

## Casualisation of Labour and Ineffectiveness of Nigeria Labour Laws: a Critical Appraisal

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### Abstract

Engagement of large retinue of the work force on the basis of casualisation has become worrisome in the industry. On daily basis these workers are recruited at the gate and fired at will. In spite of the fact that these workers continue to generate enormous profits for their principal, they remain classified as casuals and subjected to deplorable and inhumane working conditions. To management apologists, casualisation of labour has become a means of curtailing costs and sustaining jobs in the face of globalization. Obviously, casualisation of labour may have created a lee-way for many organizations to survive in the face of crippling economic downturn that has led to closure of shops. Nonetheless, the truism is not the fact that these categories of workers are working under spate of uncertainties; but the fact is casualisation reveals a brutal work intensification process akin to slave labour. The paper aims at exploring the nexus between ineffective Nigeria labour laws and the growing trend in use of casual workers. The Political economy and social action approaches are adopted as theoretical constructs in the paper. For the research methodology it adopts descriptive and historical analysis and use of secondary sources of data. The paper contends that ineffectiveness of Nigerian labour laws lay at the root of increasing use of peripheral workers by many organizations, and invariably explains the root of inhumane working conditions workers are subjected to in many organizations today. The obvious implication is as long as the labour laws continue to retain the concept of voluntarism or remained tailored towards neoliberal ideals, so will 'use and discard' strategies of management continue with attendant implication on overall well being of workers and by extension social development in Nigeria.

**Keywords:** Casualisation of labour, Casual Worker, Employer, Employee, Trade Union, Labour Law.

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### **Background to the Study**

There is avalanche of opinions by scholars and social analysts that the growing trend in massive engagement of casual workers in place of tenured workforce, by many firms has become a major strategy aimed at reducing overhead cost, as well as absolving self from its traditional responsibility to their workforce.

Although, there are no clear-cut explanations in terms of its origin, beside the fact that the term was first used by a government enquiry into the dock workers practices in Britain in the 1920s, where the use of casual labour was the norm for unskilled workers; however, studies in recent times have shown that this atypical work relation has come to embrace both the semi-skilled and highly skilled labour force (Encyclopedia of Marxism, 2014).

Despite the dearth of information, social analysts have placed the pervasiveness of casualisation on globalization. Atilola (2014) in her expose avers;

*The increasing wave of globalization and trade liberalization across the world continue to have impacts on employment relationship. The need to cut cost and remain competitive in the world market has thrown up new forms of work, with attendant effects on workers right.*

This global trend she contends has led to emergence of varying and diverse species of non-standard work arrangements, including casualisation of labour. Juxtaposing the nexus between the labour practices and globalization, Dayo Lawuyi, President National Employers Consultative Association (NECA) opines that casualisation become a means of managing increasing labour cost in the face of stifling competition (Duru, 2001a).

In order words, globalization unarguably is a major factor propelling this labour regime. This disposition owes its potency to perceivable political, economic and social changes that has resulted in a more open and liberal world economy; as distinct national economies are now intertwined in the global economy and consequently escalating level of competition among businesses operating in what has become an international market place.

To remain productively viable and competitive, organizations are forced to adopt various cost curtailing measures to minimise overhead cost. Obviously to this school of thought, experiences have shown that keeping a large retinue of permanently employed workforce during quieter period could be perilous in turbulent times as a slump in the economy could instigate massive closure of firms, colossal losses to owners and in jobs; a situation no country can ill afford.

On the other hand, a cursory look at this labour practice and prevailing working conditions associated with it may suggest, 'after all one is not coerced to accept the terms of engagement or the stipends agreed on'; but the issue is not about the stipends paid in form of wages, nor the fact that casualisation reveals a brutal work intensification akin to slave labour. The deplorable conditions under which these workers are subjected to in their workplace leaves much to be desired. More worrisome is the fact that like a malignant tumor, casualisation of workers is spreading its tentacles to all sectors of Nigerian economy. Workers have continued to pay the price; on daily basis they are recruited, their labour maximally utilized and fired at the discretion of owners with no identifiable and effective legal option available to redress it.

