

**THE NEW TRENDS IN GOVERNMENT- LABOUR RELATIONS IN THE  
DOWNSTREAM OF THE OIL AND GAS INDUSTRY IN NIGERIAN FOURTH  
REPUBLIC**

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**ABSTRACT:** *Government -Labour relations particularly in the downstream of the oil and gas industry in Nigeria has not been short of conflicts. In the time past, the conflicts were largely between employers and employees. However, since the Fourth Republic a new trend has emerged that involves state governments and labour union in the industry. It must be said that the conflicts were a product of the reaction of the union against social, economic and political policies of the government. This new trend is best demonstrated in Lagos state, where the attempt by the state government to manage traffic led to clashes of interest between the state government and member of the National Union of Petroleum and Natural Gas Workers (NUPENG). The work examines the nature of conflict between Lagos state government and National of Union of Petroleum and Natural Gas Workers. The work discussed the nature of the conflict, elaborated on the institutional process for industrial conflict resolution, explored how the conflict was managed, examined the role of bad governance in the conflict, discussed the impact and implication of the conflict and offers suggestion on how to improve conflict management in this particular case and in general. The work interviewed relevant authorities and individuals in the conflict: the officials of the Lagos state ministry of transport and its agency- the Lagos state transport management authority (LASTMA) and their counter part in NUPENG. Publications such as a newspapers, journals and books were also consulted. The collected data from the respondents and publications were analysed descriptively. The work argues that bad governance is the root of the conflict as successive government abandoned the infrastructural need of the nation in the sector which culminated in the dependency on imported refined crude oil products. This created it own problem of managing traffic as the major importation outlet is in Lagos and there is lack of parking lots to accommodate the inflows of unprecedented tanker vehicles. The work further argues that, the attitude of members of NUPENG also contributed to the conflict. Also, lack of communication which brews mistrust, lack of confidence and end up in conflict played a part*

**KEYWORDS:** Trends in Government, Labour Relations, Oil and Gas Industry, Nigeria

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## **INTRODUCTION**

### **The Socio - Political Environment of Nigeria**

Nigeria is the most populous black nation in the world. Indeed, one in every four blacks is a Nigerian. The country is located in latitude 40N and 140N and longitude 20E and 150E. She is divided into two vast unequal regions by a rough letter Y derived from the confluences of

River Niger and its important tributary, River Benue that flows into a network of rivers that enter the Atlantic Ocean (Nnabugwu and Ekop, 2002; Ugbudian, 2008)

The country is inhabited by numerous ethnic groups, namely, Edo, Yoruba, Hausa, Ijaw, Igbo, Idoma, Efik and among others. These groups are over two hundred and fifty (250) in number. They are also distinct in culture, however, they share some similarities as a result of inter group relations (Balogun, 1973; Ikime, 1980). The major landmark that led to the emergence of the country was the amalgamation of the southern and northern protectorates in 1914 by the British colonial government led by Lord Frederick Lugard, which was a fulfilment of the British colonial deigns that began in 1861 with the annexation of Lagos. In the following years, there were series of constitutional development that culminated in Nigerian independence in 1960 (Crowder, 1976; Ezera, 1960, Osaghae, 1998, Ugbudian, 2008).

In the larger part of her independence, Nigeria has been governed by the military; from 1966 when the first military rule occurred to 1999 when democratic governance returned. It must be said that within these periods there was intermitted democratic governance such as from 1979 to 1983 and 1991 to 1993. Each period that democratic governance existed in the country is known as Republic. Thus the present democratic government is the fourth, hence, the Fourth Republic.

Nonetheless, oil and gas was discovered in commercial quantity in 1956 at a sleepy town named Oloibiri, in present day Bayelsa state in the Niger Delta region of the country. Following this discovering, the process for the exploration and production of the products for domestic consumption and export were put in place. This include the construction of oil and gas platforms for the upstream, while refineries, depots and pipelines were put in for the downstream to convey the products to the consumers. It is instructive to state that the nation is the sixth largest producer and exporter of crude oil in the world (Eteng, 1997; Ugwuanyi, 2011, Odoemene, 2011)

### **Background of Trade Union in Nigeria**

The evolution of trade union in Nigeria can be tied to four major factors, namely: the character of the colonial government under the leadership of Colonel Frederick Lugard, which was more or less a military government. The government drew its support from the Western African Frontier Force (WAFF) which was under the command of Lugard. In other words, the colonial government under the leadership of Lugard embarked on unfriendly and inhuman labour policies and practices that was imposed and sustained by the force of arm.

The second was the application of draconian laws during wars of conquest by the colonial agents to extract and secure the conformity and support of interest groups. It was a period when Nigeria's kingdoms and empires were conquered militarily, leading to their sack. For instance, the Hausa-Fulani emirate was conquered in 1906, followed by a declaration that it constituted northern Nigeria. Also, the 1906 amalgamation of southern protectorate and Lagos colony to create southern protectorate thus prepared the ground for the amalgamation of southern and northern protectorates in 1914 (Crowder, M, 1966; Ikime, 1980).

