JES
Journal of Engineering Sciences

Vol 11, Issue 1, Jan /2020
ISSN NO:0377-9254

INTERNATIONAL PERSPECTIVE ON RESOLUTION OF INDUSTRIAL DISPUTES

MANJEET KAUR
Assistant Professor, Rayat College of Law, Railmajra, distt. SBS Nagar, Punjab
Email id – smile8981@gmail.com

Abstract **- Conflict Resolution refers to "an outcome in which the issues in an existing conflict are satisfactorily dealt with through a solution that is mutually acceptable to the parties, self-sustaining in the long run and productive of a new, positive relationship between parties that were previously hostile adversaries."Conflict resolution is a crucial part of any country sustainable industrial relations system. It is essential to find a balance between core labour rights and employment market flexibility, because both are necessary ingredients for healthy economic and social development. One important tool in promoting the amicable development of these interests is effective dispute resolution. It is necessary to settle labour disputes through framework procedures designed to bring about effective, efficient, and equitable resolutions for the benefit of involved parties and the greater economy. In this article, the author discusses the resolution of industrial disputes in various different countries.**

Keywords – industrial disputes, resolution, mechanism, labour, employment.

1.INTRODUCTION

The Constitution of India provides the basic guidelines for creating the industrial relations system of the country. The Fundamental Rights and the Directive Principles of State Policy in the Constitution act as the basis for labour policy. Any policy, rule or law, under any circumstances, cannot violate the Fundamental Rights. In fact, these rights have been ensured through various labour legislations and include: the right to equality (Article 14), prohibition of discrimination (Article 15), prohibition of traffic in human beings and forced labour (Article 23) etc. the Directive Principles of State Policy enshrined in the Constitution act as guidelines for the State in creating such industrial relations system in the country as provides equity, justice and welfare for workers. These guidelines require that the State should aim to : secure a social order for the promotion of welfare of people (Article 38) ; protection of health and strength of workers (Article 39), secure work, living wage, decent standard of life to people (Article 43) and secure participation of workers in the management of undertakings engaged in any industry (Article 43A).

2.INTERNATIONAL LABOUR ORGANIZATION

Historically, the International Labour Organization has been active in developing international labour standards. These standards are then ratified by its member countries, which mean that they agree to incorporate them into law, with the help of the ILO if necessary. The ILO was established in 1919 and became a specialized agency of the United Nations in 1946. It seeks to promote social justice in areas such as employment, pay, health, working conditions and freedom of association among workers. Its headquarters is in Geneva, Switzerland. The ILO has issued standards that support the use of third party dispute resolution to resolve grievances, including those over matters of termination. Impartial appeal and

review is considered an important labour standard that countries and companies operating therein, should adopt. In the field of industrial relations, conciliation has been more frequently used for settling disputes. According to International Labour Organization, conciliation can be defined as 'the practice by which the services of neutral third party are used in a dispute as a means of helping the disputing parties to reduce the extent of their differences and to arrive at an amicable settlement or agreed solution.'

3.CONVENTIONS AND RECOMMENDATIONS

The resolutions of ILO take the form of Conventions and Recommendations. The conventions are obligation creating instruments. The member states ratifying them are under the obligation of implementing their provisions by enacting labour laws or through collective agreements or other effective measures. In practice, the implementation of the provisions of the conventions is mostly done by enacting new labour laws or amending the existing ones. The recommendations, on the other hand, are not obligation creating instruments. At times, a Recommendation may act as a forerunner to a Convention and may pave the way for subsequent adoption of a Convention. Further, a Recommendation may play a supplementary role by spelling out the precise or detailed methods of application of the basic rules or the principles enshrined in a Convention. Generally, recommendations lay down higher labour standards than Conventions. Thus, though Recommendation does not create binding obligations, yet it is in no way an inferior form of standard.