This paper will therefore explore the interwoven and inextricable web in relationship between continued use of casual workers and ineffectiveness of Nigeria's labour laws.

### Clarification of Terms

- i. **Casualisation of Labour** - Encyclopedia of Marxism (2001) defines it as a practice of replacing the employment of workers on continuing contract with hiring of workers on an hour basis with no job guarantee of continued employment or acceptance of any commitment to pay rates related to cost of living or conditions of employment which constitute a reasonable basis of life. Ramathan (2000) tracing the origin of this labour practice opines that the strict economic adjustment that was a catch-phrase in the early 1990s which implies loss of jobs, increase in unemployment and job insecurity. The later part of the 1990s saw a lot of concerted attempt at dismantling labour laws and social security to the work force. The opening of the economies through globalisation further provided opportunity for employers to demand denudation of labour rights.

In order words, the structural adjustments embarked by national governments led to a fundamental shift in corporate re-alignment. Employers in a bid to remain afloat in the unfolding global market competition resorted to corporate maneuvering to shed themselves of certain primary responsibilities to their workforce. The result is invariably job-cuts and casualisation.

- ii. **Casual Worker** – A casual worker is one employed on irregular contract with no promise continuity of work. Literally the term denotes workers who have no agreement in their relationship with the principal on terms of their engagement. In order words, there is no agreement or obligation on the part of the employer whatsoever as when his work will be regularized or to provide minimum or maximum hours of work or pay.

The implication of this is by status, a casual worker is more like a 'slave' to an employer who can use and discard him at will with or without advanced information. A casual worker by designation has neither job descriptive attribute, neither can he seek job advancement, nor enjoy fringe benefits associated with collective bargaining.

- iii. **Employer** - An employer is a person or firm or corporate body or government establishment or management. That is any reasonable person or entity, as one who engages the services of another for remuneration.
- iv. **Employee** - An employee is a person in the service of another under any contract of hire, expressed or implied or a person who performs work for another (employer) under a verbal or written understanding. He receives directive from the employer on work to be carried out.
- v. **Trade Union** - Trade Union refers to organisation made up of workers in the industry. Section 1 (i) of the Trade Union Act as amended defined it as any combination of workers or employer, whether temporary or permanent, the purpose of which to regulate the terms and conditions of employment of workers (Chukwuma, 2003).

- vi. **Labour Law** – this refers to the law that regulates employment in the work place. It encompasses industrial law which aptly may refer to the aspect of labour law that governs the place of industry. Labour law has to do with the work place and the individual players that constitute the work place. Labour law defines employment contracts and expectations of the employees. In other words, it is aggregate or system of rules, regulations and principles guiding employment or regulating the relationship between employer and employee.

### **Theoretical Framework**

The theoretical core of this work will revolve around the political economy and social action approaches which is premised on the fact that explicates the veracity of claims based on varied indicator variables? with regards to factors that has continued to propel and sustain casualisation of labour.

The political economy also known as the Marxist expose is premised on the explication of nature of relationship existing among the major players in industrial relation, most especially the relation to forces of production. According to this perspective, the exploitative character of capitalist system is subsumed in the two classical class structure it enthrones; namely, a class of buyers (owners of forces of production) and the subject class who owns only their labour which they must sell in the open market in return for wages.

To this paradigm, for capitalists to achieve its motive requires a highly motivated workforce. Since, motivation to work is based primarily on monetary rewards; those whose services are highly required were highly rewarded, while those considered unimportant mostly drawn from the army of unemployed receive lower wages. In other words the surpluses of the lowly paid workers were used to sustain the wages of the 'essential workers'. Through this deliberate dissection of workers into 'core' and 'periphery' workers were made to compete with each other as individuals and also as groups.