The third was the emerged political order sustained by the might and force of the British rulers and the lack of the consent and support of the people. However, organized interest

groups- trade unions- were inaugurated with the purpose of liberating their society and destabilizing the colonial government.

The last factor was the demonstration by the colonial government that it was governing in the interest of the British crown and not in the interest of the colonized people. In other words, welfare schemes and special legislation that would have bettered the lives of the colonized people were of little interest to the colonial government. Consequently, workers and their organizations complemented by the nationalist politicians had to fight the imperial power for a voice in the scheme of things. These chiefly contributed to the emergence of trade unions in Nigeria. For instance, the railway worker union was formed in 1899. The activities of the labour unions no doubt made the colonial government to formally pass legislation in 1938 aimed at meeting some of their demands - increased wages and the opening of the political space.

### **Background of Study**

New trends in the relations in the downstream of the oil and gas sector is best demonstrated in the clashes and conflicts between government institutions and trade union, namely: the National Union of petroleum and Natural Gas Workers (NUPENG). It is important to note that clashes and conflicts between governmental institutions and members of the NUPENG have become frequent in recent times. In other words, there is an unprecedented rise in the occurrence of conflicts between state governments in the federation and members of petroleum unions leading to its attendant economic woes and hardship. For instance, in the last three years, there have been cases in Edo, Oyo, Lagos and Ondo, to mention a few. In time past, conflicts between state governments and members of petroleum union were very rare. But largely due to the dislocation in the local capacity to produce refined crude oil for domestic consumption since 1991 has culminated in dependence on importation. Overtime, the dependence on imported refined petroleum products has led to multifarious consequences such as traffic related problems.

This is as a result of fallout in the centralization of importation outlet in Lagos- Atlas Cove. The Atlas Cove is the single major platform for the importation of refined petroleum products and this has made almost all the tanker drivers to come over to Lagos in order to convey the products to their respective stations. Consequently, this created its own problems as the marketers – major and independent- acquired more tanker vehicles to convey the products. Therefore, the issue of traffic management became a talking point. It is instructive to note that for over four decades, transportation management has been a major challenge in Lagos state. Traffic congestion occasioned by an unprecedented flow of tanker vehicles, which sometimes are over eight thousand (8000), coupled with lack of parking lots, have being the root of the conflict.

Although most of the clashes occur in some other states of the federation, this work focuses on the conflict in Lagos, which is a microcosm of Nigeria. This becomes imperative as the lack of local capacity to refine petroleum products; the deplorable state of pipelines as a result of vandalism and neglect; lack of maintenance of existing refineries and non-construction of new ones; the inadequate parking lots and other sundry issues that ended in the wanton destruction of lives and properties particularly in Lagos state. In addition, the consequential issues of extortion and harassment of union members by governmental

agencies namely: Lagos State Traffic Management Authority (LASTMA) is also a source of the conflict.

The central argument of this work is that the nature of political leadership in the country is related to the conflict. For instance, the lack of good governance as a result of poor leadership has been the leading cause of corruption and its negative consequences..

In addition, the awareness of the strategic role of NUPENG in the nation's economy shapes and determines the character and nature of the union. This has created a sense of arrogance and lawlessness in the mind of the members. This posture by the organization leadership and its members largely determine their conduct and behaviour

Lastly, the work argues that lack of communication between government and its agencies on one hand, and the union members on the other hand have also played a role in the conflict. It must be said that communication is a powerful instrument, thus when there is a gap it creates lack of trust, anxiety and tension which culminate in conflict.

## **CONCEPTUAL CLARIFICATION**

### **Industrial Conflict**

Industrial conflict is a product and consequence of incompatible difference between two or more parties - trade unions and government -regarding issues that affect them in carrying out their work or services. In other words, industrial conflict deals with disputes and disagreement that stem out of differences among parties that operate in the industrial sector, which sometimes culminate in the cessation of work or lock out. Industrial conflict is a common occurrence in the work place as it creates opportunity for a holistic or re-appraisal of the objects or sources of conflict. Thus, it can be beneficial to the sector if well-handled, otherwise, it can assume a negative dimension (Onyeonoru and Adesina, 2009; Ugbudian, 2011).

This no doubt makes the involvement of experts and scholars in both sides of the divide important as it would help in creating a balance and make it healthy as well as constructive rather than been destructive. Fajana (1999) sees industrial conflict as total range of behaviours and attitudes that expresses opposition and divergent orientations between individuals' owners and managers on one hand, and working people and their organization on the other hand. He added that industrial conflict is the exchange of relationships between two major actors, employers and employees, as well as the state in which inability of these parties (either between groups) to reach agreement on any issue related to the object of employers-employees interactions, whether or not this inability results in strikes or lockouts or other forms of protestations. He categorized the sources of conflict in the industrial sector into two namely: internal and external. The internal sources deal with conflict orientations within work setting which focus fundamentally on the opposed nature of the interests of the employers and employees. It involves both grievances and collective grievances of the employees. The external sources have to do with industrial and economic policies of government, national economic management, distribution of wealth and power in the society, the nature of labour legislation and the behavioural orientations and patterns of the economic and political classes. He however, emphasizes that external sources of industrial conflict may

not directly lead to conflict although; they do sometimes influence the psyche of the workers which often ends up in industrial unrest.