4.AUSTRALIA

Labour law rests on entirely different premises in Australia and New Zealand although both countries follow a system developed in New Zealand in 1890. Reference will be made only to the Australian conciliation and arbitration Act of 1904 as amended. A the name implies, the twin corner stone's of the Australian system are conciliation first and failing that compulsory arbitration although some voluntary collective bargaining does take place in the private sector especially in companies that are affiliates of American forms it is done outside the protection and guidance of a formal legal structure it has been said that the ethos of Australian society perceives industrial relations and the settlement of industrial disputes as being the responsibility of government which is a far cry from the every-mom-for-himself ethos of the American bargaining system. The goal of the 1904 Australian act is that the barbarous weapons of strike and lockout would be replaced by a new province for law and order whereby all matters of conflict would be settled by binding arbitration thus the ultimate lawful disputes resolution tool in Australia is nothing less than compulsory binding arbitration. It applies without distinction to the private and public employers. Conciliation and arbitration are conducted by the members of a government agency known as the common wealth conciliation and Arbitration Commission. All members are officers of the common wealth appointed by the governor- general. The scope of issues submitted arbitration commonly sweeps across the field of wages, hours of work and working conditions more comprehensively than in a typical American arbitration. Although the conciliation and arbitration Act does not lay down specific criteria to be followed by the commission in making awards its clear goal is to serve the public interest by preventing and settling industrial disputes in all employments.

Vol 11, Issue 1, Jan /2020
ISSN NO:0377-9254

5.GERMANY

The labour court system with the greatest range of jurisdictional competence is probably the German system. The labour court in the country are exclusively competent to deal with virtually all legal disputes arising out of the employment relationship (with the exception of those concerning social security for which there is another specialized judicial forum) the German system has come to be considered a model. The labour court of Israel, among other were fairly closely European countries in restructuring their industrial relation system adopted aspect of the German labour court system as they moved to a market economy.

The German labour courts are tripartite the system comprises three levels those of first instance and appellate labour courts , both at the state (Lander) level , and the federal labour court since the reunification of Germany the 94 labour courts of first instance have grown in number as additional courts have been established in the eastern region.

Both at the lower labour court and appellate labour court levels, the courts comprise two lay judges one each from employers and trade union circles and a professional judge as chairperson. At the federal labour court level, three professional judges sit with the two lay judges. The lay judge are selected at all levels from lists submitted by the trade unions and employers" associations but are not answerable to those organizations in the performance of their judicial duties as members of the court professional judge at the labour court and appellate labour court levels are appointed with the participation of a tripartite advisory committee on which representative of the trade unions and the employers' associations sit at the federal level the trade unions and employers ' organization do not officially play any role in the designation of the professional judges.

All judges lay or professional have a decision-making role and all decisions are by a majority. This means that is possible at the Lander level for the lay judge to out vote the professional judge. However, in practice the professional judge normally dominates the procedure and the decision making process. The parties may represent themselves or be represented by a representative or an attorney at the first two levels at the federal Labour court level an attorney is required.

As in the French system, there is normally an initial effort at conciliation made by the court. This is done by the chairperson alone at a preliminary hearing if conciliation proves unsuccessful, the case continues before the full court usually several months later. The procedures in the labour court are somewhat simplified as compared with those before the ordinary court and efforts are made to finish the hearing in one sitting. Further in response to the criterion of due dispatch the decisions are in principle announced immediately following the completion of hearings before the courts. On an average, some two thirds of the cases submitted to the lower level labour courts are disposed of within three months.

Appeals to the appellate labour court are allowed on matters of law and fact the relative case of appeal means that some one fourth of all decisions of the labour courts are appealed to and heard by the appellate labour courts. Appeals to the Federal labour court are only permitted by leave of the court which in principal must be granted if the appellate court decision is counter to the stare decisis of the Federal court. The Federal labour court limits its reviews to the legal issues, relying on the findings of fact of the lower court.

