

**INFLUENCE OF TRADE UNIONS ON HUMAN CAPITAL
RESOURCING PRACTICES IN THE NIGERIAN FOOD, BEVERAGE
AND TOBACCO (FOBTOB) INDUSTRY**

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Abstract

The authors examined the influence of trade unions on human capital resourcing practices in the Nigerian Food, Beverage and Tobacco Industry. Some writers view unions as pathological and a threat to the economic system, while others view unions as a benign influence, meaning that unions are harmless and not inimical to organisational functioning. Trade unions as interest groups within organisations have considerable influence on human capital resourcing function. Empirical findings show that trade unions have substantial influence on human capital resourcing practices especially on hiring, promotion and in some cases of unfair dismissal and lay-offs. Union's most obvious effect on human capital resourcing decisions is embodied in a collective bargaining agreement that stipulates hiring for certain jobs through the union. Most large firms are unionised which necessitates the need for the use of formal human capital resourcing practices than non-unionised organisations which in most cases are smaller in size. Applicants compare employment offers in union firms and non-union firms. Applicants' comparison of work conditions in a unionised versus non-unionised environment may influence their choices. From the foregoing, it is recommended that unions should be perceived as a benign influence as management will have greater success in achieving its objectives by working with trade unions. Management should encourage unionisation of workers and their participation in union affairs. Management should change their hostile posture towards trade unionism as neither of both parties would benefit from a climate of hostility and constant confrontation.

Keywords: Trade Unions, Human Capital, Resourcing Practices, FOBTOB Industry.

1. Introduction

Scholars have attempted to explain the reasons for the emergence of unions and their impact upon society (Miernyk, 1965). The ideas of these scholars have been divergent with respect to the reasons for workers' organisations the world over. This divergence could be traced to the scholars' orientation and philosophies. Some writers view unions as pathological and a threat to the economic system, while others view unions as a benign influence meaning that unions are harmless and not inimical to organisational functioning (Miernyk, 1965). The emergence of trade unions is linked to industrialisation. "The Webbs (1920) suggested that unions emerged primarily because of the separation between capital and labour caused by industrialisation" (McQuarrie, 2003, p.42). According to Johnson (2000, p.330), "unions trace their history or origin to the early stages of the Industrial Revolution in eighteenth-century England". Webb and Webb (1920, p.1) define a trade union as "a continuous association of wage-earners for the purpose of maintaining or improving the conditions of their working lives". Fajana (2000, p.133) posits that a trade union is "an association of wage/salary earners formed with the object of safeguarding and improving the wage and employment conditions of its members and to raise members' social status and standard of living in the community." According to Fajana (2000), trade unions perform the following functions for their members: Economic function: unions attempt to maximise the benefit of their members.

Political function: unions exercise bargaining power by combining together. In the political process, the role of the union is very vital. Psychological function: union affords its members a feeling of job protection and security bearing in mind that the union will pursue cases of unfair dismissal by employers. It is an anxiety reducer. Social function: humans are social animals and union is a platform for social interaction among its members. The union also carries out social functions such as burial, welfare services, and award of scholarship to children of deceased members as well as operating co-operative societies for the benefits of members. Included under this function is the training and development of members through conferences and seminars. Managerial function: unions afford members the opportunity to partake in managerial decisions and prerogatives. It provides opportunity for workers to participate in managerial functions in the industry.

Trade unions deploy several methods or strategies to achieve their purpose one of which is collective bargaining. Webb and Webb (1897) view collective bargaining as one of the three main methods used by trade unions to achieve their basic aim of improving the condition of their members' working lives. The other two methods are mutual insurance (such as cash benefits for sickness, industrial injury, retirement or death) and legal enactment (lobby for legislative changes in favour of union members).

"Human capital represents present or future employees with the right combinations of knowledge, skills and motivation to excel with the potential to give the organisation a competitive advantage" (Kinicki & Kreitner, 2008, p.15). "Human capital is not solely the people in organisations, it is what those people bring and contribute to

organisational success. It is the collective value of capabilities, knowledge, skills, life experiences and motivation of an organisational workforce” (Mathis & Jackson, 2008, p.5). According to Armstrong (1998), the word resourcing describes what managers need to do to ensure that they get the people they want in terms of numbers, skills and capabilities. This entails forecasting requirements, job analysis, recruitment and selection. Price (2004) views employee resourcing (human capital resourcing) as the process by which people are identified and allocated to perform necessary work. Thus, resourcing has two strategic imperatives: first is to minimise employee costs and to maximise employee value to the organisation; and secondly to obtain the correct behavioural mix of attitude and commitment in the work-force. Katou (2008) views resourcing as comprised of recruitment, selection, separation and flexible work arrangements. According to Armstrong (2012):

Resourcing is the term used to cover employment activities that ensure the organisation has the people it needs. The employment activities comprise workforce (human resource) planning, recruitment and selection, attracting and retaining people, managing employee turnover, absence management and talent management (p.201).

