacks, and hailed as the economic powerhouse of the continent of Africa by the international community, began to face economic difficulties resulting in political violence and rising poverty rates (Whitaker, 1991). Constitutional crises along with inter-and intra-party conflict all rocked the new nation. However, the issues faced within Nigerian polity were similar to those faced elsewhere in Africa where colonisation was followed by independence (Olaiya, 2016).

Before independence in 1960, Nigeria had a dual economy dependent on trading and agriculture. According to the available data (Falola, 2009; Olasupo et al., 2017), over half of Nigerian GDP came from agriculture at the time of independence, but today agriculture has become almost non-existent due to the strategic importance of the oil and gas sector. This has brought with it emerging issues facing employment and the employment relationship.

Before the discovery of oil, Nigeria was well established for trading palm oil, palm kernels, cocoa and peanuts, which were very lucrative businesses generating resources for the nation (Falola, 2009). Ojo (2014) asserts that the total neglect of the agricultural sector led to the huge unemployment problem currently facing the nation. However, there is ample evidence to show that the onset of deregulation and the privatisation of government-run institutions led to rises in unemployment and underemployment (Fapohunda, 2012). As Bach et al. (2009) rightly note, privatisation, combined with technological change, liberalisation and deregulation has had a significant effect on the economy.

Though the largest oil-producing nations in the globe are in the Middle East, Asia and North America, several Africa countries are top oil-producing states. As mentioned, Nigeria is the biggest oil-producing country in Africa, closely followed by Angola. International Energy Agency (IEA) data for 2013 places Nigeria in the top fifteen (15) global oil-producing states with its 2.5 million barrels per day, which is 2.6 percent of total world production. Therefore, Nigeria is among the top ten (10) major oil-producing nations, the GDP of which mainly relies on oil revenue.

The inequality that exists in social class is wide. Among the two hundred (200) million people estimated to live in Nigeria, over one hundred and twelve (112) million live in poverty according to a report presented by Damilola at an international anti-corruption conference in

2019. There is a need to examine the economic as well as political aspects of the decline in trade unionism in Nigeria.

4.3 History and Evolution of Modern-day Nigeria

Nigeria has an extensive history that includes colonisation and decolonisation. The nation was under imperial British rule until October 1, 1960 (Falola and Oyeniyi, 2015). The colonising of Nigeria came about through threats of war and surrender, violent in some cases, non-violent in others, as kings were dethroned, sent into exile and kingdoms conquered for the expansion of the British Empire (Falola, 2009).

By 1900, Nigeria had become a protectorate of the British Empire, although, there were separate regions under the Northern and Southern protectorates. A protectorate refers to a state-controlled and protected by another. The Northern and the Southern protectorates were each governed by a constitutional monarchy under the protection of the British Empire. Before 1914, the nation now known as Nigeria was made up of various regions that were amalgamated by the British to become Nigeria then divided into colonies that were governed individually by local leaders (Falola, 2009; Ojo, 2014).

Nigeria consists of over two hundred and fifty (250) ethnic nationalities, and each group lived independently before the arrival of the British (Falola, 2009; Ojo, 2014; Akanmidu, 2018). A multi-ethnic nation, Nigeria was divided along socio-political and economic ethnic lines with independent forms of governance (Eluwa, 1988; Akanmidu, 2018). The ethnic groups included the Sokoto caliphate (the Fulani Emirate) and the Kanem-Bornu Kingdom, both of Northern Nigeria, the Yoruba Empire of Oyo, the Ife Kingdom, the Benin Kingdom, the Igbos in the Eastern region, the Niger Delta states of Bonny, Nembe and Kalabar and the remote cities therein (Raji and Abejide, 2014). It is well documented that Nigeria was run as a well-organised and efficiently managed kingdoms before the amalgamation (Ikime, 1980; Abdulsalami, 2013).

The process of amalgamation of the Nigerian state started as early as 1906, is an effort to galvanise and direct resources towards a central government (Raji and Abejide, 2014). The creation of Nigeria by the colonial regime in 1914 brought together two regions, the Northern protectorate and the Southern protectorate (Ojo, 2014; Raji and Abejide, 2014). Initial developments, in 1900 and 1907, meant that all mineral rights and lands were naturalised and vested in the British crown (Amao, 2008). Nigeria remained under British colonial rule until October 1, 1960, when she gained her independence (Ojo, 2014; Raji and Abejide, 2014; Siollun, 2009). The population of Nigeria at the time of independence in 1960 was forty-five (45) million (World Bank, 2020).

The amalgamation of Nigeria is seen by some writers as the bringing of stateless regions under one formidable entity. However, others see it as a 'marriage of inconvenience' which resulted in the Nigerian polity manifesting inter-ethnic violence, militias and insurgency, removing any form of peaceful coexistence among groups of people (Paul, 2011). This lack of peaceful coexistence has become the norm for the people of Nigeria, regardless of which part of the nation they find themselves in.

The fight against Spanish ships along the Niger Delta Bonny River by the British in 1836 to stop the slave trade, which was becoming a lucrative business and a source of wealth for some Nigerians, was the beginning of new Nigerian-British relations. As Falola (2009) says, the British used the opportunity to interfere with local politics by appointing chiefs who were loyal to them as kings. According to Falola and Oyeniyi (2015), colonialism and the amalgamation that came with it caused divisiveness in the political, economic and socio-cultural spheres that had not been evident during the period of independent regional governance. Lord Lugard applied a strategy of indirect rule, governing the protectorate through defeated rulers (Ikime, 1980; Abdulsalami, 2013).

Table 4.1: Historical Timeline of Nigerian Politics

Historical Timeline	
Early History	Pre 1500
Pre-colonial Era	1510 - 1800
The British Colonisation	1800 – 1960
The Amalgamation of Northern and Southern Protectorates	1914
Nigerian Independence	1960
Monarchy (British)	1960 - 1963
The First Republic	1963 - 1966
Military Rule	1966 - 1979
The Nigerian Civil War (Military Rule)	1967 - 1970
The Second Republic	1979 - 1983
Military Rule	1983 - 1993
The Third Republic	1993
Military Rule	1993 - 1999
The Fourth Republic	1999 – Date

Source: The Researcher

Politically, there have been issues of leadership that led to the first Nigerian coup of 1966 and then to a civil war that lasted from 1967 to 1970. Subsequent governments have faced challenges, as the introduction of military rule through coups led Nigeria through some of its darkest days.

4.4 Political and Economic Governance Systems

Nigeria operated a parliamentary system of government modelled after the British system between 1960 and 1967, even though it gained the status of a republic in 1963. After the civil war, the parliamentary system of government was discontinued during the military rule era and an American presidential system of governance was adopted, although this was not a smooth transition as the country fluctuated between military and civilian rule for almost four decades between 1970 and 1999 (Amao, 2008; Idike et al., 2019).

Despite the adoption of the presidential system of governance and the devolution of power from the centre to the states, Nigeria still adheres to the over-centralised state structure acquired through colonisation (Olasupo et al., 2017). Post-independence Nigeria experienced what is seen in many African countries, politics and business becoming inseparable (Chukwuemeka et al., 2011; Otobo, 2016c). This situation left Nigeria in a poor and miserable position in which corrupt practices reigned.

The legacy of corruption has left Nigerian institutions in a weak position with poor economic management (Fajana, 2005). Despite several reforms embarked upon by subsequent governments to change the trajectory of the economy, there has been little evidence of improvement, and some of the reforms have been tagged too ambitious to succeed (Fajana, 2005). Ogundiya (2010) argues that the social and economic policies implemented by successive governments have not yielded productive results, but have rather left Nigeria a socially, politically and economically underdeveloped state.

The return to civilian rule in 1999 ushered in a new form of governance that concentrated on restoring social and economic order after decades of military rule (Adeyemo et al., 2008). President Olusegun Obasanjo's administration of 1999 embarked upon several reforms to bring confidence back to governance. Notwithstanding these reforms, evidence shows that corrupt practices undermined the intent to rectify the economic and social order (Fajana, 2005). Evuleocha (2005) asserts that the bulk of the nation's wealth was in the hands of the few, and political office had become a tool of corruption and self-aggrandisement. As Fajana (2005) notes, the culture of corrupt practice entrenched in the political and economic structure of Nigeria was one of the greatest impediments to economic growth.

The institutional framework of Nigeria remains weak, and the culture of corrupt practices has become entrenched in the system of governance. According to Arowolo and Aluko (2012),

democracy and good governance ought to go together, however, that only holds in countries where political participation is encouraged and upheld. Despite this argument, the initiative to reform the Nigerian polity for better corporate governance should still be taken. According to Okike (2007), good governance is encouraged in every nation, especially given the massive role organisations play in economic growth. The essence of corporate governance is taking global corporate best practice and applying them to the institutional framework of the nation.

The Nigerian Petroleum Act of 1969, as amended, confers ownership and control of petroleum resources to the Nigerian state (Fajana, 2005). Although oil and gas were found in commercial quantities in 1956, Nigeria strategically advanced into the position of world player in petroleum products in the 1970s after the civil war of 1967-1970 (Watts, 2008; Fapohunda, 2012). As a member of the Organisation of Petroleum Exporting Countries (OPEC) and the number one oil-producing country in Africa, Nigeria relies on oil exports for the survival of her economy (Fajana, 2005; Watts, 2008). When it became a member of OPEC in 1971, Nigeria began to take some control over its oil and gas resources.

The Nigeria National Petroleum Corporation (NNPC) is the state-owned oil corporation established in 1977 (Akpan, 2006). As a corporation, the power to explore, produce and refine oil and gas is bestowed on the NNPC, in addition to the responsibility of overseeing the petroleum industry on behalf of the Nigerian government (Akpan, 2006). The NNPC is responsible for the three Nigerian refineries in Warri, Port Harcourt and Kaduna. The corporation also manages the joint venture (JV) and petroleum sharing contracts (PSC) on behalf of the Nigerian government. As a JV and PSC operator, the NNPC is expected to provide between fifty-five (55) and sixty (60) percent of the operating costs, as per the joint operating agreement (JOA).

4.4.1 History of MNC Involvement in Nigeria

Nigeria produces about 2.5 million barrel of crude oil per day, which attracts big organisations to the industry (Evuleocha, 2005; Fajana, 2005; 2008; Falola and Oyeniya, 2015). The history of MNCs in Nigeria started in 1913 when Texaco (now Chevron) began doing business there. Oil operations can be traced to 1937 when Shell D'Arcy was granted an exploration licence (Akpan, 2006; Fapohunda, 2012). The discovery of oil in commercial quantities by Shell in 1956 at Oloibiri gave Nigeria its first taste of black gold.

The Nigerian constitution gives the rights to oil and gas to the Nigerian government; therefore, the terms of oil production are negotiated between the Nigerian government and the oil companies. Most organisations operating the Nigerian petroleum sector are American or European multinationals (Evuleocha, 2005). The MNCs operate joint venture agreements with Nigeria in which a fifty-five (55) to sixty (60) percent share is owned by the government and the rest goes to the MNC.

The history of MNCs in Nigeria goes back to the colonial era when the British government were in charge of the laws of the country. As Amao (2008) contends, the laws that were put in place in the colonial era guided the petroleum sector, therefore, the rules put in place in this period to regulate MNCs still influence the modern Nigerian legal and institutional framework.

The VoC literature covered in Chapter Two gives an in-depth understanding of how MNCs operate, through the power of FDI, and the implications for employment (Appelbaum et al., 2013; Cushen and Thompson, 2016).

The cross-border movement of capital, goods and services and the focus on globalisation in recent years has led to a debate about VoC and neoliberalism at the forefront of political economies. Menz (2005) and Streeck and Thalen (2005) in their examinations of VoC literature

argue that nations must adapt to the new realities of the globally linked economy and focus on national policy and institutional reform in such a way as to embrace the new capitalist system.

Globalisation has brought nations closer and also introduced new ways of doing business. Despite predating it, globalisation is often confused with neoliberalism (Gall et al., 2011). Macartney (2011:19) argues that, despite the changes in state systems, neoliberalisation is 'characterised by the global restructuring of capitalism'. Gall et al. (2011) maintain that the nation-state should not be seen as diminishing in terms of power or authority because of neoliberalism, but rather neoliberalism should be seen as the utilisation of internal and external forces within the state promoting neoliberal policies for global institutions such as the International Monetary Fund, World Bank, World Trade Organisation and others.

The Nigerian economy has, in the past, relied on international financial investment for its survival. Otopo (2016a) describes the Nigerian economy as a capitalist economy with a large public sector but a very powerful private sector that directs economic affairs. MNCs in Nigeria, especially those in the oil sector, have autonomous power over the affairs of the state due to their heavy investment.

Despite the argument that MNCs are uncontrollable and operate at liberty without due regard for host country laws, Amao (2008) contends that there cannot be adequate control of multinationals at private, regional or international level without the appropriate institutional context at the local level. The inability of the Nigerian government to assert any control over the operation of MNCs is due to the weak institutional framework of the nation.

Table 4.2: Multinationals Operating in the Nigerian Oil Sector and Year of Establishment

Multinational	Year
Shell Petroleum Development Company Limited	1937
Mobil Producing Nigeria Limited	1955
Chevron Nigeria Limited	1961
Texaco Overseas Nig. Petroleum Co. Unlimited	1961
Elf Petroleum Nigeria Limited	1962
Philip	1964
Pan Ocean Oil Corporation	1972
Ashland Oil Nigeria Limited (Bought Over)	1973
Agip Energy and Natural Resources	1979
Statoil and BP Alliance	1992
Esso Exploration and Production Nigeria Limited	1992
Texaco Nigeria Outer Shelf Limited	1992
Shell Nigeria Exploration and Production Company	1992
Total Nigeria Exploration and Production Company	1992
Amoco Corporation	1992
Chevron Exploration and Production Company	1992
Conoco	1992
Abacan	1992
Addax Petroleum	1998
Petrobras (Bought Over)	1998
Nexen Incorporated	2012

Source: Evuleocha (2005); Legit.ng (31 July 2020)

4.4.2 Political and Economic Trends Since 1960

The evolution experienced by the Nigerian economy since independence has altered the political and socio-economic fibre of the nation, especially with the growth of globalisation. Writers such as Animashaun (2009) and Olasupo et al. (2017) attribute most of the challenges of post-colonial Nigeria to its colonial roots.

Consecutive Nigerian governments introduced one reform or another to cushion the effects of previous economic reforms. Reforms such as fiscal reform, privatisation of public enterprises, economic liberalisation, structural adjustment programmes, deregulation of exchange rates, removal of petrol subsidies, the national economic empowerment and development strategy (NEEDS) and institutional reforms were all introduced at various stages as ways of improving the livelihoods of the Nigerian populace (Kester et al., 2016).

The first economic reforms took place in the 1970s, and continuous efforts have been made to improve the wellbeing of Nigerians and sustain economic growth (Kester et al., 2016).

In the decades before the 2003 economic reforms, state-owned enterprises were poorly managed and the huge investment in this sector yielded no reasonable benefits (Okonjo-Iweala and Osafo-Kwaako, 2007). Nigeria aggressively embarked on economic reforms between 1999 and 2006, privatising about a hundred and sixteen (116) enterprises. Okonjo-Iweala and Osafo-Kwaako (2007) argue that the essence of this massive privatisation exercise was to curb infrastructural decay, improve productivity and limit corruption.

Table 4.3: Economic Reforms in Nigeria since 1988

Type of Reform	Year	Area of Concentration	Goal
Structural Adjustment Programme	1998	<ul style="list-style-type: none"> • Foreign exchange system • Trade policy • Business • Agricultural regulations 	<ul style="list-style-type: none"> • Improve efficiency • Stabilise the economy • Sustain growth
Civil Service Reform	1988 1994	<ul style="list-style-type: none"> • Oversized workforce • Under-skilled workforce • Poorly remunerated • Poor service delivery 	<ul style="list-style-type: none"> • Improve efficiency • Wage increments • Graduate recruitment • Redundancy
Privatisation	1998 2003	<ul style="list-style-type: none"> • State-owned enterprises • Power • Telecommunications 	<ul style="list-style-type: none"> • Improve efficiency • Curb corruption • Reduce financial cost
Deregulation	1998 2003	<ul style="list-style-type: none"> • Economic sector • Power • Telecommunications • Downstream petroleum sector 	<ul style="list-style-type: none"> • Encourage private sector participation
Banking sector reform	2004	<ul style="list-style-type: none"> • Weak and fragmented • Reduce deposit banks 	<ul style="list-style-type: none"> • Bank consolidation exercise • Strengthen the financial sector
Trade policy reform	2004	<ul style="list-style-type: none"> • Complex • Restrictive 	<ul style="list-style-type: none"> • Liberalisation
Insurance	2004	<ul style="list-style-type: none"> • Weak • Capitalisation 	<ul style="list-style-type: none"> • Strengthen industry • Consolidation
Institutional and governance reform	2003	<ul style="list-style-type: none"> • Tackle corruption • Poor governance • Poor public service delivery • Lack of transparency 	<ul style="list-style-type: none"> • Create anti-corruption agencies (EFCC/ICPC)* • Prosecute corrupt practices • Public procurement review • Public expenditure management • The oil and gas sector NEITI** initiative

Source: The Researcher

*EFCC – Economic and Financial Crimes Commission

*ICPC – Independent Corrupt Practices and other Related Offenses Commission

**NEITI – Nigeria Extractive Industries Transparency Initiative

Although there were other kinds of reform before 1998, Table 4.3 shows the types of reform Nigeria embarked on since that date and the goal of each. The accomplishments of these reforms remain to be seen. Okonjo-Iweala and Osafo-Kwaako (2007) suggest that, despite the successes achieved by these reforms, there are several challenges still facing Nigeria as a nation trying to sustain economic growth.

Kester et al. (2016) opine that reform has become a global trend in the last two decades. However, the Nigerian reform experience has made unsatisfactory impacts on the living standards of Nigerians. Oni and Akinbinu (2005) rate overall Nigerian economic performance over the last few decades as poor. Successive Nigerian governments have intervened, by introducing new reforms to stabilise the economy.

The essence of reform is making changes to institutions or practice for necessary improvement. According to Adeyemo et al. (2008), economic reforms are procedures put in place by the government, intended to correct the decay in the nation's economy. Ariyo (2006) asserts that economic reforms, in the form of policy or institutional interventions, generate changes in economic policies to better manage the economy. In other words, government economic policies that could improve the lives of citizens are often the target of economic reform. Efficient socio-economic growth, raising the standard of living, sustainability and alleviation of poverty are among the goals of major economic reforms (Kester et al., 2016).

Despite the intended benefits and contributions of these reforms for the Nigerian people, Kester et al. (2016) argue that across Africa a similar experience of failure is recorded. The reforms carried out have hindered fiscal performance.

Regardless of the intended goals of Nigerian economic reforms, the structural changes resulting have caused distortions in trade union movements, membership, resources and the collective bargaining process. The inability of the Nigerian government to transfer the benefits of reform

to its citizens has led to a lack of sustained economic growth (Okonjo-Iweala and Osafo-Kwaako, 2007). Kester (2001) notes that the high unemployment and massive wage gap that came with the reforms, led to various actors, including governments and unions, changing the rules of the employment relationship. Kester et al. (2016) attribute the changes in union membership, finances and bargaining mechanisms to the economic reforms.

The growing source of debt in developing countries over the last two to three decades is the international financial institutions (IFIs), and there are growing concerns about private sources of investment (Paloni and Zanardi, 2006). Geo-Jaja and Mangum (2001) assert that the interruptions of the Africa economy since the 1980s, while other parts of the globe experienced prosperous growth, left the resources of sub-Saharan Africa depleted and in need of economic reform. Geo-Jaja and Mangum (2001) point to the IMF and World Bank as being to some degree responsible for the insignificant growth rate in Africa over the last two decades.

The African nations that emerged after the collapse of colonialism in the 1960s acquired so much debt trying to build public enterprise, develop the military and create employment while making rules that encouraged corrupt practices, which led these troubled nations to seek financial assistance (Geo-Jaja and Mangum, 2001). IMF and World Bank loans were only granted where economic reforms were accepted as conditionalities. Acceptance of these terms also meant acceptance of the SAP, which introduced deregulation, marketisation and privatisation of publicly run enterprises (Geo-Jaja and Mangum, 2001; Onyeiwu et al., 2009; Paloni and Zanardi, 2006).

Privatisation and marketisation are promoted by the World Bank and IMF. Erapu (2011:51) defines privatisation as changes that occur in the 'ownership and control of state-owned enterprises'. Put another way, privatisation is the transfer of ownership of state-controlled assets into private hands. According to Abbott et al. (2010), the IMF is seen as a last alternative

by nations facing serious financial difficulties. FDI is often seen as a way of positively influencing the economy of the recipient state through the transfer of technology, building capacity and creating jobs (Ite, 2004; Osabohien et al., 2020).

Before the introduction of privatisation and marketisation to Europe and most of the developing world, governmental enterprises were owned and run as public entities, mostly monopolised (Clapham, 1996; Flecker and Hermann, 2011). The creation of government enterprises in most nations limited foreign dominance and the exploitation of resources by foreign organisations, thereby promoting the socio-economic advancement of the home nation (Adeyemo, 2005). However, the development of interdependence among nations led states to request, and grant, international aid which has led to the privatisation of public institutions.

Privatisation was perceived as a quick solution to problems in the public sector and was easily sold to developing economies that saw in it the opportunity to progress beyond their borders into an array of international standards (Lebaron and Ayers, 2013). The transfer of organisations from the public to private ownership was assumed to have immediate gains and set the industry on a path to growth (Clarke, 1994). However, Geo-Jaja and Mangum (2001) note that SAP and stabilisation policies did not quite achieve their stated goals.

As a result of IMF intervention in the financial bailout of governments, neoliberal policies of privatisation and market liberalisation were introduced alongside the SAP (Bakre and Lauwo, 2016). In Nigeria, this resulted in employers' reliance on the flexible working arrangements which are so popular across the globe (ILO, 2005). While privatisation in Europe and elsewhere could progress smoothly, African states were characterised by nepotism and corruption. The individuals who purchased privatised industries often bought them for little or nothing (Clapham, 1996). Several privatised enterprises ended up in the hands of those who were not

able to manage them and were later liquidated. This led to an increase in unemployment and resulted in the total collapse of some privatised public enterprises.

Despite its position as a top producer of oil, the wealth generated in the process of oil extraction and production over the last half-century, and the economic reforms carried out since the 1990s, Nigeria has remained a developing country. Greenaway et al. (2002) argue that most reforms were tied to the World Bank loan and the introduction of the SAP as a conditionality when the developing country was experiencing an economic crisis that hindered growth and development.

Several writers including Davis (1998), Egger and Kreickemeier (2009) and Helpman and Itskhoki (2010) argue that trade liberalisation and globalisation can cause upsurges in unemployment. However, there are others such as Felbermayr et al. (2011) who do not agree with the assertion that unemployment is influenced by globalisation and trade liberalisation. Despite these arguments, the Nigerian case is an example of how trade liberalisation exacerbates unemployment with consequences for trade unions and their bargaining power.

As mentioned, Nigeria is plagued by corruption which leaves its institutions in a very weak state. Corruption is often considered a negative concept that destabilises social welfare (Amundsen, 2006). The word corruption is defined by scholars as the 'misuse of public office for private gains' (Klitgaard, 1998; Rose-Ackerman, 1999).

To eradicate poverty and grow the economy, there is a need for infrastructural development and institutional reform. However, this is difficult, given the level of mismanagement in the polity. There is an argument that the private sector accounts for up to seventy (70) percent of corruption cases in Nigeria (Waziri, 2010; Chukwuemaka et al. 2012). This may not be far from reality, as ample evidence indicates decay in the private sector, where a lack of institutional foundation has left the system in a state of uncertainty.

Some argue that there is an over-exaggeration of the effects of colonialism on the Nigerian polity. The culpability for the lack of institutional development in Nigeria cannot be completely placed on external factors, some fault should be placed on corrupt practices within the system. There have been attempts to reform the institutions in Nigeria by various governments. However, these have not been successful, and some have been reported to be too ambitious to succeed (Fajana, 2005).

Economically, weak institutions have failed to combat the massive underemployment due to the implementation of the SAP. Having been taken over by substandard infrastructure, the system lays bare an array of mismanagement. The consequences for the political, social and economic growth of the nation are enormous as the standards of most public services remain poor (Chukwuemeka et al., 2012).

Allocation of private property in the form of land ownership for farming and mining at cheap rates gave rights to the colonialists while encouraging Africans to sell their labour cheaply, mostly for coerced work on these properties (Austin, 2010). The majority of jobs in the service sector were, however, retained for Europeans.

The culture of corruption is entrenched in every element of the Nigeria political and economic system and has become a force too powerful to conquer (Fajana, 2005). Corruption is not limited to any one country, but there are different levels of corruption and some levels are cause for concern. The corruption in the Nigerian polity is systemic and has been the subject of debate in almost every political and economic forum. Fajana (2005) points out that the level of corruption in Nigeria has left the nation with weak institutions that barely function. The continuous featuring of Nigeria among the most corrupt nations in the world has dire consequences for the nation and its economy.

Corruption can be traced back to Nigerian independence and subsequent leaders have been unsuccessful in combating the trend (Chukwuemaka et al., 2012). The years of military rule, which always began with the promise of eradicating corruption, rather encouraged the corrupt practices that bedevil the country. Falola and Oyeniyi (2015) point out that the military operates a unitary system of governance, wherein the head of state is solely responsible for every decision taken. This sole control of the nation and attempts by various state governors not to succumb to pressures from the military leadership have not controlled this menace. Fajana (2005) and Chukwuemaka et al. (2012) see the culture of corruption as the greatest impediment to economic growth in Nigeria.

4.5 Employment Relations Institutions

Historically, trade unionism dates back to 1912, when Nigeria was still under colonisation. Although this is often the argument, George et al. (2012) argue there was some form of trade unionism in Nigeria before its colonisation as craftsmen and tradesmen organised themselves to fix prices, wages and settle disputes amongst themselves. Nevertheless, the first known trade union was the Nigeria Civil Service Union. This led others to organise and represent workers during colonisation and after independence. Although there were about seven hundred and twenty-one (721) established unions during the military era, a restructuring of these unions along industry lines reduced the total to seventy (70) (Otobo, 2016a). Trade unionism is popular in Nigeria and a fundamental tool in shaping the economic and political spheres of the nation.

In the oil and gas sector, the National Union of Petroleum and Natural Gas Workers (NUPENG) represents blue-collar employees while the Petroleum and Natural Gas Senior Association of Nigeria (PENGASSAN) represents senior staff in the industry. The Nigeria Labour Congress (NLC) formed in 1978 is a labour centre and an umbrella organisation to which all forty-two (42) industrial trade unions representing the junior staff category belong. The trade unions were

restructured again in 1989 into twenty-nine (29) affiliates of the NLC, along industry lines. The Trade Union Congress (TUC) was created as a labour centre in addition to the NLC in 2004 by the then government.

The vision of the NUPENG, according to their website, is to ‘organise, protect, promote and defend the socio-economic and political interest of the oil and gas workers in Nigeria’. This interest is not limited to permanent employees but to all who work in the sector. Although trade unions are not always meant to represent every worker, the issue of exclusion of certain categories of the workforce may be seen as a strategic attempt to curb union membership by the organisations (Mendonca, 2020). According to Pernicka (2005), a trade union must be strategic, providing enough incentive to members to gain trust and attract membership in order to survive.

While PENGASSAN represents white-collar employees at the industrial level, its core representation is at the organisational level due to a lack of uniformity in the industry. The unionisation of white-collar workers is limited as certain grades of employees, considered management staff, are not permitted to affiliate with any unionised body.

The implementation of labour standards in the developed world is not consistent due to a lack of accountability at the helm. Powerful nations are not held to the same standards as weaker nations in the implementation of labour standards. Deloach et al. (2006) support this argument, based on the view that strong nations are not likely to face the threat of sanctions by international bodies which would be immaterial to their economies. Deloach et al. (2006) refer to sanctions as an indirect threat, employed by powerful nations.

Similarly, most developing countries that do not uphold the standards ascribed by international bodies do so based on recommendations from powerful nations through organisations such as the IMF. Eaton and Engers (1992) suggest that weaker, developing nations are threatened with

sanctions by powerful nations in order to influence policy. This strategy has been applied in most areas of cooperation between rich and poor nations, sovereignty notwithstanding.

Consequently, third world nations that violate labour standards are not necessarily sanctioned so long as they keep their obligations to powerful nations. However, those who do not oblige the powerful nations are more likely to be sanctioned, hence the threat of sanctions to developing economies is always taken seriously. The economic implications of such threats cannot be overemphasised for an already weak system, especially in terms of international trade.

Despite the debate about the harmonisation of labour standards globally (Josserand and Kaine, 2016), the issue has not been fully resolved. Third world nations do not see a level playing field for rich and poor. There is an argument that disparity among nations could lead to a comparative disadvantage for organisations in the developing world (DeLoach et al., 2006).

4.5.1 Trade Union Structure and Resources

As mentioned, trade unions are uniquely structured to the nation-states where they operate, therefore, trade unions in Nigeria are structured to reflect the socio-political and economic environment of Nigeria. Consequently, structuring or restructuring unions has socio-political and economic consequences. Broadly, union structure, according to Otobo (2016a:141) refers to the isolation and identification of ‘the distinguishing characteristics of any wage-earning population’, especially those who have a particular organisation to protect their rights and investments in an employment setting.

The socio-political structure in Nigeria is very complex and this complexity needs to be understood. Unlike the US where business unions operate, Nigerian trade unions are modelled either as business or welfare trade unions with a social and political agenda structured along

class and occupational lines. Although more general trade union bodies oversee the affairs of class and occupational unions, their authority over them is not mandatory.

The number of trade unions in Nigeria reduced during the military regime from seven hundred and twenty-one (721) to seventy (70), among which nine (9) were employers' associations, forty-two (42) industrial unions representing junior staffers, fifteen (15) senior staff associations and four (4) professional unions (Otobo, 2016a). However, about twenty-five (25) percent of the seven hundred and twenty-one (721) unions could not be regarded as labour organisations in the general sense of the word.

Several reforms embarked upon by successive Nigerian governments in some way affected union organisations (Noah, 2016). The pronouncement and abrogation decrees during the military era interfered with trade union movements. Decree numbers 4, 26, 29 and others were efforts to restructure trade unions and curb their powers (Otobo, 2016a). Decree 31 of 1973 increased the minimum number of individuals allowed to form a union from five (5) to fifty (50) (Otobo, 2016a).

These government structural interventions into union governance and administration decentralised union organisations and displaced workers. Otobo (2016a) argues that the capitalist nature of the Nigerian economy informed the trade union structure. Private ownership and control of the determinants of production, as well as the distribution of goods and services, led to a shift from the public to the private sector in an attempt to control the economy. As mentioned in Chapter Two, the introduction of IMF and World Bank loans into the Nigerian economic system in the 1980s had implications for the national economy, the labour market and trade unions.

4.5.2 Trade Union and Regulatory Authorities

The labour market is an important aspect of industrial relations regulation. The movement of world markets towards neoliberalism requires changes in the form of policy and regulatory tools (Onyeonoru, 2016). According to Oshionebo (2007:2), regulatory authorities in Nigeria are often 'subordinate agencies of government ministries and departments. Oshionebo (2007) and Otobo (2016a) assert that regulatory authorities are generally established to promote government guidelines and purposes. However, Onyeonoru (2016) argues that different regulations have different goals and apply diverse procedures. Meanwhile, Oshionebo (2007) adds that regulatory authorities are ill-equipped and corrupt by nature, which accounts for the irresponsibility of MNCs.

The Nigerian government plays the role of regulator and employer in the field of labour relations. These conflicting roles of employer and decree-making body, according to Otobo (2016a), make it possible for the government to influence the laws that regulate industrial relations. Collective bargaining is also regulated, despite the government being an advocate for free collective bargaining since a 1954 policy declaration.

Workers' rights have been challenged in recent years by the introduction of forms of employment that are no longer standard by definition. Scherrer and Greven (2001:16) identify labour rights as the 'core rights of freedom of association, collective bargaining, and prohibition of forced labour, child labour and discrimination in employment'. Rights of this nature are supported by ILO conventions and recommendations that give authority to labour and trade unions to converge and protect workers from exploitative practices. National legislation is crafted to uphold such rights (Adewumi and Adenugba, 2010).

The ability to affiliate with a trade union has become the decision of the organisation in recent years. Employees are no longer given the choice of whether to associate with a trade union, but

rather the nature of employment determines who is and is not allowed to align with a collective body for representation. In Bogg's (2009) opinion, the decisions to align with a union and bargain collectively should be left to the individual, not the state or organisation.

Often, there are powerful private interests in the petroleum industry determined to bypass regulatory bodies to accomplish their personal goals (Otobo, 2016a). In order to benefit special interests, certain policies have been adopted, as have other techniques including bending rules or regulations to favour these interests. Furthermore, policymakers have been known to be the beneficiaries of policies and regulations (Otobo, 2016a) which puts a strain on the effectiveness of these policies and regulations. This system leads to a lot of corrupt practice that can be traced back to privatisation, deregulation, indigenisation and many other reforms.

The restructuring of world markets towards neoliberal policies, the internationalisation of economic activity and the introduction of international regulations through the IMF and World Bank, bring grave implications for labour relations (Adewumi, 2012; Onyeonuru, 2016; Siegmann and Schiphorst, 2016).

The main legislation regulating employment and labour relations in Nigeria includes the Labour Act Cap L1, Laws of the Federal Republic of Nigeria 2004, the Trade Union Act 2004, the Trade Dispute Act 2004 and the National Industrial Court Act 2006; although there are a host of others. As defined under the Labour Act 2004, a contract of employment is an 'agreement whether oral or written, expressed or implied whereby one person agrees to employ another as a worker and that person agrees to serve the employer as a worker'. Contracts of employment in Nigeria must be duly signed by both parties to become binding on both parties.

Although it is stipulated by the Labour Act that contracts of employment can be oral or written, expressed or implied, Section 7 of the Act requires the employer to give a written contract to an employee within three months of the employment relationship for reference and clarity of

the employment terms. This is expected of all employers but is not always provided, as workers are left out of the loop about what the terms of their contract are and who their employer is in most cases. An overwhelming number of workers on contractor payroll does not have a contract of employment. Although this does not affect all cases of outsourcing, most contractor workers, especially those on service contracts, are in this category and thus do not have the legal backing of employment with anyone.

Despite Nigerian legal regulations not deterring trade unions from representing precarious workers, this is yet to be seen in most work organisations. Nigerian labour law stipulates that precarious employees have the right to collective representation; however, organisational rules do not permit these workers, and some regular workers, to be represented by trade unions or their representatives (Adewumi, 2020). Consequently, collective bargaining in most Nigerian organisations is no longer centralised (Adewumi, 2012).

Section 40 of the 1999 Constitution of the Federal Republic of Nigeria and Section 9(6a) and 9(6b) of the Labour Act Cap. 198 Laws of the Federation 1990 guarantee Nigerian workers autonomous rights to labour representation and affiliation to trade unions (Adewumi, 2020). However, MNCs in the petroleum sector consistently violate these aspects of labour law by engaging in precarious work arrangements (Rodgers, 2012). The vice president of the IndustriALL Global Union in the Daily Trust in October 2019 lamented how the big players in the field of petroleum have strategically ignored both PENGASSAN and NUPENG and migrated casual workers to service contractors to avoid union affiliation.

4.6 Trends in Precarious Employment

From a positive perspective, privatisation has given consumers the discretion of multiple options and competitive prices (Flecker and Hermann, 2011). However, just as there are positive effects, the negative effects of privatisation mostly concern employment and the

employment relationship. It is pertinent to note that most public or government-owned institutions that end up being privatised are highly unionised. Brown et al. (2009) point out that the mid-1980s to the late 1990s exposed industries to the competitive nature of the private sector, thereby eliminating unions and consequently collective bargaining.

Although the goal of marketisation is to reduce the cost of production, this can only be achieved at the expense of employee pay and benefits. Privatisation and marketisation lead to the degradation of employment and working conditions, resulting in lower pay and job insecurity for the employee through an increase in precarious working (Megginson and Netter, 2001; Flecker and Hermann, 2011). Although privatisation and marketisation bring with them the desired competition among providers, especially in European countries (Brown et al., 2009), the impact on employment and employment relations has a devastating effect on both workers and the unemployed.

Research carried out by the World Bank and others tend to show that countries experience a slight increase in GDP growth after the implementation of SAP (World Bank, 1994), but critics of SAP do not see this as making a difference to the level of poverty. Geo-Jaja and Mangum (2001) observe that the gains made post-independence in the areas of education, human development, health and employment were immediately eroded by SAP. The microeconomic and macroeconomic impacts of privatisation have consequences for trade unions, in terms of bargaining power and membership (Erapi, 2011).

It is no longer a secret that multinationals have decentralised collective-bargaining such that employees are no longer considered under one organisation-wide agreement in matters concerning pay and welfare. The decentralisation of collective bargaining in the petroleum sector is largely at organisational and individualised level. Collective bargaining (CB) is central to the employment relationship and the most viable tool for negotiation in employment

relations. Where it is used, employers and employees, as well as their representatives, capitalise on this tool to strengthen their relationship, using it to resolve specific issues which concern all parties. Until recently, multi-employer collective bargaining was practised in most industries (Korczynski, 1997; Leopold and Jackson, 1990; Wright et al., 2019).

Workers, as well as trade unions, mainly view the employment relationship from the standpoint of collective bargaining as a group, and negotiation in individual cases. The process of collective bargaining is a two-way mechanism that can be better negotiated through a trade union body representing a collective interest. In de Silva's (1996) opinion, some conditions need to be satisfied for collective bargaining to occur. Conditions such as freedom of association for employees, the existence of labour laws for guidance and a continuous working relationship in which both parties act as driving forces for occupational inspiration.