Onwuchekwa (1995) explains industrial relations as the regulation of employment relations in any employment situation by the employer management or their organizations. While in the same process the workers organizations and third party; private and or government acting as a mediator or controller. Thus the purpose of which is joint decision making for establishment job rules and for cooperation of manpower resources for the attainment of the organizational objectives of the enterprise, and the trade union and of course the state. The main assumption is that industrial relations are a whole web of interactions among various parties involve in labour related issues. In the same vein, it is conceived as a process that is always active and engaging which the actors are the employers, employees as well as governmental institutions that acts as mediator.

It must be said that most of the views above dwells much on the employees and employers relation as wells as the factors that could precipitate industrial dispute. However, most of the works did not examine government and labour relations, particularly in the downstream of the petroleum and gas sector in Nigeria. It is this gap that this work intends to fill.

### **Trade Union**

Ugbogu (2000) notes that Trade Unions are pressure groups created mainly for economic interest of its members. The Trade Union Decree No 31 of 1976, laws of the federation 1990 and the Nigerian 1999 constitution; as amended, defines a trade union as any combination of workers or employees whether temporary or permanent. Furthermore, it states that the purpose of law is to regulate the term and condition of employment of workers whether the combination in question would not a part from this decree, be an unlawful combination by reason of any of its proposes being in restraint of trade and whether its purposes do or do not include the provision of benefit for it.

Okafor and Bode-Okunade (2006) however submit that trade unions have five objectives, namely: 1. To work towards securing a maximum degree of job security pursuance to workers enjoyment of terms and conditions of service. 2. To work towards ensuring improved terms and conditions of employment for its members. 3. To work towards improving the bargaining power of its members through collective support vis-à-vis the employers. 4. Seek to improve the level and status of its members as they remain in the organization. 5. Seek to increase democratic practice in issues and decisions affecting its members in their organizations.

Onyeonoru and Adesina (2009) submit that the roles trade union over the years has changed and keep changing based on certain existing conditions in the country. In other words, the character of the state among others determined power relations between the union and the government. As regard Nigeria, they argued that the Nigerian labour community has since colonial era actively engaged in protecting and defending the rights and interests of the working class. Generally, the Nigerian labour movement has also been involved and still involve in protecting the rights of the larger Nigerian citizens. Thus, Nigerian labour union has become the strongest voice against oppressive and uncontrolled exploitation and injustice tendencies of the state over the people.

Admittedly, the various submissions in spite of their shortcomings, conceive trade union as an organised group that shares common goals, objectives and functions largely as workers that pursue good working environment including welfare. This article is an endeavour that beams searchlight on the ever rising cases of trade union flexing muscles with the government over socio-economic and political policies specifically in democratic Nigeria since 1999.

### **Framework of Analysis**

The analytical frameworks that are adopted for this article are Relative Deprivation and Group. Relative Deprivation developed by William Runciman cited in Eminue (2008:12) explains that the existence of deprivation within a population or group of people often leads to conflict. The conflict is manifested when the people vent their frustration against those their hold responsible for their plight. In the same vein, group theory assumes that people organised to promote and protect their interests. Therefore, when attempts are made to undermined or encroach the attainment of the members' interests, the group becomes handed in collectively protect them usually leading to conflict.

In the context of government and labour relations in the downstream of the oil and gas sector in Nigeria, a proper understanding and application of this framework would lead the analyst to these conclusions. There is deprivation of the union of the basic needs such as facilities; parking lots for their vehicles in carrying out their functions. Also the arrest of their vehicles by different state and federal government officials for offending traffic rules coupled with the fact that the situation of thing is a product of the failure of successive governments to be alive to its responsibilities. The combination of the foregoing is analytically fecund to capture, if not explain, the complex contradictions that shape and define government and labour relations in the country. It fundamentally focus on the attainment of human basic needs and expectation which lack precipitates conflict between groups (trade union) and those perceived to be responsible (government).

The theory suggests that frustration and aggression is largely a consequence of deprivation and denial that usually result in conflict. The perceive deprivation of its members (NUPENG) of basic facilities for the attainment of their expectation resulted in parking vehicles along major highways which makes government officials to arrest them culminated in industrial actions.

### **ACTORS AND INTEREST IN THE CONFLICTS**

There were two major actors in the dispute, namely: Lagos state government agency- Lagos State Traffic Management Authority (LASTMA) and the National Union of Petroleum and Natural Gas Workers (NUPENG). While the federal government agency, Nigerian National Petroleum Corporation (NNPC) played the role of intervener.