Trade unions are connected to human capital resourcing activities particularly issues bordering on recruitment and selection, attracting and retaining people as well as managing employee turnover. Trade unions as interest groups in organisations have considerable influence on human capital resourcing function. According to Ojo (1998), trade unions constitute a constraint to the recruiter in a number of ways. First, collective or contract agreements between unions and management often have provisions for promotion and lay-off, which affect the hiring process. Second, unions have considerable control over recruitment in organisations where there is a closed-shop union security arrangement. Third, in cases where unions raise wages/salaries excessively, the level of resources available may be inadequate; this in turn could adversely affect the organisation’s capacity to recruit more staff. Milkovich and Boudreau (2004) argue that applicants compare employment offers in union firms and non-union firms. Applicants’ comparison of work conditions in a unionised versus non-unionised environment may influence their choices. Moreover, collectively bargained work rules and relationships may distinguish union employers from non-union employers. Thus, a union’s most obvious effect on human capital resourcing decisions is embodied in a collective bargaining agreement that stipulates hiring for certain jobs through the union. Empirical findings show that trade unions have substantial influence on human capital resourcing practices especially on hiring, promotion and in some cases of unfair dismissal and lay-offs. In managing lay-offs, unions have sought to protect the interests of their members. Most companies give at least some advance notice of lay-off or plant shutdown. Collective bargaining agreements often require such notice. Some companies give between 60 to 90 days notice. Lay-off could be carried out based on seniority or ability. However, trade unions often insist on seniority by adopting the LIFO (Last- In- First- Out) principle as against FIFO (First- In- First-Out) whenever lay-off decision is to be taken. With a view to reducing the number of lay-off employees, trade unions and employers

oftentimes embark on concession bargaining with workers agreeing to reduce their wages/salaries as well as other conditions of employment until situation is favourable. Bumping occurs in situations where senior employees whose jobs have become obsolete and who may fall victim of lay-off are transferred to jobs of less senior workers. Unions adopt bumping in order to maintain the jobs for long-service employees (Chidi, 2008).

The objective of this paper is to examine the influence of trade unions on human capital resourcing practices in the Nigerian Food, Beverage and Tobacco Industry.

2. Literature Review

The review of literature examines the conceptual issues and theoretical underpinnings upon which the study is anchored.

2.1 Conceptual Issues

A trade union is an informal interest group formed by workers to protect their varied interests at work. Trade union as a concept has a variety of meanings, but all placed emphasis on the same rationale behind trade union emergence which is in the main to protect members' interests and well-being at work and in society. There is a distinction between trade union and trade unionism. While trade union is institutional; trade unionism is philosophical. According to Fajana (2006):

“Trade union is an institution that has a certificate of registration, an office or secretariat, structures as well as constitution to direct the affairs of the union.

Trade unionism is an ideological notion held by individuals or groups located in their psyche” (p.135).

This leads to collective consciousness aimed at the protection of rights of like-minded individuals whose rights have been trampled upon or whose rights have been threatened. Thus, trade unionism can exist in the absence of a registered union. In other words, trade unionism connotes the philosophy behind the formation of unions. It is the spirit of solidarity among a group of people faced with the same problem which could lead to their coming together to form a union. “Trade unionism is a working class phenomenon which precedes and even leads to the formation of trade unions” (Aye, 2010, p.15). According to Adewumi (2009):

Trade unionism entails the philosophy and principles propelling trade union activities, belief in the collective strength (mitigating the vulnerability of the individual worker), ability and readiness to organise, solidarity (an injury to one is an injury to all) as well as militancy. Trade unionism is the soul/content of the trade union organisation. When any workers' organisation cannot offer a range of benefits and services to individual members; maximise the wages and employment conditions of its members as well as protect and support the individual with the collective strength, such workers' organisation is a union without unionism (p.16).