Nevertheless, collective bargaining has been on a downward trajectory over the past three decades as a result of union absence from employment agreements. Temporary, fixed-term, short-term and agency (subcontracting) workers have contracts of employment that deprive them of trade union membership (Okafor, 2007; Brown, 2010; Fapohunda, 2012). NUPENG and Afolabi (2016) maintain that the new job patterns in the petroleum sector are devoid of union and labour rights, contradicting the ILO's four cardinal principles or rights at work.

Adams (2011) argues that CB should be seen as the minimum obligation for all standardised employment. This argument does not go as far as including precarious employees, especially those directly hired by the organisation or serving a long period with the organisation. Despite the suggestion of 'standardised' employment, the vast majority of employees in the precarious group are included as their employment is mainly long term.

Brown (2010) understands the extent of negotiation when he relates its effect on the employment relationship in the areas of work arrangements, pay and discipline. Research

shows that uncertainty in the workplace between workers and employers can be better managed through bargaining, especially if both groups have conflicting interests (Brown, 2010; Dibben et al., 2011; Noon et al., 2013).

ILO Convention no. 98 states that collective bargaining is ‘voluntary negotiation between employers or employers’ organisations and workers organisations with a view to the regulation of terms and conditions of employment by collective agreements. The opportunity to negotiate is desired in most areas of human endeavour, as it can bring people closer, highlighting differences and similarities, realigning goals and compromising, so that individuals and groups can make properly informed choices.

The decentralisation of CB occurs at various levels of the bargaining process, at the industrial level, the organisational or factory level and the individual level. The intensity and scope of decentralisation depend on the nature of employment (Leopold and Jackson, 1990). Although there is centralised collective bargaining at the industrial and sometimes organisational level, precarious employment encourages individual employee bargaining, thereby decentralising the bargaining process to an individual level.

The decentralisation of CB is encouraged by the liberal market economy through the decentralisation of industrial relations (Eichhorst et al., 2019). This, in essence, is influenced by the growth of precarious employment, which is removed from the collective bargaining process (Hayter and Ebisui, 2013).

Although collective bargaining may be regarded as relatively centralised at the corporate level in the petroleum industry in Nigeria, this centrality is mainly for permanent employees who are aligned with trade unions by the content of their employment contracts. This centralised coverage is not extended to precarious employees who are exempted from trade unions by their

employment contracts. Therefore, due to the lack of coverage of these groups, the CB system is eradicated leaving precarious employees with no collective option.

For nations to attract FDI, they must relax or remove policies that are unattractive to investors such as MNCs. Such policies include labour standards, environmental policies and taxation that would otherwise be socially beneficial to the state (Davies and Vadlamannati, 2013). Adeyemo and Salami (2008) opine that public enterprise in Nigeria aims to create and drive socio-economic advancement and guard the economy against invasion from foreign control and manipulation. Therefore, the near-total removal of public enterprise has created a vacuum that enables foreign firms to manipulate and control the system from within.

Before the introduction of privatisation and marketisation to Europe and most developing countries, government enterprises were owned and run as public entities that were mostly monopolised (Clapham, 1996; Flecker and Hermann, 2011). The creation of government enterprises in many nations enabled them to limit foreign dominance and exploitation of resources by foreign organisations thereby promoting socio-economic advancement of the home nation (Adeyemo, 2005). However, the development of interdependence among nations led states to request, and grant, international aid, which led to the privatisation of these public institutions.

Every viable economy needs a healthy competitive market (Liu and Garino, 2001). However, the suggestion that privatisation creates a competitive product market is yet to be agreed upon. Notwithstanding, Estrin et al. (2009) emphasise that the privatisation in Central Europe has been mostly positive, although developing economies experience privatisation in two ways: industries taken over by foreign owners produce somewhat effective results, while those with indigenous buyers are unproductive or inconsequential. Although this argument is not supported by everyone, Brown et al. (2009) point out that there is no proven link between the

free market and private ownership of industries, as some of the industries sold off to privatisation had monopolistic elements.

Over the past several decades, Nigeria's dependence on oil for its GDP has remained consistent (Smil, 2010). Despite its economic strength in terms of human capital, Nigeria has not managed its resources well. Smaller nations, in terms of human capital, have been able to manage their economy better; for example, Angola is an oil-producing state which has managed its petroleum resources relatively well, nurturing and steadily growing its petroleum industry (Vines et al., 2009).

The challenges experienced by the petroleum industry in Nigeria and the growth experienced by the sector in Angola can be attributed to the political climate and practices in both countries. While Nigeria plays politics with the businesses in the industry, Angola concentrates on economic recovery and stability (Vines et al., 2009). Although Vines et al. (2009) attribute the success of the petroleum industry in Angola to the indefinite rule of the president, who has been in governance for over three decades, it is obvious that Angola has the interests of its economy and the stability of the industry at heart.

Developing countries have had their share of the consequences of globalisation. Oyewole (2018) asserts that, despite receiving economic benefits from the export of their natural assets, resource-rich emerging nations, especially those in Africa, have not gained much from the exploitation of their natural resources. The nature of precarious work in developing countries cannot be compared to that in the developed world, as the opportunity for a salaried job in whatever class, however exploitative, is viewed as a privilege (Bernstein, 2007; Burawoy, 2010).

The issue of underemployment in developing countries cannot be overemphasised. Developing nations are plagued by unemployment and underemployment. The ILO (2015b) report high

levels of employment in the informal economy as well as unpaid family jobs in most developing countries. These insecure workers are in the precarious group, as they are mostly underemployed.

The introduction of local content policy is intended to encourage industrialisation in the oil and gas sector in order to promote the economic and social wellbeing of workers in the industry (Ayonmike and Okeke, 2015). However, organisations in the industry have hijacked the process and applied it to their profit-oriented goals by tendering only precarious job offers. In a celebratory report in 2019, Shell announced that they had emerged as Nigeria's most impactful local content multinational. In other words, Shell engaged in more precarious work through third-party contractors and was rewarded for it.

4.6.1 MNCs and Corporate Social Responsibility

Multinational corporations were involved in the management of the Nigerian oil sector as early as the 1930s, before the discovery of commercial crude in the 1950s, and have played a major role ever since (Evuleocha, 2005). Multinational corporations face increasing demands to participate in social and economic programmes determined locally by the communities in which they operate (Eweje, 2007). According to Ite (2004), corporate social responsibility (CSR) has the capacity to positively impact the communities where organisations operate, especially disadvantaged communities, through developmental projects. Idemudia (2009) points out that globalisation, technology and other factors revitalise the push for social responsibility, which extends beyond profit, to facilitate the inclusion of social and environmental issues in businesses.

Corporate social responsibility as a concept has been extensively adopted by business actors, non-governmental organisations and public policy (Preuss et al., 2015). CSR is prominent among multinational corporations in the Nigerian oil and gas sector (Ite, 2004; Idemudia and

Ite, 2006; Amao, 2008). Despite the entrenchment of CSR, Amao (2008) argues that there have to be host country regulations for development to take place. Blowfield (2005) and Jenkins (2005) argue that, despite CSR's current aims of poverty eradication and international development, the concept was not initially intended for development. Ultimately, the purpose of CSR has changed from organisations committing to sustainable development to them alleviating the negative impacts of their operations (Idemudia, 2009).

Amaeshi et al. (2006) point out that MNCs are at disadvantage compared to small businesses with regards to their reputation and investment if they refuse to succumb to pressure from global market forces, society and consumers to operate in a civilly responsible manner.

The tools employed by organisations carrying out CSR in the petroleum sector include corporate codes of conduct, community development projects and voluntary social reporting (Amao, 2008). While some of the issues covered by the CSR of MNCs in the oil and gas industry include human rights, labour issues, employee welfare (Amao, 2008) and the actions of the organisation in the area of precarious work.

4.6.2 State and Trade Union Responses to Precarious Work

Responses to precarious work in the Nigerian context have taken various forms, despite not having a definite impact on worker wellbeing.

i. State Response: The Nigerian Local Content Policy

Natural resources are both a blessing and a curse, depending on the nation's ability to manage them. For instance, oil and gas have been developmental sources in Norway (Heum, 2008; UNDP, 2014), while the same oil and gas have not yielded any benefits in African countries such as Nigeria. Despite its dependence on oil, Norway has among the world's highest human development indexes (Heum, 2008; UNDP, 2014).

Nigeria has played a major role in the world oil market (Ihua et al., 2011). The creation of viable jobs for its citizens has been crucial to its economic development (Adedeji et al., 2015). Several reforms, such as the Nigerian Enterprises Promotion Act (1977), NEEDs (2004) and others, were introduced to cater to local participation and create jobs (Adedeji et al., 2015).

African countries adopt local content policies to strategically increase the developmental benefits from oil, gas and mining (Oyewole, 2018). One such developmental benefit for Nigeria is a reduction in unemployment through the engagement of local firms. Oyewole (2018:1) defines local content as the ‘extent to which the output of the extractive industry generates further benefits to the economy beyond the direct contribution to the GDP and government revenues, through its linkage to other domestic production sectors’.

The Nigerian local content policy, an initiative passed to enable Nigerians to take ownership of operations in the upstream and downstream sectors and transfer technical know-how through the engagement of local operators, has had both positive and negative effects. The local content policy requires organisations in the petroleum sector to engage more local service providers than foreign organisations that provide similar services. This is intended to enable organisations to source skills locally and generate employment from the local talent pool.

Nations such as Venezuela, Norway and Malaysia have applied local content policy to the building of infrastructure, leading to job creation and increased participation in their local firms, thereby transforming their economies for the better (Adedeji et al., 2016; Tordo et al., 2013). Despite the huge resources coming from oil and gas in Nigeria, the government has not been able to replicate what other nations have successfully applied (Ihua et al., 2011).

In light of the massive unemployment facing Nigeria, local service providers are mostly engaged to provide short-term services in order to ease the pressure of unemployment on the economy. However, this has led to precarious long-term jobs and corrupt practices that enable

organisations and contractors to hire whoever they deem fit while bypassing weak labour laws. Despite the good intentions behind the local content policy in Africa, Oyewole (2018) argues that the desired effects have not materialised due to lack of proper implementation.

Institutions tasked with the welfare of employees are in limbo regarding the current state of the employment relationship in Nigeria. For instance, the Federal Ministry of Labour and Productivity, which houses trade union services and industrial relations departments in collaboration with employers, are tasked locally with labour market governance and regulation (Onyeonoru, 2016).

ii. Union Responses

Trade unions in Nigeria are faced with several challenges including, but not limited to, the nature of jobs, union bargaining power with declining resources, the environmental context, regulatory authorities and policies limiting unions (Otobo, 2016a). Nevertheless, the trade unions in Nigeria have taken actions in the past that have almost crippled the Nigerian economy, especially given their strategic economic position.

Strikes are a general union response to any form of perceived injustice (Adewumi, 2020). However, Otobo (2016a) argues that strikes have never been given serious consideration in Nigeria. The history of industrial actions dates back to the colonial era when Nigerian workers were paid less than their European counterparts in the medical and civil services, leading to rebellion. As NUPENG and Afolabi (2016) note, the only option available to trade unions contesting injustice towards workers is industrial action, which has become rampant.

Developing nations are plagued with low living standards and their economies could be described as 'dependent'. Therefore, unions in developing nations respond to precarious work in divergent manners. Trade unions are seen as antagonistic by capitalist society (Kelly, 1998)

and this attitude is imported into developing countries by MNCs who represent the capitalist system.

Some argue that the responses of trade unions to precarious employment are limited and not sufficiently far-reaching (Gall et al., 2011). With free-market capitalism being promoted all over the globe, Africa in particular, it would be difficult for organised labour to make an effective response to precarious employment. Gall et al. (2011) attribute the lack of worker representation to neoliberal policies, which allow nations to take control of the marketplace, reducing employees' ability to collectively negotiate. This enables states and corporations to shift the risk associated with neoliberal policies to the employee.

In a November 2019 Daily Trust report, NUPENG responded to precarious work by appealing to the Nigerian government to intervene to curb its rise and avoid an industrial crisis. In the SweetCrude report, Ahiuma-Young (2011) states that NUPENG threatened to shut down operations because of a surge in the casualisation of workers. Additionally, the Daily Trust of October 2019 reports that PENGASSAN berated some indigenous oil companies for what it calls anti-labour practices and called for stiffer sanctions against organisations that do not adhere to Nigerian labour law.

Unions in the industry continue to apply less confrontational methods of addressing precarious work. A PENGASSAN branch chairman, in an appeal to the Nigerian Content Development Management Board (NCDMB), Department of Petroleum Resources (DPR) and Nigeria Petroleum Investment Management Services (NAPIM) in the Daily Trust of July 2018, requested that MNCs be asked to put a stop to job offshoring. Despite sounding a warning, the union's approach was collaborative.

Nevertheless, the idea that this newfound employment relations system that works to the advantage of employers and global capitalists would be abandoned and replaced with some

form of SER, is far from likely. As the ILO (2015b) acknowledges, the focus of public policy should not be entirely on the return of employment from precarious to SER, rather it should be on the provision of adequate job security for workers in both full-time secured employment and precarious positions.

iii. Host Community Responses

The Niger Delta is home to the oil and gas industry in Nigeria and therefore, home to the organisations in the industry. Host communities include systems of power, groups of families, local governments and, in some cases, the state as a whole (Otobo, 2016c). Otobo (2016c) asserts that the exploitation of oil-producing communities started in the 1800s during the colonisation of Nigeria, and continues to date. However, the Niger Delta remains relatively poor despite the exploitation of its natural resources (Fajana, 2005).

Otobo (2016c) argues that modern colonisation in the form of socio-economic and political subjugation of a people through the extortion of human and non-human resources is still in practice in Nigeria. MNCs monopolise the exploitation of crude oil for their benefit. Despite being independent, Nigeria is yet to change appreciably, politically, socially or economically.

Rising inequality has led to various crises in the Niger Delta, and calls for resource control. Ethnic clashes and production disruption often affect organisations in the Niger Delta, as dissatisfied groups express grievances over the exploitation of local resources (Fajana, 2005). Despite the creation of local government councils in the hope that social amenities and oil wealth would reach minorities who suffer damage and pollution, the oil wealth remains in the hands of elites (Evuleocha, 2005).

Community-level hostility towards multinationals in the Niger Delta is sometimes the result of social injustice directed at host-communities, and sometimes the result of precarious jobs being

offered while underhand job offers based on nepotism go unnoticed (Akpan, 2008). The agitation for resource control by youths in the Niger Delta over the years is a result of marginalisation in the areas of employment and development, despite being the area that generates the nation's foreign capital (Orogun, 2010).

iv. NGO Responses to Precarious Work

Although it is a well-known fact that NGOs operate in the Nigerian petroleum sector, there is no evidence of their involvement in the employment issues facing the industry, rather they mostly intervene on environmental issues. There are shreds of evidence of NGO involvement in the industry in the area of gas flaring. Ifeka (2001) asserts that the relationship between communities in the oil-producing states of Nigeria and MNCs operating in these communities has escalated to a crisis due to the degradation of the environment and the lack of compensation.

There are pieces of evidence that some NGOs in the sector participate in the oil industry at the invitation of the MNCs, helping bridge the gap between organisations and communities rather than fighting the injustice of unemployment. According to Idemudia (2018), organisations such as Shell partner with NGOs as a strategic move to manage the relationship with host communities and facilitate peace. However, the extent of the peace initiative between organisations and host communities, through NGOs, mostly addresses cultural and structural sources of violence. Unfortunately, this collaborative strategy is limited and has yet to successfully achieve its goal of conflict resolution (Ford, 2015; Kolk and Lenfant, 2015).

Despite conflict resolution efforts, the government and organisations in the industry face a backlash concerning the management of the resources of the Niger Delta. According to Akpan (2006) and Idemudia (2018), this has led organisations such as Shell to divest onshore licences and strategically focus on deep-water oil operations.

4.7 Chapter Summary

This chapter discusses the Nigerian context. Nigeria, as a nation, has a long history of colonial rule that distorts several areas of governance and influences the behaviour of leaders. Before colonisation, what is currently known as Nigeria was made up of multi-ethnic regions with individual socio-political and economic management. Despite its history of colonialism, a culture of corruption and misrule has left institutions in a weak and feeble state, making governance difficult.

Nigeria mainly relied on agriculture before the discovery of oil and gas in commercial quantities, which led to the abandonment of the agricultural sector. The discovery of oil attracted MNCs and foreign investment, bringing with it economic governance that promoted growth in the petroleum sector. However, this growth sees organisations fighting to galvanise profits, cutting off workers and trade unions who are seen as obstacles to this goal.

It is obvious from the sheer volume of literature devoted to precarious work in recent years that the problems faced by this group of workers have led to a global outcry. However, it is worth noting that the responses by trade unions and their associations intended to combat the menace of precarious work have not been very successful.

Chapter Five: The Industry Context

5.1 Introduction

This chapter illustrates the local and international aspects of the petroleum industry and the historical structures of the industry both on the global stage and in Nigeria. The core activities of the oil and gas industry, its competitive trends and the way multinationals operate in their host country and communities are analysed. The historical development of FDI and its roles in MNC dominance and employment are discussed, along with employment trends and practice in the industry. The data applied in this section are primarily contemporary and a mix of the primary and secondary data from this research.

5.2 The International Oil and Gas Industry

The twentieth century is regarded as the century of oil, notwithstanding disruptions in product prices within the sector during this period (Ehsani, 2018). The importance of oil and gas to the world economy cannot be overemphasised. The term ‘oil industry’, according to Ehsani (2018), refers to the corporations and institutions involved in some way with oil extraction and its derivatives, while ‘oil sector’ refers to the commercialisation of oil products within a nation for economic and employment purposes. However, these terms are used interchangeably within this research.

Oil and gas are global commodities used by organisations to push the world economic agenda. The petroleum industry is one of the most prominent and strategic in the world, due to its revenue generation for the producing countries and its sustainability as an industrial sector (Ehsani, 2018). This black gold attracts the wealthiest nations to seek alliances with oil-rich nations, even though their socioeconomic agendas may differ.

The capitalist world economy emerged around 1500 in Europe, and took over all mini-systems across the globe over the next couple of centuries, absorbing in its wake all established markets, world empires and production networks, bringing people from all walks of life together under one global structure. Most oil-producing countries are among the richest in the world. The stability oil resources bring to a nation's economy, and the industrialisation that comes with it, make the industry viable.

Players in the field of petroleum come in various forms: supermajors or multinationals; major oils or national oil companies (NOCs); and independent companies or juniors (Inkpen and Moffett, 2011), these are the big oil corporations, the national oil corporations and small, independent oil companies. The field is dominated by multinational corporations (MNCs), however, in recent years NOCs have become very competitive and are now challenging MNCs for market share (Inkpen and Moffett, 2011).

As Inkpen and Moffett (2011) rightly note, NOCs are in control of about ninety (90) percent of global oil and gas and are most likely to control the newest oil fields found in their localities. Despite the nationalisation of oil assets, Nigerian NOCs still struggle to function, partly because MNCs mostly have joint venture agreements with Nigeria.

Every nation of the world consumes a form of hydrocarbon that is a product of oil or gas (Inkpen and Moffett, 2011). This dependence on petroleum products gives the industry an advantage. However, due to political and market pressure to minimise cost, and the hazardous and technically challenging process of extraction of oil and gas, relationships with the industry, in terms of labour and class, are often antagonistic (Ehsani, 2018).

The role of OPEC cannot be ignored in any discussion of the international oil and gas sectors. Created in 1960, initially with five (5) permanent member states, the purpose of OPEC is to put control of the industry into the hands of the producing nations rather than MNCs, giving

them the bargaining power. Despite its goal of stabilising the world oil price, OPEC has consistently had issues controlling prices as a result of a lack of discipline among member states (Inkpen and Moffett, 2011; Linde, 2000).

Despite the formation of OPEC in 1960, the viability of the oil industry did not come about until the 1970s, which brought about radical changes in the sector (Linde, 2000). Extracting oil deposits was uneconomical before the OPEC pricing of 1973 boosted the industry. It is worth noting that, of the sixteen nation members of OPEC, there is no Western oil-producing nation, rather it is a cartel of developing nations (Linde, 2000). OPEC gave nation-states the right to ownership of the industry, rather than large organisations. While in many countries the state directly assumes ownership and control, in others, such as Nigeria, the state enters into production sharing contracts (PSCs) with large organisations (Linde, 2000).

Globally, the impact of energy on industrial growth cannot be overemphasised. The oil and gas sector impacts all industrial activity and is therefore very significant in the economic growth of both exporting and importing states. Oil and gas are some of the most-watched commodity prices and tend to have global impacts on national economies (Inkpen and Moffett, 2011).

The industry is vastly global and is widely criticised for its huge profits (Inkpen and Moffett, 2011). Although it has not always been the case, the Fortune Global 500 ranking for 2019 places six (6) oil and gas companies in the top ten world's largest organisations (see Table 5.1).

Table 5.1: Fortune Global 500 Ranking of World's Largest Organisations 2019

Organisation	Industry	Revenue (\$ in Billions)	Rank
Walmart	Retail	514,405	1 st
Sinopec Group	Oil & Gas	414,649	2 nd
Royal Dutch Shell	Oil & Gas	396,556	3 rd
China National Petroleum	Oil & Gas	392,976	4 th
State Grid	Electric Utility	387,056	5 th
Saudi Aramco	Oil & Gas	355,905	6 th
BP	Oil & Gas	303,708	7 th
Exxon Mobil	Oil & Gas	290,212	8 th
Volkswagen	Automotive	278,341	9 th
Toyota Motor	Automotive	272,612	10 th

Source: <https://fortune.com/global500/2019>

Table 5.1, in conjunction with Tables 5.2 and Table 5.3, below, show the growth of the petroleum industry over the last couple of decades. This growth is consistent and is the result of strategic decisions by industrial giants galvanising profits. In the Fortune Global 500 ranking of 2011, six (6) organisations in the petroleum industry appear in the top ten (Table 5.2), while only two (2) petroleum companies are on the list in 1995 (Table 5.3).

Table 5.2: Fortune Global 500 Ranking of World Largest Organisations 2011

Organisation	Industry	Revenue (\$ in Billions)	Rank
Walmart	Retail	421,849	1 st
Royal Dutch Shell	Oil & Gas	378,152	2 nd
Exxon Mobil	Oil & Gas	354,674	3 rd
British Petroleum	Oil & Gas	308,928	4 th
China Petroleum (Sinopec Grp)	Oil & Gas	273,422	5 th
China National Petroleum	Oil & Gas	240,192	6 th
State Grid Corporation of China	Electric Utility	226,294	7 th
Toyota Motor Corporation	Automotive	221,760	8 th
Japan Post Holdings Co., Plc	Conglomerate	203,958	9 th
Chevron Corporation	Oil & Gas	196,337	10 th

Source: <https://fortune.com/global500/2011>

Trading companies make up the bulk of top organisations in 1995, while the 2011 and 2019 lists do not show these organisations.

Table 5.3: Fortune Global 500 Ranking of World Largest Organisations 1995

Organisation	Industry	Revenue (\$ in Billions)	Rank
Mitsubishi Corporation	Automotive	175,836	1 st
Mitsui & Co., Ltd.	Trading	171,491	2 nd
Itochu Corporation	Trading	167,825	3 rd
Sumitomo Corporation	Trading	162,476	4 th
General Motors Corporation	Automotive	154,951	5 th
Marubeni Corporation	Trading	150,187	6 th
Ford Motor Company	Automotive	128,439	7 th
Exxon Corporation	Oil & Gas	101,459	8 th
Nissho Iwai Corporation	Trading	100,896	9 th
Royal Dutch/Shell Group	Oil & Gas	94,881	10 th

Source: <https://fortune.com/global500/1995>

It should be noted that the global oil and gas market has always fluctuated, and this volatility puts some strain on the industry, affecting its ability to strategically plan for its future. Despite this, the price of crude oil has remained relatively high since 1976 (compared to the years before), except for the oil price crisis of 1979 which started in the Middle East (Linde, 1991). The discovery of oil and gas reserves has enabled the industry to remain relevant and competitive, although the cost of recovering these new reserves has sometimes been challenging (Ehsani, 2018). Organisations in the industry have therefore introduced strategic means of survival, placing the burden on areas such as employment where profitability can be maximised.

The fear that hydrocarbon in the form of oil and gas would run out has been a major worry of the industry. Demand for oil and gas, and their products, has increased over the years; the number of barrels produced per day, on-demand, has increased in most cases, despite concerns about world oil depletion (Inkpen and Moffett, 2011). Yet, this fear has never been realised, as

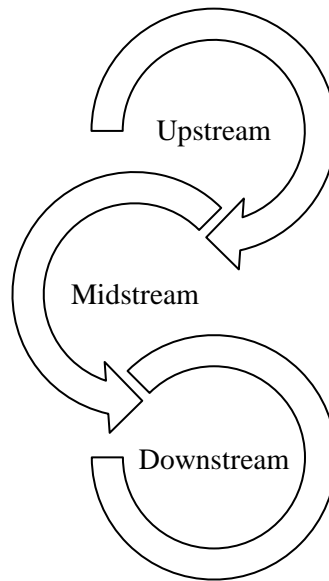
nations that rely on the production and consumption of hydrocarbons continue to do so. The prediction by the International Energy Agency (IEA) is that there is expected to be a one and a half (1.5) percent rise in demand every year until 2030 (Inkpen and Moffett, 2011).

Notwithstanding the argument about world oil and gas running out, there is no evidence to support this happening. Bentley's prediction of 2002 that put the global peak of conventional oil production within five to ten years has not been realised, as technological advancement and new discoveries have increased the recoverable amount of oil and national reserves (Inkpen and Moffett, 2011). Despite this increase in global oil and gas over the years, Hughes and Rudolph (2011) warn that the world should be prepared for a global reduction in production.

5.2.1 Core Activities

The oil and gas industry has seen many changes and been revolutionised over time; from digging shallow pits in the thirteenth and fourteenth centuries to drilling oil wells in contemporary society (Library of Congress, 2006). The early discover of oil can be attributed to the Chinese, who used bamboo to transfer oil from shallow wells. However, the nineteenth century saw the introduction of modern wells and the invention of new techniques for retrieving oil and gas. The core business of the petroleum industry is the exploration, extraction and refining of petroleum products as well as the transportation and marketing of these products.

Figure 5.1: Segments of the Petroleum Industry



Source: The Researcher

The petroleum industry can be divided into three segments; upstream, midstream and downstream. The upstream sector organisations engage in the exploration and production of petroleum products, characterised by high investment capital, high risk, extensive drilling and intense technology (Inkpen and Moffett, 2011; Linde, 1991). Exploration and production (E&P) companies are the principal players in the oil and gas industry.

In the midstream sector of the oil and gas industry, businesses focus on the transportation of extracted raw materials to refineries through pipelines, trucking or shipping (Inkpen and Moffett; 2011). The midstream sector has lower capital risk and is highly regulated, especially in the area of pipeline transmission. The midstream sector of the oil and gas industry is highly dependent on the success of the upstream sector.

The downstream sector of the petroleum industry refers to refineries (Inkpen and Moffett, 2011; Linde, 1991). These are companies involved in purifying oil and gas and converting them into finished products for consumption by the general public; products such as petrol, kerosene, asphalt and aviation fuel (Linde, 2000).

The petroleum industry can alternatively be divided into five stages: exploration, production, transportation, process and distribution (Linde, 1991).

5.2.2 Historical Structures and Recent Global Competitive Trends

Oil and gas have played an important global role throughout history; however, techniques have evolved. The Chinese were the first to discover black gold as early as 500 BC, with other nations not coming onboard until around the sixteenth century. The field was predominantly run competitively at first, then by an oligarchy with a few organisations at the helm (Linde, 1991).

The discovery of oil in the United States occurred in the nineteenth century and there was the monopolisation of the industry through the affiliating of thirty-nine (39) smaller oil companies with Standard Trust to form Standard Oil Trust in 1882 (Inkpen and Moffett, 2011). Today, the petroleum industry has returned to its original competitive status with corporations and organisations vying for profit. Despite the recent trend for smaller organisations profiting from oil's bounty, the major corporations in the industry, such as MNCs, continue to dominate.

At each of the five stages of the petroleum industry, exploration, production, transportation, process and distribution (Linde, 1991), specialist staff drive the industry. The various stages, from extraction to distribution, involve different market structures. Despite the competitive structure of the petroleum industry, there seems to be cooperation among organisations in terms of domination and control of the workforce.

International businesses do not often begin as such; they are often small local businesses that grow into regional then national and international concerns. This is true of the petroleum business, which started local (Linde, 1991). The industry evolved from producing lamp oil to fuel to petrochemicals and other forms of hydrocarbon, and this has greatly encouraged government intervention and affected the structure of the market (Inkpen and Moffett, 2011;

Linde, 1991). The age of globalisation gave way to privatisation and deregulation in an interconnected world where national economies have become unified (Yergin, 2011).

As noted, employment in the oil and gas industry faces several challenges including a reduction in staff in most sectors. Cost-saving technologies have led to a decline in the number of workers required to execute certain jobs. Ehsani (2018) argues that the initial operations in the oil and gas sector, such as drilling wells, setting up offshore platforms, laying pipelines, building work stations and constructing amenities such as refineries, roads, airfields and living quarters, require large numbers of personnel. However, this may not be the case for subsequent operations, and the initial amenities may only need maintenance, meaning the labour requirement is reduced.

Despite the changing international oil market structures and the fluctuating supply and demand chain, the sector prompts innovation that creates wealth (Linde, 1991). As rightly observed by Inkpen and Moffett (2011), the industry is strategically placed as all nations rely on products derived from oil and gas. Despite this, only a small proportion of global nations benefit from the wealth generated. The petroleum industry solicits both political and private involvement in every part of society in the wake of establishing dominance in every nation-state (Linde, 1991). Ehsani (2018) analyses the complexity of the relationship between the sector and the political-economic relations driven by this global system, referring to the 'oil complex' rather than the oil sector.

The political strength of the world currently relies on oil and its by-products (Atabaki et al., 2018). Major organisations in the industry embark on extensive profit galvanising (Inkpen and Moffett, 2011). According to Atabaki et al. (2018:26), the neoliberal agenda in a globalised world amounts to 'prioritisation of commercial profitability'. As Dunning (1992) and Ohmae (1995) point out, while nations are depleting in power and wealth, globalisation enables MNCs

to grow in both. Thompson (2003) puts it better, pointing out that the dominance of private capital, as the main actor in a globalised world, relegates state and labour to marginalised positions.

Today's global economy embraces oil and gas and relies on this sector for the development and survival of producing states. According to Inkpen and Moffett (2011), only seven (7) of the twenty-eight (28) states that are regarded as oil and gas producing do not rely heavily on oil and gas exportation to balance their budget.

As oil consumption grew globally, the quest for oil and natural gas became a strategic financial quest by the wealthy nations of the world. Wars in the Middle East led to a greater quest for black gold in other areas, such as Africa. The economic marginalisation of the African continent and the lack of reliable fiscal data has not helped African states gain parity with world economic powers. In recent decades, an important challenge has arisen regarding environmental protection. The damaging effects of fossil fuels and the drive to source renewable energy have driven oil and gas organisation almost to the point of collapse (Yergin, 2011). Fear of oil depletion as far back as the late 1950s turned out not to be so, rather oil production has grown to over five times what it was then. Oil, gas and coal contribute eighty (80) percent of the global energy supply (Inkpen and Moffett, 2011; Yergin, 2011).

Despite this, agitation for a global oil supply remains today, even greater than it was in the 1950s. Technological advancement in the field of exploration and production has grown global reserves (Inkpen and Moffett, 2011). Notwithstanding the global push towards renewable energy, the reliance on oil in the twenty-first century is still very high compared to other sources of energy, (World Energy Report, 2019). According to Yergin (2011), the amount of oil used per individual in the developed world is more than four times that of an individual in a developing country.

In recent years, E&P organisations have deviated from owning rigs with drilling equipment and drilling staff to hiring contract drilling companies who specialise in drilling and charge based on the amount of time spent. This has led E&P companies to defect from the norms of employment for drilling and workover staff, to rely mostly on precarious workers (call-up staff) from the third-party organisations for the completion of major projects.

This new model of exploration and production opened new employment strategies for contract drilling companies and multinationals who saw it as an avenue to deviate from hiring direct staff. Despite its strategic position, the industry has suffered several misfortunes in terms of employment. As Ehsani (2018) argues, organisations in the industry, both in the UK and US, have experienced layoffs of both permanent and non-permanent workers. Labour has not had much attention in the sector despite its importance. Research in the field focuses on oil from the perspective of landed property and revenue generation.

The VoC literature argues that there are differences between the structures of mildly regulated liberal market economies such as the US and UK and those of Germany, Japan and the Scandinavian countries which are key regulated coordinated markets (Hall and Soskice, 2001). While coordinated markets encourage stronger employee voices and job security, liberal markets are characterised by weaker employee voices and job insecurity (Campbell and Pederson, 2007; Dibben et al., 2011; O'Sullivan et al., 2020). Critics of Hall and Soskice's (2001) version of VoC point out that it is limited in terms of coverage, as the idea of capitalism is too general, the implications for workers are not specified and developing countries are not considered (Heyes et al., 2012).

Hall and Soskice's (2001) argument is that the liberal market economy encourages corporate hierarchies and low-cost operations with technological innovation. While liberal markets discourage employee participation, coordinated markets encourage employee participation and

corporate bargaining (Campbell and Pederson, 2007). This is why Thompson (2003) maintains that, within the modern capitalist economy, organisations have violated their part of the bargain with workers.

5.3 Multinationals and their Host Country Contexts

Multinational corporations are international organisations that cut across political, social and, in most cases, regulatory contexts, with diverse stakeholders (Klopf and Nell, 2018). Wan and Hillman (2006) argue that some stakeholders are political actors who shape state policy and can either create business prospects or hurt the MNCs. Therefore, Luo (2001), Choi et al. (2014) and Rajwani and Liedong (2015) argue that it is in MNCs' best interests to collaborate and influence policymakers in developed as well as developing countries. Klopf and Nell (2018) suggest that in order to influence policy, MNCs would have to be entrenched in the host country's political system.

Multinational corporations, according to Inkpen and Moffett (2011), are profit-oriented, global organisations that are vertically structured. Multinationals and their host countries vie for profit in the same field and this competition can become political. The NOCs which run oil companies in host communities have huge challenges when it comes to managing the meagre resources at their disposal compared to their multinationals counterparts who have access to huge international resources (Linde, 2000). The oil and gas industry is a high-risk business due to the investment required, but one of the most profitable due to the return on investment. As rightly mentioned by Inkpen and Moffett (2011), the issue of high profitability in the industry has been challenged by the political class as well as the media.

There are concerns about MNC misconduct with regards to intra-organisational policies, especially in developing nations (Scherer and Palazzo, 2011). Scherer and Palazzo (2011) argue that there is not much separation between MNCs and host nation's governance in the

globalised world due to the political and social responsibilities private organisations take on. With this new role, Matten and Crane (2005) suggest that some organisations are beginning to act like nation-states.

Often, there is an assumption that MNCs have a positive impact on their host nation with the wealth they amass. CSR is an avenue for MNCs to impact local disadvantaged communities through developmental and environmental projects which could create employment. The CSR literature often assumes that individuals have moral compassion and consider the welfare of those around them (Roberts, 2009) and that this assumption is translated into the actions of organisational managers who shape the actions of firms. Those who argue for CSR see organisations as being responsible for both social and economic viability, and this should be demonstrated beyond profit-making (Ite, 2004; Parker, 2014).

5.3.1 Historical Development of MNC Investment

Early oil and gas operations were dominated by multinationals the main preoccupation of which was profitability, and their initial investments were vertically integrated (Inkpen and Moffett, 2011). Due to the enormous risk and long product life cycle, the oil industry requires huge financial investment, hence multinationals such as ExxonMobil, Shell, British Petroleum (BP), Chevron and others which have been in the business for over a century, learn to deal with political and financial risks and have the means to raise sufficient funds to dominate the business (Inkpen and Moffett, 2011).

FDI through MNCs could contribute to job creation, capacity development and transfer of technology. According to Ite (2004), multinationals could have a positive impact on their immediate communities through CSR activities, especially in developing countries. MNC investment in the oil and gas sector in Nigeria is carried out through joint operating agreements

(JOAs) known as joint ventures (JVs) or production sharing contracts (PSCs) in partnership with the NNPC.

The globalisation of trade, mobility of capital, deregulation and privatisation all come as conditions of IMF loans that enable nations to invest in areas such as exploration in the oil and gas industry (Yergin, 2011). This leads to a level of unemployment that undermines employment.

Table 5.4: FDI in the Oil and Gas Industry in Nigeria

Year	Amount (\$M)
2014	208
2015	30
2016	720
2017	331

Source: National Bureau of Statistics (NBS)

Table 4.5 shows the fluctuation in FDI into Nigeria between 2014 and 2017. 2015 was an election year in Nigeria and the uncertainty of the outcome may be responsible for the almost complete lack of FDI that year. However, the confidence shown the year after the election and associated surge in FDI was quickly depleted by a further lack of investor confidence that led to about half the FDI the following year.

The heavy reliance on oil and gas for the survival of the economy did not translate into investor confidence. The abysmal performance of FDI into the economy created an environment wherein workers were at the losing end, with no job creation. According to figures obtained from the National Bureau of Statistics (NBS), the inflow of FDI into the Nigerian petroleum sector declined by over sixty-two (62) percent in 2019. This poor performance shows slower economic growth at a time when the population growth was astronomical.