Vol 11, Issue 1, Jan /2020
ISSN NO:0377-9254

6.STATUTES FOR SETTLEMENT OF INDUSTRIAL DISPUTES IN BRITAIN

In England to settle industrial disputes several attempts were made during the 19th century by Acts of Parliament to set-up compulsory arbitration. The decisions of the arbitrators had the force of law. It was in course of time observed that employers and workmen preferred settlement of their disputes without interference from outside. For this purpose a department was set-up in 1896 which is now replaced by Ministry of Labour. At the desire of either party to the dispute a conciliation or board of conciliation was appointed to bring about a Voluntary agreement. If, on the other hand, both the sides wished, the dispute could be referred to arbitration, but the arbitration award had no force of law and could be rejected by either party. In 1919 a permanent arbitration tribunal, called the Industrial Court was created by the Parliament. A dispute can be sent to the Industrial Court for arbitration only with the consent of both the sides. In addition to these, a voluntary principle of settlement of industrial dispute is recognized everywhere in Britain and encouraged by the Government. During the Second World War a National Arbitration Tribunal was formed consisting of five members. Three of them were independent, one was representing the employers and one the workmen.

The award of the Tribunal had the force of law. After the war the employer's organizations and trade unions agreed to prolong this war-time system as a quicker method of settlement of industrial disputes, but in 1950 it was abolished so as to facilitate the traditional and normal methods of settlement of industrial disputes by voluntary conciliation and arbitration in accordance with the 1896 and the 1919 Acts. The Employment Protection (Consolidation) Act, 1978 is the major statute in the field of employment in Britain. The industrial tribunals have an official conciliation function. However, conciliation may be provided prior to tribunal proceedings by the state Advisory Conciliation and Arbitration Service.

7.UNITED STATES OF AMERICA

The establishment of organizational and procedural arrangements for the peaceful resolution of industrial disputes is based on the assumption that such disputes arise with varying frequency in industrial relations and that it is in the interest of the parties to utilize institutional arrangements in order to avoid disruption of production. In the United States, there are two primary methods of resolving labor disputes: labor arbitration and labor mediation. In practice, parties often use labor arbitration to resolve labor disputes. Grievance arbitration became the preferred method of dispute resolution in United States sometime around 1945 due to World War II. Today, one of the most popular arbitration organizations in the world is American Arbitration Association.

On the other hand, parties also use labor mediation, and in some employment industries, mediation is becoming more common. Even the United States Supreme Court has recommended the use of labor arbitration to resolve labor disputes. In America, labour mediation is different from labor arbitration because it allows for more procedural control by the parties. Mediation creates a larger forum that allows the parties to discuss everything affecting their relationship, instead of resolving a particular dispute. Despite judicial recognition of the rights of employers and unions under collective bargaining agreements, court procedures are often prolonged, technical, and costly, and are not necessarily the best vehicle to rectify labour disputes.

8.U.S.S.R.

A statute covering labour disputes had to set-out the authorities and procedures for settlement of industrial disputes. Labour disputes are first examined by Labour Disputes Commissions which are composed of equal number of representatives of the trade union committee and the management. Like Works Committee in capitalistic system the Labour Disputes Commission exists at the lower rung of the ladder of authorities. Its primary duty is to promote measures for securing good relations between the workers and the management and to imbibe in them social ideology at the committee level of enterprises, offices and institutions. If any worker or employee files a complaint concerning his wage rate or transfer or promotion with the commission it will immediately investigate into it and hand down a decision within five days.

Where the commission fails to arrive at a settlement or the worker is not satisfied with the decision of the commission, he may prefer an appeal within 10 days to the factory or office of the trade union committee, as the case may be. The trade union committee has power to confirm or reverse the decision of the commission. As soon as memorandum of appeal is filed the investigation machinery of the trade union committee is set in motion and a decision is generally given within seven or eight days. These authorities have no powers; these are merely voluntary organs having sanction and backing of the political party. These are not coercive but simply persuasive being dictated by party ideology. So far as the trade union committee is concerned, it has quasi judicial function. Though it follows persuasive approach, but it has also teeth to bite. When the management fails to carry out a decision passed in a labour dispute and the management has not started a suit against that decision, the trade union committee may issue the worker a certificate which has the force of a writ of execution. The bailiff is the executing authority in this case and a certificate is presented to him on failure of the management to give effect to the decision. So, when a worker or the management feels aggrieved by the decision of the trade union committee, a suit may be instituted in the court. This suit is generally commenced against the decision of the committee when it is patently contrary to the law. Otherwise litigation concerning industrial dispute is very much discouraged.