Considering the fact that jobs are hard to come by, these casuals were conditioned to think first, how to be in good books of their employers in order to sustain their jobs. On the part of the tenured workers the need to retain the status quo becomes an obsession, as it serves as means of accessing their income and expectations from employers. Kincard (1973) contends:

*Standards of pay and conditions of work at the bottom of the leap influence the pattern of wages Further up the scale (Haralambos and Holborn, 2013a)*

This orchestrated division of workers into the 'core' and 'peripheral' workers masked the exploitative nature of casualisation. Giddens (1973) in 'Dual Labour Market' (Haralambos and Holborn, 2013b) theory provides further insight on the capitalist mode of production by contending that contemporary capitalist societies have evolved a dual labour market, jobs for primary labour market and those of secondary labour market. To Giddens jobs in the primary labour market have high and stable or progressive levels of economic returns, security of employment and some chance of career mobility. While Jobs in secondary market on the other hand, have low rate of economic return, poor job security and low chance of career advancement.

To achieve this dichotomous labour market, according to Giddens entails deliberate planning. There was deliberate employment of 'reliable group of workers' who were placed in high key positions, compensated by high and secure rewards. Considering the attendant labour cost, the need to engage another category of workers in less important position with lower wages, less job security and who can be hired as the need arise and dispensed with at any point in time.

The emergence of the concept of globalisation 'a new world order' with promises of new lease of life were found to be mere economic rhetoric, as unfolding events later show that it is an economic gimmick aimed at hoodwinking the workers from the reality at hand. What have evolved on the contrary is a repressive labour market strategy that placed workers at the mercy of market forces. Workers became its first victim, the all important profit margin means that thousands of workers are retrenched everyday and replaced by casual workers with no benefits and no job security (Mashishi, 1996a).

Although political economy approach provides a background towards understanding the underlying factors behind the exploitative nature of casualisation of labour, the paradigm is faulted primarily on two areas. The demonization of capitalist system with emphasis on its exploitative tendencies, which did not reckon with current global economic realities that has led to closure of shops, and by implication loss of millions of jobs nor neither did it take into cognizance the subjective disposition of these workers to casual work or any form of work that offer them a vestige opportunity to sustain their family in the face of prevailing economic uncertainties.

The second assumption social action approach hinges is postulation on the subjective meaning attached to human action or what influences these actions. According to the perspective meanings to actions which the individual actor believes to exist and to which he may confirm in his final submission, must be understood within the context of the actor's perception. Silverman (1970) reviewing Weber's social Action Theory noted that through social interaction, people could modify and possibly transform social meanings, which those involved assigned to other actions, that is, the meaning people give to circumstances presented before them influences their action.

However, it was Silvia (2003) whose ideas brought casualisation within the purview of social action discuss. According to Silvia, casualisation structurally determines imperatives of managerial control, the dynamic and the imminent process of deskilling and expectations. This implies that study of social action presupposes that any study of relationship in industry between employers and casual employees, must take into cognisance the workplace setting, organizational structure and processes and the individual disposition, which invariably is reflected their overall disposition to work. In other words, acceptance of casual work does not necessarily lay in management hands but the readiness of the worker in accepting the terms of the contract presented before him or her This attitude centre on subjective meaning he attaches to the alternatives available in terms of remaining unemployed or taking a job that will sustain him or her for a while.

One noticeable fault with this assumption is it's over reliance of subjective inclination. The postulation failed to take into consideration that some of these workers are already pauperized and have no other option than to accept any job condition thrown their way. Secondly, casualisation represents different things to different workers and reasons for accepting the job

cannot be generalized. Studies have shown some people prefer casual jobs as it provides opportunity for them to do other thing they may wish to do. On the other hand, some of these casuals had no option either because they are unskilled or have no desire to develop themselves beyond the level they were.

Beside these short-comings of the assumptions the importance of these assumptions to the study is that it provided insight to factors that propel casualisation and the subjective meanings attached by the workers in accepting these jobs.