Lagos state is one of the thirty six states in Nigeria. It is located in the South -Western part of the country. The state government in an attempt to manage traffic challenges established Lagos State Management Authority (LASTMA) in 2004. The law establishing the agency charged it with the following responsibilities: regulating and controlling traffic within the state. Educating road users particularly drivers, arrest offenders and imposed fines. Although

in recent judgment by a Federal High Court in Lagos state on a suit challenging the legality of fine imposition by LASTMA declared that the agency lacked the capacity and power to imposed fines as that function is reserved for the judicial arm of government.

The National Union of Petroleum and Natural Gas Workers (NUPENG) were established on November 2, 1977 in Benin City, Southern Nigeria following the labour reforms of the military regime of General Olusegun Obasanjo (Onyeonoru and Adesina, 2009). The labour reform policy promoted the reorganization and restructuring of trade unions in the country. NUPENG became the umbrella body for over one hundred and twenty associations including the Petroleum Taker Drivers' Union (PTDU), formed at the delegates meeting in Enugu, South -Eastern Nigeria, on the 10th of October, 1983 (Aiyede, 1995). The PTDU arm of NUPENG is regarded as the most radical on labour matters among associations that constitute it. It is pertinent to state that the major function of NUPENG members especially the tanker drivers' is in the haulage business; transportation and delivering of petroleum and gas products from the depots to the filling stations as well as business concerns in the country. Its membership strength is over ten thousand and under the leadership of executive council.

At this juncture, the paper takes a look at the objectives of the Union.

- a. To improve and protect the terms and conditions of service of members;
- b. The enforcement and repudiating of draconian policies and actions against members;
- c. To render social and welfare services to members and;
- d. To educate and enlighten members through seminars and workshops.

The federal government of Nigeria shares coordinates powers with the component units of the country; the thirty six states, the federal capital territory (Abuja) and the 774 local governments. The federal government has exclusive power over the control of the critical aspects of the country such as defence, energy, oil and gas, among other aspects. The Nigerian National Petroleum Corporation (NNPC) is the federal government body charged with the responsibilities of regulating, maintenance of facilities, producing, marketing, refining, supplying and distributing of petroleum and gas in the country. The corporation was created by decree 77 of 1978 and empowered it to construct refineries, pipelines, depots and relevant infrastructure in the petroleum and gas sector. Therefore, the corporation owns and controls the nation's four refineries with capacity of 445,000 b/d; regulates importation of refine petroleum and gas products; control the depots, pipelines, tank farms and associated facilities. In the light of the foregoing the NNPC is the regulating agencies for production, marketing, distribution and supply of petroleum and gas product as well as the provision and maintenance of facilities in the sector.

The industrial dispute between the Lagos state government and members of NUPENG arise over the implementation of the socio –economic and political policy of the state, namely, management and control of traffic. While the state government through it traffic regulatory agency consistently promoted the policy of ensuring free flow of traffic in the state in its quest of being a mega city and the NUPENG members refusal to comply with the traffic rules as seen in the frequently contravening by parking along service lanes and bridges in major part of the state; such as Toyota bus stop in Aswani, Orile, Bariga, Apapa, and so on. On the

other hand, NUPENG argues that the failure on the part of government (federal and state) to provide facilities-depots, pipelines, functional refineries, tank farms (parking lots) in the sector is responsible for their parking along roads and bridges. They went further to state that low refining capacity of the four refineries led to importation of refined petroleum and gas products coupled with the location of the only importation outlet- Atlas cove. Thus the over ten thousand member vehicles have moved down to Lagos for the loading of the products for distribution to their various states. Consequently, due to lack of parking lots the members have to park on available spaces including roads.

Therefore, based on the foregoing, the 17<sup>th</sup> of April 2009 dispute led to the arrest of NUPENG members' vehicles and the declaration of strike by the union. The NNPC as the regulatory agency for the industry was mandated by the federal government to intervene and resolve the dispute. It must be said that the federal government led by President Musa Yar Adua has pledged during his electioneering campaigns that he would ensure availability of petroleum and gas products in the country. The dispute was seen as a factor that would disrupt the availability of the products thereby negating the pledges of the President and dislocating socio-economic concerns in the country. Thus NNPC intervened and played a very interesting and unusual role in the attempt to resolve the dispute.