9.CHINA

Since the mid-1990s, labour litigation has become a key institution and an increasingly popular option for settling labour disputes. This is because non-legal mechanisms have become less effective in solving increasingly complicated and widespread labour disputes. China has no specialist labour tribunal or industrial relations court, and labour legal cases are dealt with in civil courts. Such limitations hinder labour disputes from being resolved effectively and fairly. Furthermore, although a high proportion of court cases are decided in employees favour, their lowly status in employment relations means that workers often have to compromise their claims in order to win in any litigation. Labour arbitration is expected to continue to play a more important role in solving labour disputes.

In summary, China has developed an integrative labour resolution framework involving political and administrative channels, trade unions, collective contract, tripartite consultation/collective negotiation, or labour arbitration and labour litigation. It is evident that centralized political and administrative methods for dealing with industrial confrontation have decreased during the last decade. The

explanation for this is that the government has retreated from direct enterprise management and in the process of establishing a socialist market economy; the employment relations have become more complicated. Strong workers councils that could articulate employment relations in the workplace and deal with labour disputes through collective bargaining are in short supply. Effective grievance procedures are lacking outside labour arbitration and litigation. Such a shortage makes legal conflict resolution, which is supposed to be impartial, extremely important. The reliance on labour arbitration and litigation indeed shows the significance of the rule of law in the Chinese context as the basis of a rational social order and the foundation of a market economy.

10. INDONESIA

The all pervasive method of conflict resolution in Indonesia is compulsory arbitration under the Act on the settlement of Labour Disputes (Law No.22/1957) enacted in April 1957. This Act stipulates that labour disputes should be settled by the disputing parties through negotiation in the first place. If they cannot be settled that way, the parties should submit the dispute to an arbitrator or the Board of Arbitration. The decision of the arbitrator has the legal force equivalent to that of a decision of the Central Committee for the settlement of Labour Disputes. However, if the parties do not want the dispute to be settled by arbitration, they should notify the Government conciliator in writing. The official concerned then tries to conciliate and resolve the dispute. If he fails to resolve it, he then submits the case to the Regional Committee for the settlement of Labour Disputes. The Regional Committee is empowered to give a binding decision. However, any disputing party can appeal the decision to the Central Committee for the Settlement of Labour Disputes. The decision of the Central Committee becomes binding, provided that it is not reversed or nullified by the Minister of Manpower in the interest of the country.

The Indonesian industrial relations system emphasizes tripartism at the national level and bipartism at the plant level. While bipartism is manifested in collective negotiations between unions and management, tripartism is manifested in the development of such tripartite institutions as the Committee for the Settlement of Labour Disputes, the Wages Council and the National Productivity Centre. It should, however, be noted that these institutions are always headed by officials from the government.

11. **PHILIPPINES**

The first statute regulating industrial relations in Philippines was the Commonwealth Act No.103 of 1935. The Court of Industrial Relations was established in 1936 and was vested with the power of conciliation and compulsory arbitration of labour disputes under this Act. The system of compulsory arbitration came to an end in 1953 when the Industrial Peace Act was passed. This legislation not only provided a framework for collective bargaining but also encourages it as the dominant mode of industrial relations. Modelled after the Wagner Act of the United States, the Industrial Peace Act is often referred to as the Magna Charta of labour in the Philippines. On 21 September 1972, martial law was declared. The labour policy of the government after the introduction of martial law was to restructure the system of industrial relations. To provide a legal framework consistent with this policy, the government promulgated the Labour Code in May 1974. The Court of Industrial relations was replaced by the National Labour Relations Commission (NLRC) as the former Channel for the settlement of labour conflicts. The Philippines once more

returned to a system of industrial relations based on arbitration.