5.3.2 Recent Developments and Trends

Nigeria has the largest oil reserve on the continent of Africa. Despite this, the nation faces the most difficult challenges due to its inability to reform its petroleum sector. The long-awaited Petroleum Industry Bill (PIB), the longest awaited bill in the history of national assembly bills, is yet to be passed after nineteen years of debate. The bill is expected to be an all-encompassing law regulating the oil and gas industry in Nigeria, replacing all existing legislation (Oyewunmi and Olujobi, 2016).

However, 2020 has seen a glimmer of hope with the passing of the Petroleum Industry Governance Bill (PIGB), a component of the PIB, eleven years in the making. It was first introduced in 2008, and finally passed in April 2019, but is still waiting to be signed into law. The bill encourages best practice in the operation of oil extraction in Nigeria.

The inability of some multinationals to operate onshore led to the sale of some oil fields and relocation offshore where there are no interruptions from locals (Hughes and Rudolph, 2011). According to a report in Guardian Business News in June 2019, Shell Petroleum Development Company called on all stakeholders to intervene to curb pipeline vandalism and boost investment in the Nigerian oil and gas industry.

NOCs are seen as inefficient in some countries, while others are seen as efficient and still others have been privatised for lack of efficiency. According to Inkpen and Moffett (2011), the NOC of Indonesia has been described as inefficient, while that of Venezuela has been privatised to encourage productivity. While it has been the tradition of states in the Middle East, Latin America and North Africa to embrace nationalisation in order to promote the social developmental goals of their national governments, the attempted commercialisation of state-owned companies by organisations in developing nations shows an inability of these organisations to fully function (Linde, 2000).

Linde (2000) argues that NOCs should be partly privatised to make room for more capable hands with an inability to manage their capacity. Although this could be a good idea for nations the government of which are fully strategic with resources, nations like Nigeria which have not been able to properly coordinate or manage their privatisations in the past would face huge challenges. In the first instance, privatisation led Nigeria to its current state of unemployment.

The suggestion of a possible depletion in oil wealth has led organisations to take drastic measures to secure profits; as some organisations put it 'securing our future'. While some organisations diversify others strategically embark on precarious employment practices. The Department of Petroleum Resources (DPR) in their February 2020 report assert that Nigerian oil reserves will be depleted in forty-nine (49) years. This is based on a calculation of a 2.04 percent depletion rate on the thirty-seven (37) billion barrels of crude oil in 2018, up from 36.74 billion in 2016. While most countries' undiscovered crude reserves are way below their discovered reserves, the 2006 report by BP and the 2007 United States Geological Survey (USGS) report point to Nigeria's undiscovered oil fields being larger than their known reserves (Seljom and Rosenberg, 2011). Therefore, the idea of depletion and running out of crude may not be fully justified.

As Atabaki et al. (2018) point out, there is no immediate alternative to crude oil on the immediate horizon that could replace oil and gas products. Therefore, the idea of depletion is not justified by the consumption of crude oil products, which is still on the rise. Despite the non-renewability of fossil fuel, Hughes and Rodolph (2011) point out that there have been claims for almost two centuries that global oil production is coming to its peak, which have been proven wrong.

5.4. Employment Practices in the Oil and Gas Sector

The global oil and gas industry attracts a variety of highly skilled workers and retains some of the best human expertise (Atabaki et al., 2018; Ehsani, 2018). It is a very desirable sector for job seekers due to the high level of wages offered and had high employment rates before the last two to three decades. This desirability accords the industry the prestige of being one of the best industries to work in. However, in recent years that position is fading as jobs become more precarious (Atabaki et al., 2018; Ehsani, 2018).

The worldwide trend in employment today is a move from permanent to precarious employment in almost all industries, and the petroleum sector is included. Organisations in the industry in Europe, America and across the globe have similarities in terms of employment and the nature of jobs, but there is no global form of employment for those working in the industry (Atabaki et al., 2018)

Despite its importance in global markets and the income generated annually by oil-producing states, employment in the industry has become increasingly precarious and this has lasting effects on the employment relationship. According to Atabaki et al. (2018), crude oil is the single most exchanged item internationally; meaning the industry should be a pace-setter for other industries to emulate in terms of employment practice.

Gall et al. (2011), Herriot and Scott-Jackson (2002) and Palley (2004) argue that globalisation has influenced organisations and brought with it social inequalities and individualism, which have inadvertently affected how companies deal with employees and trade unions. This has led to a feeling of injustice among workers who see the current trend towards precarious work as a ploy to deprive them of their entitlements. Meanwhile, organisations are busy strategising about ways of galvanising profits, individualising employment and eliminating collectivism.

Despite the reliance on skilled workers and the expertise of the men and women working in the industry, most employment has degenerated to become precarious, leaving workers despondent. Ehsani (2018) points out that labour market flexibility in the global economy and the reliance on casual and outsourced labour with temporary job offers have consequences for unionisation and collective bargaining.

As Atabaki et al. (2018) point out, organisations in the petroleum industry have carved out a world for themselves where they can live in enclaves behind closed walls and high gates while the local communities, who are directly affected by oil extraction, look on. These two worlds, the world of those who suffer the consequences of exploration activities and the world of the capitalist organisations, live side by side and the consequences of oil exploration are vivid for all to see.

The legacy of colonialism is still obvious today in the petroleum sector. As discussed, colonialism had a great deal of influence on the employment relationship in the petroleum sector. In Ehsani's (2018) view, neoliberalism has a role to play in this new form of employment and employment practice. Ehsani (2018) argues that organisations in other industries also apply tactics that enable them to galvanise wealth while workers are at the losing end of the bargain.

Complete reliance on outsourcing and precarious job offers by organisations in the petroleum sector has placed a great deal of pressure on unionisation and collective bargaining (Ehsani, 2018). The strategy of eliminating unionism in the petroleum industry was practised over several decades in the last century. According to Beasley (2018), the move to outsource blue-collar workers and maintain only the white-collar workers in the oil and gas industry is a policy designed to crush unionisation.

Despite the severe, risky and challenging environment where workers in the petroleum sector find themselves, organisations continue to pressurise workers into accepting precarious jobs that are mainly without security (Ehsani, 2018). The global oil industry has experienced resistance from workers in the form of strikes over the poor nature of jobs within the last half-century. Oil workers in the Shell Houston refinery protested a rise in contract employment, job insecurity and other unfair labour practises by embarking on industrial strike action in 1962, and were fired from their jobs (Beasley, 2018). This union bursting practice has been strategically internalised in the industry and adapted to galvanise wealth for capitalist multinationals.

The pattern of not hiring union-eligible workers was a practice the major oil companies in the US embarked on over half a century ago, and has become the model for multinationals. Shell Houston laid off all blue-collar workers who embarked on the 1962 strike and replaced them with non-union-eligible workers, claiming the organisation had wanted to try something similar in the past but did not have the opportunity until the strike (Beasley, 2018). The Shell Houston 1962 strike was the longest in the history of the oil industry, lasting almost a year (Priest, 2008). White-collar employees were not involved with the strike and were happy to see their blue-collar colleagues replaced (Beasley, 2018; Priest, 2008).

As in most industries, women are the least employed in the petroleum sector. Although this could be due to the nature of work, which could easily be regarded as masculine, the ratio of women employed is very low compared to other industries.

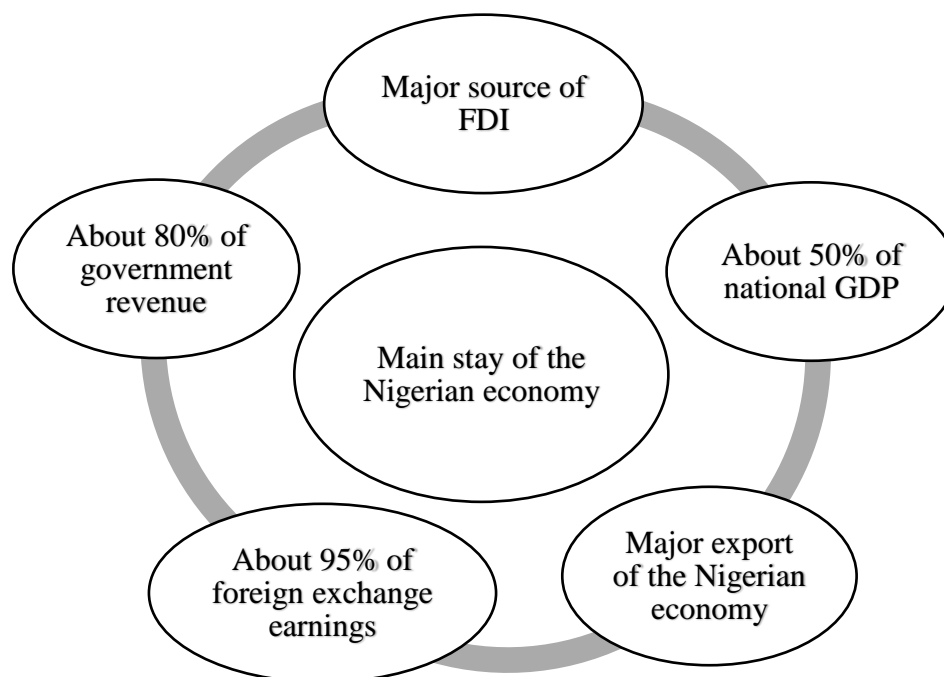
5.5. Introduction to the Nigerian Petroleum Sector

As mentioned in Chapter Four, Nigeria is Africa's largest oil-producing state with the majority of its foreign exchange generated from the industry. The nation produces about 2.5 million barrels of crude oil per day, which accounts for three (3) percent of global consumption (Adams

et al., 2008). Despite this strategic position on the world stage, infrastructural decay, vandalism, oil smuggling, insecurity and, above all, corruption, have become the face of the industry in recent years (Oyewunmi and Olujobi, 2016).

The petroleum sector in Nigeria is responsible for ninety-five (95) percent of the nation's foreign exchange earnings, about eighty (80) percent of government revenue and fifty (50) percent of total GDP (Emoyan et al., 2008; Naanen, 2019). The expected oil and gas growth in Nigeria between 2018 and 2023 is twenty-four-point-four (24.4) percent and continuous growth is predicted in the decade that follows, according to the MarketLine profile report of September 2019 (MarketLine, 2019).

Figure 5.2: Overview of the Nigerian Oil and Gas Industry



Source: The Researcher

5.5.1 The Nigerian Oil and Gas Industry: Historical Development

The history of oil and gas exploration in Nigeria can be traced back to the colonial era and the German firm known as the Nigerian Bitumen Company (NBC) in 1908. The First World War, and the politics that ensued, led to the termination of exploration (Ebohon, 2013). However, exploration resumed in the 1950s with the discovery of oil in the Niger Delta region.

According to Lasisi (2002), the Nigerian economy between 1914 and 1960 was modelled to satisfy British economic and political interests. Before independence in 1960, Great Britain laid claim to ownership and control of the natural resources of Nigeria (Okonkwo, 2017; Raji and Abejide, 2014; Okonmah, 1997). Raji and Abejide (2014) argue that the 1940 British oil regulations were the basis for future oil guidelines in post-colonial Nigeria, despite protests from the Niger Delta indigenes, whose lands hold the oil resources.

The role of indirect rule, as practised by the British colonial regime, cannot be overemphasised in terms of its influence over the current situation in the oil and gas industry. Resourceful and influential members of society (in some cases, politicians), as in the days of colonial rule, are today relied on by major oil corporations to enact policies that overlook or disregard the excesses of these organisations (Duke, 2010).

The control and ownership of petroleum resources in Nigeria is solely vested in the hands of the Nigerian nation and controlled by the Nigerian National Petroleum Corporation (NNPC), the NOC representing the government. However, this idea is misleading as MNCs have a large role to play in the management of the industry. The JV arrangement places fifty-five (55) or sixty (60) percent in some cases in the hands of the NOC, while forty (40) or thirty-five (35) per cent is owned by the MNC. The NNPC, which is the NOC operating the oil industry, has always encouraged the participation of foreign equity in the sector unlike its counterparts in other nations (Vines et al., 2009). The NOCs in the Middle East, which is the biggest oil-

producing region, have not invited foreign equity participation into their oil and gas sector in recent decades.

As stated, the petroleum industry produces about 2.5 million barrels per day of crude oil which accounts for ninety-five (95) percent of Nigerian foreign income, eighty-three (83) percent of the total government revenue and forty (40) percent of the nation's gross domestic product (Fajana, 2005). This makes it the most vital industry in the Nigerian economy and the most strategic in terms of productivity and resource control. The dominance of MNCs in the Nigerian oil economy had gone on for decades before the introduction of indigenous oil companies into the field. The monopolisation of the oil and gas sector by multinationals places these organisations at an advantage in negotiations with workers.

The multinationals have been instrumental in the growth of the Nigerian petroleum sector, which accounts for the strong influence they hold on the government and everything surrounding the oil and gas industry. Meanwhile, multinationals pay enormous royalties to government officials and NNPC representatives, making it difficult for strict regulations to be implemented. There are indications that this strong influence on the government has led to the exploitation of employees, who are the most vulnerable party in the employment relationship.

The industry is occupied by American and European multinationals, and, more recently, Chinese and Indian multinationals. Organisations operating in areas where crude is extracted have little or no regard for the environment or local people (Okonkwo, 2017). These issues raise the question of resource control in the Niger Delta.

5.5.2 The Nigerian Petroleum Industry: Challenges and Prospects

The oil and gas industry in Nigeria has become a classic example of the 'oil curse'; with corruption in high places, inequalities, deprivation and an absence of transparency over a long

period (Lawrence, 2018). This interpretation sees oil as a negative influence on the political economy of the nation.

Due to their ability to create wealth, natural resources, especially in developing countries, are controversial (Okonkwo, 2017). Ownership and control over the natural resources of Nigeria reside by legal right with the federal government. As a nation with federating units blessed with huge natural resources, the federating units where the resources are located benefit through resource allocation (Okonkwo, 2017), although this is contested within Nigerian polity.

The inconsistency in the relevant laws in dealing with appropriate corporate governance and human resource management issues in the petroleum industry led to agitation for the Petroleum Acts. The Petroleum Industry Bill (PIB) of 2008 is intended to be incorporative legislation that combines several Nigerian petroleum laws into a specific and explicit document that generates a legal framework for the sector and specific guidelines for operating in the sector (Oyewunmi and Olujobi, 2016).

Kashi and Watts (2008) observe the degradation of the Niger Delta, from where the resources are extracted, and the injustice meted out on the people with little compensation. According to Watts (2004; 2008), oil only brought misery, and in some cases violence, to the local populace. As Emoyan et al. (2008) rightly note, the degradation of the economic resources of the people of the Niger Delta has been a continuous detriment to the environment and the lives of local people.

The fiscal policy of Nigeria is heavily dependent on the revenue generated from its petroleum sector, mostly in the Niger Delta region. The Niger Delta people are often referred to as a ‘minority’ in terms of ethnicity. According to Suberu (1999) and Gurr (1993), the term

‘minority’ describes a group of culturally related individuals with a numerical disadvantage who are socio-economically suppressed compared to other cultural groups in society.

The Niger Delta resource control agenda has often faced challenges, which sometimes result in conflict. Desperate local vigilante groups have kidnapped oil and gas expatriate workers to drive their demands for resource control (Watts, 2004; 2008). Watts (2004; 2008) views this agitation as a fight against multinationals and state by groups organised by the local populations in the Niger Delta.

To avoid conflict, Mitchell (2011) argues, organisations in the industry often locate their facilities in politically remote locations. The Local Content Act (LCA) implores organisations to employ workers in the local environment where they operate, informed by numerous breaches of transparency. The applicability of this act has enabled employers to create precarious jobs to justify their compliance. Oyewunmi and Olujobi (2016) attribute this to, among other things, inadequate codes of corporate practice and ethical issues.

Table 5.5: Oil and Gas Industry Regulatory Types

Regulatory type	Year	Area of concentration	Goal
Local content policy	2010	<ul style="list-style-type: none"> Oil industry 	<ul style="list-style-type: none"> Promote industrialisation Improve economic and social wellbeing
Deregulation	1988 2003	<ul style="list-style-type: none"> Downstream sector 	<ul style="list-style-type: none"> Encourage private sector participation
Institutional and governance reform	2003	<ul style="list-style-type: none"> Lack of transparency 	<ul style="list-style-type: none"> The oil and gas sector NEITI* initiative Improve transparency

Source: The Researcher

*NEITI – Nigeria Extractive Industries Transparency Initiative

With over ninety (90) percent of the Nigerian economy relying on the oil and gas industry, the volatility of petroleum prices on the global market tends to put a lot of pressure on the nation’s economy, making it vulnerable. The failure of the Nigerian government to diversify the

economy away from hydrocarbon, despite several attempts to do so, is a challenge for the economy and, therefore, employment. There is the argument made by UNCTAD (2019) that global companies shed non-core business at the directive of shareholders who see a reduction in profits as a challenge.

The inability of the NOCs in Nigeria to carry out low-cost-extraction onshore has led them to rely on FDI. Their inefficiency is reflected in their inability to carry out low-cost extraction, especially onshore, that could generate huge profits for stakeholders (Linde, 2000).

In Nigeria, especially in the Niger Delta, the hub of oil and gas activities, there are social and environmental challenges to exploration and production activities including oil spills, deforestation and gas flaring, which have all led to a decrease in land productivity (Effiong, 2010). CSR has become a strategy used by MNCs in Nigeria to convince their host communities of the good intentions they have for the development of society. Although this is generally thought to be the case, Raynard and Fostater (2002) observe that many MNCs only cooperate with CSR initiatives because of public pressure for human rights in developing nations.

In spite of Nigerians holding some sensitive positions in organisations, the ability of these individuals to influence policies that could develop the host country is very limited due to their subservient relationships. In most cases, the profit made by MNCs is repatriated to the home country, leaving the host country underdeveloped. Some even see organisations as deviating from the core responsibility of profit-making by delving into CSR.

5.5.3 Trends in Firm Ownership

Historically, firm ownership in the petroleum industry can be traced back to the oil majors' involvement in exploration in the Niger Delta and the discovery of abundant oil and gas which

saw the beginning of a partnership with the Nigerian government. This ownership of oil allows multinationals to invest in exploration and production in the Niger Delta.

The formation of OPEC in the 60s and Nigeria's alliance with the organisation in 1971 gave the nation an opportunity to align its objectives as a petroleum-producing state with those of other oil-producing countries. This gave Nigeria some ownership of its crude oil exploration and production.

Firm ownership in the oil and gas sector mostly depends on who is awarded the ownership of the oil blocks in Nigeria. Some argue that the ownership of oil blocks is mostly political. Thurber et al. (2011) say that governments in oil-producing states favour NOCs over private ownership of oil, which is mostly controlled by MNCs, and this has, arguably, limited the power of the Nigerian worker.

In the case of Nigeria versus the South Korea National Oil Corporation (KNOC) and the revoked oil blocks, South Korea argued that the motive for the cancellation was political. Vines et al. (2009) point out that the management of business relationships in the industry by the Nigerian government is carried out inadequately. They denounce the fact that business decisions in an industry as vital as the petroleum sector are still carried out with political motives.

Oil for infrastructure is a development the Nigerian government had embarked upon in recent years. However, some organisations that partnered in the oil for infrastructure oil block partnership have not fulfilled their sides of the bargain. For instance, the South Korea National Oil Company violated its deal with the Nigerian government by not paying its full signature bonus, and therefore two allocated oil blocks were revoked (Vines et al., 2009). Despite these issues, Vines et al. (2009) assert that the Nigerian government's inability to put machinery in

place that could project the infrastructural development required of these organisations, coupled with political agendas, set these deals up for failure.

Policy inconsistency, that comes with each political administration in Nigeria, poses a challenge to the petroleum industry, especially when governments have a political agenda against that of the state. The term ‘cash cow’ is often used to describe the NNPC due to its inability to represent the interests of the state, but rather those of the political government of the day, which causes a great deal of dysfunctionality in the system (Vines et al., 2009).

The failure of both the government and the oil companies to take control of the industry and put a stop to crude oil theft in the form of illegal refineries and sabotage has become a huge issue that continues to infringe on the stability of revenue in the industry (Naanen, 2019). Although it is illegal, those who perpetrate such acts see it otherwise; some as a means to reclaim what originally belonged to their community. Some are highly connected in the government and see an opportunity to take whatever they can under the cover of the government in power.

Naanen (2019) says that the term ‘oil theft’ may not be applicable in some instances, since agitation for resource control by communities has moved the boundary from criminality to resistance against the multinationals and national government.

5.5.4 Levels of Employment

Historically, there was only one form of employment in the oil and gas sector, direct (permanent) employment (NUPENG and Afolabi, 2016). This was separated into strata of management, with senior and junior staff categories. According to NUPENG and Afolabi (2016), permanent workers in the petroleum sector used to include all categories from security men and women to cooks, to tea girls and boys to gardeners, to secretaries, to accountants to engineers and so forth. There was no barrier as to who could be a permanent member of staff.

This also included all the benefits accruing to one as a permanent employee of any organisation, including pensions, gratuities, annual leave, medical cover and training. There was a sense of belonging that went with the level of job security of a permanent position.

However, recently, there are new levels of contemporary employment in the sector identified as either permanent or non-permanent (precarious) positions. This new approach of casualisation and outsourcing of workers became prominent in the early 1990s when predominantly junior staff categories were casualised. A culture of non-permanent employment was birthed, and this gradually extended to professionals in every area of the industry (NUPENG and Afolabi, 2016).

Table 5.6: Levels of Employment in Case Organisations

Level of Employment	Organisation					
	Precedom	Union	Helechem	Union	Sudocom	Union
Management	Yes	No	Yes	No	Yes	No
Permanent Senior Staff	Yes	PENGASSAN	Yes	PENGASSAN	Yes	PENGASSAN
Permanent Junior Staff	Yes	NUPENG	No	N/A	Yes	NUPENG
Direct Hire	Yes	No	Yes	No	No	N/A
Umbrella contract	No	N/A	Yes	No	No	N/A
Bodyshop	No	N/A	Yes	No	Yes	PENGASSAN
Senior Staff Labour Contract	No	N/A	No	N/A	Yes	PENGASSAN
Junior Staff Labour Contract	No	N/A	No	N/A	Yes	NUPENG
Service Contract	Yes	No	Yes	No	Yes	No

Source: The Researcher

Table 5.6 shows the levels of employment in each case organisation studied in this research. It is worth noting that of all the case organisations, Helechem is the only one that does not have a junior staff category of permanent employees. Also, only Sudocom has a junior level of labour contract, affiliated to the petroleum industry junior staff trade union of NUPENG.

5.5.5 Employment Trends and Practices

According to the National Bureau of Statistics (NBS) (2017), the total Nigerian workforce is about 69.4 million people. Despite its huge importance to the national economy, generating about seventy (70) percent of the nation's income and over ninety (90) percent of its foreign revenue, the oil and gas sector employs only 0.01 percent of the nation's workforce (NBS, 2013). Meanwhile, unemployment in Nigeria is twenty-three (23) percent, underemployment is twenty (20) percent and youth unemployment/underemployment is at fifty-five (55) percent (NBS, 2020).

These figures show the level of employment and underemployment in Nigerian society and reflect the oil and gas industry. However, the Minister for Petroleum said in a recent statement that the country produces 2.3 million barrels of crude oil per day, which makes the nation Africa's biggest oil-producing country and generates a huge income for the nation.

5.5.6 Employment Regulations in the Petroleum Industry

Employment regulation and legislation, also known as employment or labour law, aims to institute labour and social standards and conditions in areas such as working hours, wages, compensation, holidays, social development and others (Otobo, 2016a). In support of this point, Obisi (2003) affirms that the national policy on labour asserts, in Section 17(3) of the 1979 Federal Republic of Nigeria constitution, that 'the state shall direct its policy towards ensuring that;

- i. all citizens without discrimination on any ground whatsoever have the opportunity for securing adequate means of livelihood as well as adequate opportunities to secure suitable employment.
- ii. Conditions of work are just and humane and that there are adequate facilities for leisure and social, religious and cultural life.’

Employee relations cannot be overemphasised where the growth and productivity of an organisation is concerned. Employee relations policy, according to Armstrong (2012), has a major role to play in the reformation and management of employee productivity, and this policy has to include union recognition and collective bargaining.

Globally, the introduction of trade liberalisation has come with all sorts of employment and employment relation strategies that tend to create wealth in the form of profits for multinationals and corporate organisations, both locally and internationally. MNCs exploit this liberal trade economy and have successfully introduced unfair labour practices, over a long period, to galvanise profits (NUPENG and Afolabi, 2016; Okafor, 2007). The unions, as well as government agencies, have accepted these new forms of employment which are detrimental to employees.

Figure 5.3: Types of Precarious Employment Relationships



Source: The Researcher

Figure 5.3, above, shows the types of precarious employment relationships employees have at their disposal. Although all workers perform similar tasks, service contract workers are excluded from all benefits accrued by those with manpower, bodyshop and labour contracts. While there are some differences between manpower, bodyshop and labour contracts, the obvious demarcation is between service contracts and any other contracted employment. Figure 5.3 exemplifies how workers on service contracts are removed and alienated from the rest of the workforce (Erapi, 2011; Fapohunda, 2012), including other precarious workers, despite performing the same tasks.

The new forms of employment in the petroleum sector can only be described as subservient employment, a win-win for the employer. In recent years, organisations in the oil and gas industry have embarked on exploitative employment, including casualisation, job outsourcing, offshoring and service contracts. There is a clear distinction in the relationship between the

employer and the worker which is that of a superior and subordinate. This distinction leaves the employee with no leverage. As Kelly (1998) puts it, the advantage that employers hold in the employment relationship gives organisations leverage to constantly structure the collective interest of employees to align with corporate goals.

Atabaki et al. (2018) point out that changes in local politics have effects on international oil policies; however, changes at the local level in Nigeria do not have similar effects on national policies, especially in the area of employment and employment relationship. As Lawrence (2018) notes, labour plays a significant role in championing pro-democracy movements in Nigeria through galvanising political information gathering, despite the nation's flawed institutions. Despite this role and the political and social strength unions can generate because of the country's dependence on oil and gas, organisations in the sector have managed to weaken the collective voice to the point of almost non-existence (Akinwale, 2019).

The rise of precarious employment in the Nigerian oil and gas industry has left a vacuum in several areas such as job security, equal opportunities, pay, career progression and training, where employees' collective interests have been cut short. These are neglected by employers due to the lack of a collective voice (Josserand and Kaine, 2016; Akinwale, 2019). In Kelly's (1998) opinion, employers are more concerned with the profits generated from every business transaction, due to rivalry in the business environment, than the welfare of their staff. Given that this is the case, every mechanism that can be employed to generate profit is used, precarious employment being one.

Ehsani (2018) argues that the implementation of technology to save cost has led to a drastic reduction in the number of workers in the industry. The remote locations of oil and gas operations have also been attributed to a disregard for labour. Ehsani (2018) asserts that organisations apply fierce competition and market forces to bring down the cost of labour. The

main functions of human resources management, the welfare of employees, managing wages and salaries, employee training and development, performance appraisal and motivation, have all been compromised by the reliance on precarious workers (Okafor, 2012).

The ILO (2015b) report that, despite the removal of employment protection for certain jobs, the level of unemployment has continued to grow; therefore, there has been no short- or long-term positive impact on labour or the employment market. Rather than apply a blanket approach to resolving employment issues, individual labour market conditions should be considered in policymaking.

The typical tripartite industrial relations system used in most industries is practised in the oil and gas sector, but with some limitations. The new systemic strategy of indirect employment leaves union organisations with little or no room to engage workers in countries like Nigeria where labour laws do not favour non-permanent work categories. Organisations in the petroleum sector often contravene the Nigeria Labour Act, Section 7(1), which discourages casualisation.

5.6 Chapter Summary

Multinational corporations are international organisations that operate in more than one country with headquarters based in a home nation. MNCs are a source of wealth as well as controversy in many nations, especially developing countries (Ozoigbo and Chukuezi, 2011). The growing significance of MNCs and the advancement of their economic power is facilitated by globalisation and the thriving liberal market economy (Edward and Rees, 2011).

The global oil and gas sector remains competitive in the face of challenges and upheavals brought about through market forces and ambitious competition (Ehsani, 2018). Despite the severe, precarious and challenging terrain with which oil and gas workers are faced, organisations in the industry remain competitive by continuous exploitation of employees.

They turn unions from strong or powerful players in the sector to weak and unappreciated organisations. The tilt in employment from permanent to precarious and towards service contracts, a lower version of precarious work where union have no say, has left trade unions in a challenging situation.

Chapter Six: Trends in Employment and Case Organisations

6.1 Introduction

The purpose of this chapter is to outline trends in employment, the cases in this investigation and the changing nature of employment over the years. The dominant drivers of precarious work in the petroleum industry and workers perspectives on the trends of employment are also discussed. The data used in this chapter are a combination of secondary and primary data gathered during the investigation. Data from participants from all three case organisations are analysed. The participants include senior managers, managers, supervisors (regarded as management staff) and general employees both permanent and non-permanent (precarious workers). The secondary data includes organisational documents and press reports.

6.2 Case Organisations

The petroleum sector is the bedrock of the Nigerian economy and the most strategic employer in the country. The industry is viewed as the most prestigious place for employees nationwide. However, this view is diminishing as huge damage, somewhat irreversible, has been done to the industry in relation to employment. The employment policies of each organisation are similar with a few variations.

The industry is mostly made up of multinationals, seen as superstars compared to their independent and indigenous counterparts. There are currently six multinationals and over twenty independent and indigenous companies operating in the oil and gas industry. Of the cases investigated, Helechem International and Sudocom International are MNCs with high numbers of precarious workers and Precedom Consolidate is an indigenous organisation.

6.2.1 Overview of Precedom Consolidate

Precedom Consolidate is an indigenous oil and gas company engaged in the exploration and production of hydrocarbon in Nigeria. Made up of several units, Precedom carries out its main task of exploration in the Niger Delta where oil and gas are concentrated. An integrated oil and gas company, Precedom is engaged in giving value-added advantage to the nation's hydrocarbon resources solely for the benefit of its citizens and other stakeholders. Partnerships under JOAs or PSCs are practiced by most organisations in the industry alongside the federal government of Nigeria. Meanwhile, indigenous oil companies run partnerships with multinationals either as independents or with sole risk.

6.2.2 Overview of Helechem International

Helechem International, one of the largest multinationals, is a leading organisation in the oil and gas sector in Nigeria. Helechem has one of the largest holdings in Nigerian oil. Headquartered in three regions of the Federation, Helechem operations are largely concentrated in the Niger Delta area and shallow offshore facilities, as with most oil and gas companies. Although the number of staff engaged at Helechem is not clear due to ongoing layoffs and retrenchments, there is evidence to assume that it may be way higher than reported, especially with the number of staff that are contract or contractor staff and are therefore not counted as employees despite working on Helechem premises and holding strategic roles. According to a member of the management staff (11) (permanent), the categories of staff include permanent, direct-hire, bodyshop, umbrella contract and contractor personnel.

6.2.3 Overview of Sudocom International

Sudocom International is one of the world's leading integrated hydrocarbon multinationals. It is among the largest investors in the oil and gas sector in Nigeria. Sudocom's operations are concentrated in the Niger Delta where investments are made both upstream and downstream

as well as onshore and offshore. The number of staff in the organisation is not clear due to an ongoing retrenchment programme. Nevertheless, it is obvious from the investigation that the number of workers with non-permanent (precarious) offers is way higher than the number of permanent staff. It was difficult to find people who claimed to be permanent during the field study. Most workers encountered were precarious and general knowledge of union members in precarious positions at the branch level was articulated.

6.3 Employment Strategies in the Petroleum Sector

Employment in the petroleum sector is stratified. There are those that can be regarded as executives, followed by management staff, senior staff and junior staff. These are generally permanent job positions. However, some positions are non-permanent (precarious) including direct-hire, bodyshop, umbrella contract, labour contract and service contract. Each group is mostly outsourced through third-party contractors, except for the direct hire group which is the direct responsibility of the organisation.

Table 6.1: Types of Employment Relationship in the Nigerian Oil and Gas Industry

Type of Employment	Description	Main Risk	Level of Risk
Full-time permanent	<ul style="list-style-type: none"> • Well-paid • Access to training • Career development • Welfare packages (benefits) • Labour rights 	<ul style="list-style-type: none"> • Labour rights terminate at the management level usually determined by the organisation 	Low
Fixed/short-term contract (direct hire/bodyshop/umbrella/labour)	<ul style="list-style-type: none"> • Low-paid • Minimum access to training • Lack of career development • Minimum/no welfare packages • Minimum/no labour rights 	<ul style="list-style-type: none"> • Low-paid • Minimum access to training • Lack of career development • Minimum/no welfare packages • Minimum/no labour rights 	High
Fixed/short-term service contract	<ul style="list-style-type: none"> • Low-paid • Minimum/no access to training • Lack of career development • No welfare packages • No labour rights 	<ul style="list-style-type: none"> • Low-paid • Minimum/no access to training • Lack of career development • No welfare packages • No labour rights 	Very high
Fixed/short-term agency work (service contract)	<ul style="list-style-type: none"> • Low-paid • No access to training • Lack of career development • No welfare packages • No labour rights 	<ul style="list-style-type: none"> • Low-paid • No access to training • Lack of career development • No welfare packages • No Labour rights 	Very high
Temporary agency work (service contract)	<ul style="list-style-type: none"> • Low wages • No access to training • Lack of career development • No welfare packages • No labour rights 	<ul style="list-style-type: none"> • Low wages • No access to training • Lack of career development • No welfare packages • No labour rights 	Very high

Source: The Researcher

Table 6.1 shows the various forms of employment within the oil and gas sector in Nigeria and the varying degree of risk associated with each.

Employment has taken a downward trajectory in recent years from permanent to non-permanent and what can be termed outsourcing or precarious work. Outsourcing is the practice of contracting out non-core business in order to focus on core activities. The environment, and the need to break even, have led organisations to engage in precarious work arrangements rather than permanent employment. They engage contractors to supply labour and be responsible for payments to those workers instead of the organisation being directly responsible. This enables them to remove themselves from any direct communication or confrontation with employees or trade unions.

One strategy for precarious engagement often applied in the petroleum sector is the catchment area strategy in which workers are recruited from the immediate community where work is about to be carried out. This encourages precarious work arrangements, since workers are not experts in their various fields. As a member of management staff (3) (permanent) asserted, *“there is something we call the catchment area; if you want to get some categories of workers, people who are within that environment should get certain number... certain slots of that employment”*. However, he warned that some strategies are no longer adhered to, due to lack of jobs.

One major challenge to employment in the sector is the acquisition of oil fields by smaller independent players from major firms who seek to invest in more profitable ventures in other fields. This has become a global trend, as organisations in the petroleum industry embark on cost-cutting ventures and profit acquisition, transferring employment to indigenous, sometimes smaller, organisations. This also happens in the UK oil and gas industry, where organisations transfer stakes to smaller, independent players in the field. Meanwhile, these indigenous organisations do not have the capacity to absorb the number of workers that a large organisation can manage and so release most of these workers onto the labour market. In a SweetCrude

report in 2011, NUPENG accused one of the case organisations of not discussing with other stakeholders, including trade unions, before embarking on such ventures.

There is overwhelming evidence in the interview data that points to this new trend of employment in the sector. Contract labour or outsourcing has become an acceptable phenomenon in the petroleum industry in developed and developing countries. The trend is from labour contracts to service contracts, wherein a worker no longer has access to representation and is excluded from all benefits; trade union, medical, pension etc. This is seen as a new strategy by organisations in the Nigerian petroleum industry to enslave workers and increase profits while increasing productivity at the lowest possible cost.

Furthermore, workers do not have any direct hold over contractors or organisations. There is no responsibility on the part of the organisations or contractors, so no one can be held accountable for the worker's welfare. Where issues arise, the organisation can claim not to be responsible for the worker and, as such, not in a position to handle issues. Likewise, the contractor who is a paymaster rather than an employer uses threats of replacement or intimidation on any worker who is seen as non-cooperative.

6.3.1. Employment Strategy at Precedom Consolidate

Precedom Consolidate operates a federal character employment policy. As stated in Chapter Four, the Nigerian federal character principle ensures that recruitment reflects the ethnic, linguistic, religious and geo-political diversity of individuals and a balance is made in the employment system to cater for this diversity. While this may be seen as positive in some cases, it leaves room for mediocrity and corrupt practices such as nepotism. The recruitment and selection process can easily be compromised.

As a multi-ethnic nation, Nigerian employment ethics operate in a diverse geopolitical environment, and Precedom uses this principle. However, it leaves room for inequalities and,

sometimes, substandard employment. The quota system of employment is a practice upheld by Precedom, as an indigenous organisation, to represent all ethnic groups. However, it leaves room for corrupt practices including nepotism.

6.3.2 Employment Strategy at Helechem International

Helechem international operates an employment policy that maintains respect for the human rights of its employees and provides good working conditions and competitive terms of employment. In addition, Helechem's policy advocates workplace inclusiveness and equal opportunities for employees, thereby promoting the development of skills and talent. Helechem's policy encourages the provision of channels for employees to present their concerns and recognises that the success of the business can only be built on the 'full commitment of all employees'.

The organisation engages workers in various categories based on best fit, competence, character and need. According to a member of management staff (9) (permanent), "*the employment strategy for Helechem will be to get the best staff in terms of competence and character that will be able to meet the need of their services*". For instance, there are permanent employees, who are often the regular-pensionable workers of the organisation. There are also direct-hire workers, bodyshop and service contract workers who are all non-permanent workers, who are non-pensionable and do not enjoy any of the benefits associated with permanent employment.

The difference between the permanent and direct-hire contracts is that the permanent contracts go to regular pensionable career employees on the organisation's payroll, while the direct-hire contracts go to non-permanent employees on a fixed-term, but of a higher status than the bodyshop or contractor personnel. Direct-hires are a step lower than the permanent staff but

closer to permanent staff as they are not entitled to fringe benefits but their salary grades are almost the same and gratuity is calculated annually and paid at the end of the contract.