The Trade Union Act, 1973, Section 1(1) defines a trade union as any combination of workers or employers, whether temporary or permanent, the purpose of which is to

regulate the terms and conditions of employment of workers, whether the combination in question would or would not, apart from this Act, be an unlawful combination by reason of any of its purposes being in restraint of trade, and whether its purposes do or do not include the provision of benefits for its members (Aturu, 2005).

2.2 Theoretical Underpinnings

Pluralist/ Pluralistic Theory

The pluralist or the pluralistic frame of reference is credited to Fox (1966). This theory views the organisation as coalescence of sectional groups with different values, interests and objectives. Thus, employees have different values and aspirations from those of management, and these values and aspirations are always in conflict with those of management. Pluralist theorists argue that conflict is inevitable, rational, functional and normal situation in organisations, which is resolved through compromise and agreement or collective bargaining. Pluralist theorists view trade unions as legitimate challenges to managerial rule or prerogatives and emphasise competition and collaboration. This view recognises trade unions as legitimate representative organisations which enable groups of employees to influence management decisions (Rose, 2008). Rose (2008) further states that the pluralist perspective would seem to be much more relevant than the unitary perspective in the analysis of employment/industrial relations in many large unionised organisations and congruent with developments in contemporary society.

Contingency Theory

The contingency theory posits that human resource management is affected by the organisation's milieu and conditions (Legge as cited in Armstrong, 2009). Paauwe (2004) argues that the relationship between HRM policies and practices and the performance will vary according to influences such as degree of unionisation, company size, age, technology, capital intensity, industry/sector, ownership and location.

Dunlop Systems Theory

Systems theory of employment relations/industrial relations is concerned with looking at employment relations/industrial relations in terms of inputs, processes, outputs and the interaction with the environment. Dunlop (1958) argues that an industrial-relations system at any one time in its development is regarded as comprised of certain actors, certain contexts, and ideology which binds the industrial-relations system together and a body of rules created to govern actors at the workplace and work community. According to McQuarrie (2003, p.50), "Dunlop created one of the most influential theories of how union functions by looking at how unions fit into larger social systems with his systems theory of industrial relations." In the systems theory, unions are one of the three actors in industrial relations. The other two actors are management (employer) and government and its agencies. Thus, aside from protecting the interests of their members, unions also engage in social reforms for societal well-being. Since unions are part of the fabrics of society.

3. Unionisation in the Nigerian Food, Beverage and Tobacco Industry

In the Food, Beverage and Tobacco Industry, junior workers belong to the National Union of Food, Beverage and Tobacco Employees (NUFBTE). This union is affiliated to the Nigeria Labour Congress (NLC); which is a central labour organisation. The senior workers belong to the Food, Beverage and Tobacco (FOBTOB) Senior Staff Association. This association is an affiliate of the Trade Union Congress of Nigeria (TUCN). The TUCN is the central labour organisation for senior workers in Nigeria. The Food, Beverage and Tobacco Senior Staff Association has been very pushy in terms of protection of jobs, rights of workers and conditions of service of members in the industry. The Association has had to use the instrumentality of the Industrial Arbitration Panel (IAP) and National Industrial Court (NIC) to advance the interests of its members, and in extreme cases call for a national strike. FOBTOB Senior Staff Association has been very active within the organ of the Trade Union Congress of Nigeria (TUCN), formerly Senior Staff Consultative Association of Nigeria (SESCAN) which is the umbrella Labour Centre for Senior Staff in Nigeria.

The employers in the industry belong to the Association of Food, Beverage and Tobacco Employers (AFBTE). This association is an affiliate of Nigeria Employers' Consultative Association (NECA). Legally, the Law regards the combinations of employers as trade unions. In reality, Nigeria Employers' Consultative Association (NECA), which is a central employers' association is not a trade union as it was established under the Companies and Allied Matters Act, 1990 and are limited by guarantee. Whereas, trade unions are established by the Trade Union Act. However, sectoral or industrial employers' associations established in specific industries are trade unions such as the Association of Food, Beverage and Tobacco Employers (AFBTE). AFBTE is an employers' organisation established in 1979 under the Trade Union Decree 22 of 1978. Membership is open to companies that are manufacturers of Food, Beverage and Tobacco products and that employ a minimum of ten workers. The mission of AFBTE is "to promote the interest of members and facilitate the creation of an environment which will assist profitable operations of member-companies" (AFBTE Annual Report, 2011, p.1).