### **Origin of Casualisation of Labour in Nigeria**

According to Otobo (1988), from 1900 to 1939 there was a coalescence of ideas about the labour policies adopted by the colonial administration. The pacification of Northern Nigeria in 1906 created the first opportunities for the colonial government to formulate and implement its labour policies. The former situation where labour regime was uncoordinated based on 'voluntarism' (voluntarism implies given free rein to the natives to choose whether to work for the government or not), gave way for a more proactive and coordinated labour policy. The new labour dispensation coincided with the coming of Lugard as the colonial governor of Nigeria. Lugard in order to ensure effective utilization of the indigent labour force, introduced forced labour, which then was meant to induce interest of the natives in wage labour which became necessary in order to facilitate the laying of rail tracks across various parts of Nigeria, following the opening of Jos and Enugu tin and Coal mines in 1912 and 1915 respectively which require a large indigent work force.

The outbreak of World War 1 in 1914, changed the prevailing colonial labour policy at the time. Faced with enormous cost in prosecuting the war, the use of forced labour became exigent. This was predicated on the need to have a labour force that could be readily deployed at short notice and one which could be converted to a reserve army to serve the colonial army in the prosecution of the war.

The end of the war and demobilization of the native army that followed created an unanticipated labour problems. First, there was need to resettle the demobilised colonial native military personnel, and check the burgeoning labour that is becoming too expensive to maintain. Faced with the labour dilemma, the colonial government abandoned forced labour policy and introduced a new labour regime based on piece-meal payment system, which entails placing majority of the workers on part-time contract. Thus, some of the workers were engaged to perform sundry work and at the end of the day are paid stipends calculated either hourly or daily. According to Ubeku (1984) the government resorted to the use of daily paid workers, particularly in the technical departments'. Perhaps this explains why most of labour unrest at the time came from artisans and labourers in the construction, building and engineering departments. The most celebrated case was that of staff of public works department (PWD) who complained of having their salaries unceremoniously slashed overnight by the colonial Governor, Sir Mccallum, who argued that the existing wages was still too high (Ubeku: 1984).

The introduction of this piece-meal payment structure marked the beginning of casualisation of labour practices in Nigeria. Today decades after independence, this stultification of workers has intensified in varying degrees as casualisation has continued to mutate in various forms and nomenclature across all sectors of the economy.

### **Impacts of casualisation of labour**

The impact of casualisation of labour is experienced in varying degrees by casual workers, the labour union, employers and national economy respectively.

#### **Casual workers**

Luwoye (2001) expounding on the effects of this atypical work arrangement on casual workers opines;

*The effect of casualisation on workers can better be imagined than explained. The effect is many and varied, ranging from insecurity of employment due to fixed term contract, poor quality output, dissatisfaction and frustration due to Job security, stress related illness, wasting time at job hunting, cyclical misery of search for new contract.... (PENGASSAN: 2002).*

This assertion shows that a casual worker lack opportunity to enjoy workplace fringe benefits, and yet on daily basis they are faced with workplace health hazards that often result in incapacitation or avoidable deaths. Cheeka (2000), describing the living conditions of casuals contends, "there is nothing inevitable about the rise of diseases in such paces where these workers live", Tony, a security worker in one of the oil-servicing firms in Port Harcourt describes vividly the sense of depravity, misery and hopelessness of the living condition of casuals workers;

*In most of these houses, a tall person cannot stand upright, the ceiling are so low. The walls are cracked with crevices with the plasters peeling off. When it rains the roof let in water. It is not uncommon to find a family often in one tiny cubicle called a room (Anumide: 2003).*

A recent report indicates that about 50 million Nigerians live in one room apartments. And another significant number do not even have a roof above their heads. This explains the growing colony of under bridge residents and presents a chilling disclosure to the causes of rising and sporadic spread of diseases in such thickly populated environments, manifestation of vices like incest and other forms of sexually deviance... (Daily Sun Editorial: 2004).

Hyman (1984) gave a clearer picture of how these demeaning of labour is being carried out. In what he called "coercive pacification" of the work force, changes were made in trade union law and increasingly rate of unemployed weakened the bargaining power of workers so that they had little choice but to cooperate with management to accept their demands if they can be replaced easily and have little chances of finding a new job if sacked (Haralambos and Horborn: 2004).