Bodyshop contracts go to experienced hires who bring expertise and transfer knowledge to others. The knowledge and expertise bodyshop employees hold is viewed by the organisation as a special type of skill needed for the growth of the organisation. The contractor personnel or staff, on the other hand, are non-permanent third-party workers, whose contracts are temporary. These categories of workers are hired directly by the contractor and supplied to the organisation, meaning the organisation is not liable for them. Nevertheless, it was revealed during the course of the research that these workers are handed over to the contractor by the organisation solely for the purpose of payment of wages and to remove the organisation from any direct responsibility for this group of workers.

Employment in the sector is currently complicated by the engagement of third-party contractors under the guise of outsourcing, which replaces permanent employment. As one union executive (12) (permanent staff) states, *“most, if not all of the direct contract staff in Helechem were converted to staff a long time ago and there is currently no direct contract staff”*. This was done when the organisation was compelled by the unions, in collaboration with the government regulatory agency, to convert to staff workers who were occupying main employee roles. However, it led the organisation to re-strategise in order to make sure all the contract workers were under service contracts and no longer able to belong to any union or be entitled to any form of benefit. As some workers mentioned, they were handed over to the contractor by the organisation for payment purposes.

This strategy enabled the organisation to circumvent the labour law which stipulates that contract workers are entitled to union representation. This long-term strategy for profit-making

was reinforced by the introduction of the Nigerian local content policy which gave organisations the authority to hire-at-will through third-party companies.

6.3.3 Employment Strategies at Sudocom International

Sudocom International's recruitment policy is primarily based on the notion of people strategy and focuses on hiring the right people with the right skill sets for the business at the right cost and time. The organisation's policy stresses that 'hiring right is critical' for the success of the business.

Employment at Sudocom is focused mainly on what the management staff (23) (permanent) describes as driven by "*employment policies... and target the organisational value... and intent*". This is focused on two categories of employee, permanent staff and non-permanent workers. Permanent staff are hired directly by the organisation, while contract staff are hired by the organisation and paid through contractors, and third-party contractor staff are mostly hired directly by the contractor and supplied to the organisation on service contracts.

There is a huge difference between each employee category at Sudocom. According to the PENGASSAN branch chairman in one of the contractor branches in Sudocom, there are segregations and restriction with regards to employment category; there is the bodyshop contract, labour contract and service contract. The bodyshop contract has some advantages over the labour and service contracts, in the sense that it has a few benefits over the labour contract which is better than the service contract. Unlike the service contract where workers are restricted from joining a union and have no benefits, the labour contract gives workers the opportunity to align with a trade union and be represented.

Nevertheless, labour contracts and service contracts do not necessarily mean the workers carry out different kinds of job. Workers in each category may carry out the same job but are under different contracts, depending on when or how they joined the organisation. Those who have

been with the organisation for over fifteen (15) years and carry out ‘complicated roles’, tend to be under labour contracts while those who joined the organisation within the last twelve (12) years and carry out the same ‘complicated roles’ tend to be on service contracts.

6.4 Contemporary Employment Trends in the Petroleum Industry

As stated in Chapter Two, work and employment in the petroleum sector have been on a downward trajectory in recent years, and this is reflected in the interview data. Employment in the sector was mostly permanent, but this is no longer the case. Current employment contracts have become precarious, bringing insecurity. Most organisations in the industry have varying degrees of employment status ranging from permanent to direct hire to bodyshop contracts to labour contracts to service contracts. These varying contracts have different categories of benefit or lack thereof.

Contracts for permanent staff reflect a continuous employment trend. Nevertheless, there is no more job security since redundancy and layoffs have become part of the work environment. Permanent work still has full benefits, unlike the other job categories, but has become rarer in the petroleum sector as most jobs have become precarious. The direct-hire form of contract, which was general practice and had some benefits, although not as many as a permanent contract, has also become very rare.

Outsourcing has become the order of employment in the industry. Workers are outsourced through third-party contractors who do not necessarily have the prerequisite skills to handle these forms of employment but are, on paper, regarded as experts in their various fields. Contractors mainly act as paymasters for outsourced employees and a bridge between the organisation and the employee. This is strategically necessary to reduce the direct employment issues that could arise between organisations and employees.

While a study by Oil & Gas UK in 2014 shows employment in the petroleum sector to be around eighty (80) percent permanent and twenty (20) percent contract staff, in Nigeria the reverse is the case. Most organisations in the industry have below twenty percent permanent employees and over eighty percent as contract or agency workers.

At Precedom, there are basically two categories of worker, permanent staff and non-permanent staff in the form of contractor personnel, although there are more permanent employees than non-permanent. However, some employees are of the opinion that this is not the case as workers in non-permanent positions are mostly field workers and, as such, not visible to the public. Meanwhile, figures relating to the number of casuals or outsourced workers are not well known. Most workers in non-permanent positions at Precedom are on service contracts and therefore do not have the right to representation by any union.

At Helechem, there are different categories of employees; both permanent and non-permanent. The non-permanent contracts include manpower contracts, direct-hire, bodyshop contracts, labour contracts and service contracts; however, each group of contracts is dominated by the permanent and service contract. In recent years, the service contract has become the main non-permanent category of work that the organisation relies on. The interview data show that a huge number of non-permanent workers are on service contracts, and participants argue that this is because they are paid less and do not have any benefits attached, including union representation and pensions.

Employment within Sudocom is quite similar to Helechem, but there are still some bodyshop contracts and labour contracts at Sudocom. These contracts, the bodyshop and labour contracts are gradually been phased out and replaced by service contracts that do not have any benefits attached, including union affiliation and pensions.

Due to the peculiar nature of the industry, gender is imbalanced. There are more male than female workers due to the nature of the work environment and this is reflected in the interview data. There are very few permanent staff in the industry, especially employed by multinationals. Some regard themselves as contract staff or contractor staff, however, there is a lot of confusion as most could not identify their status. This is borne out of the fact that there are no contracts of employment between organisations and workers or contractors and workers.

Meanwhile, organisations strategically eliminate contract staff, which Nigerian labour law specifically stipulates have the right to association under the law. This is a strategy to eliminate unionism from the ranks of contract staff by specifically grading these groups of workers as contractor workers and eliminating the term contract staff, which was in general use some decades before. There is strong evidence in the interview data that organisations have strategically eliminated the term ‘contract staff’ for ‘contractor staff’. A member of management staff (9) (permanent) asserted this position:

“Let me correct something, when you talk about contract staff in Helechem...right now, Helechem does not have more contract staff than permanent staff...I will explain what I mean. Helechem currently has people or contractors that provide services to Helechem and it is these contractors that have employed people to work for them on contracts”.

The interview data reveal that most contract jobs are currently either labour contracts or service contracts, although all the labour contracts are with one organisation, Sudocom, which is no longer hiring on labour contracts and making moves to replace them with service contracts. As mentioned, the labour contract allows workers some benefits which include the right to association, which organisations are not comfortable with. This trend encourages

underemployment in the industry as workers are hired not based on their qualifications or experience, but to fill whatever slots are available through outsourcing.

The current trend in employment, which is mostly for service contracts, does not have any benefits attached and lacks job security, and this was made clear throughout the interview data. A non-permanent worker (16) (service contract) pointed out that *“it is a service contract...just service. And now the issue of hire and fire...people are not unionised”*. A union executive (12) (permanent staff) supports this view when he asserted *“they have merely used contract titles as a service contract to weaken their stance in the organisation... if you look around, you will see mostly service contracts are the major form of employment in the industry right now”*.

Although the term contract staff is used vaguely by Sudocom, they are currently on the verge of converting all contract staff to contractor staff in order to completely eliminate trade unionism and pay less for the same work. A non-permanent worker (32) (labour contract) pointed out that *“[with] service contract, they have succeeded in decentralising the union... if you are on a service contract you can't join the union, but if you are a contract staff you can join the union. They are trying to phase it [union] out; they are trying to cut costs through the service contracts”*.

In a union executive's (25) (non-permanent, labour contract) opinion:

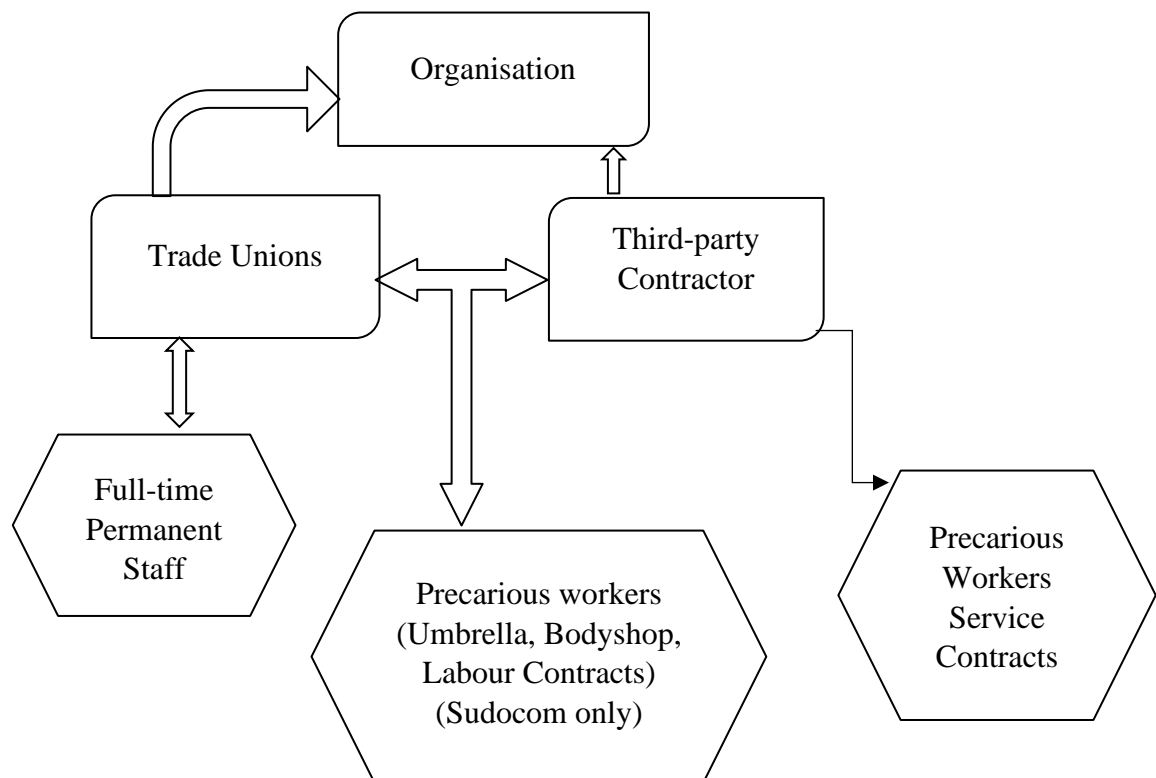
“The difference between the labour and service is: one, a person on labour contract can have vacation allowance, can have medical allowance; will go on vacation, they'll pay leave allowance and other small benefits; you can negotiate. But service contract, you don't belong to the union, you cannot negotiate, the money is fixed, you don't have pension benefit, you don't have leave allowance and the contract is like two months, one month, something like that, in almost all the oil companies. That is the new trend the oil companies are going into”.

This point was raised throughout the interview data. A member of management staff (9) (permanent) explained, “most of those people are very temporal because they are short-term projects”. A union executive (25) (non-permanent, labour contract) maintained “for me, what we are running now is labour contract, but they are trying to move from labour to service”.

6.4.1 The Changing Status of Employment over the Years

The gradual movement from permanent to non-permanent forms of employment, where indirect engagements in the form of outsourcing have become the norm, means jobs have gradually become more precarious, leaving employees despondent. Despite the level of indirect employment in the industry, employers are still desperate to increase their profit margins and are undertaking a continuous process of outsourcing.

Figure 6.1: Employment Relation Pattern



Source: The Researcher

Figure 6.1 shows the pattern of employment relations. Full-time permanent employees and precarious employees under umbrella, bodyshop and labour contracts are all affiliated to trade unions. However, there is a group of full-time employees exempted from unionisation, those regarded as management staff despite not being managers. All precarious workers on service contracts are exempted from unionisation. Meanwhile, at Helechem and Precedom, there are no precarious workers who are members of any trade union as every worker on a third-party contract is regarded as service contract.

The changing nature of work has brought with it, massive job insecurity, not only for non-permanent workers but also permanent. However, the nature of non-permanent work makes it more difficult for this group to experience any form of job security. As a union executive (12) (permanent staff) insisted, *“job security is no more; it’s now a thing of the past. Things have really changed, and permanent jobs are gradually been phased out”*. Therefore, it is obvious that the job security of permanent staff is also threatened.

With the constant retrenchment that has led to the reduction of permanent staff, the threat to job security is a double-edged sword, axing both permanent and non-permanent staff. The union executive (12) (permanent staff) stressed this fact with the words, *“no one is exempted, including the management staff, NUPENG and PENGASSAN members as well as the management team who are not unionised... permanent is no longer recognised in the industry”*.

This shows that job insecurity is no longer limited to non-permanent staff as was the case in the past but has engulfed all categories of staff, and employment status and has become a major setback to the unions.

6.4.2 Circumventing Labour laws

In every society, labour laws are put in place to guide employers and employees to understand the rights each party holds in the employment relationship. However, in some societies, this is

not necessarily the case. In Nigeria, workers do not feel their rights are protected in any way; rather they see their work privileges been eroded by employers and a government that stands by. In some cases, they see the government as an enabler of the removal of their rights.

Nigerian labour laws are weak and inefficient by any standard, and they have little ability to hold organisations to account. Organisations in the industry see themselves as overlords or at least superior to the government and the people they represent, hence the difficulty of enforcing the law.

This inability of the government to force organisations to abide by their standards is sometimes fuelled by the inability of the nation to meet its obligations as a partner in the oil sector. With the inflow of FDI, organisations, especially multinationals, have huge control over the affairs of the industry. In this situation, labour laws are easily compromised with no consequences. Meanwhile, indigenous organisations which also seek profit in the sector, copy the trend in employment, especially as most hold production sharing contracts with multinationals.

While employment in the sector has moved from permanent to contract and on to contractor staffing, the categories have different implications for the worker and the organisations. Permanent staff hold contracts of employment that enable them to understand the nature of their employment and the benefits that go with it. Some contract staff are allowed a few of the benefits accrued by permanent staff, although not all. Contractor staff may or may not have any benefits depending on the type of contract, labour or service. Labour contracts have a few benefits added while service contracts have none.

Organisations who previously hired contractor workers on labour contracts have removed those clauses and switched workers to service contracts. In the meantime, employees on labour contracts have gradually been replaced by service contract workers. These workers are of the

opinion that this is a ploy to circumvent labour laws and avoid unionism and the payment of pensions.

The study at Helechem International revealed that all contractor workers are excluded from trade unionism. Meanwhile, of the two unions representing the petroleum sector, PENGASSAN and NUPENG, only PENGASSAN is currently present in the organisation; NUPENG has been strategically extinct. Due to the pressure placed on Helechem to employ all contract workers in organisational roles, they invented a new strategy of only engaging workers through third-party contractors thereby circumventing labour laws and eliminating NUPENG in the process.

Workers in both multinationals saw the threat to unionism as the result of a general fear of the powers that unions hold. As a union executive (25) (non-permanent, labour contract) argues, *“they feel like belonging to a trade union is a threat and if there is no trade unionism, they can pay what they want to pay”*. This indicates a willingness on the part of the organisations to gamble with workers’ welfare in the hope of making more profit. Although this strategy of circumventing the law is obvious, those who are responsible for implementing law or regulating organisations turn a blind eye. Most workers see this as a means of economic sabotage, with corrupt practices including kickbacks.

6.4.3 Prospects for Career Development and Progression in the Industry

As stated in Chapter Two, the oil industry is often regarded as the epitome of good employment; a catalyst for best practice. Despite this assumption, the primary data from this research show workers in the industry arguing otherwise. Every employee looks forward to his or her growth within the organisation, but for precarious workers in all the organisations studied, this is not the case.

This statement from one of the management staff (23) (permanent staff) that “*[the] drive to Nigerian development is actually to be a partner to execute things that can drive a common man to wealth creation as well as driving achievement of the oil and gas industry values*” does not reflect the experiences of workers on non-permanent contracts or precarious workers. These workers have nothing that can be categorised as wealth, or envisage wealth creation because of the nature of their contracts. Nevertheless, it is in line with the ‘agreement and support’ categorisation of union response suggested by Gall et al. (2011), despite coming from management. This categorisation calls for individual support for the organisation, despite the injustice faced by workers.

As Standing (1999) rightly notes, certain job types degrade the individual’s social status. Perhaps some organisations intend to keep precarious workers under the perpetual burden of want, whereby they will be grateful for the little they have. This colonial tactic of insubordination has lingered in the petroleum sector under the neoliberal approach of keeping workers in continuous servitude.

As Gall et al. (2011) rightly point out, the essence of neoliberal market discourse is that risk is shifted from corporations and governments to individuals. The essence of privatisation, market liberalisation and the deregulation of national markets put in place through neoliberal policies is, therefore, to reduce state expenditure and place the burden on workers.

Empowering and investing in employees, the most important assets of an organisation should be the hallmark of competitive advantage in every organisation. However, this research reveals that the norm of investing in employees and equipping them for a better future is no longer practical for organisations given the current employment trend of precarious and irregular work arrangements even for skilled workers.

Developing one's career is a basic employee requirement from employers. Employees in permanent positions in all three case organisations have a favourable opinion of the quality of training received and see this as relating to career development. However, workers in precarious positions, especially those on service contracts have no regard for the quality of training received. Some even mentioned that the only training received so far was education about what their jobs entailed. Other training mentioned was safety and how to handle work materials.

At Precedom, the training for permanent employees was discussed favourably, as they are entitled to local and foreign training relevant to their careers. Training is selective, and employees are selected by superiors who deem them fit to attend courses. In addition to the selection process, interviewees claimed they were not nominated for courses based on need. In some cases, nepotism played a major role, especially in deciding who should attend foreign courses. Meanwhile, there was little or no training for non-permanent workers, with the main training they received being basic orientation.

Meanwhile, at Helechem, training was given to both permanent and non-permanent workers. However, the permanent employees received very intense training both locally and internationally, commensurate with their career goals. Selection for the training was based on the career goals of the permanent employees for proper developmental purposes. Nevertheless, the training for non-permanent workers was carried out locally, and not as frequently. Training for non-permanent workers was basic, such as safety, not for progressional purposes.

On the other hand, at Sudocom, training was organised for both permanent and non-permanent workers. Non-permanent service contract workers, labour workers and bodyshop contract workers were all given training relevant to their career roles. Workers could decide which courses to attend and which were relevant to their progression or jobs, although the courses

were local. Permanent employees were granted local and international training relevant to their career progression, according to the interview data.

6.5 Dominant Drivers of Precarious Work

The essence of precarious work in Nigeria may be profit-making and the ability to manipulate workers in certain areas. However, there are other influences that shape non-permanent work in the petroleum industry. Prominent among the drivers of precarious work in the industry are profitability, unemployment and underemployment, local content policy, corrupt practices and the lack of an enabling environment. Others include the lower-for-longer policy, outsourcing, job offshoring, technology, globalisation, neoliberalism and the perspectives of multinationals emanating from the way employment and contracts are handled in the industry.

i. Profitability

The ability to make and increase profit has always been at the core of every business enterprise. Hence, profitability was a main concern in the interviews. To embark on rigorous profit-making initiatives, organisations in the petroleum sector carve out non-permanent roles in their organisations and outsource these roles to third-party contractors; thereby making these jobs precarious.

This urge to boost profit is one of the key determinants of precarious work. Although profit-making is the main goal of every organisation, the Nigerian government bolster organisations, especially multinationals, in this regard. Precedom, an indigenous organisation, collaborates with other organisations in the industry to promote non-permanent (precarious) forms of jobs that encourage job offshoring and outsourcing.

Precedom: The drive for a competitive profitable outcome brings with it adversity for the individual and the organisation in some form. A union executive (5) (permanent staff) thinks everything about the industry “...is striving at curtailing cost... the expenses in running the

organisation". Meanwhile, another union executive (1) (permanent staff) asserted that *"members are losing their jobs technically because they have just discovered they can get some of these jobs faster, cheaper, somewhere else"*.

Helechem: The competitiveness of profit-making among the organisations in the industry is a contributory factor. Organisations compete with one another, copying what other organisations practice, regardless of whether they are breaking or circumventing the law, to make more profit. According to one of the management staff (13) (permanent) *"Helechem will reduce its portfolio just to be competitive and making sure that they spend less operationally for the same reason and get more result"*. The main argument of some of the permanent staff of the organisations is that it is specialisation that drives companies in the industry to engage in precarious working arrangements.

For example, a member of management staff (14) (permanent) suggested that organisations are not driven by profit but by specialisation when they embark on precarious engagements. However, this argument may not be justified, as most third-party contractors engaged by organisations to supply labour only act as paymasters and do not necessarily specialise in their fields of engagement. They take the responsibility away from the organisation which should be responsible for the employee, making it impossible for trade unions to engage such workers.

Sudocom: With regards to profitability, one of the management staff (23) (permanent) rightly noted that the company *"...did not come here as a charity organisation"*, suggesting that firms do not intend to throw away resources. Achieving the same results without spending as much is the goal of every organisation. Although it is difficult to see this when you are at the receiving end of whatever cuts are been made to achieve massive profits, those who suggested that it was the right of the organisation to seek profit regardless of the consequences for workers were permanent employees who did not experience what the non-permanent workers did on a daily

basis. Some of these permanent workers were once non-permanent, but see themselves as better off in terms of employment in their current positions and believe the non-permanent workers should be grateful to have a job, regardless of the conditions.

The competition among organisations to make a profit is reflected in the data. Organisations are out to surpass one another in terms of profit-making. This puts management, in some organisations, in an awkward situation, trying to justify layoffs. Management staff (13) (permanent) understands that the organisation would do everything possible, including embarking on layoffs, to remain competitive in the industry.

ii. Unemployment and Underemployment

Nigeria is often regarded as the giant of Africa, not necessarily due to its strength in war but the strength of its over two hundred (200) million people. This population is largely made up of youths more than any other group. Therefore, the number of universities in Nigeria is enormous and they produce graduates en masse thereby generating many unemployed graduates due to lack of jobs. Nigeria's official underemployment rate is twenty-three (23) percent, although this figure might be a lot higher unofficially.

In addition to graduate unemployment, there are also layoffs and redundancies that plague the industry, increasing unemployment. Job insecurity in the oil and gas industry contributes to mass unemployment. A member of management staff (11) (permanent) attributed this unemployment rate to "*those that had something doing before but are thrown out to join the unemployment market*".

The unemployment rate in society is an advantage as well as a disadvantage, for the government, organisations and people. While unemployment plays a major role in the insecurity in the nation, particularly the Niger Delta region, it is a blessing for the government and major organisations as there are many unemployed youths to tap into for precarious

employment. The high level of unemployment enables organisations to rely on outsourcing rather than conventional permanent employment.

A union executive (1) (permanent staff) pointed out that *“jobs are not there... jobs are scarce, so, the issue of employment law, ...organisations now look at it and apply it with discretion”*.

The level of unemployment is one reason given by workers for engagement in precarious work. When there are no good job opportunities, job seekers are pressured to accept whatever options are available.

The level of unemployment seems alarming, according to the research data. For instance, a member of the management staff (9) (permanent) insisted *“we both know that in Nigeria in particular, there are no jobs. I think the level of unemployment today... last time I read, it’s almost twenty-five percent for employable youths, which is quite scary and disturbing”*. A society with this high level of unemployment has challenges, which is why one of the management staff (11) (permanent) argued that *“every day we turn up graduates from the universities and there is no corresponding opportunity to absorb them”*.

Another major factor identified from the data is insecurity and its effect on organisations. It is assumed that organisations fled the Niger Delta due to the high level of insecurity because of youths’ restiveness and the high cost of energy. According to a member of management staff (11) (permanent), insecurity plays a role in the high number of unemployed in society – *“insecurity is driving away companies; energy is increasing the operating cost of companies”*.

Due to the unprecedented number of unemployed, there is also a high level of underemployment and job insecurity in the petroleum sector and outside. As mentioned, underemployment in Nigeria, according to the National Bureau of Statistics, is at twenty (20) percent while youth unemployment and underemployment are at fifty-five (55) percent. A non-permanent employee (20) (service contract) puts it this way, *“a lot of graduates are also*

outside there, they do not have jobs, some of them are riding Keke [tricycles]; they are doing gatemen work”.

The desperation for jobs enables employers to offer whatever they think appropriate to job seekers. In one union executive’s (25) (non-permanent, labour contract) opinion, *“they have studied the labour market and have seen that the labour market is oversaturated, and if you do not want to work, we have a hundred there”.*

Almost all the non-permanent jobs, if not all, could be considered underemployment, but due to the level of unemployment, workers have no choice on job acceptance. Organisations capitalise on unemployment by embarking on massive underemployment to boost profit. However, some workers do not see themselves as capable of accepting this level of employment and have taken to agitation. As a non-permanent employee (21) (service contract) explained, *“the rate of unemployment is very high... because, for instance, not everybody will accept this type of job”.*

In addition to the poor nature of jobs, workers are driven to take up jobs that are not relevant to their field of study in order to remain employed. The challenge of unemployment and the drive to remain relevant in society, if only a small way, leads job seekers to accept these poor and insecure jobs. As one of the management staff (9) (permanent) insisted, *“workers are ready to accept any form of work even if on that job and conditions are not there, he or she won’t want any other type of job so long as he remains in the environment”.*

A union executive (4) (permanent staff) saw poverty, unemployment and hunger as motivating factors contributing to the spread of precarious work. The federal government does not appear to be doing much to protect the rights of workers even on the international stage. As a union executive (25) (non-permanent, labour contract) noted, *“no wonder when they [the government] go out they challenge them outside that they are not protecting the Nigerian*

workforce". There is a challenge to the nation, whereby the Nigerian government could see public confrontation on the international stage over their handling of employment. The level of precarious employment in the industry poses major challenges for trade unions and employees, as most positions no longer require an employee who works directly with a major organisation and therefore has the benefit of freedom of association.

iii. Local Content Policy

The Nigerian Oil and Gas Industry Content Development Act 2010 was introduced to increase indigenous oil companies' participation in the sector and provide employment opportunities for the local populace. Although the local content policy is one of the key drivers of precarious work, it may not take all the blame. The fact remains that local content law only came into place in 2010 under the then-president Goodluck Jonathan. Blaming the content policy as the cause of casualisation might be ill-placed, as casualisation can be traced as far back as the early to mid-1990s when the petroleum sector embraced this type of employment over permanent employment.

The local content initiative intended to make sure Nigerians were not left behind in the industry. However, this same policy has been exploited and has exacerbated the situation rather than curtail it. The exploitative nature of some organisations and contractors has led to a lot of corrupt practice in the system. The interview data reveal this, as a member of management staff (10) (permanent) affirms, "*we have had cases in which jobs that were awarded to local contractors were abandoned*". This goes to show how a policy that is meant to cater to the interests of the local community can be abused by those the policy was put in place to assist.

There is ample evidence in the interview data that shows that organisations strategically abuse the local content policy by relying on precarious employment in the form of outsourcing under the guise of abiding by the policy. Most workers in the industry are currently under outsourced

contracts, either labour contracts or service contract. Some lay the blame at the feet of the federal and state government who have refused to react to these categories of employment in the industry. A member of management staff (24) (permanent) argued that *“the state has no good interaction except for the fact that the locals are the ones used for minor jobs”*.

With the new trend of employment, job security has become a thing of the past for both permanent and non-permanent workers in the industry. Permanent employees are not immune to this trend that brings severe job insecurity, and which has plagued the industry. In spite of the fact that some see the implementation of the local content policy as *“creating employment for more”*, as a member of the management staff (23) (permanent) maintained, the quality of employment created has to be questioned. There are more precarious job positions than ever before and this trend is ongoing. The work environment has grown increasingly insecure and unhealthy for workers.

In the same vein, organisations are becoming increasingly precarious as jobs become insecure. Workers who may not have the best interests of the organisation at heart due to dissatisfaction with their employment could compromise the safety or security of the organisation through their lukewarm attitude. This is evident from the interview data. Some workers complained about how long they had been of service to the organisation with nothing to show for it.

A non-permanent worker (19) (service contract) who had worked with Helechem for twelve (12) years as a precarious worker argues, *“there is no satisfaction anywhere, we are just in the hole, we have nothing else to do, no other place to go”*. This shows how dissatisfied workers in this category are with their organisations. A non-permanent worker (18) (service contract) who had put in twenty-nine (29) years at Helechem added, *“as a contract staff, the day your contract terminates, that is the last salary you will receive”*. There are no added benefits even for people who have put in many years of service.

One major challenge to local content in the oil and gas industry is corrupt practice. Local content has brought nepotism, bribery, intimidation, threats and so on. Organisations show favouritism to certain groups of contractors, some of whom are in high places in the government. The interview data shows that some legislators and government official have positions in the outsourcing companies which hold some third-party contracts. This may be criminal if they use their privilege to acquire business positions, and they also hold back regular employment in the sector. Politicians and government officials use their positions to make sure employment in the sector is perpetually outsourced rather than regular (permanent) since they are the benefactors.

Another major corrupt practice associated with local content implementation is nepotism. There is overwhelming evidence in the data pointing to nepotism as an offshoot of local content policy, whereby highly placed individuals tend to favour their families or friends for employment. Workers are used as tools by politicians and government officials or treated as irrelevant due to the general neglect of employment rights.

iv. Corrupt Practices

Corruption and corrupt practices are major obstacles to employment and trade unionism in the petroleum sector. According to the Nigerian NBS, although the corruption index in the country has reduced by about two (2) percent since 2016 when it was thirty-two (32) percent, it is still very high at thirty (30) percent, as of 2019. The nature of contracts and the way contracts are executed leaves room for a lot of corrupt practices, as evident by the interview data. Many contracts could be tagged as showing conflicts of interest, as some are owned by politicians who are in the position to put legislation in place to curb or control precarious practices.

There is also ample evidence in the interview data of government action or inaction, sometimes on the part of politicians, which is amplified by the interest these politicians have in the

organisations. The interviewees point out that in some organisations, politicians hold outsourcing contracts and gain a lot from the casualisation process. They are no longer interested in finding a viable solution to a menace in which they partake equally. A non-permanent worker (16) (service contract) insisted *“most of the people in the House of Assembly and House of Representatives and politicians have companies where they outsource workers. That is why they do not have the political will to stop Precedom or Helechem”*.

A union executive (27) (non-permanent, labour contract) supported this argument and warned of a situation where elected officials at the highest levels of government own contracts that could be regarded as precarious, and encourage such contracts, making the situation challenging for unions:

“The senators...all of them...badges, houseboats, everything, they are the ones who own them. If you go to the other complex there, you will see cabins, over 40 cabins; office cabins; it’s a senator that owns them and they’ve been there for... let me say 7, 8 years now. And they’re paying in dollars. So, the money you use in paying that, can’t you put a structure”?

He went on to say:

“Most of the boats you see carrying people to Excavos belongs to them [politicians]. Aviation here, even people that supply the diesel and the gas and the aviation diesel belong to them. So, how would they even tell a senator now to come and stand and tell you that they should stop this while you want to put them out of business”?

In most organisations, the holders of contracts are the permanent employees who have a lot of influence over how contracts are drafted and executed. There is a lot of undue influence between the contract holders and the contractors, which leaves room for practices that could be regarded as corrupt. In situations where the contract holder decides who to award the contract

to and how it is to be executed, there can easily be evidence of manipulation. For example, one of the non-permanent workers (19) (service contract) suggested that the way the contractor *“...manipulates the management is even... for us to even get the thirteen... that end of contract bonus now is another issue. Except a God-fearing contract holder or HOD will just come and say no, no, no, I will not compromise, give them what they are entitled to”*.

Another area of corrupt practice is the uncommitted attitude of the government and government officials to the infrastructural decay within the system, especially the petroleum sector. Despite huge financial investment into rehabilitating some of the nation’s refineries, there is no evidence of this investment and not a single refinery is fully functional, causing a huge drain on employment. Even with the interest of the government in profitability and their ability to influence decisions, the neglect of a sector this important to the stability and financial strength of the nation in pursuit of corrupt practices for personal gain is alarming. As one of the management staff (9) (permanent) pointed out, *“the federal government is much more interested in the returns, so much of the decisions are perched or pegged at the federal level”*.

Bureaucracy is the watchword of government parastatals, and this is a well-documented fact for Nigerians. Bureaucratic bottlenecks are a major issue, identified as an enabler of corrupt practices in the interview data. The level of bureaucracy in the government makes decision-making a very slow process. People who want things done faster look for ways of meeting workers in the parastatals for favours, creating an awkward environment where corrupt practices flourish. A non-permanent worker (16) (service contract) attributes this problem to what happens in the oil, gas and other sectors - *“there is a lot of bureaucracy in government, that is why the refineries and the NPA (Nigerian Ports Authority) are not making profit. Bureaucracy to a large extent will affect profitability”*.

This is a major challenge for workers and organisations. Where such bureaucracy exists, work is often delayed, and this affects workers and the amount of work that can be done. It is also a major setback for unions, as action cannot be taken while waiting for the government to step up, which is often delayed beyond expectations.

Nepotism is a corrupt practice identified as a major obstacle in the interview data. It leads to mismanagement and inefficient leadership, especially in Precedom which is an indigenous parastatal. Nepotism has everything to do with the quality of leadership and, in some cases, the attitude of leaders to the issues plaguing the industry. When positions are granted to individuals based on who they know or are related to, there is always the possibility of not getting the best person for the job. Some individuals get offers to head up units or sections although they do not have the expertise to carry out these functions.

v. Enabling Environment

The cost of doing business in Nigeria is running high, propelled by the lack of an enabling environment. In the advanced world, there are amenities provided by the government and organisations do not have to take up these burdens, for instance, power generation, security, medical services, water supply and a host of other amenities. These are not necessarily provided by MNCs in the Western world as other organisations take on the burden, but in Nigeria, power generation is mostly handled individually, as the national power grid is unreliable. The amenities necessary to run a viable organisation are not in place, and so are mostly handled by individual organisations, as the government provisions are either limited or non-existent.

Security, which is vital in the field of petroleum, cannot be guaranteed. This additional cost to organisations drives up the cost of doing business and has led to the closure of some organisations. As management staff (11) (Permanent) suggests, “*power is a major challenge, insecurity is a major challenge and because of these, industries are closing down*”. Therefore,

for organisations to remain viable, they must invent strategic ways to stay afloat; precarious work could be regarded as an offshoot of these issues.

The ease of doing business is part of an enabling environment. Medical and other, amenities are provided at the expense of the employer, which is not the case in other nations, especially developed countries such as the UK and most of Europe. Government facilities like the NHS in the UK cater for the medical needs of residents, and organisations do not have to go the extra mile to provide amenities for workers. However, in Nigeria, organisations must provide these necessary amenities for workers, otherwise, the individual has to cater to these needs personally.

Security is another element of an enabling environment. Petroleum is mostly extracted from the Niger Delta region and, due to neglect over many years, the environment has become a wasteland for its indigenes, who mostly survive by fishing and farming. Little care has been given to the land and rivers where crude oil is extracted. The people of the Niger Delta have been marginalised over the years in terms of employment.

The youths of the Niger Delta often take their lives into their own hands, holding the multinationals, which are the only visible presence in their community, to ransom. This leads to a high level of insecurity in the region. Organisations must provide security personnel for jobs to be carried out, meaning high overhead costs for organisations. Given that the government is not very visible and there is a lack of government action, the anger is mainly directed at the organisations operating within these communities, raising the cost of doing business. There is overwhelming evidence in the interview data to support this. A member of management staff (9) (permanent) sees “*security costs*” as a critical constraining factor in the environment.

As a union executive (1) (permanent staff) pointed out:

“In the case of Nigeria, we play politics with everything; it is the politics of the North versus the South. If the government truly wants to create jobs in the oil and gas sector, the first thing is to create the enabling environment; have the necessary framework in place that would give investors’ confidence”.

vi. Lower-for-longer Policy

Although the term ‘lower-for-longer’ was not widely used in the organisations investigated, the term applies to lower wages and lower production costs for a longer period, as a strategic tool for maximising profit. The interview data show significant evidence of a lower-for-longer policy in both multinationals and indigenous organisation.

The lower-for-longer policy gives organisations the opportunity to hire workers on a renewable temporary basis through ‘outsourcing’ rather than permanent employment, leaving non-permanent workers in perpetually precarious positions for years without consequences. This strategy is practised by most MNCs in the petroleum industry and has been transferred to indigenous organisations in the sector.

This strategy of retaining workers in permanent precarious positions allows the organisation to profit from the huge savings amassed over a long period. A member of management staff (9) (permanent) confirmed this strategy with this statement, *“cost is a major factor why people retain contract staff for years”*. This strategy is echoed throughout the research data and is one of the major reasons for the lower-for-longer policy in multinationals. In spite of this argument, one of the management staff (10) (permanent) suggested that *“per barrel cost is higher than a lot of the other competitors in Nigeria since the organisation has an identity that it is proud of and will not cut corners to get things done”*.

vii. Outsourcing/Job Offshoring and Technological Impact

The growing tendency for organisations globally, especially the petroleum sector, to focus on core business, has led to the contracting out of non-core functions. Job offshoring and outsourcing have therefore become the new strategy for employment in the petroleum sector in Nigeria. Outsourcing is the process of contracting out what parent organisations see as the non-core aspects of their business to concentrate on the core areas. However, it is also a form of casualisation. A non-permanent worker (16) (service contract) insisted, *“outsourcing means real casualisation because people are not pensionable; they are guarding everybody from the pension, that is why there is also a lot of demotivation of staff that has also led to corruption”*.