AFBTE is functionally and legally a trade organisation in view of the spectrum of its responsibilities which now covers trade matters, regulatory issues, public advocacy and liaison with government on any other issue of interest to members. AFBTE negotiates on behalf of its member-companies collective agreements covering salaries and wages, and major fringe benefits, with the National Union of Food, Beverage and Tobacco Employees and the Food, Beverage and Tobacco Senior Staff Association. It assists members in resolving industrial conflicts whenever they arise. It also conducts research and provides advisory services to its member-companies. It provides information on terms and conditions of employment in the industry for its members. AFBTE liaises and dialogues with regulatory agencies such as Standards Organisation of Nigeria (SON), Federal Ministry of Environment, Federal Ministry of Labour and

Productivity, National Agency for Food and Drug Administration and Control (NAFDAC) to mention a few on issues of interest to its members. AFBTE sources, trains and develops human capital in the industry.

AFBTE “serves as the platform for the protection of the interest of members against any development in the macro-economic environment that threatens business survival” (AFBTE Annual Report, 2011, p.5). The Food, Beverage and Tobacco Senior Staff Association came into existence after house unions in Nigeria were restructured into industrial unions. Prior to this restructuring exercise, the three prominent and registered unions of senior staff within the Food Beverage and Tobacco Industry were: Flour Mills of Nigeria Senior Staff Association, Nigerian Breweries Management Staff Association and Management Staff Association of Guinness Nigeria Limited.