#### **Labour Union**

Okoisor (2007) contends, 'one of the most enduring trends of the 21<sup>st</sup> century is that the whole world has become interdependent, as changes in circumstances elsewhere have continued to dictate the pace of local events'. The labour force was not insulated from this development, many firms had majority of their workforce casualised to remain competitive in the global market. The consequences of these changes have left workers and the trade union impotent in the face of anti-labour practices.

Onyeonuru (2003), states, “this is a global trend targeted at the workers union; as the trade union now faces almost total elimination as a significant social institution”. The weakness of the trade union, stem from a gradual decline in union membership, union density, union fund and union influence as a result of casualisation.

### **Economy**

According to Yaqub (2003) “casualisation do not contribute to the economy because what they earn was not taxed, it is not subjected to any form of tax, and so they do not contribute to economic development of the country” (Enoghase: 2007. Furthermore, Casualisation creates cyclical poverty and disruption of family life. Most youths finding themselves in and other of regular jobs resort to social vices that could expose them to mortal threatening diseases like HIV/AIDS. Apart from this some of the affected unable to find means of livelihood withdraw their wards from school who is then unleashed in our streets as hawkers, which exposes these children to other avoidable social problems.

### **Casualisation and Labour Laws**

Casualisation of labour practices has continued in spite of various international labour conventions, Labour Acts and statutes. The declaration of Philadelphia one of the founding documents of International Labour Organisation (ILO) adopted in 1944 states:

Labour is not a commodity and the freedom of expression and association are essential to sustained progress. All human beings have right to pursue both material well being and spiritual development in conditions of freedom and dignity of economic security.... (Garvin, 1980)

Similar declaration was made in the treaty of Versailles France. Part 13 (the preamble) of the provision which serves as the basis for the formation of the International Labour Organisation (ILO) states;

*Universal peace can only be established on the basis of social justice, whereas conditions of labour exists involving such injustice, hardship and privation to large number of people as to produce unrest, so great that peace and harmony the world are imperiled. An improvement on those conditions is urgently required, for example by regulation of hours of work, including establishment of maximum working days and weeks...provision of adequate living wages, protection of children, persons and women when employed (Garvin, 1980).*

These declarations were meant to set precedence in labour standard particularly, employment conditions or what constitute an acceptable standard in the workplace. However, whether these set of ideals have been achieved remained a subject of discussion.

George Barnes, a trade unionist and one of those who led the British delegation to the inaugural conference in Switzerland, where the charter establishing the International Labour Organisation (ILO) was signed posits;

*The Barnes conference had but little practical result. Governments merely “pig holed’ the reports of their delegates as a matter of academic interest. Government had seldom done anything in the way of social or industries progress except as a result of persistent and consistent pressure. (Garvin, 1980)*

Garvin (1980) further argued;

*One of the noticeable shortfalls of the Philadelphia declaration is that it was not binding on countries, but rather on voluntary compliance, with the national governments playing varying roles of arbitration, which is often tilted in favour of employers than the workers.*

The consequences of this, is that employers in order to circumvent and subvert the terms of the conventions have evolved one labour curtailing measure or the other. There is no doubt that the objective of the convention is to check abuse of the right of workers to organise and protect their interest in dealing with employers. But the problem with these conventions is that they lack the necessary legal instrument to enforce compliance. Secondly, these conventions did not make a distinction in terms of those in regular jobs and those in temporary employment. For instance, s 1 (i) of Trade Union Act 1990 defines the Trade Union as;

*Any combination of workers or employees, whether temporary or permanent, The purpose of which to regulate the terms and conditions of employment of, whether the combination in question would or would not, apart from This, be an unlawful combination of means of any of its purpose being in of trade, and whether its purposes do or do not include the provision of benefits for its members. (Chukwuma, 2003b)*