### **The Origin of the Conflict**

On the 17<sup>th</sup> of April, 2009 the seeming cordial industrial relations between the government in Lagos state and The National Union of Petroleum and Natural Gas Workers – NUPENG- was broken following the arrest of some of the members of the union and about twenty seven tankers belonging to the union on issues bordering on traffic regulation. Consequently, the union declared a wildcat strike that resulted in untold hardship on the people and distortion of commercial and industrial production following the scarcity of petroleum and gas products. The ensuing dispute which lasted several days was somewhat the union response to the social economic and political policies of the government. It is instructive to note that the circumstances that led to the dispute can be traced to previous encounters that created tense and lack of confidence between the parties. For instance, in 2006 the unions were forced to pay a fine worth over N5m (five million Naira) about \$50,000.00 for parking on the Iganmu and Apapa overhead bridges. The impulse of the foregoing is that there was a bottle up anger particularly by the union against what they perceived as exploitative and extortionist moves of the government on its members. Thus General Secretary of petrol tanker drivers' (PTD) Lagos State chapter, Comrade Tayo Aboyeji said "today, it is either we are harassed for parking on top of the bridge, at another time, it would be that a tanker does not have a side mirror. These offences attract between N80, 000 and N200, 000 (\$800 – \$2000) fines. The harassment and financial loss to LASTMA have become intolerable. This view was also supported by the Chairman of PTD Lagos chapter Comrade Shittu. He said:

... "It was not the first time such ugly situation would happen. The situation whereby LASTMA is broke, it would be looking for a lucrative business like the issue of tankers which would be able to pay such ransom. The Association of Tankers Drivers are sad. On that occasion, a team of LASTMA officials and some mobile policemen attached to them invaded our parking areas in Aswani, Toyota Area of Lagos; they arrested four tanker drivers initially and confiscated



twenty seven tankers”

(Hassan T, 2009; Agbamu C ., 2009, Ugbudian. 2011)

On the part of the government, they said the union was deliberately flouting traffic rules without regards for the lives and property of other road users. The commissioner for transportation Lagos state Professor Bamidele Badejo claims “they flout the states’ traffic rules with impunity without considering other road users. When we arrest them, they threaten to embark on strike, how long are we going to continue this way? We are tired of this blackmail by the tanker drivers”. A more elaborate explanation as to the cause of the dispute was given by the Special Adviser to the Governor on Transportation, Mr. Kayode Opeifa who seems to enjoy some level of good rapport with the union. In his words “on the said day, I got a call from a member of the public that tanker drivers had blocked the entire Oshodi-Apapa expressway service lane”. He went further “the first thing I did was to call LASTMA and they confirm that they were moving to curb the situation. The intention of LASTMA was to go there and persuade them to leave by giving them one hour but when LASTMA got there; they were attacked with stones and cutlasses” (Onuorah, Olayink, Abubakar, Ebeiri and Hassan, 2009; The Punch, 2009, Vanguard, 2009)

### **Factors in the conflict**

The study found these as factors that precipitated the dispute:

Firstly, the flouting of traffic rules by the union. The study discovered that most of the tanker drivers flout the state traffic rules through illegal parking, which culminate in obstruction of traffic. Dangerous and reckless driving that sometimes results in accidents, and the fact that some tanker vehicles lack side mirrors and other precautionary safety devices. This conduct by NUPENG members was seen by LASTMA and extension the state government as an affront on its free traffic drive in the state. It can also be seen in the light of the government efforts at addressing the mega status of the state due to it rising population.

Secondly, the centralization of depots in Lagos state: the deliberate policy of the federal government in concentrated refined fuel importation outlet and depots in Lagos made massive inflow of tanker vehicles and its associated challenges inevitable. This action of the federal government and its agencies hence created the problem of lack of space as the available tank farms could not accommodate the inflows of unprecedented tanker vehicles. Coupled with the fact that concerted efforts were not made in providing and constructing more tank farms to accommodate the vehicles. With no other alternative, the tanker drivers had to park on available space including roads.

Thirdly, harassment and extortion was also part of the issue. Some LASTMA officials based on our findings indulge in the act of harassing the tanker drivers in an attempt to extort money from them. This was evidence in corrupt attitude of the LASTMA officials in collecting bribes from the members of NUPENG who contravenes traffic rules without regards to the law. Also, the frequent imposition of fines on NUPENG members for traffic contraventions by the LASTMA made it assume that it is a toll collecting agency. This thus created in the minds of NUPENG members that it was been deliberately targeted for revenue generation based on perceived traffic contraventions.

Fourthly, lack of good communication channels was also an issue in the conflict. The role of poor communication could be seen in the reaction of the tanker drivers to the presence of LASTMA officials at the Toyota bus stop, Lagos. The existing relations between both parties prior to this incident point to unhealthy communication. Hence, the consequence of poor communication that is mistrust, lack of confidence and understanding was clearly demonstrated in the conflict.

Fifthly, the role of bad governance in the conflict cannot be overemphasize; as the neglect of the refineries and the non-repair of the pipelines that led to the importation of refined petroleum products created the centralization of importation depots in Lagos. Yet, government could not provide enough parking lots for the tanker drivers. Bad governance, it must be said were largely responsible for the conflict. The issue of bad governance could be traced to various forms of indiscretion and indecision such as corruption and faulty choices. This was obvious in the award of maintenance contract known as Turn Around Maintenance (TAM) of the refineries to middle men and incompetent contractors who were cronies of the political leaders.