Employment Relations in Unionised Organisations

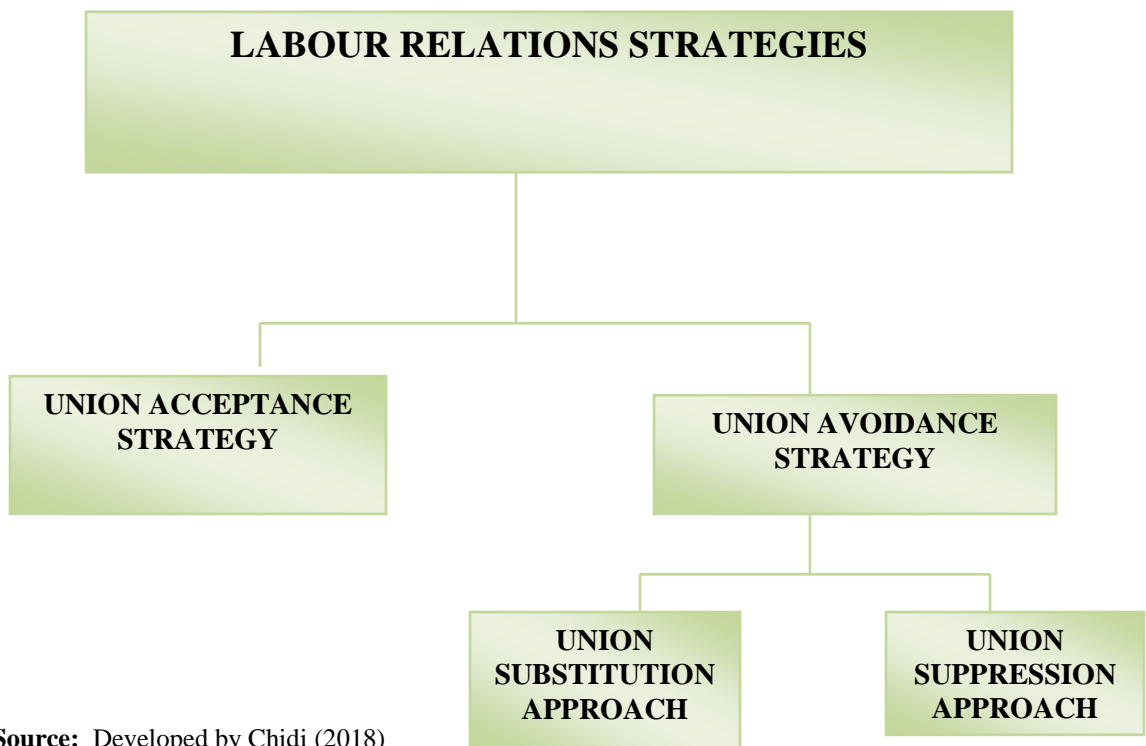
BOX 1: MANAGING WITH TRADE UNIONS

In unionised organisations, managements and trade unions learn to live together, often on a give and take basis. The presumption being that neither would benefit from a climate of hostility or by generating constant confrontation. However, both parties would probably adopt a realistic pluralist viewpoint, recognising the inevitability of differences of opinion, even disputes, but believing that with goodwill on both sides they could be settled without recourse to industrial action. Of course, the reality in the 1960s and 1970s was often different. In certain businesses, for example in the motor and shipbuilding industries, hostility and confrontation were rife. And newspaper proprietors tended to let their unions walk all over them in the interests of peace and profit. Times have changed. Trade union power has diminished and managements have tended to seize the initiative. They may be content to live with trade unions but they give industrial relations lower priority. They may feel that it is easier to continue to operate with a union because it provides a useful, well established channel for communication and for the handling of grievance, discipline and safety issues. In the absence of a union, management would need to develop its own alternatives, which would be costly and difficult to operate effectively. The trade union and the shop stewards remain a useful lubricant. Alternatively, the management perspective may be that it is safer to marginalise the unions than formally to de-recognise them and risk provoking a confrontation: 'Better to let them wither on the vine than receive a reviving fertilizer'. However, the alternative view was advanced by Purcell (1979) who argued that management will have greater success in achieving its objectives by working with trade unions, in particular by encouraging union membership and participation in union affairs.

Source: Armstrong (2009)

4. Labour Relations Strategies Regarding Unionisation

According to Gomez-Mejia, Balkin, and Cardy (2001), there are two forms of labour relations strategies adopted by management with respect to unionisation of workers. These are the union acceptance strategy and union avoidance strategy. In the union acceptance strategy, management chooses to view the union as the workers' legitimate bargaining agent and representative. Management accepts collective bargaining as an appropriate mechanism for establishing workplace rules and other terms and conditions of employment (Gomez-Mejia, Balkin, & Cardy, 2001). A union acceptance strategy is likely to result in labour relations characterised by co-operation and industrial harmony between labour and management in the workplace (Gomez-Mejia, Balkin, & Cardy, 2001). According to Dessler, Cole, Goodman and Sutherland (2007), union acceptance strategy is a labour relations strategy based on management's view that the union is the legitimate representative of the organisation's employees. Management to prevent workers from joining a union or organising into a union (Gomez-Mejia et al., 2001) uses union avoidance strategy. According to Dessler et al. (2007), union avoidance strategy is a labour relations strategy based on management's preference to operate in a non-union environment. There are two main approaches to union avoidance. These are union substitution and union suppression approaches (Gomez-Mejia, Balkin & Cardy, 2001). The union substitution approach otherwise called proactive human resource management approach is a union avoidance strategy adopted by management to remove the incentives or the urge for workers to unionise. Management becomes so responsive to employees' needs by instituting policies such as job security policies which seek to protect the jobs of full-time workers. Similarly, Dessler et al. (2007), assert that union substitution approach involves removing the incentives for union organisation by ensuring that the needs of employees are met, by developing a reputation for fair treatment and concern for employees' well-being. Management adopts the union suppression approach/strategy when it desires to avoid unionisation at all costs (Gomez-Mejia, Balkin & Cardy, 2001). A union suppression approach according to Dessler et al. (2007) is a union avoidance strategy involving the use of hardball tactics, which may or may not be legal, to prevent workers from organising into a union or to get rid of an existing union.



Source: Developed by Chidi (2018)

Fig. 1: *Labour Relations Strategies adopted by Management regarding Unionisation of Workers*

5. Empirical Framework

Empirical evidence shows that trade unions have substantial influence on human capital resourcing practices especially on hiring, promotion and in some cases of unfair dismissal. The circular issued by the Chairperson of the Academic Staff Union of Universities (ASUU), University of Lagos branch dated the 28th of November, 2018; on appointment of the University Librarian clearly demonstrates the influence of trade unions on recruitment which is within the scope of human capital resourcing. Heneman and Judge (2006) posit that labour unions have direct and powerful impacts on staffing and other human resource systems. More so, in non-union organisations the union's influence can be felt through "spill-over effects" in which management tries to emulate the pay and benefits, as well as staffing practices found in unionised settings. In some organisations, labour unions could influence the recruitment and selection process. According to Mathis and Jackson (2008, p.210), "in such industries as electric and construction, unions have traditionally supplied workers to employers." According to Mathis and Jackson (2008, p.210), "an organisation with a strong union may have less flexibility than a non-union company in deciding who will be hired and where that person will be placed." According to Armstrong (2009), one of the features of non-unionised organisations is that labour turnover is higher comparable to unionised organisations. According to Martin (2003), there is clear evidence that