There is strong evidence from the interviews as well as secondary data that organisations in the industry have embarked massively on job outsourcing and job offshoring as a strategy not just for focusing on core business but also to galvanise profit in an environment that is increasingly insecure for workers. The demarcations between the various categories of employment, referred to as ‘fractional staffing’, have left some workers dissatisfied. Outsourcing is not seen by workers in this category as focusing on core business but as enslavement.

As noted by a union executive (26) (non-permanent, labour contract):

“It is very unfortunate, that employment in this country... sectionalism is still there, which is not too good because most of the jobs I am handling, it is the same job that both permanent employees are handling. It is not that you are on contract, you are handling the hundred-naira job, the employee is handling two-hundred-naira job”.

This shows that, despite demarcation, permanent and non-permanent workers carry out the same tasks, but with different job contracts. This has nothing to do with core or non-core aspects of the business. As a union executive (26) (non-permanent, labour contract) mentioned, *“it is not a written rule, but most of the young employees that come in, I train them on the job”*.

Some precarious workers have a lot of experience, and sometimes act as trainers for new employees who have no experience but carry out the same jobs, as permanent employees.

The introduction of technology into the work environment has led to job offshoring. One of the management staff (11) (permanent) suggested “*modern technologies; computers and other areas of technologies have also affected employment*”. Technology has bridged the gap in distance and job delivery. This is an offshoot of globalisation, according to a union executive (1) (permanent staff), “*the global trend has reduced workplace to a global village*”. Labour is no longer limited to any locality and service delivery can be carried out anywhere, as long as the organisation sees it as value for money.

This thought was echoed by a union executive (1) (Permanent staff) who referred to job offshoring as “*...the major problem today in the industry...what is making these organisations look outside the shores of Nigeria is to see how they can get some of these services cheaper and remain in business*”. This shows that organisations engage workers who can deliver services through electronic media at a cheaper rate anywhere in the world. For instance, petroleum products extracted in Nigeria are now moved to other countries for refining at a lower rate and sold back to Nigerians at a higher profit, because the refineries in Nigeria are not productive. This is another way of transferring jobs abroad.

A union executive (1) (permanent staff) stressed, “*a situation whereby someone in Nigeria will be sitting on a job, thinking that that job is there, meanwhile, that job is been carried out somewhere, whether in Indonesia or somewhere in Brazil*”. Unions have come to realise that the issues facing the organisations are enormous. The union executive (1) (permanent staff) continued:

“Members are losing their jobs technically because they have just discovered they can get these jobs... some of these jobs faster, cheaper, somewhere else... because they are

in business to make profit, to get the best scale at the cheapest rate in other places than when they are doing the business in Nigeria”.

There is a lack of action by the government with regards to outsourcing. There is a docile attitude when it comes to employment, which could be seen through the prism of profitability and corruption which plays a role in almost all aspects of decision making. As one of the management staff (9) (permanent) suggested, *“the majority of the funds is from the government. And that also affects employment. You know... you cannot just employ people without the government’s approval”*. If this is the case, there is no justification on the part of the government for staying silent when there is a major crisis that affects the nation’s economy.

Trade unions are hobbled by the contracts workers are issued. Although some contracts are still labour contracts or better in some organisations, giving workers some form of benefits and participation in union activities, most contracts offered are service contracts and, as such, do not afford the workers any benefits. A non-permanent worker (16) (service contract) argued *“it is a service contract...just service; and now the issue of hire and fire, people are not unionised”*. In other words, without union representation, there is no job security for these groups of workers. Meanwhile, the warehouse supervisor (16) (non-permanent worker) said, *“the basic underlying factor for outsourcing...too many heavy burdens, let someone else carry the cross”*. He sees the organisations transferring their responsibilities to the service contractors, thereby removing themselves from any organisational confrontation that may arise through the unions.

viii. Globalisation, Neoliberalism and Multinationals Perspective

The current trend for job offshoring by MNCs leaves room for the avoidance of employee association. As a union executive (12) (permanent staff) posits, *“most organisations are now offering jobs which have to do with offshore where you do not have to stay in your community*

or city because the global trend is turning into job offshoring”. For instance, some information technology (IT) jobs are now carried out in other locations such as India or Brazil. The world has become a global village and jobs can be carried out through technology from anywhere in the world. This trend enables organisations to keep employees apart and strategically disband trade unionism without necessarily admitting it.

In some cases, the idea of standardising business operations all over the world has given rise to casualisation. In Sudocom, standardisation is identified as the reason for some policies. The interview data show how this strategic policy is applied. A management staff (23) (permanent) explained it this way:

“The organisation is now standardising and like I said before... it is an example of maybe a business in Liberia which probably has the same capacity and the same layout of the equipment producing the same thing... using a lesser staff capacity to achieve even more than that one that has more employees”.

A union executive (4) (permanent staff) analysed the situation and attributed some of the reasons for casualisation to a global view, saying that organisations transfer a copy of what is practised internationally:

“Like in the Hague, there’s the issue of call-up agents... the management might just feel like okay, my job is... I do not want to get involved on the ground, that is my job. So, maintaining a rig is not my job. Eh... what again, maintaining pipeline is not my job. Given the situation...I will get a contractor to do this”.

Globalisation is a major force behind precarious work in the industry. Globally, outsourcing is a strategic tool for organisations seeking to focus on their main goals and objectives. In a non-permanent worker’s (16) (service contract) opinion:

“Globally there is unemployment; globally too, employers have seen that it is cheaper to outsource an activity rather than doing it yourself, particularly where the cost of doing it yourself and outsourcing it is almost equal...you would want to outsource it to deal on more strategic things”.

From this viewpoint, organisations consider other challenges that may arise from employment as a burden that can be transferred to the contractor. Reference was made to the UK employment system where outsourcing and zero-hour contracts have become employment terms.

Another strategy is offshoring, which is only made possible by globalisation. This is where organisations hire individuals across borders wherever possible. This has a major impact on employment and union activities, as workers across the globe cannot be members of local trade unions. This strategy came up in an interview, when a union executive (1) (permanent staff) stated, referring especially to IT jobs, *“the major problem we have today in the industry is the issue of job offshoring. The global trend has reduced the workplace to a global village; organisations are now offering jobs that you do not need to reside in the country”.*

The data also reveal diverse employment strategies used by MNCs across the African continent, especially Angola and Gabon, where employment is mostly on a permanent basis, as opposed to Nigeria where the reverse is the case. A non-permanent worker (15) (service contract) mentioned how his boss visited Gabon recently and noticed *“everyone there is a staff and they go to the same club, restaurant and so on, but here we do not have anything like that”.* A union executive (26) (non-permanent) also highlighted this point that *“Sudocom is operating in Angola [and] in Angola, Sudocom has more employees than contract staff. It depends on the country and the people operating it”.*

Neoliberalism influences contemporary employment. Nigeria relies on FDI, which has led to the deregulation of its capital market, massive privatisation of public enterprises and the introduction of austerity measures, leading to a massive loss of jobs for citizens. Multinationals play a major role in the political and social wellbeing of the nation. The influence of multinationals through financial stability is well documented and they have the authority to interfere in the affairs of the nation while the government remains indifferent.

A non-permanent worker (18) (service contract) sees the influence of multinationals on the Nigerian government through FDI by suggesting “*they [multinationals] are the ones dictating for the government what they want*”. This contributes to the high unemployment in society and the growth of casualisation in the petroleum sector.

Finally, the unions acknowledge exclusion and extinction as global issues. Most unions across the globe are facing similar challenges to those in Nigeria. A union executive (12) (permanent staff) suggested, “*there is a wide range of workers that are yet to be represented, the unions have acknowledged this as a global issue and not just peculiar to Nigeria*”. He, however, acknowledged that “*the unions have to find a way to organise these workers and give these workers a voice and a sense of belonging*”.

6.6 Workers’ Perceptions of Employment Trends

The petroleum industry is often regarded favourably, if not the envy of most prospective workers. Although this view is generally upheld by the permanent staff in the industry, data from this research shows a general dissatisfaction on the part of workers, especially those in non-permanent, precarious positions.

6.6.1 Economic Failure

According to the NBS, Nigeria’s external debt was \$27.6 billion as of December 2019. Despite this huge debt, Nigeria has no social amenities to show for it. According to the data, seventy

(70) percent of the nation's income is spent on servicing the debt, which has been accrued by mismanagement. Meanwhile, some loans were acquired under the guise of upgrading the nation's infrastructure, which has not been impacted in any way. A prominent leader in Northern Nigeria, Sanusi Lamido, speaking in 2019, admonished the leadership of the nation for the huge spending servicing debt.

In 2019 Business News carried a joint response by NUPENG and PENGASSAN to the IMF's economic recovery advice to Nigeria, in which they accused the IMF of insensitivity to the pains inflicted by the stringent reforms encouraged by the organisation. According to the report, this response was borne out of anger at the way the FDI affected the nation's economy and impacted employment through privatisation. As mentioned, incessant layoffs through privatisation because of IMF reforms contribute to the rise in unemployment and have a huge effect on the employment relationship in the industry.

Being a mono-economy, Nigeria relies on the oil and gas industry for any growth in the economy. As a union executive (5) (permanent) pointed out, *"Nigeria is a mono-economy, we have only one source of revenue - oil and gas"*. He berated the government saying *"what the government ought to do since they get all the money from here [the petroleum sector], you diversify, and you grow other economies so that there will be more inflow to the economy, but they do not do it; it is all about corruption"*.

The level of unemployment in Nigerian society was seen by employees as a possible reason for the rise in precarious employment and a driver of underemployment. A union executive (4) (permanent staff) attributed people's keenness to accept precarious positions in the industry to the level of unemployment:

"The case of contract staff, the motivation for those guys is that... this is a contract staff job, let me go in, gain the experience, and I will have the opportunity to move to

other positions, either within the company or organisations within the sector. Other motivation will be... I do not have any other job; so, poverty, unemployment, hunger is motivation”.

This shows that the will to survive contributes to the motivation to accept precarious job positions. A management staff (9) (permanent) pointed out that about twenty-five percent of youths are unemployed - *“it is quite scary and disturbing and means that for every four graduates coming out, one is employed, three are looking for opportunities”.*

Employees see the rise in precarious employment as an offshoot of unemployment, and this argument was supported by a union executive (26) (non-permanent, labour) who insisted *“because the management is aware that due to this unemployment if you leave now before evening, they will employ another person, the economy of the country is so bad”.* The huge number of unemployed youths, and other people of working age, and an economy crippled by mismanagement have given employers the confidence to enslave and abuse workers without consequence.

Workers see job creation as something that goes beyond empowerment; the idea of sharing palliatives or incentives to traders in the form of a little cash. A union executive (1) (permanent staff) asserted:

“If the government is actually pushing for jobs... creating jobs; is not what they call empower or going to market to share money, share two thousand to market women; that is not job creation, is not empowerment, it goes beyond that. It’s creating the enabling environment for the private sector to thrive and create jobs”.

The opinion here is that workers see the government as not doing enough to create a safe and economically viable environment for the private sector to grow and create employment for the millions of unemployed. This lack of investor confidence has left the industry with challenges

that have grown into threats to labour and employee engagement. A union executive (1) (permanent staff) asserted *“[if] you open a business here, some youths will come, collect this levy; some groups will come, collect this money on regular bases. So, even though there are laws... there are regulations outlawing such collections, nobody has been able to enforce it.*

The inability of the law to be fully implemented by the agencies of the government leaves room for illicit collection by individuals who see open opportunities to create illegal wealth for themselves. Workers, therefore, see this as the inability of the Nigerian government to implement laws that tackle illicit collection and give investors' confidence.

Workers see weak institutions and the lack of accountability in the system as major challenges which contribute to precarious work arrangements. A union executive (1) (permanent staff) argues that *“the issue of institutions, corporate governance that will enthrone accountable institutions is lacking in Nigeria”*. The issue of corporate governance can be seen from various perspectives. Organisations in the petroleum industry apply variations of governance that best suit their individual agendas. Where there are weak institutions and no accountability, the applicability of corporate governance becomes a challenge. Corporate governance is sometimes used to enthrone accountability in an organisation. However, with the weak institutions in Nigeria, the subject of applicability of governing structures becomes a huge challenge.

The Oil Industry Bill was meant to tackle some of the accountability challenges faced by the industry. However, the bill is yet to see the light of day as, according to a union executive (permanent staff), the government has not been able to come up with *“a framework and definition that can take care of our corporate governance that will enthrone accountability and transparency”*. The Nigerian government holds sixty (60) percent of almost all JVs, and one would expect some presence from the administration; however, this is not the case. Despite

holding fifty-five (55) to sixty (60) percent of the joint venture holdings in all oil and gas operations, the Nigerian government constantly fails to pay its share of the joint ventures. This has become a challenge for players in the petroleum industry.

6.6.2 Industry Challenges

Despite the global memorandum of understanding (GMOU) entered into by most organisations in the industry and their host communities for continuous developmental programmes that benefit communities, there are still hurdles for workers and organisations. In some cases, the developments are on paper only and never felt by the host communities, as promises are either voided or relegated to the background through corrupt practice. This has sometimes encouraged the very conflict the programmes were intended to prevent. In other cases, projects which include infrastructural development have been carried out poorly. The brunt of the anger is often channelled towards employees, who are visible on the ground in communities, and this has often led to kidnapping or clashes between workers and host communities.

Meanwhile, there are government partakers who only seek what they can acquire from the oil sector. According to the interview data, the Nigerian government, especially people in places of power that could change workers' situations, are seen to be doing nothing. As an engineer (28) (permanent staff) asserted *“the government is not playing any role. They want a large share and kickbacks all the time so are unable to hold these companies to account. They cannot even put legislations in place to monitor these organisations because of their special interest”*. This shows the perception workers have of the government and the lack of assistance from their elected representatives.

Wage discrepancies between the industry and federal ministries are another challenge. Since the oil industry has a higher wage structure, even for precarious workers, those in the federal

ministries who could raise issues are not interested in the fight. For instance, a union executive (26) (non-permanent, labour contract) argued:

“The people that are supposed to be monitoring this [precarious work] are not doing that. Because the oil industry has a higher salary, so, when you are complaining about these things to a ministry worker receiving N150,000, the first question they will ask is how much I am receiving? They are paying you N500,000 and the other is earning less”.

This poses a challenge to union bodies trying to justify the injustice meted out to workers in the oil and gas sector, especially when the industry generates more revenue and the work environment is risky.

6.6.3 Union Relevance

Most workers in the non-permanent category see the efforts of the unions and believe they are doing enough, but there are too many obstacles in their path. Nevertheless, some workers see union executives as compromised and not representative of the interests of the workers. For instance, the lack of action by NUPENG when the union was virtually wiped out at Helechem was a major concern for workers.

Another worker perception of the trade union is one of incompetent leadership. Some workers perceive the position of leadership in the unions as being infected with corruption, especially nepotism, and this affects the quality of leadership. There is also the issue of bribery, which workers claim affects decision-making within the unions. The frustration exhibited by some workers towards the union leadership is enormous, especially with the injustices they face daily. Nevertheless, most workers assume that trade unions should be able to face organisations and the government in order to achieve their common purpose.

6.6.4 Social Inequalities

The current trend towards precarious employment is seen as a form of enslavement by many workers. A union executive (12) (permanent staff) asserted *“if you ask me, I will tell you that that is a form of enslavement rather than employment”*. This view shows the level of disdain some workers hold for the organisation. However, most of the anger is directed towards the Nigerian government who allow this form of employment to grow unabated.

At Sudocom, the major roles are handled by permanent staff, according to the HR advisor, however, the non-permanent workers handle the most complicated roles in the company. This should make them vital assets of the organisation, but this is not reflected in the data. Most, if not all, of the contract or contractor workers, were of the opinion that the organisation does not regard them as valued assets. In fact, some, including one of the PENGASSAN chairmen at Sudocom who was a contract worker, referred to the contract workers' jobs as enslavement.

Workers see this trend in employment as a psychological challenge that has no end in sight. The labour market in Nigeria is currently over-saturated, which gives employers the freedom to perpetually employ workers on precarious contracts, knowing there is a lack of jobs in the market for anyone to go to. The interview data reveal an overwhelming number of workers on various contracts who do not necessarily do different kinds of jobs. As one union executive (25) (labour contract) postulates, *“they have now climbed down from labour contract to what they call service contract. Like me now, what we are running now is labour. But now they're trying to move from labour to service”*. The logic of moving between labour and service contracts is that organisations can escape the slight benefits that go with a labour contract for one that has none.

6.7 Advantages and Disadvantages of Contemporary Employment Trends

Organisations in the petroleum industry have brought sustainable development to the communities in which they operate. However, the current nature of contracts of employment has, no doubt, brought advantages and disadvantages for individuals, communities and organisations. Several advantages for organisations can be seen in the current trend of employment. The research evidence points to profitability and cost savings. Organisations make huge savings from cutting the costs of production and services, thereby increasing profitability.

Companies in the industry struggle to abide by the local content policy of the Nigerian government, engaging contractors in local communities and employing workers from these communities on a contract basis. One management staff (10) (permanent) sees the advantage of the casualisation process as *“creating jobs for the populace and meeting with local content requirement”*. This process is also identified as good for the employee because of skill acquisition. As one Management staff (9) (permanent) posits, *“the person (worker) would have acquired a lot of skills”*.

However, organisations may be at a disadvantage in terms of skills, as some workers are not properly recruited and the process of hiring is not reliable enough to ensure workers have the skills to carry out the work. A member of management staff (11) (permanent) supported this view that *“the disadvantages... the right personnel or the personnel with the right skill and competence may not be sourced under that [precarious] situation”*.

There are also cases of dissatisfied personnel who do not give their best in the performance of their duties, especially when there are pay discrepancies among workers carrying out similar jobs. The organisations may not have the necessary personnel to follow-up on some contracts,

given that some supervisors are in the same work category. Quality personnel are not necessarily in place; therefore, job delivery may be substandard.

There are discrepancies in remuneration between categories of employee. Organisations have varying grades of payment for categories of staff, leading to competition among staff, especially where individuals carry out the same tasks on different payrolls due to the nature of their individual contracts. Although organisations make savings by maintaining various levels of contract, thereby increasing profitability, the strain on employee deliverables and job satisfaction is enormous. For instance, contractors can be economical with what they pay to workers in the contract execution since organisations do not always have control. There is also an issue of irregular payment or non-payment of wages. Contractors are known to be economical in terms of spending, an attitude which could be called selfish or greedy. A non-permanent worker (19) (service contract) said, *“we stay up to three months, four months...there is no payment to the contract workers; they will say it is budget and there is no increment”*.

One management staff (11) (permanent) stated, *“for the contractor personnel, we do not have control over that. The price that is negotiated is not of the personnel but of the services to be provided”*. This shows that a lack of coordination on the part of the organisation gives freedom to the contractor to abuse staff by deciding how much or little each staff member is paid. This practice also leaves room for corrupt practices between the contract holder and the contractor. Individuals engaged as specific contractors by organisations may decide to capitalise on the massive unemployment and pay as little as possible to workers, retaining most of the financial resources for themselves.

There is also a question of loyalty to the organisation. Workers in this category are often dissatisfied with their contract of employment. A member of management staff (9) (permanent) asserted *“the challenge is that if you are not very strong... if you do not have a strong*

personality, you might begin to feel inadequate compared to the staff". A non-permanent worker (16) (service contract) added, *"it creates opportunity for people to be disloyal and a lot of opportunities to do shady things"*. In other words, these grades of workers may become corrupt. He added, *"people are not allowed to reach their potential before they are prematurely retrenched or downsized"*.

6.8 Chapter Summary

This chapter begins by analysing the trends in employment in the petroleum industry, followed by case organisations and their employment strategies. Precedom, an indigenous organisation, and Helechem and Sudocom, both multinational organisations, are investigated. There is no visible difference between the employment strategies of multinationals, which have more precarious workers than permanent employees. However, Precedom, an indigenous company, has more permanent employees than precarious workers.

The chapter discusses the contemporary employment trends in the industry and the changes in employment over the years. The chapter highlights the trend from permanent to precarious employment and the dominant drivers of this change. Profitability, unemployment, local content policy and corrupt practices are identified among the drivers of precarious work. Other drivers include the lack of an enabling environment, the lower-for-longer MNC policy, globalisation, neoliberalism and the availability of outsourcing opportunities. These drivers fuel and enable precarious engagement in the industry. Finally, workers' perceptions of the current employment strategies, and the advantages and disadvantages of this trend, are highlighted.

Chapter Seven: Union Responses to Precarious Work

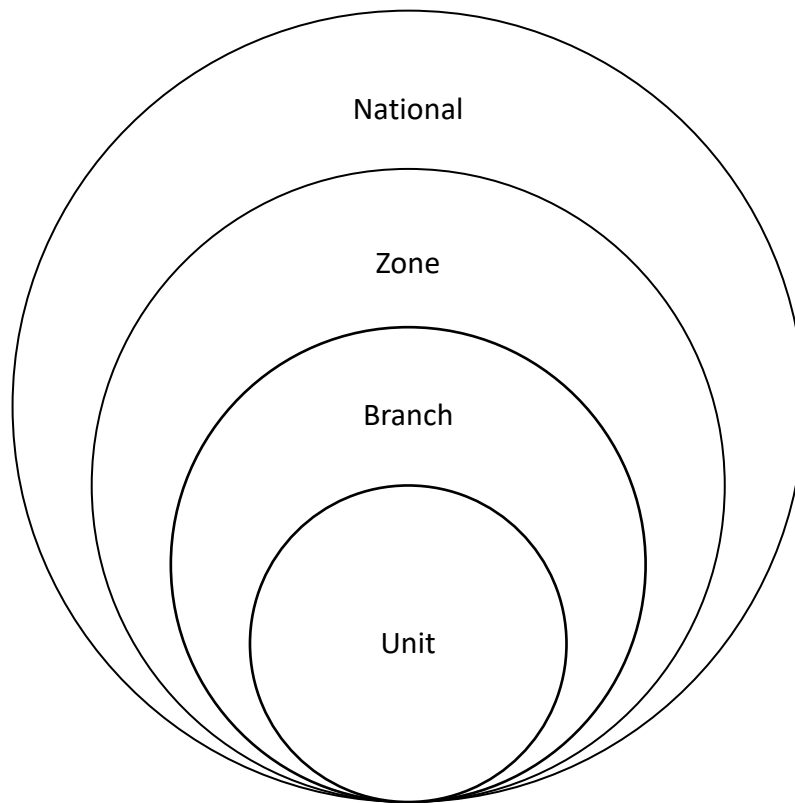
7.1 Introduction

This chapter discusses the trade unions in the oil and gas industry that operate within the case organisations, along with collective bargaining, which is a major tool of trade unionism, and its level, scope agenda and outcomes. It covers union responses to the growth in precarious work, which is the major focus of this study, the challenges facing unions, government regulation, the mechanisms used to regulate unions and, lastly, union views on the new form of work. The data applied in this chapter are the primary and secondary data gathered during the investigation.

7.2 Union Organisations at the Case Study Firms

The trade union structure in the industry is very complex, and no two organisations have the same staff structure. However, the basic structure of trade unions has units, branches, a zonal level, then a national level. Two union organisations, PENGASSAN and NUPENG, represent workers in the petroleum industry and these unions are represented in all organisations in the study except Helechem where NUPENG is no longer in existence. Unions in some organisations represent a particular business unit, particularly at Precedom where there are several units, while in other organisations, such as Helechem, the union starts at the branch (organisational) level. A branch represents an organisation in a specific vicinity, for instance, the Warri branch of Sudocom or Helechem, which can be regarded as divisions. At Helechem there are no units, that is the smaller components within the branch, as is obtainable at Precedom.

Figure 7.1: Trade Union Structure in the Petroleum Industry



Source: The Researcher

Figure 7.1, above, illustrates the structure of trade unions in the industry. The national encompasses all other units, while the zone covers the branches and the unit is the smallest element made up of individual members sometimes in specific departments.

Although the national body is the head of the union, each component (units, branches and zones) holds equal power and contributes to the decision making. Negotiations with organisations are undertaken at the branch level and decisions are also taken at this level. The national body covers general issues that need to be discussed with organisational representatives at the national level. This means that union representatives at the national level decide issues that have already been agreed upon at the branch level. Nonetheless, there are issues that affect organisations as a whole that can only be resolved at the national level.

The zone consists of several branches in a specific geographical location, usually covering several states. Although bargaining is always carried out at the branch level, the national level has the final say in trade disputes. The units report to the branch, the branch reports to the zone and the zone reports to the national level. It is at the national level where communication with international organisations such as the ILO takes place. Due to this complex reporting structure and a lack of similarity between organisational structures, there are bound to be discrepancies in negotiations.

7.2.1 Union Organisations at Precedom

Both unions in the petroleum sector are fully represented at Precedom; PENGASSAN which represents the white-collar workers and NUPENG which represents blue-collar workers. Both unions have only permanent employees as members and do not represent non-permanent workers at Precedom. Generally, non-permanent workers are not admitted into any union. This is evident in the interview data, as one management staff (2) (permanent) asserted “*what entitles you to be a trade union member is that you must be a staff [permanent employee]*”. This implies that one must be a permanent employee of the organisation to be accepted into the union fold. Similarly, a union executive (4) (permanent, senior staff) pointed out that “*whatever the union is doing does not affect the non-permanent worker*”.

As mentioned in Chapter Six, workers on service contracts are excluded from unionism and are, therefore, not represented by any unions. A union executive (4) (permanent, senior staff) said:

“Ordinarily junior staff will come at the bottom, but since they [the non-permanent staff] are not unionised, they decided they should fuse them with the least cadre; but these guys now say that, no since their educational qualification is higher than the junior cadre, they will want to be fused into PENGASSAN cadre”.

He sees the influence of the ILO's decent work agenda as the origin of the decision to co-opt the non-permanent workers into the NUPENG union.

7.2.2 Union Organisations at Helechem

Union membership at Helechem has changed over the years. Two decades ago, both trade unions, NUPENG and PENGASSAN, were fully represented. Union membership is divided into senior and junior staff, with the division based on job groups. In the past, some job groups were regarded as senior staff, and therefore could be members of PENGASSAN, while others were regarded as junior staff and expected to align with NUPENG. In the same vein, there were job groups regarded as management staff who were not supposed to belong to any union. One management staff (9) (permanent) pointed out that *“once you are on a certain job group and below, you cannot be a [union] member”*.

The exclusion of a section of the workers from the unions is strategic. In recent years, NUPENG has been deliberately excluded from the organisation as management strategically merged positions and eliminated the blue-collar positions of junior staff. This structural adjustment put the organisation in a stronger position against NUPENG, which was largely perceived as the more powerful and feared of the two unions due to its confrontational approach. In the SweetCrude report of July 2011, NUPENG accused one of the case organisations of ‘spearheading the casualisation and outsourcing of workers in the oil and gas industry to a labour contractor to provide support services to the company, notwithstanding that these jobs are continuous, routine and permanent in nature’. This strategy left a vacuum for trade unions to deal with.

Union membership numbers at Helechem could not be precisely ascertained during the fieldwork due to ongoing restructuring and redundancies. A union executive (12) (permanent senior staff) noted that it was difficult to *“really say how many we are currently as there is*

ongoing retrenchment every day; people are been released every day. We hardly know who is here and who is gone these days". The nature of the contracts of the non-permanent workers makes it difficult for trade unions to be involved in their cases. For instance, as a union executive (12) (permanent senior staff) suggested, *"they are not direct contract staff; they are contractor staff"*. This makes it difficult for the union to apply the rule of law since Nigerian labour law only stipulates that contract staff should be represented by trade unions, not contractor staff. A non-permanent worker (20) (service contract) pointed out that they were denied registering with either NUPENG or PENGASSAN.

Threats of being sacked made against labour leaders at Helechem have made many workers withdraw or decided not to join any trade union. A union executive (12) (permanent senior staff) stated, *"the organisation intimidates these workers by threatening them with dismissal if they associate with any union"*. This could be a strategy to starve the trade unions of members. Many of those who initially joined NUPENG were intimidated or threatened by the organisation. A non-permanent worker (19) (service contract) asserted that the union made *"...about two... three attempts concerning this our job security and others. What I hear is that Helechem deployed the army to beat people up. So, everybody was afraid, nobody wanted to join [the union], nobody wanted to go in, the power was too much"*.

Such threats and intimidation could explain why some workers are reluctant to be involved in union activities and therefore isolate themselves, claiming they are only there for their wages and nothing else. This group of employees see unionism as a distraction from their objective, which is their take-home pay and making ends meet. However, it would be fair to say this group is mostly made up of permanent staff who already benefit from the various extras that the organisation offers.

All blue-collar workers at Helechem have been contract or contractor staff since 2013, leaving NUPENG the blue-collar workers' representative, completely excluded, leading the NUPENG national president to call Helechem 'the headquarters of precarious work'. This is a good description of the way they handle trade unions at Helechem (IndustriAll, 2018). According to a non-permanent worker (18) (service contract):

“NUPENG used to be here when Helechem used to have junior staff but the NUPENG wanted to drag the contract staff along with them. Helechem was smarter and dropped some and promoted others from junior staff to senior staff. So, they caged NUPENG out of the system”.

The strategy used by Helechem enabled complete abolition of NUPENG, which is still the more feared union of the two. A non-permanent worker (19) (service contract) argued that precarious workers *“...joined NUPENG and were denied. When Helechem found out that NUPENG... maybe there is something... they want to fight for themselves, what they did...they just promoted the junior staff that are NUPENG to senior staff”.*

Although the organisation does not call contractor workers junior staff, it is obvious from the way this group is treated and relegated that they have replaced the junior staff category that the organisation has eliminated. A non-permanent worker (18) (service contract) suggests, *“there are no more junior staff and is like they used contractors to replace junior staff”.* Despite these workers being mostly well-educated individuals, the organisation does not see them as such due to the standard of jobs they are assigned; they are all underemployed.

While it is obvious that Helechem strategically excludes the junior staff category from its organisational structure in order to keep the trade unions at bay, they have not been very strategic in hiding that fact. For instance, employees at every stage could see the reason for the actions of the organisation. A non-permanent worker (15) (service contract) had this to say:

“I could remember that my immediate junior [subordinate], they were the last set that passed junior staff interview. Instead of employing those set of people, they now said Helechem no longer require junior staff; they laid them off; not that they paid them additional money or saying we are sorry. Since that time, they hammer it on that no more junior staff in Helechem and there’s no more conversion from contract staff to permanent staff, neither will you move from junior to senior, every worker remains permanent in whatsoever position you are. Moreover, if you are contract staff, you remain contract staff until you get tired and go”.

This participant was a permanent employee, given early retirement, and rehired as a non-permanent (precarious) worker, thereby experiencing both permanent and outsourced positions.

Some workers still see PENGASSAN as being complacent in the ordeal faced by NUPENG at Helechem. They believe PENGASSAN could have worked with NUPENG to curtail the challenges faced by unions, but did not, either due to strategic positioning or corrupt practices such as kickbacks. A non-permanent worker (18) (service contract) argued that PENGASSAN and organisational management *“...have a way of settling themselves because they are all one”*. Some participants see the position of union members as compromised and insincere in their actions.

7.2.3 Union Organisations at Sudocom

The trade union organisations at Sudocom are still viable; both NUPENG and PENGASSAN members are fully represented. However, there are many factions of each union; there are permanent employee branches and non-permanent employee branches of both NUPENG and PENGASSAN at the organisation.

The PENGASSAN non-permanent workers branch is referred to as H15. It represents highly skilled non-permanent workers in fifteen (15) organisations with a local membership of between two and three hundred (200-300) workers, according to the chairman. The membership of the permanent staff branch of PENGASSAN could not be ascertained during the research, as a result of the non-availability of permanent union officials.

The organisation responds to requests for dialogue from the trade unions. Negotiations are carried out at the branch level and overseen at the zonal level. The unions are divided into four zonal levels, representing both permanent and non-permanent workers. Although the unions have branches for non-permanent workers, negotiations for these workers take place with the various contractor companies, with Sudocom representatives present as observers.

At Sudocom, unions are decentralised. The permanent employees are represented by both NUPENG, which represents blue-collar employees, and PENGASSAN, which represents white-collar employees. Meanwhile, the non-permanent workers' branches of the unions are divided by the contractor group, either NUPENG or PENGASSAN depending on the category of worker. Third-party contractor companies engaged in outsourcing with Sudocom have branches of NUPENG and PENGASSAN which are affiliated with the main bodies of each union. There are fifteen (15) subcontractor branches in the Western division of the organisation, coming together under the banner of non-permanent workers associations of NUPENG and PENGASSAN.

NUPENG mostly represents non-permanent (precarious) workers at Sudocom. As in other MNCs in the industry, NUPENG is gradually being removed from the system through the replacement of almost everyone that would ordinarily be in the union with contract or contractor staff. Phasing out the union is a gradual process. As a union executive (27) (non-permanent, labour contract) suggested, *“in-house, they really want to see how they can flush*

out NUPENG from the system... the international oil companies are bent on pushing out the union because they want casualisation”.

There is ample evidence of union extinction at Sudocom from both the interviews and secondary data. Union members at Sudocom have been intimidated and threatened with layoffs and contract changes that would replace bodyshop and labour contracts with service contracts, meaning workers could not affiliate with any form of unionism. As mentioned, NUPENG no longer represents permanent workers in the Warri zone, rather all members of NUPENG in Warri are contract or contractor staff. This is a strategic move by the organisation to eliminate the union once all contracts are changed to service contracts.

7.3 Collective Bargaining

The main actors in collective bargaining (CB) are the trade unions, on behalf of the employees, representatives of the organisation and, in some cases, government agencies. Therefore, there are often three parties in the bargaining process, the organisation, the trade union and the government. CB is carried out, in some cases, every two years. Previously at Precedom CB was undertaken biennially, however, this recently changed to every four years to harmonise with other organisations in the industry.

CB is one major benefit of unionism. CB in the petroleum industry is unusual since it is not carried out at the national level. The process of CB may be regarded as one of the issues facing the industry, as there is no uniform bargaining process. Bargaining is carried out individually at the local level (usually the branch level) then reported to the central unit which delegates the national secretary to sign the final agreement after negotiations.

There are many differences between permanent and non-permanent staff in terms of CB. Of the three organisations investigated, only one (Sudocom) has non-permanent workers affiliated to unions and, as such, involved in the CB process. The other two organisations, Precedom and

Helechem, do not have non-permanent workers affiliated with trade unions and so they are not involved in CB. As noted by a union executive (12) (permanent senior staff), the “*difference between the permanent and non-permanent staff is that the permanent staff have a collective bargaining agreement and also an exit policy with the organisation*”.

The main issue with the workers that are not represented is their vulnerability to organisational threats and victimisation. A union executive (1) (permanent senior staff) argued, “*the problem with those people who are not with the union is that their fate... their rights will be at the discretion of management*”. At Sudocom, non-permanent workers’ CB may involve anything from staff welfare to safety. As a union executive (27) (non-permanent, labour contract) asserted, “*most of them [negotiations] are welfare and increments, then safety*”.

However, organisations sometimes do not honour decisions arrived at during negotiations. For instance, the union executive (27) (non-permanent, labour contract) added, “*there are so many violations... like the HMO which is medical*”. Workers reportedly have to take care of their own medical needs even after a negotiated agreement between the contractors and the organisation.

With CB in place for any group of employees, it is difficult for organisations to lay-off workers without due process. This is evident from a union executive’s (12) (permanent senior staff) remark in “*permanent worker cannot just be released the way a non-permanent can be released*”. This is because permanent employment in most, if not all, cases mean a collective bargaining agreement and company policies and procedures that are binding on both the organisation and the employee.

7.3.1 Bargaining Levels and Scope

Although bargaining is often assumed to be carried out at the industry level and sometimes at the company level, bargaining in the petroleum sector in Nigeria is often carried out at the

branch level, which is at the company level, and this has often led to confusion due to the lack of uniformity. There is no uniform bargaining structure within the industry. One organisation may demand something that other organisations had not considered during the bargaining process, and which may not be a major concern to other branches of the union.

CB in some organisations, such as Sudocom, is carried out at various levels within the company since there are contract workers' branch and permanent staff branch of each union, either NUPENG or PENGASSAN. Within the contract workers' branch, fifteen (15) or more contractor organisations need to come together and agree on the content of their bargaining. This is challenging since these workers deal with fifteen (15) different contractors who may have different agendas for them. This multi-faceted bargaining gives organisations the upper hand at the bargaining table, while employees and trade unions are exploited and their jobs rendered insecure.

Usually, when it comes to bargaining, organisations or their representatives and trade unions participate in the negotiation. However, when there is a stalemate, the issues are brought to the Ministry of Labour and Productivity, which acts as a mediator. At Precedom, collective bargaining was initially carried out every two years but this was later adjusted to four years to comply with government parastatal standards. Nevertheless, bargaining can occur at any time if the need arises before the scheduled date.

7.3.2 Bargaining and the Outsourcing Agenda

Outsourcing and offshoring of jobs have a great deal of impact on the bargaining agenda for workers and trade unions. The interview data show that most precarious workers are either offshore or on service contracts, and this strategy is used to frustrate trade unions in their bid to engage these workers who are not permitted by their contracts to engage with trade unions.

A union executive (1) (permanent senior staff) asserted:

“Initially, we [the unions] started with permanent workers. The global trend today is the issue of contracting and offshoring. So, we have also realised that we cannot continue to hold on to utilising only the permanent workers, so, we’re extending our roots to the service providers, the manpower providers and contract staff. So, it’s not only the permanent workers”.