Collective bargaining agreements in the Philippines are concluded for a period of three years. There are few statutory limits on bargainable issues except that a collective bargaining agreement becomes binding once it is signed by the parties, and once it is registered by the Department of Labour.

12.NEW ZEALAND

The Employment Relations Act 2000 (ERA), the current employment statute of New Zealand, emphasized, mediation as the primary problem solving mechanism of labour disputes. The term 'mediation' as a conflict resolution option the first time has been used by ancient Chinese and ancient Indian philosophers in the sixteenth century BC. For the resolution of workplace disputes, the parties may choose to use a private mediator or arbitrator to assist them in resolving any problems. However, any settlement arrived at by the parties through the use of a private mediator would have no binding effect under the ERA unless the settlement agreement was signed by the mediator of the Department of Labour. If the private mediator appointed by the parties was unable to resolve the dispute, the parties may agree in writing to give authority to the mediator from the Department of Labour to make a final and binding decision. The decision so made is enforceable and cannot be challenged. There are penalties for breaching the decision so made.

13.SOUTH AFRICA

Section 23 of the Constitution of the Republic of South Africa confers on every worker the right to strike. It further provides that every trade union, employers' organization and employer has the right to engage in collective bargaining, and goes on to provide that national legislation may be enacted to regulate the process. The Labour Relations Act of 1995, enacted specifically to give effect to these constitutional rights, gives effect to the right to strike by providing procedures for the exercise of the right, and protections for strikes in the collective bargaining context. In the case of SANDU v. Ministry of Defence the constitutional Court ruled that section 23(5) offered an employee an absolute right to collective bargaining and imposed a corresponding duty on the employer to enter into negotiations with employees or their trade unions and enter into a collective agreement.

In broader terms, the Labour Relations Act aims in the main to provide, among other objectives, a comprehensive framework for collective bargaining including the exercise of the right to strike in South Africa. The emphasis of the Act is clearly on collective bargaining rather than individual labour rights. The Act lays down the specific procedures which must be followed by employees in order to enjoy the right to strike. Traditionally, a distinction is drawn between a protected and unprotected strike. Protected strikes are generally those strikes which are undertaken in compliance with the provisions of the Act.. The employees who participate in a protected strike are thus protected against any form of victimization by the employer. These employees are especially protected against dismissal and civil legal proceedings by the employer.

14.NIGERIA

In Nigeria, a major part of the organized labour system is the existence of a proper and effective dispute resolution mechanism for it is not possible that there will be no dispute between employees and employers in a workplace. Prior to 1976, trade disputes in Nigeria were treated as

part of the common law of contract and were accordingly dealt with in the ordinary civil law courts. However, due to the oil boom and the consequent rapid growth in commercial and industrial activities, labour problems became more complex than the ordinary courts which could satisfactorily cope with and consequently, government decided to set up separate machinery for settling labour disputes. The machinery for the settlement of labour disputes in Nigeria is twofold: the internal machinery that is collectively negotiated and external machinery that is statutory and established by the state. The statutory machinery takes over where the internal machinery fails. Alternative Dispute Resolution is a compound word used to describe various range of mechanisms designed to assist disputing parties in the resolution of their dispute without the need for formal judicial proceedings. In the word of Kehinde Aina, ADR is those mechanisms which are used in resolving disputes-faster, fairer without destroying on-going relationships.