Sixthly, collective bargaining was an issue. The awareness by the NUPENG members that they have strong union that could protect their interest in times of need played a crucial role in generating the conflict. This was seen in the immediate responses and declaration of strike by the executive of the union in solidarity with the action of their members. The confidence and trust the members had on the powers of the body to protect and fight their interest and cause often make them cross the lines.

### **The transformation Stage**

It is important to state that there are mechanism and framework for resolving and managing industrial conflict. However, in this conflict these mechanisms which include: mediation, negotiation, conciliation, arbitration, National Industrial Court, Board of Inquiry was more or less not used rather a new strategy was employed in resolving the conflict, namely: the intervener - Nigerian National Petroleum Corporation (NNPC) who paid the fines imposed on NUPENG members.

The conflict which occurs on the 17th of April 2009 with the arrest of twenty seven trucks and imposition of fines by LASTMA, and agency of Lagos state government on NUPENG members over infractions on traffic laws led them to declaration of wildcat strike by NUPENG executive officials. NUPENG demanded for unconditional release of its Members trucks without paying the imposed fine. The parties held on to their diametrically opposed position creating a stalemate. Thus for over four days the conflict dragged on with the attendant consequence such as shut down of some commercial concerns, loss of man hours by commuters and loss of revenue by government on the nation.

It was in this position of deadlock that the Federal Government mandated its oil and gas regulatory agency, NNPC to intervene and resolve the conflict. The NNPC subsequently intervened and paid the penalty imposed on the size tankers. Therefore the corporation paid the sum of N2.7 million about \$ imposed as fine for the twenty seven trucks.

The motivating factor that compelled NNPC to intervene was largely political with economic and social implications. The intervention was partly a fulfilment of the pledge of the

Yar'Adua administration to make refined petroleum products available to the nation. Thus the industrial dispute which would have created disruption in the availability of the products and a negation of the administration pledge was resolved in a unique way.

Another factor was the dispositions of the parties in the conflict. The parties were ready for a long battle and they were not ready to shift ground coupled with the strategic importance of the product to the economy.

## CONCLUSION

The re-emergence of democratic dispensation in the country on May 29 1999 brought reawakens the hitherto oppressed trade union in the scheme of things.

In conclusion, the paper recommends the following:

Firstly, bad governance occasioned by widespread corruption, poor and inept leadership, nepotism has been responsible for the decay infrastructures in the petroleum and gas sector in the country. For instance, financial allocation for the TAM of the nation's four refineries was misappropriated by the cronies and associates of successive Heads of State from the late 1980s that lack the technical capacity in carrying out the TAM in the first place; thereby turning the sector's infrastructures maintenance regime into personal enrichment. Indeed, between 1993 and 2007 over \$5 billion earmarked for comprehensive refinery maintenance was misappropriated as the refineries and associated facilities remains in comatose. Also facilities such as tank farms that would accommodate tanker vehicles were not provided by the government. The lack of tank farms and associated facilities invariably led the union members to park the vehicles along roads and bridges that is against traffic laws of the Lagos state's government, hence the dispute.

Therefore for the dispute to be addressed, infrastructural concerns of the sector should be provided. Corruption and other vices that are hindering the sector's development should be tackled headlong. In the light of the foregoing, government at all levels (local, state and federal) should be alive to its duties and responsibilities. Leaders of government in the country should make right choices instead of the wrong choices that have led to the comatose state of infrastructures in the oil sector. Thus deliberate efforts should be made to provide critical social infrastructures- roads, refineries, pipelines, depots, tank farms and so on in the sector which will go a long way in addressing most of the complains of NUPENG members in particular.

Secondly, the federal government should campaign vigorously for the passage of the Petroleum Industry Bill that would address the issue of private and government partnership in the provision of facilities in the sector. The bill which has been laying fallow at the National Assembly, aims at reforming the sector for collaborative efforts among stakeholders in the sector. Therefore, pending when the bill is passed government relevant, authorities and stakeholders in the oil and gas sector should provide the needed facilities. At the same time, government should turn words into action beyond rhetoric by providing conducive environment for the private sector partnership in the provision of the critical aspect of the facilities .This would go a long way in reducing the incidence of illegal parking and

obstruction of highways by the tanker drivers that is prevalent not only in Lagos but in several states of the federation.

Thirdly, one of the reasons by NUPENG for the dispute is that most of the parking lots that would provide more space for its members have been abandoned. The completion phases of the parking lots should be completed pending when permanent solutions will be implemented, namely: construction of more refineries, repair of the existing refineries, expansion and repair of all the depots in other states of the federation as well as the resuscitation of the vandalized pipelines. This temporary measures which has almost becomes permanent should lead to the expansion of the several tank farms in Lagos. One of such parks, Orile Park should be completed in order to accommodate over 3000 tankers. In addition, other Parks in the state, namely, Apapa, Toyota, Iganmu and so on should be expanded, maintained and new ones initiated and completed, pending when government fully implement an enduring and permanent solutions such as the revamping of local refining capacity through the rehabilitation and construction of refineries.