unionism is associated with lower employee turnover. Martin further argues that lower turnover is a result of the ability of unions to secure better working conditions, thereby increasing the attractiveness for workers to stay in their current job. Unionised organisations have significantly lower departure or quit rates than non-union organisations. This can be explained by the fact that the union provides a voice mechanism through which employees can negotiate better compensation and addresses workers' problems as an alternative to quit (Freeman & Medoff, 1984).

According to Katz and Kochan (2004), union establishments have been found to have departure or quit rates. Quit rates in U.S telecommunications establishments in 1998 ranged from 3.3 per cent in unionised establishments (all had a grievance procedure) to 14.9 per cent in non-union establishments that had no formal complaint resolutions procedure (Katz & Kochan, 2004). Empirical results show that unionisation is positively related to certain HR practices such as recruitment and selection (Koch & Hundley, 1997; Ng & Maki, 1994). Unionised firms tend to retain their employees longer than non-union firms (Freeman & Medoff, 1984). Julian, Bernadine and Peter (2006) investigated trade unions' responses to outsourcing in the Australian public sector and found that the rise of outsourcing could be attributed to economic and human resource management factors. Bernadine and Peter (2006) argue that outsourcing is a means of individualising the employment relationship and reducing trade union influence in an organisation.

The size of a firm is a key variable in organisational research (Hausdorf & Duncan, 2004). Many large firms are unionised which necessitates the need for the use of formal human capital resourcing practices than non-unionised organisations which in most cases are smaller in size. Thus, the size of the firm is an important factor influencing human resource management activities. There is empirical evidence for the impact of firm size on human resource management activities; such as staffing (Snell as cited in Hausdorf & Duncan, 2004). As noted by Kotey and Slade (2005), the use of formal recruitment sources and methods is dependent on firm-size.

Heneman and Judge (2006) assert that labour unions have direct and powerful impacts on staffing practices in the U.S. In Nigeria, Ojo (1998) posits that trade unions as interest groups in organisations have considerable influence on the staffing function. Huselid (1995) found that the degree of unionisation is positively related to productivity. Freeman and Medoff (1984) in their classic book "*What do unions do?*" found a positive union effect on productivity. Unionised firms tend to retain their employees longer than non-union firms (Freeman & Medoff, 1984). This is partly explained by the fact that unionised firms pay their employees higher wages and are involved in the welfare issues of their members. More so, the union is seen as representing employees' voice.

6. Conclusion and Recommendations

This paper set out to examine the influence of trade unions on human capital resourcing practices in the Nigerian Food, Beverage and Tobacco Industry. Some

writers view unions as pathological and a threat to the economic system, while others view unions as a benign influence, which means that unions are harmless and not inimical to organisational functioning. Trade unions as interest groups in organisations have considerable influence on human capital resourcing function. Empirical evidence shows that trade unions have substantial influence on human capital resourcing practices especially on hiring, promotion and in some cases of unfair dismissal. Trade unions' most obvious effect on human capital resourcing decisions is embodied in a collective bargaining agreement that stipulates hiring for certain jobs through the union.

Many large firms are unionised which necessitates the need for the use of formal human capital resourcing practices than non-unionised organisations which in most cases are smaller in size. Employees in unionised firms tend to have longer job tenure or job security than non-union firms. Moreover, applicants compare employment offers in union firms and non-union firms. Applicants' comparison of work conditions in a unionised versus non-unionised environment may influence their choices. This partly explains the fact that unionised firms pay their employees higher wages comparable to non-unionised organisations and are involved in the welfare issues of their members. From the foregoing, it is recommended that unions should be perceived as a benign influence as management will have greater success in achieving its objectives by working with trade unions. Management should encourage unionisation of workers and their participation in union affairs. Negotiable and non-negotiable issues should be clearly spelt out in collective agreements to forestall undue encroachment by both the management and the unions that may lead to conflict.

Management should change their hostile and adversarial posture towards trade unions as neither of the parties would benefit from a climate of hostility and constant confrontation as well as conflict.

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