From this provision two issues can be deduced (1) the Trade Union must originate from a combination of workers or employers and (2) its purpose must concern the regulation of terms and conditions of employment of workers. In a similar vein, s.55 of the Trade Union Act for provides further clarification of who a worker is;

*A worker is any employee, that is to say any member of the public service the Federation or a State or any individual (other than a member of any such public services) who has entered into or works under a contract with an employer, whether the contract is for manual labour, clerical work or otherwise, expressed or implied, oral or in writing, and whether it is a contract personally to execute any work or labour or a contract of apprenticeship. (Chukwuma, 2003b)*

Unmistakably, this definition is ambiguous as it did not reckon some underlying factors sustaining the practice. Casualisation do not entail any form of contract between the casuals and principal, as experiences have shown that some of these casuals are not directly engaged by employers but by labour vendors and contractors. The implication is, they are completely insulated from the employers, and cannot claim any form of contract.

### **Ineffectiveness of Nigeria Labour Laws**

From the above stated view on the labour Act and international conventions, a worker is one who enters into a contract of service or contract for service. Chukwuma (2003) explaining what constitutes contract argued, that no contract can come into existence until meeting of the minds of the contracting parties. Such meeting of the minds is manifested by an offer made by the other party (offeree). An offer is that definite undertaking made by one party indicating his willingness to enter into binding agreement with other party on certain specified terms.

Explaining further on what constitute a contract, Emiola (1982) opines;

*A contract is a promise or set of promise which the law will enforce. The essential elements of a valid contract are 'Promise', 'Agreement' 'Bargaining'. A 'promise' is an undertaking That something shall or not happen in future.*

This implies that, a contract consists in offer and acceptance, which must be definite and made directly by the “offeror” to the “offeree” or to his accredited agent. However, in respect to casualisation, rather than contract of employment which spells out the conditions of service including the wages, working hours, holiday rights, security of work and processes of terminating employment contract, what exists is contract of service without job guarantee.

Perhaps the problem with these conventions and the Labour Act is the inability to foresee the problems in future or they were deliberately foisted to hoodwink the labour unions. Ibekwe (2016) argued that a review of the existing laws in Nigeria reveals the vulnerability of the casual worker, whose existence is neither contemplated nor regulated by law.

Luwoye (2002), former President Petroleum and Natural Gas Senior Staff Association (PENGASSAN), opines, 'the conventions never contemplated any division of class of workers'. The result of this oversight is that employers have continued to side-track the Provisions of the convention by resorting to the use of labour contractors to source for workers.

Cases exist where employers claim they do not employ casuals but contract staff, but evidence have shown that contrary to this claim, those referred to as contract staff are workers recruited by labour employment agencies whose operations contravene section 23 – 27 part 2 cap 198 of the labour Act, which not only requires a recruiting agency to obtain formal letter from the company commissioning him to recruit for them, but also a written permit/license from the Minister of Labour and Productivity; even where such approval is given, there are also rules that must be followed. Section 7 sub-sections 1, categorically states that not later than three months after the beginning of a worker's period of employment, a written statement specifying the following shall be given by the employer to the worker with an employer give to the worker;

1. The name and address of the worker and place and date of his engagement
2. The nature of the employment
3. If the contract is for a fixed term, date when the contract expires
4. The appropriate period of notice to be given by the party wishing to terminate the contract
5. The rates of wages and method of calculation thereof and the manner and periodicity of payment of wages
6. Any other terms and conditions relating to
  - a. Hours of work
  - b. Holiday rights
  - c. Incapacity for work due to sickness or injury including any provision for sick pay and any special conditions for the contract

The sub-section 2A – 13 of Section 7 of the Act also states;

*Should there be any alteration to any part of these statements the employer is required to inform the worker in writing*

Sardonically, this section of the labour Act has been totally ignored by employers as workers have continued to be engaged for long periods of time without confirmation. Morris (2001) explaining the situation further drew attention to the current trend in the practice where;

*A large number of workers engaged on the on-seat as casuals over the years have their period of casualising extended, and thus became more of 'long-term casuals, who ironically are mis-properly viewed as full-time employees. What happens in this case is that this group of workers with time is gradually and systematically conditioned for long period of employment, sometimes under the same pattern for years. Such employees often have the same job continuity as their regularized counterpart. Yet are without the job entitlements such as sick leave, holiday leave.... Neither do they receive retirement benefits.*

Although, the reasons for this section in the labour statutes is to protect the rights of workers to join trade unions, it cannot be said that the quandary of the unions in the face of casualisation of labour has lessened, on daily basis workers without job rights are recruited by employers.