Despite the suggestion of extending union cover to categories of workers other than permanent staff, the unions are yet to achieve this as more contracts are moved to service contracts where no representation is possible.

In the case of Precedom, all staff in precarious positions are on service contracts, other than a few on manpower contracts, and so do not have access to representation. Likewise, at Helechem, all precarious positions are currently on service contracts, with a few on manpower contracts, there is no trade union representation for these workers. Where jobs are outsourced to a third-party contractor, trade union representation is removed. The initial intention at Helechem to group all contract workers under NUPENG did not materialise. As a union executive (12) (permanent senior staff) asserted, *“all contract workers in Helechem were grouped as one and only NUPENG was allowed to register them; even with that, the NUPENG has also been chased away”.*

Outsourcing at Sudocom is slightly different, but the organisation is also laying off workers in the categories of direct hire and labour contracts since these groups have access to representation. At the time of the research, both NUPENG and PENGASSAN were on the verge of going on strike to stall this agenda. However, this was averted after intense negotiations between the unions and the organisation. Although some workers were moved to service contracts as part of the bargain.

The nature of CB for non-permanent workers who are unionised is not exactly the same as permanent staff. Most non-permanent workers are on service contracts, despite working in the same category as permanent staff, or direct hire or labour contracts. This demarcation between workers leads to animosity and a lack of trust amongst staff. A union executive (12) (permanent senior staff) stressed that employment in the petroleum industry can be regarded as:

“...a form of enslavement rather than employment. These workers have no rights and no voice... in most cases. Even Sudocom where you have NUPENG and PENGASSAN representing these form of workers [precarious], they are currently being threatened of change of contract to service contract as well as laying off up to half of them”.

Table 7.1: Types of Contracts and Union Membership

	Precedom	Helechem	Sudocom
Type of Contracts	Union Membership	Union Membership	Union Membership
Direct Hire	No	No	Yes
Umbrella	No	No	Yes
Bodyshop	No	No	Yes
Labour	No	No	Yes
Service	No	No	No*

Source: The Researcher

*Note that all other types of contracts at Sudocom except service contracts are union affiliated.

Others may not be able to align with trade unions due to their employment status or contract. These groups see themselves as outcasts from the system. A non-permanent worker (22) (service contract) asserted, *“it’s the union that stands as an interface between the workers and the organisation and when they [precarious workers] are not allowed to be part of the union it becomes a problem”.*

In other words, when the unions are not allowed to represent specific workers, they literally do not have a voice within the organisation (Josserand and Kaine, 2016).

7.4 Trends in Union Membership and Representation

NUPENG, which represents blue-collar workers in the petroleum sector is among the most powerful trade unions in the country. With over eighty organisations represented, it is the most formidable union in the sector due to its strategic position, and the second most powerful trade union nationwide after the Nigerian Labour Congress (NLC) which is the umbrella body for all workers.

NUPENG enjoys a strategic position in the petroleum sector due to the status of the workers it represents. Some workers in NUPENG can bring the industry to a standstill if they go on strike, work to rule or take other industrial actions. This gives the union a strategic position in the industry above PENGASSAN which does not have so much leverage.

NUPENG is represented at almost all organisations in the industry where there are blue-collar workers; almost, because there are a few multinationals, including Helechem, which have strategically eliminated NUPENG through job restructuring. Helechem strategically removed NUPENG from its organisational arrangements through the structural merger of job positions. Evidence of this exists in the interview data, as the participants analysed how the firm eliminated NUPENG. A non-permanent worker (19) (service contract) said *“NUPENG... there is something... they want to fight for themselves, what they did they [the organisation] just promoted the junior staff that are NUPENG to senior staff”*.

This way, every employee was either a member of PENGASSAN or did not belong to any union, particularly precarious workers under service contracts who were not permitted to belong to any union. Union negotiations are always carried out at the union’s request. The interview data show that unions take the initiative of requesting meetings with management,

and the organisations oblige. One management staff (24) (permanent) pointed out *“if there is the need to dialogue, the union calls for dialogue with the management; resolutions are reached for a peaceful concurrence”*. However, when this is not possible or resolutions cannot be reached, the union takes it to a higher level, such as the national body, which then takes it to the Nigerian Ministry of Labour and Productivity for further negotiation and resolution.

In recent years, the power of the unions has been eroded; unions no longer seem as they were in the past when they wielded a great deal of power, especially NUPENG. There is ample evidence from the interview data to suggest that unions are no longer as powerful as they used to be. A union executive (26) (non-permanent, labour contract) argued, *“initially when you look at trade unionism in Nigeria PENGASSAN looks like a toothless bulldog they do not fight, but NUPENG is ready to shut down everywhere so, people do believe that with NUPENG they can resolve problems quickly”*. A union executive (27) (non-permanent, labour contract) pointed out *“they really want to see how they can flush out NUPENG from the system”*.

This strategy of flushing out the union is a form of extinction that the unions are going through. There are currently no NUPENG permanent staff in Sudocom in the whole of Warri zone, although they have non-permanent workers, they are considering changes to these contracts. At Helechem there are no NUPENG members, either permanent or non-permanent. At Precedom, the story is almost the same, except NUPENG, which represents only the permanent staff, not non-permanent workers.

The challenge for NUPENG is compounded since the organisations sense a kind of weakness in the leadership. The multinationals capitalise on this perceived weakness to ignore any threats from the unions and embark on their goal of casualisation. As a union executive (27) (non-permanent labour contract) alleged, *“NUPENG has been trying to see how the MNCs will listen to the union and work with the union. But the MNCs are bent on pushing out the union because*

they want casualisation". He went on to stress the current weakness of the union "*we are more or less handicapped on these issues because of the type of society we find ourselves*". This means that the complexity and the corrupt practice in society in some ways affect the actions of the union.

In a statement by the national chairman of NUPENG reported in the Daily Post of April 26, 2009, the union was not impressed with the goings-on in the oil industry. He lamented "*the gross violation of workers' rights*" reached an unfortunate head when Helechem contractors brazenly refused to implement "*an agreement they willingly entered into with the workers*". He stressed that '*in any decent and responsible organisation, the rights of workers to join the union and collectively negotiate their working conditions ought not to be a difficult one; unfortunately, this is not the case*'. He further argues that '*after the Ministry of Labour intervention and also a court ruling in favour of the workers affirming their inalienable rights to associate collectively*', organisations in the industry remained adamant about these rulings.

In other cases where unions were visible and negotiated with local contractors in a collective bargaining arrangement on behalf of workers, '*the management flippantly refused to sign the collective bargaining agreement (CBA) documents based on the directive of their principal*'. This attitude of disregard is not limited to one organisation, it has become the norm in almost all major operators in the industry. The strategic elimination of unions is ongoing, and this has eaten deep into the fibre of most organisations in the Nigerian oil sector. A union executive (26) (non-permanent, labour contract) warned that organisations are finding ways to circumvent rules and strategically exclude trade unions:

"When you look at unionism in Nigeria, they said before you belong to a union you must be up to 50 members. That's why if you go to many companies instead of having one company to take care of unskilled [workers] another company to take care of

skilled, what they do is to engage many companies so that they cannot be up to the required 50”.

As the NUPENG national chairman suggests in the Daily Post, *‘what we see today is that any contractor whose employees join the union will have their contract terminated’*. So, the threat is not just to the workers but also service providers (contractors). However, a union executive (1) (permanent staff) stressed, *“in NUPENG, they are still adopting that military approach; and they are also having their way as it were”*.

PENGASSAN has suffered a similar fate, in a strategic move by the organisations whereby members are quickly promoted to the management cadre where union representation is no longer accommodated. In other cases, PENGASSAN members have suffered layoffs and a lack of permanent staff replacement, leaving a void for the unions to struggle with.

7.5 Union Responses to the Growth in Precarious Work

The strategic structure of union eradication in the industry was pioneered by Helechem and emulated by other organisations, especially multinationals. At the time of the interviews, Sudocom had instructions to lay off fifty (50) percent of its precarious workforce and asked that the remaining fifty (50) percent reapply for their own jobs, but on service contracts only. A non-permanent worker (18) (service contract) said, *“that is where our problems come from; when Helechem succeeded, Sudocom now saw it that if Helechem can succeed then they [Sudocom] can”*. According to a union executive at Sudocom, the unions succeeded in negotiating no layoffs. However, some workers were offered higher wages to remain in the system under service contracts.

There are a variety of responses from trade unions determined by various organisational actions. In some cases, union actions are determined by organisational or governmental inaction, however, most are due to actions the unions see as detrimental to their members’

welfare. As a non-permanent worker (15) (service contract) stressed, *“if by chance somebody who is in any of these unions left by way of victimisation or whatever; if they want to make that person suffer, the union can take it up”*. He went on to say *“any person that is having any of these backups [union], you do not misuse it but have job security which non-permanent staff don’t have”*. This shows that trade unions tend to provide job security for workers through their responses, especially to precarious work.

Trade unions in the industry have resolved to use diplomatic means of communication with organisations in recent years. This may be looked at in two ways, not to be seen as too aggressive or to create a new image for themselves. A union executive (1) (permanent, senior staff) stressed:

“Some of them [organisations] actually are afraid of the union that once union comes into the organisation, it will erode their profit. Union will continue to demand and demand and demand. So, we are trying to adopt a diplomatic approach in talking to them... trying to let them know that this is a different body, an enlightened body; we’re concerned about the growth of the organisation”.

In the past, unions were more confrontational, and organisations saw this as a threat to their existence, leading them to strategically eliminate trade unionism. This can be seen in the responses of some trade union leaders to this inquiry. Trade unions have become more diplomatic in order to allay the fears of organisations and win their trust. Despite these moves, the fear of what trade unions are capable of is still high, given the direction of the organisations’ employment strategies.

Trade union response was once feared, especially NUPENG, which was once very powerful, and still is despite the weakness caused by strategic employment contracts. This strength is borne out of the effect of its industrial action. A union executive (12) (permanent, senior staff)

asserted, *“once there is no distribution of [petroleum] products for three days or so, everyone will feel their effect all over the country and the noise will be much”*. NUPENG holds the tanker driver arm of the industry and could assert much pressure on the government and organisations if it were to go on strike. The same executive argued, *“PENGASSAN does not have that kind of advantage since they are closer to management, reason as business managers and does not like to disrupt the system”*. Nonetheless, NUPENG has become more docile over the years and lost its drive.

Although there is some assertion that precarious workers enjoy the same union leverage as permanent staff, there are some contradictions. A member of management staff (10) (permanent) suggested, *“when the NUPENG goes on strike, contract workers also go on strike because if the permanent staff says there’s not going to be work today and the contractor staff don’t come to work, is that not being part of the strike”?* In other words, staying out of work because those you report to do not come to work is the same as participating in the industrial action. However, some workers do not agree with this, as the interview data show that contract or precarious workers do not participate in industrial action unless they are part of a trade union.

A union executive (12) (permanent senior staff) added, *“the production facilities are under our members, if we shut down production export for a single hour, we know the impact on the economy of the country; but it is a tool the union rarely resort to because we understand the business, so we continue to dialogue and partner”*. The tools available to the union were applied in the past when the unions were more formidable. However, the same cannot be said in today’s business world where the nature of employment has placed workers in unsecured positions. The fear of union action is built on the idea that trade unions can erode profits through their demands. As a union executive (12) (permanent senior staff) contended, the union presents itself as *“...an enlightened body who is concerned with the growth of the organisation and is not just there to extort but also to collaborate with the organisation for a better*

tomorrow". This strategy is to make sure jobs in these categories are protected, especially in the current economic climate. This is reiterated by the union executive (12) (permanent senior staff) "*these things can only be done with caution since we don't want people losing their job in the current economy*".

By applying a collaborative strategy, the union (PENGASSAN) expects a better atmosphere between themselves and the organisations in which to discuss issues relating to worker welfare. However, in the opinion of the union executive (12) (permanent, senior staff), the organisations view this collaborative effort as a sign of weakness on the part of the trade union when in essence the union is "*...only trying to embrace partnership and collaboration*". Although the unions claim to be doing a lot to support employees and workers, there is ample evidence of union inaction in cases of employer injustice. For instance, non-permanent workers at Helechem who aligned with NUPENG were victimised and some were laid off while others were made to dissociate themselves from the union. In cases like this, the trade union was not seen as taking any action to curtail the situation, rather workers were left to their own devices.

7.5.1 The Challenges Facing Unions

Globally, unions face challenges on all fronts. In the UK the issue of union division and lack of cooperation is a major challenge in the petroleum sector, as it is for other unions across the globe. A breakaway group, the United Kingdom Drilling Contractors Association (UKDCA) is known to have offered staff up to five (5) percent pay rise in what Unite call an 'inferior pay rise' to entice workers. This strategy has left major trade unions all over the world factionalised. In Nigeria, breakaway unions are trying to entice staff to follow their faction.

Unions in the petroleum industry in Nigeria were most vocal a few decades ago due to their strategic position and ability to hold organisations and the government to order. This was done through negotiation and more confrontational means. However, in recent years trade unions in

the petroleum sector have become weaker. One management staff (12) (permanent) attributed this weakness to the current economic situation in the country, *“following the current situation we find ourselves under this economic depression, the force to exert is declining”*. However, he attributes the lack of union performance to the use of *“...contract titles such as service contracts to weaken their stance in the organisation”*. He, therefore, sees the unions as facing *“...difficult times right now; relying on organising only the permanent worker is no longer an option”*.

The current trend of employment which is gradually going to service contracts does not permit workers to align with trade unions, meaning trade unions are gradually losing ground in terms of representation and a voice in the industry. At Helechem for example, NUPENG, which is generally regarded as the most powerful union in the industry and one of the most powerful in the nation after the Nigeria Labour Congress (NLC), is no longer in existence. This is due to the junior staff category which the union represents being completely removed from the system and replaced with casuals on service contracts who have no right to representation.

Some of the key issues facing trade unions in the industry are job offshoring and outsourcing. According to the evidence from the interviews, most employees on this type of contract are either not permitted to belong to a union or are members of a union but not necessarily in the same group as the permanent staff in the same organisation. They are made to belong to a separate group of either PENGASSAN or NUPENG, which negotiate with the service providers and, as such, there is no uniform agreement between the permanent and third-party staff or contract staff. Meanwhile, the service providers are regarded as employers to these groups of contract workers on paper only.

Furthermore, the non-uniformity in the registration of workers under any union in the industry presents a big challenge to the unions. The investigation reveals inconsistencies in trade union

membership. While Helechem initially allowed third-party contractor workers to register with NUPENG only, regardless of status but later withdrew that status, Sudocom allowed some precarious workers to register with both PENGASSAN and NUPENG depending on their status in the organisation. However, Precedom never allowed any of its precarious workers to be affiliated with any trade union. This set the pace for other organisations in the industry to emulate as Helechem scrapped the union for non-permanent employees and Sudocom is on the verge of doing the same.

Meanwhile, Precedom, an indigenous organisation in the oil and gas industry, is expected to set the pace for others to follow, but this has not been the case. There is a deliberate effort by organisations in the industry to exclude unions, and this has become the norm for most multinationals in the sector. As a union executive (26) (non-permanent; labour contract) asserted, *“the issue is that like this company, we have freedom for the union to operate but notwithstanding on background, they are still working as on how to dislodge the union, reduce its strength and their urge to have an impact”*.

This is further compounded by the inability of union leaders to confront the issues faced by members. The current weakness in the leadership of the unions is compounded by the leadership struggle among members. The politics and corrupt practices in the system have found their way into the union leadership selection, and this has led to a weakened union that relies on those who brought them to power. In some cases, there is evidence of internal corporate politics, whereby the union leadership is based on top connections in the organisation and other cases, the government. A non-permanent worker (16) (service contract) explained that there is no political will on the part of union leaders, *“if the foundation of a building is weak, generally the building is weak; the foundation is the political will; when there is no political will, every other thing would be a problem”*.

The idea of corruption creeping into the union is supported by the evidence from the interviews. For instance, a non-permanent worker (21) (service contract) said, *“that is where the corruption comes in... because we do not know what they [the organisation and union officials] have done there, what they have agreed there, what they have called them back to do”*. This is because, after the unions threatened to shut down the organisation for attempting to lay workers off, they were called for a meeting and had to withdraw their stance without a clear reason given to their members for the conclusions they arrived at. A non-permanent worker (20) (service contract) supports this view, saying:

“You know... corruption... they are taking bribes, by the time they go and represent... go to a round table and discuss; somebody will just say why are you disturbing yourself, take this envelop [bribe], fat one, they will collect. Before you look, they will dance to their [organisation] tune, they will be telling you...don't worry, relax; and if you press too much, they will tell you that it's like you're tired of this job”.

Due to the lack of representation of non-permanent workers by trade unions, it has become very difficult to tackle issues associated with this group, especially job security and benefits. Although some permanent employees do not see the difference between a lack of representation for precarious workers and representation for permanent employees, as they claim that non-permanent workers also abstain from work when the unions go on strike. A union executive (25) (non-permanent, labour contract) argued, *“the non-union members are paid more to discourage them from joining the union”*.

This act is an incentive to discourage workers from affiliating with any union organisation. The same union executive explained, *“we [unions] were able to break that just of recent and the federal ministry pronounced that the International Labour Organisation has said that there should be equal pay for equal jobs and said they should go back and rectify their contract in*

that direction". Yet, workers see this as a ploy to distract them from impending layoffs. Despite the pronouncement of the federal ministry, Sudocom has successfully converted precarious workers to service contracts, as further investigation reveals.

The inability of the unions to identify with ILO objectives and norms has been their undoing. However, in recent years, some unions have begun to recognise this strength of the ILO decent work agenda and put systems in place to make organisations comply. A union executive (25) (non-permanent, labour contract) pointed out that *"just of recent PENGASSAN has just employed one assistant secretary in-charge of industrial relations - a lawyer that will be looking at this very aspect [precarious] of the workforce"*. In his opinion *"if not this ILO convention, there is no way we [the union] could have to stand them [the organisation] in Abuja"*.

A lack of collaboration between trade unions, especially NUPENG and PENGASSAN, has contributed to some of their problems. In the past, there was a lot of collaboration among trade unions which enabled them to tackle some issues as a stronger force. However, in recent years, there is hardly any synergy, as the leaders of these unions have become dissociated. Unions in the industry were known to take industrial action in solidarity with their counterparts, but this no longer happens. A union executive (5) (permanent senior staff) stressed *"if the union in Precedom dies, other unions...they are done for, they lean on the union of Precedom"*.

There are several challenges to collective bargaining in the industry because the levels of bargaining differ from organisation to organisation, and the scope and content of bargaining create varying opinions about what bargaining in the industry is about, especially given the new trends in employment.

Employees and organisations have different ideas of what bargaining should be about. In most cases, bargaining covers members' welfare, salaries, holiday pay, duration and rate, training,

etc. Organisational differences are bound to occur when national decisions are discussed at the national level. There are several issues on which organisational difference takes precedence over group interest. For instance, organisational pay grades vary, which is both reflected and avoided in discussions at the national level. There are also organisational differences in conditions of service, especially trade union membership and representation.

One of the major challenges faced by unions is a lack of compliance by organisations and sometimes members of the union. Organisations go into negotiations with trade unions, and if there is an agreement the unions expect the organisations to implement that agreement within an agreed time. In some cases, this does not happen and unions are left in a precarious position. There is ample evidence from the interview data of Sudocom's refusal to implement agreements with the trade unions and a suggestion that the unions should return for further negotiation as they are no longer obligated to honour the initial agreements.

A typical case is NUPENG's agreement with Sudocom, which the organisation later retracted. A union executive (27) (non-permanent, labour contract) asserted that they had "*finished one [negotiation] by September (2018) and signed but the company is not recognising what we signed*". This is an injustice on the part of the organisation against the workers. The circumventing of labour laws is ongoing in the industry. As a union executive (12) (permanent senior staff) explained, "*the labour law stipulates that the union should represent contract workers; the organisations know this, so they are playing that clause by making sure most recent non-permanent workers are contractor staff [outsourced]*". This shows how far organisations are willing to go to make sure unions are eliminated from the system. This plays out in all organisations in the industry, as the strategy is emulated by every MNC and, in most cases, the indigenous oil companies which are reliant on the multinationals for survival.

Although unions sometimes struggle to gain relevance in the industry, some union members do not make it easy for them. There is evidence in the interview data of union members not complying with union instructions, succumbing to threats and intimidation from the organisations. For instance, when organisations take drastic measures and lay off workers, the unions step in. Union members, as well as executives, are intimidated and threatened to the point where they are coerced into signing away their future. As a union executive (27) (non-permanent, labour contract) pointed out, *“we [unions] said no person should fill that form [change of contract form], but because they are afraid of the unknown, some of them [employees], including some union executives have filled the form”*.

In every issue affecting unions, there is always an enabler, and the Nigerian government seem to be the enabler in this case. As an operator and a regulator, the Nigerian government holds a strategic position in the industry such that regulating the MNCs becomes difficult, given that they are partners in the sharing formula of expenses and profits as well as a partaking organisation. Despite the challenges faced by the unions, some workers see the government representatives as compromised, and do not know how to regulate the organisations. According to the interview data, this plays into the hands of some multinationals who take the opportunity to execute their agenda of non-permanent work arrangements. A non-permanent worker (18) (service contract) stressed, *“the whole nation cannot come down to look at what is happening in these organisations, somebody is mandated to do that; the office is there to checkmate all the oil companies to make sure that people are fairly treated, but that person is bought over”*.

Due to the lack of uniformity in CB, there are bound to be some discrepancies, especially if one organisation can negotiate a better deal than another; workers are bound to not contest the injustice of their organisation when it comes to benefits. According to a union executive (12) (permanent senior staff), *“bargaining is done according to the size of each organisation”*. Where this is the case, the smaller organisations could be at a disadvantage. The larger the

population of union members in each organisation, the more likely they can pull their weight in negotiations.

Due to the multi-level CB in organisations and the industry, bargaining is not a straightforward affair. As a union executive (1) (permanent senior staff) suggested, “*all the companies in the industry do not have the same capacity, so we bargain based on the capacity of individual organisations*”. The union executive stressed that unions embark on capacity building of the individual as the idea is for the union to develop the employee and not leave them the way they came in. When most workers are on contracts and most contracts are service contracts, the unions have little or nothing to do with the workers, especially when they are on service or offshore contracts.

With the new trend in employment, trade unions have many challenges to contend with. In the past, these were about remuneration and employee welfare, but in recent years unions have been faced with the major challenge of keeping people employed in light of the level of insecurity employees face. This is evident from the interview data. A union executive (1) (permanent senior staff) referenced this, saying “*there is nothing like permanent now in the industry*”. In his opinion, the challenge is not just for non-permanent workers but for all employees in the sector, including permanent and management staff.

Despite these issues, unions are trying to look beyond casualisation in the form of outsourcing to concentrate on the twenty-first-century issues such as millennial views on employment and how union organisations can represent workers who do not see permanent work as their main challenge. According to a union executive (12) (permanent senior staff) “*understanding the millennials and their needs is key to the next step for unions; these young ones just want a good job and pay, not necessarily permanent*”.

Finally, the lack of transparency between the union at the national and local level, especially in terms of funding and how it is generated and distributed, puts a burden on the union and can lead to insubordination. A union executive (4) (permanent senior staff) explained:

“The national body gets paid all the money, they now redistribute to all the branches, branches will distribute to chapters, and chapter to the units... they [the national level] have an idea of what comes to the chapter. I would not say that the funding is bad, but of course, it has not trickled down; that is one issue”.

7.6 Government Regulation and Enforcement Mechanisms

Trade unions may be regarded as change agents; in previous decades they were known for their political positions in Nigeria. NUPENG, due to its strength and hold on the economy via its members were able to take strong political stances and bring the nation to a standstill. Due to their strong position, trade unions in the petroleum sector, especially NUPENG, were an organ of fear in the sector and the government. In the 1990s trade union leaders were jailed for their political opinions and the ability to galvanise the union to challenge injustice in the political sphere and the petroleum sector.

Leaders sure as Frank Kokori of NUPENG and others were always on the offensive and challenging injustice and abuses of power (Paul et al., 2013). Today, trade unions are reduced to tools in the hands of politicians and do not hold much power. As a member of management staff (24) (permanent) suggested, *“they [the unions] used to be very effective, except in recent times. Currently, because of the economic situation in the country, the powers of these unions have been eroded”.*

The use of threats and intimidation by the government, especially against anyone who stands up to the petroleum organisations is a strategy well-known to the Nigerian government. Ken Saro-Wiwa, an environmental activist and writer, stood up to the multinational organisations

in the industry for their environmental degradation and was sentenced to death by hanging with a group of nine. He was later executed, with the others, by the Nigerian military leader General Sanni Abacha, amid international outrage. This was a way of deterring others who had similar ideas of challenging the multinationals.

The use of threats and intimidation is, therefore, a tool used by the political elites to deter trade unions and their leaders from taking actions that the government and MNCs deem as threats to the petroleum sector, given its importance to the nation's economy. This was exhibited during the short period when Helechem contract workers attempted to align themselves with NUPENG. While the unions may have agreed with the workers, the organisation saw this as a threat and moved to stop the alignment.

While threats and intimidation were used to deter workers, and some lost their jobs, it was not obvious what the union as a body did to assist employees. Workers are political tools in the hands of the government, management and leadership of the trade unions. A union executive (12) (permanent senior staff) suggested, *"they see the position of the contractor staff as junior staff hence they were initially allowed to register as NUPENG members before the organised strike and the threats to their job disorganised them"*. If this was the case, what role did the national body of NUPENG play in ensuring the workers were protected from intimidation?

As severe as the precariousness may be in the nation's top industry, a union executive (1) (permanent senior staff) admitted that the unions have *"...not been able to come up with a framework and definition that can take care of our corporate governance that will enthrone accountability and transparency"*. While this is relevant to the discourse, the interview data shows that investor confidence in the sector is low due to environmental insecurity, which places a huge burden on employment.

The influence of the government is mostly felt in the application of the quota system. The Nigerian quota system makes it impossible for meritocracy to be applied in employment. In some cases, as well as influencing the system through illegal engagements, the quota system can encourage nepotism. For instance, one management staff (3) (permanent) asserted that he *“...was working with a guy who read Islamic religion at the Nigerian Certificate of Education (NCE) level and they brought him as an engineer”*. He was made head of his unit, thereby making everyone who was a qualified engineer to report to him. This is an issue of nepotism.

The impact the government is expected to make is not very visible, especially when acts of nepotism are carried out at the highest level of government. A member of the management staff (13) (permanent) explained that the Ministry of Labour and Productivity had not done very much because he had not felt their impact. He asserted *“[even though] they have labour laws, there is also a practice act that governs labour, but they are not mostly referenced in Nigeria... [due to the] lack of enforcement and the lack of visibility of the Ministry”*.

The Nigerian Ministry of Labour plays lip service to employee welfare, but little has been done. A union executive (27) (non-permanent, labour contract) indicated:

“The Ministry of Labour has already told them [the organisations] they are not comfortable that Nigerian workers should be laid off...they want good conditions of service for them [workers]. They always force them [the organisations] to go back to negotiate with the staff; to be able to pay them [staff] well; to go back and have collective bargaining with them”.

7.7 Union Views and Perceptions on Precarious Work

The inability of unions to represent precarious workers was seen as a sign of weakness by some interviewees. Most saw the inability of the unions to represent contractor workers as a major weakness that would expedite the extinction of the unions. A union executive (12) (permanent

senior staff) stated, *“the union is in very difficult times right now. Relying on organising only the permanent workers is no longer an option. So, we have to consider the best way to organise people”*.

In some cases, union membership does not give employees the right to embark on strikes. The threats and intimidation that come with the job are overwhelming and workers consider this before any decisions are made. For instance, a non-permanent worker (16) (service contract) opined *“if you go on strike, you are on your own”*. This goes to show the level of insecurity that workers face and their inability to voice their frustration in the face of injustice.

There is also the issue of workers’ lack of support for unions, sometimes a result of organisational encouragement for non-unionised workers as well as the Labour Act Voluntary Union Participation Act. A union executive (1) (permanent senior staff) asserted, *“part of the challenge we [the unions] are having today in the industry is that organisations are making it difficult for workers to belong to the union”*. The union executive went further to emphasise *“the principle of volunteerism enshrined in the 2005 amendment to the Labour Act, people can choose not to belong to any union; so, management will treat them at their discretion”*.

Despite these difficulties, the unions do not consider organisations that do not comply or intimate and threaten their workers as having abandoned unionism, and so do not have detailed information on these issues. For instance, a union executive (1) (permanent senior staff) mentioned:

“Helechem... maybe we [union] have not actually gone in there organising them or to understand how they’re managing the employment, but we cannot completely say that they don’t have [unions]. They must have some service providers, either labour providers or labour contract or service contract”.

However, he admitted that the contract workers in some other organisations are organised.

There is also the problem of unions not always working together to resolve common issues. The demarcation between the unions is not just between NUPENG and PENGASSAN but also within unions where there are various factions, especially in organisations like Sudocom. Nevertheless, a union executive (27) (non-permanent, labour contract) asserted *“now the two unions are working more together, especially NUPENG and PENGASSAN because, once they are through with NUPENG, they will turn to PENGASSAN”*. This shows the strategy employed by organisations to eliminate unionism from the sector in order to avoid interference from workers if they implement changes to contracts. Some of the challenges facing unionism, according to a union executive (1) (permanent senior staff), are a result of the union stance on the new dispensation. In the union executive’s view *“the challenge is that the job of organising is becoming much more difficult and hectic compared to what it was, all because the union was also trying to drop military approach to unionism and embrace dialogue”*. This new approach has made organisations see the unions as weak.

The ILO uphold human rights at work and the decent work agenda is an offshoot of these rights. One of the four pillars of the decent work agenda, as mentioned in Chapter Four, is promoting employees’ rights at work. This means the rights to freedom of association and representation. The ILO standards are well known globally, but not so well known in Nigeria, given the demographic composition of the nation and the industry, which are not favourable. The jobs offered in the petroleum industry cannot apply the ILO decent work agenda, which is the reason for the NUPENG chapter chairman’s statement, above, regarding the handicapped union. Although some participants understood the ILO standards, it was not clear to them how the decent work agenda guided union negotiation or policy.

The issues facing the nation in terms of employment play a role in the failure to apply the ILO decent work agenda. As the union executive (1) (permanent senior staff) articulated *“decent work implies appropriate job, job security and dignified job”*. However, these factors are not

identifiable in the petroleum sector in Nigeria today. The union executive stressed that *“today in Nigeria, there are a lot of things people do that are not decent; job security is not there; you cannot talk of decent work without job security”*. He emphasised, *“decent work agenda can only work if jobs are there; you need to have work before they say these jobs are decent and these are not decent”*.

Despite most of the leaders recognising the ILO and its decent work agenda, including its global effects, many workers in the Nigerian environment do not seem to have heard about the agenda or what it represents for them. A union executive (5) (permanent senior staff) responded to the question about the ILO by asking *“decent work agenda... what does it mean”*? Similarly, most participants did not think the ILO had any impact on employment in Nigeria, especially in the petroleum sector. One management staff (3) (permanent staff) simply acknowledged that there was no influence of the ILO on employment in the sector.

A union executive (27) (non-permanent, labour contract) accepted that he had not heard of the ILO decent work agenda. These are the individuals at the helm of the affairs of the unions, which goes to show that the ILO has not done enough to inform unions globally of the importance of the organisation’s agenda. Although one management staff (23) (permanent) acknowledged that the organisation is often represented at ILO conferences *“the PENGASSAN branch was in the US on ILO conference”*. He admitted that the ILO decent work agenda *“...has not been fully implemented in Nigeria”*.

However, a union executive (4) (permanent senior staff) attributed the organisation’s move to include non-permanent workers in NUPENG to the ILO decent work agenda. Despite this, there is no evidence of this being the case and negotiations are still ongoing for workers to be drafted into one or other of the unions. Although the impact of the ILO has not been fully felt in some areas of employment and the employment relationship, as stated, the federal

government of Nigeria has, in some instances asked organisations to review proposals or negotiations based on equal pay for equal work as upheld by the ILO in the case of Sudocom. This shows that there is some understanding of the ILO decent work agenda and its impact is sometimes felt in certain issues relating to employment.

Nevertheless, at the national level of the union, leaders are assigned to participate in ILO conventions and understand the rules. As management staff (3) (permanent) acknowledged *“it is the federal PENGASSAN that connects with the ILO and any relevant industrial union across the globe”*. Applying the rules is difficult in Nigeria given that organisations find ways of circumventing labour law. The unions react to the treatment of workers by MNCs and present the issues confronting them. As a union executive (27) (non-permanent, labour contract) argued, *“during the last Geneva convention, NUPENG went and reported these issues, reported the MNCs”*. However, the results of that complaint were not articulated. A union executive (12) (permanent senior staff) said *“although we [PENGASSAN] have the ILO decent work agenda as a labour movement, we are also trying to see how much we can advance it to the extent that is possible. Despite that, there is little we can do given our peculiar situation and circumstance”*.

The union’s position, based on this statement, is attributed to the inability of the organisations to offer more permanent employment positions. The same union executive stressed that *“the impact is not felt here in Nigeria as it is. If there is anything by the name decent job, currently in Nigeria, it is nowhere to be found; jobs are gradually a means to put food on the table, whether decent or not”*. The unions believe that it is not proper to push organisations beyond their limits to achieve the decent work agenda, to make sure they do not fold if profit is eroded. According to a union executive (1) (permanent senior staff), the essence of any union is to keep people at work. He asserted, *“if you push too much, they will say Okay, this is how much we*

can do... let us close shop until we are able to meet all that standard of decent job for your people”.

7.8 Chapter Summary

The insecurity that arises from the nature of jobs places unions in a precarious position where their direction is compromised. There is ample evidence of union exclusion and extinction in organisations in the oil and gas industry. While this is challenged in some cases with results for workers, in other cases, organisations have intimidated workers with dismissals and layoffs. This leaves the unions in a weak position, exposing workers to various levels of injustice. The ILO norms and standards have had little impact in the industry, as the peculiar Nigerian case poses a challenge to the effectiveness of union struggles.

The lack of compliance and the circumvention of labour laws by organisations has rendered unions incapacitated. The government and their agencies have not helped the unions in any way to combat the issues they are faced with; rather, the government has created increasing challenges for unions, especially due to its dual position as a regulator and an employer in the petroleum industry. The recent trends in labour administration have left trade unions and employees at the mercy of organisations especially since these firms have deviated from decent work in the form of permanent employment to outsourcing which is not covered by labour laws.

Chapter Eight: Discussion

8.1 Introduction

This research examines trade union responses to precarious jobs in three case organisations in the Nigerian petroleum sector, taking a thematic approach, and establishes the issues that encourage non-permanent job arrangements. The institutional and non-institutional factors considered by this industrial relation research are illuminated by the results of this comparative study. Chapters Six and Seven give vivid details of the trends of employment through the case organisations and trade unions' responses to precarious work in the primary and secondary data. The arguments are driven by the participants' individual subjective experiences in their respective organisations.

This section of the research examines the findings and how they apply to the research questions. Each research question is analysed and a comparison of the three case organisations is carried out. The data applied in this section are a combination of the primary and secondary data gathered.

8.2 Research Questions and Key Findings

This section of the investigation discusses the finding as they apply to the research questions. Each research question (represented by the acronym RQ) is analysed in light of the findings of the study.

RQ1: What are the main drivers of precarious work in the petroleum industry?

The data shows several drivers of precarious work that influence the way organisations perceive the employment relationship and how unions are perceived in the industry. One major driver identified by every participant is profitability, which drives organisations to a form of competitiveness that sees employers compete against workers, thereby creating an uneasy work

environment. It is evident from the empirical literature that capitalist organisations main competitive advantage is the ability to galvanise profit.

Another driver of precarious work identified is the high level of unemployment that sustains organisations' reliance on non-permanent work arrangements. Evidence points to the fact that the structural shift in the form of unemployment in Nigeria is a result of neoliberal policies, IMF conditionalities that have led to the deregulation of national markets and privatisation of government parastatals that have led to the joblessness of many Nigerians (Ikyanyon et al., 2018). As discussed in Chapter Two, the petroleum industry has higher salary scales than most other industries (Jones, 2005), encouraging (precarious) workers to embrace jobs in the industry despite the substandard treatment.

The unemployment rate in Nigeria has sky-rocketed over the last four decades, and this has affected the nature of jobs. The findings reveal that underemployment in the petroleum industry, and generally, is a result of the many jobless, educated individuals looking for work. According to the Nigerian Bureau of Statistics (NBS), in quarter two (Q2) of 2020, one in every two Nigerians was unemployed, putting the total at forty-four (44) million, or fifty-six (56) percent, either unemployed or underemployed. The underemployment in the petroleum industry feeds on the massive unemployment rate in the nation.

Organisations find ways of engaging workers by circumventing the labour laws which stipulate that workers engaged in contracts should be made staff after three months. Employers do this by engaging workers through outsourcing and third-party contractors, preventing themselves from violating employment law. For MNCs, major players in the petroleum sector, the strategy of circumventing labour law without repercussions can only be used because of the enormous influence MNCs have over the government. A lack of regulatory compliance by multinationals has become the norm in the industry, and indigenous organisations have adapted to this norm.

As management staff (3) (permanent) asserted “*the issue of employment law... organisations now look at it [and] apply it with discretion*”.

The available evidence suggests that the administration’s policies on unemployment are not working; trade policies, investors policies etc. The non-workability of these policies leaves the labour market on a downward trajectory, putting pressure on workers and unions (Folawewo, 2016). Meanwhile, the lack of investor confidence in economic policies does not alleviate the suffering of potential workers.