Fourthly, any attempt at reducing the frequency of industrial dispute between the state government and NUPENG members should involve the reduction in the volume of vehicles that ply the roads for the supply and distribution of petroleum and gas products to other states in the country. In this regards, the rail system becomes handy. However, the nation lacks good and modern rail system that could handle this. Therefore, the rail system should be reformed, resuscitated and modernized. This would provide alternative means of conveying petroleum and gas products around the country. The first step is that the National Assembly should repeal and abrogate the 1955 Railway Act that confers the sole right to construct and run rail lines on the Federal Government. This would make state governments and corporate organizations to partner with federal government in the construction and running of the rail transport system. Also, government should carry the states and corporate bodies along in the design and implementation of the rail system road map.

Fifthly, a joint monitoring team should be set up to deal with any infraction by either party. The main objective of this strategy is to create trust and confidence between the union and the state government. Thus would help in conflict resolution. In this regard, the joint monitoring team should comprise members of both the Lagos State Traffic Management Authority and National Union of Petroleum and Natural Gas Workers. Its main duty would be the monitoring of the activities of both organizations, relating to traffic issues, namely: illegal parking, obstruction of highway and dangerous driving of the tanker drivers', extortion and harassment and then prompt actions would be taken when dispute is brewing.

Sixthly, the leadership of the State Government and the Union should engage in permanent dialogue. It is instructive to state that one of the major causes of the conflict was due to lacuna in communication. The engagement of the parties in permanent dialogue or Joint Consultation would ensure that the communication gap is bridged thereby promoting harmonious relations. The dialogue should attempt to find a way on how the grey areas in their relations could be resolved without resorting to strikes or arrest of the tankers or drivers. In the same vein, the same strategy should be adopted by parties and other employees and employers as well as the Government in their relations.

Seventhly, awareness should be created regarding traffic rules, offences and penalties. In other words, members of the public particularly the Organized Labour should be educated on

traffic rules. Also, LASTMA agents should deemphasize imposition of fines and rather apply corrective principles. Fines should be the last resort after the corrective methodology has failed. This is to prevent the notion that the agency is a tax collecting one. In the same vein, the executives of the Labour Union including NUPENG and others should educate their members on the need to obey laws especially traffic regulations.

## REFERENCES

- Adesina J: State, Industrial Relations and Accumulation Regime in Nigeria: Reflections on some Issue of Governance. *Ibadan Journal of the Social Science* No. 1, 1995, PP.1 - 2.
- Aiyede E.R.: 'A Review of Policy on Public Sector Wage Administration and Collective Bargaining in Nigeria in *the Nigerian Journal of Economic and Social Studies* March Vol 42, No 1, NISER Economic Society, 2000, PP. 64-75.
- Aiyede, E. R: From Corporalist Power to Abjection: Labour and State Control in Nigeria” in Wale Adebani / Ebenezer Obadare (eds.) *African connects: Encountering the Nigerian state*, New York, 2010
- Aiyede, E.R.: The State Collective Bargaining and Industrial Conflict in Nigeria. M.SC dissertation submitted to the Department of Political Science, University of Ibadan, 1995.
- Agbamu C. Ajibola S. Oluwadare S and Idowu S: Fuel Scarcity Worsens in Lagos, Other states, In: *Nigerian Tribune* (Ibadan) 21 April, 2009 P.7
- Ameh J, Ezeobi O, Soriwei F, Sunday A, Dayo O, Olorok F and Kazeem I.: Fuel Crisis: Tanker Drivers Call Off Strike in Lagos, In: *The Punch* (Lagos) 22 April, 2009 P8
- Badmus B., Awosiyani K. and Oluwadare S: Tanker Drivers Call Off Strike: Pays N2.7M Fine to Lagos Govt, in: *Nigerian Tribune* (Ibadan) 22 April, 2009, p.6
- Bisiriyu R., Falola F, Ezeobi O and Dayo O: fuel scarcity grips Lagos as Lastma Impounds 50 Tankers. In: *The Punch* (Lagos) April 20, 2009 P.2
- Bisiriyu R., Adebayo S., Chidozie I., Obasola K., Dayo O., and Ayankola M: Fuel Crisis May Linger in Lagos: Lagos Govt, Tanker Drivers Adamant, In: *The Punch* (Lagos) 21 April, 2009 P.6
- Burton, J: *The Mediation Process. Practical Strategies for Resolving Conflict*. Lanham, 1987
- Cohen, R.: *Labour and Politics in Nigeria 1945-1971*, London, 1974
- Comment: Tanker Drivers Rule Us. In: *Vanguard* (Lagos) April 27, 2009 P.18
- Duddly, B.: *Instability and Political Order: Politics and Crisis in Nigeria*, Ibadan, 1973
- Editorial incessant tanker drivers' strikes. In: *the Punch* (Lagos) 22 April, 2009 P 14
- Fajana, S.: *Industrial Relations in Nigeria*, Lagos, 1999
- Fashoyin, T.: *Industrial Relations in Nigeria*, London, 1980.
- \_\_\_\_\_ “Nigeria: Labour and the Military: Towards Exclusion” *Labour Capital and Society*, Lagos, 1990
- \_\_\_\_\_ Collective Bargaining in the Public Sector in Nigeria: Retrospect and Prospects in T. Fashoyin (ed.) *Collective Bargaining in the Public Sector in Nigeria*. Lagos, 1987
- \_\_\_\_\_ : *Industrial relations in Nigeria (Development and Practice)*, Lagos ,1980
- Federal Ministry of Labour Nigerian Labour Handbook. Lagos: Sahel Publishing, 1991.
- Federal Republic of Nigeria The Constitution of Nigeria, Lagos, 1999.
- Foltz, W.J: The Organization of African Unity and the Resolution of Africa Conflict: in