It is Ironic that in spite of the key issues that formed the core of the International Labour Organisation (ILO)'s declaration of 1998, namely freedom of association and effective recognition of the right to collective bargaining, the elimination of all forms of forced labour and compulsory labour, the effective abolition and discrimination in respect of employment and occupation (Onoshevwe: 2003) and International Labour Organisation (ILO) Conventions 87, 98, 100, 111 and 133, which states freedom of association and protection of the right to organise; right to organise and collective bargaining; right to equal pay for work of equal value; which was ratified by the Nigerian government, till date nothing much has been achieved in addressing some of these problems faced by labour. According to NLC;

Employers have resorted to all kinds of maneuvers to get around the laws. They call workers casuals and that justified their using them for as long as they like and throwing them away like tissue paper. Workers are denied the full privilege as a result of emasculation from union activities-good living wage, annual increments, housing allowance, transport allowance, meal subsidy, annual leave and allowance, service continuity, pension, long service award, medical facilities for self and family, sick leave benefits..... (NLC: 2000).

Evidently, there is observed silence by both the Labour Acts of 1990 and the 2010 Amended on the issue of casualisation. It is the silence of the Labour Act perhaps may have led to its pervasiveness as this fundamental loophole are taken advantage of by employers to hire and fire workers at will.

### **Conclusion**

The effect of casualisation on workers is better imagined than explained. It is many and varied, ranging from insecurity of employment, poor working condition, cyclical unemployment, dislocation of family life, poor living condition, dissatisfaction and frustration, stress related illness, and wasting time at job hunting. In order words casualisation of employment has denied workers access to not only fringe benefits associated with work but as well as the joy of work. Ironically, despite the fact that these workers continue to toil on daily basis to make wealth for the owners, their efforts has always been undervalued.

Although this category of workers face life threatening work situations and even death, any complain about ill treatment is followed with a sack threat. And to rob it in, 'casuals' are reminded that there are other people waiting to take on their job at anytime. There is no doubt

that casualisation has provided temporary job relieve for a large army of unemployed, who under present economic situation would not have secured a job, however, it does not justify the prevailing working conditions associated to casualisation which is akin to slave labour. To this end, there is need for flexibility in employment conditions of these workers to ameliorate their deplorable working conditions.

### **Recommendations**

From the foregoing, it is evidence that the various conventions and Labour Acts has played little or no role towards the elimination of casualisation. The falsity of these laws seem to be aimed specifically at diverting attention to the problem faced by casual workers. To this end there is need for a new approach to the problem of casualisation by all stake holders.

First, it is important government come to terms with the realities of casualisation. The continued retention of workers on casual status has become a strategy by organization to avoid statutory taxes running into billions of Naira. secondly, the continued retention of large segment of untenured workers denies the country opportunity to maximize her human resource materials as these workers are thrown in and out of job with reckless abandon thus compounding the unemployment problem of the country.

There is need to compel employers through the Labour Ministry to implement to the later the provisions of the labour Act by monitoring the activities of these companies and their labour vendors. There is also need for regular revision of the country's labour laws to make them more proactive in the face of emerging changes in the world of work. There is need for organized labour to be in the vanguard of this struggle for creation of condusive working environment for all categories of workers. The use of strike and picketing of organizations found culpable should be intensified by the labour unions. Besides the use of picketing, labour should evolve a mechanism of ensuring all workers are incorporated into the union at company levels, which will provide the union the leverage to tackle this labour menace.

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