Another established driver of precarious work in the petroleum industry is the local content policy, introduced to benefit those directly affected by the activities of organisations where they operate, especially through employment, which is a policy practised in most developing nations, especially those in Africa. However, organisations have hijacked this policy and made it into a strategic policy for outsourcing.

Another major driver of precarious work identified in the primary data is corrupt practice. Some union leaders are seen as compromised and therefore unable to stand up for their members. This is often a result of nepotism or favouritism, where leaders are appointed through management efforts rather than selected by union members. There are also those in government who are seen as compromised and not caring about what workers go through at the hands of organisations.

Another driver of precarious work is the lack of an enabling environment. The amenities that are usually provided by the state are not available in Nigeria; amenities such as power supply, water, medical services, security and many others. This, the participants argued, raises the cost of doing business in Nigeria, especially in the petroleum sector. There is insecurity in the Niger Delta as a result of youths agitating for better living standards, and organisations are left to fend for themselves in terms of the welfare of employees and providing security.

The multinationals in the petroleum industry have embarked on a lower-for-longer policy which means hiring workers at the lowest possible cost for a longer period. This policy, according to the primary data, endorses organisations' reliance on precarious workers as a means of galvanising profits and rotating such workers at the same precarious level for as long as the job takes. This strategy enables the multinationals to retain workers for as long as thirty years, and in some cases until they reach retirement age, sixty according to Nigerian labour laws, strategically avoiding unionisation.

Another major driver of precarious work in the petroleum industry is union avoidance; the mechanisms applied to achieving this include outsourcing, job offshoring and the use of technology, all of which have impacts on employment. Although job offshoring is less common, outsourcing, job offshoring and the use of technology were all identified in the interviews as methods of union avoidance used by organisations in the oil and gas industry. With job offshoring, the impossibility of international staff joining a local trade union means organisations easily avoid unionisation. Similarly, engaging workers across borders leads to further unemployment in the local society. From a critical realist perspective, the primary driver of this strategy is profitability on the part of the organisation.

Globalisation, neoliberal policies and MNC perspectives on employment are also identified as drivers of precarious employment. Globalisation opens the way for multinationals to operate across borders and transfer home country policies to their host nations. MNCs transfer the precarious work practices of their home countries to Nigeria (Adewumi and Ogunnubi, 2019). The evidence from this study and secondary data show that the practice of making precarious job offers existed in the Western world before making its way to Nigeria.

RQ2: What are the latest trends in precarious work and what are the links between precarious work and unemployment in the Nigerian oil and gas industry?

The findings in this research show a downward trend in employment from permanent to precarious, and a high level of unemployment in Nigeria that contributes to this trend in the petroleum industry. As identified through the primary data, the new trend in employment brings with it job insecurity and non-unionisation for workers. For some organisations in the industry, contract work arrangements (precarious) used to allow workers to affiliate with trade unions. These contracts have several categories including umbrella contracts, man-power contracts and labour contracts, each allowing workers to align with unions and have some form of benefits, depending on the category.

However, the latest forms of precarious work focus on service contracts that do not give workers the opportunity to belong to a union or access to collective bargaining and have no benefits attached. Workers who currently have other forms of contract which allow them the leverage of aligning with a union are gradually being phased out, according to the evidence from the primary data.

Evidence generated by this investigation reveals a strong link between unemployment and precarious work in the petroleum industry. The high level of unemployment in society contributes massively to the nature of jobs offered and the underemployment in the sector.

The primary data shows a high level of nepotism within the sector, where favours are passed on. A union executive (27) (non-permanent, labour contract) explained:

“Government is not helping issues. The government is not standing on their grounds to say this is right, do this. Because at the time you take your case down, they will just call you from one of the government agencies [and ask you to] bring one of your children for us to employ. Mostly, they employ their sons or their relations, but they will forget about your case; they’ll say come today, come tomorrow. Those are the things that are working against us”.

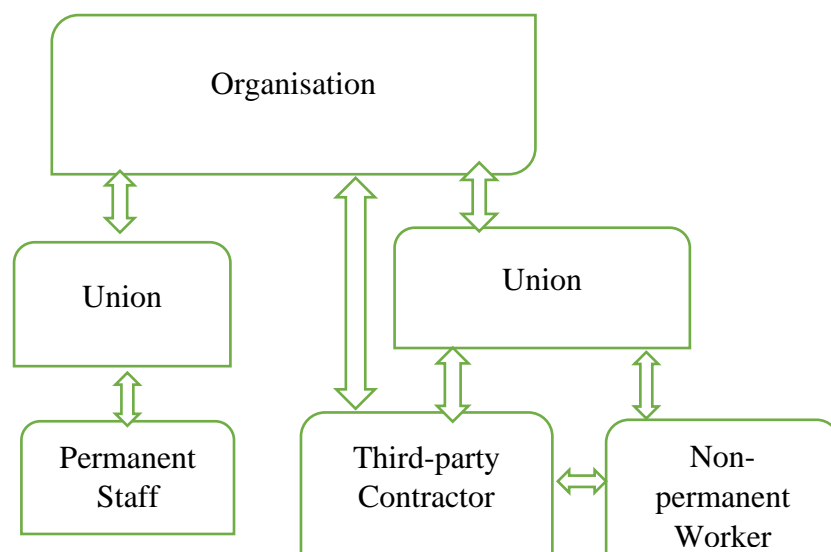
The level of nepotism within the system makes it difficult for unions to act, in some cases. This affects business in the form of youth restiveness. A management staff (11) (permanent staff) argued:

In the past, people were given almost equal opportunity to compete for jobs. It has also affected the business because you have restiveness. People watch and they see things happening, they claim they're not been carried along. So, what you get is outburst-expression of frustration.

RQ3: In what ways have the trade unions responded to the surge of precarious work in MNCs in the petroleum industry and what has been the impact of this?

The findings demonstrate some form of response by trade unions in some organisations but no visible responses from others. For instance, at Sudocom, there was a visible union response to precarious work and organisational maltreatment of workers through threats of shutdown and strikes. The employee communication flow chart is given in Figure 8.1, below.

Figure 8.1: Employee Communication Flow at Sudocom



Source: The Researcher

Figure 8.1 shows how employee communications are structured at Sudocom. As mentioned, the unions represent permanent staff differently from non-permanent workers, despite being the same union. This is because workers in non-permanent positions on contracts other than service contracts are allowed to affiliate with trade unions, although not on the same level as permanent workers. Figure 8.1 illustrates the union arrangements at Sudocom where the permanent staff of the organisation and non-permanent workers belong to the same trade union but have separate representation when it comes to bargaining and the challenges facing workers.

This structure sees non-permanent workers belonging to NUPENG and PENGASSAN, but not the same branch of the union as permanent staff in the same organisation. This is evident from the interview data. The PENGASSAN branch chairman (non-permanent, labour contract) pointed out, *“we are about fourteen companies that belong to PENGASSAN. So, we call the names of our companies with PENGASSAN. We’re duly registered with PENGASSAN”*. With this arrangement, there are variances in the way the separate branches of the union respond to injustice, especially as some workers are not regarded as employees of the organisation.

Meanwhile, at Helechem and Precedom, non-permanent (precarious) workers are not affiliated to any union (PENGASSAN or NUPENG), and as such do not have the legal right to respond to any injustice perpetrated on them. At Helechem, where the junior staff category has been removed, service contracts replace these workers, meaning they cannot affiliate with any of the trade unions in the industry.

This system of non-union affiliation is also practised with new contracts at Sudocom, where current worker contracts are mainly service contracts that do not accord workers the privilege of unionisation. The strategy of using service contracts in all three case organisations deprives trade unions of the ability to recruit members. The use of service contracts is a strategic scheme

by organisations for circumventing Nigerian labour law. Evidence from this study shows that unions are incapacitated when it comes to issues relating to service contract workers, as Nigerian labour laws only specify contract staff, which service contract workers may not be regarded as.

This new strategy of engaging workers on service contracts, as opposed to other forms of contract that would allow them to become unionised, can only be seen as a union elimination strategy, keeping unions out of the reach of workers.

RQ4: To what extent have ILO norms and international standards for multinational companies had an impact on labour deployment strategies and forms of employment?

Although the impact of the ILO on forms of employment is not very well known, according to the responses of the participants, there is some understanding by the top unionists in the industry. It is not clear how much of this understanding relates to what the ILO stands for. There is an argument that societal pressures in the form of poverty and unemployment play a role in union decisions on whether the ILO norms and standards should be the guiding force behind employment standards.

Therefore, the ILO norms and standards are not very visible when it comes to forms of employment and labour deployment strategies in the industry. Despite this, there is little evidence of pressure from the unions on the organisations to implement ILO standards of employment.

RQ5: What new approaches and strategies can the industry trade unions NUPENG and PENGASSAN adopt to combat the surge in precarious work while attracting and retaining prospective members?

Evidence from this research points to a struggle by unions to find a path to deal with the new

forms of employment in the petroleum sector. Precarious work has become a menace in the industry to the point where unions have become hobbled, and unable to defend the rights of workers, especially without legal backing, as labour laws do not cover these new work arrangements. On another front, unions are compromised by the category of leaders representing union groups. The data reflects a lack of trust in the leadership of unions especially at the national level where most final decisions are made.

Meanwhile, variation in union responses due to the countless factions within the unions, in at least one of the case organisations (Sudocom), makes it impossible to give a uniform response on issues. While this is the case for Sudocom, precarious workers at Helechem and Precedom do not have the privilege of aligning with any union organisation. Evidence from the investigation shows that the challenge for trade unions in representing workers on service contracts is enormous.

Despite these challenges, the evidence from the primary data shows that permanent workers in the industry see the offer of precarious work as a favour to these groups, and do not acknowledge the injustice meted out to them. This being the case, PENGASSAN and NUPENG, which represent the permanent staff, would find it difficult to cooperate with workers in precarious job positions. Trade union leaders need to find a way to enlighten permanent workers about the danger of eliminating precarious workers from unions and how this situation will eventually affect not just precarious workers but also permanent workers, potentially leading to the complete elimination of workers' voices.

8.3 Main Points of Comparison

This section examines the responses from the case organisations and compares these responses by identifying the various similarities and contrasts in each organisation. In Chapters Six and Seven of the study, the trends in employment and trade union responses are analysed. In

Chapter Two one of the factors found to mitigate against workers in the industry is the neoliberal policy that affects the way business is carried out in the industry and Nigeria in general. These policies are reviewed in this section along with the influence they have on employment in the petroleum sector.

8.3.1 Variations in Union Responses

The context of collective bargaining is changing rapidly and organisations capitalise on the weakness of unions (O’Sullivan et al., 2020), which have various branches without strong bargaining power, to offer even weaker jobs without benefits. This trend of decentralising unions is evident as a global strategy in the petroleum industry (Blyton et al. 2008). The bargaining level, coverage and agenda in all three case organisations differ due to different levels of work engagement.

As discussed in Chapter Seven, evidence from the study suggests that there are too many factions of the trade unions at Sudocom (for non-permanent and permanent workers), while NUPENG is no longer extant at Helechem but still operating at Precedom for permanent staff only. Table 8.1 gives an explicit overview of contracts and their relationship with the union organisations (PENGASSAN and NUPENG).

Table 8.1: Contract Types and Union Membership in the Nigerian Petroleum Sector

	Precedom		Helechem		Sudocom	
	PENGASSAN	NUPENG	PENGASSAN	NUPENG	PENGASSAN	NUPENG
Management level	X	X	X	X	X	X
Permanent senior staff	Yes	N/A	Yes	N/A	Yes	N/A
Permanent junior staff	N/A	Yes	N/A	X	N/A	Yes
Direct hire (*non-perm)	X	X	X	X	Yes	X
Bodyshop (*non-perm)	X	X	X	X	Yes	X
Umbrella (*non-perm)	X	X	X	X	Yes	X
Labour contract (*non-perm)	X	X	X	X	Yes	Yes
Service contract (*non-perm)	X	X	X	X	X	X

Source: The Researcher

*non-permanent (precarious)

These different factions of the union, especially at Sudocom, handle collective bargaining separately. This creates various issues for workers, trade unions and organisations. Despite these issues, evidence from the research shows the ability of these workers to be represented and collectively negotiate their joint welfare with the organisations, which is seen as a positive step among workers. The strategy applied at Sudocom could be referred to as qualified and conditional support; unions in this organisation advocate sympathy for workers and call for a level playing field on which workers and the organisation can participate and share the success of their actions (Gall et al., 2011).

Although this has not always been the case, unions at Sudocom have often called work to rule or strike action to bring home their demands. As is evident from the interview data, trade unions at Sudocom recently called strike action to protest the planned layoffs of precarious workers. As discussed in Chapter Seven, this action was called off after the organisation agreed to retain all workers, however, it moved some from labour contracts to service contracts with higher wages and no benefits.

Despite the weakness of the unions, the level of union elimination at Helechem is a big challenge for workers and unions in the industry. Evidence from this research shows that NUPENG has been abolished from the organisation by the elimination of the junior staff category and reliance on precarious workers to fill in the slots. This total union eradication at Helechem has given the organisation the upper hand in its dealings with workers. Meanwhile, the research also shows that precarious workers at Helechem who currently do not have any form of representation would prefer to have union representation and collective bargaining to negotiate their welfare collectively.

As rightly pointed by Gall et al. (2011), there is a level of ‘agreement and support’ by the unions, which can be seen in the way NUPENG handle the issues faced at Helechem. The total eradication of NUPENG from Helechem could have resulted in some form of action by the union. However, this was not the case, as workers fought for themselves individually; facing threats and intimidation from the organisation without any response from the union. Gall et al. (2011) attribute this agreement and support to an understanding that members would benefit from the success of the organisation’s actions.

From the same perspective, the ability of Sudocom to motivate precarious workers to accept higher pay for deserting the union is in line with Lukes (2005) and Simms and Charlwood’s (2010) ‘power over’ and ‘coercive power’. According to Lukes (2005), power over, or coercive

power as identified by Simms and Charlwood (2010), is the ability to persuade or pressure others to act in your interests against their personal interests. This is exemplified in the actions of precarious workers who accept higher wages to be placed on service contracts rather than other contracts that would enable them to affiliate with unions.

The petroleum industry has always regarded NUPENG as stronger and more confrontational than PENGASSAN, and the strategy by Helechem of eliminating NUPENG from the system puts the organisation in a stronger position in its dealings with workers. Meanwhile, this issue of union elimination has not been pursued by the national body of NUPENG, since workers remain without representation. Evidence from this research shows that the effect of PENGASSAN at Helechem is not felt by workers, as several groups, especially those at the lower end of the senior staff category, have been laid off and their jobs converted to precarious service contracts with no rights or benefits attached.

The story is quite different at Precedom, where both unions are fully represented. However, precarious workers have no form of representation as contracts in this category are service contracts. Although the number of workers on precarious contracts is not well known by the workers in the organisation, as most are based in field locations, they are not included in any bargaining process.

Despite the obvious variations of union responses across the organisations and the inability of unions to act with one voice, permanent employees are quite enthusiastic to work for these multinationals and indigenous companies. They see the positions of precarious workers as privileged and something to be grateful for in the face of high unemployment.

a. Bargaining Levels, Agenda and Coverage

As discussed in Chapter Four, the industrial relations system in Nigeria operates at the national, state, zonal, local and company levels (or branch level in some organisations). The bargaining

levels in each case study vary. At Precedom, bargaining is only carried out with permanent workers at the branch level; with junior and senior staff categories represented by NUPENG and PENGASSAN, respectively. Non-permanent workers also referred to as precarious, are not covered in any form of bargaining. These non-permanent workers, who are regarded as support staff by the organisation, are contractor staff (outsourced), and therefore do not have any affiliation with either the organisation or the unions operating within the organisation.

At Helechem, bargaining is only carried out with PENGASSAN, the senior staff union association, at the company level. This means that every member of PENGASSAN in the organisation, regardless of branch, is represented at the company level; although with variations differentiating each branch in negotiations. Evidence from this research suggests that NUPENG, the junior staff union association, has been eliminated from the organisational structure by the removal of job groups in the junior staff category.

Bargaining at Sudocom is different for permanent and non-permanent workers, and it is carried out at the branch level. Evidence from this investigation suggests that, although some precarious workers have a bargaining platform at Sudocom, that platform is different from that of the permanent employees, despite all bargaining being carried out at the branch level. The bargaining of PENGASSAN and NUPENG for non-permanent workers only deals with those groups of workers who are in positions that allow union affiliation but are in no way connected to permanent workers. Secondly, negotiations for precarious workers are carried out directly with third-party organisations, with representatives of Sudocom as observers, at the branch level. Consequently, the bargaining is not done directly with the main organisation (Sudocom) as these group of non-permanent workers are not regarded as employees of the organisation.

The bargaining agendas for permanent and non-permanent employees are quite different in the three organisations. At Precedom and Helechem, there is no bargaining agenda for non-

permanent workers since they are not unionised. At Sudocom, where some non-permanent workers are unionised, the bargaining agenda for permanent and non-permanent workers is still quite different. Firstly, PENGASSAN and NUPENG only deal with issues relating to non-permanent workers not issues with permanent employees. Pay determination for each group depends on their negotiating ability with their respective management; where the management for precarious workers is often a third-party organisation. Kelly (2011) argues that the power to decide what should be on the agenda rests with the organisation, therefore, unions may not necessarily hold the power to make that decision.

According to the OECD's (1994:171) statistical standards, collective bargaining coverage is an 'indicator of the extent to which the terms of workers' employment are influenced by collective negotiation'. The bargaining coverage for Precedom is for permanent employees, both senior and junior staff, as presented in Table 8.1. Although bargaining coverage at Helechem is also for permanent employees, it is more limited and quite different from that at Precedom since there is no junior staff category at Helechem and non-permanent workers are not represented in either organisation. However, Sudocom has wider coverage for bargaining, which is different since both senior and junior staff and a section of non-permanent workers are unionised and have some form of representation, notwithstanding at different levels.

As Bosch et al. (2010) point out, collective bargaining coverage determines the share of workers that benefit from such bargaining. If this is the case, precarious workers in two of the case organisations (Precedom and Helechem) are not involved or covered in collective bargaining, and hence do not benefit, because they are mostly on service contracts. Likewise, some non-permanent workers at Sudocom who are also on service contracts are not covered by collective bargaining. Nevertheless, most non-permanent workers at Sudocom who have contracts other than service contracts are covered by bargaining as they are members of both NUPENG and PENGASSAN.

Despite this, evidence from this investigation reveals that organisational compliance is sometimes very low when it comes to the collective agreements entered into with trade unions.

b. Union Density

Union density, according to the OECD (1994), is the percentage of employees who are affiliated with the trade union. Union density in the oil and gas industry in Nigeria has collapsed over the years. Data from this research suggest that the density of union members in Helechem is very low due to the total elimination of the junior staff category, who would be in NUPENG, leaving only high skilled permanent workers in PENGASSAN. At Precedom, there are low, middle and high skill permanent workers in both NUPENG and PENGASSAN. At Sudocom there are permanent and non-permanent, low, middle and high skilled workers in both NUPENG and PENGASSAN. This is not very different from the situation in Europe. According to OECD (2017) data, union density across Europe ranges from 4.5 percent (Estonia) to 95 percent (Iceland). There are little similarities among nations when it comes to unionism.

c. Employer Responsibilities

The employer for a permanent employee is not necessarily the same as the employer for a non-permanent worker, despite working for the same organisation. Evidence from this study shows how employer responsibility is often taken for granted for precarious workers.

All the case organisations are similar in terms of employer responsibility since all precarious workers are outsourced to third-party organisations. Evidence from this research shows that outsourced workers have no employer to hold responsible for any injustice meted out to them. The conflicting terms and conditions of service for these groups of workers makes it difficult for them to know who is responsible for their welfare, as shown by the primary research data.

This inconsistency, some workers argue, causes a lot of difficulties as there are no employment conditions to refer to.

Despite these challenges, workers at Sudocom have clearer employment conditions, even though the organisation insists that third-party contractors are only engaged for remuneration purposes. The irregularity in the terms and conditions of service also causes some discrepancies in pay among workers, and this leads to a lack of trust among them, especially when some are on service contracts while others are on contracts with numerous benefits including union representation.

The challenge for trade unions is that organisations offer better remuneration to workers on service contracts to make those on other contracts with benefits switch to service contracts without benefits such as union representation and pension plans. This strategy has become prominent at Sudocom, where workers on forms of contract other than service contracts are encouraged to switch to service contracts for higher pay.

Despite challenges in all three cases, Sudocom is more inclusive than Precedom and Helechem. PENGASSAN and NUPENG are both represented at Sudocom including precarious workers, which makes Sudocom the most inclusive of the three organisations, notwithstanding its inadequacies.

d. Corporate Social Responsibility (CSR)

Corporate social responsibility is an avenue for showcasing how much organisations appreciate their host communities and how they assist these communities. Often, multinationals are at the forefront of CSR. However, in recent years, some multinationals have faced challenges due to their inability to fulfil their CSR pledges, although NGOs take part of the blame.

Sudocom is a responsible organisation when it comes to CSR. However, there are some issues with the way Helechem conducts its CSR programmes in host communities. According to a management staff (23) (permanent):

“Sudocom’s business in Nigeria cannot be able to achieve her results if there is no good partnership with the state... with the operating communities around to the Local Government, to the state and the federal government. When there was crisis in the Niger Delta, Sudocom is the only company that was still operating without any facility shutdown for the number of years that the crisis lasted”.

This shows that Sudocom has a good working relationship with its host communities. Precedom was reported to have carried out CSR programmes in the form of scholarships in its host communities. Although it is well known that Helechem had more CSR programmes in the past, in recent years its CSR report has remained poor, especially since most host communities hold the organisations responsible for the amenities that would ordinarily be put in place by the government because the organisations are more visible than the government.

8.4 Unions and the Dilapidation Question

This section examines the general findings from the data generated for this research and how they affect workers and trade unions and their ability to handle the injustice of precarious job offers.

8.4.1 Decentralised Unions and their Effects

The decentralisation of trade unions makes it impossible for there to be one voice resisting any form of intimidation or victimisation from firms, and this weakens unions. Trade unions are stronger when they are under one umbrella and speak with one voice. In a case where there are fifteen or sixteen separate branches of a particular union within an organisation, the separate factions could have different agendas, and this is problematic for the national body. Therefore,

trade unions need to find ways of bringing the factions closer, bridging the divide. Secondly, there should be synergy within the unions between the branches, regardless of the statuses of employment in each branch.

Evidence from this research shows a growing number of workers left to fend for themselves without any representation. There are organisations where the unions are not visible at all, especially the blue-collar union NUPENG. In these instances, the unions have no strategy to confront the organisations and find ways of representing these groups of workers, which threatens the survival of the union. As mentioned in Chapters Six and Seven, Helechem currently has no NUPENG members, permanent or non-permanent.

The lack of union collaboration among organisations and within the industry has weakened the unions in a way that they have not paid sufficient attention to. Collaboration between government and employers is evident in the way the Nigerian government encouraged the systematic decentralisation of unions, with new unions created out of existing ones to represent certain groups of workers (Otobo, 2016b). For example, the Nigerian Trade Union Congress (TUC) for senior staff was a part of the Nigerian Labour Congress (NLC).

This division has weakened the unions, and the strategy is being played out within both the petroleum industry unions, PENGASSAN and NUPENG, in which factions represent permanent staff and other factions represent precarious workers. This is a systematic ploy realised through the global effects of organisations and the national government, causing divisiveness among workers and unions. As discussed in Chapter Four, the divisiveness introduced by colonialism and amalgamation in Nigeria did not only affect the political sphere, but also the economic and socio-cultural domains (Falola and Oyeniyi, 2015), which translates into jobs and workers being suppressed.

Trade unionism is a powerful tool in the hands of the right individuals or groups, especially in the petroleum sector in Nigeria. Therefore, unions need to find ways of influencing legislation to overturn the current contract labour laws and introduce new regulations that give outsourced staff the right to affiliate with union organisations. This could be a strategic move for the unions since the current trend in employment is toward precarious work in the form of outsourcing.

With the Nigerian government not willing to support workers or stand up to the MNCs by fighting for workers' rights, the burden is on the unions to establish relationships within the national assembly that could help raise the voice of workers. As discussed in Chapter Four, the inability of Nigeria to meet its commitment as a partner in the oil sector has left the nation incapacitated, hence, unable to challenge the MNCs. Therefore, unions face the challenge of finding ways to influence legislation that include the current clause of outsourced workers and finding ways of recruiting them.

8.4.2 *Lack of Interrelations*

A lack of appreciation of the efforts of precarious workers, especially by fellow workers in permanent employment, is one of the major challenges facing precarious workers; there is major evidence of bullying in the primary data. The multinational Helechem has a high level of bullying, compared to the moderate (if it can be called that) bullying attitude towards precarious workers for whom name-calling was a frequent experience. However, at Precedom, bullying is not a technique that permanent workers engage in, according to the data. This degrading mistreatment is a way of demoralising precarious workers, who are perceived to be below the permanent employees, despite holding the same qualifications in most cases.

This intimidating attitude from permanent workers can be traced to the colonial era when subjects were treated as subservient and sold into slavery. The current precarious positions of these workers are disregarded and they are bullied in a way reminiscent of the colonial era.

Thus, neoliberal policies that generate unemployment not only make it more difficult to manage the situation faced by the trade unions but give organisations an advantage over workers, especially those in precarious roles.

As discussed in Chapter Two, neoliberal policies encourage market liberalisation (Gall et al., 2011). Multinationals capitalise on these policies by transferring their home country practices of precarious work arrangements to their host nations (Ikyanyon et al., 2018). This argument can be seen from two perspectives. Firstly, precarious work was practised in the Western world long before it surfaced in developing economies. Secondly, market liberalisation and privatisation, which come as a consequence of IMF conditionalities (O’Sullivan et al., 2020), make way for massive rises in unemployment which organisations capitalise on to embark on underemployment in the industry.

8.4.3 The Ineffectiveness of Nigerian Labour law

The purpose of the labour clause in the past was to allow precarious workers, who were mostly contract workers, to work directly with organisations. This clause gave the unions the ability to recruit members despite being contract staff. However, the trend in employment has moved from contract staff to outsourcing, mainly under third-party contracts. Evidence from this study reveals that the responsibility for precarious workers is no longer with the organisations where they work but with the ‘invisible’ contractors who are only engaged by the organisations for wage purposes.

The Nigerian labour law’s clause on precarious work is based on contract staffing, not contractor staffing, which is outsourcing, and this is an obstacle for trade unions in the industry. The weakness of the law enables organisations to find loopholes to avoid legal action regardless of the injustice meted out to workers. Therefore, Nigerian labour laws need to be reviewed to accommodate the current trend in employment. This would enable labour organisations such

as trade unions to tackle the injustices meted out to workers through indirect employment such as casualisation through outsourcing.

8.4.4 Tackling the Challenge of the Lack of an Enabling Environment

Due to the security challenges faced by the nation, Nigeria has not been able to meet its oil production quota for over a decade. This should be a major concern for all stakeholders in the industry. Most importantly, it should be a major concern for the Nigerian government who should work closely with communities to institute an environment in which organisations can thrive and create employment.

Although the Nigerian government suggested they would provide an enabling environment for businesses to thrive in a January 29th 2020 television report, the idea of the government increasing ‘the level of security across critical national infrastructure’, as opposed to looking at the root causes of insecurity nationwide and finding a solution, is troubling.

On the other hand, underinvestment in maintenance has left oil refineries struggling to keep up with production. As stated in Chapter Four, Nigeria has four refineries with only two producing at thirty (30) percent capacity while the other two are underproducing. With this level of negligence, the workers that the refineries are capable of absorbing are thrown out into the labour market, creating more confusion in an already chaotic environment.

The high cost of doing business in Nigeria articulated in the primary data is not only due to corrupt practice (kickbacks and inflated contracts), some responses point to the lack of infrastructural amenities such as medical facilities, power generation and water supply, as well as the constant need for security to protect workers and facilities. These are amenities that are readily available in other developed and developing societies for organisations to rely on. However, in Nigeria, organisations need to provide these amenities, thereby encroaching into their profit margins.

8.4.5 Governmental Influence

It is evident from the research data that neoliberal ideas play a role in influencing government policy in Nigeria. The relationship some management staff and leaders in the organisations have with the non-permanent workers reflects the relationship between the colonial government, local leaders and their subjects during the colonial era. Leaders were very willing to sacrifice the happiness of their subjects to please their imperial rulers.

Neoliberal policies encourage trade liberalisation, financial freedom, privatisation and deregulation, and favour foreign direct investment over government involvement (Tabb, 2004; Ikyanyon et al., 2018). These policies create an environment with a growing number of unemployed, giving employers and organisations in the petroleum sector the opportunity to engage workers precariously. This system of neoliberalism amounts to what Reed (2009) calls organisational terrorism. In his opinion, imperialistic characteristics are obvious in the way workers are treated today.

Weston and Imas (2018) attribute the marginalisation of subjects, in this case, workers, to imperial rule and a continuing colonial influence on contemporary society. Similarly, as discussed in Chapter Four, Austin (2010) suggests that it is difficult for countries, especially those in Africa, to deviate from the path of colonisation even after imperial rule is ended. These arguments support the presence of subservient treatment of workers in all the multinationals, while other indigenous organisations in the industry follow suit.

The current Niger Delta Development Commission (NDDC) probe which is ongoing in the House of Representatives in Nigeria reveals the mismanagement of the resources meant for the development of the Niger Delta by those put in charge of its development. The probe reveals how members of the national assembly are beneficiaries of contracts for the development of

the Niger Delta. There is a conflict of interests with members of the national assembly who have an obligation to hold those who misappropriate NDDC funds responsible.

This systematic disregard for the interests of the masses is furtherance to what Weston and Imas (2018) regard as the marginalisation of subjects embedded in society since the colonial era. Despite its huge natural resources, Nigeria has been referred to as the poverty capital of the world. Notwithstanding the efforts that are claimed to have been made to eradicate corruption in recent years, Transparency International observe that corruption in Nigeria is getting worse. A recent Brookings Institution report crowned Nigeria the poverty capital of the world, ahead of India which has over four times the number of citizens. This unnecessary title given to the hard-working people of Nigeria is the result of the poor leadership of a nation endowed with every resource, both human, natural and capital, which could lead it to its rightful position as a wealthy nation.

Nigeria is a nation with over two hundred (200) million people (World Bank, 2020) and over a hundred and twelve (112) million people in poverty, yet the wasteful nature of the leaders and the corrupt practices seem to be growing. Until ethical issues are addressed in governmental institutions and the organisations in the industry, the level of corruption can only be imagined, not curtailed.

The NBS inflation figure for quarter two (Q2) of 2020, as measured by the consumer price index, shows a twelve (12) percent increase. The nation has often seen inflation above ten (10) percent. Despite this, precarious workers have remained on the same salary scale for years or, in some cases, decades with minimal increases.

As discussed in Chapter Four, Nigeria has gradually moved towards a capitalist society from public to private ownership and control of production determinants (Otobo, 2016a). The neoliberal policies of deregulation and privatisation of public industries have left the economy

in the hands of a few private owners who capitalise on the chaos in the employment market and seized the opportunity to offer precarious jobs.

The lack of transparency in the petroleum sector leaves room for corrupt practices. Indigenous oil companies have all aligned with the MNCs in the practice of precarious work arrangements, and there is no pressure on these organisations to abandon the enslavement of workers who are major assets of the organisations.

The inability of the Nigerian government to overhaul the refineries has led the MNCs to export the products extracted overseas for refining, while Nigeria wastes hard-earned dollars importing the finished petroleum products back into the country, thereby depriving Nigerians of valuable employment opportunities.

8.5 Chapter Summary

This chapter highlights some of the issues raised by this study and presents an in-depth discussion of the correlations among these issues. First and foremost, the research questions are emphasised and the findings related to these questions. The main drivers of precarious work in the petroleum industry in Nigeria are outlined as profitability, unemployment, circumvention of labour laws through outsourcing, the Nigerian local content policy, corrupt practices, the lack of an enabling environment, the lower-for-longer policy, and union avoidance perpetrated through outsourcing, job offshoring and the use of technology.

The chapter looks at the effects of globalisation and neoliberal policies and the MNCs' perspectives on employment in the industry. The main points of comparison between the case organisations, variations in union responses, bargaining levels, agendas, coverage, union density, employer responsibility and CSR are compared between the organisations. The chapter discusses the dilapidated state of the unions due to decentralisation, lack of interrelation, ineffective labour laws, the lack of an enabling environment and governmental influence over

employment, and explains how these individual factors affect union responses in the case organisations.

Chapter Nine: Conclusion

9.1 Introduction

The purpose of this chapter is to highlight the contribution of this study, its limitations and how future researchers can build on it. The chapter begins with the challenging nature of the work ahead, which workers and unions must tackle. This is followed by the substantive and theoretical contributions of the study, and finally the limitations and suggestions for future research.

9.2 Dealing with the Challenges Ahead

The challenges faced by trade unions, given the current trend in employment in the petroleum industry, are enormous. Neoliberalism is known to curtail the powers of the state and make the private sector the economic powerhouse of a nation (Aborisade, 2010; Lebaron and Ayers, 2013). The powers of the Nigerian government have been curbed by embracing neoliberal policies that reduce state powers in favour of the private sector through deregulation, marketisation and privatisation of government-run parastatals, and the subsequent increase in FDI.

Variations in what unions are for, and what they can achieve on behalf of workers, are huge challenges that can only be tackled with some form of collaboration. First and foremost, the many factions within the various trade unions in the industry, and especially in each organisation, pose a challenge because of the lack of uniformity. This creates disparities in negotiations, and the lack of standardisation enables organisations and contract holders in the form of third-party contractors to manipulate workers to their advantage. Therefore, there is a need for collaboration between NUPENG and PENGASSAN to jointly tackle the challenges of precariousness in the petroleum industry.

As Adams (2011) rightly points out, the interpretation of the ILO right to collective bargaining is left to the state and the organisations. This is an enormous challenge for union associations that have to deal with various organisations with diverse interpretations, in addition to the conflicting interpretations from the state. The lack of understanding of ILO norms and how they apply to individual states is a challenge. In addition, the peculiar nature of countries' economies puts pressure on unions concerning how to enforce these norms. Royle (2011:427) states, 'many major violations of standards continue... largely because the ILO's supervisory system relies on voluntary action by member states and strong and independent trade unions movements... at the national level. The system cannot function if these are weak'.

Notwithstanding the transfer of small oil fields to indigenous oil companies in Nigeria, about ninety (90) percent of the oil stake is still in the hands of multinational oil companies and this does not hinder their operations in the field, which are either moved deep offshore or onshore through outsourcing. This poses many challenges for union organisations. With outsourcing, there is no legal rule that unions can apply to enforce compliance. The primary organisation is, in most cases, a multinational, and holding the smaller third-party companies who outsource workers to multinationals to account yields no results; especially since the contracts of employment are either vague or non-existent.

A trade union's focus on representing mostly permanent workers, as required by some organisations in the industry, is no longer feasible due to the gradual extinction of permanent job positions. This divide and conquer colonial rule is active even within unions, as neoliberal policies create divisions among the working class. Therefore, unions must come up with new ways of bringing both contract and contractor workers (outsourced) into their folds. Although the strategy employed by Sudocom to eliminate trade unions of not allowing them to form a quorum of fifty (50) with one contract holder, making it impossible for workers to align with

a union, has been tactically handled by the unions, the unions still need to find ways to make it easier for workers to affiliate with the body.

Proposed about two decades ago, the Petroleum Industry Governance Bill (PIGB) was meant to curb some of the excesses and corrupt practices of the petroleum sector. Although the bill was passed by the national assembly and sent to the president for assent back in 2018, it is yet to be signed by the president and so has not become a law. Meanwhile, the Petroleum Industry Bill (PIB), which is expected to bring reform to the petroleum industry, making it more efficient and effective, has not been taken seriously by the government. The trade unions must find ways of putting pressure on the government to make sure these bills are signed into law in order to curtail some of the excesses and corrupt practices in the industry.

Although no country can claim to be immune to corruption, the level of systemic corruption in the private sector and governmental parastatals in Nigeria is alarming. As discussed in Chapter Four, seventy percent of corrupt practices occur in the private sector (Waziri, 2010; Chukwuemeka et al., 2012). As this is the case, the encouragement given to these practices through governmental efforts and the policy of indifference on the part of those who should be in charge of monitoring projects has spurred those involved in corrupt practices to continue.

The challenges confronting precarious workers and union organisations are enormous and some can be linked to institutional failure. The lack of strong institutions in the Nigerian polity makes it possible for corrupt practices to go unnoticed, and even when noticed, there is little that can be done about it. Therefore, political elites carry out actions that could be termed ‘conflicts of interest’ and no one challenges them. As mentioned in Chapter Six, political figures have boats and badges, and sometimes offer precarious contracts for outsourcing workers, which are not hidden but no action can be taken.

Although union collaboration is an issue discussed throughout the research, there is no evidence of union collaboration in the interview data. As stated in Chapter Four, trade unions must be strategic by offering incentives to members to remain relevant (Pernicka, 2005). Where this is not possible, union organisations must find ways to make themselves relevant to workers or else become irrelevant. As discussed in Chapter Two, MNCs in Nigeria have ways of lobbying the national assembly to influence legislation to favour their goals. Unions in the petroleum sector are expected to hold significant sway over the economy, and therefore must find ways to collaborate and pressure the national assembly to influence labour laws to include all categories of workers.

The lower-for-longer policy embarked upon by multinationals is a huge challenge for unions as well as workers. This policy sees that management keep workers in perpetual slavery while amassing wealth for the organisations. The inability of unions to challenge this lower-for-longer culture has helped keep workers in precarious positions for longer than necessary, in many cases over twenty years.