- Deng, F.M & Zartman, W. (eds.) *Conflict Resolution in Africa*, Washington D.C: Brooking Institute, 1991
- Hassan T : Fuel Scarcity Worsens As Tanker Drivers Go On Strike. In: the *Guardian* (Lagos) 20 April, 2009
- Humah J. and Adelakun A: Tanker Drivers' and Fuel Palaver. In: *The Punch* (Lagos) 23 April, .2009 P.38
- Igwe, O. *Politics and Global Dictionary*, Enugu, 2002
- International labour organization Collective Bargaining in Industrialized Market Economics. International Labour Office, Geneva, 1973.
- International Labour Organization Industrial Relations, Democracy and Social Stabilit, . World Labour Report 1997-98, International Labour Office, Geneva . 1997
- Lund, M.S *Preventing and Mitigating Violent Conflicts: A Revised Guide for Practitioners*, Washington D.C., 1997
- Mathew Y. Oil: Anatomy of an Industry, New York, 2005
- Ministry of Information and Communication Constitution of Federal Republic of Nigeria. Abuja Federal Government Press. 1999
- Moaz, Z. *Handbook on Human Rights in Situations of Conflict*, Minneapolis, 1997
- Ogunniyi, O.: *Nigerian Labour and Employment Law in Perspective*, Ikeja, 2004.
- Okafor, E.E and Bode-Okunade: *An Introduction to Industrial and Labour Relations*, Ibadan, 2006
- Ogidah A. : tank drivers suspends strike, nnpc pays N2.7M fine to Lagos. In: the *Guardian* (Lagos) 2009
- Onuorah M, Olayinka C., Abubakar M., Ebeiri K., and Hassan T / Fodeke T : Presidency Wades Into Fuel Crisis, Assures on Supply, In: the *Guardian* (Lagos) 22 April, 2009
- Onyeonoru I., and Adesina J. 2009. Trade union in Nigeria since 1945 in Craig Phelan (ed.) trade union past, present and future, peter Lang, oxford
- Otobo Dafe: *State and Industrial Relations in Nigeria*, Lagos, 1992
- \_\_\_\_\_ *the Role of Trade Unions in Nigerian Industrial Relations*, Lagos, 1987
- \_\_\_\_\_ and Omole, M.: *Readings in Industrial Relation in Nigerian*, Lagos,. 1987
- \_\_\_\_\_ Further Readings in Nigeria Industrial Relations, Lagos , 1992
- Rosali, J, Carrol, D. / Coate, R.: A Critical Assessment of the Power of Human Needs in World Society. In Burton, J. and Dukes, F. (eds.) *Conflict: Human Needs Theory*; London, 1990
- Ross, M.H.: *The Management of Conflict: Interpretations and Interest in Comparative Perspective*. New Haven, 1993
- Rummel, P.J.: "*Conflict in Perspective Understanding of Conflict and War* Vol. 3 Beverley Hill California, 1997
- Salamon, M: *Industrial Relations: Theory and Practice*, New York, 1992
- Ubeku, A.: *Industrial Relations in Developing Countries. The Case of Nigeria*. London, 1983
- Ugbudian L.I.: Government- Labour Conflict in the Downstream of the Petroleum and Gas Industry in Lagos State Nigeria M.A dissertation submitted to the Department of Peace and Conflict Studies, University of Ibadan, Nigeria, 2011
- Ugbudian L.I: Nigerian Foreign Policy 1985 – 2005 BA Project submitted to the Department of History, university of Ibadan, 2008.
- Ukandi D / Fashoyin T.: *Contemporary Problems in Industrial Relations in Nigeria*, Lagos: Development Press, 1986
- Webb, S. / B.: *The History of Trade Unionism 1666-1920*, Longman, London, 1920

Yesufu, M.: The Dynamics of Industrial Relations: The Nigerian Experience, Ibadan University Press, 984

Yesufu, .M: An Introduction to Industrial Relations in Nigeria, Oxford, 1987