The purpose of establishing the courts is to provide effective mechanism for ironing out differences between parties to a trade dispute without necessarily having resources to strike or lockouts. Labour court was for the first time established in Nigeria with the establishment of the National Industrial Court under the Trade Disputes Act 1976.The Court started its adjudication functions in 1978 and its object was to provide for a stable and sustainable economy through quick, effective and efficient resolution of industrial disputes and protection of workers. The then operative constitution (the 1963 Constitution) was amended to accommodate the court among the constitutionally recognized courts. With the advent of the 1979 Constitution, there was a problem regarding the status, powers and jurisdiction of the court as it was neither included among the superior courts nor its power and jurisdiction defined in the constitution. The constitutionality of the status, powers and jurisdiction of the court was therefore subjected to challenge. This anomaly was addressed with the promulgation of the Trade Disputes (Amendment) Decree 1992. The Decree conferred the NIC with the status of a superior court of record and the exclusive jurisdiction to entertain industrial disputes including inter and intra union disputes. The situation remained without problem until after the restoration of constitutional government in1999 when the constitutionality of the position became an issue. The enactment of National Industrial Court Act2006 also conferring the status of a superior court of record on the court with exclusive jurisdiction to entertain industrial disputes and powers of a High Court could not help the situation. Decisions of the Court of Appeal and finally of the Supreme Court declared the provisions of the National Industrial Court Act 2006 on the status, powers and jurisdiction of NIC null and void in view of the provisions of the Constitution of the Federal Republic of Nigeria 1999.

The Constitution of the Federal Republic of Nigeria (Third Alteration) Act, 2010 was enacted to amend the relevant sections of the constitution and make adequate provision to lay to rest the controversies surrounding the establishment and composition of NIC, status of NIC and its judges, powers and jurisdiction of NIC etc. to enable it play its supposed role. On the status of the court, section 6 of the CFRN 1999 was altered to include the NIC among the superior courts listed in subsection (5) of the section and consequentially other relevant sections of the constitution were altered to put the NIC and its judges on the same footing as the Federal High Court and its judges. The jurisdiction of the NIC is as provided for in the constitution and conferred by an Act of the National Assembly. The court has all the powers of a High Court in the exercise of its jurisdiction

and the National Assembly may by law confer additional powers on the court to enable it to exercise its jurisdiction more effectively. The NIC is therefore legally empowered to play its supposed role in the employment and industrial relations practice in Nigeria. All the controversies brought by the provisions of the Trade Disputes (Amendment) Act 1992 and the National Industrial Court Act 2006 have now been resolved by the Third Alteration Act. Nowadays business are rapidly growing so there is need for rapid decision and dispute resolution process that will be supportive without undermining business and customer relationship in the industry.

15.BANGLADESH

Industrial dispute settlement procedure can be divided into three steps: Negotiation – If an employer or a collective bargaining agent finds that an industrial dispute is likely to arise between the employer and the workers, the collective bargaining agent shall communicate in writing to other party. The party receiving the communication shall arrange a meeting within fifteen days and if parties reach a settlement, it shall be recorded in writing and signed.

Conciliation – if the party receiving communication fails to arrange meeting, any of parties can apply to conciliator within fifteen days. If the conciliator fails to settle the matter within thirty days, the conciliator shall try to persuade the parties to refer the dispute to the arbitrator.

Arbitration – If the parties refer the dispute to arbitrator then it shall give award within a period of thirty days and after giving award, the arbitrator shall forward a copy to the parties and the Government.

There is a special mechanism which is provided in The Bangladesh Labour Code, 2006 to reduce industrial dispute at the primary stage. Section 205 of this act suggests the employers to form participation committee, where there are fifty or more workers in an establishment. According to section 206 the functions of the participation committee shall be to inculcate and develop a sense of belonging and workers commitment and in particular –

a) To endeavor to promote mutual trust, understanding and cooperation between the employer and the workers.
b) To ensure application of labour laws.
c) To encourage vocational training, workers education and family welfare training.
d) To adopt measures for improvement of welfare services for the workers and their families.

16.NEPAL

In Nepal, Labour Act 1992 has conceived various labour administration mechanism for the prevention of industrial conflict and thereby ensure peaceful labour-management relations in the country. The preventive measures of conflict resolution have identified the role of committee and authority for the same purpose. Industrial disputes can be prevented statutorily and non-statutorily ways. The non-statutory measures are code of conduct, workers participation in management, grievances handling procedure and bipartite committees formed in the workplace. The Labour Act 1992 and Labour Rules 1993, the major labour laws applicable in the enterprise where ten or more worker or employees are engaged, have focused on various committees and dignitaries responsible to prevention of industrial disputes in the country in general and in enterprises in particular. Central Labour Advisory Committee is a central level committee formed by government under the Chairmanship of the Minister of Labour with the representation of trade unions, employers organizations and labour experts.