Despite the growing level of research into trade union responses to precarious work, no strategy has been proposed, internationally or otherwise, for unions to apply to fight the menace of precarious work. This may be due to internal or local challenges faced by unions, whereby a collective strategy may not apply to all. Therefore, Nigerian unions must find approaches that can be applied to the environment in which they operate. There are institutional factors that contribute to the poor state of the unions (Kelly and Frege, 2004). The poor state of Nigerian institutions has left the nation in a position where foreign nations or organisations can take advantage of their weakness to manipulate the government and individuals to accomplish their own goals.

The trade unions in the petroleum industry have a huge role in holding the Nigerian government accountable. The lack of accountability in the Nigerian system leaves institutions vulnerable. For unions to become relevant again, Nigerian institutions need to be revived, and the unions need to collaborate to find ways of holding the government accountable and strengthening institutions. With strong institutions in place, unions could hold organisations responsible for their actions.

Trade union responses have, in the past, often been in the form of strikes and protests (Kelly, 2011). However, in recent years these have become ineffective, especially with the weakened powers of trade unions and the decline in union density. This is a strategic move by organisations to keep the unions ineffective. The total elimination of NUPENG from Helechem and the planned elimination of unions from other organisations need to be challenged.

The current strategy by Sudocom to attract more workers to accept service contracts without benefits but with higher pay than other contracts with benefits needs to be properly investigated by the unions. This could be a ploy to lay off as many workers as possible when the time arises without interference from the unions. Therefore, unions need to find ways of remaining relevant especially to precarious workers.

Although Kelly (2011) attributes the wave of unemployment and precarious work in the West to cuts in government spending and the austerity policies embarked upon by several governments from 2008 onwards that pose major threats to wages and conditions of service, this is not the case in Nigeria. The excessive spending, mismanagement and corrupt practices in the government that have left the nation in a comatose state and MNCs greed for massive profits while workers become tools for generating this profit, have left unions in a weakened state.

9.3 Contribution of the Research

This research looks at the issue of precarious work in the petroleum sector in Nigeria from the perspective of neoliberalism and the policies that influence the current trend in employment. Several substantive materials and theoretical contributions in the form of empirical evidence on the relationship between precarious work and neoliberalism have been gathered and presented in this research, which is a significant move away from the usual investigations in the field. This is the substantial contribution of this research to the existing literature. This section reviews the substantive and theoretical contributions of this study.

A vast amount of respectable empirical research has been drawn upon by this investigation into union responses to precarious work in the oil and gas sector in Nigeria. This research examines scholarly articles in the field and builds on the most recent. Most prominent among these are Adewunmi and Adenuga (2010), Fapohunda (2012), Okafor (2007; 2012), Fajana (2007), NUPENG and Afolabi (2016) and Aye (2017). The large volume of high-quality data collected for this investigation is significant to the reliability of the study.

Essentially, the research has established that there are neoliberal influences on the growth of precarious work; the triangular employment relationship features of permanent employment are not attainable with precarious work arrangements when there are several layers of employers. Aborisade (2010), Gall et al. (2011) and Lebaron and Ayers (2013) equate neoliberalism with diminishing protection for the workforce through procedures and variations of market consequences. Considering this, trade union responses to precarious works in the petroleum industry have, therefore, been found to be lacking and ineffective.

This study provides important primary data on the latest trends in work and employment in this vitally important sector. The investigation reveals that standard employment as it was known is no longer attainable in the petroleum industry in Nigeria, as the possibility of contracts of

employment binding on employers is not realistic. As discussed in Chapter Two, Bosch (2004) attributes this to the lack of an established pattern of employment which in this case includes precarious work. The study, therefore, provides a basis on which to engage with theoretical debates in the field and adds to the literature on Nigeria.

The thesis highlights the political and economic issues facing the Nigerian oil and gas sector with special regards to the colonial roots of the Nigerian state. This is a fundamental contribution of this research to the literature on precarious work and union responses in the Nigerian petroleum sector. The empirical evidence provided by this study is predicated on the issues surrounding the surge of precarious work and the union's ineffective responses to this menace.

Literature in the field of employment, employment relations, globalisation and modern capitalism are featured in Chapter Two of the thesis (Sklair, 2002; Palley, 2004; Hirst et al., 2009; Standing 2012). Other than precarious work issues in the Nigerian petroleum sector, the thesis covers industrial relations in Nigeria, with respect to the trade union movement and the challenges faced on the economic front, especially given the nature of the industry and fluctuating oil prices. Therefore, the call for a new industrial relations policy in Nigeria (Otobo, 2016a; Obisi, 2016) is a welcome development.

This work confirms employment degradation theories regarding trends in precarious employment; the outsourcing, job offshoring and other policies adopted at the case firms are consistent with recent findings from other studies. As discussed in Chapter Two, to remain relevant, it is appropriate for workers to identify with others in their social group (Kalleberg, 2009). One theoretical concern raised in Chapter Two is the rise of capitalist ideology and advocacy for trade unions to rise to the challenge of tackling profit-making culture (Kelly,

1998). Despite this concern, evidence from this research shows that unions have yet to strategise on how to take on this capitalist economic philosophy.

The primary data reveals the inconsistencies in trade union dealings with organisations and the support given to workers at various organisational levels. Unions in Sudocom are seen as more proactive than at Helechem, especially with Helechem's lack of junior staff and NUPENG in the system. This strategy of elimination of NUPENG from Helechem is similar to Marx' exploiter and exploited class struggle theory. Marx argues that capitalist organisations can best be described as 'exploiters' while workers are the 'exploited' (Dibben et al. 2011; Grint and Nixon, 2015). The inability of precarious workers at Helechem to align with any union organisation and the unions' inability to respond to the workers' need for representation has huge implications for trade unions in the industry and in general. This practice of union elimination is already being played out at Sudocom.

Class struggle has continued throughout history, especially given the Nigerian history of colonisation. The main technique of colonisation is 'divide and conquer', and the same tactic is being used today with precarious job arrangements. As mentioned in Chapter Four, Falola and Oyeniyi (2015) point out that colonialism brings with it, divisiveness. This strategy plays into the class theory in which employers see themselves as lords, the permanent employees are the middle lords and the precarious workers are sold into the slavery of hard labour without benefits.

As stated in Chapter Two, domination as a strategy is being applied in the current precarious situation of workers. The theory of domination by Weber points to the fact that workers accept dictatorial jobs in the form of precarious work out of necessity (Dibben et al., 2011; Grint and Nixon, 2015). This 'need' culture drives employees to accept below-par job offers thereby placing groups of workers in underemployment. This need is driven by high unemployment

affecting the labour market through the privatisation of public enterprises in Nigeria, as discussed in Chapter Two.

Although Blanchflower and Blyson (2009) acknowledge that the collapse of trade union membership in the private sector in the developed world began in the last quarter-century, this did not surface in the developing countries until recently with the introduction of World Bank and IMF loans with conditionalities. As stated, these conditionalities encourage deregulation and privatisation of government-run institutions that lead to massive unemployment. This could be regarded as the capitalist agenda for weak nations who accept 'generous' offers of financial assistance from wealthy nations.

Whereas neoliberalism has been identified as the dominant model of globalisation, the argument made by dependency theorists of the transfer of wealth from weaker nations to wealthy nations through the integration of world economies is justified by the actions of MNCs and their precarious job offers that this research attributes to the profit-making mechanism of these organisations. As mentioned in Chapter Two, Hirst et al. (2009), Aborisade (2010) and Lebaron and Ayers (2013) attribute this to profit-seeking MNCs who do not adhere to the rules of their host nations. The introduction of the lower-for-longer policy by multinationals while the profits generated by the petroleum industry skyrocket is beyond understanding. The inability of Nigeria as a nation to generate the resources needed to manage the industry and its reliance on foreign investment enable foreign nations to dictate how the industry operates. This dependency state has left workers and trade unions in the petroleum industry in a state of confusion.

Social movement theory argues that organisations partner with challenging groups, taking over the core business of unions in the process. This theory is supported by the findings of this study whereby multinationals, through their representatives, successfully lobby and influence

legislation to support their goals; for instance, the addition of a clause for contract staff in the labour law that favours organisational interests by circumventing the rules on outsourcing labour, leaving the responsibility of precarious workers in the hands of third-party contractors. This is a strategy of union exclusion. The strategy also supports the class theory proposed by Marx (Dibben et al., 2011) as mentioned above.

As discussed in Chapter Two, the middle class of every society are the driving force of national growth. However, where such growth is truncated through irregular job offers in the form of precarious work, the economy is destined to fail. In social mobilisation theory, Kelly (1998) explains that the essence of collectivism by workers in various organisations is to organise and fight injustice for the common interests of the workforce (Kelly, 1998). This research supports this argument; however, union organisations have become too weak to fight the injustice meted out to workers, given diminishing union density.

The findings also confirm the weakness and questionable relevance of ILO norms and standards in the context of inherited neoliberal policies, weak institutions and law enforcement. Therefore, union and social movements' efforts to reform are paralysed by the weakness of union organisations and this is consistent with other studies on precarious employment in Africa and developing countries. Finally, multiple actors in the field of this research were interviewed for this study thereby contributing methodologically to the literature in the field.

i. Policy Implications

There is a need for intervention to address the highly problematic trends identified by this investigation. There are grave implications for practitioners and policymakers with the new trend of employment. First and foremost, organisations in the petroleum industry could suffer losses despite their profitability drive through precarious employments; with demoralised workers, there could be the tendency to sabotage operations. Additionally, unions effort at

bringing sensitisation to the employment process could be jeopardised where collaboration is not encouraged. Therefore, there is a need to examine the imposition of standards governing contractual relations, especially in the petroleum industry. Additionally, the rights of precarious workers need urgent re-evaluation in light of the current employment trend in the sector.

Secondly, the legal framework regarding ownership and control of oil production in Nigeria needs to be established. Furthermore, there could be enforcement of labour protections for all workers, including permanent and non-permanent and the protection of the right to collective bargaining. Finally, resources should be made available for unions and social movement organisations to tackle the current challenges facing employees in the petroleum industry.

9.4 Limitations

Every research has inherent limitations regardless of the methods applied; this study is no exception, as the strategy applied has some limitations that need to be acknowledged. Firstly, qualitative case studies have structural limitations that can affect their ability to be generalised (Thomas, 2016; Yin, 2014). Given that the data for this research was gathered through interviews in three case organisations, there is a limit to how much time could be invested in each participant, especially as most of the interviews were carried out during working hours.

Secondly, despite the robust effect of triangulated data which gives a holistic view of the subject matter, a major limitation, as noted in Chapter Three is the inability to generalise qualitative data (Yin, 2014; Thomas, 2016). It is important to stress that, although the cases used in this study are two multinational and one indigenous organisation, the result would not have been significantly affected if other organisations were selected, especially given the current trend of employment in the industry. Additionally, a case study strategy inhibits statistical generalisation to trends in the broader sector. However, the secondary data supports the findings of the research.

There were permanent and non-permanent workers in some organisations in the field locations that were not easily accessible to the researcher at the time of the investigation. This made it difficult to get opinions from individuals who could have added robustness to the research. There were people in permanent job positions who did not see the need to participate in the study and who could have potentially exposed the shortcomings of the organisations they work for. The complexity of the field, especially with workers in remote locations, made it cumbersome to reach some individuals. Also, more management interviewees would have been desirable, although the findings from union interviews are validated. Nonetheless, a good number of individuals, management, permanent and non-permanent, unionised and non-unionised, along with several union executives participated in the study, adding to its robustness.

One major limitation of the study is that time and resources prevented the collection of interview data from other social movement organisations that could have been useful. Finally, due to the constant ongoing restructuring of the industry, some administrative data were not readily available to the investigation. Despite the non-availability of potentially vital data, the research was able to get the information relevant to the study from the case organisations that was most current at the time of the investigation and the findings and conclusions of this study are not in any way affected by the constraints mentioned above.

9.5 Suggestions for Future Research

The researcher considers the results generated by this investigation to suitably cover the scope of the research. Despite this, the findings reveal several areas that might be of interest to future research. It is duly recommended that further investigations be carried out around the lack of regulatory compliance by organisations in the industry. It is also a recommendation of this

research that the circumvention of labour laws and how organisations can be held liable for this be investigated.

Secondly, neoliberal policies affect the way work and employment are carried out, and the relationship between unions and employers of labour has deteriorated over the years. Therefore, the impact of capitalist or neoliberal policies on organisational decision making in other sectors of the economy could be investigated. This would enable policymakers to re-evaluate the labour laws and guide decision making in the industry.

The middle class is often the strength of a nation's economy. Where this is not the case, it is often obvious that the economy is on a downward trajectory. Despite the huge resources generated annually for the nation's coffers from oil, gas and other sources, the Nigerian economy is still struggling. Therefore, this research suggests that the effects of corrupt practices on organisations in the industry could be investigated. This would provide some insight for policymakers and academics looking at possible models and policy interventions to deal with issues in this field.

While it is well known that precarious work is the order of the day in the petroleum sector, the banking industry in Nigeria has not escaped this new trend of employment. Adewunmi and Adenugba (2010) identify the banking sector as an industry where workers rights have been overwhelmed. It is therefore suggested that a comparative study of trade union responses in the petroleum and banking industries in Nigeria be carried out, and, where appropriate, unions consider re-evaluating their responses and find ways of working together to form a stronger accord.

Additionally, equality in the workplace is a current issue. Therefore, it is suggested that an investigation into workplace inequality - why women are not given as many opportunities in the industry or at the helm of affairs could also be carried out. It is also suggested that a

quantitative study of the petroleum industry could also be carried out. Finally, a comparative study of other African countries or other developing nations in this field where precarious work is also practiced may also be appropriate.

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Appendices

Appendix 1: Endorsement Letter

Endorsement letter

9th November, 2018

Re: Endorsement Letter for Florence Kode, Doctoral Candidate

To whom it may concern:

This letter certifies that Florence Kode is studying for the Degree of Doctor of Philosophy (PhD) in the Kingston Business School, Kingston University, London, UK, under our supervision.

Florence is a Nigerian currently resident in the UK. She is undertaking advanced doctoral research on the Nigerian labour relations. The research examines trade union responses to the surge of precarious work and the legal framework that supports employment relations from the perspective of union executives, employees, employers and government.

Florence is an outstanding researcher who has extensive professional experience in the Nigerian context.

We fully expect this high-level research to produce findings of great theoretical interest as well as practical and policy usefulness.

We would like to thank you in advance for your support for this project. Please feel free to contact us if you have any questions.

Yours faithfully,

Dr Enda Hannon
E.Hannon@kingston.ac.uk
Tel: + 44 208 417 5419

Dr Miguel Imas
J.Imas@kingston.ac.uk
+44 20 8 417 5562

Appendix 2: Written Consent to Participate in a Research Study

Written Consent to Participate in a Research Study

We are asking you if you would help us with a study which involves gaining understanding into precarious work. We are carrying out this study to find out how trade unions' have responded to precarious work in the petroleum sector.

The consequences of the study may include exposing weaknesses of trade union responses to precarious work as well as the contributing factors to this nature of work. However, these have no direct effects on you.

Statement by participant

- I confirm that I have read and understood the information sheet/letter of invitation for this study. I have been informed of the purpose of taking part.

Title of Study: **Union Responses to the Surge of Precarious Work in the Nigerian Oil and Gas Industry**

- I understand what my involvement will entail and any questions have been answered to my satisfaction.
- I understand that my participation is entirely voluntary and that I can withdraw at any time without prejudice.
- I understand that all information obtained will be confidential.
- I agree that research data gathered for the study may be published and stored before and after the examination process, provided that I cannot be identified as a subject.
- Contact information has been provided should I:
 - (a) wish to seek further information from the investigator at any time for purposes of clarification
 - (b) wish to make a complaint.

Participant's Signature-----

Date-----

Statement by researcher

- **I have explained this project and the implications of participation in it to this participant without bias and I believe that the consent is informed and that he/she understands the implications of participation.**

Name of Researcher: Florence Kode

Signature of Researcher-----

Date -----

Appendix 3: Request to Participate in Research Interview

Request to Participate in Research Interview

Dear

Study of Union Responses to the Surge of Precarious Work in Nigerian Oil and Gas Industry

We are asking if you would help us by participating in a doctoral research study into contract and casual work. Your organisation was selected for the research by virtue of its position in the petroleum sector.

This study is being carried out to look at the factors underpinning the trends in precarious employment and the role of the legal framework in supporting employment relations in the petroleum sector. Intended outcomes include an identification of possible measures to alleviate these trends.

All information obtained during this research would be maintained in a strictly confidential manner. The only people with access to the information would be the researcher, the supervisors and the examiners. After the project, all raw materials that can identify individuals will be destroyed. In reporting, no information that will enable readers to identify individual participants will be released.

You may decide not to take part in this study and can leave anytime.

If you have any questions please contact me on xxxxxxxx

Yours sincerely,

Florence Kode
Doctoral Researcher
Kingston University, UK

Appendix 4: Invitation to Participate in Research Interview

Invitation to Participate in Research Interview

Dear

Study of Union Responses to the Surge of Precarious Work in Nigerian Oil and Gas Industry

We are asking if you would help us by participating in a doctoral research study into contract and casual work. Your name as a possible participant was accessed through your trade union/social network/friend.

This study is being carried out to identify the factors underpinning the surge in precarious employment and find out how trade unions have responded to this in the petroleum sector. Intended outcomes include an identification of possible measures to alleviate these trends.

All information obtained from you would be maintained in a strictly confidential manner. The only people with access to the information would be the researcher, the supervisors and the examiners. After the project, all raw materials that can identify individuals will be destroyed. In reporting, no information that will enable readers to identify individual participants will be released.

You may decide not to take part in this study and can leave anytime.

If you have any questions please contact me on xxxxxxxx

Yours sincerely,

Florence Kode
Doctoral Researcher
Kingston University, UK

Appendix 5: Details of Interview Participants

Pseudonym: Precedom

Identifier	Position	Gender	Job Role	Contract Type	Length of Service	Union Membership	Qualification	Age Bracket
1	PENGASSA N Zonal Chairman	Male	Human Resource Officer	Permanent	N/A	PENGASSA N	N/A	N/A
2	Senior Manager	Male	Maintenance Manager	Permanent	25 Years	N/A	N/A	N/A
3	Protocol Director	Male	HR Representative	Permanent	23 Years	N/A	PhD	N/A
4	PENGASSA N Unit Chairman	Male	Engineer	Permanent	N/A	PENGASSA N	B.Eng.; MBA	N/A
5	PENGASSA N Immediate Past Chairman	Male	Mechanical Engineer	Permanent	N/A	PENGASSA N	B.Eng.	N/A
6	Head, Maintenance	Male	Maintenance Engineer	Permanent	33 Years	PENGASSA N	National Diploma (ND)	55 – 60
7	Gas Plant Assistant	Male	Gas Plant Assistant	Non-permanent; Service contract	5 Years	None	B.Eng. Petroleum Engr.	20 – 34
8	Plant Operator	Male	Plant operator	Non-permanent; Service contract	8 Years	None	B.Eng. Petr. Engr.: Diploma in Computer	35 - 45

Pseudonym: Helechem

Identifier	Position	Gender	Job Role	Contract Type	Length of Service	Union Membership	Qualification	Age Bracket
9	Senior Manager	Male	Environmental Manager	Permanent	26 Years	N/A	N/A	N/A
10	Project HSE Manager	Male	Project HSE Manager	Permanent	20 Years (10 on Contract; 10 on Permanent)	N/A	N/A	N/A
11	HR Advisor	Male	HR Advisor	Permanent	26 Years	None	N/A	N/A
12	PENGASSAN Assistant Secretary	Male	Production Engineer	Permanent		PENGASSAN	N/A	N/A
13	HSE Specialist	Male	Project HSE Specialist	Permanent	15 Years (5 on contract; 10 on permanent)	None	BSc Biochemistry; PGD Food hygiene; M.Sc. applied Economics	45 – 54
14	Team Lead	Female	Team Lead for Environmental Assessment	Permanent	23 (10 on contract; 13 on permanent)	None	B.Sc Zoology; M.Sc. Environmental Science	45 – 54
15	Senior Supervisor	Male	Senior Supervisor	Non-permanent (Service)	14 Years	None	B.Sc.; MBA	55 – 60
16	Warehouse Superintendent	Male	Warehouse Superintendent	Non-permanent (Service)	8 Years	None	HND Supply-chain management	61 – Above
17	Senior Materials Supervisor	Male	Senior Supervisor	Non-permanent (Service)	8 Years	None	BSc Marketing	55 – 60
18	Store Keeper	Male	Store Keeper	Non-permanent (Service)	29 Years	None	B.Eng Petroleum Engineering	36 – 45
19	Warehouse Clerk	Male	Custodian	Non-permanent (Service)	12 Years	None	OND	36 – 45

20	Warehouse Clerk	Male	Custodian	Non-permanent (Service)	25 Years	None	BSc; MBA	36 – 45
21	Dispatcher	Male	Dispatcher	Non-permanent	23 Years	None	BSc Business Education	45 – 54
22	Warehouse Supervisor	Male	Materials Supervisor	Non-permanent (Service)	18 Years	None	B.Sc. Business Admin; MBA	36 – 45

Pseudonym: Sudocom

Identifier	Position	Gender	Job Role	Contract Type	Length of Service	Union Membership	Qualification	Age Bracket
23	Senior Supervisor	Male	Production Platform Supervisor	Permanent	N/A	N/A	N/A	N/A
24	HR Advisor	Male	HR Advisor	Permanent	18 Years	N/A	N/A	N/A
25	PENGASSA N Branch Chairman (Labour)	Male	Materials Quality Control Officer	Non-Permanent (Labour)	17 Years	PENGASSA N	N/A	N/A
26	PENGASSA N Branch Chairman (Labour)	Male	Senior Construction Engineer	Non-permanent (labour)	19 Years	PENGASSA N	B.Eng; MSc; MBA; Project Mgt	N/A
27	NUPENG Chapter chairman (labour)	Male	Transport Despatcher	Non-Permanent (Labour)	15 Years	NUPENG	N/A	N/A
28	Petroleum Engineer	Male	Well Engineer	Permanent	15 Years	PENGASSA N	B.Eng Petroleum Eng; MBA	36 – 45
29	Planning Engineer	Male	Mechanical Engineer	Non-permanent (Service)	10 Years	None	B.Eng Environmental Engineering	34 – 45
30	Contracts Engineer	Male	Contracts Engineer	Non-permanent (labour)	15 Years	PENGASSA N	B.Eng; PGD Bus. Adm.; Cert in Prod. Mgt	55 – 60
31	Logistics Support Officer	Female	Logistics Support	Non-permanent	16 Years	NUPENG	BSc Reginal Planning	36 – 45
32	Logistics Officer	Male	Logistics Officer	Non-permanent	30 Years	NUPENG	LLB; 2 Masters	46 – 54
33	Electrical Engineer	Male	Electrical Engineer	Non-permanent (Service)	12 Years	None	HND; OND Electrical Engineering	36 – 45
34	Cite Manager	Male	Cite Manager	Non-Permanent (Service)	18 Years	None	High School Certificate	36 - 45

Appendix 6: Interview Questions

Interview questions

Semi-structured Interview Question Guide

These questions are only intended as a guide in no particular order for the semi-structured interview which would allow wider themes to be revealed and expanded upon. There will be initial questions, in-depth questions and follow-up questions to verify and expand on themes that were raised during the interview. The interviews are expected to last approximately 45 minutes and no longer than 1 hour.

Semi-structured interview question guide:

General or Personnel Manager

1. What is your company strategy on employment?
2. What are the key trends of employment in the petroleum sector?
3. How has this trend changed over the years?
4. What are the percentages of permanent and non-permanent workers in your organisation?
5. What are the different categories of workers?
6. What is driving non-permanent employment in the industry?
7. What is your assessment of this trend of employment?
8. How is your organisation complying with the employment laws with the current trend?
9. What are the opportunities for the organisation with this trend of employment?
10. What are the opportunities for employees with this trend of employment?
11. What are the challenges for the organisation with this trend of employment?
12. What are the challenges for employees with this trend of employment?

HR Representative

1. What is the total number of staff in the organisation?
2. What is the company strategy on employment?
3. What are the key trends of employment in the sector?
4. How has this trend changed over the years?
5. What are the different categories of workers in the organisation?

6. How many workers are in permanent employment positions?
7. How many are non-permanent workers?
8. How many workers are temporary or agency workers?
9. What other sub-categories of workforce are there in the organisation?
10. Why is non-permanent employment so prominent in the organisation?
11. What is your assessment of this trend of employment?
12. In what ways have the employment laws guided the current trend in the industry?
13. What are the opportunities for the organisation with this trend of employment?
14. What are the challenges for the organisation with this trend of employment?

Labour Representatives (PENGASSAN and NUPENG)

Name of Union:

Position Held:

Status in Organisation:

1. What category of workers does the union represent and what is the number?
2. What are the trends of employment in most recent years?
3. How are these trends of employment changed over the years?
4. How many of the union members are non-permanent workers?
5. What are the rules on non-permanent job arrangements according to the Nigerian employment laws?
6. What is the maximum length of time that someone can remain in a non-permanent position in any organisation?
7. How is job security different for permanent and non-permanent workers?
8. Why is non-permanent employment so prominent among workers?
9. How does the union ensure all workers are fully represented?
10. How are workers' rights preserved by the union?
11. How have the unions succeeded in their drive with the current strategy?
12. What are the opportunities for the unions with this trend of employment?
13. What are the challenges for the unions with this trend of employment?
14. How has the ILO 'decent work agenda' influenced the union's strategy in handling non-permanent work arrangements?

15. What other new approaches can the union apply in order to reduce these forms of employment in the industry?

Semi-structured interview question guide: Permanent Employee

Name of participant (Optional)

Age Bracket: 20-35; 36-45; 46-54; 55-60; 60+

Gender:

Highest Educational Qualification:

Status in Organisation:

1. Who is your employer?
2. Where is your work location?
3. How long have you been with the organisation?
4. What is the nature of your employment in terms of contract?
5. What is your understanding of your rights as a worker and upholding of labour standards?
6. What are the trends of employment in most recent years?
7. How have these new trends of employment been different from previous years?
8. What are the opportunities for you as a permanent worker in the organisation?
9. Which of the trade unions do you belong?
10. In what ways have the union been supportive of your rights as a worker?
11. What forms of developmental training have you received on your job?
12. What are the benefits to permanent employees which are not readily available to casual workers?
13. How is job security different for permanent and non-permanent workers?
14. What is driving non-permanent work in the industry?
15. How satisfied are you with the level of representation from the union?

Semi-structured interview question guide: Non-permanent workers

Name of Participant (Optional)

Age Bracket: 20-35; 36-45; 46-54; 55-60; 60+

Gender:

Highest Educational Qualification:

Status in Organisation:

Union Membership:

Employer:

Employee work location:

1. Who is your employer?
2. Where is your work location?
3. How long have you been with the organisation?
4. What is the nature of your employment in terms of contract?
5. How long have you worked with this organisation as a non-permanent worker and how often have you changed employer?
6. What other capacity have you worked in this organisation other than as a non-permanent worker?
7. What other options of work were available to you in the organisation?
8. What is your understanding of your rights as a worker and upholding of labour standards?
9. What are the trends of employment in most recent years?
10. How have these new trends been different from previous years?
11. What forms of developmental training have you received in your position?
12. What are the reasons for workers acceptance of non-permanent forms of employment?
13. What are the opportunities for you as a non-permanent worker in the organisation?
14. Are there any avenues of seeking redress as a non-permanent worker?
15. In what ways has the union assisted in supporting non-unionised workers in your organisation?

Appendix 7: Application for Ethical Approval

PLEASE REFER TO THE RE4 GUIDANCE NOTES AND SUPPLEMENTARY FORMS WHEN COMPLETING THIS APPLICATION

APPLICATION FORM FOR ETHICAL REVIEW RE4 FOR RESEARCH INVOLVING HUMAN PARTICIPANTS

SECTION A

Is this an application for a 'block release agreement':

Yes		No	X
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If yes, please specify the name of the group/cohort and note who will be responsible for ethical oversight of projects in this area (the block release holder); this will usually be the module leader, supervisor or head of subject. This RE4 form should present a project *typical* to this group/cohort.

--

Project title:

--

Name of the lead applicant:

Name (Title / first name / surname):	Mrs Florence Kode
Position held:	PhD Student
Department/School/Faculty:	Management, Business, Business and Law
Telephone:	07585975330
Email address:	K1462979@kingston.ac.uk

Name of co-applicants:

Name (Title / first name / surname):	
Position held:	
Department/School/Faculty:	
Telephone:	
Email address:	

Name (Title / first name / surname):	
Position held:	
Department/School/Faculty:	
Telephone:	
Email address:	

Name (Title / first name / surname):	
Position held:	
Department/School/Faculty:	
Telephone:	
Email address:	

Is the project:

Student research	Yes	X	No	
KU Staff research	Yes		No	

Research on KU premises	Yes		No	X
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If it is **STUDENT** research:

Course title	PhD Business Research and Business Management
Supervisor/DoS	Dr Enda Hannon

SECTION B *(Complete this section if another ethics committee has already granted approval for the project. Otherwise, proceed to Section C)*

Committee that granted approval	
Date of approval	

Please attach evidence that the project has been fully approved (usually an approval letter). The original application should be retained on file in the Faculty for inspection where necessary. The Faculty Research Ethics Committee (FREC) may require further information or clarification from you and you should not embark on the project until you receive notification from the FREC that recognition of the approval has been granted. You should proceed directly to Section D of this form and submit this as a fast-track application.

SECTION C

Provide a brief project description (max. 150 words). This should be written for a lay audience

The motivation for the proposed research is to explore an under-researched topic by gaining understanding into the nature of precarious employment in the Nigerian petroleum sector and trade unions' responses to this. The thesis will examine the contributing factors underpinning the surge in precarious employment including post-colonial policies and the spread of neoliberal economic models. International Labour Organisation (ILO) principles and norms as a potential countervailing force will be examined. The effectiveness of union responses to the rise in precarious employment will be addressed by analysing the actions or inactions of unions in the past as well as current strategies. In order to investigate these concerns, this research aims to explore the following questions:

- RQ1:** *What are the main drivers of precarious employment in the Petroleum Industry?*
- RQ2:** *What are the latest trends in precarious employment and what are the links between unemployment and precarious employment in the Nigeria oil and gas industry?*
- RQ3:** *In what ways have the trade unions responded to the surge of precarious employment in MNCs in the petroleum industry and what has been the impact of this?*
- RQ4:** *To what extent have ILO norms and international standards for multinational companies had an impact on labour deployment strategies and forms of employment?*
- RQ5:** *What new approaches and strategies can industry trade unions NUPENG and PENGASSAN adopt in order to combat the surge of precarious work while attracting and retaining prospective members?*

Estimate duration of the project (months)

48 Months

State the source of funding

Personal Funding

Is it collaborative research?

Yes		No	X
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If YES, name of the collaborator institutions:

1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	

Briefly describe the procedures to be used which involve human participants

It is intended that trade union officials and workers in precarious employment (both in direct hire and agency roles) will be interviewed for this research. Participation will be voluntary. The purpose of the research, which is to gain understanding into precarious employment in the Nigerian petroleum sector and unions' responses to this, will be explained to the participants prior to obtaining a written consent from them. This is to ensure there are no misunderstandings of the purpose of the research by the participants and how the data will be put to use while maintaining confidentiality. Interviews will be semi-structured/qualitative in nature and directed by an interview guide..

Summarise the data sources to be used in the project

In order to achieve a holistic picture a case study approach will be adopted involving the triangulation of data sources. Central will be semi-structured interviews with trade union officials and workers in precarious forms of employment. Handwritten notes will be taken by the researcher during the interviews, which will also be recorded and transcribed. The researcher will additionally carry out direct observations during trade union meetings where possible in order to experience first-hand how decisions are made and carried out in a natural setting. Furthermore, secondary data in the form of documents will be collected in order to obtain historical and background information on organisations and trade unions subject of the research.

Storage, access and disposal of data

Describe what research data will be stored, where, for what period of time, the measures that will be put in place to ensure security of the data, who will have access to the data, and the method and timing of disposal of the data.

The following data protection principles will apply in the proposed research:

- Written consent will be asked of participants for the storage of data simultaneously with consent for participation in the research. This will be on record.
- Personal information such as names and contact information will be stored separately from the research data such as audio recordings and transcripts. This will be achieved by giving each participant an identifying number which will be assigned to their research data. Pseudonyms will be used in transcripts and data analysis for participants' protection
- Electronic files or any document linking identifying numbers to participants will be kept in a separate location from the research data.
- Paper documents and electronic files will be securely stored in lockable cabinets or on password-protected or encrypted electronic devices. Access to these files and documents will be restricted to the supervisory team and examiners.
- Data for this research will not be stored for longer than necessary after the completion of the investigation and the thesis examination process.

Risk Assessment Questionnaire: Does the proposed research involve any of the following?

		YES	NO
0.	The use of human biological material?		X
1.	Children or young people under 18 years of age?		X
1.a	If YES, have you complied with the requirements of the DBS?		
2.	People with an intellectual or mental impairment, temporary or permanent?		X
3.	People highly dependent on medical care, e.g., emergency care, intensive care, neonatal intensive care, terminally ill, or unconscious?		X
4.	Prisoners, illegal immigrants or financially destitute?		X
5.	Women who are known to be pregnant?		X
6.	Will people from a specific ethnic, cultural or indigenous group be targeted in the proposed research, or is there potential that they may be targeted?		X
7.	Assisted reproductive technology?		X
8.	Human genetic research?		X
9.	Epidemiology research?		X

10.	Stem cell research?		X
11.	Use of environmentally toxic chemicals?		X
12.	Use of ionizing radiation?		X
13.	Ingestion of potentially harmful or harmful dose of foods, fluids or drugs?		X
14.	Contravention of social/cultural boundaries?		X
15.	Involves use of data without prior consent?		X
16.	Involves bodily contact?		X
17.	Compromising professional boundaries between participants and researchers?		X
18.	Deception of participants, concealment or covert observation?		X
19.	Will this research significantly affect the health* outcomes or health services of subjects or communities?		X
20.	Is there a significant risk of enduring physical and/or psychological harm/distress to participants?		X
21.	Does your research raise any issues of personal safety for you or other researchers involved? (especially if taking place outside working hours or off KU premises)		X
22.	Will the research be conducted without written informed consent being obtained from the participants except where tacit consent is given by completing a questionnaire?		X
23.	Will financial/in-kind payments (other than reasonable expenses and compensation for time) be offered to participants? (Indicate in the proposal how much and on what basis)		X
24.	Is there a potential danger to participants in case of accidental unauthorised access to data?		X

[Note *health is defined as not just the physical wellbeing of the individual but also the social, emotional and cultural wellbeing of the whole community].

SECTION D (To be signed by all applicants)

Declaration to be signed by the applicant(s) and the supervisor (in the case of a student):

- I confirm that the research will be undertaken in accordance with the Kingston University *Guidance and procedures for undertaking research involving human participants*.
- I will undertake to report formally to the relevant Faculty Research Ethics Committee for continuing review approval where required.
- I shall ensure that any changes in approved research protocols or membership of the research team are reported promptly for approval by the relevant Faculty Research Ethics Committee.
- I shall ensure that the research study complies with the law and University policy on Health and Safety.

- I confirm that the research study is compliant with the requirements of the Disclosure and Barring Service where applicable.
- I am satisfied that the research study is compliant with the Data Protection Act 1998 and that necessary arrangements have been, or will be made with regard to the storage and processing of participants' personal information and generally, to ensure confidentiality of such data supplied and generated in the course of the research.
(Further advice may be sought from the Data Protection Officer, University Secretary's Office)
- I shall ensure that the research is undertaken in accordance with the University's Single Equality Scheme.
- I will ensure that all adverse or unforeseen problems arising from the research project are reported immediately to the Chair of the relevant Faculty Research Ethics Committee.
- I will undertake to provide notification when the study is complete and if it fails to start or is abandoned;
- (For supervisors, *if the applicant is a student*) I have met and advised the student on the ethical aspects of the study design, and am satisfied that it complies with the current professional (*where relevant*), departmental and University guidelines. I accept responsibility for the conduct of this research and the maintenance of any consent documents as required by this Committee.
- I understand that failure to provide accurate information can invalidate ethical approval.

Is this an application for fast-track ethical approval?

(Fast track is **only** available for projects either pre-approved by another ethics committee or where you have accurately indicated 'No' to every question on the Risk Assessment Questionnaire – Pg4)

Yes	X	No	
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Please sign and date

Signature

Date

Lead applicant		
Co-applicant		
Co-applicant		
Co-applicant		
Supervisor		27/10/17

NOTE

If this is a block release application and/or you have answered YES to any of the questions in the Risk Assessment, you must complete a **full** application for ethical approval and provide the information outlined in the checklist below. Your project proposal should show that there are

adequate controls in place to address the issues raised in your Risk Assessment.

If you have answered NO to all of the questions in the Risk Assessment you may submit the form to your Faculty Ethics Administrator as a fast-track application. You must append your participant information sheet. The Faculty Research Ethics Committee (FREC) may require further information or clarification from you and you should not embark on the project until you receive notification from your Faculty that recognition of the approval has been granted.

CHECKLIST (Where a full application for ethical approval is required)

Please complete the checklist and attach it to your full application for ethical approval:

Before submitting this application, please check that you have done the following: (N/A = not applicable)	Applicant			Committee use only		
	Yes	No	N/A	Yes	No	N/A
All questions have been answered	X					
All applicants have signed the application form	X					
The research proposal is attached	X					
Informed Consent Form is attached	X					
Participant Information Sheets are attached	X					
All letters, advertisements, posters or other recruitment material to be used are attached	X					
All surveys, questionnaires, interview/focus group schedules, data sheets, etc, to be used in collecting data are attached	X					
Reference list attached, where applicable	X					