Vol 11, Issue 1, Jan /2020
ISSN NO:0377-9254

17.CONCLUSION

Work binds us together regardless of the continent on which we reside. The global economy internationalizes many components of the employment relationship; it simply must provide for the effective resolution of transnational labor disputes through arbitration, mediation, conciliation, and/or additional forms of alternative dispute resolution. While it may be possible for arbitration, mediation, and conciliation to resolve labor disputes, the wide variety in procedure and practice may serve to disadvantage non-locals and make it harder for parties to arrive at solution. Allowing the parties to determine where disputes will be resolved and how they will be resolved is important, but there is still a need for international organizations like the ILO to make these procedures easily understood by all the parties and more uniform in their approaches. Resolution methods already used must respond to a new international role. As global economic interdependence continues to progress rapidly, such methods must become adept at addressing labor disputes on an international scale. In a nutshell, labour peace 'helps to ensure a smooth running, efficient and growing economy, to be enjoyed by all of society'.

REFERENCES

[1] Shyam Bahadur Katuwal, "Statutory Mechanism of the Prevwntion of Industrial Disputes in Nepal" 3(2)International Journal of Business Management, Economics and Information Technology 277 (July-Dec. 2011).
[2] Christian Welz and Timo Kauppinen, "Industrial Action and Conflict Resolution in the New Member States" 11(1)European Journal of Industrial Relations 96 (April 2005).
[3] Soabarin Siddiqua, Md. Abdul Musabbir Chowdhury, Md, et.al.,"Industrial Relation and Dispute Settlement Procedure in RMG Sector of Bangladesh: A Critical Review" 9(3) International Journal of Innovation and Applied Studies 1240 (Nov. 2014).
[4] Udoh v. Orthopaedic Hospitals Management Board &Ors, (1993) 7 NWLR 254 (488).
[5] Kalango v. Dokubo (2003) 15 WRN 32.
[6] National Union of Electricity Employees & Anor. v. Bureau of Public Enterprises(2010) 7 NWL 1194(538).
[7] C.K. Agomo, Nigerian Employment and Labour Relations Law and Practice339 (2011).
[8] Dr. A.B. Ahmed, "Emerging Trends in Labour Law and Industrial Relations in Nigeria" 4(11)International Journal of Humanities and Social Science29 (Sept. 2014).
[9] Barakat Raji, Ashgar Ali Mohamed and Omar A. Oseni, "Reforming the Legal Framework for Construction Dispute Resolution in Nigeria: A Preliminary Literature Survey" 6(4) International Journal of Business, Economicsand Law 89 (April 2015).
[10] Etefia E. Ekanem and Bassey J. Ekanem, "An Analysis of the Jurisdiction of the National Industrial Court of Nigeria as a Court of First and Last Resort in Civil Matters" 22(4) IOSR Journal of Humanities and Social Science 58 (April 2017).
[11] Francis C Anyim, "The Effectof Statutory Sanctions on Management of Trade Disputes in Nigeria: A Critical Appraisal 2(4) International Journal of Business Administration 157(2011).
[12] Abel K. Ubeku, Industrial Relations in Developing Countries: The Case of Nigeria167(1983).
[13] Sunday Akinlolu Fagbemi, "An Overview of the Institutional Mechanisms for the settlement of Labour Dispute in Nigeria" 11(1322) US China Law Review 1314 (2014).
[14] Kehinde Aina, "Alternative Dispute Resolution" 2(1) Nigeria Law and Practice Journal 169 (March 1998).
[15] Banabo Ekankumo and Igweh Florence Konye, "Managing Industrial Disputes in the Nigeria Teaching Hospitals: An Empirical Analysis" 6(19)European Journal of Business and Management 152 (March 2014).